

# DEAN MEAD

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September 22, 2020

VIA CERTIFIED MAIL  
RETURN RECEIPT and U.S. MAIL

Paul D. Watson, President  
Outdoor Living Products, Inc.  
5901 Beggs Rd.  
Orlando, Florida 32810

**Certified Article Number**

9414 7266 9904 2160 9471 07

**SENDER'S RECORD**

Re: Failure by Outdoor Living Property, Inc. to Manage and Address Soil Erosion  
from its Property Located at 2155 S. Orange Blossom Trail, Apopka, Florida

Dear Mr. Watson:

Please take notice that Dean Mead has been retained by the Bear Lake Preservation Association (“BLPA”) regarding the above-referenced matter. BLPA calls for Outdoor Living Products, Inc. (“OLP”) to expedite the following actions: (1) OLP to immediately cease and desist from delivering any dirt into Bear Lake, Little Bear Lake and Cub Lake from the above-referenced property; (2) OLP to insure that the business that will operate at this location will not impact the quality of the Bear lakes; and (3) OLP to fund mitigation expenses related to the damages by its project to area lakes and homes.

As you are aware, the Bear Lake Community has reached out to you directly and indirectly (through St. Johns River Water Management District (“SJRWMD”), Seminole County, Orange County, etc.) to address concerns related to the tons of illegal dirt that has been flushed from OLP property into Bear Lake for over three (3) months. While Bear Lake community members initially looked forward to having OLP as its new neighbor, any goodwill has been reduced/eliminated as OLP has rejected efforts to stop the dirt from flowing from your property into the lake. As recently as Thursday, September 10, representatives for OLP rejected free assistance offered by Seminole County to help reduce or eliminate the erosion flowing from your property.

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A Member of ALFA International - The Global Legal Network

By way of background, please consider the following:

- The Bear Lake Preservation Association was created by the area home owners approximately 30 years ago in an effort to protect one of the most pristine lake/lake systems in Florida. Since its founding, the group has worked closely with SJRWMD, Seminole County, the State of Florida and others to address environmental concerns associated with the lakes. Area homeowners have contributed nearly \$500,000 of their funds over the last decade to treat the lake with alum, carp and address other environmental concerns. Seminole County has spent additional millions of dollars associated with storm water systems, retention ponds and other projects. The State of Florida has partnered with BLPA through the University of Florida Lakewatch program (this partnership has been lauded as an example of public-private Florida lake management). BLPA's affiliation with Lakewatch includes over a quarter century of collecting monthly data.
- Various Bear Lake area coalitions have successfully challenged multiple proposed projects in the area (including the development efforts by the seller of your property) when developers have sought to build incompatible projects in the area. While Bear Lake residents have demonstrated great determination when needed, they also have showed great flexibility by excusing some of the code and/or operational challenges of adjoining non-residential neighbors who have recognized the sanctity of the surrounding neighborhood.
- The 170+ homes around big Bear Lake have a combined value exceeding \$125,000,000. The homeowners of these properties recognize that the value of their homes is directly related to the quality of the lake. Surrounding homes with deeded access or located on other chain lakes also recognize that lake quality is essential to maintain property values.

BLPA and its member home owners require that OLP deliver its soil management plan to me by no later than Monday, September 28, 2020. This action is similar to the requirement set forth in SJRWMD's September 11, 2020 warning letter. Failure to work with our community to immediately cause the soil discharge to stop will be the basis for BLPA members to file a suit against OLP, which suit will seek damages and injunctive relief to shut down the development of OLP site. The Bear Lake community does not wish to litigate this matter with its new neighbor, but the damage caused by OLP may be irreparable. Silt from OLP's property will harm bivalves (or reduce their effectiveness), desirable fish will be lost and the clouding of the lake will give invasive vegetative species (such as hydrilla) an increased opportunity to thrive. Realtors have already indicated that they have lost possible sales as a result of the now murky water. A loss of property values by even 5% will cause damages well in excess of \$5 million. If Bear Lake turns green, these damages could easily exceed \$25 million. The Bear Lake community cannot sit idly by while its lake is polluted.

It is our understanding that Orange County is now issuing a second field violation as a result of what appears to be a conscious disregard of OLP's soil management responsibilities. As you know, OLP's responsibility to maintain its soil on its property is absolute; please work with your Bear Lake neighbors to make the protection of Bear Lake OLP's biggest priority. Once OLP has created and implemented an acceptable soil erosion plan (where no soil from

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OLP's site flushes into Bear Lake), the community will work with you to address actions #2 and #3 (as referenced in the first paragraph of this letter).

Thank you.

Sincerely,

*Mark R. Leavitt*

Mark R. Leavitt

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Attachments: Four (4) photographs of Bear Lake contamination from OLP soil run-off

cc: Dr. Jay Goebel, President, Bear Lake Preservation Association  
Nancy Dunn, Director, Florida Lake Watch for the Bear Lakes  
William Houston, Chair, BLPA Ecology Committee







