



COUNCIL MEETING AGENDA

November 20, 2014

9:00am – 11:30am

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.

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	e) Executive Committee – Councilwoman Teresa Heitmann	
	f) Legislative Affairs Committee – Vice Mayor Doug Congress	

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.



COUNCIL MEETING AGENDA

	g) Nominating Committee – Ms. Margaret Wuerstle	
	h) Quality of Life & Safety Committee – Mayor Willie Shaw	
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13	NEW BUSINESS	
	- Recommendation for the SWFRPC to approve a Resolution in Support of the budget request made by the South Florida Ag Council to the Florida Legislature for continued funding of the Southwest Florida Research and Education Center	Page 161
14	STATE AGENCIES COMMENTS/REPORTS	
15	COUNCIL ATTORNEY'S COMMENTS	
16	COUNCIL MEMBERS' COMMENTS	
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NEXT SWFRPC MEETING DATE: December 18, 2014(?)

NOTES:

The SWFRPC's Legislative Affairs Committee is scheduled to meet prior to the SWFRPC meeting at 8:15 a.m. in the 1st floor conference room.

The SWFRPC's Nominating Committee is scheduled to meet prior to the SWFRPC meeting at 8:15 a.m. in the 2nd floor meeting room.

The SWFRPC's Regional Transportation Committee is scheduled to meet immediately following the SWFRPC meeting in the 2nd floor meeting room.

The SWFRPC's Energy & Climate Committee is scheduled to meet immediately following the SWFRPC meeting in the 1st floor conference room.



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 Paul Beck, 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
 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
 David Crawford
 Nancy Doyle
 John Gibbons

Nichole Gwinnett
 Rebekah Harp
 Jay McLeod
 Jennifer Pellechio

Jerilyn Walker
 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

BEER - 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

NADO – National Association of Development Organizations

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

RFI – Request for Invitation

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 Plan

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)



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104 West Jefferson Street, Tallahassee, FL 32301-1713 • 850.224.3427

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 Item

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Invocation

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Agenda Item

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Pledge of Allegiance

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Agenda Item

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Roll Call

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Agenda Item

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Public Comments

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_____Agenda
_____Item

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Agenda

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Agenda Item

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Minutes

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
OCTOBER 16, 2014 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **October 16, 2014** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chairwoman Teresa Heitmann called the meeting to order at **9:05 AM** and **Mr. Tommy Perry** then led an invocation and the Pledge of Allegiance. SWFRPC Planner 1/Grants Coordinator, Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Chris Constance, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Mr. Don McCormick

Collier County: Councilwoman Teresa Heitmann, Mr. Bob Mulhere, Mr. Alan Reynolds

Glades County: Commissioner Paul Beck, Commissioner Donna Storter-Long, Mr. Thomas Perry

Hendry County: Commissioner Don Davis, Commissioner Karson Turner, Commissioner Daniel Akin, Mr. Melvin Karau

Lee County: Commissioner Brian Hamman, Councilman Forrest Banks, Councilman Jim Burch, Vice Mayor Doug Congress, Ms. Laura Holquist

Sarasota County: Commissioner Cheryl Cook for Commissioner Rhonda DiFranco, Mayor Willie Shaw, Councilman Kit McKeon

Ex-Officio: Ms. Melissa Dickens - SWFWMD

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Commissioner Georgia Hiller, Commissioner Tim Nance

Glades County: Councilwoman Pat Lucas, Commissioner Russell Echols

Hendry County: Mayor Phillip Roland

Lee County: Commissioner Frank Mann, Mayor Anita Cereceda

Sarasota County: Commissioner Charles Hines, Commissioner Carolyn Mason, Mr. Felipe Colón

Ex-Officio: Ms. Carmen Monroy – FDOT, Mr. Jon Iglehart – FDEP, Mr. Phil Flood – SFWMD

Ms. Gwinnett announced that there was a quorum present at that time.

AGENDA ITEM #4 PUBLIC COMMENTS

There were no public comments made at this time.

AGENDA ITEM #5 AGENDA

Commissioner Turner made a motion to approve the agenda as presented and the motion was seconded by Councilman Burch. The motion carried unanimously.

AGENDA ITEM #6 Minutes of the September 18, 2014 Meeting

Councilman Burch made a motion to approve the minutes of the September 18, 2014 meeting as presented and the motion was seconded by Commissioner Cook. The motion carried unanimously.

AGENDA ITEM #7 DIRECTOR'S REPORT

Ms. Wuerstle presented the item. She reviewed the distributed handouts. One of the handouts contained a description of both sector plans and developments of regional impact. She explained that the reason that it was brought before the Council was to ask for their support on the growth management issue on the legislative priorities.

Vice-Mayor Congress introduced Nancy Stroud of the law firm Lewis, Stroud & Deutsch, P.L. who gave a presentation on both developments of regional impact and sector plans.

AGENDA ITEM #7(a) Correspondence from Governor Scott

This item was for information purposes only.

AGENDA ITEM #7(b) Planning for Large Scale Development: Developments of Regional Impact and Sector Plans

Ms. Stroud gave a PowerPoint presentation.

Mr. McCormick clarified that with sector plans the RPC's role is completed after its initial review. Ms. Stroud stated that he was correct unless there was a local comprehensive plan amendment involved; otherwise, there is no designated role for the RPC. Mr. McCormick asked who has the

authority to state that the project is no longer consistent after 20 years. Ms. Stroud explained that it would be up to the local government and the state land planning agency.

Commissioner Turner thanked Ms. Stroud for her presentation. He then asked if there was really a timeline that begins on the DSAP. Ms. Stroud explained that the DSAP is proposed for areas that are anticipated to develop earlier, rather than later. Those applications for smaller areas are for when the owner/developer feels that it is ready to proceed.

Commissioner Turner asked Ms. Stroud if she felt that by the RPC having no real authority over the sector plan because they are just a reviewing agency, if it would inhibit the validity of a sector plan or if it could potentially create some harmful effects. He went on to state that Hendry County has potentially three sector plans that will be on their books. He wanted to know if it would affect the region if they don't come back to the RPC for a second review. Ms. Stroud stated that she believed that there is a role for the RPC and that there is a gap in the sector planning process that leaves out the agency that is best equipped to know the local regional issues and the impacts a larger development may have on other local governments within the region. The State really isn't in the position to know the situation as well as the RPC, since the RPC is made up of local elected officials. She felt that it would be a benefit to the citizens to have that regional review. She said that she felt over the years the RPCs have been given a "bad rap" resulting in their roles being reduced due to some unfortunate occurrences over 30 years. She went on to state that it doesn't mean that the RPCs should be dissolved.

Councilman Burch stated that he liked both the sector planning and the DRI process. The DRI process is still used in Cape Coral even though it isn't required. He said that he felt that there is a role for the DRI process to become part of the sector planning process, because he believed that there is a reaction to the DRI process. The master plan is all about the various agencies giving input to ensure that the resources that are managed by the agencies are allocated properly for each development, as opposed to sector planning where the sector plans are put in place and the agencies have to react to it. There are very critical issues relative to the State of Florida, local communities, and regional interests. He said that he hoped that the dialog between Hendry County, local municipalities within the sector plan area (i.e. Glades County), along with the other municipalities throughout the State of Florida set aside special interests and policies and minimize the constraint as much as possible and then inject some form of the DRI process into the sector planning process to the degree that some of the comments and items are addressed. If you are going to plan for future growth in a large way, you must protect your citizens and residents in the long-term. RPCs have a significant reason to exist. He is hoping to hear a different dialog going forward with Sugar Hill and other similar projects. Let's work together and get it right and not just try to get it done.

Mr. Perry stated to Ms. Stroud that owners in the planning area may opt out of the master plan before the plan is approved. Does that mean that the owner that is applying can change his/her mind about a piece of property within the boundary or is that contemplating that the local government could come in do a sector plan and then the land owner for a broad piece of property could decide that they didn't want to be part of the local effort. Ms. Stroud said that it is the land owner who gets to opt out. A land owner can choose to keep their land out of the sector planning process. She said that it was her understanding that the sector plan encompasses all of the property that the applicant brings in, even though they may not be the owner unless the specific owners of

the properties within the sector plan area state that they don't want to be part of the sector plan. Then the sector plan would go up for adoption without the property that opted out.

Mr. Perry asked Ms. Stroud if an applicant can propose a sector plan without the consent of the property owners. Ms. Stroud said yes because that is how the law was written, so it is very important that the land owners know that they have the option of opting out of the plan. Another issue is that after a master plan is adopted, the land owners can opt out but they have to get a comprehensive plan amendment from the local government that adopted the master plan.

Discussion ensued.

Mr. Mulhere explained that typically a sector plan would be initiated by a private party. He then said that land owners will be notified that their property falls within the boundaries of a proposed sector plan, but they do not have to be a party to the application. However, any land owner who wishes to opt out of the plan needs to do so prior to the plan's adoption.

Mr. Reynolds explained that when the sector planning process was conceived it was anticipated that local governments would be the primary sponsors of sector plans, but as it turns out it has been more private sector initiated. The very first sector plan in Florida was actually initiated by Palm Beach County, so part of the reason for the opt out was because when a local government initiates a sector plan it gives the citizens/residents an opportunity to stay within the underlying comprehensive plan.

Mr. Mulhere said that he believed that there should be a role for the RPC in the sector planning process, more particularly where the plan could clearly have regional impacts. However, for that to be required the statute would have to be amended to reflect such a change in the sector planning process.

Mr. McCormick asked Ms. Stroud if a DSAP was really a DRI without having the RPCs involved in the process. Ms. Stroud explained that some of the procedures set up for a DSAP mimics the DRI procedures, except it doesn't have the RPCs involved. An appeal of a DSAP goes through the administrative process and appeal parties are limited.

Vice-Mayor Congress asked Ms. Stroud if there were two or three things with regard to the DRI process that she would recommend that the RPC advocates for in the legislature to approve the product and make a priority. Ms. Stroud stated that over the years, the DRI process has been refined so that methodologies are standard. The application form is standard; it is like a "well-oiled process". What she sees as being the two major issues are what has happened over the years where fewer and fewer developments go through the DRI process and after the latest legislation, fewer jurisdictions have to go through the process. She then said that she felt that by not having the RPCs being able appeal to the Land and Water Judicatory Commission is where the problem lies because it lessens the voice of the RPCs. The RPCs should be involved in the front end of the review process, because that is where all of the "real" work gets done and the dialog occurs, and it is really the critical part of the process.

Councilman Banks said that the RPCs are just a review entity, they don't have any clout.

AGENDA ITEM #8(a)
Grant Activity Sheet

This item was for information purposes only.

AGENDA ITEM #9
CONSENT AGENDA

A motion was made by Councilman Banks to approve the consent agenda as presented; Commissioner Cook seconded the motion and the motion carried unanimously.

AGENDA ITEM #10
REGIONAL IMPACT

Mr. Crawford gave a PowerPoint presentation on the following items.

AGENDA ITEM #10(a)
Lee County Comprehensive Plan Amendment - DEO 14-6ESR

A motion was made by Commissioner Hamman to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County. The motion was seconded by Commissioner Davis. The motion carried unanimously.

AGENDA ITEM #10(b)
Sarasota County Comprehensive Plan Amendment - DEO 14-9ESR

A motion was made by Ms. Holquist to approve staff recommendations. 1. Approve staff comments; and 2. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County. The motion was seconded by Commissioner Davis and carried unanimously.

AGENDA ITEM #10(c)
Charlotte County - Sandhill DRI - NOPC

A motion was made by Commissioner Duffy to approve staff's recommended actions: 1. Notify Charlotte County, the Florida Department of Economic Opportunity and the applicant that the proposed DRI changes do not appear to create a reasonable likelihood of additional regional impacts on regional resources or facilities not previously reviewed by the SWFRPC; and 2. Request that Charlotte County provide a copy of the development order amendments, and any related materials, to the Council in order to ensure that the development order amendment is consistent with the NOPC. Request the Charlotte County staff to provide the Council a copy of the above information at the same time the information is provided to the Florida Department of Economic Opportunity. The motion was seconded by Councilman Burch.

Councilman Burch stated that both Items 10(b) and 10(c) are regional in nature and both had transportation impacts that have been reviewed as part of the process, along with being part of the DRI process as well. Transportation would probably be the most significant impact, but it is due to all of the other components as to why he supports both projects.

The motion carried unanimously.

AGENDA ITEM #10(d)

Lee County – River’s Edge Yacht and Country Club DRI – Development Order Review

A motion was made by Councilman Banks to accept the development order as rendered. Notify the Florida Department of Economic Opportunity and Lee County. The motion was seconded by Councilman Burch. The motion carried unanimously.

AGENDA ITEM #10(e)

Hendry County – Sugar Hill Sector Plan Amendments – SEPL 14-0001

Mr. McLeod gave a PowerPoint presentation on the item.

Councilman Banks asked Mr. McLeod if the land owners who own the long-term agricultural lands, would benefit. Mr. McLeod noted that the land owners were US Sugar. One of requirements with the initial sector planning was to propose how to preserve long-term agricultural use without the threat of development pressure and he felt that was one of the initial thrust behind sector plans was to preserve long-term agricultural uses.

