



**Environmental Protection Board Members**

David Wood - Chairman  
Thomas Deck – Vice Chairman  
Roi Dagan, MD, Charles Garrison, Adam Hoyles  
Beth Leaptrott, Clint Noble, Guillermo Simon

**Education & Public Outreach**

David Wood – Chair  
Charles Garrison  
Thomas Deck

**Air Odor Noise Committee**

Thomas Deck – Chair  
Charles Garrison  
Adam Hoyles  
Clint Noble  
Guillermo Simon

**Water Committee**

Charles Garrison – Chair  
Roi Dagan, MD  
Adam Hoyles  
Beth Leaptrott  
Clint Noble  
Guillermo Simon

**Jacksonville Environmental Protection Board**  
**Monday, March 21, 2022**  
**MONTHLY MEETING SUMMARY**

**MEMBERS PRESENT:**

David Wood, Chair  
Adam Hoyles  
Charles Garrison  
Guillermo Simon

Thomas Deck, Vice-Chair  
Beth Leaptrott  
Clint Noble

**MEMBERS NOT PRESENT:**

Roi Dagan, M.D.

**STAFF/RESOURCES PRESENT:**

James Richardson, JEPB Administrator  
Cherry Pollock, OGC  
Natalie Frandsen, OGC  
Melissa Long, EQD Chief

Terry Carr, EQD Water Branch  
Tree Kilbourn, EQD Enforcement  
Mike Williams, EQD Air Branch

**VISITOR(S) PRESENT:**

John Nooney  
Doug Conkey, SJRWMD

## CALL TO ORDER

DAVID WOOD

## INTRODUCTIONS

Chair Wood called to order the monthly meeting of the Jacksonville Environmental Protection Board (JEPB) at 5:00 pm. A quorum was established.

## CHAIRMAN'S REMARKS

None

## COMMENTS FROM THE PUBLIC

John Nooney – appeared again to share concerns with some parcels along Pottsburg Creek in the area of Parental Home Road.

## APPROVAL OF MINUTES

- Minutes of February 22, 2022, Monthly Meeting
- Minutes of February 28, 2022, Water Committee Meeting

A motion to approve the minutes was made (Garrison), properly seconded (Deck) and approved by the body.

## CONSENT ORDERS

## Air/Noise

- **Cedar Bay Enterprises, LLC d/b/a Cedar Bay Funeral Home (AP-22-02)** - Visible emissions (VE) exceedance of 5% opacity limit

Respondent's corrective actions: Retest demonstrated compliance with VE opacity limits

Consent Order settlement fee: **\$300**

- a. in the six-minute period from minute 0:30 to minute 6:30 at 8.75% ;
- b. in the six-minute period from minute 2:00 to minute 7:00 at 10% opacity;
- c. in the six-minute period from minute 5:00 to minute 10:00 at 15% opacity

Potential for Harm – Minor: Minor source where the violation consists of one (1) to four (4) separate six (6) minute average exceedances of the allowable VE during any one-hour period or less.

Extent of Deviation – Minor: Greater than the allowable, but less than the standard plus 15% opacity, based upon the highest continuous six (6) minute average opacity of an observation.

Consent Order requirements: None

## Water

- **Dollar Tree Stores, Inc. [WP-21-65 and WP-19-69]** - Failure to operate and maintain all wastewater collection/transmission systems so as to function as intended and to provide uninterrupted service; Failure to comply with sewerage design standards; Failure to perform required maintenance and/or keep required records

Respondent's corrective actions: Unknown for maintenance at all lift stations  
Engineer hired to review Manifold System

Consent Order settlement fee: **\$11,600**

- (1) *For all stores with lift stations, failure to perform required maintenance and keep required monthly records with noncompliance greater than one year (unable to provide 5 years of records)*  
*Minor Potential for Harm and Major Extent of Deviation = \$900*  
*9 known stores to date not in compliance, 900 x 9 = \$8,100*
- (2) *Failure to comply with design standards (permit conditions) at Manifold System for 6 months to 1 year based on their limited lift station records*  
*Moderate Potential for Harm / Major Extent of Deviation = \$3,500*

