

TO: Lake County Water Authority Board of Trustees

FROM: Ron Hart, Water Resources Director

DATE: March 1, 2018

SUBJECT: NuRF Floc Removal Alternative

Discussion Item

NuRF Floc Removal Alternative

Regular consistent high flows for long durations have filled the NuRF’s two 9-acre ponds with floc (Figure 1). To remove this continuing accumulation and decrease the discharge of floc downstream, staff has been operating the dredges and centrifuge 24-hours a day 7 days a week. Even with these efforts, approximately a third of the floc is discharged downstream due to the flows being over 250 cubic feet per second and the ponds being full. The discharges of flock are likely to continue increasing as the ponds fill more. This issue will result in the further filling of downstream channels and create a sediment bar at the mouth of Lake Beauclair.

In order to respond immediately, staff contacted Jahna Dredging, the current St. Johns River Water Management District’s (SJRWMD) contractor for the Lake Apopka Dredging Project to discuss potential options to expedite the removal of the floc from the ponds. The advantage of piggy-backing on this contract i that the unit prices for equipment and personnel are set and most importantly, the time required for developing, implementing, and awarding a formal bid is greatly reduced.



Figure 1. NuRF Layout showing the Two Floc Ponds and the Sludge Disposal Area.

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Staff has considered several alternatives to reduce these discharges out of the ponds. One of these proposals involved dredging the sludge and pumping the material 6,000-8,000 feet up the Apopka/Beauclair Canal to the F and G Cells. This proposal would permanently dispose of the alum floc off-site. However, the cost would be \$35,000 per week plus mobilization and demobilization. The alum floc would then be spread across the cells similar to our Lake Beauclair Dredging Project.

The second and most viable method with the lowest cost was to pump the untreated alum floc directly to the disposal area (Figure 2). Currently the limiting step is the use of the centrifuge to dewater the floc. As part of this proposal, Jahna would bring their own polypropylene pipe and fuse sections for attachment to one of our dredges. Because the alum floc contains a lot of alum, settling should occur quickly. Clean excess water can be decanted out the existing risers to the adjoining wetlands. If the water is not clean enough to discharge, boards will be added to the risers to increase the settling time. This design will allow both dredges to be utilized at the same time and will recover some settling areas in the floc ponds as quickly as possible once the flows have decreased. To expedite the process and reduce floc discharges as soon as possible, the Executive Director has authorized Jahna to proceed with this work immediately.

Jahna is providing staff to operate one of the dredges and will move the end of the pipeline in the disposal area as necessary. Should either dredge have any mechanical failures, both Jahna and our staff will work together to make the necessary repairs. However, the cost for parts on the dredges will be our responsibility.

The following are Jahna's detailed cost:

Mobilization	\$12,641
Demobilization	\$ 8,770
Weekly Operation 24/7	\$11,037

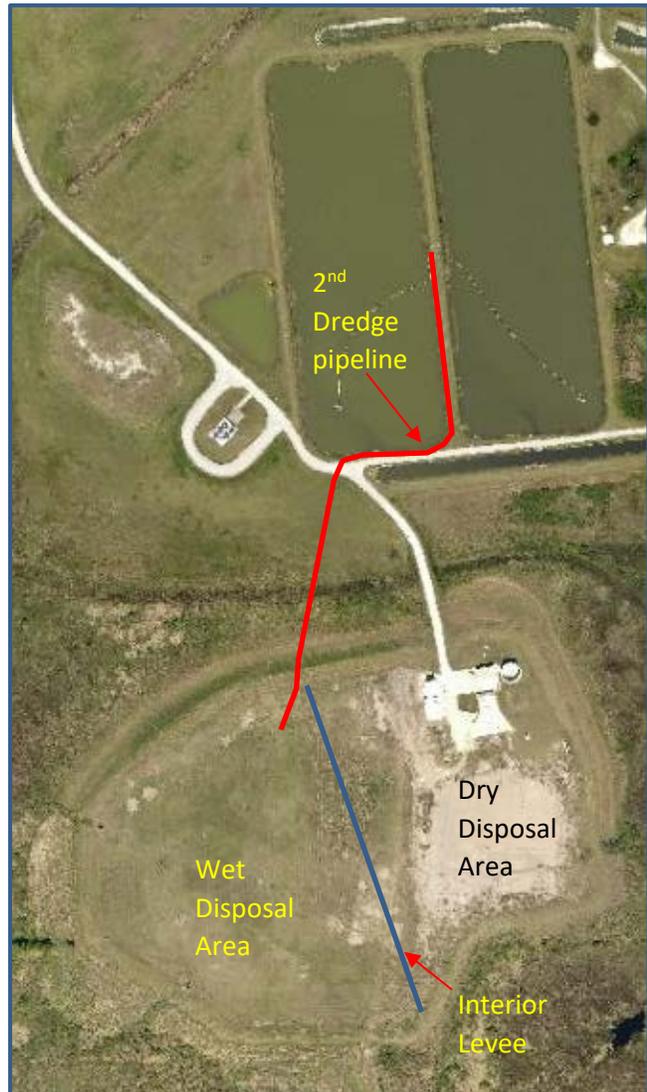


Figure 2. Pipeline Layout and Sludge Containment Area at the NuRF.

Jahna's proposal is attached. It matches the hourly rates contracted by the SJRWMD for their Lake Apopka work. Staff estimates that it would take 2 months to recover enough pond volume to ensure proper settling and to create a buffer for the next increase in flows. This is of course dependent on the current high flows coming to an end.

Upon completion of the project, staff has requested that Jahna leave and store the pipeline on site in case it is needed again in the near future. Jahna has agreed and will only remove the pipe if it is needed on another project.

Executive Director's Recommendation:

Authorize the Executive Director to continue utilizing the SJRWMD contract with Jahna Dredging to remove sludge from the ponds at the NuRF for the next two months.



TO: Lake County Water Authority Board of Trustees
FROM: Ben Gugliotti, Land Resources Director
DATE: March 1, 2018
SUBJECT: Bear Track Preserve/Lake Norris Acres – Easement Issues

Consent Item

Bear track Preserve/Lake Norris Acres – Easement Issue Update

In December of 2016 the Lake County Water Authority purchased 15± acres on the south shore of Lake Norris and adjacent to the Bear Track Preserve, from Brian Richards. Staff worked with the state to purchase the remaining 80 acres of the Lake Norris Acres which Mr. Richards was selling.

On October 4, 2017, the state notified staff that they were not moving forward with the purchase because their title search found an environmental easement (conservation easement, recorded in Book 1051, Page 1930, Attachment 1) over a portion of the 80 acres. Mr. Mark Carson, a previous owner, signed the agreement with Lake County on March 28, 1990. The conservation easement also covered a portion of the 15 acres the Water Authority had already purchased (Map included as Attachment 2).

The question was raised as to why the Water Authority’s title search did not find the conservation easement and whether the Water Authority had overpaid for the 15 acres, if the property did not have full development rights.

On November 17, 2017, a meeting was held at the LCWA office with Brian Richards, Board Trustee Doug Bryant, Attorney Carol Barice (through conference call), Executive Director Michael Perry, and Ben Gugliotti. Mr. Richards said he did not believe that the conservation easement was ever accepted, however he did not have any documentation of that. He said that he did have a letter from Lake County from several years before which stated that he had full development rights on his entire property, and he felt that was proof the conservation easement was not enforced. Unfortunately, he was unable to locate the letter at the time of the meeting. The representatives of the LCWA at the meeting explained that it was Mr. Richard’s responsibility to go to Lake County and get documentation that the conservation easement was not accepted and there were no other encumbrances on the property, especially if there is any hope of resurrecting the deal with the state to purchase the remaining 80 acres. Staff has not received anything form Mr. Richards at this time.