Ms. Karau asked how many acres are in the employment center. Mr. McLeod said that he didn’t have the exact amount, but the whole plan consists of 43,000 acres and he believed that the employment center would take up approximately a ¼ or 1/6 of the total acreage.

Commissioner Turner asked for clarification on this project. Hendry County approves the plan and submits the plan to DEO, and then the various agencies give their assessments. Mr. McLeod said that was correct. Commissioner Turner explained that DEO is the “umbrella” organization and reviews the plan, but Hendry County had to start the ball rolling.

Mr. McCormick referred to the second alternative where the RPC would be involved in the DSAP phase, and questioned if it was possible, because it currently is not recommended in the DSAP regulations. Ms. Wuerstle explained that Hendry County could allow the RPC to be involved in the DSAP process. Commissioner Turner explained that the RPC could ask for a scoping request. However he stated that he could assure everyone that it would not be approved at this time due to the general comments being presented in the report. He then referred to Councilman Banks’ comments that Hendry County has to look at the reasons why this particular project has raised a lot of eyebrows; he questioned why it happened and believed that it was politically motivated.

Commissioner Turner then referred to the “thatched areas” on the map. He believed that was a lot of the motivation of why they were seeing so much concern around the sector plan. Hendry County has already done two other sector plans and they were presented to the RPC on their consent agenda. Now, there is this entity who has engaged our community for a very long time;

along with their other partner that has sustained the area through generations. In his opinion, they are finally sitting down with Hendry County and saying that they want to help Hendry County increase their footprint on economic development. If you drive through Main Street of Hendry County, the Wal-Mart was built on property that US Sugar gave up, along with two or three developments that sit on land that the US Sugar Corporation gave up. He represents a couple of trailer parks which contains a large amount of his constituency base that sits on lands that the Hillard family sold to the developer. He then said that he also agrees that the way the plan was presented does not give enough information for the RPC to approve the plan. The plan is missing the point on a number of variables, but he felt that it was premature to poke holes in it absent the ORC report from DEO and also absent the agencies “getting around the table” and working through the details, which are so critical from a regional perspective.

Mr. Karau asked what the next step was, and what is expected to happen. Ms. Wuerstle explained that DEO will review the plan and give their comments and then there is a potential appeal process, before the plan is rendered approved and the DSAP process can begin. She said that she believed that DEO had 30 days for their review and to submit their approval or rejection of the plan.

Councilman McKeon stated that it appeared from Commissioner Turner's recent comments that he acted in the role of Hendry County Commissioner and expressed his thoughts very clearly, but then he stepped aside and stated that as an RPC member he agreed that there wasn't enough information at this time. Commissioner Turner agreed with Councilman McKeon's comments. Councilman McKeon then asked Commissioner Turner as a member of the RPC if he would be in favor of holding approval of the plan until the adequate information was provided. Commissioner Turner said that the comments of the RPC had already been sent to DEO and they will take those into consideration. Ms. Wuerstle explained that staff had to submit the comments as presented because staff had only 30 days in order to submit their comments. If staff didn't submit their comments within that 30 day timeframe then they wouldn't be able to submit any comments. She pointed out that staff clearly stated in their report that they would send DEO any comments from the Council after their meeting took place. Commissioner Turner said that he felt that it was important for everyone to express their concerns for the record.

Ms. Holquist said that there were so many objections from the various agencies to the plan due to the lack of information. She asked if the applicant wasn't providing the information or if it was because the application wasn't required to provide the information. She wanted to know the cause of this because it seemed to be the reason why these agencies were objecting to the plan. Mr. McLeod said since it wasn't like a DRI process where there are rounds of sufficiency questions with requests for information. Ms. Holquist asked if the applicant was required to provide the additional information. Mr. McLeod said that there wasn't a requirement for the applicant to provide the additional information. Ms. Holquist asked if there would be time to ask for the information at future processes. Mr. McLeod explained that it wouldn't be for the RPC, this is the only time that the RPC will be reviewing and submitting comments on the plan, unless DEO denies the plan and it comes back before the Council at some point in the future.

Mr. Karau asked if the State exercises their options to purchase the land then it could come back before the Council. Mr. McLeod said that he didn't believe so. Mr. Karau asked what would happen if the State exercised their option to purchase the land. Commissioner Turner explained

that if the State does decide to exercise their option to purchase the land they will then meet with a private company for the purchase. Mr. Karau asked what would happen to the Sugar Hill sector plan. Commissioner Turner explained that if the State exercises their option to purchase the designated land, that there would still be thousands of acres remaining the in sector plan.

Commissioner Turner said to Mr. McLeod that he would like a clarification on where he stated in his presentation that if the State exercises their second option in 2020 it included all of the assets and acreage, what is the total acreage. Mr. McLeod explained that the initial option was 46,000 acres and the entire option includes buildings, capital assets, etc. and approximately 120,000 acres. The second option is a significantly larger purchase than the first option. He then explained that if the State does exercise the second option that there would still be in excess of 15,000 acres in the Sugar Hill Sector Plan and it would still be a comprehensive plan amendment with a horizon of 2060. The only way to change an approved sector plan would be if the owners didn't move forward in good faith, which they have a 46 year planning horizon. Also, if the assumptions on which the sector plan was based were later proven incorrect or if there were significant changes to the underlying assumptions and information that would affect that land area Hendry County could rescind the plan.

Councilman Burch asked with the two options that the State has, are they locked into a price for the land. Mr. McLeod explained that they were until 2013. Councilman Burch said that the land has the potential to increase in value dramatically. Commissioner Turner said that he fundamentally disagrees. Councilman Burch said that there is no guarantee that it will increase, but there is the potential.

Councilman Burch asked if the sector plan was located near the Everglades Restoration project where the south flow ways are located. We see all of the agencies stating that they object because of the lack of information. We don't see all of the information because the applicant isn't required to provide all of the information and that is where the DRI process comes in, because the applicant is required to provide the information. There is a problem if someone says that they don't want to be part of it. There needs to be a collaborative effort on this project. We all know that the biggest problem there is in that area is the potential for the dike around Lake Okeechobee failing and the billions of dollars it would take to make the repairs. He said that he can't vote on the project without the additional information.

Chair Heitmann said to Commissioner Turner that he has been a leader in the RPC and also one who has stood up for relevance for the RPCs and she understands that he is wearing two hats. She then asked Commissioner Turner if he could address the question from Councilman Burch regarding the Everglades Restoration area.

Commissioner Turner said that he did not anticipate that there would be a "yes" or "no" vote by the RPC today. If anything, it needs to be held until more information is provided. To the discussion of the Everglades Restoration, there are options on the table which will be market driven, but to speculate that if the sector plan was approved that it would drive the market value of the options is speculative. From restoration, the discussions that he has witnessed personally and also the meetings that he has attended to be intimately knowledgeable about the river of grass discussion and acquisition, along with the options and plans that are currently on the books. None

of the “thatched area” has a plan today that is for Everglades restoration, that if acquired goes into construction or on a timeline because it doesn’t exist.

Chair Heitmann requested Mr. Beever of staff to present his understanding of the issue with the Everglades restoration project and if it would affect the sector plan. Mr. Beever said that it was his understanding of the RPCs position was that the project was regionally significant, but there wasn’t enough information given to determine its consistency.

Mr. Perry asked if Mr. Beever was speaking on behalf of the RPC. Mr. Beever said that he is a staff member of the RPC and was involved with portions of the review as presented. Mr. Perry explained that he works for Johnson-Prewitt and he has a conflict of interest because they have done work for both US Sugar and the Hillard Brothers, but not on this particular project. He just wanted to know if Mr. Beever was speaking as a citizen or as a staff member of the RPC. Mr. Beever explained that he was speaking as staff member of the RPC. He is currently the environmental planner for the RPC since 2006 and conducts all of the environmental reviews. He also explained that he is the RPC’s representative on most of the Everglades restoration projects. He was involved with the development of the River of Grass proposals, the Caloosahatchee River Duration Plan, which is also in effect with this particular project.

Mr. Beever said that basically his understanding in the area of the proposal there are these long range plans which Mr. McLeod described earlier in his presentation. It is typical in Everglades restoration that you don’t have proposals for construction, plan or design for what is going to happen on a parcel of land before it is acquired. The process goes through the US Army Corps of Engineers and the SFWMD. Land is acquired and then the proposals are developed which goes through a project delivery team consisting of multiple agencies, then the plan is developed.

Chair Heitmann asked Mr. Beever for clarification on how the land was identified as potential preservation areas when they haven’t really been studied on whether or not the land would potentially be a benefit to the water flow or the region. Mr. Beever explained that these particular areas have been identified as restoration areas, not protection. They are not going to stay in their current form. Potentially, on the eastern end of the project there would be a southward flow coming out of Lake Okeechobee and the western portion which is associated with Lake Hicpochee would be associated with the Caloosahatchee River restoration, which typically involves a combination of water retention and then release during the dry season. There are some Duda properties north of Lake Hicpochee where they already have projects in design, which will be reservoirs and will hold water and then will release it again as associated with the Caloosahatchee River. Basically, there are two big restoration projects associated with this sector plan. There are conceptual ideas, but they don’t have design plans or engineering drawings, those will come in the future. In some cases, as they start a project within the Everglades Restoration a group called the Adaptive Management Committee, may change a plan. In one case, a reservoir that was being proposed on the east coast is now not going to be a reservoir but a filter marsh, because they determined that a filter marsh design would be a much better fit than a reservoir.

Commissioner Beck requested that the slide with the agency comments be brought up on the screen. He then said that FDEP seemed to be concerned with the fresh water supply for this project and it is a legitimate concern. FDOT stated that they needed more traffic studies. He then said that FDOT is primarily a “reactionary” entity where when there are traffic issues they do

something to help those issues. FWC objects to the plan for several reasons and one of those reasons was the wildlife issues (i.e., Indigo Snake). They were also concerned about the water quality for fishing. He said that the SFWMD buys a lot of property, start a lot of projects and haven't finished any projects to date. Lee County gave the SFWMD \$10 million to purchase property in Glades County to turn it into a stormwater treatment facility. SFWMD was concerned about the stormwater treatment and water quality. With the current situation with water runoff from the property he thought that both the SFWMD and FWC would be absolutely ecstatic that someone would want to put that type of facility in that area. He said that he felt that everyone should be behind such a project for both Hendry and Glades economic growth and he doesn't want to see Glades County be the "State's septic tank" because most of the water pollution issues begin in Orlando and flows south.

Commissioner Storter-Long stated that she believed that we are all united in our concerns regarding this project. First of all, Glades County has the most contiguous area than anyone else. She asked if it was true that the objections are due to the lack of information. It doesn't mean that the information doesn't exist; it just means that it hasn't been provided. She noted that over the last few years the SFWMD was required to review all of their properties under their ownership and create a list of surplus lands and begin selling the land. The SFWMD did not decide to purchase this land with the monies that they received from the sales. She then asked if the RPC had a 30 day deadline to submit their comments to DEO, why the RPC staff chose to object instead of stating that they would prefer more information and would request to postpone it. Ms. Wuerstle said that staff did not object, rather they did recommend that the project be held until additional information is provided in order to determine the consistency.

Commissioner Storter-Long asked how much weight does the RPC carry with DEO versus all of the agencies that just went ahead and objected. The State has taken away the RPC's authority and power, then why do they continue to ask the RPCs for their opinion. Chair Heitmann said because hopefully they respect the RPC because they continue to come together as a region and meet despite the fact that they keep taking away the RPC's funding. Also, the RPC is made up of elected officials, citizens and agency representatives that really care about their region and want to participate.

Commissioner Storter-Long asked about the next step was after today since DEO already has received the RPC's comments. Mr. McLeod explained that the RPC is legislatively required to review the local governments comprehensive plan amendments. Commissioner Storter-Long asked if the RPC always reviews them and also always submits their opinion. Mr. McLeod said yes, it is submitted to DEO with a copy to the local government. Commissioner Storter-Long asked if the Council could add to staff's comments. Ms. Wuerstle said yes, the Council's comments will be added to staff's report.

Discussion ensued.

Commissioner Cook stated that she agreed with Councilman Burch's comments. She said that what she has been seeing in her areas is that some developers are trying to "put the cart before the horse." We are all part of Florida and the Everglades are almost the State's "emblem". She then asked Mr. Beever if the RPC approved and moved the Sugar Hill Sector Plan forward today, would it have an effect on the State when they are deciding on whether or not to purchase the

lands (Option 1) in October 2015. Mr. Beever explained that the only entity that could answer that question would be the people who are working on the Everglades Restoration together. The State would be very important, but it would also involve the federal government because they are part of the overall restoration planning. At this time, he said that his best answer is “unknown”. We do not know how, if the Sugar Hill Sector Plan was approved, it would affect whether those lands would be purchased or not. Also, if they weren’t how that would affect the Everglades Restoration plans. Commissioner Cook stated that she felt that this was a little bit premature to ask the RPC to make a decision on the project.

Councilman Banks stated that he sees the sector plan as being a long-range plan. He has driven by the property on many occasions on his way to West Palm Beach and he thinks that it is great that it is a long-range plan. He said that he doesn’t want to vote for it or against it and having the RPC not take any action would be the best way.