Consent Order requirements:

- (1) Initial Engineer Report for Manifold System: 4/30/2022
- (2) DEP Permit application if required: 60 days from date of notification from EQD
- (3) OMR Agreement revisions: Within 90 days of discovery of any additional properties connected to Manifold System

- (4) Final Engineer Report/DEP Clearance package: To be determined after review of Engineer Report
- (5) Monthly Status Report for review of Manifold System: Last day of each month beginning 12/31/2021
- (6) Monthly maintenance records for all lift stations: Last day of each month beginning 12/31/2021

A motion to approve the consent orders was made (Hoyles), properly seconded (Garrison) and approved by the body.

## ENFORCEMENT REPORT

TREE KILBOURN

No updates or questions.

## PRESENTATION(s)

- none

## PUBLIC HEARING(s)

- none

## COMMISSION & JEPB COMMITTEE UPDATES

- **Waterways Commission** – Mr. Hoyles reported that there were discussions concerning manatee mortality, various land use changes, a developing sand bar in the St Johns and discussion of the presence of coal dust in the St Johns.
- **KJB Commission** – no report
- **JEPB Water Committee** – Mr. Carr shared highlights from the branch report distributed with the meeting packet and addressed questions.
- **JEPB Air Committee** – Mr. Williams shared highlights from the report distributed with the meeting packet and addressed questions.

## EPB ADMINISTRATOR REPORT

Mr. Richardson referred members to the report provided in the packet. He shared the updated potential schedule for rulemaking for JEPB Rule 3.

## ENVIRONMENTAL QUALITY DIVISION REPORT

Chief Long shared that there were still several vacancies within the division, mainly due to no one applying. She is considering developing a means to use more interns and coops.

## OLD BUSINESS

none

## NEW BUSINESS

- **Funding Request – Nutrient Separating Baffle Boxes**

Mr. Garrison shared that the Water Committee reviewed a request to provide funding for a pilot project to install a nutrient separating baffle box in North Jacksonville. He asked that representatives be allowed to share a high level overview of the project for the full Board.

Ted Smith, with Central Pipe Rehab, and Eric Smith, with Ferguson Waterworks, shared an overview of the project. They shared that at the request of the Water Committee, they went back and included an additional amount for 1 year of maintenance to be provided by Central Pipe Rehab and also the price for the inclusion of some type of backflow prevention device. Mr. Richardson then shared his staff review of the proposal. He indicated that the project met the requirements of the ordinance and that there was a sufficient amount available to cover the cost and maintain the \$100,000 required to be in the Environmental Protection Trust Fund.

He shared his recommendation to approve the funding request with the conditions outlined in his report. A motion to approve the funding request as presented by staff was made (Hoyles) and properly seconded (Garrison). During member discussions and questions, an additional condition that the project be installed ensuring that FDOT clear zone criteria were utilized. The motion was approved by the body.

- Resolution for April as Water Conservation Month

Mr. Richardson shared that prior to April, the SJRWMD seeks support from local governments and groups declaring April as Water Conservation Month. He further shared that the JEPB has traditionally done this via a resolution from the Board and presented one for consideration. A motion to approve the resolution as provided was made (Deck), properly seconded (Hoyles) and approved by the body.

## ITEMS REFERRED TO COMMITTEES

none

## NEXT SCHEDULED BOARD MEETING(S)

- JEPB Committees
  - Air Committee – TBD
  - Water Committee – TBD
- JEPB Steering Committee – April 11, 2022, at 4:00 pm
- JEPB Monthly Meeting – Monday, April 18, 2022, at 5:00 pm

The meeting was adjourned at 6:19 pm.

