



# Southwest Florida Regional Planning

[www.swfrpc.org](http://www.swfrpc.org)

1926 Victoria Avenue

Fort Myers, FL 33901

Phone: (239) 338-2550

Fax: (239) 338-2560

## COUNCIL MEETING AGENDA



MEETING NOTICE

### **Mission Statement:**

*To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.*

**May 15, 2014**

**9:00am – 11:30am**

<b>1</b>	<b>INVOCATION</b>	
<b>2</b>	<b>PLEDGE OF ALLEGIANCE</b>	
<b>3</b>	<b>ROLL CALL</b>	
<b>4</b>	<b>PUBLIC COMMENTS</b>	
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Two or more members of the Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.



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## COUNCIL MEETING AGENDA

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**NEXT SWFRPC MEETING DATE: June 19, 2014**

### NOTES:

**The Council's Legislative Affairs Committee is scheduled to meet prior to the Council meeting at 8:00 AM.**

**The Council's Budget & Finance Committee is scheduled to meet prior to the Council meeting at 8:30 AM.**

**The Council's Member Orientation will be held immediately following the Council meeting.**

Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.

# **SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP**

CHAIR..... Councilwoman Teresa Heitmann  
 VICE CHAIR..... Mr. Robert “Bob” Mulhere  
 SECRETARY..... Mr. Don McCormick  
 TREASURER..... Councilman Forrest Banks

## **CHARLOTTE COUNTY**

Commissioner Tricia Duffy, Charlotte Co BCC  
 Commissioner Chris Constance, Charlotte Co BCC  
 Councilwoman Nancy Prafke, City of Punta Gorda  
 Ms. Suzanne Graham, Governor Appointee  
 Mr. Donald McCormick, Governor Appointee

## **GLADES COUNTY**

Commissioner Donna Storter-Long, Glades Co BCC  
 Commissioner Russell Echols, Glades Co BCC  
 Councilwoman Pat Lucas, City of Moore Haven  
 Mr. Thomas C. Perry, Governor Appointee

## **LEE COUNTY**

Commissioner Frank Mann, Lee Co BCC  
 Commissioner Brian Hamman, Lee Co BCC  
 Councilman Jim Burch, City of Cape Coral  
 Vice Mayor Doug Congress, City of Sanibel  
 Councilman Forrest Banks, City of Fort Myers  
 Mayor Anita Cereceda, Town of Fort Myers Beach  
 (City of Bonita Springs Vacancy)  
 Ms. Laura Holquist, Governor Appointee  
 (Gubernatorial Appointee Vacancy)

## **COLLIER COUNTY**

Commissioner Tim Nance, Collier Co BCC  
 Commissioner Georgia Hiller, Collier Co BCC  
 Councilwoman Teresa Heitmann, City of Naples  
 (City of Marco Island Vacancy)  
 Mr. Robert “Bob” Mulhere, Governor Appointee  
 Mr. Alan D. Reynolds, Governor Appointee

## **HENDRY COUNTY**

Commissioner Karson Turner, Hendry Co BCC  
 Commissioner Don Davis, Hendry Co BCC  
 Mayor Phillip Roland, City of Clewiston  
 Commissioner Daniel Akin, City of LaBelle  
 Mr. Mel Karau, Governor Appointee

## **SARASOTA COUNTY**

Commissioner Carolyn Mason, Sarasota Co BCC  
 Commissioner Charles Hines, Sarasota Co BCC  
 Vice-Mayor Rhonda DiFranco, City of North Port  
 Councilman Kit McKeon, City of Venice  
 Vice-Mayor Willie Shaw, City of Sarasota  
 (Gubernatorial Appointee Vacancy)  
 Mr. Felipe Colón, Governor Appointee

## **EX-OFFICIO MEMBERS**

Phil Flood, SFWMD  
 Jon Iglehart, FDEP  
 Melissa Dickens, SWFWMD  
 Carmen Monroy, FDOT

## **SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL STAFF**

MARGARET WUERSTLE.....EXECUTIVE DIRECTOR  
 SEAN McCABE.....LEGAL COUNSEL

James Beever  
 Lisa Beever  
 David Crawford  
 Liz Donley

Nancy Doyle  
 John L. Gibbons  
 Nichole Gwinnett  
 Rebekah Harp

Maran Hilgendorf  
 Judy Ott  
 Jennifer Pellechio  
 Timothy Walker

## **SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS**

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEBR - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DEO - Department of Economic Opportunity

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)



EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAR - Florida Administrative Register (formerly Florida Administrative Weekly)

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plans

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)



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## Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

Agenda

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Invocation

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Pledge of Allegiance

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Roll Call

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Minutes

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Director's Report

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## EXECUTIVE DIRECTOR'S REPORT - May 15, 2014

### **Mission Statement:**

*To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.*

### **1. Internal Issues**

#### **a. Budget**

- i. Budget Update
  - a) Adoption of the 2014-2015 Budget and Workplan
    - The July meeting has been cancelled
    - The August 21st meeting has been cancelled and moved to August 14th
- ii. Grants:
  - a) DEO grant application process is now open for grants up to \$25,000.
  - c) Federal Promise Zone application under development.
  - b) Staff submitted a TIGER planning grant for the coordination of the regional transit system.

### **2. External Issues**

- a. FRCA: April Activity Report attached. Retreat Outcomes Short Term Action Plan attached.
- b. The Executive Director met with the following to establish partnerships and discuss issues of mutual concerns:
 

Mary Ann Tipton: Punta Gorda Visual Arts Center; United Way Allocations Committee; CREW Land and Water Trust; Hendry County Bionitrogen Project Ribbon Cutting; Naples, Marco Island, Everglades Convention and Visitors Bureau; Charlotte County Tourism Development Council and the Arts and Humanities Council of Charlotte County; Amy Schlar- Naples Arts Alliance.

### **3. Goals and Priorities for Second Quarter 2013 ( January - April)**

- a. Research the Health Insurance and benefits package (completed for 2013-2014 budget)
- b. Employee Evaluations and Expectations (in progress)
- c. Implementation of Workplan:
  - 24 pending grants; 6 grants under development; 5 grants approved totaling \$137,500; 2 contracts totaling \$53,000.
  - Grants Submitted: Manufacturing Grant, NEA Arts and Culture Grant, Economic Development Planning Grant, Brownfields Grant, IMCP designation, 2 Farms to School grants, TIGER Transportation Planning Grant.
  - DEO Business Plan grant deliverables completed; Hendry Co. Educational Task Force Strategy grant completed.



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## EXECUTIVE DIRECTORS REPORT

- Orientation for new RPC members (To be held in May 15, 2014)
- Improved Financial Reporting: New software for time keeping and project management to be rolled out in June.



## MONTHLY ACTIVITY REPORT: April 2014

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### OUTREACH

- Continued to discuss partnership opportunities with Gail Stafford, Compliance Administrator at the Florida Energy Office, specific to a U.S. Economic Development Administration grant application.
- Distributed a press release pertaining to FRCA's unveiling of its new economic scorecard website to its partners and worked with Enterprise Florida to send the same press release on FRCA's behalf to the economic development organization in Florida.
- Researched and chose a social marketing vendor for FRCA's quarterly newsletter subscription service.
- Developed an outline for the 2013-14 FRCA Annual Report using the Florida Chamber Foundation's Six Pillars as an organizing framework and distributed it to the RPC Executive Directors for further input.
- Provided assistance to the National Association of Development Organizations with regard to its research on business continuity planning; Safe Routes to School National Partnership on a survey distribution; Florida Local Government Coalition's Innovation Committee on its resource development tasks; and, Enterprise Florida as it pertained to linking up the hosts of its economic development organization partner training sessions with the appropriate RPC.

### RESOURCE DEVELOPMENT/CAPACITY BUILDING

- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, attended meetings of the Local Emergency Planning Committees, State Emergency Response Commission, Metropolitan Planning Organization Advisory Council, and, Rural Economic Development Initiative; and participated in Enterprise Florida's monthly conference call for its economic development partners.
- Issued letters in support of funding applications submitted by the Northeast Florida Regional Council and Tampa Bay and Southwest Florida RPCs.
- Prepared and submitted to the Florida Department of Economic Opportunity FRCA's 2013-14 third quarter report demonstrating implementation of the *Florida Strategic Plan for Economic Development*.
- Distributed funding announcements from the U.S. Economic Development Administration and U.S. Small Business Administration.

**LEGISLATIVE SUPPORT**

- Issued two Legislative Highlights reports and four bill tracking reports.
- Continued to analyze bills on the FRCA's bill tracking report; monitored the final 2014 legislative committee meetings; and monitored actions taken by the Florida Senate and House of Representatives.

**ADMINISTRATIVE**

- Updated the FRCA website to include announcements and links pertaining to the new economic scorecard website and release of the *Florida Energy Resiliency Report*.
- Updated and distributed the FRCA Strategic Assessment Retreat short term action plan demonstrating progress on the recommendations pertaining to the creation of Gubernatorial Advisory Committees and improving communication among the councils and between the councils, their stakeholders, and the press.
- Prepared the March FRCA meeting summaries; participated in the April FRCA meetings; and, handled all necessary meeting logistics.
- Continued to prepare for the June FRCA meetings, which will be held in conjunction with the Florida Association of Counties Annual Conference.



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## RETREAT OUTCOMES/RECOMMENDATIONS SHORT TERM ACTION PLAN

*As of April 30, 2014*

*Most recent activities are noted below in red text.*

### Gubernatorial Advisory Committees

Following the retreat, some regional planning councils began moving forward on their own to create Gubernatorial Advisory Committees or consortiums of key members on their councils or within their regions, to meet with the Governor for the purpose of advocating for regional planning council funding by demonstrating the value of financially supporting regional planning councils at the state level to further the Governor's priorities. After discussing this approach with Ron Book, Executive Director, and FRCA President Patty Asseff, it was determined that this approach was viable and wouldn't preclude the creation of a FRCA Gubernatorial Advisory Committee, which will come together in conjunction with the next Policy Board meeting in August 2014.

### **Actions to Date:**

- **FRCA:** **Successfully secured a \$2.5 million appropriation for regional planning councils in the 2014-15 proposed budget;** issued Legislative/Executive Talking Points for use by RPC members when meeting with a legislator, the Governor, or staff to advocate for RPC funding.
- **ARPC:** A Gubernatorial Appointee has offered to take the lead and gather a list of other Governor Scott appointees to RPCs to determine their interest in meeting with the Governor.
- **NEFRC:** All board members have been provided with FRCA's Legislative Talking Points and are using them with they meet with members of the Legislature and representatives of the Administration. UPDATE: A NEFRC Gubernatorial Appointee will be meeting with the Governor on another matter but will address the issue of RPC funding.
- **SFRPC:** Staff is working with individual board members to determine their ability and willingness to communicate their support to the Executive Office of the Governor.
- **TCRPC:** A Gubernatorial Advisory Committee was formed and met one time, but as of yet, has not taken any action to meet with the Governor; however, individual committee members may contact the Governor to discuss RPC funding.
- **WFRPC:** Two elected members are planning to seek a meeting with the Governor to discuss several issues, including RPC funding.

### Communications Strategy

To move forward with a FRCA communication plan or program, the following activities were recommended:

- Creation of an orientation package for all newly elected officials within each region;
- Sharing of best practices through a quarterly FRCA newsletter;



- Sharing of individual council accomplishments within the region through a council electronic newsletter;
- Issuance of press releases/public service announcements; and,
- Strengthening relationships with the Florida Association of Counties and Florida League of Cities by having a presence in the exhibit hall at each of its annual conferences.

#### **Actions to Date:**

- **FRCA:**
  - Chose a social marketing vendor, Vertical Response, to host FRCA's quarterly newsletter subscription;
  - Issued a press release unveiling FRCA's economic scorecard website utilizing the Six Pillars metrics and worked with Enterprise Florida to further distribute the press release to the economic development organizations in the state;
  - Provided each of the RPC Executive Directors with an electronic copy of the FRCA Annual Report; FRCA Brochure; Economic Modeling hand-out; Return on Investment Document; Economic Development Districts and Economic Development Organizations document; and narrative regarding the role of RPCs in economic development, for use in their respective orientation packages; and,
  - Secured a booth in the Exhibit Hall at the Florida Association of Counties annual conference; and, will secure space in the Florida League of Cities' resource room at its annual conference.
- **ARPC:** The council issued its own press release within the region pertaining to FRCA's economic scorecard website.
- **CFRPC:** The council is looking at modifying or supplementing its annual report, which is used as the base orientation document with its board, with additional materials. The council is also working on a design for an e-newsletter but hasn't determined how often it will be issued.
- **ECFRPC:** The Council is working on a brief marketing hand-out/brochure. It currently produces a newsletter associated with the Central Florida GIS Program only.
- **NEFRC:** The NEFRC is creating a newly elected officials academy, which will be a one day session to present regional issues; those who do not attend will receive copies of the materials and have the ability access them on-line. The Council will continue issuing its quarterly electronic newsletter and has plans to expand its current pool of recipients.
- **SFRPC:** The SFRPC provides an orientation package to new council members only at the current time and has updated the package to include the FRCA materials. The Council is planning to continue sending out updates pertaining to the Seven50 project.
- **SWFRPC:** The SWFRPC is continuing its orientation program, with the next one scheduled in May; the Executive Director also meets individually with newly elected officials and city and county managers.
- **TBRPC:** The council issued its own press release within the region pertaining to FRCA's economic scorecard website.
- **TCRPC:** The TCRPC created an orientation package, which was given to its council members at it February board meeting. The council also issued its own press release within the region pertaining to FRCA's economic scorecard website.
- **WFRPC:** The WFRPC is designing an orientation packet around its 50<sup>th</sup> Anniversary and will include the FRCA items described above. The WFRPC currently issues an electronic newsletter that may evolve into email blasts issued on a more regular basis.

# Agenda Item

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Staff Summaries

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# Agenda Item

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# Grant Activity Sheet (Information Only)

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## SWFRPC GRANT STATUS AS OF 5-5-14

#	Type	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
1	Contract	Yes	LeeTran	Jennifer Pellechio	VA Transportation Planning Study		10/1/2012	7/2012	3/19/13	\$1,300,000.00	\$50,000.00	5/31/13	5/31/14	1. Create a Technical Stakeholder Committee 2. Identify barriers and develop a proposed plan of action to address barriers establishing a regional profile. The study will provide a regional profile, which will map existing services, networks and resources 3. Non-Traditional Outreach Component 4. Develop a Planning Study for the six county region that presents regional profile; identifies barriers, gaps and needs; and proposes potential solutions.	\$0.00
2	Contract	Yes	Collier County	Jim Beever	Ecosystem Services Valuation of Conservation Collier Lands	2/11/14	2/11/14	2/20/14	2/20/14	\$3,000.00	\$3,000.00	3/3/14	5/5/14	Products of the study will include; 1) Updated valuations of the ecosystem services provided by existing conservation lands in the Conservation Collier program. 2) A documentation and quantification of the ecosystem services provided by each habitat type, including the source for valuations and what kind of services are included in the values.	\$0.00
3	Contract	Yes	City of Bonita Springs	Jim Beever	Spring Creek Watershed and Restoration Study	1-7-14	1-7-14	1-15-14	Pending	\$50,000.00	\$50,000.00	Pending	Pending	First Deliverable: the Spring Creek Restoration and Vulnerability Assessment Second Deliverable: The Spring Creek Restoration Plan	
4	Grant	Yes	Visit Florida	Jennifer Pellechio	Our Creative Economy: Southwest Florida Regional Strategy for Public Art	2/22/2013	2/22/2013	5/17/2013		\$10,000.00	\$5,000.00	7/1/2013	5/31/2014	Logo & meeting results	\$5,000.00
5	Grant	Yes	NARC	Liz Donley	Use of Trees and Woody Shrubs in Green Infrastructure Stormwater Treatment	2/28/14	2/26/14	4/21/14		\$46,072.00	\$3,912.00			Forum, powerpoint, scope fo work for follow-on project, new partnerships	\$42,160.00
6	Contract	Yes	DOE (Department of Energy)	Rebekah Harp	Solar Ready II		3/22/2013	7/18/2013		\$140,000.00	\$90,000.00	7/1/2013	1/1/2016	Recruit local governments to review and adopt BMPs. Host stakeholder meetings and/or training programs, providing technical assistance to local governments as needed, and tracking any policy adoptions and local government feedback.	\$50,000.00

## SWFRPC GRANT STATUS AS OF 5-5-14

#	Type	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
7	Grant	Yes	Southwest Florida Community Foundation	Jennifer Pellechio	Guide & Regional Asset Mapping of Public Arts			9/20/2013	11/19/13	\$30,000.00	\$15,000.00	12/1/13	5/31/14	The Southwest Florida Regional Planning Council, in partnership with the Lee County Alliance for the Arts and the Lee County Tourism Development Council, proposes to identify, map and document existing public art and public art venues in Lee County. A Field Guide to the Public Art of Lee County will assist residents, visitors and tourists to find public art geographically and in temporal space (for regularly scheduled events) in electronic and print media. The deliverables from this project will be incorporated into the overall regional strategy.	\$15,000.00
8	Grant	Yes	EPA	Jim Beever	A Unified Conservation Easement Mapping and Database for the State of Florida	04/15/2013	4/8/2013	6/3/2013		\$294,496.00	\$148,996.00	10/1/2013	9/30/2015	GIS database with Conservation Easements	\$145,500.00
9	Grant	Yes	CTD	Nichole Gwinnett	FY2013-14 Planning Grant for Glades-Hendry Service Area			5/21/2013		\$38,637.00	\$38,637.00	7/1/2013	6/30/2014	TDSP Update, CTC Evaluation, LCB Quarterly Meetings, By-Laws	\$0.00
10	Grant	Yes	EDA	Jennifer Pellechio	EDA Planning Grant	01/22/2013	12/18/2013	4/18/14	4/21/14	\$270,000.00	\$189,000.00	1/1/2014	12/31/16	CEDS Plan, Annual Reports, CEDS Working Committee	\$81,000.00
11	Grant	Yes	Mosaic	Judy Ott	Coral Creek Restoration: Monitoring Juvenile Fish Habitat	9/30/13	9/30/2013	1/2/14		\$50,000.00	\$50,000.00			Quarterly monitoring reports	
12	Contract	Yes	DEO	Jennifer Pellechio	Vision and Implementation Plan					\$25,000.00	\$12,500.00	TBD	4/1/2014	Mission, Goals & Objectives, Draft Plan, Final Plan	\$0.00
13	Contract	Yes	N/A	Jim Beever	Estero Bay ABM					\$12,000.00	\$10,000.00	10/1/2013	9/30/2014	City of Bonita Springs approved to provide \$4,000 to the SWFRPC for the ABM (FY2013/14) of which \$1,000 would go to	\$2,000.00
14	Contract	Yes	County - Glades	John Gibbons	SQG Glades					\$3,900.00	\$3,900.00	5/17/2011	5/16/2015		
15	Grant	Yes	DEO	Jennifer Pellechio	Regional Economic Development Initiative – Business Outreach			7/1/13	12/17/13	\$15,000.00	\$15,000.00	1/1/2014	6/30/14	Business Plan	
16	Grant	Yes	EPA	Jim Beever	WQFAM					\$160,000.00	\$160,000.00	10/1/2011	9/30/2014		
17	Grant	To Be Submitted	FDEP	Liz Donley	WET PLAN	5/23/14								Workshop materials, assessment sheets, grants	
18	Grant	To Be Submitted	Charlotte Community Foundation	Margaret Wuerstle	Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues – Asset Mapping in Charlotte County	7/1/14				\$20,000.00	\$10,000.00			The purpose is to identify, map and document existing public art and public art venues in Charlotte County. A Field Guide to the Public Art of Charlotte County will assist residents, visitors and tourists to find public	\$10,000.00
19	Grant	To Be Submitted	DEO	Jennifer Pellechio	The Zoning Mapping Project	6-6-14				\$25,000.00				TBD	
20	Grant	To Be Submitted	DEO	Nichole Gwinnett	Hendry County Mini Farm Tour Plan	6/6/14				\$25,000.00	\$4,000.00			Plan	