Commissioner Beck said that he agrees that there needs to be more information provided, but he doesn’t want to see this project slip away from Glades and Hendry Counties.

Councilman McKeon stated that he supported Commissioner Beck’s comments, but he is unsure if he could support the county’s position at this time. It would be better to not take a position at this time.

Mr. Mulhere said that he felt that there wasn’t any other option at this time, but to support staff recommendations and hold the RPC’s decision until the additional information is provided.

Councilman Burch agrees with staff recommendations.

Commissioner Storter-Long asked if the RPC could ask DEO for an extension in order to receive the additional information. Ms. Wuerstle said that she would expect that DEO would ask the Council for a specific amount of time for the extension. DEO has 60 days to conduct their review and make a decision. Mr. McLeod explained that in accordance to the timeline DEO has until October 24 to render their decision.

Discussion ensued.

Mr. Mulhere explained that the applicant can communicate with DEO and if the applicant declined to provide any additional information to address the issues listed as needing additional information, and then he believed that DEO had some discretion in the manner in which they respond. If the applicant agreed to provide some additional information and also agrees to an extension within the timeframe which DEO can respond then he felt that it is something that could be done.

Chair Heitmann asked for Mr. Crawford’s opinion on the issue. Mr. Crawford stated that he would render an opinion where if DEO agreed and the applicant also agreed to extend the deadline for some reasonable amount of time, as long as both parties agree. He stated that usually the timeframe doesn't go beyond 180 days.

Vice-Mayor Congress asked Mr. Crawford if it would then start the process over. Mr. Crawford said that it wouldn't start the process over; DEO would ask the applicant for the additional information. The applicant could also say they weren't interested in providing further information. It then would proceed accordingly and DEO would make their decision based on the information provided.

At this time Chair Heitmann called for public comment on the item.

Commissioner Jacqui Thurlow-Lippisch of the Town of Sewalls Point in Martin County explained that the Town of Sewalls Point is "ground zero" for the releases from Lake Okeechobee. She said that there are a lot of bottlenose dolphins in her area and 70% of them now have immune deficiencies and 30% have lobo mycosis, which is a terrible skin disease. Last year during the releases from Lake Okeechobee, the water was toxic. She stated that they have horrible problems in their watershed, but when the gates are opened from Lake Okeechobee that is when toxic algae comes into their watershed and it is mainly due to the blue-green algae, which breeds in fresh water. Everyone was very happy that the gates didn't have to be opened this year.

Commissioner Thurlow-Lippisch stated she had learned through the Florida League of Cities that the only way all of these issues will be addressed is to work together. She said that she wants to learn from everyone on the west coast and she hoped that people on the west coast can learn from the east coast. She said that it was very interesting for her to watch today's meeting and that her heart goes out to Hendry County who is looking for economic support. It is her prayer and hope that whatever is built or isn't built be careful of the natural resources (i.e., Florida Panther). She asked that everyone think about water quality and how to send more water south. She believed that by creating the Everglades for our children and the next generation will be what brings money to the area, it is not going to be another neighborhood or airport. It will be the Everglades and we need to let it come back to life and have a rebirth, so please keep an eye on Everglades Restoration. She then stated that the east coast is against the project, because her area is so desperate for change that they are afraid that anything might mess it up.

Commissioner Turner addressed his earlier comment "that he didn't want to see Sugar Hill come back before the RPC". He explained that his feelings were hurt when he read staff's report and the comments that were made. It displayed to him a level of ignorance by RPC staff by not knowing the day-to-day life associated with Glades and Hendry Counties and also western Palm Beach. The comment that bothered him the most was the US Sugar Corporation was essentially going to be "cutting their nose off" despite their own developments that they had with Airglades in not knowing that the sugar cane that was going to be harvested and processed. He said that he almost sent staff a picture of where his home sits in proximity to sugar cane, but after thinking it through he decided not to send it. He then said that he felt that the RPC needs to be careful and then said to Ms. Wuerstle that the job that both she and her staff has done has been absolutely remarkable with tempering the comments where the RPC wasn't placed in the cross-hairs of any legislator or anyone that wants to further grind an axe of disabling the RPC's ability to comment on any project. We all know that we have been crucified with funding reductions and people stating that "we are a shark swimming around without any teeth".

Commissioner Turner stated that if the Airglades project were to never occur, the Strategic Intermodal System (SIS) as identified by the Florida Department of Transportation (FDOT)

readily identifies Hendry County, Glades County and the US-27 corridor as a natural area for development to occur in order to deal with the off-shoot of the Panama Canal Expansion and with cargo that is being transported on that corridor. Both Hendry and Glades Counties have done a tremendous amount of analyses on the trail of the logistics mobility study that FDOT had produced. Hendry and Glades Counties both have a lot of area that is not environmentally sensitive and has been in production for years, so there may be a natural footprint that will occur regardless. He believes that both projects, Airglades and Sugar Hill, can survive without one another. He then said that he was very proud of today's discussion because he felt that both ends of the spectrum has been discussed and addressed.

Chair Heitmann stated what Commissioner Turner had just stated and what the Council has fought for and the reinvention of the Council. She explained that it was due to the leadership of Ms. Wuerstle, the Council was able to be turned around and she also didn't back down to the responsibilities even though they have been dewatered, but to the commitment of the region. This is the type of process whether the Council has the authority or not should be taken advantage of.

Commissioner Storter-Long asked why the Council couldn't recommend to DEO to ensure that the goals were all adequately met and extend the review process and their decision up to 180 days, until they are satisfied that the agency's questions were answered by the applicant.

Councilman Burch referred to an earlier notice distributed that there was a possibility that Governor Scott would be in attendance today or his representative. Ms. Wuerstle explained that it was noted that his staff would check his schedule to see if it was possible. He then stated that he wanted to express his disappointment on record that neither the governor nor his representative attended today's meeting to participate in a conversation which they should've been part of. He has heard from Tallahassee how the RPCs have been "watered down" due to various reasons and some of those reasons were extremely valid because the process was frustrating. But here the Council sits today with a letter from the governor and also the Council's response letter to the governor and there wasn't any representative from the governor's office present where they could've learned a volume of what the RPCs can do.

Chair Heitmann said that she would like to discuss that issue at the end of the meeting.

A motion was made by Commissioner Storter-Long recommending that DEO extend the review period up to 180 days in order to obtain the additional information to determine consistency and to ensure that the goals were met. Councilman Banks seconded the motion.

Commissioner Turner stated that he wasn't comfortable with recommending an extension.

Discussion ensued on the extension.

Mr. McLeod explained that DEO owes the applicant a timely decision within the 60 day timeframe, so the Council could recommend to DEO that they present an opportunity to the applicant for an extension in order to provide more information. He believed that it would ultimately be the applicant's decision.

Councilman Banks stated that the applicant will make a decision on whether or not they will supply the additional information and also the timeframe in which they will supply the additional information.

Councilman McKeon reminded everyone that the current timeframe clock is ticking and DEO needs to make a decision by October 24.

The motion was amended by the motion maker, Commissioner Storter-Long and the 2nd, Councilman Banks, to request that DEO extend the review period up to 60 days from October 24.

Commissioner Cook asked if the RPC would be able to review the application again once the additional information has been provided. Chair Heitmann stated that the RPC will not be reviewing the application a second time, unless Hendry County does a scoping notice.

The motion carried with Commissioner Cook opposed and both Mr. Perry and Mr. Reynolds abstained from voting.

**AGENDA ITEM #11(a)
Budget & Finance Committee Report**

Councilman McKeon gave the committee report. He said that the committee was planning on holding a meeting prior to the November Council meeting.

**AGENDA ITEM #11(b)
Economic Development Committee**

Councilman Banks stated that he had no report to give at this time.

**AGENDA ITEM #11(c)
Energy & Climate Committee**

Mr. McCormick stated that he had no report to give at this time.

**AGENDA ITEM #11(d)
Estero Bay Agency on Bay Management Committee**

No report was given at this time.

**AGENDA ITEM #11(e)
Executive Committee**

Chair Heitmann announced that the committee will need to meet to discuss several issues, including the slate of officers for 2015. The recommendation for the 2015 slate of officers will be brought before the Council at its December meeting. She asked if there will be a quorum at the December 18 meeting in order to approve the 2015 slate of officers. If there won't be a quorum present then the December meeting may be cancelled and the Executive Committee will then

meet with the Nominating Committee to prepare a slate of officers to be presented to the Council at the November meeting.

Chair Heitmann asked the members if there were any concerns regarding not being able to attend the December 18 meeting. Councilman Burch suggested since the December 18 meeting was so close to the holidays that the Council consider moving up the December meeting to December 11. Chair Heitmann directed staff to conduct a Doodle Poll listing both the December 11 and 18 meeting dates to see which date best fits the members' schedules.

AGENDA ITEM #11(f)
Legislative Affairs Committee

Vice-Mayor Congress gave the committee report.

AGENDA ITEM #11(g)
Quality of Life & Safety Committee

Mayor Shaw announced that the committee was scheduled to meet immediately following the Council meeting.

AGENDA ITEM #11(h)
Regional Transportation Committee

Ms. Wuerstle gave the committee report; Councilman Mandel had agreed to be the Chair for the Committee. The committee was scheduled to meet on November 20, immediately following the SWFRPC meeting.

AGENDA ITEM #12
NEW BUSINESS

Chair Heitmann nominated the following members for the 2015 Nominating Committee:

1. Commissioner Chris Constance, Charlotte County BCC
2. Commissioner Brian Hamman, Lee County BCC
3. Vice-Mayor Rhonda DiFranco, City of North Port

AGENDA ITEM #13
STATE AGENCIES COMMENTS/REPORTS

SWFWMD – Ms. Dickens announced that the SWFWMD will be holding a dedication event next week for the Phase 1 of the Coal Creek Ecosystem Restoration Project. The project is designed to improve water quality to Charlotte Harbor. Phase 1 includes creation of wetlands and construction of a filter mash to treat the water going into Charlotte Harbor. The SWFWMD is partnering in the effort with Charlotte County and FDEP. The event was scheduled for Wednesday, October 22, 11:00 a.m. at Rotunda West.

Chair Heitmann noted that the SWFWMD was the only agency present at today's meeting. She said that normally there is better participation, but she has noticed less participation from the agencies, especially today and previous meetings. She encouraged the state agencies to continue their participation at the Council meetings.

**AGENDA ITEM #14
COUNCIL ATTORNEY'S COMMENTS**

No report was given at this time.

**AGENDA ITEM #15
COUNCIL MEMBERS' COMMENTS**

Commissioner Storter-Long announced that the Glades County BCC will be reorganizing after the November elections and she wasn't sure who would be representing Glades County on the Council.

**AGENDA ITEM #16
ADJOURNMENT**

The meeting adjourned at 11:45 a.m.

Mr. Don McCormick, Secretary

The meeting was duly advertised in the October 1, 2014 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 40, Number 191.

Agenda Item

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Director's Report

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EXECUTIVE DIRECTOR'S REPORT: November 20, 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 Update
 - The Audit for 2014 will begin in January.
- b. Grants under development:
 - The I-75 Medical Manufacturing Corridor Designation
 - Brownfields Grant
 - Promise Zone Designation for Glades, Hendry, Immokalee
 - NEA for the *Our Creative Economy* project
 - Bloomberg Philanthropies - Public Art Challenges

1. External Issues

- a. FRCA: Activity Report attached
- b. The Executive Director met with the following to establish partnerships and discuss issues of mutual concern: Vice- Mayor DiFranco and the City Northport representatives.

2. Goals and Priorities for Second Quarter 2013 (January - April)

- a. Implementation of Workplan:
 - Grants Submitted: National Endowment for the Humanities \$75,000; Immokalee Economic Development Plan \$25,000;
 - Grants Under Development: NEA Arts and Culture project \$200,000; Brownfield Identification and Assessment grant \$600,000, I-75 Medical Manufacturing Corridor designation; Bank of America Arts and Culture grant for Sarasota \$45,000; Bloomberg Philanthropies - Public Art Challenge - potntial for \$1,000,000.
 - Pending Grants: approximately \$1,000,000 in various grants
 - Improved Financial Reporting: New software for time keeping and project management has been rolled and is being refined
 - The Invest in Manufacturing Communities Partnership Summit was held in

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Washington DC on October 30 & 31st. Staff attended to meet with fellow applicants and exchange best practices in order to prepare for the second round of the program.



MONTHLY ACTIVITY REPORT: October 2014

OUTREACH

- Issued FRCA's Fall 2014 Quarterly Newsletter, which was distributed to approximately 2,500 RPC board members, staff, local government elected officials, and stakeholders.
- Participated in a Regional Education Consortia teleconference at the request of the Small County Coalition to address continuation of a rural STEM (science, technology, engineering, and math) program.
- Helped representatives from the U.S. Economic Development Administration schedule a grant training session for Florida's Economic Development Districts, which will be held on November 13, 2014 in Gainesville.
- Participated in a meeting hosted by the Florida Department of Economic Opportunity's Division of Community Development, regarding the U.S. Department of Housing and Urban Development's National Disaster Resiliency Competition, to identify areas of eligibility and roles for RPCs.