Respectfully Submitted



**STAFF REPORT FOR FUNDING REQUEST**  
**PROPOSED FUNDING FOR NUTRIENT SEPARATING BAFFLE BOXES PROJECT**  
**MARCH 2022**

The JEPB Program Administrator forwards to the Jacksonville Environmental Protection Board its comments and recommendation regarding the above referenced funding request.

***Requesting Organization:*** Ferguson Waterworks and Central Pipe Rehab  
***Project Name:*** Nutrient Separating Baffle Boxes Pilot  
***Amount of Request:*** \$274,000  
***Staff Recommendation:*** Approve with conditions

**GENERAL INFORMATION**

Municipalities around the state of Florida are being directed to reduce their nutrient and pollutant loading to combat the negative side effects of development such as the red tides and algae blooms that have wreaked havoc across many impaired waterbodies and coastal shorelines. Our current infrastructure can carry pollutants miles away from their origins resulting in unnatural pollutant concentrations due to traditional methods of managing stormwater runoff. To address the nutrient load contained in solids, it has been a common practice for municipalities across the state to implement baffle box programs to treat outfall that discharge to impaired water bodies.

This request is for a pilot project that is to be monitored at 9767 E Carbondale Dr. It is proposed to use a 5x10.5 nutrient separating baffle box (NSSB) + up-flow filter (UFF). This site appears to have a large canopy area, an appropriate static water line, and potentially a large volume of water upstream of the ditches to provide an ideal hydraulic efficiency for the filter to provide an optimal removal efficiency.

**CRITERIA FOR REVIEW**

Pursuant to Jacksonville Ordinance Code Section 360.601, the Jacksonville Environmental Protection Board shall evaluate and consider the following criteria of a request for use of the Environmental Protection Fund (FUND):

1. ***Is this an appropriate use of the FUND pursuant to Sec. 360.602 Ord. Code?***  
Yes. Section 360.602(f), Ord Code, provides for the use of the fund to conduct education and outreach activities, studies, surveys, tests, and investigations which are unique and of a onetime nature. The proposed project meets this criterion as it pilots a project providing nutrient removal from stormwater outfalls directly discharging into the river which otherwise does not receive any stormwater treatment.
2. ***Will granting of this request reduce the balance of the FUND below \$100,000 as required pursuant to Sec 360.602(f) Ord Code?***  
No.
3. ***Is there a sufficient fund balance available to support the request?***  
Yes. The estimated balance of the fund available for projects currently is \$417,000.

### SUPPLEMENTAL INFORMATION

The discharge waters will be monitored and tested, per the information contained in the proposal, to determine nutrient and other pollutant removal. Nitrogen removal/Phosphorous capture is achieved through biosorption (Bold & Gold) media – Nutrient reduction can be quantified through BMPTRAINS analysis but is limited to FDEP's allowable credit % for removal efficiency. The specific mass of TN/TP removed can be measured by modeling the system in BMPTRAINS. FDEP, gives second generation baffle boxes 15.5% credit for TP and 19.05% for TN. NSBB+UFF that treats roughly 0.10" to 0.25" typically yields results 20%-40% for either TP or TN. \*Monitoring can warrant higher removals.

The JEPB funding currently represents 100% of the anticipated project costs.

### RECOMMENDATION

Based on the foregoing, it is the recommendation of the JEPB staff that the funding request be approved with the following conditions:

1. Seek approval of an appropriation of \$274,000 to provide funding support for the installation of a pilot project to treat stormwater before direct discharge to the river.
2. Seek approval of an agreement with Central Pipe Rehab, LLC to coordinate the project. Payment to be disbursed pursuant to terms outlined in the agreement.
3. Seek exception to Sec. 126.107(g), Ord Code as Central Pipe Rehab, LLC will be listed in the authorizing legislation.
4. Seek waiver of Sec. 110.112, Ord Code to allow for the advance of City funds