

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Jason E. Brown, County Administrator
FROM: Richard B. Szpyrka, P.E., Public Works Director
SUBJECT: John's Island Request for Temporary Easement for Reclaimed Water Line Construction
DATE: July 4, 2018

DESCRIPTION AND CONDITIONS

On December 5, 2017 the Board of County Commissioners (County) entered into an agreement with John's Island Water Management, Inc., (JIWM) for the County to provide reclaimed water to JIWM. Reclaimed water is available at the County reclaimed water facility located at 77th Street. At its own expense, JIWM is required to design, obtain all necessary permits, and construct a reclaimed water transmission line to County and Department of Environmental Protection requirements to deliver the reclaimed water from the County 77th Street facility to JIWM.

JIWM is currently in the permitting process to obtain permits from IRC Public Works (right-of-way), IRC Utilities, and the Department of Environmental Protection (DEP). JIWM has already obtained a SJRWMD permit modification for the project. As part of the permitting process, DEP has requested that the County either sign the permit application as a co-applicant or provide temporary easements to JIWM to install the subaqueous crossing from the west side of the Indian River Lagoon (IRL) at 69th Street to Old Winter Beach Road on the east side of the IRL. The crossing route will take the transmission pipe line under the County owned bridge tender park on the end of Old Winter Beach Road, which will also require a temporary easement. After internal discussions, it is the consensus of staff that providing temporary construction easements to JIWM is the best option. By providing the easements, the County will not become an applicant on the project and will limit liability during the permitting and/or construction of the project.

Per DEP, the time length for the temporary construction easement must coincide with the timeframe of the DEP construction permit. This duration is a maximum of five-years in length or sooner if the project is complete and DEP signs off on the completed construction. The requested easements are temporary, as upon the completion of construction, the reclaimed water transmission line will be conveyed to the County for operation and maintenance. This will allow the County to provide reclaimed water to other customers on the barrier island in the future.

FUNDING

No funding is necessary for this item.

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the temporary construction easement and authorize the Chairman to execute said easement on behalf of the County upon review and approval of the easement by the County Attorney as to form and legal sufficiency.

ATTACHMENTS

Easement Agreement
Easement Sketch and Descriptions

APPROVED AGENDA ITEM FOR: July 10, 2018