RESOURCE DEVELOPMENT/CAPACITY BUILDING

- Completed the 2013-14 FRCA Annual Report and Directory, provided it to the RPC Executive Directors, FRCA Policy Board, and FRCA stakeholders, and posted it to the FRCA website.
- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, participated in Enterprise Florida's monthly teleconference for its economic development partners; U.S. Economic Development Administration's quarterly teleconference for Florida's Economic Development Districts; and the Florida Transportation Commission's biweekly teleconference for its members.
- Completed the final two days of a four day Economic Development Academy training program, hosted by the North Florida Economic Development Partnership.
- On behalf of Chairman Brian Teeple (NEFRC), attended the quarterly meetings of the Local Emergency Planning Committees and State Emergency Response Commission.
- Prepared and submitted to the Florida Department of Economic Opportunity FRCA's 2014-15 first quarter report demonstrating implementation of the *Florida Strategic Plan for Economic Development*.
- Participated in a planning meeting for the Florida Civic Advance inaugural annual conference, which is an initiative of the Florida Consensus Center.
- Distributed funding announcements from the Florida Department of Environmental Protection, Florida Energy Office, National Center on Senior Transportation, U.S. Department of Housing and Urban Development, and U.S. Economic Development Administration.

LEGISLATIVE SUPPORT

- Continued seeking feedback and revising draft recommendations for changes to the Development of Regional Impact process for submission to the Senate Committee on Community Affairs.

ASSOCIATION MANAGEMENT

- Revised FRCA's Bylaws based on direction from the Policy Board and posted them to the FRCA Website.
- Finalized, distributed, and posted to the website FRCA's 2015 meeting calendar.
- Secured meeting space and negotiated contracts for the January through April 2015 FRCA meetings in Tallahassee.
- Participated in the October 1, 2014 FRCA Business and Partners meetings and continued preparations for the December 2-3, 2014 FRCA Business and Partners meetings, which will be held at the Tampa Bay RPC.
- Updated the FRCA website as noted in the sections above.

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 Summary As Of 11-10-14																		
#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	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	SWFRPC	Grant	Yes	EPA - US Environmental Protection Agency	Jim Beever	WQFAM							\$160,000.00	\$160,000.00	10/1/2011	9/30/2015	Extention 2014-2015	
2	SWFRPC	Contract	Yes	Glades County	John Gibbons	SQG Glades							\$3,900.00	\$3,900.00	5/17/2011	5/16/2015		
3	SWFRPC	Contract	Yes	DOE - US Dept. of Energy	Rebekah Harp	Solar Ready II	1/24/2013	1/24/2013		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
4	SWFRPC	Grant	Yes	EPA - US Environmental Protection Agency	Jim Beever	A Unified Conservation Easement Mapping and Database for the State of Florida			4/15/2013	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
5	SWFRPC	Grant	Yes	EDA - US Economic Development Administration	Jennifer Pellechio	EDA Planning Grant			1/22/2013	12/18/2013	4/18/2014	4/21/14	\$270,000.00	\$189,000.00	1/1/2014	12/31/2016	CEDS Plan, Annual Reports, CEDS Working Committee	\$81,000.00
6	SWFRPC	Grant	Yes	EDA - US Economic Development Administration	Jennifer Pellechio	Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development				12/26/2013	9/3/2014		\$116,514.00	\$58,257.00			SWOT Analysis, Web Survey, REMI, Regional website, branding strategy, brochures	\$30,584.45
7	SWFRPC	Grant	Yes	Visit Florida	Margaret Wuerstle	Our Creative Economy: Video - Southwest Florida Regional Strategy for Public Art			2/18/2014	2/18/2014	5/14/2014	7/17/14	\$10,000.00	\$5,000.00	7/1/2014	5/31/2015		\$5,000.00
8	SWFRPC	Grant	Yes	EPA/CHNEP - Charlotte Harbor National Estuary Program	Jim Beever	Identifying Future Saltwater Wetland Loss			4/4/2014	4/4/2014			\$243,324.00	\$60,000.00			Report, transect information, presentations, articles	\$63,800.00
9	SWFRPC	Grant	Yes	DEO - FL Dept. of Economic Opportunity	Nichole Gwinnett	Agriculture Tours to Promote Assets and Economic Development in the City of LaBelle			6/6/2014	5/7/2014	8/26/2014		\$25,000.00	\$4,000.00	12/1/2014	5/31/2015	City of LaBelle Agriculture Tour Plan	\$0.00
10	SWFRPC	Grant	Yes	CTD - FL Commission for the Transportation Disadvantaged	Nichole Gwinnett	Glades-Hendry TD Planning Agreement FY2014-15					5/16/2014		\$38,573.00	\$38,573.00	7/1/2014	6/30/2015	Update of TDSP, CTC Evaluation, Staff Support, LCB Quarterly Meetings, Committee Meetings, Update By-Laws and Grievance Procedures.	\$0.00

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#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
11	SWFRPC	Contract	Yes	DEM - FL Dept. of Emergency Management	John Gibbons	Title III (LEPC) FY14-15			7/1/2014		7/1/2014		\$42,000.00	\$42,000.00	7/1/2014	6/30/2015	LEPC Program Coordination; attendance during four (4) local quarterly meetings; attendance during four (4) state quarterly meetings; quarterly reports; quarterly news articles/updates; annual LEPC plan update; industry compliance support; housing of chemical data, meeting minutes; exercise coordination; publishing of public availability notice; etc .	\$0.00
12	SWFRPC	Contract	Yes	DEM - FL Dept. of Emergency Management	John Gibbons	HMEP Planning Grant (Hazardous Materials Emergency Preparedness)			7/1/2014		6/1/2014		\$25,000.00	\$25,000.00	7/1/2014	11/15/2014	Major Planning Project; travel coordination for LEPC Chairman; LEPC program coordination and quarterly reports.	\$0.00
13	SWFRPC	PO	Yes	NEFRC - Northeast Florida Regional Council	Tim Walker	Small Area Data for the 2014 Statewide Hurricane Evacuation Study							\$11,000.00	\$11,000.00	7/1/2014	12/12/2014	Data	
14	SWFRPC	Grant	Yes	City of Bonita Springs	Jim Beever	Spring Creek Restoration Plan					8/27/2014	8/26/14	\$50,000.00	\$50,000.00	9/1/2014	9/30/2015	The Spring Creek Vulnerability Assessment and The Spring Creek Restoration Plan	\$0.00
15	SWFRPC	Grant	Yes	DEM - FL Dept. of Emergency Management	John Gibbons	HMEP Training FY13-14					7/1/2014		\$47,963.00	\$47,963.00	7/1/2014	11/15/2014	Training Exercises	\$0.00
16	SWFRPC	PO	Yes	City of Cape Coral	Rebekah Harp	Southwest Florida Security Showcase & Expo					9/1/2014		\$5,000.00	\$5,000.00	9/1/2014	10/31/2014		\$0.00
17	SWFRPC	Grant	To Be Submitted	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Economic Development Plan for Immokalee				9/5/2014			\$25,000.00	\$25,000.00			TBD	\$0.00
18	RC&DC	Grant	To Be Submitted	Dreyfus Foundation - The Max and Victoria Dreyfus Foundation	Beth Nightingale	"Our Creative Economy - A Regional Strategy for Southwest Florida Public Art, Festivals and Cultural Venues"	11/10/2014						\$20,000.00	\$20,000.00			1. complete the Lee County public art descriptions (name of artist, year of creation, material, and significance); 2. provide QR Codes for Lee County's public art assets which will drive traffic to the Guide and direct users to other public art assets and venues; and 3. Create and promote a photo share site to encourage making art (photography) from art (public art assets and venues).	\$0.00

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19	SWFRPC	Grant	To Be Submitted	Bloomberg Philanthropies	Margaret Wuerstle	OUR CREATIVE ECONOMY - Passbook			12/15/2014									
20	SWFRPC	Grant	To Be Submitted	NEA - National Endowment for the Arts	Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues			1/13/2015				\$400,000.00	\$200,000.00			• Asset Mapping • A Regional Strategy for Enhancing Public Art: A SWOT • Southwest Florida's Public Art and Cultural Venues Field and Tour Guide	\$113,472.00
21	SWFRPC	Grant	To Be Submitted	EPA - US Environmental Protection Agency	Dottie Cook	Southwest Florida Brownfields Coalition			12/19/2014				\$600,000.00	\$600,000.00				\$0.00
22	SWFRPC	Grant	To Be Submitted	USDA - US Dept. of Agriculture	Dottie Cook	Southwest Florida Rural Promise Zone	10/17/2014	10/14/2014	11/21/2014				\$0.00	\$0.00			Rural designation of a Promise Zone for Immokalee in Collier County, Glades County, and Hendry County	\$0.00
23	SWFRPC	Grant	To Be Submitted	NIH - National Institutes of Health	John Gibbons	TBD			11/7/2014				\$700,000.00	\$700,000.00				
24	SWFRPC	Grant	To Be Submitted	HUD - US Housing and Urban Development	Jim Beever	Florida Vulnerability Assessment and Resilience Program (FVARP)			3/1/2015								RPCs partner with the Department of Economic Opportunity.	
25	SWFRPC	Grant	Pending	NEH - National Endowment for the Humanities	Jay McLeod	ZombiCon: Dying for the Arts			8/13/2014	8/13/2014			\$75,000.00	\$45,000.00			Film Script/Storyline developed, in collaboration with humanities scholars.	\$0.00
26	RC&DC	Grant	Pending	Atilus, LLC	Rebekah Harp	RC&DC Website			9/30/2014	9/30/2014	9/30/2014		\$20,000.00	\$20,000.00			New website, 2-year hosting, Adwords setup, and BoardMa tool (50 licenses).	
27	RC&DC	Grant	Pending	The Awesome Foundation	Barbara Hawkes	2015 Zombicon Festival: Documentary Video			10/15/2014	10/2/2014							WGCU Public Media, an affiliate of Florida Gulf Coast University (FGCU), in Fort Myers, FL will create a documentary regarding the ZombiCon festival.	
28	SWFRPC		Pending	FDEP - FL Dept. of Environmental Protection	Jim Beever	Resilient and Consistent Coastal Elements for Florida's Gulf Coast (RESTORE)			1/7/2013	1/7/2013			\$500,000.00	\$500,000.00				
29	SWFRPC		Pending	FDEP - FL Dept. of Environmental Protection	Jim Beever	Environmental Services Provided by the Gulf of Mexico			1/7/2013	1/7/2013			\$500,000.00	\$500,000.00				
30	SWFRPC	Grant	Pending	FDEP - FL Dept. of Environmental Protection	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	

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31	SWFRPC	Grant	Pending	USDA - US Dept. of Agriculture	Nichole Gwinnett	Opportunity Buy Program Coordinator			4/30/2014	4/30/2014			\$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
32	RC&DC	Grant	Pending	USDA - US Dept. of Agriculture	Rebekah Harp	The Smart Process Food Hub			4/30/2014	4/30/2014			\$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
33	RC&DC	Grant	Pending	Bank of America	Beth Nightingale	OUR CREATIVE ECONOMY - A Regional Strategy for SW Florida Public Art and Cultural Venues			9/15/2014	9/12/2014			\$45,000.00	\$45,000.00				\$0.00
34	RC&DC	Grant	Pending	Artplace America	Beth Nightingale	Artplace Creative Placemaking	11/3/2014	10/29/2014	3/1/2015								Print and online directories of public art.	
35	RC&DC	Grant	Pending	Sunoco Foundation	Barbara Hawkes	Safety Training for Agriculture-Related Staff (STARS)	Open	10/23/2014					\$350,000.00	\$350,000.00			Eligibility Quiz. Letter of Inquiry (LOI) - If LOI reflects the Foundation's priorities, you will be asked to complete a full application.	
36	SWFRPC	Contract	Pending	NACo - National Association of Counties	Jennifer Pellechio	NACo County Prosperity Summit			10/3/2014	10/3/2014			\$0.00	\$0.00			Summit	\$0.00
37	RC&DC	Grant	Pending	Southwest Florida Community Foundation	Margaret Wuerstle	SWFRPC & RC&DC Collaboration			9/30/2014	9/30/2014	9/30/2014		\$25,000.00	\$25,000.00			Provide information to the non-profit community about collaborative models that have succeeded in our area and to share proven effective practices for non-profits working together.	\$0.00
38	SWFRPC	Grant	Pending	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	City of Clewiston - Sector Plans and Developments of Regional Impact Database and Website				9/12/2014			\$25,000.00	\$25,000.00			Technical Assessment, Final Website, Final Geodatabase	\$0.00
39	SWFRPC	Grant	No	Wells Fargo	Rebekah Harp	Mote Marine Programming			8/31/2012	8/31/2012	8/31/2012			\$21,058.00			Master Plan and Design documents along with market analysis and feasibility study	
40	SWFRPC		No	WalMart	Rebekah Harp	Mote Marine - Teens influencing community through technology			8/10/2012	8/10/2012	8/10/2012			\$9,500.00	12/3/2012			