## SWFRPC GRANT STATUS AS OF 5-5-14

#	Type	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
21	Grant	To Be Submitted	NOAA	Judy Ott	Oyster Habitat Restoration along Charlotte Harbor East Shore: Enhancing Essential Fish Habitat	09/30/2014				\$220,000.00				Draft and final reports, quarterly progress reports, possible presentations, and restored oyster habitat	
22	Grant	To Be Submitted	Multiple Agencies	Liz Donley	Neighborhood Lakes and Ponds	2/5/14				\$60,000.00	\$5,000.00			Video presentations, workshops, micro-grants	
23	Grant	Pending	Visit Florida	Margaret Wuerstle	Our Creative Economy: Southwest Florida Regional Strategy for Public Art	2/18/14	2/18/14			\$10,000.00	\$5,000.00				
24	Grant	Pending	PNC Foundation	Margaret Wuerstle	Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues	Open	3/14/14			\$20,000.00	\$10,000.00			A field guide to the public art of Charlotte County.	\$10,000.00
25	Grant	Pending	Presbyterian Committee	Margaret Wuerstle	A Nutritional Oasis for Marginalized Individuals					\$15,000.00	\$15,000.00				
26	Grant	Pending	EPA	Jim Beever	Identifying Future Saltwater Wetland Loss	4/4/14	4/4/14			\$256,759.00	\$129,283.00			Report, transect information, presentations, articles	\$63,800.00
27	Grant	Pending	EDA	Jennifer Pellechio	Advanced Manufacturing in West Central Florida Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development		12/26/2013			\$210,000.00	\$100,000.00			Regional website, branding strategy, brochures, analysis	\$40,000.00
28	Grant	Pending	NOAA	Jim Beever	A Climate Change Resiliency and Adaptation Manual for Cities and Counties on the Gulf of Mexico	4/11/14	4/11/14			\$138,255.00	\$93,205.00			How-to manual with protocols that are easily implemented.	\$14,600.00
29	Grant	Pending	USDA	Margaret Wuerstle	Mobile Market: A Nutritional Oasis for Food Markets of SWFL	3/31/14	3/31/14			\$599,549.00	\$298,605.00	10/1/14	9/30/17	Education Plan	
30	Grant	Pending	USDA	Nichole Gwinnett	Opportunity Buy Program Coordinator	4/30/14	4/30/14			\$195,979.00	\$99,848.00			A part-time employee will be assigned to develop and coordinate this program over a two year period. After the program is implemented and stable, it will be turned over to the school districts for their continued usage.	\$42,510.00
31	Grant	Pending	Elizabeth Dole Foundation	Margaret Wuerstle	Homeless Veterans Camp	10/15/13	9/9/2013			\$150,000.00	\$150,000.00			Maps of camp locations and documentation of number of homeless veterans	\$0.00
32	Grant	Pending	NOAA	Jim Beever	The effects of sea level rise on Total Ecosystem Services Value (TEV) in Southwest Florida	11/14/13	11/13/13			\$208,245.74	\$200,245.74			TEV valuation of southwest Florida in existing and future climate change scenarios	
33	Grant	Pending	SeaWorld & Bush Gardens	Liz Donley	Monofilament Cleanup	1/1/14	1/1/14			\$17,091.00	\$1,647.00			Needs assessment, monofilament clean-up	

## SWFRPC GRANT STATUS AS OF 5-5-14

#	Type	Awarded	Funding Agency	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/ Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
34	Grant	Pending	EPA	John Gibbons	Southwest Florida Environmental Justice Empowerment Center	2/18/14	2/18/14				\$120,000.00			<ul style="list-style-type: none"> <li>•Semi-annual Progress report</li> <li>•Draft Report 60 days after project ends</li> <li>•Final Report 90 days after project ends</li> <li>•Financial Status Reports</li> </ul>	
35	Grant	Pending	EPA	John Gibbons	Environmental Job Training for dislocated workers and veterans with employable job skills	2/13/14	2/13/14				\$200,000.00			<ul style="list-style-type: none"> <li>•Cooperative Agreement Application required</li> <li>•Finalized Budget and Work Plan</li> <li>•Progress Reports</li> <li>•Data Registration electronically</li> <li>•Final Report require</li> </ul>	
36	Grant	Pending	National Endowment for the Arts	Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues	1/13/14	1/13/14			\$400,000.00	\$200,000.00			<ul style="list-style-type: none"> <li>•Asset Mapping</li> <li>•A Regional Strategy for Enhancing Public Art: A SWOT</li> <li>•Southwest Florida's Public Art and Cultural Venues Field and Tour Guide</li> </ul>	\$113,472.00
37	Grant	Pending	EPA	Jennifer Pellechio	FY14 Brownfields Assessment Grant	1/22/14	1/22/14			\$600,000.00	\$600,000.00				\$0.00
38	Grant	Pending	NOAA	General Partner	"Resilient Coastal Communities" and its National Height Modernization Program (NHMP)	6/21/13	6/21/2013			\$50,000.00	\$50,000.00			Meetings, workshops, data, new geospatial models	
39	Grant	Pending	USDA	Rebekah Harp	The Smart Process Food Hub	4/30/14	4/30/14			\$139,457.00	\$98,729.00			Host regional stakeholder meeting; hire and train two food service processors; secure warehouse rental space; distributing food from HUB to school districts; and completion of project - self sustaining.	\$25,728.00
40	Grant	Pending	FEMA	John Gibbons	Strengthening Resilience Across Whole Communities of Practice: A Regionally-based Virtual Training Approach	8/16/13	8/16/2013			\$64,000.00	\$64,000.00			National LEPC Training and Exercise Program	\$0.00
41	Grant	Pending	EDA	Jennifer Pellechio	SWFRPC, TBRPC, SFRPC Medical Corridor Initiative	Open	4/14/14			\$0.00	\$0.00			Designation	\$0.00
42		Pending	FDEP	Jim Beever	Resilient and Consistent Coastal Elements for Florida's Gulf Coast (RESTORE)	1/7/13	1/7/2013			\$500,000.00	\$500,000.00				
43	Grant	Pending	USDOT	Margaret Wuerstle	Public/Private Regional Transportation Connectivity Plan	4/28/14	4/25/14			\$1,378,476.00	\$1,148,476.00			Public/Private Regional Transportation Connectivity Plan	\$70,000.00
44	Grant	Pending	FDEP	Margaret Wuerstle	Implement agriculture BMP in the Caloosahatchee Watershed		4/12/2013			\$3,000,000.00	\$3,000,000.00			Grants to growers to implement BMP. Anticipated to assist 20 growers /year for six years or 120 growers	
45		Pending	FDEP	Jim Beever	Environmental Services Provided by the Gulf of Mexico	1/7/13	1/7/2013			\$500,000.00	\$500,000.00				

# Agenda Item

9

Consent Agenda

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9



## **CONSENT AGENDA SUMMARY**

### **Agenda Item #9(a) – Intergovernmental Coordination and Review**

There was one clearinghouse item reviewed during the month of April. Staff found the project to be “Regionally Significant and Consistent” with the SWFRPC’s Strategic Regional Policy Plan (SRPP).

#### **RECOMMENDED ACTION:**

- Approve the administrative action on the Clearinghouse Review items.

### **Agenda Item #9(b) – Financial Statement for April 30, 2014**

Due to unforeseen circumstances the Financial Statement for April 30, 2014 will be presented at the June 19 meeting.

#### **RECOMMENDED ACTION:**

- None at this time.

### **Agenda Item #9(c) – Southwest Florida Local Emergency Planning Committee’s Simulated Chemical Disaster**

The purpose of this exercise is to provide participants (both private and public sectors) with an opportunity to evaluate current response concepts, plans, and capabilities for response to chemicals and other events in Glades County and the region. The exercise will focus on the key local emergency responder coordination, critical decisions, and the integration of Local, Regional and State assets necessary to save lives and protect the public health following a chemical and terrorist incident.

#### **RECOMMENDED ACTION:**

- None at this time.

**RECOMMENDED ACTION:** Approve consent agenda as presented.

# --- Agenda --- Item

9a

Intergovernmental  
Coordination & Review

9a

9a

## **Project Review and Coordination Regional Clearinghouse Review**

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning April 1, 2014 and ending April 30, 2014.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.

Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.

Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the FDEP-State Clearinghouse in Tallahassee.

**RECOMMENDED ACTION:** Approval of the administrative action on Clearinghouse Review items.

5/2014

# ICR Council - 2014

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2014-15	Fred D. Fox, President	Fred Fox Enterprises, Inc.	Glades County	City of Moore Haven - 2013 Community Development Block Grant (CDBG) - Neighborhood Revitalization Application.	DEO - CDBG	\$650,000.00	Regionally Significant and Consistent

## *Review in Progress*

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2014-05			Charlotte County	EPA - State Revolving Funds - Charlotte County Utilities - The East and West Spring Lake Wastewater Pilot Program."			Review in Progress
2014-17			Lee County	FDEP JCP Application (#0200269-009-JC) for the Captiva and Sanibel Islands Renourishment Project in Lee County.			Review in Progress
2014-18			Sarasota County	FDEP JCP Application #0240984-001-JC - South Siesta Key Beach Restoration Project - Phase 2 in Sarasota County.			Review in Progress
2014-19			Sarasota County	Atkins North America, Inc. - Florida State Clearinghouse #FL201404236869C - Venice Municipal Airport Runway Protection Zone Improvement Project - Draft Focused Environmental Assessment.			Review in Progress

# Agenda Item

9b

Financial Statement for  
April 30, 2014

9b

9b

# --- Agenda --- Item

9c

Southwest Florida Local Emergency  
Planning Committee's Simulated  
Chemical Disaster

9c

## **SOUTHWEST FLORIDA REGIONAL CHEMICAL SIMULATED DISASTER**

The Southwest Florida Local Emergency Planning Committee (LEPC) will conduct a simulated chemical disaster June 11, 2014, in Glades County. Principal partners are the LEPC, Glades County Public Safety and Wedgworth's Fertilizer, Incorporated. The disaster will incorporate a drill and table top exercise events.

### **BACKGROUND**

On April 17, 2013, an ammonium nitrate explosion occurred at the West Fertilizer Company storage and distribution facility in West, Texas, eighteen miles north of Waco while emergency services personnel were responding to a fire at the facility. Fifteen people were killed; more than 160 injured and more than 150 buildings were damaged or destroyed. West Fertilizer Company has supplied chemicals to farmers since it was founded in 1962. It was reported that the plant was last inspected by Occupational Safety and Health Administration in 1985.

The Florida Division of Emergency Management requires a Local Emergency Planning Committee to develop and conduct an exercise every two years. During its February 2014 meeting, the Southwest Florida Local Emergency Planning Committee elected to join Glades County in conducting a chemical exercise. Additionally, Glades County will be conducting associated drills involving chemical exposure and decontamination of patients. The Southwest Florida Local Emergency Planning will provide assistance to determine the capabilities of public/private responders and medical personnel to address a chemical incident at Wedgworth, Inc of Glades County.

### **EXERCISE SUMMARY**

Operation Fertilizer TTX was designed primarily to demonstrate and discuss the capabilities of emergency response authorities and agencies to effectively respond to, mitigate, and recover from a Fertilizer Plant incident, a mass casualty event occurring at the Plant, and an Extreme Hazardous Substance (EHS). The intent is to facilitate a learning environment where response agencies and the private sector come together, face to face, to understand and talk through an integrated response involving specific emergency situations. Furthermore, our exercise design planning team wanted to facilitate discussion and interaction between the agencies and players of the selected emergency response authorities, healthcare systems, and public safety agencies to determine what each agency has available in their plans. Our tabletop exercise requires liaison and coordination with many mutual aid support agencies. Some agencies added other elements in support of their individual training programs or requirements beyond the tabletop scope. This exercise is being conducted in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP) requirements.



## Exercise Purpose

The purpose of this exercise is to provide participants (both private and public sectors) with an opportunity to evaluate current response concepts, plans, and capabilities for response to chemicals and other events in Glades County and the region. The exercise will focus on the key local emergency responder coordination, critical decisions, and the integration of Local, Regional and State assets necessary to save lives and protect the public health following a chemical and terrorist incident.

## Scope

This TTX will focus on Glades County Public Safety and Wedgworth's response to consequences of an airborne chemical release, worksite safety security and a terrorist incident. Processes and decision-making are more important minute details. Emphasis is on coordination, integration of capabilities, problem identification, and resolution.

The purpose of this exercise is to assess the effectiveness of current Continuity of Operations Plan capabilities in assisting decision makers during a response to a disaster, worksite safety terrorist incident and long term recovery.

- Incident Management
- Facility Recovery
- WMD/Hazardous Materials Response and Decontamination
- Emergency Public Information Warning

## Exercise Objectives, Capabilities, and Activities

Capabilities-based planning allows for exercise planning teams to develop exercise objectives and observe exercise outcomes through a framework of specific action items that were derived from the Target Capabilities List (TCL). The capabilities listed below form the foundation for the organization of all objectives and observations in this exercise. Additionally, each capability is linked to several corresponding activities and tasks to provide additional detail.

Based upon the identified exercise objectives below, the exercise planning team has decided to demonstrate the following capabilities during this exercise:

- **Objective 1: *Evaluate*** the ability to implement department and division lines of succession and delegations of authority
- **Objective 2: *Identify*** changing roles and responsibilities as the community moves from response to short and long term recovery

- **Objective 3: Control** the dissemination of Public Information. Communicate effectively with other agencies, utilities and the public through a communication and notification plan.

### **Scenario Summary**

It is June 11, 2014, and the City of Moore Haven is currently emerged in an unprecedented heat wave with average temperatures above 90 degrees and oppressive humidity. Glades County is experiencing large tourist through traffic. Additionally, a bird watching event is being held along Lake Okeechobee during the morning hours of June 9-12, 2014.

On June 2, 2014, three employees of Wedgworth Farms, Incorporated were terminated by Risk Safety Manager Sherida Ridgill for not following proper safety procedures. On the morning of June 11, 2014 at approximately 0900, one of the terminated employees confronts an employee at the plant he thought provided information which resulted in his dismissal. A fight ensues which draws the attention of the welding crew members: one a welder and one a fire watch person. The welder was cutting out a section of cat walk over an empty sulfur bin that still had trace amounts of product on the floor and the walls. The welder jumped up and left the cutting torch engaged and burning as he ran down the catwalk to get to the scene of the fight and the cutting torch falls into the bin below and a fire starts.

Administrators at the plant observed the confrontation which is now in the plant yard. Administrators join in the fight and begin chasing the ex-employee. The terminated employee attempts to escape the plant in his pick-up truck. A small cloud coming from the interior of the plant is also observed during the commotion.

At approximately 9:10 a.m., a two-engine freight train bound and pulling 12 cars, hauling everything from fiberboard to hazardous materials has entered the Wedgworth's property and is proceeding at 5 miles per hour toward the unloading area. The train collides with a two-door truck driven by the former disgruntle employee trying to escape the plant. Employees and spectators hear the screech of the locomotive's wheels as the emergency brakes are applied. They watch, as if in slow motion, as several cars of the train begin to derail and the truck is pushed down the tracks. Wedgworth's Hazardous Materials Team is immediately activated and local authorities are notified. South Central Florida Express is contacted. South Central Florida Express informs Wedgworth's that one of the tank cars has anhydrous ammonia onboard.

After the plant fire is under-control, another employee who was evacuated told a Wedgworth supervisor that he thought he observed the terminated disgruntle employee near the mobile fueling station at the front of the subject property; a search occurs and a suspicious package is found.

### **RECOMMENDATIONS:**

None. Update and information item only.

# Agenda Item

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Regional Impact

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# Agenda Item

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Sarasota County Comprehensive  
Plan Amendment (DEO 14-5ER)  
EAR Amendments

10a

## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 14-5ER). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Proposed Amendment	Factors of Regional Significance			
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 14-5ER (EAR Amendments )	yes	yes	yes	(1) procedural; (2) regionally significant; and (3) consistent with SRPP

**RECOMMENDED ACTION:** Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.

05/14

**Attachment I****COMMUNITY PLANNING ACT****Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda  
 Collier County, Everglades City, Marco Island, Naples  
 Glades County, Moore Haven  
 Hendry County, Clewiston, LaBelle  
 Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel  
 Sarasota County, Longboat Key, North Port, Sarasota, Venice



## **Comprehensive Plan Amendments**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

**Attachment II**

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW  
FORM 01**

**LOCAL GOVERNMENT:**

Sarasota County

**DATE AMENDMENT RECIEVED:**

April 2, 2014

**DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:**

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

May 5, 2014

**1. AMENDMENT NAME:**

**Application Number:** DEO 14-5ER

Sarasota County Evaluation and Appraisal Based Comprehensive Plan Amendments

**2. DESCRIPTION OF AMENDMENT(S):**

The County-initiated amendments in these changes are the results of Sarasota County's evaluation of their Comprehensive Plan. In 2011, the Florida Legislature adopted the Community Planning Act which resulted in the most change to planning laws in Florida since the 1985 Local Government Comprehensive Planning and Land Development Regulation Act, which had development in the State for decades. This change in the law still required all local governments to adopt and implement a comprehensive plan, the requirements of the new law gave more discretion to the local governmental entities.

As presented to and approved by the Sarasota Board of County Commissioners in February and March of 2013, the County staff did notify the Department of Economic Opportunity that the County would be amending their Comprehensive Plan to address some statutory requirements and to perform a general "clean-up" of the Plan.



Under the new Community Planning Act the evaluation and appraisal review is no longer based on a checklist of specific requirements. There is no formal EAR process to adhere to anymore. Local governments are now only required to review their Comprehensive Plans to determine if changes in State requirements (statutory changes) necessitate any changes to the Comprehensive Plan. Local governments are “encouraged” to address any pertinent changing conditions in their community.

It is Sarasota County’s intent to pursue a more comprehensive update of the Comprehensive Plan, in the near future, outside of the Evaluation and Appraisal timing constrains that are noted below.

The Florida Department of Economic Opportunity (FDEO) developed a listing of “due dates” for local jurisdictions to submit Evaluation and Appraisal Notification Letter for communities with adopted Comprehensive Plans. In Sarasota County’s case, the Evaluation and Appraisal Notification Letter was due to the FDOE by April 1, 2013. Both the Planning Commission and the Board of County Commissioners were apprised of the Evaluation and Appraisal Notification Letter as a discussion item at an advertised hearing in February and March 2013. The planning commission recommended and the Board of County Commissioners approved, transmitting the letter to FDEO informing them that the county would be amending the Comprehensive Plan. The signed Evaluation Notification Letter was received by FDEO on March 25, 2013. A letter in response from FDEO that advised the County staff that, pursuant to Section 163.3191(2), F.S., the County’s subsequent Evaluation and Appraisal based amendments must be submitted to the FDEO by April 1, 2014.

The County has submitted the following amendments for the State and regional reviews:

1. Statutory Requirements – A review of Comprehensive Plan statutory requirements (163.3177, F.S.) indicated that there were four (4) statutory requirements that had either not been addressed, or would be better addressed, in the County’s Comprehensive Plan. These items were:
  - (a) The Future Land Use Chapter must address strategies to preserve recreational and commercial working waterfronts;
  - (b) The Future Land Use Chapter must address the compatibility of land uses adjacent to public airports;
  - (c) The Transportation Chapter must be amended to address how impacts are mitigated based upon recent changes to Chapter 163, F.S.; and
  - (d) The Future Land Use Chapter needs to address location/land use compatibility standards for electric distribution substations.
2. Chapter-by-Chapter Review – Based on the new State guidelines, each chapter in the Comprehensive Plan was reviewed by the appropriate County departments. The

County staff reviewed their respective chapters and asked to identify statutory changes that needed to be addressed and to identify any Goals, Objectives, and Policies in their areas of expertise that needed to be “cleaned up.” The staff review found that most of the changes that were identified were in fact “clean up” in nature, which is reflected in the subject review and proposed changes to the County’s Comprehensive Plan.

3. Mapping Changes – As part of the review, staff is proposing a Future Land Use Map amendment on a 4± acre parcel located on Little Sarasota Bay in Osprey. The subject site, “Bay Preserve at Osprey” is already operating as a public access environmental/cultural heritage preserve south of and adjacent to Historic Spanish Point. The property was originally purchased for preservation through a Florida Communities Trust (FCT) grant. One of the requirements of that FCT grant was that the local government Future Land Use Map designation for the property be amended to a designation that supports preservation. The Bay Preserve at Osprey currently has a “Moderate Density Residential” designation. The request is to change the designation from the existing designation to “Public Conservation/Preservation,” which will meet the requirement of the grant and more accurately reflect the actual use of the property at the present time.