Staff was still concerned about the potentially overvalued purchase price of the 15 acres, and contacted the Lake County Attorney’s office to try to find out if they were enforcing and/or even aware of any conservation easement. The response email is attached, (Attachment 3). The

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County Attorney's Office stated that they do not track conservation easements, but the Property Appraisers Office may if it affects the assessed value of the property.

Anna Ely used to work for the County and knew her way around the Official Records Books. From her computer, she was able to turn up an Affidavit recorded October 7, 1998, (Attachment 4, recorded in Book 1650, Page 215) stating that the environmental easement was erroneously recorded, was never accepted by Lake County and is therefore void. A contact of hers in the Lake County Planning and Zoning office also found a Certification of Granting of Vested Rights in the Wekiva River Protection Area to Mr. Mark Carson from the Lake County Department of Planning and Development dated August 8, 1990, (Attachment 5, recorded in Book 1073, Page 1706), which she emailed to Anna and the Lake County Attorney's Office.

Both of these documents were sent to Brian Richards and Attorney Carol Barice. Attorney Barice said staff should still try to get something in writing from Lake County stating they are not holding or enforcing any easements on the property.

Staff contacted the Lake County Attorney's Office to explain the situation and see if they could provide written documentation that the Conservation Easement was not valid and not enforceable. The County Attorney's office said that they did not track Conservation Easements and that they were not sure they could provide that. They recommended checking with the Property Appraiser's office.

Staff talked with Peter Peebles with the Lake County Property Appraiser's office. He could not find any conservation easements on the parcels, but he said they would only track conservation easements that impacted the value of the parcels, He also said they would only know about them if the property owners filed the easement with them. He said he would check with "Michael" and see if they could find anything else. Peter also recommended checking with the County Clerk's Office.

Staff spoke to Becky and she said, "Clerk of Courts does not do title searches, they just provide the information..." She transferred me to her supervisor Rick and he said that "They catalog and house the documents but they do not track conservation easements." He recommended the Zoning Office.

Staff talked with Shelby in the Planning and Zoning Office who had actually been at the Board meeting the night before as part of the Sawgrass Access request, so was somewhat familiar with what I was looking for. She says their GIS layer shows some easements but they don't track conservation easements. She said their layer did not show anything for the parcels in question, but that was not a definitive answer. She suggested getting in touch with the Public Works/Right of Way Department.

I spoke to Tim in Public Works. He did not have any information about conservation easements, but he did recommend getting in touch with Patty Harker, (352-253-9067), in right-of-way. She has been there for a long time and may have some ideas. Patty Harker had Becky give me a call back. They do not track Conservation easements, but they did have a file of some conservation easements from the early 90's. Becky said she would look through the folder. She also

recommended looking through the BCC minutes from that time period to see if it was approved by the board. Staff has asked Anna Ely to help go through the minutes to see if she can find any reference.

Staff met with Brian Richards and accompanied him to the Planning and Zoning Office. Mr. Richards found a Lot of Record Determination for three of the parcels in question and felt that that would help bolster his claim that the lots were buildable lots and not encumbered by the Conservation Easement. The staff at the Planning and Zoning office were helpful, but said that the Lot of Record Determination just showed that it was a legal lot, and that a Site Plan could be submitted, but they did not check for easements before issuing the Lot of Record Determination.

Chairman Bryant contacted the Lake County Attorney's Office to request a written confirmation that the County does not hold a Conservation Easement over the parcels in question. A portion of the response email is quoted below (full email is attached).

“...under Section 704.06(4), Florida Statutes, a conservation easement may be released by the holder of the easement to the holder of the fee. If you would like to provide me with a Resolution or letter from the Water Authority Governing Board requesting the release of the easement, I can coordinate with the Public Works Department, Planning Office, and Parks Office to make sure there is no objection. If no objection, the release can be drafted and presented to the BCC for approval. We typically have a 3-week lead time to get on a BCC agenda.”