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41	SWFRPC		No	WalMart	Jennifer Pellechio	Integrated Training Center-- Partnered with United Way			8/10/2012	8/9/2012	8/10/2012		\$275,000.00	\$55,000.00				
42	SWFRPC	Grant	No	NOAA - National Oceanic and Atmospheric Administration	Jim Beever	Curriculum development to educated decision makers and planners on preparing and responding to the impacts of changing climate conditions			8/29/2012	8/29/2012	11/6/2012			\$203,000.00	12/3/2012		curriculum development, train the rainer workshops, electronic workbook, videos recorded	
43	SWFRPC	Grant	No	Robert Wood Johnson	Margaret Wuerstle	PASS = Plan for Achieving Student Success			10/14/2012	10/14/2012	12/1/2012			\$70,000.00	12/3/2012		Documentation of the number middle school students serviced, track their academic performance and their attendance as a result of intervention at an younger age based on truancy	
44	SWFRPC	Grant	No	Southwest Florida Community Foundation	Jennifer Pellechio	Capacity Building - Communication Guide			10/15/2012	10/15/2012	12/1/2012			\$800.00	12/3/2012		Development of a marketing and communication plan for the RPC	
45	SWFRPC	Grant	No	FEMA - Federal Emergency Management Agency	Jennifer Pellechio	Promoting Community Resilience through interactive mapping & toolkits for HOA			10/26/2012	10/26/2012	5/7/2013		\$35,000.00	\$35,000.00			Interactive mapping and toolkit for City of Ft. Myers	\$17,100.00
46	SWFRPC	Grant	No	FWS - US Fish & Wildlife Service	Jim Beever	Master's Landing Phase 1			10/25/2012	10/25/2012	12/1/2012		\$2,042,517.50	\$75,000.00			Management Plan/ enhancement of wetlands and assoc. upland habitats for migratory birds on lands owned by the Calusa Land trust	\$1,967,517.00
47	SWFRPC	Grant	No	NOAA - National Oceanic and Atmospheric Administration	Jennifer Pellechio	Creating a Better Climate for Businesses through Climate Change Adaptation Planning Education in Southwest Florida	11/19/2012	11/19/2012	1/11/2013		6/5/2013		\$81,086.00		12/3/2012			
48	SWFRPC	Grant	No	Gannet Foundation	Nichole Gwinnett	Mapping of Food Deserts & Farmers Markets			2/10/2013	2/10/2013	5/20/2013		\$10,000.00	\$10,000.00			Develop spatial analyses graphics of food deserts, produce production areas, existing Farmers Markets and the potential location for new Farmers Markets.	\$0.00
49	SWFRPC	Grant	No	Kresge Foundation	Jim Beever	Climate Change Education				3/22/2013	6/3/2013		\$100,000.00	\$100,000.00			The Southwest Florida Regional Planning Council proposes to develop a Florida Business Climate Change Education Program and Curriculum (FBCCEPC) for business leaders, decision-makers and entrepreneurs in southwest Florida. A Business Solutions for Climate Change Adaptation web page.	\$0.00

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50	SWFRPC	Contract	No	NSF - National Science Foundation	Jim Beever	Adaptation of Coastal Environments (ACE) Coastal SEES- UF				1/14/2013	8/1/2013		\$100,000.00	\$100,000.00	10/1/2013			
51	SWFRPC		No	Mosaic	Margaret Wuerstle	Mobile Service Vehicle				9/30/2012	12/31/2012		\$300,000.00	\$35,000.00			NonTraditional outreach to homeless camps and doumentation of needs, number of clients& services required	
52	SWFRPC	Grant	No	USDA - US Dept. of Agriculture	Rebekah Harp	Farm to School - HUB			4/24/2013	4/24/2013	11/20/2013		\$140,725.00	\$13,360.00	1/1/2014	9/30/2015	<ul style="list-style-type: none"> •Host regional stakeholder meeting. •Hire and Train two food service processors. •Secure warehouse rental space •Distributing food from hub to school districts •Completion of project – self sustaining 	\$40,728.00
53	SWFRPC	Grant	No	USDA - US Dept. of Agriculture	Nichole Gwinnett	Opportunity Buy Program Coordinator			4/23/2013	4/23/2013	11/20/2013		\$99,667.00	\$15,000.00	11/1/2013	10/31/2015	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.	\$53,621.00
54	SWFRPC	Grant	No	EPA - US Environmental Protection Agency	John Gibbons	Southwest Florida Job Training Project			4/9/2013	4/9/2013	6/13/2013		\$200,000.00	\$200,000.00			Grant is to be administered over a two year period. The following courses are to be conducted. Two (2) OSHA 40-hours HAZWOPER courses; Three (3) First Aid/CPR courses; Two (2) OSHA Basic Safety courses; Two (2) EPA Renovate, Repair, and Paint courses; One (1) Solid Waste Management Awareness course; Two (2) Lead Abatement Certification courses; Two (2) Mold Abatement courses; One (1) Asbestos Abatement course; One (1) Green Environment course	\$0.00
55	SWFRPC	Grant	No	FDACS - FL Dept. of Agriculture and Consumer Services	Margaret Wuerstle	Mobile Market: Creating a Nutritional Oasis in the Food Deserts of SWFL			4/10/2013	4/10/2013	7/11/2013		\$335,954.00	\$25,000.00				

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56	RC&DC	Grant	No	Cape Coral Community Foundation	Margaret Wuerstle	Guide & Regional Asset mapping of Public Arts			7/10/2013	7/9/2013	10/1/2013		\$15,000.00	\$15,000.00				\$0.00
57	SWFRPC	Grant	No	Gulf Coast Community Foundation	Nichole Gwinnett	Guide & Regional Asset mapping of Public Arts	8/19/2013	8/14/2013	8/30/2013		8/15/2013		\$80,000.00	\$75,000.00			Track hits to the website; collect arts-industry related economic and labor data demonstrating the arts economic impact similar to the database used by New England Foundation for the Arts to inform public policy decision making; and track the number of jurisdictions adopting the recommendations in their comprehensive plans.	\$5,000.00
58	SWFRPC	Grant	No	EPA - US Environmental Protection Agency	Jennifer Pellechio	Rt 41 Corridor, Rt 29 Moore Haven and Rt 80 Labelle				11/20/2012	5/9/2013		\$600,000.00	\$100,000.00			Sites identified and evaluated along Rt. 41 and Rt 27 and scattered sites.	
59	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Our Creative Economy - A Regional Strategy for SW Florida's Public Art & Cultural Venues	06/01/2013				7/12/2013		\$150,000.00	\$150,000.00			1. Asset Mapping; 2. A Multi-Jurisdictional Strategy for Enhancing Public Art; and 3. A Southwest Florida's Public Art and Cultural Venues Field and Tour Guide	\$0.00
60	SWFRPC	Grant	No	EDA - US Economic Development Administration	Jennifer Pellechio	Develop a Regional Strategy for Manufacturing			6/13/2013	6/13/2013	7/22/2013		\$200,000.00	\$80,000.00			Assessment/Inventory, Mapping, Website & Strategy Plan	\$200,000.00

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61	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Regional Strategy for Agricultural Sustainability in Hendry & Glades Counties		5/10/2013			7/12/2013		\$150,000.00	\$150,000.00			The final result will be an Agricultural Vision that the local governments can use as a reference or incorporate when considering changes to their comprehensive plans and land development codes. This project will create a Regional Strategy for Agricultural Sustainability that will include: 1. Creation of a working committee consisting of stakeholders from the six county regiona including the water management districts, IFAS, the Farm Bureau, Natural Resources Conservation Service, local government representatives and agriculturists. 2. Identification of issues including development pressures, farming constraints, diversification, adaptation to climate changes, trade and export opportunities, shifts in markets, transportation infrastructure, commodity pipes and financing. 3. A Strengths, Weakness, Opportunities and Threats (SWOT) analysis. 4. Mapping of existing agricultural lands. 5. Assessment of conservation	
62	SWFRPC	Grant	No	Florida Humanities Council	Jennifer Pellechio	Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues	8/19/2013	8/16/2013			9/3/2013		\$15,000.00	\$15,000.00			The Southwest Florida Regional Planning Council, in partnership with the Hendry County Tourism Development Council, and the Native American Tribes of Florida , proposes to identify, map and document existing public art and public art venues in Hendry County. A Field Guide to the Public Art of Hendry 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.	

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63	SWFRPC	Grant	No	USDA - US Dept. of Agriculture	Sean McCabe	Sustainable Southwest Florida Farmlands Initiative			6/24/2013	6/21/2013	8/13/2013		\$100,000.00	\$100,000.00				\$0.00
64	RC&DC	Grant	No	Lowe's Charitable and Educational Foundation (LCEF)	Tim Walker	Low-Impact Sustainable Parking Demonstration Project			7/31/2013	7/30/2013	9/16/2013		\$35,000.00	\$25,000.00			Pictures, data collection and reporting, publicity (Hold opening ceremony attended by elected officials from at least 15 local governments and at least 5 state agency representatives; list site with Florida Native Plant Society; publish article in "Harbor Happenings")	\$10,000.00
65	RC&DC	Grant	No	WalMart	Sean McCabe	Sustainable Southwest Florida Farmlands Initiative			8/9/2013	8/9/2013	11/26/2013		\$150,000.00	\$150,000.00			Working committee; ID issues, SWOT, research, recommendations, sustainability & climate change analysis, map agricultural lands & conservation easements, final report	\$0.00
66	SWFRPC	Grant	No	FEMA - Federal Emergency Management Agency	John Gibbons	Strengthening Resilience Across Whole Communities of Practice: A Regionally-based Virtual Training Approach			8/16/2013	8/16/2013			\$64,000.00	\$64,000.00			National LEPC Training and Exercise Program	\$0.00
67	RC&DC	Grant	No	Wells Fargo	Margaret Wuerstle	Mobile Market: Creating a Nutritional Oasis in the Food Deserts of Lee County			8/31/2013	8/29/2013	9/4/2013		\$132,434.00	\$13,784.00			Coordination w/Roots Heritage Urban Food Hub in the deployment of "Mobile Market"	\$0.00
68	RC&DC	Grant	No	Chichester duPont Foundation	Margaret Wuerstle	Sustainable Southwest Florida Farmlands Initiative			9/1/2013	8/30/2013	12/12/2013		\$85,000.00	\$85,000.00			Create a working committee, meetings, SWOT analysis, develop recommendations for enhancing and preserving agricultural lands, sustainability and climate change analysis, map conservation easements and final report.	
69	RC&DC	Grant	No	Patagonia Foundation	Jim Beever	Walking the Watersheds: Identifying Nutrient and Other Pollution Sources in the Estero Bay Watershed			8/31/2013	8/30/2013	12/30/2013		\$17,237.00	\$9,237.24			Identification of the sources of nutrient and other pollution and in the impaired watersheds Involvement citizens in stewardship of those watersheds and increase local involvement in water quality protection Assistance to the water quality agencies to direct restoration and remediation efforts to the sources of water quality impairment.	\$7,999.76

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70	SWFRPC	Grant	No	Elizabeth Dole Foundation	Margaret Wuerstle	Homeless Veterans Camp			10/15/2013	9/9/2013	1/1/2014		\$150,000.00	\$150,000.00			Maps of camp locations and documentation of number of homeless veterans	\$0.00
71	SWFRPC	Grant	No	NOAA - National Oceanic and Atmospheric Administration	Jim Beever	The effects of sea level rise on Total Ecosystem Services Value (TEV) in Southwest Florida	9/10/13	9/10/13	11/14/2013	11/13/2013	5/8/2014		\$208,245.74	\$200,245.74			TEV valuation of southwest Florida in existing and future climate change scenarios	
72	SWFRPC	Grant	No	The KEEN Effect	Margaret Wuerstle	Hendry County Big "O" Birding Extravaganza			12/6/2013	12/6/2013	1/14/2014		\$20,000.00	\$10,000.00				\$4,000.00
73	SWFRPC	Grant	No	EPA - US Environmental Protection Agency	Jennifer Pellechio	FY14 Brownfields Assessment Grant			1/22/2014	1/22/2014	5/28/2014		\$600,000.00	\$600,000.00				\$0.00
74	SWFRPC	Grant	No	NEA - National Endowment for the Arts	Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues			1/13/2014	1/13/2014			\$400,000.00	\$200,000.00			<ul style="list-style-type: none"> Asset Mapping Regional Strategy for Enhancing Public Art: A SWOT Southwest Florida's Public Art and Cultural Venues Field and Tour Guide 	\$113,472.00
75	SWFRPC	Grant	No	EPA - US Environmental Protection Agency	John Gibbons	Environmental Job Training for dislocated workers and veterans with employable job skills			2/13/2014	2/13/2014	5/12/2014			\$200,000.00			<ul style="list-style-type: none"> Cooperative Agreement Application required Finalized Budget and Work Plan Progress Reports Data Registration electronically Final Report required 	
76	RC&DC	Grant	No	PNC Foundation	Margaret Wuerstle	Our Creative Economy: A Regional Strategy for Enhancing Public Arts and Cultural Venues				3/14/2014	7/1/2014		\$20,000.00	\$10,000.00			A field guide to the public art of Charlotte County.	\$10,000.00
77	RC&DC	Grant	No	Presbyterian Committee	Margaret Wuerstle	A Nutritional Oasis for Marginalized Individuals	Open	2/11/14			8/15/2014		\$15,000.00	\$15,000.00				
78	SWFRPC	Grant	No	EDA - US Economic Development Administration	Jennifer Pellechio	SWFRPC, TBRPC, SFRPC Medical Corridor Initiative				4/14/2014	6/1/2014		\$0.00	\$0.00			Designation	\$0.00
79	RC&DC	Grant	No	Seeds of Change	Margaret Wuerstle	Fort Myers Nutritional Oasis in the Food Deserts	3/31/14	3/18/14			4/23/2014						Training of fifteen individuals to grow produce in the existing community garden.	
80	RC&DC	Grant	No	USDA - US Dept. of Agriculture	Margaret Wuerstle	Mobile Market: A Nutritional Oasis for Food Markets of SWFL			3/31/2014	3/31/2014	10/1/2014		\$599,549.00	\$298,605.00	10/1/2014	9/30/2017	Education Plan	
81	SWFRPC	Grant	No	USDOT - US Dept. of Transportation	Margaret Wuerstle	Public/Private Regional Transportation Connectivity Plan			4/28/2014	4/25/2014	9/12/2014		\$1,378,476.00	\$1,148,476.00			Public/Private Regional Transportation Connectivity Plan	\$70,000.00