The County staff also requested two additional map amendments to better convey the current land use situations in the County. First, Sarasota County and the City of Venice have a Joint Planning agreement (JPA) to address a variety of planning issues, including identifying potential annexation areas. Since the map was first included in the County’s Comprehensive Plan, there have been annexations and other map related issues that warranted an amendment to the map. Included as part of the proposed amendments is a revised Figure 9-5, “City of Venice Joint Planning Area,” which will bring the map to a level consistent with the actions that has been taken by the two jurisdictions.

Secondly, although most of the County staff Chapter reviewers kept their amendments to clean-up type of changes, Utilities/Public Works did believe that some of the data and maps in Chapter 4 (Watersheds) were too out of date and they have updated them as part of these map change requests. The maps were reviewed by the County’s Water Advisory Committee and the Stormwater Environmental Utility Advisory Committee for public input. The maps are part of the update to Chapter 4 of the Comprehensive Plan.

### **3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:**

The changes requested to the Sarasota County Comprehensive Plan in these amendments include additional and changes to existing goals, objectives and policies that implement the County’s future. Council staff has reviewed the proposed changes due to statutory requirements and find that the changes to the Future Land Use Chapter that addresses strategies to preserve recreational and commercial working waterfronts, compatibility of land



uses adjacent to public airports, mitigation used for transportation impacts based upon recent changes to Chapter 163, F.S., and compatibility standards for electric distribution substations are all procedural changes that update the County's Comprehensive Plan to bring it into conformance with statutory requirements. Council staff finds that the proposed changes will allow the plan to meet the subject regulatory requirements, will improve the resources and facilities of the County, and will provide more economically viable future of the County and region.

Council staff reviewed has also reviewed the suggested changes that were identified by the County staff in their respective Chapter reviews and finds that the proposed statutory changes are needed in order to address updates of the Chapter Goals, Objectives, and Policies in their areas of expertise and are indeed "cleaned up" actions that were needed to make the Comprehensive Plan more accurate and thereby improve the implementation of the Comprehensive Plan in the future and will lessen future impacts on the County's resources and improve the existing and future County facilities.

With respect to the Mapping changes requested in these changes, Council staff agrees with the substantial review and findings of the County staff and the County Board of County Commissioners that the proposed land use changes for the Bay Preserve at Osprey are appropriate and will meet the grant requirements and more accurately identify the existing use of the land on the Future Land Use Map. This change will improve and add to the resources of the County and region.

Finally, with respect to the Sarasota County and the City of Venice have a Joint Planning agreement map changes, Council staff believes that the proposed changes will improve the accuracy of the Comprehensive Plan by updating the Future Land Use Map and the changes proposed to update the watershed areas of the County. Therefore, Council staff finds that the requested amendments will not produce significant adverse effects to regional resources or facilities that are identified in the Strategic Regional Policy Plan.

Based on the information submitted, Council staff finds that the requested changes are regionally significant because they will affect regional resources and facilities, but Council staff finds that the proposed changes are consistent with the Goals, Strategies, and Actions found in the Strategic Regional Policy Plan (SRPP) because the changes improve the County's Comprehensive Plan by making the Plan more accurate and better able to implement the Goals, Objectives, and Policies of the Plan that improve the future improvements to the region.

#### **4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION**

As proposed, the subject amendments will impact adjacent jurisdiction within the region however, the changes will not negatively impact the Comprehensive Plans of these adjacent jurisdictions. Therefore, Council staff finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be

inconsistent with the Comprehensive Plan of any other affected local government within the region.

**Request a copy of the adopted version of the amendment?** ☒ Yes ☐ No

---

**Attachment III**

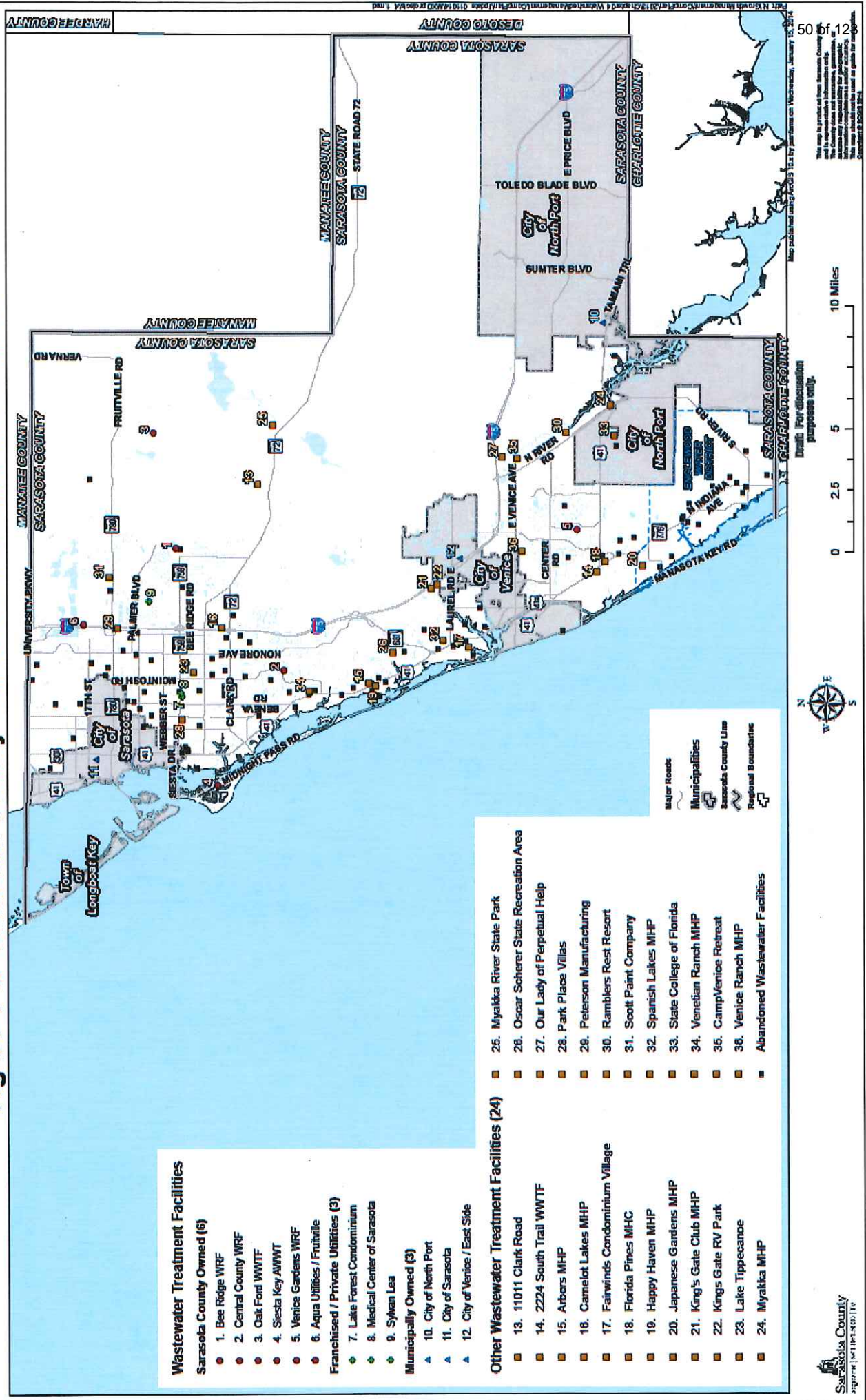
# **Maps**

**Sarasota County  
DEO 14-5ER**

**Growth Management Plan  
Comprehensive Plan Amendments**



Figure 4-1: Sarasota County Wastewater Treatment Facilities



**Franchise Wastewater Service Area**

1. BEE RIDGE UTILITIES
2. LAKE FOREST UTILITIES
3. SYLVAN LEA

**Englewood Water District**

**Sarasota County Utilities**

**Major Roads**

**Municipalities**

**Sarasota County Line**

**Regional Boundaries**

Map published using ArcGIS 10.x by jbarber on Wednesday, January 15, 2014

0 1.25 2.5 5 Miles

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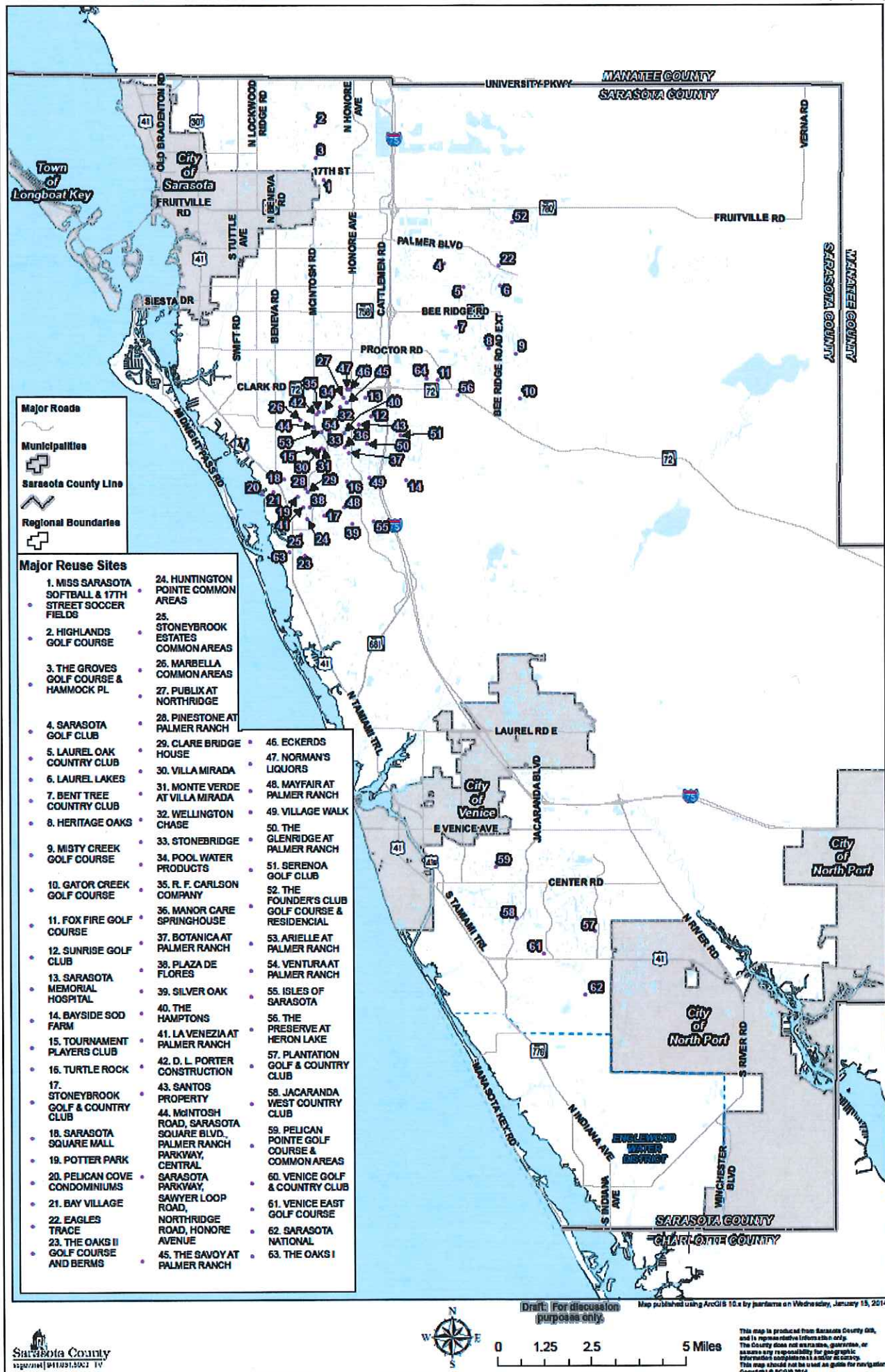
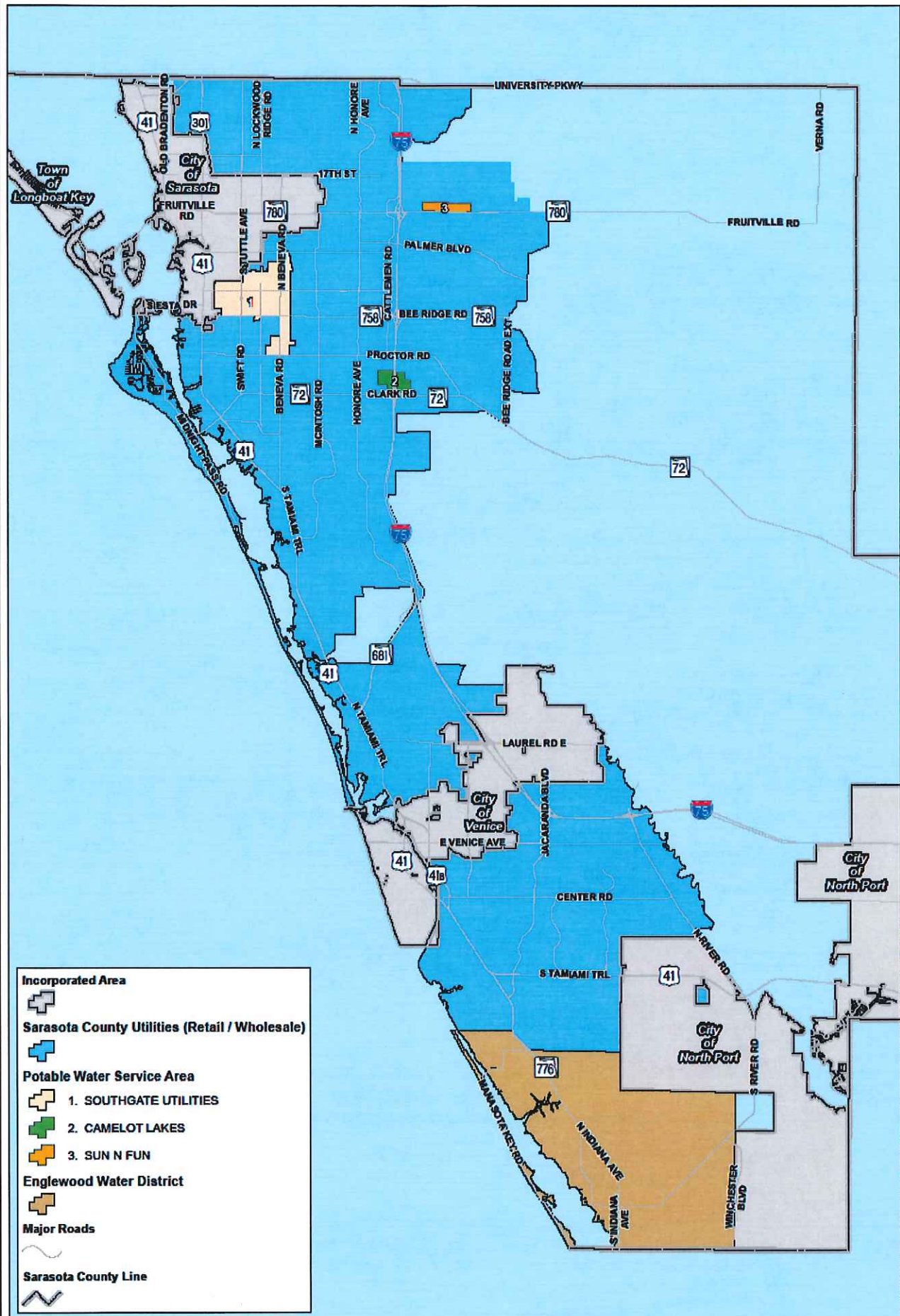
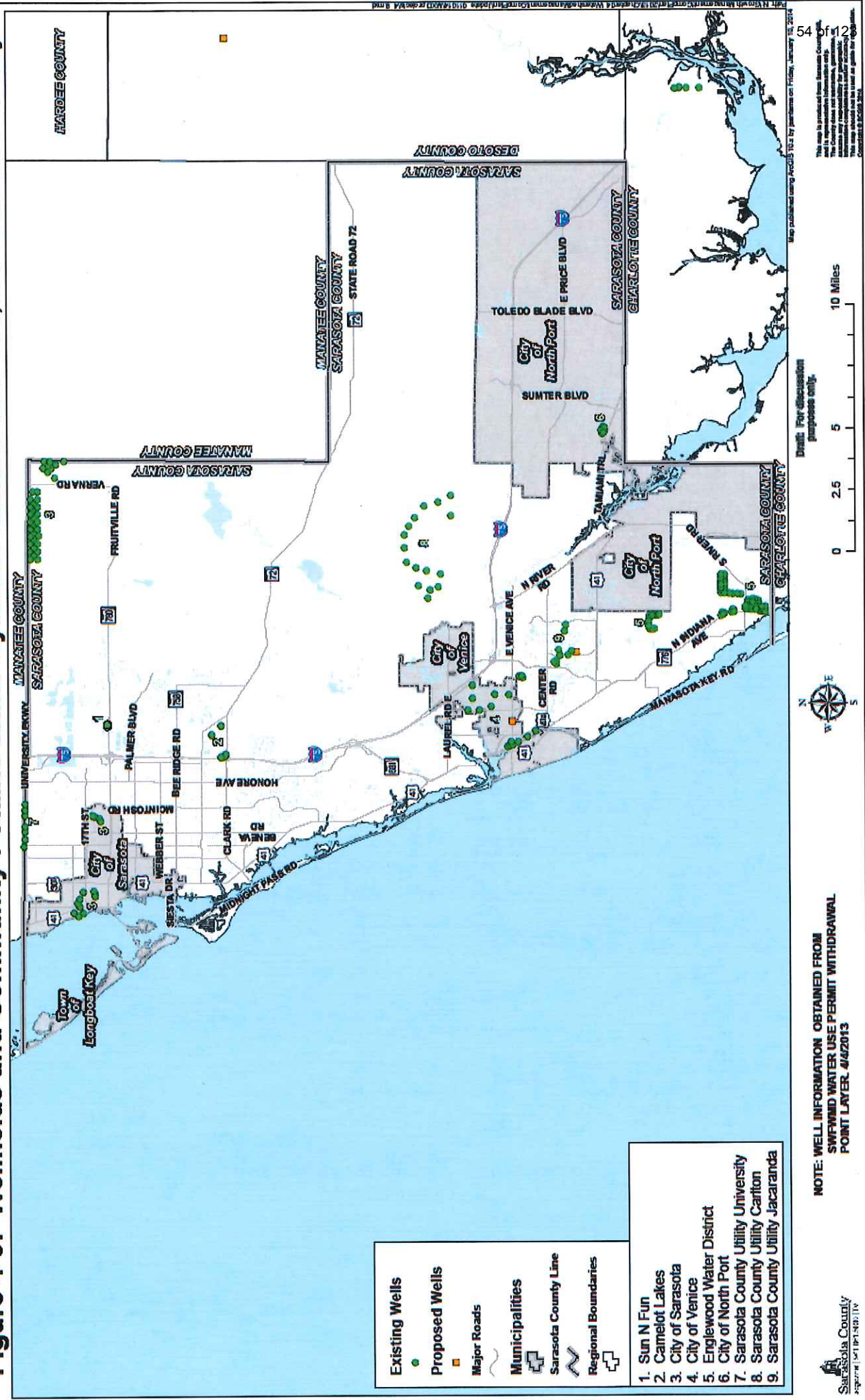




