



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 6812, **Version:** 1

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### **Subject:**

Florida Department of Transportation Joint Participation Agreement for cost-sharing and nutrient credit sharing of the Sykes Creek Zone N Septic-to-Sewer Project.

### **Fiscal Impact:**

Revenue of \$4,990,758.00 to increase the available budget of \$4,176,000.00 from the Save Our Indian River Lagoon Trust Fund (1260) previously approved by the Board.

### **Dept/Office:**

Natural Resources Management

### **Requested Action:**

It is requested that the Board of County Commissioners 1) approve the Joint Participation Agreement with Florida Department of Transportation; 2) authorize the Chair to execute the Agreement; 3) authorize the County Manager to execute any future amendments; and 4) authorize the County Manager to approve related budget change requests.

### **Summary Explanation and Background:**

The Florida Department of Transportation (FDOT) will reimburse Brevard County for a portion of the Sykes Creek Zone N Septic-to-Sewer project costs in exchange for 775.89 pounds per year of the nitrogen reduction credits and 15.45 pounds per year of the phosphorus reduction credits issued by the state for the project. FDOT will use these credits for the State Road 528 widening project in lieu of conventional stormwater treatment.

A Joint Participation Agreement (JPA) and Memorandum of Agreement (MOA) for this cost-share were previously executed by the Board on May 23, 2023. The MOA was executed by FDOT; however, FDOT determined a new JPA was necessary to clarify the nutrient credit transfer between the County and FDOT.

The Indian River Lagoon has been impacted for many years from leaching septic drain fields. The Sykes Creek Zone N Septic-to-Sewer project will eliminate septic leaching from 91 homes on a portion of Merritt Island and permanently connect them to sewer service. This conversion from septic to sewer supports the Banana River Lagoon and North Indian River Lagoon TMDL/BMAPs that require nitrogen load reductions. The project is estimated to reduce total nitrogen loading by at least 2,784 pounds per year. Project design is 100% complete and bid document preparation is underway.

### **Clerk to the Board Instructions:**

Please execute 2 copies of the agreement, one copy for the Clerk's office and one to be returned to Natural Resources for sending to FDOT.