SWFRPC Grant Summary As Of 11-10-14

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
82	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	The Zoning Mapping Project - Hendry County			6/6/2014	5/6/2014	8/29/2014		\$25,000.00	\$25,000.00			<p>This project will update the framework for zoning in Hendry County. The concept is to enhance the existing database and update all parcels with 2015 data, incorporating over 35K parcels depicting specific development as it relates to zoning classification in Hendry County.</p> <p>The County is regulated by the Zoning Ordinance, which controls the overall scale and use of buildings throughout the county. Hendry's zoning is a reflection of ongoing planning work, which helps to guide future growth in the county.</p> <p>The result will be a tangible geodatabase that Hendry County can utilize to create economies of scale in order provide seamless customer service. Immediately, they will share the data sets amongst the county departments and other agencies to the goal to host all maps electronically in the future.</p>	\$0.00
83	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	OUR CREATIVE ECONOMY -- Asset Mapping			6/6/2014	5/9/2014	9/9/2014		\$25,000.00	\$25,000.00			A field guide to the Public Art in both electronic and print media.	\$0.00
84	SWFRPC	Grant	No	DOE - US Dept. of Energy	Jennifer Pellechio	Solar Market Pathways			5/21/2014	5/20/2014	6/18/2014							\$20,000.00

SWFRPC Grant Summary As Of 11-10-14

#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
85	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	SWFL - Comprehensive Economic Development Strategy (CEDS) Incorporates Economic Resiliency			6/6/2014	6/5/2014	9/9/2014		\$25,000.00	\$25,000.00		5/31/2015	This project will create an in-depth study analysis based on the federal change requirements to the document incorporating economic vulnerabilities as it related to jobs and employers. The outcome of the integrated technical assistance would be a general framework for considering economic resilience in the CEDS for Southwest Florida. The project would build upon the national model by creating "Resiliency Specific Action Plans" to address the top economic vulnerabilities and strengthen economic resilience. These would include specific economic diversification strategies and projects.	\$0.00
86	RC&DC	Grant	No	USDA - US Dept. of Agriculture	Nichole Gwinnett	Fort Myers Food Desert Farmer's Market			6/20/2014	6/19/2014	9/29/2014		\$97,792.00	\$97,792.00			1. Establish a year-round daily farm stand and weekend Farmer's Market offering affordable, fresh, local produce. 2. Support farmers, food producers and value added vendors with training and workshops and provide opportunities for independent entrepreneurs. 3. Expand the access of the residents of the surrounding food desert to locally grown and produced food and encourage consumption of nutritious, fresh foods.	\$0.00
87	SWFRPC	Contract	No	Alliance	Rebekah Harp	Consulting Services for Website Development and Maintenance			6/11/2014	6/11/2014			\$90,000.00	\$90,000.00			To maintain the stability of your site, the Alliance would receive dedicated technical support during development, testing, and launch; ongoing assistance with site maintenance; and solution monitoring and customer support.	\$0.00
88	SWFRPC	Grant	No	Florida Humanities Council	Jennifer Pellechio	Develop and refine the Art Field Guide and online Map Viewer for Lee County	7/1/14	7/1/14	8/6/2014		7/2/2014		\$15,000.00					
89	RC&DC	Grant	No	Fidelity Foundation	Beth Nightingale	Our Creative Economy - Sarasota County (Sponsorship)				9/24/2014	10/9/2014		\$60,000.00	\$60,000.00				\$0.00

SWFRPC Grant Summary As Of 11-10-14																		
#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
90	SWFRPC		No	John S. and James L. Knight Foundation	Barbara Hawkes	The Southwest Florida Regional Planning Council's Retrospective Digital Historical Challenge Archive	9/30/2014	9/25/2014			10/21/2014						Application refined October 21-28, 2014	\$0.00
91	RC&DC	Grant	No	Fidelity Foundation	Margaret Wuerstle	Our Creative Economy - Collier County		9/17/2014			10/1/2014		\$60,000.00	\$60,000.00				\$0.00

Agenda Item

9

Consent Agenda

9

9

CONSENT AGENDA SUMMARY

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

There were no clearinghouse items reviewed during the month of October. There are currently four projects under review.

RECOMMENDED ACTION:

- Approve the administrative action on the Clearinghouse Review items.

Agenda Item #9(b) – Financial Statement for October 31, 2014

Staff provided the balance sheet, income statement and statement of cash flow for the month of October.

RECOMMENDED ACTION:

- Approve the financial statements for the month of October.

RECOMMENDED ACTION: Approve consent agenda as presented.

11/2014

--- 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 October 1, 2014 and ending October 31, 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 State Clearinghouse (Office of Planning and Budgeting) in Tallahassee.

RECOMMENDED ACTION: Information purposes only.

11/2014

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
2014-20			Lee County	FDEP - Collier 26-4 Well in Lee County. Permit #1360			Review in Progress

Agenda Item

9b

Financial Statement for
October 31, 2014

9b

9b

2014 - 2015 Workplan & Budget Financial Snapshot

Oct-14

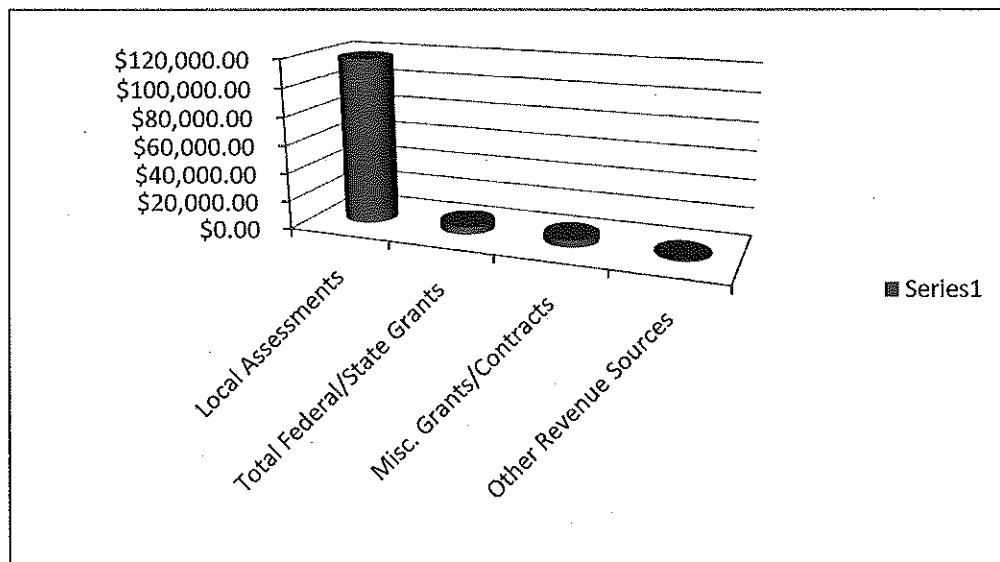
Revenues

Local Assessments

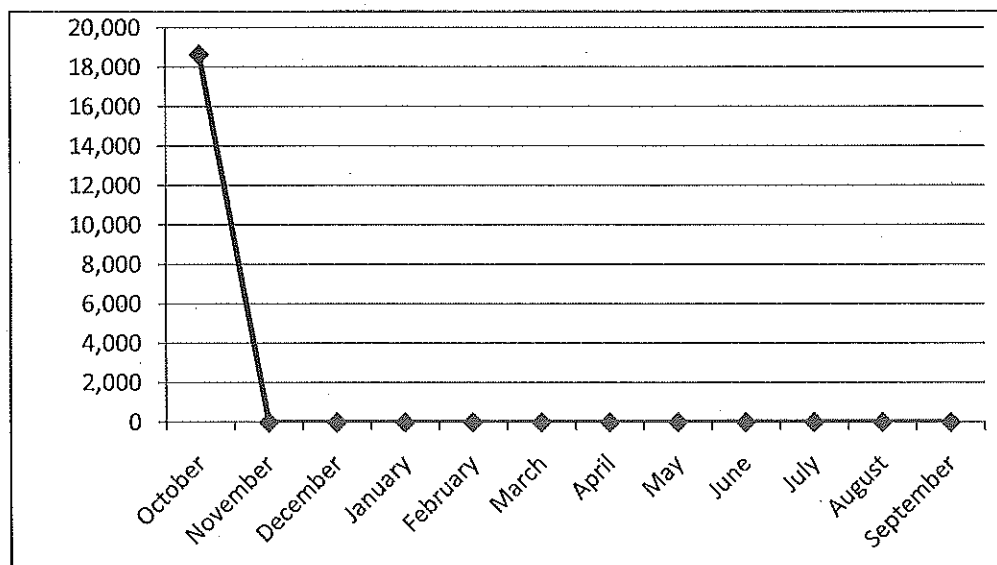
Total Federal/State Grants

Misc. Grants/Contracts

Other Revenue Sources



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
 Federal Grants (EPA) billed monthly: EPA: FAMWQ and Conservation Easement
 State/Federal Grants billed quarterly: LEPC, HMEP, TD, and ED
 Misc. Grants/Contracts billed quarterly: MARC Solar Ready
 Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S
 Other(DRI) billed /recorded monthly as cost reimbursement



YTD: Net Income \$ 18,655 (Unaudited)

SWFRPC
BALANCE SHEET
OCTOBER 31, 2014

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ASSETS

CURRENT ASSETS		
FUND BALANCE	\$	740,110
ACCOUNTS RECEIVABLE		244,263
TOTAL CURRENT ASSETS		984,373
PROPERTY AND EQUIPMENT		
PROPERTY, FURNITURE & EQUIP		2,040,983
ACCUMULATED DEPRECIATION		(561,679)
TOTAL PROPERTY AND EQUIPMENT		1,479,304
OTHER ASSETS		
AMOUNT T.B.P. FOR L.T.L.-LEAVE		55,640
FSA DEPOSIT		2,494
AMT T.B.P. FOR L.T.DEBT-OPEP		61,797
AMOUNT T.B.P. FOR L.T.DEBT		948,603
TOTAL OTHER ASSETS		1,068,534
TOTAL ASSETS	\$	3,532,211

LIABILITIES AND CAPITAL

CURRENT LIABILITIES		
ACCOUNTS PAYABLE	\$	42,910
RETAINAGE PAYABLE		0
DEFERRED INCOME		167,336
FICA TAXES PAYABLE		2
UNITED WAY PAYABLE		170
DEFERRED COMPENSATION PAYABLE		575
FSA PAYABLE		(471)
LEPC CONTINGENCY FUND		305
TOTAL CURRENT LIABILITIES		210,827
LONG-TERM LIABILITIES		
ACCRUED ANNUAL LEAVE		55,640
LONG TERM DEBT - OPEB		61,797
LONG TERM DEBT - BANK OF AM.		948,603
TOTAL LONG-TERM LIABILITIES		1,066,040
TOTAL LIABILITIES		1,276,867
CAPITAL		
BEGINNING BALANCE EQUITY		(3,798)
FUND BALANCE-UNASSIGNED		247,186
FUND BALANCE-ASSIGNED		514,000
FB-NON-SPENDABLE/FIXED ASSETS		1,479,303
NET INCOME		18,653
TOTAL CAPITAL		2,255,344

SWFRPC
BALANCE SHEET
OCTOBER 31, 2014

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TOTAL LIABILITIES & CAPITAL	\$	3,532,211
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UNAUDITED - FOR MANAGEMENT PURPOSES ONLY

SWFRPC
BALANCE SHEET
OCTOBER 31, 2014

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FUND BALANCE DETAIL

CASH - BANK OF AMERICA OPER.	\$	237,054
CASH - IBERIA CDS		317,726
CASH - FL LOCAL GOV'T POOL		184,276
CASH - FL GOV'T POOL-FUND B		854
PETTY CASH		200
FUND BALANCE	\$	740,110