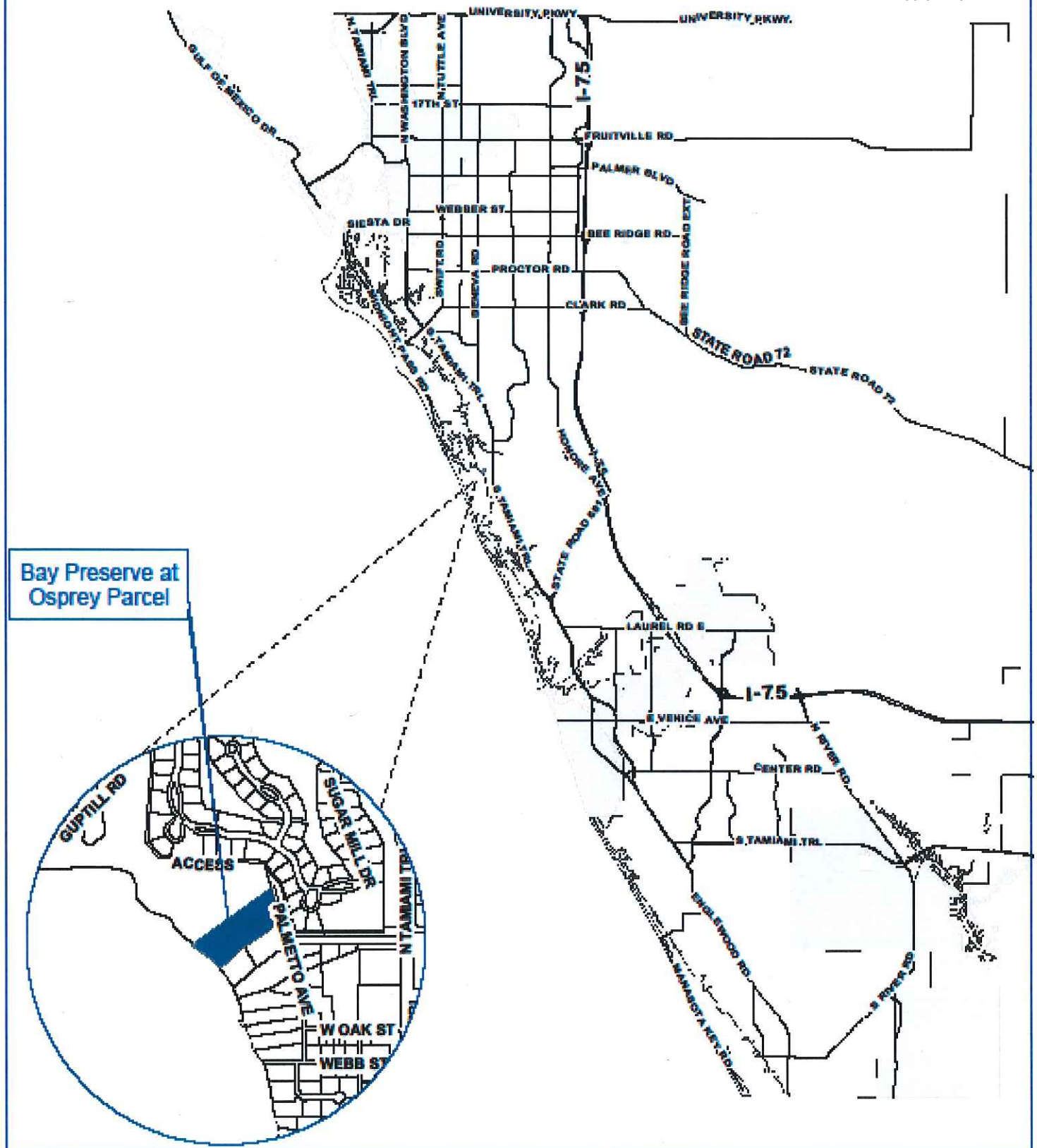
Figure 4-8: Potable Water Service Areas in Sarasota County



**Figure 4-9: Wellfields and Community Potable Water Systems Greater than 100,000 Gallons Per Day**







## PLANNING COMMISSION PUBLIC HEARING INFORMATION PACKET

**Bay Preserve at  
Osprey**

**Bay Preserve at Osprey  
EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENT  
Request by the Conservation Foundation of the Gulf Coast**

**February 20, 2014**

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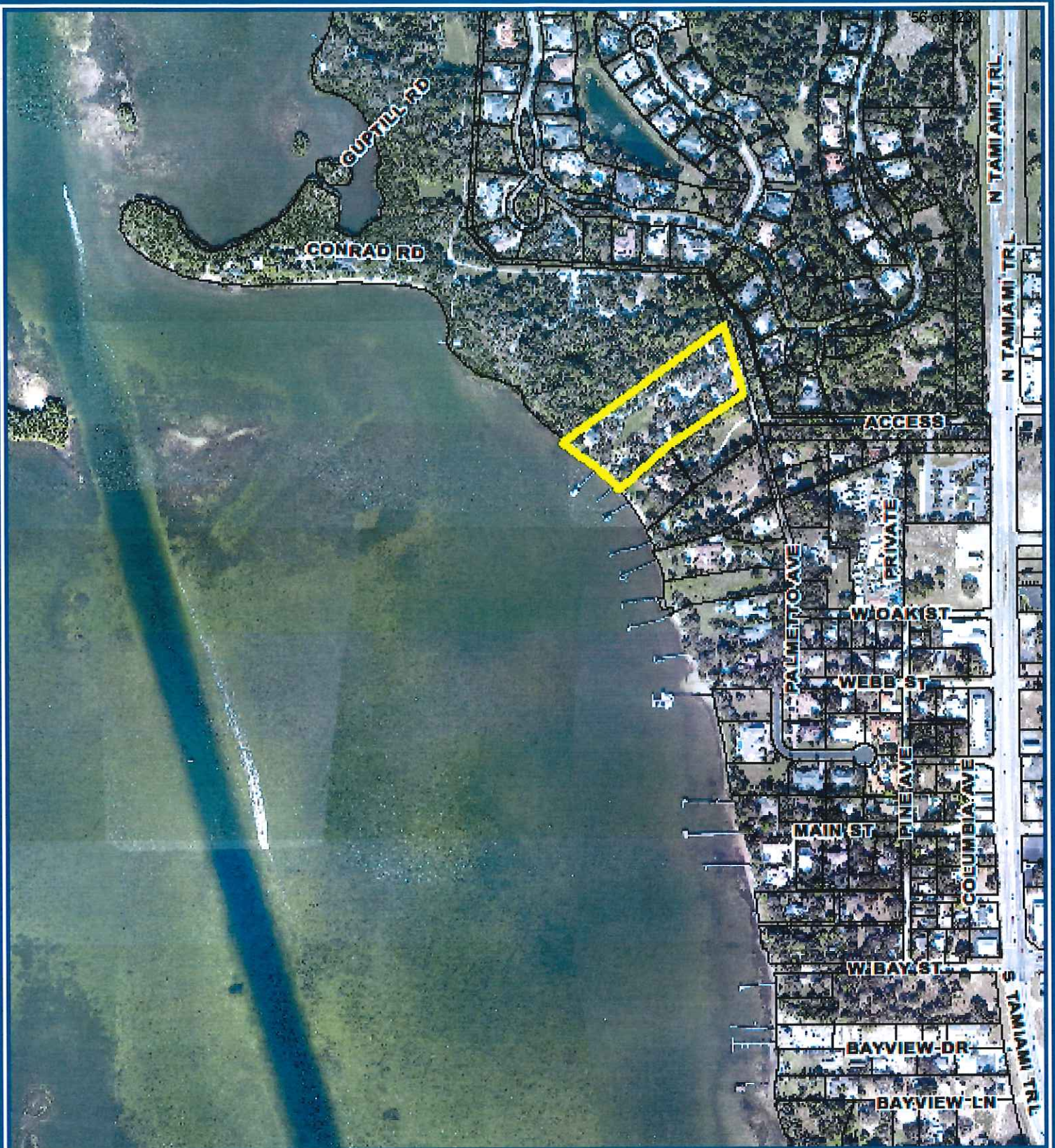
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Sarasota County  
PLANNING COMMISSION



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Feet





Bay Preserve at Osprey

**2013 AERIAL**



0 200 400  
Feet

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Map published using ArcGIS 10.x by gschell on Thursday, January 30, 2014

**Bay Preserve at Osprey**  
**EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENT**  
**Request by the Conservation Foundation of the Gulf Coast**

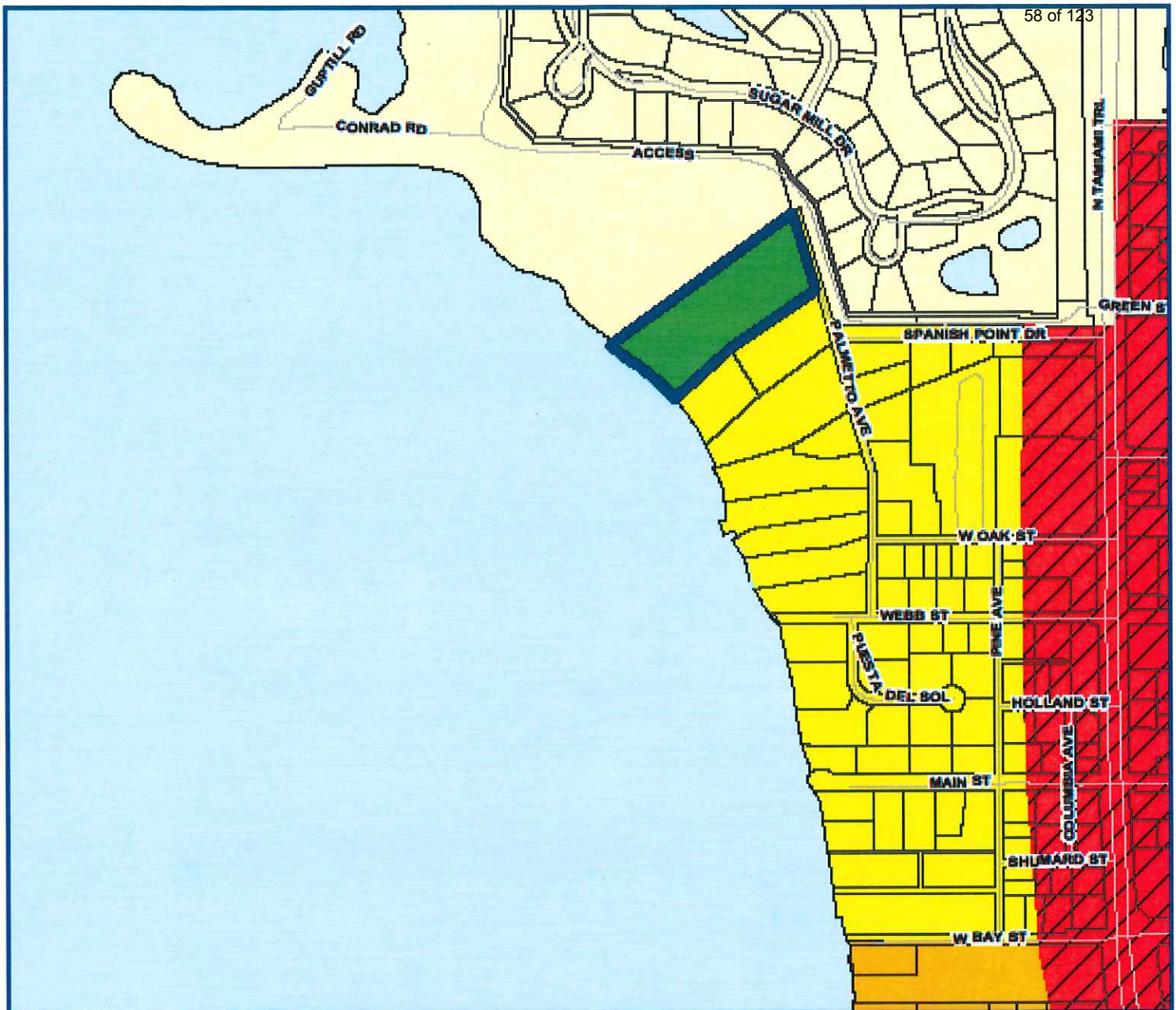
Aerial Imagery Provided by Pictometry International:  
Sarasota County, FL  
February 2013  
4" Resolution  
NAD 1983 HARN State Plane Florida West FIPS 8902 (U.S. Survey Feet)

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## PROPOSED FUTURE LAND USE DESIGNATION

### Bay Preserve at Osprey

### EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENT

Request by the Conservation Foundation of the Gulf Coast

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**Sarasota County**  
 941.554.3600  
 www.sarasotacounty.org

**NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENT OF THE SARASOTA COUNTY COMPREHENSIVE PLAN AS ADOPTED BY SARASOTA COUNTY ORDINANCE NO.89-18, AS THE SAME MAY BE AMENDED FROM TIME TO TIME. THE BOUNDARIES OF LAND USE DESIGNATIONS, WHERE THEY HAVE BEEN ESTABLISHED, MAY BE REVIEWED AT SARASOTA COUNTY PLANNING SERVICES, 1560 RINGLING BOULEVARD, SARASOTA, FLORIDA.**

LOW DENSITY RESIDENTIAL (< 2 DUs/ACRE)	LIGHT OFFICE	PUBLIC AIRPORT FACILITY
MODERATE DENSITY RESIDENTIAL (≥ 2 AND < 5 DUs/ACRE)	OFFICE/MULTI-FAMILY RESIDENTIAL	PRIVATE AIRPORT FACILITY
MEDIUM DENSITY RESIDENTIAL (≥ 5 AND ≤ 9 DUs/ACRE)	COMMERCIAL HIGHWAY INTERCHANGE	FUTURE THOROUGHFARES
HIGH DENSITY RESIDENTIAL (> 9 AND ≤ 13 DUs/ACRE)	MAJOR EMPLOYMENT CENTER - MEC	Bay Preserve at Osprey Parcel
SEMI-RURAL	MAJOR GOVERNMENT USES	
RURAL	PUBLIC CONSERVATION/PRESERVATION	
BARRIER ISLAND	INCORPORATED AREA	
COMMERCIAL CENTER	WATER	
COMMERCIAL CORRIDOR	URBAN SERVICE AREA BOUNDARY	
COMMERCIAL CENTER (UNDEFINED BOUNDARIES)	FUTURE URBAN SERVICE AREA BOUNDARY	

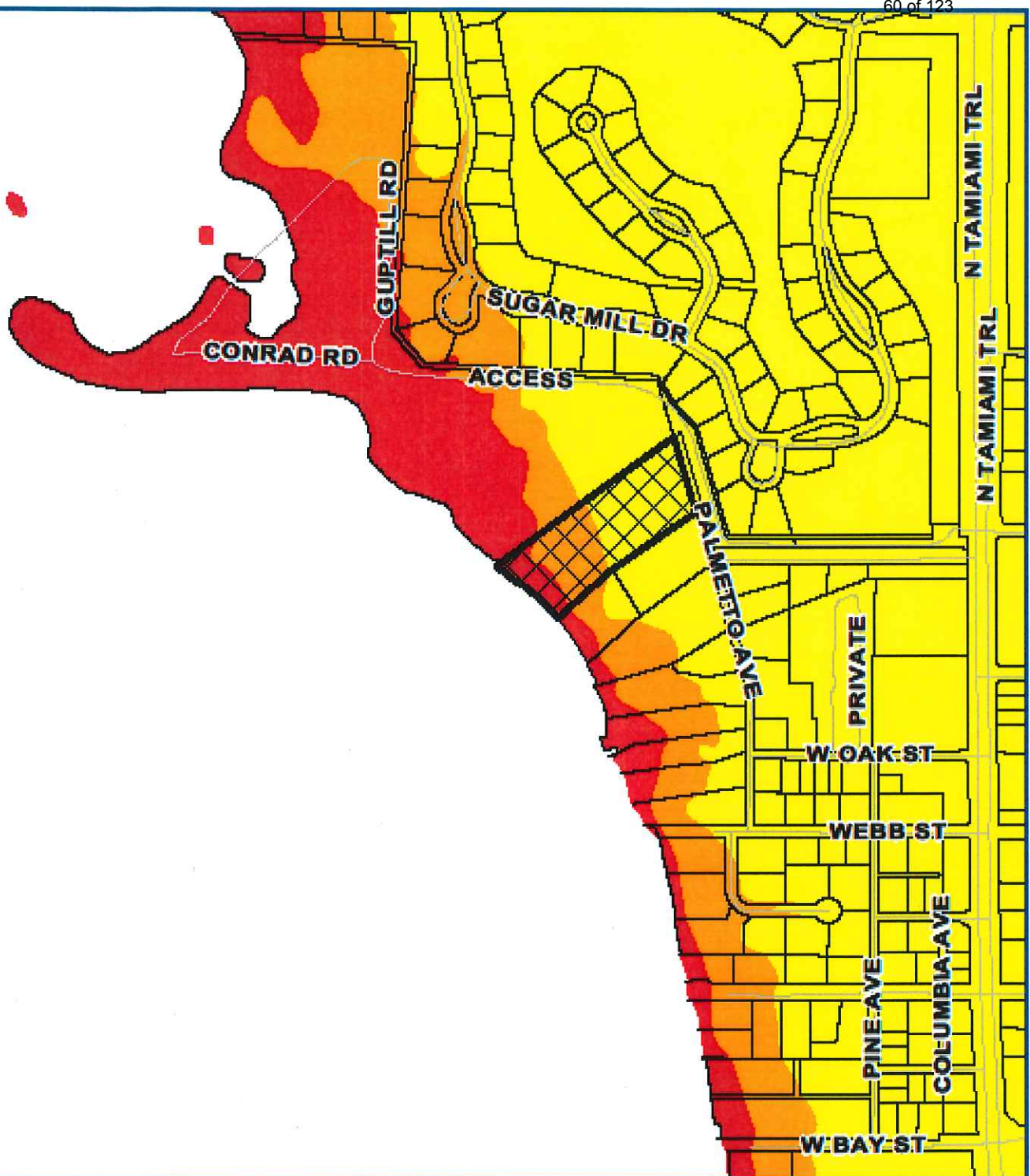


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Map published using ArcGIS 10.x by gchelsa on Thursday, January 30, 2014







## HURRICANE STORM SURGE

Bay Preserve at Osprey

EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENT  
Request by the Conservation Foundation of the Gulf Coast



Bay Preserve at Osprey

STORM CATEGORY	WIND VELOCITY (MPH)	POTENTIAL TIDE HEIGHTS (FT)
T.S. + 1	39-95	To 7'
2	96-110	To 15'
3	111-130	To 26'
4	131-155	To 33'
5	156 AND OVER	To 35'
NOT WITHIN CATEGORY 1-5	—	—

Sarasota County  
Map No. W100-000114



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Feet

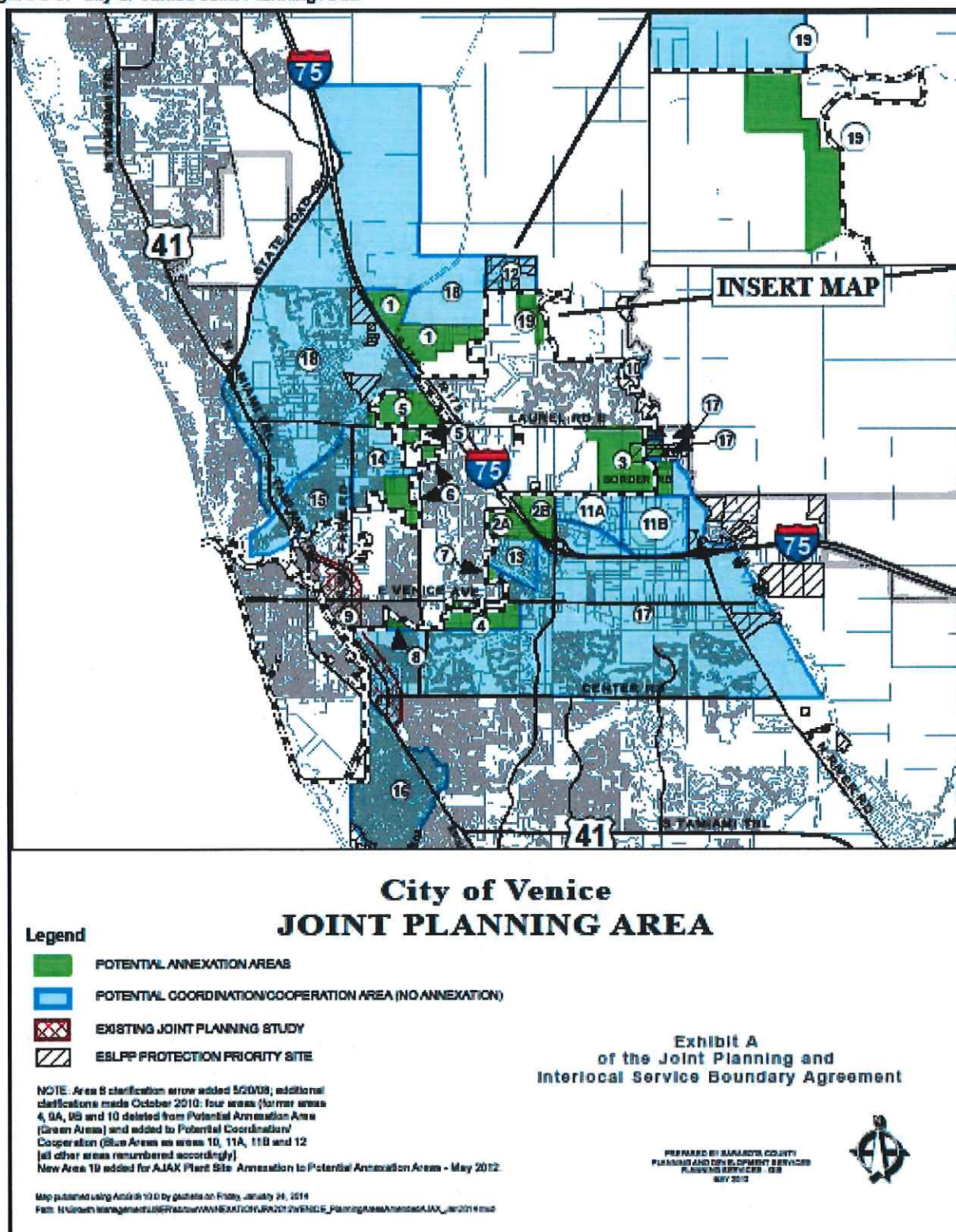
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# FUTURE LAND USE CHAPTER FIGURE TO BE UPDATED

Figure 9-5 "City of Venice Joint Planning Area"

Figure 9-5: City of Venice Joint Planning Area



# --- Agenda --- Item

10b

10b

Sarasota County Comprehensive  
Plan Amendment (DEO 14-  
6ESR) (CPA2014A)

10b

## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 14-6ER; CPA No. 2014-A). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Proposed <u>Amendment</u>	Factors of Regional Significance			<u>Consistent</u>
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	
DEO 14-5ER (EAR Amendments )	yes	no	yes	(1) procedural; (2) regionally significant; and (3) consistent with SRPP

**RECOMMENDED ACTION:** Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.

**Attachment I****COMMUNITY PLANNING ACT****Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

## **Attachment I**

### **Comprehensive Plan Amendments**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

#### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

**Attachment II**

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW  
FORM 01**

**LOCAL GOVERNMENT:**

Sarasota County

**DATE AMENDMENT RECIEVED:**

April 14, 2014

**DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:**

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

May 6, 2014

**1. AMENDMENT NAME:**

**Application Number:** DEO 14-6ESR

Sarasota County Major Employment Centers (MEC) Residential Uses Comprehensive Plan Amendments; CPA No. 2014-A

**2. DESCRIPTION OF AMENDMENT(S):**

This requested amendment to the County's Comprehensive Plan is intended to change the Future Land Use Element (FLUE) to support the development of existing Major Employment Centers (MEC) in the County with a mixture of uses including residential development that will serve the MECs. The proposed amendment is intended to be a "clean-up" item to correct potential Comprehensive Plan language inconsistencies and allow medium and high-density residential uses in all implementing zoning districts of the MECs. Presently, only Policy 3.1.3 allows such residential uses within the implementing planning districts.



