



St. Marys River Management Committee

Post Office Box 251 • Folkston, GA 31537

St. Marys River Management Committee 2017 Annual Report

To the County Commissioners:

Please accept this document as the Committee's required Annual Report.

The St. Marys River Management Committee (SMRMC or Committee) is a quasi-governmental advisory panel established by interlocal agreement between Baker and Nassau counties in Florida and Camden and Charlton counties in Georgia. The Committee is comprised of five voting representatives from each county: one county commissioner and four appointed members (two riverfront landowners or representatives of corporations with riverfront property and two at-large members). One representative from the St. Johns River Water Management District (SJRWMD) and one representative from the Georgia Department of Natural Resources (GDNR) serve as non-voting members. All meetings are open to the public with notice provided on the Committee's website: www.saintmarysriver.org.

River Clean-Up & Celebration

The newly formed St. Marys Riverkeeper assumed leadership of the St. Marys River Clean-Up & Celebration starting in 2017. The date was moved to coincide with Earth Day clean ups by other local organizations.

Land Use

In February, Mike Bell, VP Public Affairs and Charles Adams, VP Community Development from Rayonier spoke to the committee about Wildlight Village, the first phase of the East Nassau Community Planning Area (ENCPA). Rayonier has also established a quasi-governmental tax overlay district called the East Nassau Stewardship District (ENSD) encompassing the entire ENCPA Sector Plan. Under Florida law, the formation of Stewardship Districts and Community Development Districts allow owners to spread some costs of development and operations to the district residents through annual assessments. The ENCPA is a 24,000-acre area in Yulee with 6.5 miles of St. Mary River frontage. The master plan for the ENCPA shows a series of "villages" with parks, hiking paths, bike trails and a planned 12,000-acre conservation habitat network/easement roughly surrounding Lofton Creek. Wildlight Village will include roughly 3,300 residential units and 6.9 million ft.² of commercial space, including shopping, restaurants, and schools.

Specific impacts on the St. Marys River are not clear. While Rayonier has no immediate plans to develop the riverbank along the St. Marys River, portions of the river frontage are not part of the conservation easement. Rayonier has committed to public access view sheds. See Attachment A for a map and additional information on the conservation easement. At a 2012 presentation, Rayonier representatives had shown a retail district along the riverbank at Rose Bluff and had said they were required to adhere to a 25ft setback. At the time, SMRMC had voiced concern over narrow vegetative buffers along the riverbank and lack of requirements to adhere to future environmental regulations. Most of the

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stormwater will not drain into the St. Marys River but instead south through the Lofton Creek watershed into the Nassau River. Through its partnership with Nassau County, JEA is expected to provide water and sewer service. Our understanding, from the February presentation, was that Rayonier would potentially improve existing public boat ramps once development commences in that area of the ENCPA Sector Plan but has no near-term plans for additional access. The committee was told that permitted withdrawal of water by JEA from the aquifer would be closely monitored to be sure there was no adverse impacts to existing legal users of water.

The ENSD was established by House Bill 1075, passed by the Florida Legislature and signed by the Governor of Florida on June 6, 2017. The ENSD will be governed by a five-member Board of Supervisors which will be responsible for operating and maintaining ENSD improvements, infrastructure and facilities. SMRMC will continue to follow the ENSD, the ENCPA Sector Plan, and the development of Wildlight Village especially their impacts on the health and public use of the St. Marys River.

Baker County held their final workshop for the sandmining ordinance in June 2017 and passed an ordinance in the fall of 2017. The county continues to struggle with the administration of the Shoals Park. In the absence of funding to staff the park, there have been ongoing problems with misuse and vandalism. Income from a selective thinning recommended by the Shoals Park Management Plan was used to fund a part-time park ranger with law enforcement capabilities. He will start work in January 2018.

In December 2016, Camden Board of Commissioners heard a request to subdivide an 80-acre private property on Cumberland Island into 10 sub-parcels. There is no development proposed as part of the subdividing action and no current impact on the river is anticipated. After several months of discussion, the problem was returned to the National Park Service and the landowners to design a workable solution.