OPERATING CASH	\$	237,054
INVESTMENTS		502,856
PETTY CASH		200
FUND BALANCE		740,110

DEFERRED -NEP CE954836611-1		(50,520)
DEFERRED INCOME NEP LOCAL		(38,526)
DEFERRED INCOME - FAMWQ		(16,443)
DEFERRED INC. PALMER RANCH XXI		(1)
DEFERRED-PALMER RANCH XXII		(29,996)
DEFERRED PALMER XXIII-B		(32,150)
DEFERRED SANDILL NOPC		300
NET AVAILABLE FOR RESERVE	\$	572,774

Detail of Fund Balance

Total Fund Balance	\$ 708,487
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Investments:

Iberia Bank CD	317,366
Local government Surplus Trust Fund Investment Pool (Fund A)	184,276
Local government Surplus Trust Fund (Fund B)	854

Total Investments	\$502,496.00
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Petty Cash	\$ 200.00
Bank of America Operating Funds	\$205,791.00

Total Fund Balance	\$708,487.00
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SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING OCTOBER 31, 2014

	Current Month Actual	Year to Date Actual A	FY 2014-2015 Approved Budget B
REVENUES			
LOCAL ASSESSMENTS			
CHARLOTTE COUNTY	\$ 12,276	\$ 12,276	49,104
COLLIER COUNTY	25,025	25,025	100,100
GLADES COUNTY	949	949	3,797
HENDY COUNTY	2,836	2,836	11,342
LEE COUNTY	38,868	38,868	155,480
SARASOTA COUNTY	28,897	28,897	115,588
CITY OF FORT MYERS	5,031	5,031	20,124
TOWN OF FORT MYERS BEACH INC	474	474	1,897
BONITA SPRINGS	3,392	3,392	13,569
CITY OF SANIBEL	485	485	1,941
TOTAL LOCAL ASSESSMENTS	118,233	118,233	472,941
FEDERAL / STATE GRANTS			
EPA FAMWQ	2,390	2,390	36,000
EPA-CONSERVATION	3,423	3,423	95,944
DEM TITL III	0	0	40,909
HMEP-PLANNING & TRAINING	0	0	58,370
ECONOMIC DEVELOPMENT	0	0	63,000
MARC	0	0	45,000
GLADES HENDRY TD	0	0	38,573
TOTAL FEDERAL / STATE GRANTS	5,813	5,813	377,796
MISC. GRANTS / CONTRACTS			
GLADES SOG	0	0	3,900
VISIT FLORIDA - 3174	0	0	5,000
IT EVENT	5,363	5,363	0

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UNAUDITED FOR MANAGEMENT PURPOSES ONLY

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING OCTOBER 31, 2014

	Current Month	Year to Date		FY 2014-2015 Approved Budget
	Actual	Actual	A	
CITY OF BONITA SPRINGS	0	0	0	20,000
NERC	0	0	0	7,000
DRIS/NOPCS INCOME	1,294	1,294	0	60,000
CHNEP	0	0	0	50,000
TOTAL MISC. GRANTS/CONTRACTS	5,363	5,363		145,900
OTHER REVENUE SOURCES				
ABM SPONSHERSHIPS	0	0	0	2,500
RENTAL SPACE-SENATOR	1,250	1,250	0	15,000
INTEREST INCOME	0	0	0	2,500
MISC. INCOME	17	17		2,500
TOTAL OTHER REVENUE SOURCES				22,500
BUDGETED CARRY OVER FB	0	0		708,484
TOTAL REVENUES	132,220	132,220		1,727,621
EXPENSES				
PERSONNEL EXPENSES				
SALARIES EXPENSE	41,626	41,626		729,525
FICA EXPENSE	5,846	5,846		55,809
RETIREMENT EXPENSE	(1,920)	(1,920)		58,766
HEALTH INSURANCE EXPENSE	11,680	11,680		128,579
WORKERS COMP. EXPENSE	369	369		2,329
TOTAL PERSONNEL EXPENSES	57,601	57,601		975,008
OPERATIONAL EXPENSES				
CONSULTANT FEES				14,500
GRANT/CONTRACTUAL	8,750	8,750		54,396
AUDIT SERVICES EXPENSE	0	0		40,000
TRAVEL EXPENSE	4,179	4,179		25,170

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING OCTOBER 31, 2014

	Current Month	Year to Date		FY 2014-2015 Approved Budget
	Actual	Actual	A	
TELEPHONE EXPENSE	452	452		5,100
POSTAGE / SHIPPING EXPENSE	0	0		2,787
EQUIPMENT RENTAL EXPENSE	956	956		7,015
INSURANCE EXPENSE	12,440	12,440		22,500
REPAIR/MAINT. EXPENSE	225	225		15,000
PRINTING/REPRODUCTION EXPENSE	282	282		2,190
UTILITIES (ELEC, WATER, GAR)	2,673	2,673		23,200
ADVERTISING/LEGAL NOTICES EXP	61	61		2,454
OTHER MISC. EXPENSE	35	35		4,500
BANK SERVICE CHARGES	0	0		2,700
OFFICE SUPPLIES EXPENSE	978	978		5,175
COMPUTER RELATED EXPENSE	971	971		27,070
DUES AND MEMBERSHIP	7,912	7,912		29,700
PUBLICATION EXPENSE	0	0		250
PROF. DEVELOP.	30	30		10,256
MEETINGS/EVENTS EXPENSE	5,374	5,374		3,453
CAPITAL OUTLAY EXPENSE	0	0		7,500
CAPITAL OUTLAY - BUILDING	0	0		35,150
LONG TERM DEBT	10,646	10,646		128,000
RESERVE FOR OPERATIONS EXPENSE	0	0		708,484
ALLOCATION OF FRINGE/INDIRECT				(423,937)
TOTAL OPERATIONAL EXP.	55,964	55,964		1,727,621
TOTAL CASH OUTLAY	113,565	113,565		
NET INCOME (LOSS)	\$ 18,655	\$ 18,655		

Agenda Item

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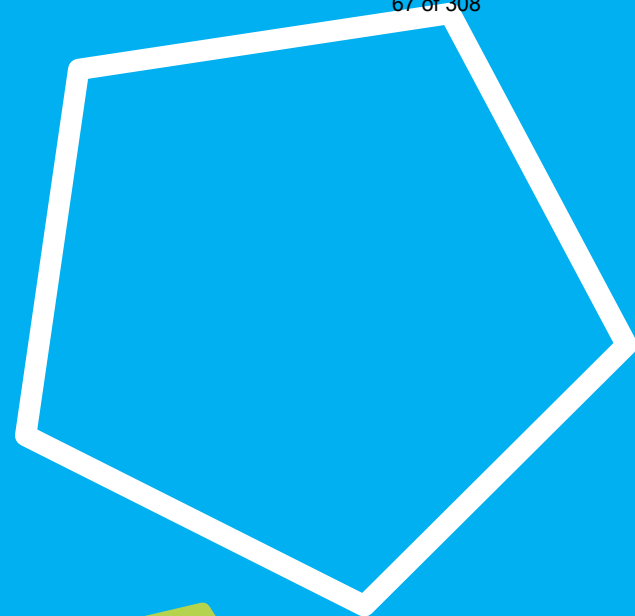
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Regional Impact

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10

GROWTH MANAGEMENT PROGRAM



GROWTH MANAGEMENT PLANNING

Funding for the reviews that Council will see today was funded through local jurisdiction dues and Applicant Fees.



COMP PLAN AMENDMENTS



LEE COUNTY

DEO 14-7 ESR

River Hall

Description:

- Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.
- Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.
- Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.
- Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

Lee County

DEO 14-7 ESR

River Hall

Analysis:

The proposed amendment has the potential to impede the function of the Hickey Creek Mitigation Park, which is identified in the SRPP. Hickey Creek Mitigation Park is adjacent to and directly east of River Hall and is a regional resource for species-of-concern (including gopher tortoise and scrub jay) with regards to relocation, mitigation, and preservation. As Lee County staff stated in the transmittal packet “the proposed amendment would increase residential density near the Hickey Creek Mitigation Park.” The Park uses prescribed burns as part of its management plan. Increased residential density has the potential to create conflicts between residents and the Park’s management plan. Increased conflicts could jeopardize the management, operation, and/or function of the Park as a regional mitigation resource.

The proposed amendment will also significantly alter the comprehensive plan for the Fort Myers Shores Community Planning Area (see Maps attachment) in Lee County, particularly in the Caloosahatchee Shores community (as identified in Goal 21 of “The Lee Plan” (the Lee County Comprehensive Plan)) without the meaningful engagement and participation by the public. The creation of The Lee Plan and the Fort Myers Shores Community Plan involved extensive public involvement to shape the Comprehensive Plan for this part of the county. The proposed amendment will significantly change the nature and function of this area. This sets a dangerous precedent for potential future changes to other community plans without extensive community involvement, both within Lee County and in other jurisdictions.

Lee County

DEO 14-7 ESR

River Hall

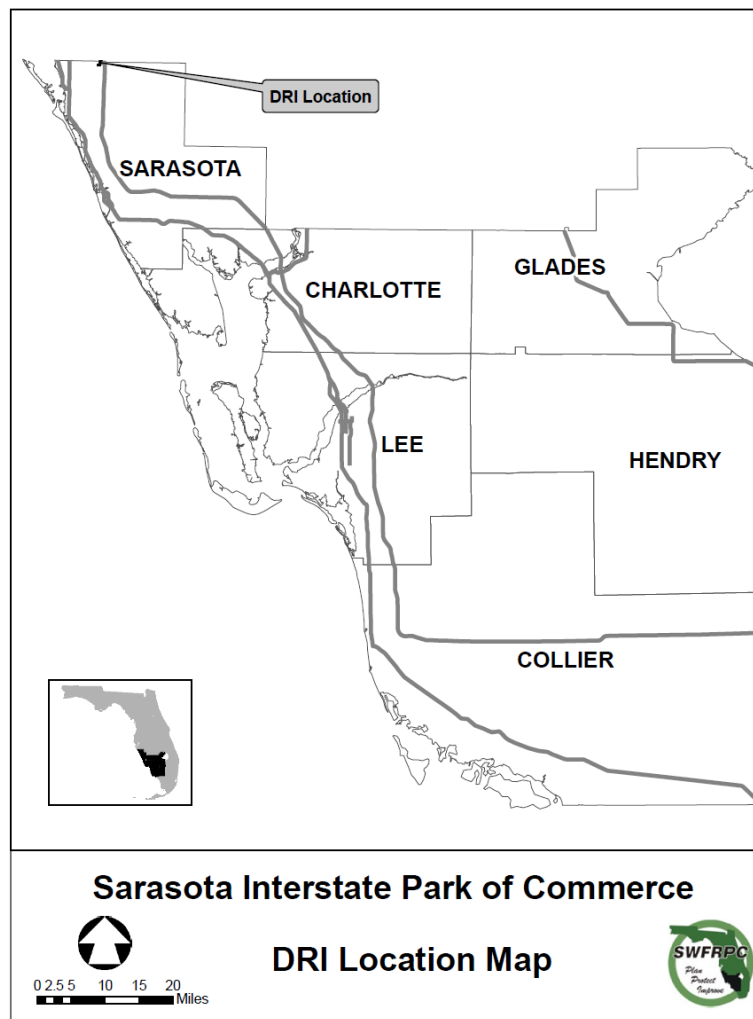
- **Recommendation:**

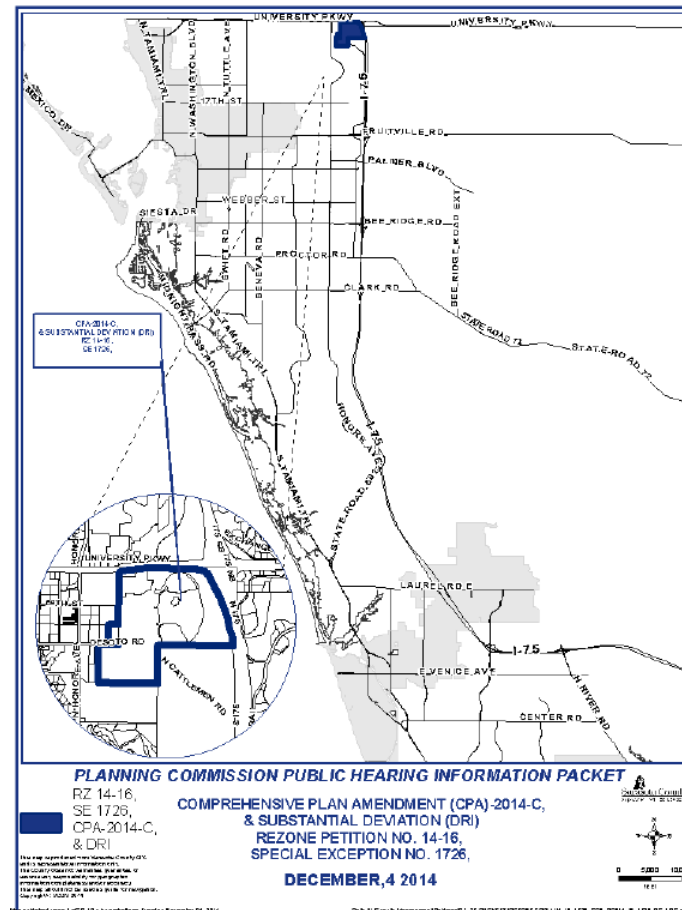
Council staff has reviewed the requested amendment. Based on the review, Council staff has found that the requested changes are regionally significant in location and character, and are inconsistent with the Strategic Regional Policy Plan.