Future land use policy 3.1.3 provides for Median and High Density residential development in MECs, “where such residential development may be approved as part of a Planned District (PD), provided that the residential use is part of a mixed use development.”

The MECs description in the Comprehensive Plan provides the following intent for this land use designation: “The uses typically found in BEC include light industrial, manufacturing, warehousing and office uses, and combinations of these uses. Accessory and incidental commercial with MECs are limited as allowed in the implementing zoning districts. Limited amounts of residential development are also permitted to facilitate access between home and place of work. Residential development with MEC is encouraged to provide workforce housing.”

The County is proposing to amend the Comprehensive Plan’s existing wording as follows to implement the intention of the current land use designation:

**FLU Policy 3.1.3.** (Page 9-66 and 9-67 in Comp Plan)

In addition to areas designated on the Future Land Use Map, Medium and High Density Residential development, as defined in Policy 3.1.1., shall be permitted uses in the following situations:

- within Commercial Centers provided that residential uses do not exceed twenty-five percent of the total Commercial Center acreage and that the location and use are consistent with the adopted Critical Area Planning Regulations. The acreage associated with multi-store mixed use building, where the first floor of the building is required to be used for commercial/office uses, shall not be counted as “residential acreage” for the purposes of this standard;
- within Commercial Corridors, provided that the plan meets the standards set forth in Policy 3.2.8;
- as a single or mixed use within Office/Multi-Family Residential designations, provided that the parcel is of sufficient size to enable a site design that provides adequate access and circulation, and buffering from adjacent uses;
- within Major Employment Centers where such limited residential development may be approved ~~as part of a Planned District (PD)~~, provided that the residential use is part of a mixed use development;
- within Developments of Regional Impact, where such residential development may be approved as part of a Planned District (PD), and where such residential development may be approved as part of a Planned Unit Development (PUD), in accordance with the Sarasota County Zoning Regulations; and
- within Future Land Use Map designated Town and Village Centers upon completion of the relevant Town and Village Center Plan.

The County staff also recommended that the following intent sections of the Comprehensive Plan be changed to clarify the intent of residential development with the MECs to be limited and accessory, and part of a mixed used development. County staff also recommended

adding “limited” to the light industrial, manufacturing, warehousing and office uses, and combinations of those uses found within the intent section of the Comprehensive Plan.

- **Major Employment Centers Description** (Page 9-28 in Comp Plan)

The uses typically found in MEC include light industrial, manufacturing, warehousing and office uses, and combinations of these uses. Accessory and incidental commercial activities within MECs are limited as allowed in the implementing zoning districts. It is not the intent of the MEC designation to be predominantly commercial in nature. The commercial uses are encouraged to be limited to the sale of merchandise produced, manufactured, or distributed within the center, and the internal retail and service needs of employees. Many MECs were developed without the benefit of coordinated plans that allocated employment and incidental/accessory commercial uses. In November 2011, the Board of County Commissioners provided direction to encourage more flexible redevelopment and serve neighborhood scale commercial needs within ILW zoned properties that were existing as of January 1, 2012. Accordingly, ILW zoned properties within MECs are allowed to provide for a broader range of commercial uses up to a maximum freestanding size of 15,000 square feet per use. Free-standing retail commercial uses larger than 15,000 square feet may be allowed on such ILW zoned properties by Special Exception, provided that additional commercial square footage is incidental to the MEC within which it is located. Limited amounts of residential development, provided it is part of a mixed-use development, are also permitted to facilitate access between home and place of work. Residential development within a MEC is encouraged to provide workforce housing.

- **Major Employment Centers Description** (Page 9-42 in Comp Plan)

**Major Employment Centers** – Major Employment Centers (MEC) are designated on the Future Land Use Map to provide locations for employment and economic development opportunities. The uses typically found in MEC include light industrial, manufacturing, warehousing, and offices uses, and combinations of those uses. Although accessory and incidental commercial uses are permitted, MEC areas are not intended to be commercial in nature or to substitute for commercial designations on the Future Land Use Map. Similarly, residential development, which is permitted when part of a mixed-use development, is also intended to be accessory in nature. Existing ILW zoned properties (as of January 1, 2012) are allowed a broader range of commercial uses up to a maximum free-standing size of 15,000 square feet per use. Free-standing retail commercial uses larger than 15,000 square feet may be allowed on such ILW zoned properties by Special Exception, provided that additional commercial square footage is incidental to the MEC within which it is located. Limited amounts of residential development are also permitted to facilitate access between home and work place.

- **Future Land Use Plan Description** continued (Page 9-46 in Comp Plan)

Another tenet is to provide areas for light industrial, manufacturing, warehousing and office uses, and combinations of those uses, at locations which have direct access to



the regional highway system. Comparatively large areas have been delineated, and a wide variety of office and industrial uses are permitted to ensure viability. The business uses can be supported by accessory and incidental commercial activities primarily intended to service the internal retail and service needs of the employees, and some limited residential development, as part of a mixed-use development, is also permitted to facilitate access between home and work place.

### **3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:**

The proposed amendment would provide for limited residential development, when constructed as part of a mixed-use development. It would allow this residential development in all implementing zoning districts and not be limited to only implementing Planned Districts. The proposed changes would not require changes to the Zoning Code, but would allow for any future such zoning text amendments.

While the MEC Future Land Use designation is primarily intended for industrial, manufacturing, warehousing, and office uses, it does encourage and permit some residential uses that are related to support its activities and employees. The proposed changes to the MEC Future Land Use designation would not increase the density or intensity of the development beyond what is presently allowed. Therefore, there are no anticipated negative impacts on utilities, stormwater, or transportation systems.

Based on the information submitted by the County, Council staff finds that the requested changes are procedural since those changes are identified as “cleanup” of the existing definitions of descriptions of the MEC land use designation. The proposed amendments are regionally significant because they will affect regional resources and facilities, but because the changes will not increase the intensity or density of the subject MECs, Council staff finds that the proposed changes are consistent with the Goals, Strategies, and Actions found in the Strategic Regional Policy Plan (SRPP). The SRPP supports providing workforce housing near to the places of work for the employees in the MEC business establishments. Council staff finds that the changes improve the County’s Comprehensive Plan by making the Plan more accurate and better able to implement the Goals, Objectives, and Policies of the Plan. These changes improve the economic viability of the MEC business and the proposed changes are found to improve the future economic condition of the region.

### **4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION**

As proposed, the subject amendments will impact adjacent jurisdictions within the region via the transportation system impacts; however, the changes will not negatively impact the Comprehensive Plans of these adjacent jurisdictions because the intensities and densities of the subject MECs will not be increased. Therefore, Council staff finds that the requested Comprehensive Plan amendment does not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other affected local government within the region.

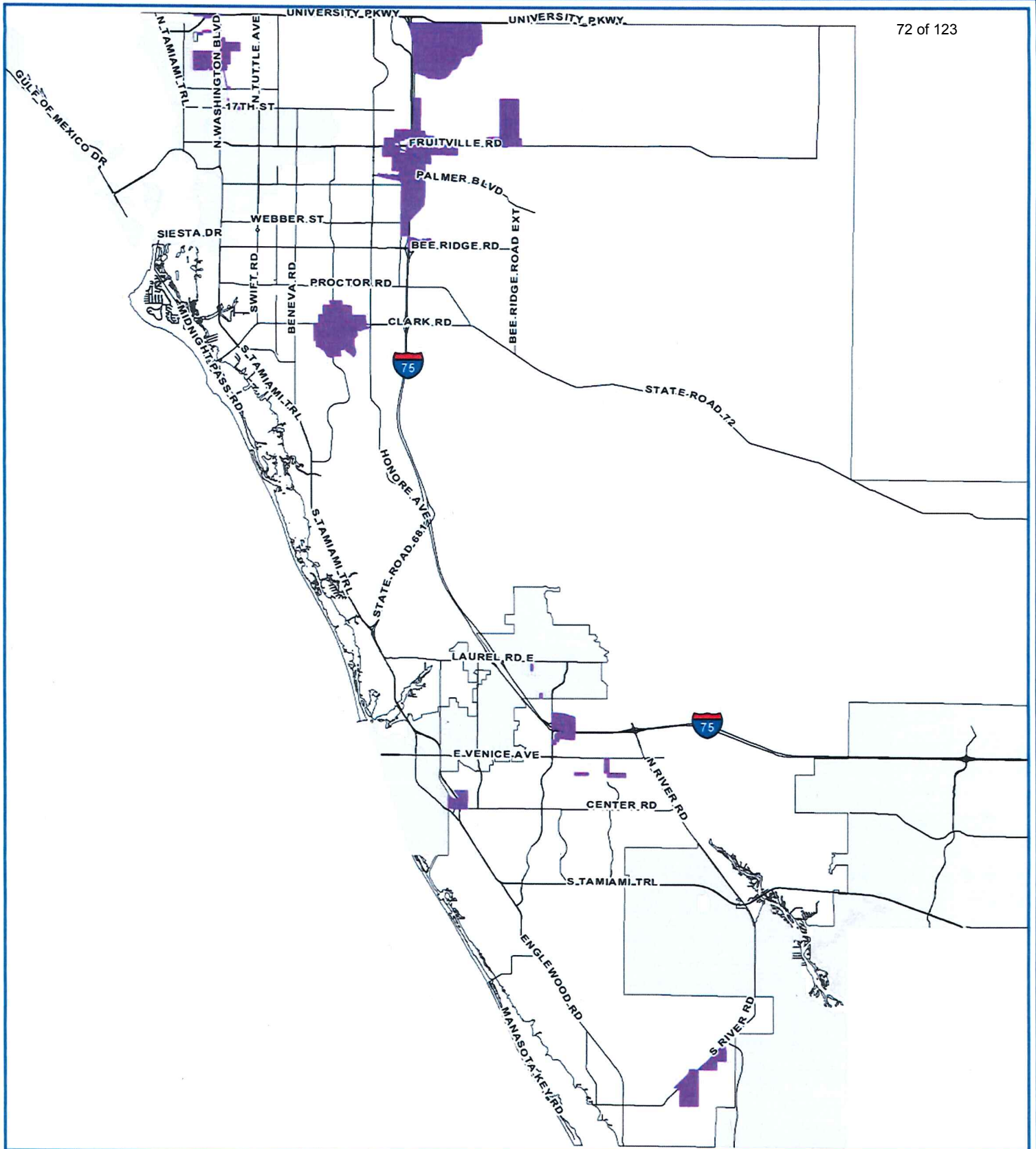
**Request a copy of the adopted version of the amendment?   X   Yes      No**

**Attachment III**

# **Maps**

**Sarasota County  
DEO 14-6ESR**

**Growth Management Plan  
Comprehensive Plan Amendments**



## SARASOTA COUNTY COMMISSION PUBLIC HEARING

MAJOR EMPLOYMENT  
CENTER

## COMPREHENSIVE PLAN AMENDMENT CPA-2014-A

APRIL 9, 2014



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# --- Agenda --- Item

10c

10c

LCEC's 2014 Electric Substation  
Planning Report

10c



Post Office Box 3455  
North Fort Myers, FL 33918-3455  
(239) 995-2121 • FAX (239) 656-2239  
[www.lcec.net](http://www.lcec.net)

March 31, 2014

Margaret Wuerstle  
Executive Director  
Southwest Florida Regional Planning Council  
1926 Victoria Avenue  
Fort Myers, FL 33901

Subject: 2014 Electric Substation Planning Report to Regional Planning Council

Dear Ms. Wuerstle:

In accordance with Florida Statute 186.0201, Lee County Electric Cooperative, Inc. (LCEC) is providing a report for the current plus five-year period (2014-2019) its current plans to either site new or expand existing substations within the Southwest Florida Regional Planning Council. The report consists of a summary table and associated location maps.

Should you have any questions, please contact me at (239) 656-2360.

Sincerely,

Clark Hawkins  
Manager, Design & Engineering  
Lee County Electric Cooperative, Inc.  
LCEC





## **Lee County Electric Cooperative, Inc. (LCEC)**

### **2014 Electric Substation Planning Report to Regional Planning Councils**

#### **Summary:**

The attached table (and referenced maps) contains LCEC's current plan to site new or expand existing substations over the current and 5-year period 2014 thru 2019.

#### **Background:**

In June 2006, Senate Bill No. 980 was approved which requires electric utilities, on or before June 1 of every year, to notify regional planning council(s) of the utilities' current plans over a 5-year period to site electric substations within the local governments contained within each region. Included in this notification shall be an identification of whether each electric substation planned within a general area is a distribution or transmission electric substation, a listing of the proposed substations' site acreage needs and anticipated capacity, and maps showing general locations of the planned electric substations.

LCEC's service area is located in segments of Charlotte, Lee, Collier, and Hendry Counties. Communities served include: Cape Coral, North Fort Myers, Pine Island, Sanibel / Captiva Islands, Marco Island, Lehigh Acres, Immokalee, Everglades City, and Ochopee.

(end)

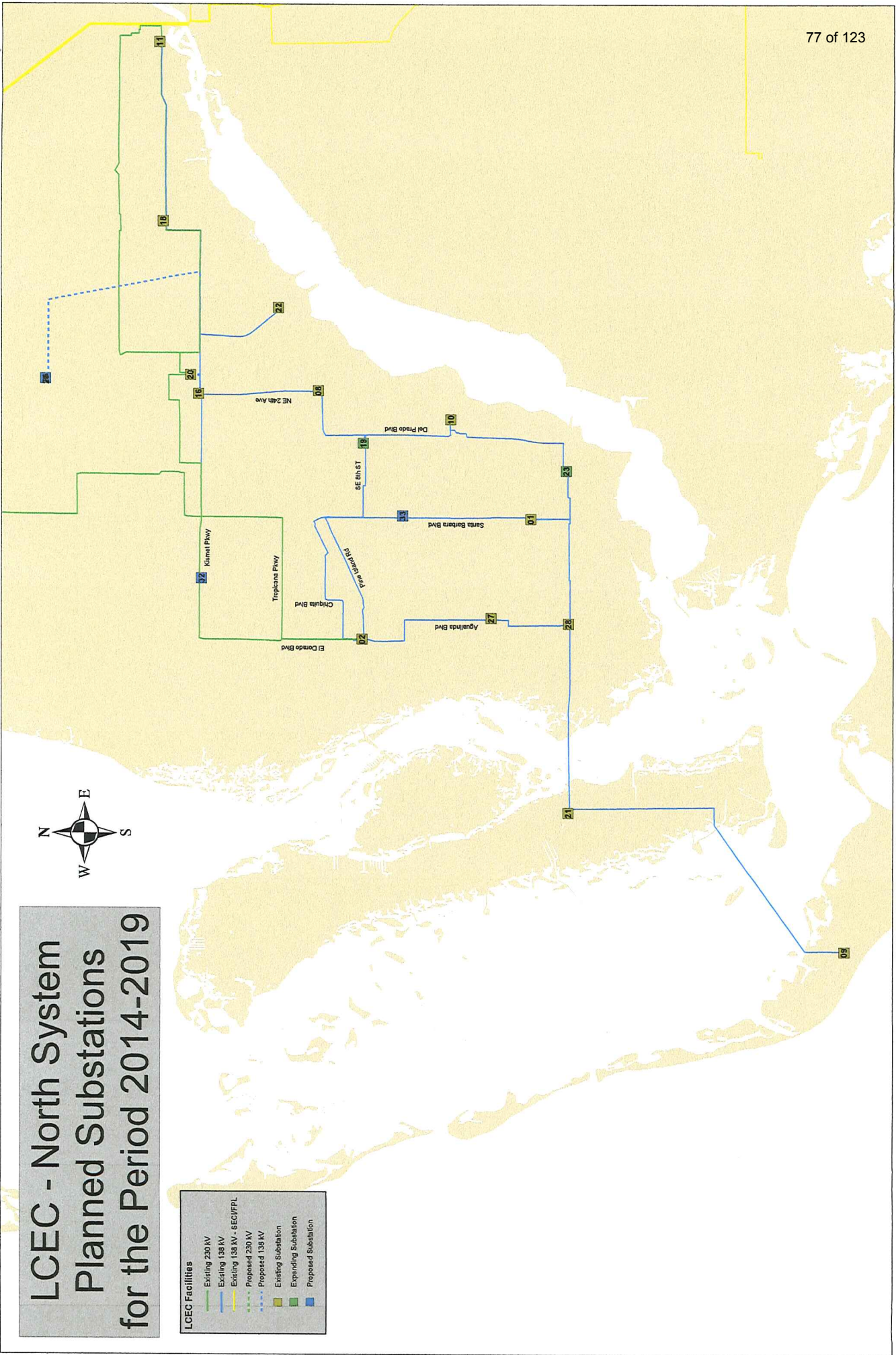
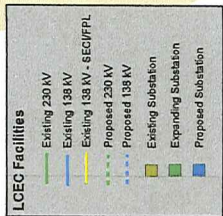
**Table 1****LCEC Planned Substations for the Period 2014-2019**

<b>General Location</b>	<b>Site Acquired</b>	<b>Substation</b>	<b>Substation Type</b>	<b>Approximate Site Acreage</b>	<b>Anticipated Capacity, MVA</b>	<b>In Service Date</b>	<b>Map Reference</b>
North Fort Myers	Yes	North Trail	Distribution	2.41	50	2014	26
Immokalee	Yes	Lake Trafford	Distribution	7.13	50	2017	31
Immokalee	Yes	Immokalee West	Transmission	10.00	400	2018	40
Marco	Yes	Marco	Distribution	1.42	100 (expansion)	2018	07
SE Cape Coral	Yes	Trafalgar	Distribution	2.41	50	2018	33

(end)