Camden County is trying to acquire the roundhouse property just east of the Hwy 17 bridge to improve the boat ramp and provide additional parking for river access.

Water Quality

In July 2016, the Georgia General Assembly approved a moratorium on permits for pipelines for one year while a citizen's commission studied the state's eminent domain laws and made recommendations for improvements. The results of the study were reflected in HB 413, signed into law May 9, 2017. All property owners within 1000 feet of a proposed pipeline route must be notified. A new appeal process for use of eminent domain was also instituted. Georgia Environmental Protection Division is designing rules based on HB 413. They will be available for public comment in the spring or summer of 2018. HB 413 will apply to the Palmetto Pipeline should it be proposed again. The pipeline would cross Camden, Charlton and Nassau counties. It would go under the St. Marys River near US 301 in Charlton County. Stream impairments continue to be a problem in both Georgia counties. Work is underway to remediate several of the river and tributary segments listed on the 2012 Environmental Protection Agency (EPA) Integrated 305(b) and 303(d) List as waters not supporting the designated use of fishing and swimming. The most common impairments in the main stem of the river are dissolved oxygen, mercury, and fecal coliform. Dissolved oxygen levels in coastal blackwater systems are under review and mercury is more a regional than a local issue. The committee is currently concentrating on fecal coliform impairments. The Committee partnered with University of Georgia River Basin Center in 2010-2011 on a

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319 grant to pinpoint and begin remediation work on Horsepen Creek in Camden County. In 2017, Camden County applied for and received a 319 grant to continue remediation. The St. Marys Riverkeeper is providing water quality testing equipment and volunteers; the committee is providing organizational assistance. The grant year began in November 2017.

Charlton County was invited to apply for a Coastal Incentive Grant based on a preliminary application in December 2016. There was a great deal of concern among county commissioners about the lack of recent data, therefore, intensive sampling played a central role in the grant application. The county decided in late January 2017, not to apply for the grant because they were not able to secure a firm commitment from partners to supply volunteers to do the desired water quality testing. In February 2017, the committee approached Georgia Environmental Protection Division (GEPD) and they agreed to do intensive sampling of Spanish Creek at five sites on all three branches. A spreadsheet of the data was shared with the committee in December 2017. It showed that the creek was still impaired. In 2018, the committee will continue to work with Charlton County and the cities of Folkston and Homeland to seek grants to lay the foundation for remediation efforts.

Though several St. Marys tributaries in Florida were categorized as impaired for fecal coliform on the initial list in 1998, all were delisted by Florida Department of Environmental Protection (FDEP) following changes in contamination parameters and additional water quality testing.

Geoff Sample, St. Johns River Water Management District (SJRWMD) representative to the committee, informed the committee of the availability of cost-share funding to Rural Economic Development Initiative (REDI) counties (Nassau and Baker). These two counties are designated as REDI, which means the requirements funds for the project can be waived. The Fernandina Beach Area 1 drainage improvements project received \$251,282.57 from SJRWMD. The project involves the upgrade of the existing drainage system in the North 15th Street area. The project will result in a reduction of approximately 50 lbs/yr total nitrogen and 10 lbs/yr total phosphorus flowing from the Fort Clinch Aquatic Preserve into Cumberland Sound. SJRWMD will be accepting applications for their cost-share projects on water quality, water supply and flood protection in 2018. Both counties are considering possible projects.

Geoff Sample also provided the committee with the “Assessment of the St. Marys River Biological Water Quality, Primary Productivity, and Pollutant Load – Phase I Monitoring” from 10/2006- 3/2008 by University of Georgia Marine Extension Service.

In Baker County, a company filed an application for a permit for Class B biosolids (sludge from Gainesville FL) at the Cedar Creek area. The company withdrew the permit when the county passed an ordinance requiring additional notification of neighboring properties and wider setbacks from environmentally sensitive areas for sludge applications.

