

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Lake Mills/Application for Aquatic Weed Control MSBU

DEPARTMENT: Fiscal Services **DIVISION:** MSBU Program

AUTHORIZED BY: Lisa H. Spriggs **CONTACT:** Kathy Moore ^{km} **EXT.** 7179

Agenda Date <u>1/25/05</u> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Authorize the MSBU Program to alter the MSBU process specified in the MSBU Program Guidelines to accommodate the needs of the Lake Mills aquatic weed control MSBU application.

BACKGROUND:

An application requesting aquatic weed control improvements for Lake Mills was received from a property owner (Dave Axel) on November 17, 2004.

Primarily through private interests, Lake Mills has been undergoing aquatic weed control treatments, which to date have been targeted towards chemical applications. Given a significant decline in the noxious aquatic weeds in Lake Mills, the chemical treatments have been noted as successful. As suggested in a lake management strategy plan offered in October 2002, the next step in the aquatic weed control process is the placement of specific fish barriers at the inflow and outflow to Lake Mills along with the introduction of triploid grass carp to help reduce new growth of noxious aquatic vegetation.

Per the Florida Fish and Wildlife Conservation Commission (FFWCC), the optimal time to place grass carp is during the cooler months of the year. For functional purposes, this would enable the fish to be placed at a time that the beneficial native plants are dormant, while the noxious vegetation (hydrilla) is still growing. From a practical perspective, this would also be the optimal time for hauling, transporting, and introducing the carp into the lake as it would be prior to the much warmer seasonal temperatures that could be harmful to the fish.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: <u>SS</u>
CM: <u>[Signature]</u>
File No: <u>RFS01</u>

To ensure that the proposed improvements remain essential, an updated lake analysis that would be inclusive of current lake conditions was requested December 22, 2004. The FFWCC has confirmed that a revised lake analysis is highly recommended in advance of introducing additional carp into Lake Mills. The FFWCC has indicated that they will be sending a representative, as well, to make an independent assessment relative to the pending carp permit. Although set response dates are not available at this time, it is anticipated that both the revised lake analysis and the FFWCC assessment will be available by early February.

The standard MSBU process typically require a minimum lead time of six month to demonstrate public support and to bring an application forward to the point of a public hearing. At best, if all the information required to proceed is received by the end of January and assuming the petition response is 65% or greater, it would be late April or May before a Public Hearing could be held to consider establishing an MSBU for these improvements.

Given the expressed need to take treatment action by the end of February, the applicant is requesting a deviation from to the standard MSBU process, which would enable the proposed treatments to take place in the seasonal time frame recommended by the FFWCC.

If the Board approves the applicants request to permit an alternative approach to meet the unique timing needs of this project, the following process would be recommended:

In conjunction with assistance from the office of the County Attorney, Stormwater Division of Public Works, and the Purchasing and Contracts Division of Fiscal Services, the MSBU Program will develop an agreement to be established with the applicant(s) whereby:

- The funding of the full cost [estimated at \$8,500.00] for the Lake Mills barriers and grass carp will be provided on a voluntary basis from supporting property owners
- The funding will be received in advance of any County expenditures being directed towards purchasing the requested aquatic weed control improvement elements
- Such funds will be considered non-refundable once committed to proposed improvements
- These funds will be used by the County to purchase barriers per the scope of services requested by the applicant
- These funds will be used to purchase and place grass carp for Lake Mills as per the recommendations resulting from lake analysis and FFWCC advisement
- All maintenance of barriers will be provided by the applicant until such time as an MSBU is established (if established)
- All related County expenditures substantiated as essential through lake analysis and FFWCC advisement, as well as on-going maintenance will be part of the project expenses presented to all benefiting property owners through an MSBU petition process
- The MSBU Program will request BCC consideration for establishing an MSBU following the receipt of sufficient level of supporting petitions (65%)
- Any expenditures not deemed essential will be excluded from the MSBU scope of service and petition process
- In the event that an MSBU is established for these improvements and special assessments are levied the funds received from the original contributions will be credited to the properties making the original contributions.
- In the event that an MSBU is not established, all contributing parties will have a clear understanding that the funds are non-refundable and are not subject to any form of reimbursement or credit by the County.

The proposed area is in Commission District 1.