# LCEC - North System Planned Substations for the Period 2014-2019

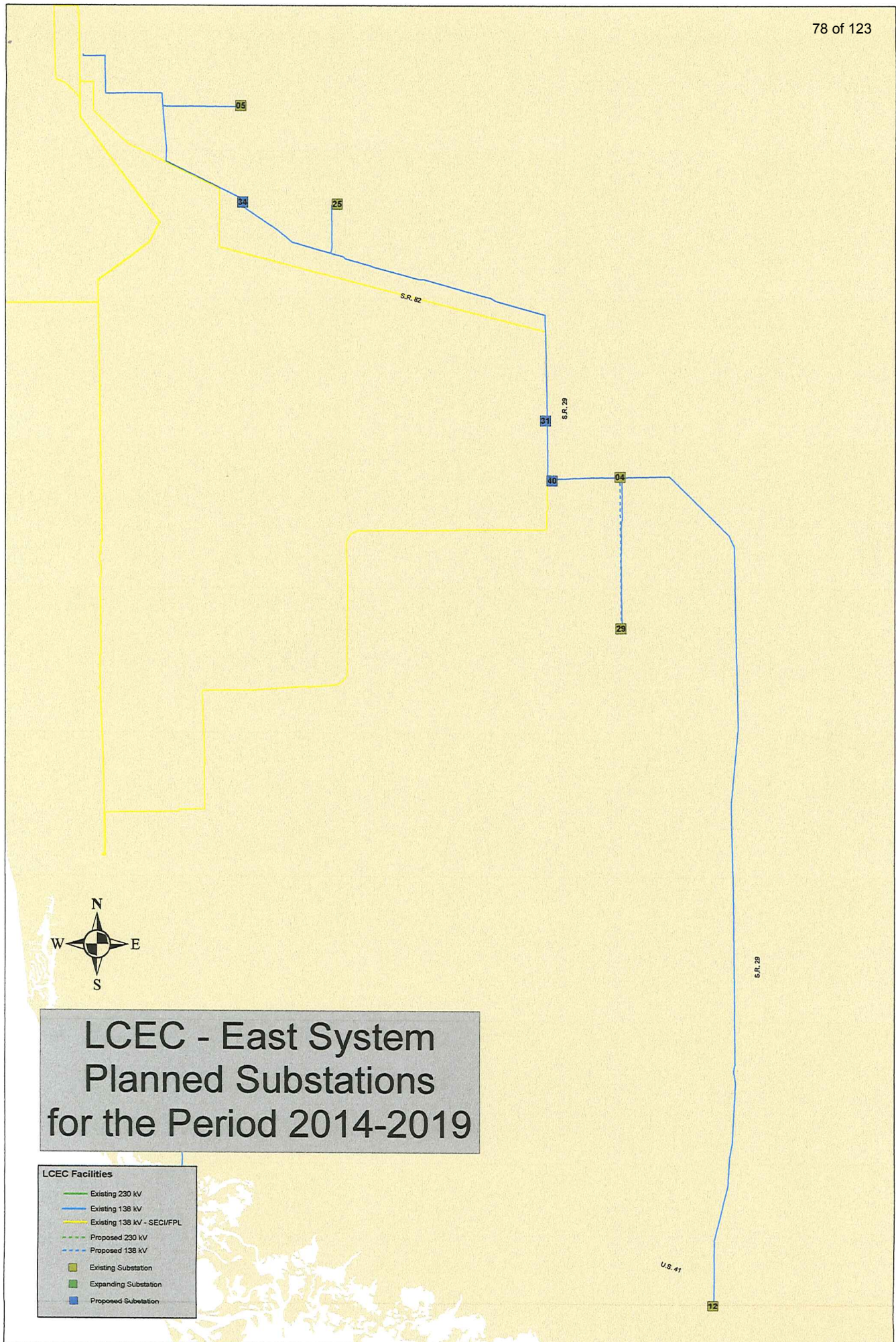














## LCEC - East System Planned Substations for the Period 2014-2019

LCEC Facilities	
	Existing 230 kV
	Existing 138 kV
	Existing 138 kV - SECI/FPL
	Proposed 230 kV
	Proposed 138 kV
	Existing Substation
	Expanding Substation
	Proposed Substation





## LCEC - South System Planned Substations for the Period 2014-2019

LCEC Facilities	
	Existing 230 kV
	Existing 138 kV
	Existing 138 kV - SECI/FPL
	Proposed 230 kV
	Proposed 138 kV
	Existing Substation
	Expanding Substation
	Proposed Substation



07

Collier Blvd

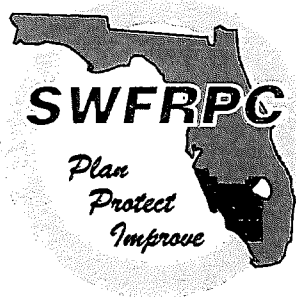
Hawthorn Dr

San Marco Rd

24

Winterberry Dr

S.R. 851



## Southwest Florida Regional Planning Council

1926 Victoria Ave, Fort Myers, Florida 33901-3414 (239) 338-2550 FAX (239) 338-2560 [www.swfrpc.org](http://www.swfrpc.org)

April 22, 2014

Mr. Clark Hawkins  
 Manager, Design & Engineering  
 Lee County Electric Cooperative, Inc.  
 P.O. Box 3455  
 North Fort Myers, FL 33918-3455

**RE: LCEC Five-Year Plan for Locations of Electrical  
 Substations 2014-2019**

Dear Mr. Hawkins:

The staff of the Southwest Florida Regional Planning Council reviews various proposals, notifications of intent, pre-applications, permit applications, and Environmental Impact Statements for compliance with the regional Goals, Strategies, and Actions, as determined by the Strategic Regional Policy Plan, July 4, 2002. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.).

These designations determine Council staff procedure in regards to the reviewed project. The four designations are:

Less Than Regionally Significant and Consistent no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent Council does not find the project of regional importance, but will note certain concerns as part of its continued monitoring for cumulative impact within the noted goal area.

Regionally Significant and Consistent project is of regional importance, and appears to be consistent with Regional goals, objectives, and policies.

Regionally Significant and Inconsistent project is of regional importance and does not appear to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The above referenced document has been reviewed by this office. Based on the information contained in the submittal dated March 31, 2014 and on local knowledge, the Southwest Florida Regional Planning Council has the following comments about this planning report:

The Lee County Electric Cooperative is requesting approval of the utility's current five-year plan for the siting of proposed electrical substations within southwest Florida. Based on the maps and tables presented, two (2) substation will be located in Lee County (North Fort Myers - North Trail and SE Cape Coral - Trafalgar) and three (3) substations will be located in Collier County (Immokalee - Lake Trafford, Immokalee - Immokalee West and Marco Island - Marco). The sites for these facilities vary in size from approximately 1.42 acres to 10 acres. The system improvements are proposed for the five year (2014-2019) planning period and include:

- 1) Lee County - North Fort Myers - North Trail Substation: This substation will be located on a 2.41-acre site, north of Kismet Parkway and west of I-75. The proposed facilities will provide an expansion of the existing distribution system and will have an anticipated capacity of 50 MVA. The improvement's in service date is scheduled for 2014;
- 2) Collier County - Immokalee - Lake Trafford Substation: This substation will be located on a 7.13-acre site on SR 29. The proposed facilities will provide an expansion of the existing distribution system and will have an anticipated capacity of 50 MVA. The improvement's in service date is 2017;
- 3) Collier County - Immokalee - Immokalee West Substation: This substation will be located on a 10.00-acre site on SR 29 in south Immokalee and will have an anticipated capacity of 400 MVA. The proposed facilities will provide an improvement to the existing transmission system. The improvement's in service date is 2018;
- 4) Collier County - Marco Island - Marco Substation: This substation will be located on a 1.42-acre site on Collier Boulevard, east of Heathwood Dr. and will expand existing facilities to an anticipated capacity of 100 MVA. The proposed facilities will provide for system distribution improvements. The improvement's in service date is scheduled for 2018; and
- 5) Lee County - SE Cape Coral - Trafalgar Substation: This substation will be located on a 2.41-acre site on Santa Barbara Blvd., south of SE 8<sup>th</sup> St. and will provide facilities with an anticipated capacity of 50 MVA. The improvement's in service date is scheduled for 2018.

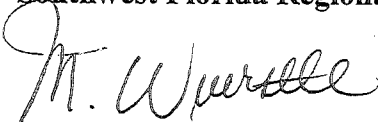
All the subject sites listed are currently owned by LCEC and when the improvements are added all of the proposed substations will enhance the distribution and transmission functions of the existing regional electrical grid.

Based on the information provided in the application, Council staff finds that these facilities are Regionally Significant and Consistent given that the requested actions will provide improvements to important electrical infrastructure in the region. The infrastructure development as described in the documentation will enhance the health, safety and welfare of the region's population. In addition, the proposed improvements will not negatively impact any identified regional resources or facilities, and will not negatively impact any adjacent jurisdictions.

Council staff also finds that no further review of this plan will be necessary from Council unless unforeseen circumstances occur that change the overall requested improvements. Should you or any other party request this finding to be reconsidered or have any questions concerning staff review of this item, please contact David Crawford, Principal Planner at the Southwest Florida Regional Planning Council.

Sincerely,

**Southwest Florida Regional Planning Council**

A handwritten signature in dark ink, appearing to read 'M. Wuerstle', is written over the printed name.

Margaret Wuerstle  
Executive Director

MW/DEC

# Agenda Item

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## Regional Issues

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# --- Agenda --- Item

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“Our Creative Economy”  
Presentation

11a



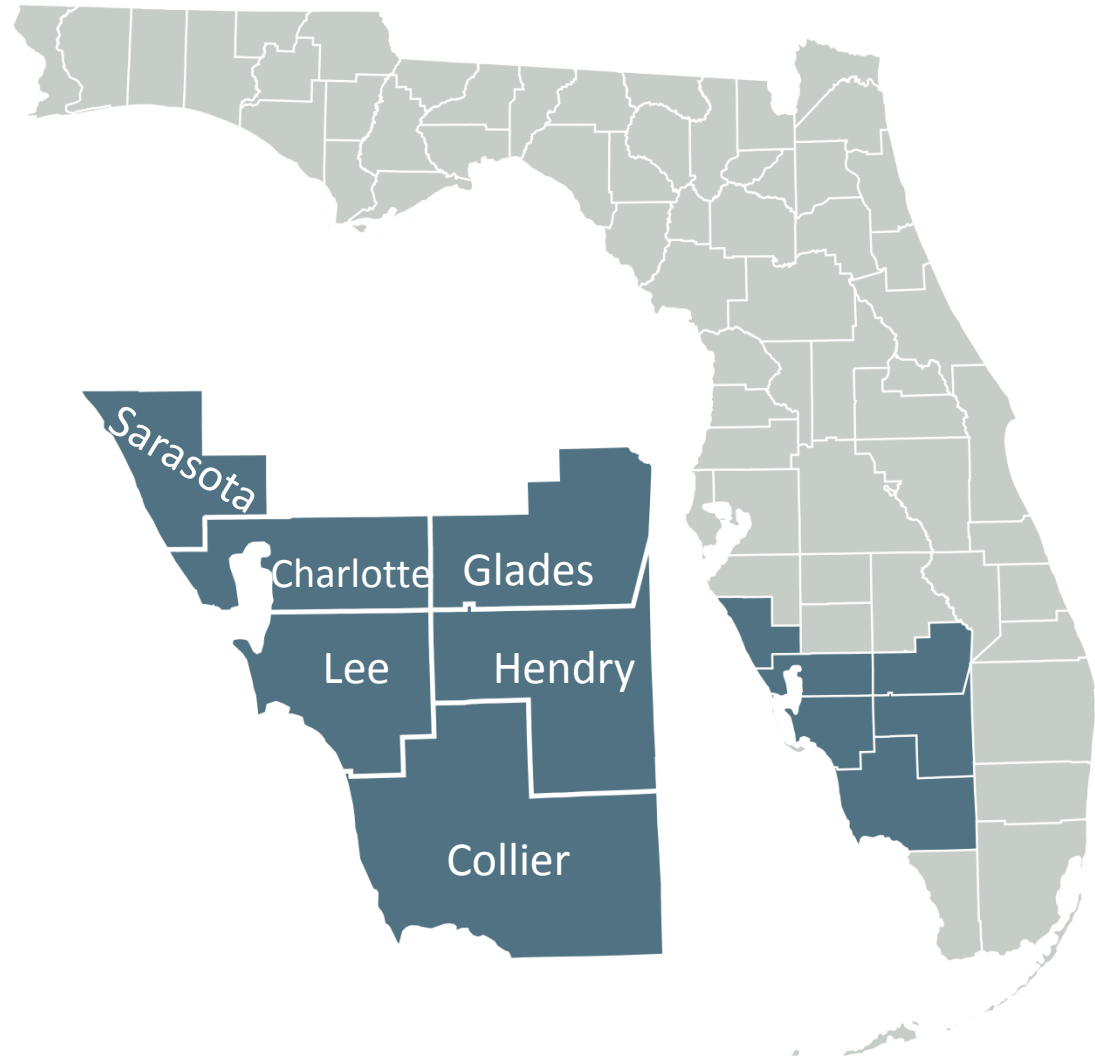
# OUR CREATIVE ECONOMY

Southwest Florida Regional Planning Council

# SOUTHWEST FLORIDA

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- Charlotte
- Collier
- Glades
- Hendry
- Lee
- Sarasota



# “OUR CREATIVE ECONOMY”

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## Promoting Our Public Arts & Cultural Venues As An Economic Driver

### WHY

**Lee County:** Non-profit arts and culture industry generated **\$68.3 million**, yielding **\$9.4 million** in government revenues and 2,000 full-time equivalent jobs.

**Collier County:** the arts have an estimated **\$125-\$175 million** impact on the economy with approximately 200 full time jobs provided by nonprofit arts organization and another 4,000 - 5,000 jobs through secondary spending related to the arts.

**Sarasota County:** the Arts Industry provides 4,579 jobs with **\$180 million** in direct expenditure resulting in **\$7.6 million** in local government revenues and **\$12.5 million** in state government revenues.

**Charlotte County:** In 2007, the arts industry generated **\$21 million** in total expenditures supporting 512 full time jobs resulting in **\$756,000** in local government revenues and **\$1.3 million** in state government revenues.

### HOW

- Partner with art organizations, governments, visitors' bureaus, school boards, chambers of commerce
- Seek grant funding from Federal, State and Local sources and private foundations

# OUR CREATIVE ECONOMY CONCEPT

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## Asset Mapping

Identify, map (GIS) and describe existing public arts and cultural venues assets

1

## Regional Strategy

“SWOT” analysis; recommend strategies, and transfer data to, local governments

2

## Field and Tour Guide

Website:  
Interactive via mobile device.

3

# SIGNIFICANT PROJECT IMPACTS

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Small businesses  
and art  
entrepreneurs

New visitors to the  
area, engender  
arts tourism in the  
region and will  
result in extended  
stays for returning  
visitors.

New art-friendly  
businesses setting up  
shop in the region  
including galleries,  
arts suppliers, loft  
space rentals, as well  
as arts and craft  
shops.

Students from  
K-Graduate School  
within the served  
communities will  
participate in:

Art Trails field trips to  
learn about the a wide  
range of arts features in  
cultural, historical and  
economic contexts

# PARTNERS

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Lee County Alliance for the Arts

The Greater LaBelle Chamber of Commerce

Sarasota County – Office of Business and Economic Development

Hendry County EDC/TDC

United Arts Council of Collier County

City of Fort Myers Public Art Program

Sarasota County TDC

Arts & Humanities Council of Charlotte County

Seminole Tribe of Florida

Lee County VCB

Arts & Cultural Alliance of Sarasota County

Charlotte County Tourism Development Council (TDC)

Collier County TDC

Glades County EDC





# REVENUE SOURCES

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## Applied/Pending

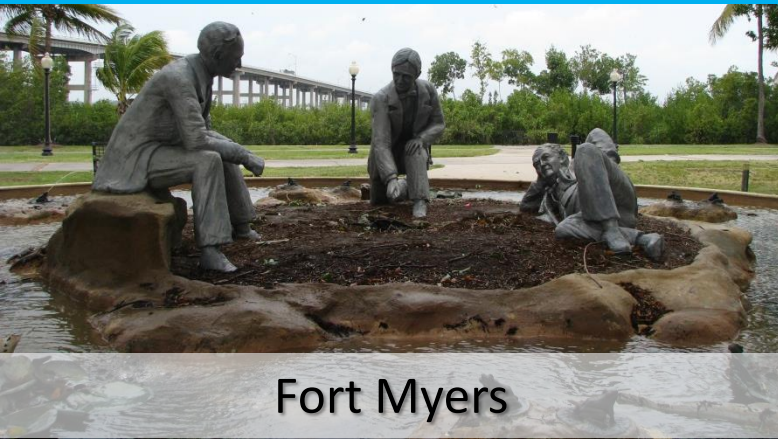
- NEA - Our Town
- Community Foundations (1)
- Other Foundations (1)
- VISIT Florida (1)
- Others to be Submitted (2)

## Awarded



# LEE COUNTY EXAMPLES

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Fort Myers



Fort Myers Beach



Cape Coral



Bonita Springs



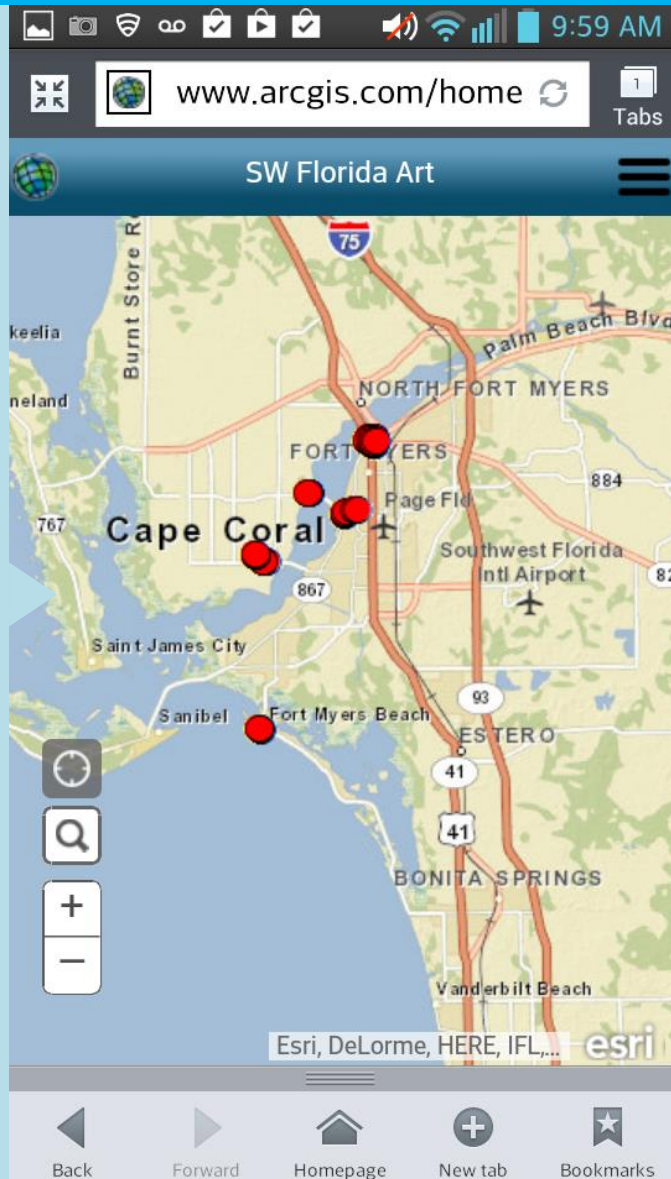
Sanibel



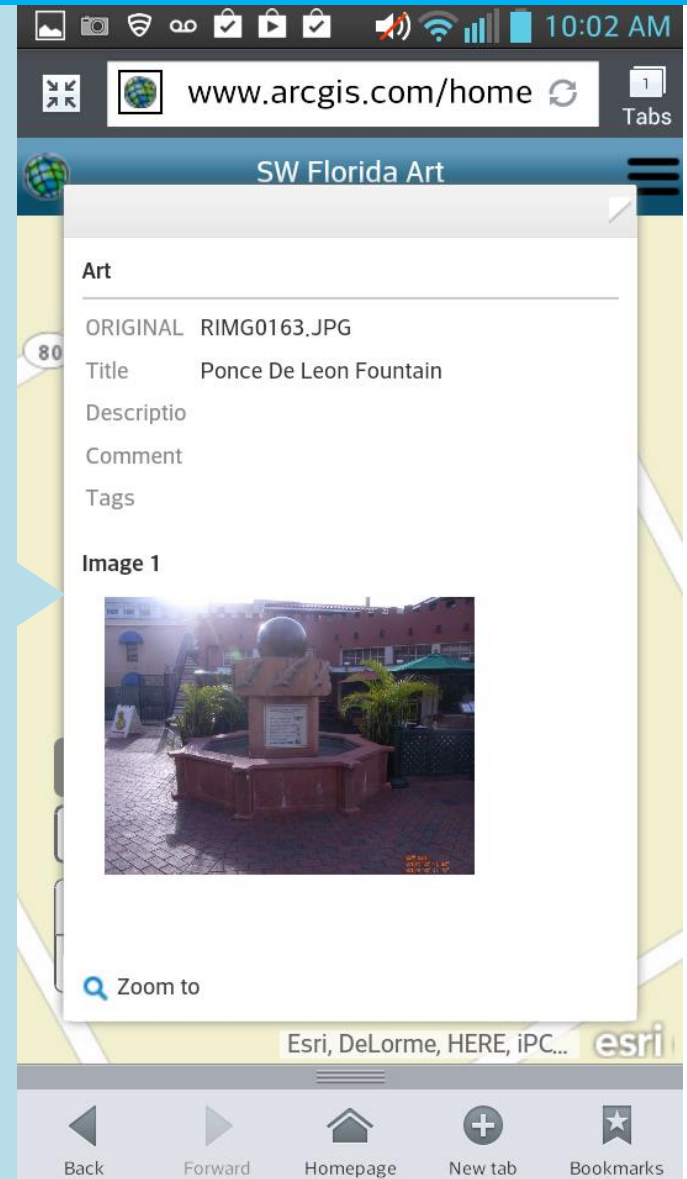
# DRAFT ASSET MAPPING: LEE COUNTY

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Map View



Art View



# VISITORS/ CITIZENS INVOLVEMENT

- The workshops will explain the need to offer visitors a coordinated, easy-to-use method for identifying and finding local arts' amenities and activities.
- Logo Contest