Staff spoke to Stephen McKeough Acquisition Agent with the Florida Department of Environmental Protection/Division of State Lands, who the Water Authority was hoping to partner with on the acquisition of the additional 83 acres. Mr. McKeough said that the funding for the 2017-18 Fiscal Year is no longer available for the purchase, but if the Conservation Easement and TDR issues can be resolved they could re-propose the project and could potentially still find funding this fiscal year or maybe next.

Staff is still working to resolve the Transfer of Development Rights (TDR) issue.

At Chairman Bryant's request, Attorney Barice drafted a resolution or letter to the BCC requesting the release of the easement. When this item was brought up before the Board at its February meeting, the Board no longer had a quorum and could not vote on forwarding this resolution to the BCC for action. As such, it is back on the March agenda for Board action.

Executive Director's Recommendation:

Approve the proposed resolution and direct staff to forward this resolution to the Lake County Board of County Commissioners for action.



TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: March 2, 2018
SUBJECT: Citizens Lakes Academy, April 2018, in Clermont

Action Item

Citizens Lakes Academy, April 2018, in Clermont

Trustee Cox has requested that staff work towards implementing another Citizen's Lakes Academy in Clermont during April 2018.

The format of the academy has evolved over time from two nights during the week and a three-quarter day on Saturday to one Saturday with most of the day spent in the field. Staff has attached an agenda from a previous academy for reference. The academies have alternated between focusing on the Harris Chain and the Clermont Chain.

The Harris Chain Academy that was proposed for May 2017 drew little response and was cancelled. Trustee Cox feels that there is sufficient interest in the Clermont area that would make the academy there worthwhile for the citizens and for staff and would like the Board to allow staff to prepare and implement a Citizen's Lakes Academy in the Clermont area. The academy would most likely be held on a Saturday, with the morning in a classroom setting and the afternoon in the field and on the water.

There is very little expense associated with the academy to the Board, other than for advertisement, some field supplies and a modest lunch for the participants. The Board has included \$1,050 in its FY 2017-18 for a Lakes Academy.

Executive Director's Recommendation:

Authorize staff to prepare and implement a Citizen's Lakes Academy in the Clermont area.

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TO: Lake County Water Authority Board of Trustees
FROM: Michael J. Perry, Executive Director
DATE: March 2, 2018
SUBJECT: Status of the Clermont Boat Ramp Replacement

Discussion Item

Status of the Clermont Boat Ramp Replacement

The Water Authority Board has been following the boat ramp issue in the City of Clermont. As part of the Victory Point (a.k.a. West Lake) Stormwater Project in the City of Clermont, the existing boat ramp on Lake Minneola located within the City will be eliminated. The City has been searching for site to construct a replacement boat ramp. The Water Authority contributed funds toward the construction of the existing boat ramp that is being removed and for the Victory Point Stormwater Project.

Water Authority staff discussed this issue at its November 2017 regular meeting. Staff discussed the following alternative locations with the Board:

- 1) Bell Ceramics site and the Clermont Waterfront Park;
2) Clermont Property near West Park;
3) Clermont Property near Palatlahaha Park; and
4) Two sites on Lake Hiawatha.

After considering the alternatives, the Board took action to not send a ranked list, but rather to only recommend the Bell Ceramics site to reinforce it as the Water Authority priority. Staff transmitted the Board action to the City of Clermont staff and attended the City Council meeting where this topic was discussed and presented the Board's recommendation to the City Council at that meeting. After listening to testimony from the public, the City Council took action to temporarily maintain the boat ramp in its current location until a new boat ramp could be constructed at the Lake Hiawatha Preserve.

As staff reported to the Board at its February 2018 meeting, the permit from the SJRWMD for construction of the boat ramp at Lake Hiawatha Preserve has been challenged. Trustee Cox reported to staff that the City of Clermont has put the boat ramp relocation project on a 6-month delay, presumably to allow the SJRWMD to complete the permit challenge process. Trustee Cox would like to discuss this topic with the Board.

Executive Director's Recommendation:

For discussion purposes only. No action required.

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