



Town of Lake Clarke Shores

Palm Beach County's Premier Lakeside Community Since 1957

MEMORANDUM

To: Mayor and Town Council
From: Daniel P. Clark, P.E., Town Manager
Date: September 6, 2021
Subject: Status Report for the September 13, 2021 Town Council Meeting

Proposed Upcoming Town Council Meeting Schedule

September 13th – 6:30 PM 1st Budget Hearing followed by the CRA Meeting and the Regular Council Meeting
September 28th – 6:30 PM 2nd Budget Hearing followed by the Local Planning Agency Meeting followed by the Regular Council Meeting
October 12th - Regular Council Meeting
November 9th – Regular Council Meeting followed by CRA Meeting

Upcoming Events

No events planned due to COVID.

Total Maximum Daily Loads for Lake Clarke

What is a TMDL? A TMDL (from The Florida State Department of Environmental Protection (DEP) website) is a scientific determination of the maximum amount of a given pollutant that a surface water can absorb and still meet the water quality standards that protect human health and aquatic life. Water bodies that do not meet water quality standards are identified as "impaired" for the particular pollutants of concern such as nutrients, bacteria, mercury, etc. TMDLs must be developed, adopted, and implemented to reduce those pollutants and clean up the water body.

Lake Clarke is officially recognized by DEP on their website as being on the Draft Verified List. The Draft Verified List includes those surface waters that have been determined to not meet water quality standards and are proposed as additions to the State's Verified List of Impaired Waters and the Clean Water Act (CWA) Section 303(d) List. Lake Clarke is included in Impaired Water Assessment Category 5 which will require a TMDL as a water body impaired for nutrients.

The basic steps in the TMDL program include:

1. Assess the quality of the surface waters (Surface Water Quality Standards - Chapter 62-302, F.A.C.), completed;
2. Determine which waters are impaired (Impaired Waters Rule – Chapter 62-303, F.A.C.), completed;
3. Establish and adopt by rule a TMDL (TMDLs – Chapter 62-304, F.A.C.);
4. Develop a Basin Management Action Plan (BMAP);
5. Implement the strategies and actions in the BMAP;
6. Measure effectiveness of the BMAP (formal 5-year reviews);

7. Adapt and change the BMAP if necessary; and
8. Reassess the quality of surface waters continuously.

As an impaired water body we will be required to have a Basin Management Action Plan (BMAP) and the BMAP will be the mandated water quality improvement plan. The water quality improvement plan will not be a “treat-the-Lake” plan, it will be a “treat-the-source-of-the-pollutants” plan making for an effective long-term improvement solution.

As an example, Pine Lake, included in the same “Lake Worth Lagoon – Palm Beach Coast” Group as Lake Clarke, is being considered for TMDL’s for phosphorus and chlorophyll-a. West Palm Beach will be required to remove about 4,300 lbs. of nitrogen and 311 lbs. of phosphorus per year averaged over a three-year period from the surface and ground water contributing to Pine Lake.

FDEP OSTDS TAC Subcommittee

“Public input is an important and valued part of all Florida rule development activities.” The Florida State Department of Environmental Protection (DEP) has created a Technical Advisory Committee (TAC) to assist DEP in rule making for Onsite Treatment and Disposal Systems (OSTDS). The mission statement reads: **The mission of the OSTDS TAC shall be to provide a forum for identifying and constructively outlining recommendations to the governor and legislature based on the most recent scientific information available and the direction provided by Chapter 2020-150, Laws of Florida.** As an engineer and a government official, I have been assigned to a subcommittee of the TAC specifically looking at Total Maximum Daily Load (TMDL’s), Enhanced Nutrient Removal (ENR) OSTDS, drain field setbacks, and other operational and technical issues associated with septic tanks. We will be providing technical expertise to the TAC. This Subcommittee and the TAC were created by Section 8 of Chapter 2020-150 Laws of Florida. Most of the Subcommittee’s work will be completed by January 1, 2022.

New Permitting System Update

We have signed an agreement with MyGovernmentOnline (MGO) for electronic permitting. We have downloaded all our forms to MGO for conversion to electronic format. We are now working on our permitting workflow. The workflow defines what we need, when we need it, who will look at it, and what the owner, public, and contractor see. Our target startup is December 1st. We will be finishing our existing permits in our current software and transporting our legacy data to the new system when all existing permits have been closed. To that end, we are going over any old, outstanding permits and communicating with the home owners to get them closed.

2022 Special Legislative Funding Request

We have asked Representative Silvers to assist us in securing a 2022 Special Legislative Appropriation of \$600,000 for the Pine Tree Bridge Replacement. The bridge project is expected to cost \$1.2M and Rep. Silvers is allowing us a 50/50 match in this request.

ARPA Funds Have Arrived

We have received the first tranche of funds (\$908,298) from the American Rescue Plan Act. We have created a special ARPA Fund 103 in the budget. We will be presenting a FY 2021 Budget Amendment recognizing the availability of the funds and have modified the FY2022 Budget. All of the funds will be designated for water and sewer projects. We have made our Auditors aware of the funds and will be following their guidance on accounting and expenditures.

Munis Upgrade Installed

The IT server upgrades are just about complete. The Munis upgrade has been installed on schedule. We now have 6 months of training and expect to go live with the new version in March 2022.