# VISIT FLORIDA: PUBLIC WORKSHOP SCHEDULE

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Thursday, February 20 <i>Meeting Previously Held</i>	<b>Sarasota County</b>	Arts & Cultural Alliance of Sarasota County
Tuesday, April 8 4:00 p.m. – 5:00 p.m.	<b>Lee County</b>	Alliance for the Arts, 10091 McGregor Boulevard, Fort Myers 33919
Wednesday, April 9 10:00 a.m. – 11:00 a.m.	<b>Hendry County</b>	Beef O’Brady’s, 21 Lee Street, LaBelle Corner of Hwy 80 and Lee Street
Wednesday, April 23 TBD	<b>Glades County</b>	TBD
Monday, April 28 9:00 a.m. – 10:00 a.m.	<b>Charlotte County</b>	Charlotte County Administration Building at 18500 Murdock Circle, Building B in Port Charlotte
Tuesday, April 29 9:00 a.m. – 10:00 a.m.	<b>Collier County</b>	Naples, Marco Island, Everglades Convention & Visitors Bureau - Conference Room 609-610 at 2800 N. Horseshoe Drive, Naples

**Contact:**

Nichole Gwinnett

[ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) | 239-338-2550 x232

<http://www.swflregionalvision.com/creativeeconomy.html>





# LOGO DESIGN COMPETITION

- A design competition between local artists
- Design a proposed logo for the project which will be used to brand and market the project deliverables.
- Process, 2014
  - Contest Began: January
  - Logo Deadline: February 19th
  - Public workshops: February – April



17 Logos  
Submitted

Committee  
Review:  
narrowed to 6

Public Input &  
Voting

Prizes:  
97 of 123  
1<sup>st</sup> - \$2,000  
2<sup>nd</sup> - \$650  
3<sup>rd</sup> - \$350

# LOGO VOTING INSTRUCTIONS

- **Circle** your choice on the ballot
- Make sure you sign your ballot
- Put your ballot in the bucket

# LOGO COMPETITION

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**C**



NOTE: "Discover" theme with abstract telescope, palm leaf, ocean blue, artist palette shape at bottom

**D** "Discover" theme with abstract telescope, palm leaf, ocean blue, artist palette shape at bottom



NOTE: "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape

**E** "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape



NOTE: "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape

**F** "Explore" theme with multicolored conquistador helmet (representing history also), ocean blue, artist palette shape



NOTE: "SWFL" theme with palm tree, sun, ocean with the "L" as a paint brush painting the beach

**G** "SWFL" theme with palm tree, sun, ocean with the "L" as a paint brush painting the beach



**H** OUR CREATIVE ECONOMY

# CLOSING COMMENTS

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Margaret Wuerstle

*Executive Director*

239.338.2550 ext. 222

[mwuerstle@swfrpc.org](mailto:mwuerstle@swfrpc.org)

Jennifer Pellechio

Tim Walker

Rebekah Harp

Nichole Gwinnett

Courtney Lallo

For more information please contact us at:  
[socialmedia@swfrpc.org](mailto:socialmedia@swfrpc.org)



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# Agenda Item

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## SWFRPC Committee Reports

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# Agenda Item

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Budget & Finance Committee

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# Agenda Item

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# Economic Development Committee

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# Agenda Item

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Energy & Climate Committee

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# Agenda Item

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# Estero Bay Agency on Bay Management Committee

12d

### **Estero Bay Agency on Bay Management**

The regular meeting of the Estero Bay Agency on Bay Management was held on April 14, 2014 in the SWFRPC 1st Floor Conference Room in Fort Myers, Florida. Minutes of the March and April meeting have not yet been adopted.

Ms. Jennifer Hecker with the Conservancy of South Florida presented information on Amendment 1 Florida "Water and Land Conservation Amendment". The EBABM voted to endorse and support the Amendment 1 (Resolution Attached).

Dr. Win Everham presented on the Ecological State of the Florida Gulf Coast University Campus 1994 - 2014

The official theme for the Cela Tega 2015 was selected as "Resiliency and Sea Level Rise Adaptation in the Estero Bay Basin".

Further discussions followed on contacting under-represented entities for EBABM participation.

Next Meeting Time and Place, for EBABM is Monday, May 12, 2014 – 9:30 A.M, at the SWFRPC and for the IAS was Monday, April 28, 2014 – 1:30 P.M at FGCU.

**Recommended Action:** The Estero Bay Agency on Bay Management encourages support of the Amendment I Florida "Water and Land Conservation Amendment" by the Southwest Florida Regional Planning Council.



## RESOLUTION 2014-1

A RESOLUTION OF THE ESTERO BAY AGENCY ON  
BAY MANAGMENT, SUPPORTING THE FLORIDA  
WATER AND LAND CONSERVATION AMENDMENT  
TO THE STATE CONSTITUTION; ENCOURAGING  
SUPPORT OF THE AMENDMENT BY OTHER  
ORGANIZATIONS.

WHEREAS, the Estero Bay Agency on Bay Management is a non-regulatory advisory committee to the Southwest Florida Regional Planning Council (Council); and

WHEREAS, the mission of the Southwest Florida Regional Planning Council (Council) is, "to work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share for the benefit of our future generations"; and

WHEREAS, the Estero Bay Agency on Bay Management has been directed to, "make comments and recommendations regarding the management of Estero Bay and its watershed"; and

WHEREAS, the principles of the Estero Bay Agency on Bay Management state that, "Environmental protection and long-term quality of life will not suffer based on short-term economic impacts or political pressures"; and

WHEREAS, Article II, Section 7 of the Florida Constitution states, "[i]t shall be the policy of the state to conserve and protect its natural resources and scenic beauty"; and

WHEREAS, protection of the quality and quantity of Florida's drinking water sources is a primary responsibility of our state; and

WHEREAS, Florida has a longstanding commitment to protection of outdoor recreation lands, including recreational trails, parks, and urban open space; rural landscapes; working farms and ranches; historic and geologic sites; and

WHEREAS, with support from Florida's Governors and Legislatures from 1990 through 2008, two state programs, Preservation 2000 and Florida Forever, received approximately \$300 million in state funding each year; and

WHEREAS, the Estero Bay Watershed contains many treasured natural resources of significant environmental importance that contribute greatly to the quality of life enjoyed by our citizens; and,

WHEREAS, it is in the best interest of the citizens of the Estero Bay watershed that action be taken in order to protect for future generations the natural resources of the Estero Bay watershed by continuing to acquire, improve and manage environmentally significant lands; and,

WHEREAS, the acquisition of these environmentally significant lands will provide opportunities for both existing residents and future generations to enjoy wild and scenic areas and will provide opportunities for resource-based recreation and educational uses as well as opportunities to maintain good surface water quality by using appropriate lands for their natural stormwater cleansing abilities; and,

WHEREAS, the Estero Bay watershed, has benefited directly from state land conservation, management, and restoration programs funded through Preservation 2000 and Florida Forever by receiving grants, from the Florida Communities Trust, the Water Management Districts, and the Florida Forever program; and

WHEREAS, since 2009, state funding of Florida Forever has been significantly reduced; and

WHEREAS, acquisition, management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands requires a sustainable, dedicated source of state funding; and

WHEREAS, documentary stamp tax revenues have historically been used to provide state funding for conservation and recreation in Florida; and

WHEREAS, a coalition of individual volunteers and conservation and civic organizations from across the state worked to make the "Water and Land Conservation Amendment" amendment no. 1 on the November 2014 ballot; and

WHEREAS, the Florida "Water and Land Conservation Amendment" ballot title and summary read as follows:

*TITLE: Water and Land Conservation- Dedicates funds to acquire and restore Florida conservation and recreation lands*


*SUMMARY: Funds the Land Acquisition Trust Fund to acquire, restore, improve, and manage conservation lands including wetlands and forests; fish and wildlife habitat; lands protecting water resources and drinking water sources, including the Everglades, and the water quality of rivers, lakes, and streams; beaches and shores; outdoor recreational lands; working farms and ranches; and historic or geologic sites, by dedicating 33 percent of net revenues from the existing excise tax on documents for 20 years.*

BE IT RESOLVED BY THE ESTERO BAY AGENCY FOR BAY MANAGEMENT:

Section 1. The Estero Bay Agency on Bay Management supports the Florida Water and Land Conservation Amendment.

Section 2. The Estero Bay Agency on Bay Management encourages support of the Amendment by the Southwest Florida Regional Planning Council and other organizations that seek to enhance the quality of life in the Estero Bay Watershed, throughout the State of Florida, by preserving and protecting conservation lands, recreational lands, working farms and ranches, historic or geologic sites, water resources and drinking water sources; and the water quality of rivers, lakes, streams, beaches and shores.

ESTERO BAY AGENCY ON BAY MANAGEMENT



Lisa B. Beever, PhD, AICP

EBABM Chair

cc: Southwest Florida Regional Planning Council members

Estero Bay ABM members

# Agenda Item

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# Executive Committee

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# Agenda Item

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# Legislative Affairs Committee

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**Southwest Florida Regional Planning Council**  
**Legislative Affairs Committee**  
**Legislative Priorities & Bills of Interest – 2014 Legislative Session**

*Sean McCabe, Regional Counsel*

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For additional legislative analysis, see the following web sites:

[Florida Association of Counties](#) (includes [federal](#) section), [Florida League of Cities](#), [Florida Chapter of the American Planning Association](#)



## LEGISLATIVE SESSION SUMMARY

### GENERAL OVERVIEW

The 2014 Regular Session, which convened March 4, adjourned on May2, 2014. The legislature passed 264 bills, which is 22 percent less than the 10-year average of 338 bills passed per year from 2004 to 2013.

**The Budget:** The legislature approved a record budget of almost \$77.1 billion for the fiscal year starting July 1, 2014, and ending June 30, 2015, about 3.5 percent more than the budget for the current fiscal year. The proposed budget, which includes a half-billion tax cut package, was sent to Governor Rick Scott for approval.

**ENVIRONMENT:** Legislators set aside \$170 million for projects intended to help the Indian River Lagoon and other water bodies dealing with discharges from Lake Okeechobee; the legislature also approved \$30 million to protect Florida's springs and \$25 million for beach restoration.

Environmental groups are disappointed with the amounts allocated for the purchase of conservation lands; they requested \$100 million for the Florida Forever land-buying program, and budget negotiators agreed on \$12.5 million for Florida Forever and \$5 million for agricultural conservation easements. The \$17.5 million for conservation lands overall is less than the \$31 million provided last year for Florida Forever and agricultural conservation easements.

"In general the revenue situation is better this year," Janet Bowman, director of legislative policy and strategies for The Nature Conservancy. "So one would expect a kind of a growth" based on increased tax collections.

House Speaker Will Weatherford responded that the House spent a lot of money on water projects and the environment. "There is only so much money," he said. "We have significant problems all over the state."

**ECONOMIC DEVELOPMENT:** Visit Florida, the state's tourism marketing arm, got an increase in funding from \$63 million to \$74 million. Gov. Rick Scott had asked for \$100 million.

FGCU Innovation Hub (iHub):	\$7 million
Cape Coral Reclaimed Water Transmission Main Caloosahatchee River Crossing Project:	\$790,135

### GROWTH MANAGEMENT & ENVIRONMENTAL LEGISLATION OPPOSED BY COUNCIL

- SB 372: Developments of Regional Impact - FAILED
- HB 395: Growth Management/Private Property Rights - FAILED
- HB 703: Environmental Regulation - FAILED
- HB 7023: Economic Development – PASSED (in modified form)

### BILLS OF STATEWIDE & REGIONAL SIGNIFICANCE

#### Legislation Opposed By Council:

- SB 372: Developments of Regional Impact - FAILED
- HB 395: Growth Management/Private Property Rights - FAILED
- HB 703: Environmental Regulation - FAILED
- HB 7023: Economic Development – PASSED (in modified form)

#### PASSED:

- “Charlotte's Web” bill. A measure legalizing a strain of medical marijuana passed, and is expected to be signed into law by the governor. The legislation allows doctors to prescribe a liquid form of the "Charlotte's Web" marijuana strain to patients suffering from frequent seizures.

- The Florida Dream Act. This bill, supported by the governor, will grant in-state college tuition to all qualifying Florida students regardless of their immigration status, including foreign-born children of undocumented immigrants. The measure gives the tuition break to any student that has attended a Florida school for at least three years prior to graduation.
- SB 374, which eliminates a requirement that local referendums on development decisions involve five or more parcels. The bill was created to exclude Longboat Key from a ban on local growth management referendums imposed by the Legislature in 2011.
- G.I. Bill. HB 7015 is intended to make Florida the most military-friendly state in the country. It provides university tuition waivers for veterans, pays for military and guard base improvements, is expected to help increase employment opportunities for veterans, and allocates \$1 million a year to sell the state to veterans. The legislation, expected to cost more than \$30 million in its first year, includes in-state tuition breaks granted veterans that are expected to cost taxpayers \$11.7 million in 2014-15 and \$12.5 million for renovating National Guard armories around the state. An additional \$7.5 million is set aside for the state's Department of Environmental Protection to acquire 45 acres of buffer land needed near military bases around the state to prevent the encroachment of other industries. The proposal also requires Visit Florida to spend \$1 million a year on marketing aimed at veterans, and allocate another \$300,000 to a new nonprofit, Florida Is For Veterans. The nonprofit, to be housed within the Florida Department of Veterans' Affairs, would be used to encourage veterans to move to Florida, and promote the hiring of veterans. To assist families of active-duty service members, the bill also waives the requirement for spouses and dependents to get a Florida driver's license if they either get a job or enroll in a public school.
- SB 450/HB 1191 expands "Do Not Call" list solicitation ban from phone calls to text messages and emails.

FAILED:

- Springs bill, SB 1576. The springs bill passed the Senate, but died in the House. Rep. Steve Crisafulli, incoming Speaker of the House, said that there was too much opposition to the bill for it to be brought up in the House. Crisafulli said he is committed to a comprehensive approach on water statewide over the next two years.
- Pension reform, Florida Retirement System (SB 1114/HB 7173). Speaker of the House Will Weatherford wanted to overhaul Florida's public pension program this session by changing it from a defined-benefit program to a 401(k)-style program. But teachers complained, and the Senate did not pass the legislation.
- Trauma centers. The legislature adjourned without resolving a dispute over trauma centers or creating a regulatory structure for telemedicine. Two bills (HB 7105 and HB 7113) would have established a one-year moratorium on the dispute regarding the distribution and location of trauma centers throughout the state, giving a state task force time to make recommendations; the bills also would have established a \$15,000 cap on trauma center "response fees" charged by privately run health care centers to admit severely injured persons.
- Medicaid expansion. SB 710 and HB 869 would have used drawn-down federal funding to help poor Floridians purchase private insurance.
- Casino gambling proposals.

## REGIONAL LEGISLATIVE PRIORITIES

There has been legislative activity at both the federal and state level concerning several of the items on Council's 2014 Legislative Agenda<sup>1</sup>:

### I. FEDERAL PRIORITIES

#### A. WATER POLICY

##### 1. WATER RESOURCES DEVELOPMENT ACT (WRDA)

**Fully support the next Water Resources Development Act (WRDA) bill**, including authorization for the Caloosahatchee C-43 West Basin Reservoir Project, and appropriation of the necessary funds to implement the C-43 Reservoir Project. The reservoir will provide 170,000 acre-feet of storage within the Caloosahatchee basin and help address high and low flow issues.

**Update:** The House-Senate conference committee began work Nov. 20 on resolving the differences between the Water Resources Reform and Development Act (H.R. 3080) and the Senate's version of the water resources legislation, S. 601. Congress last passed a WRDA bill six years ago; the process is supposed to take place every two years. Leaders from the House Transportation and Infrastructure Committee and Senate Environment and Public Works Committee have expressed optimism over the prospects of adopting a conference bill that can be sent to the President's desk for final passage; after five months of conference negotiations, an announcement on the Water Resources Development Act reauthorization is supposedly imminent.

##### 2. CENTRAL EVERGLADES PLANNING PROJECT (CEPP)

**Fast track the Central Everglades Planning Project (CEPP) and get congressional support and funding for the project.** The project will move approximately 210,000 acre-feet of water south of Lake Okeechobee and will reduce some of the damaging flows to the St. Lucie and Caloosahatchee estuaries.)

**Update:** The CEPP may miss the window for Congressional approval, which could delay it for years. The plan needs to be approved by the U.S. Army Corps of Engineers before it will qualify for funding (the Corps issues a Chief's report, after which the report goes to the Army for approval, then to Congress, which approves Corps projects through the Water Resources Development Act.) A spokesperson for Sen. Bill Nelson said the Act should be out of conference by mid-May, which means that the CEPP may not be approved in time to be included in the Act for 2014, which means that it would likely be years before it received Congressional authorization, since authorization of the act comes occurs about every seven years. See [Legislative News & Supplemental Materials](#) section below for additional information.

##### 3. THE COMPREHENSIVE EVERGLADES RESTORATION PLAN (CERP)

**The Federal Government needs to fund their share of the Comprehensive Everglades Restoration Plan (CERP) and implement the projects agreed to in the plan.** A majority of the lands needed for the projects have been purchased by the State and need Federal funding to move forward with the projects.

**Update:** In March 2014, the U.S. Army Corps of Engineers and the South Florida Water Management District, the two implementing agencies of the Comprehensive Everglades Restoration Plan (CERP), released the 2014 Draft Everglades System Status Report, a comprehensive report evaluating monitoring data within the Everglades ecosystem; [the document is available online](#).

##### 4. HERBERT HOOVER DIKE REHABILITATION

**Continue to keep pressure on the U.S. Army Corps of Engineers to move as quickly as possible to rehabilitate the Herbert Hoover Dike.** The project will protect the communities around Lake Okeechobee and

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<sup>1</sup> Council's 2014 Legislative Agenda was created the latter part of 2013 to present at local government legislative delegation meetings; it was intended to be a fluid rather than a static document, to be updated as the session progresses.

provide more freeboard and temporary storage in the lake to reduce peak flows to the estuaries. The President has requested \$86 M for construction in FY 14 to continue repairs to the HHD.