The West Mims Fire ignited in the Okefenokee Wildlife Refuge in early April and burned 151,515 acres before being contained by the efforts of over 1000 firefighters. It was finally extinguished by heavy rains in June. Burns generally have a positive impact on the St. Marys River by providing periodic infusions of potash which in turn slightly increase the pH. During extreme droughts, the pH of the St. Marys River has been as low as 3.5.

SMRMC members attended several meetings of the Natural Resources Committee of the Regional Community Institute of Northeast Florida, Inc. (RCI). RCI is a non-profit created by Northeast Florida Regional Council in 2011 to complete a 50-year visioning plan for the First Coast. The group’s study area

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extended past Florida to the Satilla River; and the action plan included Charlton, Camden and Ware counties in Georgia. As of September, RCI had completed the second draft of their report on the natural resources visioning. It is available online at:
http://www.rcinef.org/Water_Beyond_Borders_8_28_17.pdf.

Water Quantity

In March 2017, SJRWMD Governing Board approved a Water Shortage Warning for seven counties due to hydrologic trends that reflected the effects of below-average rainfall across parts of the district. In May, the order was expanded to include all counties within the district's jurisdiction. On September 19, the District's Governing Board voted to rescind the districtwide Water Shortage Warning following an extended period of increased rainfall.

The St. Marys River gage installed in 2016 at Traders Hill provided valuable information to emergency management personnel in Charlton, Camden and Nassau counties during the heavy rains brought by Hurricane Irma in September 2017. The gage showed that water rose to 22.32 ft above normal mean water level. The data for the gage can be viewed at http://waterdata.usgs.gov/ga/nwis/uv/?site_no=02231175&PARAMeter_cd=00065,00060,00062. The Traders Hill gage data provided by SJRWMD showed there were 580 million gallons flowing past the gage on 9/1/2017 (before the storm) and 659 million gallons on 10/1/2017 (several weeks after the storm). The peak flow during the storm was 1,462 million gallons (1.462 billion gallons). Geoff Sample, reported that a National Weather Service modeler noted, in a presentation, that the water level in downtown Jacksonville from Irma was the highest recorded since 1846.

Hurricane Irma highlighted weak points in each of the counties' infrastructures. The committee encourages counties to use local option taxes (e.g. SPLOST in Georgia) to assist with improvements. There were numerous road wash outs throughout the four-county area and storm debris pick up was a challenge especially in rural parts of counties and small underfunded cities.

In Camden County, power went out in the City of Kingsland which led to lift stations without power and allowed sewage to flow directly into neighborhoods at Catfish Creek. Approximately 50 houses were affected. Fecal coliform readings at Catfish Creek were very high post-hurricane. The committee plans to follow up with the City of Kingsland about this problem. Browntown also flooded and Horsepen/Temple Creek water quality was poor the weekend following the storm. Storm surge caused 37 vessels to capsize, the city docks were badly damaged, and the original Cumberland Queen lost.

In Charlton County, several roads were washed out and 30 homes flooded. The county was seeking DOT money for help with road repair. Storm debris had still not been picked up in Homeland in December. Nassau County had numerous road washouts especially in the western part of the county and flooding lasted for almost a month. At Lake Hampton, the valve for the dam overflow was not entirely opened and the dam washed out. Debris collection was a challenge in the rural area of the county.

Baker County mostly had tree damage; debris pick up was slow.

