



**CITY MANAGER'S REPORT**  
**AGENDA ITEM REQUEST**  
UTILITIES DEPARTMENT

---

**DATE:** May 6, 2016  
**TO:** Ed Lavallee, City Manager *ED 5/9/16*  
**FROM:** Tim Hochuli, PE, PMP, Utilities Director *TAH 5/5/16*  
**COUNCIL DATE:** May 24, 2016  
**SUBJECT:** Lime Sludge Pond Closure – Tortoise Relocation Resolution

**Background:**

At the April 12, 2016 meeting, City Council approved a motion “to recommend the Utilities Director proceed with alternative one, take into account all factors and present to City Council at a later meeting” regarding the proposed lime sludge pond closure at Pinebrook Park.

The Utilities Department, along with the City’s design and environmental consultants met with Friends of Pinebrook Park (FOPP) representatives to discuss several items the group was concerned about. At this meeting, the usage of silt fencing to separate tortoise burrows from the construction area and ingress/egress access was discussed. This method of tortoise protection was suggested by a Florida Fish and Wildlife Conservation Commission (FWC) representative. This technique would mitigate the need for permanent tortoise relocation.

In addition, FWC indicated that if a relatively small number (<5) of gopher tortoises were being impacted, they could be relocated on-site during construction activities. Based on the most recent survey available, less than five tortoises should be impacted. These tortoises are located in the area that will be used for ingress/egress of large construction equipment at the south entrance to the pond area. An updated survey is required within 90 days of the start of construction and that survey will determine which tortoises will be temporarily relocated.

Finally, Utilities requested that, if no tortoise habitat was impacted, would it be acceptable to lower the top of the surrounding berms in order to decrease the amount of fill imported, thus decreasing truck trips and City cost. It is not anticipated that there will be a substantial lowering of berm elevation, if any, but there was no objection to a minor decrease in berm elevation.

Utilities staff and FOPP representatives agreed on proceeding with the project in accordance with the guidelines described above.