**Update:** The U.S. Army Corps of Engineers, in conjunction with the South Florida Water Management District, is conducting a Dam Safety Modification Study (DSMS). The Corps team is working to complete the draft DSMS report to support the public release of the NEPA document in August 2014 with final report approval in March 2015. [Link to the Corps' web page dedicated to the HHD.](#)

## **B. BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012**

**Support efforts to suspend implementation of the Biggert-Waters Flood Insurance Reform Act of 2012** federal flood insurance rate hikes until an affordability study is completed, and to amend the time frame for premium adjustments to allow responsible changes that accomplish the objective of a solvent National Flood Insurance Program based on the findings of the study.

**Update:** Both the Senate and House adopted versions of the Homeowner Flood Insurance Affordability Act. The bill went to the Senate for final approval/reconciliation, and was signed into law by the President.

## **II. STATE PRIORITIES**

### **A. WATER POLICY**

#### **1. Interim storage on C-43 West Reservoir site.**

Project would significantly increase the amount of water that can be stored on the C-43 West Reservoir (Berry Groves) property until the full project is completed. It would require additional infrastructure including building berms and installing larger pumps to put more water on the site. This would be considered phase I of the larger C-43 West Reservoir CERP project and could be included in the state cost share for the federal project.

Estimated cost of the interim storage project is \$10 million. In addition, the 1,500 acres of land purchased as part of the Berry Groves acquisition should be used to construct a stormwater treatment area (STA) adjacent to the reservoir to treat water before it is discharged into the Caloosahatchee.

**Update:** The budget proposed by the legislature states that funds in Specific Appropriations 1622A and 1627A shall be distributed to Everglades and other environmental initiatives in the amounts and purposes in the Select Committee on Indian River Lagoon and Lake Okeechobee Basin (IRLLOB) final report dated November 8, 2013, including an increase of \$3,000,000 for the Caloosahatchee River C-43 Basin Storage Reservoir; this brings the total allocated for the C-43 reservoir project in the proposed budget to \$18 million.

The legislature approved the funding to ensure that Florida is ready when Congress authorizes this important watershed storage project in WRDA. The IRLLOB committee also recommends that Florida should include the C-43 reservoir project in Florida's Long-Range Financial Outlook to reduce any delay in funding the project once it is authorized and receives federal funding; Florida's share of the project cost is estimated at \$289 million.

#### **2. LAKE HICPOCHEE RESTORATION PROJECT.**

Funds needed to complete planning and construction on north and south sides of Lake Hicpochee to increase storage and treatment. Estimated cost for planning and construction is \$20-30 million. Project will result in increased water storage and treatment within the Caloosahatchee basin.

#### **3. INCREASE DISTRIBUTED STORAGE IN KISSIMMEE, LAKE OKEECHOBEE, AND CALOOSAHATCHEE BASINS.**

Additional funds are needed for the state to partner with large land owners in the Kissimmee, Lake Okeechobee and Caloosahatchee basins to store more water on the land so that it is not discharged to Lake Okeechobee or to the Caloosahatchee River. No cost estimate available, but new partners could be brought on as funds become available.

#### 4. SOUTHWEST FLORIDA COMPREHENSIVE WATERSHED PLAN (SWFCWP).

Support funding for projects furthering the goals and objectives of the SWFCWP.

#### B. SOUTHWEST FLORIDA RESEARCH AND EDUCATION CENTER (SWFREC)

**Support the continuation of the Southwest Florida Research and Education Center (SWFREC) in Immokalee** as part of the Florida Agricultural Experiment Station system, and the continued operation of the University of Florida's Institute of Food and Agricultural Sciences (IFAS) Extension Service offices in each of the six counties in southwest Florida.

**Update:** This effort was not successful this session.

## LEGISLATIVE NEWS & SUPPLEMENTAL MATERIALS

### Senator Negron Announces Full Funding of Lagoon Recommendations

President Office — Press Release

FOR IMMEDIATE RELEASE

April 28, 2014

CONTACT: Katie Betta, (850) 487-5210,

Britton Alexander, (850) 487-5184

Budget to include more than \$231 million, exceeds Select Committee Recommendations

Tallahassee — State Senator Joe Negron (R-Stuart), chair of the Senate Committee on Appropriations and the Senate Select Committee on Indian River Lagoon and Lake Okeechobee Basin, today announced at the conclusion of budget negotiations between the House and Senate, lawmakers have agreed to fund a comprehensive list of the Select Committee's short and long-term recommendations to improve the environmental and economic health of the St. Lucie and Caloosahatchee River systems and the Indian River Lagoon.

"I am grateful to my colleagues in the Senate and the House for not only meeting, but exceeding the level of funding originally outlined in our Senate Select Committee Report," said Senator Negron. "The problems caused by ongoing releases from Lake Okeechobee are a plague on the environment, our economy, and the health of our friends and neighbors, and I am pleased that the Senate and House came together to lay the groundwork for a resolution."

"This critical funding will enable our communities – including those to the North, South, and West of the lake, to address short-term water management initiatives, while continuing to pursue long-term strategies," continued Chair Negron. "Our work does not end today, and I encourage citizens to continue providing input as we work toward finding solutions to protect our communities."

In addition to funding recommendations of the Senate Select Committee, lawmakers agreed to fund over \$2 million for the Loxahatchee River Preservation Initiative as well as more than \$2 million for the St. Lucie River and Indian River Lagoon Issues Team. Additionally, the Florida Senate will commission a study by the University of Florida Water Institute to evaluate basin wide water management policies and activities and identify options for additional state, federal and local action to improve water management, including alternatives to discharges from Lake Okeechobee.

A full breakdown of funding initiatives agreed to by the House and Senate is attached. For more information on the Select Committee Report, please [click here](#).

# # #



### **Feds and State Officials Sign-Off on Completion of Everglades Restoration Projects**

*May 1, 2014 - WGCU*

State and federal officials reached an agreement this week that signs off on the completion of two important Everglades Restoration projects.

Following a two-year stalemate, Florida water managers and the U.S. Army Corps of Engineers resolved some disagreements about funding and land.

This means two projects aimed at fixing water issues in the Everglades and in Lake Okeechobee can now be completed.

One of the two projects is restoration of the Kissimmee River. The project restores a 9,000-acre floodplain that will hold water now flowing into Lake Okeechobee.

Eric Draper with Audubon Florida said this will eventually stop a lot of the harmful water flows into estuaries east and west of the Lake.

“At some point we will have a huge amount of water that will be sitting in that floodplain rather than flushing into Lake Okeechobee and into the Caloosahatchee,” he said. “It’s a real win.”

Draper said this latest agreement will complete restoration of the last four miles of the river.

Officials also agreed to finish the C-111 project in South Miami Dade, which will increase water flow under a bridged portion of the Tamiami Trail in the Everglades.

Governor Rick Scott applauded the Army Corps, saying in a statement it’s a signal of the Corps’ “willingness to join Florida in making water restoration a priority.”

Just a week ago, state officials were upset with the Army Corps because the federal agency announced it was delaying its approval of the Central Everglades Planning Project, which is a more comprehensive effort to move water south.

### **CENTRAL EVERGLADES PLANNING PROJECT MAY MISS CONGRESSIONAL APPROVAL**

*May 1, 2014 - WGCU*

The Central Everglades Planning Project, which will move water south from Lake Okeechobee, may miss the window for Congressional approval and possibly delay it for years.

Maj. Gen. John Peabody of the U.S. Army Corps of Engineers testified before the House Transportation and Infrastructure Committee Tuesday.

He said the plan is expected to be formally approved by the Corps in about three months.

“We are very close... in about three months we can expect a Chief’s report,” he said.

From the Corps, the report goes to the Army for approval and then Congress.

Congress approves Corps projects through the Water Resources Development Act.

But, Congress is moving quickly to pass the act. A spokesperson for Sen. Bill Nelson said the act should be out of conference by mid-May. The senator plans to push to get to the bill to the floor shortly after.

This means the Central Everglades Planning Project may not be approved in time to be included in the act.

Eric Eikenberg is the CEO of the Everglades Foundation. He said if Congress does not approve the Central Everglades Planning Project, it could be years before it’s authorized. He said the authorization of the act comes every seven years.

“We are now threatened to wait another seven years to have a project that would take Lake Okeechobee water and move that water south,” he said.

Once the Corps review board votes on the project, a 30-day state and agency review begins.



# NEWS RELEASE

**U.S. ARMY CORPS OF ENGINEERS | Jacksonville District**

**BUILDING STRONG®**

**Release No.:** NR 14-020

**For Release:** April 23, 2014

**Contact:** Jenn Miller

**Phone:** (904) 232-1613

**Email:** jennifer.s.miller@usace.army.mil

## ***FOR IMMEDIATE RELEASE***

### **Additional Corps briefing needed prior to release of Central Everglades final report**

JACKSONVILLE, Fla. – The U.S. Army Corps of Engineers Jacksonville District will be scheduling an additional briefing to seek approval to release the Central Everglades Planning Project (CEPP) final report for state and agency review. It is anticipated that the report will be released no later than the end of June 2014.

The report was presented to Corps leadership yesterday at the Civil Works Review Board (CWRB) in Washington D.C., to discuss the recommended plan to restore the central Everglades. The CWRB is part of the Corps' internal process to facilitate the review of the recommended plan to ensure it complies with all applicable federal laws and policies. It serves as a corporate check to ensure the report is ready for state and agency review. The CWRB concluded that while the analysis and project plans are extremely well done, additional time is needed to finalize the document assessment prior to releasing the report for the final 30-day state and agency review.

"The efforts made to date on CEPP are monumental. In less than three years, this team has accomplished what has previously taken six to ten years to complete. This challenging feat has required us all to step outside of our comfort zones and standard timeline durations to deliver a final plan that will set the foundation for our future restoration efforts," said Col. Alan Dodd, Jacksonville District commander. "The one thing that cannot be rushed on the final report for this complex project is ensuring that it meets the Corps' required quality standard."

The Corps is scheduled to present the updated final report to the CWRB no later than the end of June 2014. Once approved, the report will be released for a 30-day state and agency review. After which, comments and responses will be incorporated and the Chief's Report will be finalized for signature. The signed Chief's Report will then be submitted to the administration for review. Based on this timeline, it is anticipated that the final Chief's Report will be submitted to Congress this summer.

"Completing this final report to restore a significant amount of the remaining Everglades ecosystem has been a challenging endeavor, requiring a collaborative and dedicated effort from federal and state agencies, non-governmental organizations and the public," said Dodd. "The Corps is continuing to work collaboratively with our partners and stakeholders to complete this study and deliver a final Chief's Report for policy-makers' consideration."

The goal of the Central Everglades Planning Project is to capture water lost to tide and re-direct the water flow south to restore the central and southern Everglades ecosystem and Florida Bay.

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**US ARMY CORPS OF ENGINEERS | Jacksonville District**

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## FLORIDA ASSOCIATION OF COUNTIES 2014 LEGISLATIVE SUMMARY

On behalf of its membership, FAC was successful in passing some priority bills and actively defeating or amending others to inoculate the counties from any harmful impacts. FAC thanks its county commissioners for their involvement and help during the Session and county intergovernmental affairs staff for their partnership in securing successful outcomes for our 67 counties.

Following are the highlights of FAC's Session; our complete 2014 Session Report is available now please [click here](#).

### **FAC Priorities Passed**

- Limited the collective and cumulative negative impact on local revenues as the comprehensive tax cut package was negotiated. While at the beginning of Session bills filed had a projected cumulative impact of up to \$360M, the final tax package (HB 5601) resulted in a fiscal impact to counties of approximately \$10M. The final bill excluded the Florida Association of Realtor's priority to reduce the sales tax on commercial leases; removed reductions to the Communications Services Tax and fixed an initial proposal for the PECO tax swap that reduced local revenues. FAC thanks House Speaker Will Weatherford, Appropriations Chairs Rep. Seth McKeel and Sen. Joe Negron and Finance and Tax Appropriations Chairs Rep. Rich Workman and Sen. Dorothy Hukill for their leadership in minimizing the loss of local revenues.
- Passed HB 979 to increase funding for homelessness programs. FAC thanks Sen. Jack Latvala and Rep. Kathleen Peters for their leadership, along with Palm Beach County and the coalition of stakeholders that worked on the legislation.
- Passed HB 7055 that seeks to reduce juvenile detention utilization through prevention, treatment and rehabilitation services. FAC thanks Rep. Ray Pilon and Sen. Rob Bradley for their leadership in passing this bill.
- Passed HB 175 to collect the E911 fee on prepaid wireless services. FAC thanks Rep. Greg Steube and Sen. Alan Hays for their leadership and the stakeholders that worked for the past two years on this legislation.
- Passed HB 697 to outlaw new synthetic drug formulas on the controlled substances schedule. FAC thanks Sen. Rob Bradley and Rep. Clay Ingram for their leadership in passing the bills.
- Included in the General Appropriations Act (HB 5001) funding in the amount of \$88.5 million for water projects, \$30 million for springs restoration, and \$4 million for citrus disease research and breeding programs.

### **Unfunded Mandates Defeated**

- Successfully protected counties from arbitrary and unnecessary spending on court facilities, which are required by Article V. FAC thanks Appropriations Chairs McKeel and Negron, along with Sen. Bradley and Rep. Charles McBurney for addressing the counties' concerns.
- Defeated what had become an onerous springs protection bill (SB 1576) with burdensome regulatory obligations and time constraints, without adequate funding. The majority of counties that would have been impacted by the bill are located in Rural Areas of Critical Economic Concern. FAC thanks the House of Representatives for their support in protecting counties from this unfunded mandate.
- Defeated efforts that would have prevented medical examiners from charging fees for services, impacting county revenues and decision-making (HB 301/SB 584).
- Prevented unneeded mandates for more onerous public meeting notice requirements (SB 718/HB 985) and training in public records law for all employees (SB 1648/HB 1151).

### Preemptions Defeated

- Removed language that would have preempted counties from regulating tobacco products and nicotine dispensing devices (SB 224). FAC thanks Rep. Bill Hager for offering the amendment to remove the preemption.
- Successfully amended environmental regulation legislation to remove multiple preemptions before defeating the bill (HB 703). FAC thanks Senators Latvala and Altman for their efforts in removing harmful provisions in the bill.
- Defeated a preemption that would have prevented counties from imposing additional or a more stringent code of ethics onto another political subdivision (SB 606).
- Defeated efforts by the Florida Retail Association to prevent counties from implementing existing ordinances that provide for accessibility and fueling assistance at gasoline stations (SB 1184/HB 185; SB 1272) and from implementing wage theft ordinances (SB926/HB957).
- Prevented prohibitions on local governments from using red light cameras (SB 144/HB 4009; HB 7005/SB 7012).
- Defeated efforts to expand exemptions for developments from the DRI review process (SB 372).
- Narrowed a preemption that would have prevented counties from regulating chauffeured limousines and limousine services (SB 1618/HB 1389).
- Defeated an effort to prohibit counties from imposing transportation concurrency and transportation impact fees for a period of three years.
- Defeated an effort that would have preempted and superseded a county ordinance that gives a preference to local contractors in a competitive bid for construction services.

FAC made every effort to pass beneficial legislation this year to address the county cost-share for juvenile detention. While the House passed HB 5305 to codify a 50-50 cost-share partnership, provide for counties to pay for prior year's costs and reimburse counties \$140M over 20 years for overpayments made from 2008 to 2012, the Senate did not support the bill. FAC is now focusing on the Department of Juvenile Justice's upcoming rulemaking.

To read FAC's complete [2014 Session Report](#), FAC's analysis of the 2014 General Appropriations Act or to view FAC's 2014 Legislative Priorities, visit [www.fl-counties.com](http://www.fl-counties.com).



## SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL 2014 LEGISLATIVE AGENDA

*Mission: to work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share for the benefit of our future generations.*

*The Southwest Florida Regional Planning Council (SWFRPC) is a multi-purpose regional entity created in 1973 pursuant to an interlocal agreement between Charlotte, Collier, Glades, Hendry, Lee and Sarasota counties. The SWFRPC supports legislative actions consistent with its mission.*

### I. Federal Priorities

#### A. Water Policy

1. Fully support the next **Water Resources Development Act (WRDA)** bill<sup>2</sup>, including **authorization for the Caloosahatchee C-43 West Basin Reservoir Project**, and **appropriation of the necessary funds to implement the C-43 Reservoir Project**. (Reservoir will provide 170,000 acre-feet of storage within the Caloosahatchee basin and help address high and low flow issues.)
2. Fast track the **Central Everglades Planning Project (CEPP)** and get congressional support and funding for the project. (The project will move approximately 210,000 acre-feet of water south of Lake Okeechobee and will reduce some of the damaging flows to the St. Lucie and Caloosahatchee estuaries.)
3. The Federal Government needs to fund their share of the **Comprehensive Everglades Restoration Plan (CERP)** and implement the projects agreed to in the plan. (A majority of the lands needed for the projects have been purchased by the State and need Federal funding to move forward with the projects.)
4. Continue to keep pressure on the U.S. Army Corps of Engineers to move as quickly as possible to **rehabilitate the Herbert Hoover Dike**. (The project will protect the communities around Lake Okeechobee and provide more freeboard and temporary storage in the lake to reduce peak flows to the estuaries.)

- B. Support efforts to **suspend implementation of the Biggert-Waters Flood Insurance Reform Act of 2012** federal flood insurance rate hikes until an affordability study is completed, and to amend the time frame for premium adjustments to allow responsible changes that accomplish the objective of a solvent National Flood Insurance Program based on the findings of the study.<sup>3</sup>

<sup>2</sup> Two water resource bills were passed by Congress in 2013: H.R. 3080, Water Resources Reform & Development Act of 2013 (passed the House on 10/23/2013), and S. 601, Water Resources Development Act of 2013 (passed the Senate on 05/15/2013); bills now in conference.

<sup>3</sup> Both the Senate and House versions of the Homeowner Flood Insurance Affordability Act, S. 1846 and H.R. 3370, have been passed. The most recent was the House version, which passed on 3/4/14; it will now go to the Senate for final approval, and then to the President for his signature.



## II. State Priorities

### A. Water Policy

1. **Interim storage on C-43 West Reservoir site** – Project would significantly increase the amount of water that can be stored on the C-43 West Reservoir (Berry Groves) property until the full project is completed. It would require additional infrastructure including building berms and installing larger pumps to put more water on the site. This would be considered phase I of the larger C-43 West Reservoir CERP project and could be included in the state cost share for the federal project. Estimated cost of the interim storage project is \$10 million. In addition, the 1,500 acres of land purchased as part of the Berry Groves acquisition should be used to construct a stormwater treatment area (STA) adjacent to the reservoir to treat water before it is discharged into the Caloosahatchee.
2. **Lake Hicpochee Restoration Project** – Funds needed to complete planning and construction on north and south sides of Lake Hicpochee to increase storage and treatment. Estimated cost for planning and construction is \$20-30 million. Project will result in increased water storage and treatment within the Caloosahatchee basin.
3. **Increase distributed storage in Kissimmee, Lake Okeechobee, and Caloosahatchee basins.** Additional funds are needed for the state to partner with large land owners in the Kissimmee, Lake Okeechobee and Caloosahatchee basins to store more water on the land so that it is not discharged to Lake Okeechobee or to the Caloosahatchee River. No cost estimate available, but new partners could be brought on as funds become available.
4. **Southwest Florida Comprehensive Watershed Plan (SWFCWP)<sup>4</sup>.** Support funding for projects furthering the goals and objectives of the SWFCWP.

- B. Support the continuation of the Southwest Florida Research and Education Center (SWFREC)** in Immokalee as part of the Florida Agricultural Experiment Station system, and the continued operation of the University of Florida's Institute of Food and Agricultural Sciences (IFAS) Extension Service offices in each of the six counties in southwest Florida.

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<sup>4</sup> The SWFCWP (originally the Southwest Florida Feasibility Study) was recommended in the 1999 Comprehensive Everglades Restoration Plan. The SWFCWP study area covers approximately 4,300 square miles including all of Lee County, most of Collier and Hendry Counties, and portions of Charlotte, Glades, and Monroe Counties; the project boundary corresponds to that of the South Florida Water Management District Lower West Coast Water Supply Plan Planning Area. The SWFCWP is a regional restoration plan that addresses water resources issues within all watersheds in southwest Florida. Issues addressed by the study include loss of natural ecosystems, fragmentation of natural areas, degradation of wildlife habitat, alteration of natural freshwater flows to wetlands and estuaries, and water quality degradation in surface waters. The Draft Final Plan is currently under review by the U.S. Army Corps of Engineers.

# Agenda Item

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12g

Quality of Life & Safety  
Committee

12g

# Agenda Item

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12h

Regional Transportation  
Committee

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