Nassau County residents along Thomas Creek, the largest tributary of the Nassau River, have been subjected to excessive flooding even after relatively small rains. The almost 50-mile stretch of waterway is clogged with fallen debris. Following massive flooding caused by Hurricane Faye, in 2008, the county undertook a long-term restoration project. Using its own money as well as funding from Community Development Block Grants, Disaster Relief Fund, and Florida Department of Environmental Protection,

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Nassau County completed the first seven phases of desnagging and removal of riparian vegetation between 2010 and 2016. In December 2016, Nassau County received a \$500,000 REDI cost-share grant from SJRWMD for phase 8 of the project. Phase 8 involved desnagging 6000' from US 1 west to the CSX railroad bridge. Following Hurricane Irma, Nassau County Commissioners with help from Jacksonville City Council and state Representative Cord Byrd, state Senator Aaron Bean, and U.S. Representative John Rutherford were able to schedule a visit by U.S. Army Corp of Engineers (USACE). As part of the visit USACE conducted a waterflow study. Based on the results of the study, Nassau County qualified for cost-share assistance from USACE with flood prevention measures. In 2018, Nassau County hopes to outline the work needed on the 6.5 miles east of Thomas Creek Rd.

Other

Due to budget cuts, Florida and Georgia are no longer stocking game fish in the St. Marys River. National Marine Fisheries Service stopped the sturgeon sampling in the St. Marys River because of concern about the stress on the threatened population.

During early 2017, clean-up of debris from Hurricane Matthew (2016) along the nearby Nassau River between Scott's Landing and Orange Bluff, Tetra Tech, the contractor hired by FDEP, apparently cut live standing trees in the process of removing approximately 700 tons of vegetation. Through combined efforts of the St. Marys Riverkeeper and Nassau County Commissioner George Spicer the attention of state and federal representatives was brought to bear on the issue. In late July, the St. Marys Riverkeeper toured the site with representatives from FDEP and the contractor and sub-contractor. Ultimately, FDEP concluded there was no evidence present of wrong doing by Tetra Tech or their sub-contractor. However, Austin Nicklas (a representative from Senator Bean's office, invited by Commissioner Spicer) expressed to the committee that the outcry from residents, the Committee's fast action, and the involvement of the Riverkeeper were noticed by the Senator's office and will bring more awareness to hiring of sub-contractors in the future. Commissioner Spicer also mentioned that he reached out to U. S. Representative Rutherford's office and state Representative Byrd's office and both were interested and very helpful.

Residents in Kings Ferry area Florida side are interested establishing a No Wake Zone. Commissioner Spicer has been in contact with the county attorney to see if it is possible. The Georgia side of the river has existing no wake zones 100 ft on either side of any dock, boat, house etc.

Additional Advocacy and Protection for the St. Marys River

SMRMC has long recognized that its status as a quasi-governmental entity formed under an interlocal agreement between Georgia and Florida counties not only makes it impossible to supplement counties' dues to support work such as the annual St. Marys River Clean-Up & Celebration but also impedes quick action and subcommittee work because of the obligation to work within the parameters of "sunshine" (open records) laws of the two states. In 2016, after several years of discussion by SMRMC and with the advice and support of individual past and present committee members, Camden County SMRMC appointee Rick Frey was licensed by the International Waterkeepers Alliance as the St. Marys Riverkeeper. He resigned from the Committee to avoid conflicts of interest.

SMRMC and the St. Marys Riverkeeper are cooperating and collaborating on several projects. As a USC 501 (c)(3) non-profit, St. Marys Riverkeeper, Inc. assumed leadership of the St. Marys River Clean-Up & Celebration in 2017.

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Admin

Camden County named Chris Chauncey as new member of the committee.

Without the revenue from the river clean-up, the committee will not be able to continue to employ the part-time administrative assistant, who facilitates compliance with “sunshine” laws of the two states.

To partly address the decrease in available funds, the committee requested an increase in annual contributions by each county from \$500 to \$700, effective 2018.

Respectfully submitted,



John Myers
GA Chair SMRMC



Chris Gazes
FL Chair SMRMC

ST. MARYS RIVER MANAGEMENT COMMITTEE
2018 PROPOSED BUDGET

ANTICIPATED COUNTY REVENUE:

| | |
|---------------|------------|
| Baker | 700 |
| Camden | 700 |
| Charlton | 700 |
| <u>Nassau</u> | <u>700</u> |
| Total | \$2800 |

ALLOCATED EXPENSES:

| | |
|--|------------|
| Administrative Assistant | 2776* |
| <u>Office Expenses (Copies, Mailing)</u> | <u>124</u> |
| Total Expenses | \$2800 |

12/31/2018 CASH ON HAND \$4415.08

* Does not include \$468.62 invoiced in 2018 for Nov and Dec 2017 services.

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Attachment A

FUTURE LAND USE

A) Conservation and Habitat Network (CHN)



The Conservation and Habitat Network as depicted on Map FLUMS-6 (Master Land Use Plan) is designed to provide viable environmental communities that are sustained during and after development of the ENCPA. The CHN consists of natural waterbodies, wetlands, buffers and other uplands which will not be converted to development uses, but will allow for a variety of passive and nature-oriented recreational uses including, but not limited to, canoeing/kayaking, equestrian activities, walking/hiking and bicycle trails as well as timber management. The CHN contains the connected wetland strands encompassing over 80% of the ENCPA wetlands; and over 80% of the mapped 100 year floodplain. The CHN, as placed under a conservation easement, may be used as mitigation areas for state, Federal and local wetland permitting; and as protected habitats to fulfill state and Federal protected species permitting requirements.

1) CHN General Guidelines and Standards

The Conservation and Habitat Network shall be subject to the following general guidelines and standards:

- a) Prior to development of portions of the ENCPA that abut boundaries of the CHN which preserve wildlife habitat, a management plan shall be developed that promotes maintenance of native species diversity in such areas and which may include provision for controlled burns.
- b) New roadway crossings of wildlife corridors within the CHN for development activity shall be permitted in conjunction with the design of the internal road network, but shall be minimized to the greatest extent practical.
- c) Road crossings within the CHN will be sized appropriately and incorporate fencing or other design features as may be necessary to direct species to the crossing and enhance effectiveness of such crossings.
- d) Prior to commencement of development within the ENCPA, an environmental education program shall be developed for the CHN and implemented in conjunction with a property owners association, environmental group or other community association or governmental agency so as to encourage protection of the wildlife and natural habitats incorporated within the CHN.
- e) The boundaries of the CHN are identified on Map FLUMS-6. The boundaries of the CHN shall be formally established as conservation tracts or placed under conservation easements when an abutting development parcel to portions of the CHN undergoes development permitting in accordance with the requirements of the St. John's River Water Management District (SJRWMD) and pursuant to the following criteria:
 - i. As to wetland edges forming the CHN boundary, the final boundary shall be consis-

tent with the limits of the jurisdictional wetlands and associated buffers as established in the applicable SJRWMD permit;

- ii. As to upland edges forming the CHN boundary, the final boundary shall be established generally consistent with Map FLUMS-6, recognizing that minor adjustments may be warranted based on more or refined data and any boundary adjustments in the upland area shall (i) continue to provide for an appropriate width given the functions of the CHN in that particular location (i.e., wetlands species or habitat protection), the specific site conditions along such boundary and the wildlife uses to be protected and (ii) ensure that the integrity of the CHN as a wildlife corridor and wetland and species habitat protection area is not materially and adversely affected by alteration of such boundary; and
- iii. Boundary modifications meeting all of the criteria described in this Policy subsection shall be incorporated into the Conservation and Habitat Network and the ENCPA Master Land Use Plan upon issuance of the applicable SJRWMD permits and shall be effective without the requirement for an amendment to the Nassau County Future Land Use Map, ENCPA Future Land Use Element Policies or any other Nassau County Comprehensive Plan Elements defined in Chapter 163, F.S.
- f) Silvicultural and agricultural activities allowed in the Agricultural classification of the Future Land Use Element of the Nassau County Comprehensive Plan, excluding residential land uses, shall continue to be allowed within the CHN. When the final boundaries of any portion of the CHN are established as described above, a silvicultural management plan will be developed in accordance with best management practices to protect the overall conservation objective of such portion of the CHN.



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