SARASOTA INTERSTATE PARK OF COMMERCE DRI SUBSTANTIAL DEVIATION

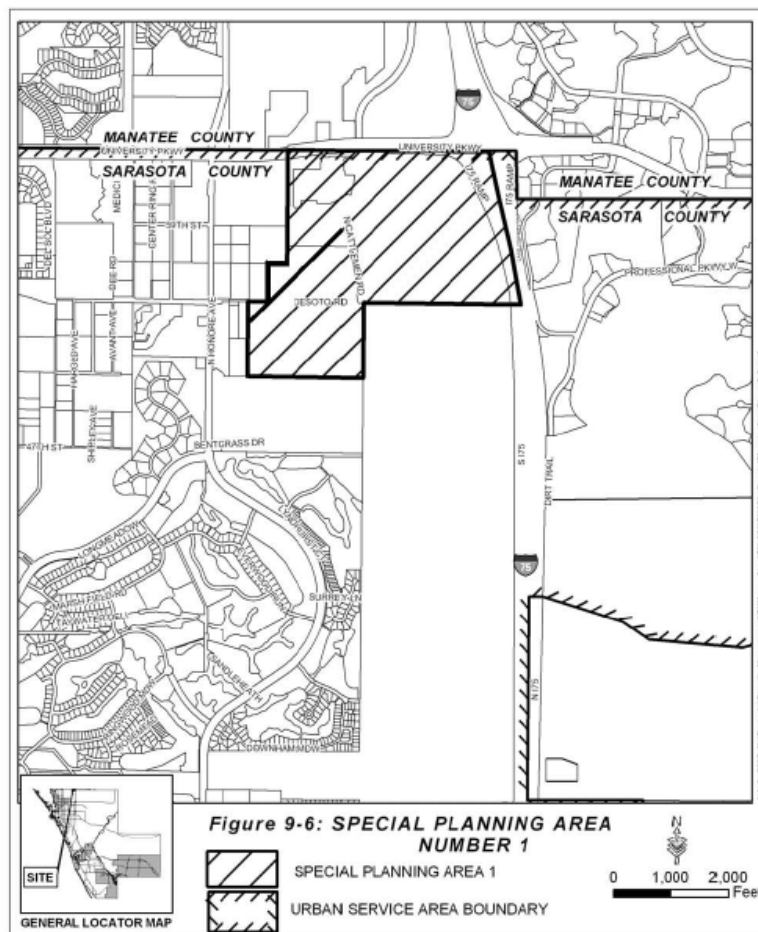


SIPOC DRI SUBSTANTIAL DEVIATION





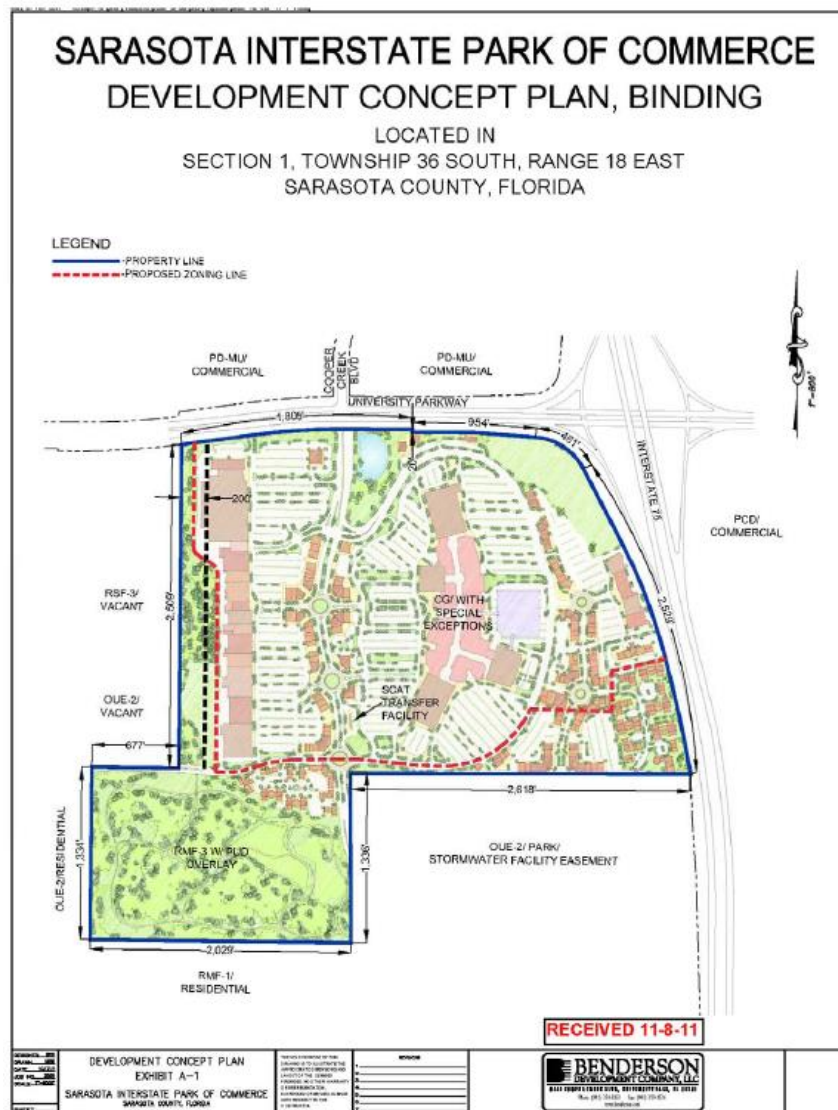
SIPOC DRI SUBSTANTIAL DEVIATION



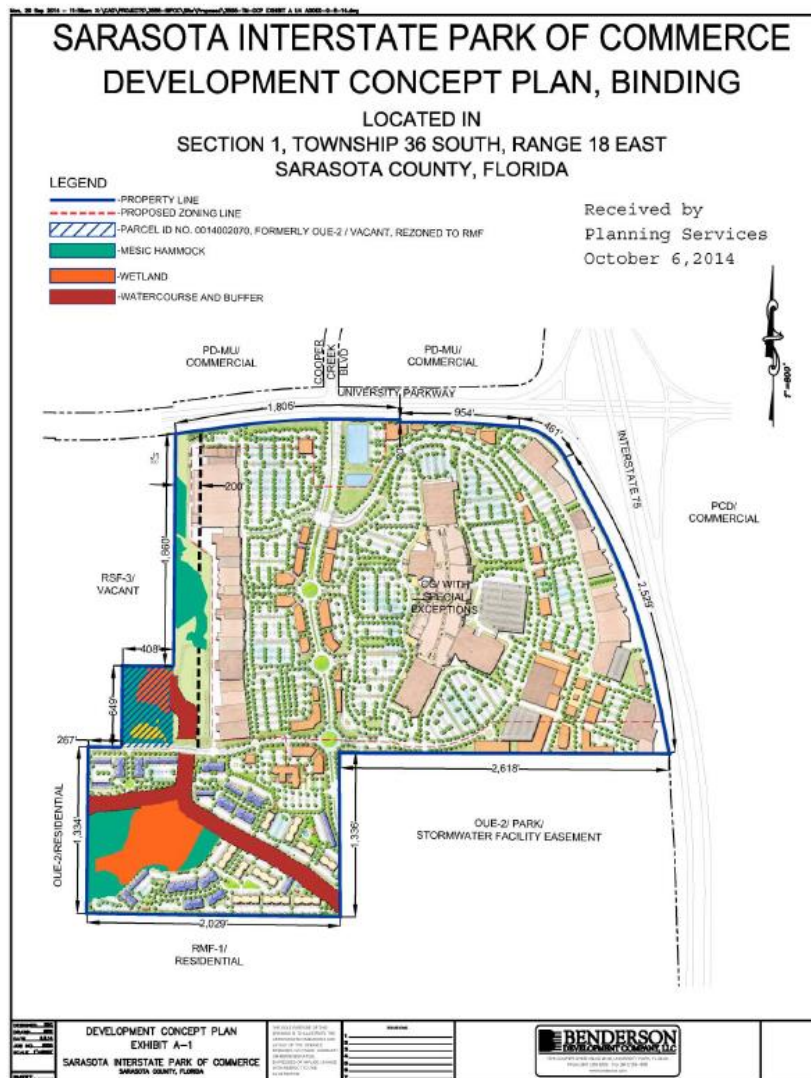
SIPOC DRI SUBSTANTIAL DEVIATION



SIPOC DRI SUBSTANTIAL DEVIATION



SIPOC DRI SUBSTANTIAL DEVIATION



SIPOC DRI SUBSTANTIAL DEVIATION

- **Description:**

The Sarasota Interstate Park of Commerce (SIPOC) / University Town Center (UTC) project includes a Substantial Deviation to the SIPOC DRI, as well as a large scale Comprehensive Plan Amendment, rezoning and an amendment to the approved special exception.

- **Development of Regional Impact (DRI) - Substantial Deviation**

A substantial deviation of the SIPOC / UTC DRI has been proposed by Benderson Development Company, LLC (Benderson). Benderson is proposing to increase the retail and office square footage from 1,680,000 square feet and 220,000 square feet to 2,280,000 square feet and 320,000 square feet, respectively. The anticipated buildout of the project will be extended to 2020.

- **Comprehensive Plan Consistency**

The proposed Comprehensive Plan amendments submitted by the Applicant consists of changes to the Future Land Use Chapter background text relating to Special Planning Area #1, and amendment to Policy 2.2.4 to reflect additional acreage and revised commercial and office square footages, and amendment to the Future Land Use Map to redistribute Commercial Center and High Density Residential Uses, and to add an additional 5 acres near the southwest of the existing site while changing its Future Land Use Map designation from Moderate Density Residential to High Density Residential, and an amendment to Future Land Use Figure 9-6 to indicate the location of the additional 5 acres of property to that map.

- **Analysis:**

Council staff has reviewed the proposed substantial deviation and finds that there are significant impacts to regional resources and facilities. In accordance with Chapter 380.06 (19), F.S. regulating DRIs, the substantial deviation is necessary to accommodate the additional 600,000 square feet of retail and 100,000 square feet of office to the SIPOC / UTC project, as well as a reconfiguration of the binding development concept plan. The reconfiguration of the proposed site improvements will result in the elimination of Wetland J and improvements to an area at the southwest corner of DeSoto and Cattlemen Roads that was previously set aside as open space. Impacts to wetlands will be mitigated offsite within the Braden River watershed. A 5+ acre parcel adjacent to the project site to the west is being added to this DRI project. The proposed changes to the existing DRI will require additional mitigation of the impacts.



Recommendations to Sarasota County and DEO

8 of 303

Staff recommends:

- Find the proposed changes to the existing DRI regionally significant because the increases in the development will have significant impacts to regional resources and facilities.
- Approve the proposed conditions provided in the Regional Report provided as the result of the Substantial Deviation.
- Conditionally approve the applicant's requested changes to the existing SIPOC DRI.
- Approve the requested Sarasota County Comprehensive Plan Map changes that will allow the proposed development to occur.

Agenda Item

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10a

Lee County Comprehensive Plan Amendment (River Hall) – CPA2012-01

10a

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS LEE COUNTY

The Council staff has reviewed proposed evaluation and appraisal based amendments to the Lee County Comprehensive Plan (**DEO 14-7ESR / local CPA 2012-01**). 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:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 14-7ESR (<u>Local CPA 2012-01</u>)	yes	no	yes	(1) regionally significant; (2) and not consistent with the SRPP.

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

11/2014

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.

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

LOCAL GOVERNMENT:

Lee County

DATE AMENDMENT RECIEVED:

November 6, 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.

1. AMENDMENT NAME:

Application Number: DEO 14-7ESR (this is the presumed DEO number as we are currently awaiting confirmation on the numbering from DEO) (local ordinance number: CPA 2012-01), relating to River Hall

2. DESCRIPTION OF AMENDMENT(S):

This privately-initiated comprehensive plan amendment within the River Hall community, which is part of the Fort Myers Shores Planning Community, of Lee County, proposes to:

- Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.
- Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.
- Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.
- Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

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

Council staff has reviewed the requested amendment. Based on the review, Council staff has found that the requested changes are regionally significant in location and character, and are inconsistent with the Strategic Regional Policy Plan.

The proposed amendment has the potential to impede the function of the Hickey Creek Mitigation Park, which is identified in the SRPP. Hickey Creek Mitigation Park is adjacent to and directly east of River Hall and is a regional resource for species-of-concern (including gopher tortoise and scrub jay) with regards to relocation, mitigation, and preservation. As Lee County staff stated in the transmittal packet “the proposed amendment would increase residential density near the Hickey Creek Mitigation Park.” The Park uses prescribed burns as part of its management plan. Increased residential density has the potential to create conflicts between residents and the Park’s management plan. Increased conflicts could jeopardize the management, operation, and/or function of the Park as a regional mitigation resource.

The proposed amendment will also significantly alter the comprehensive plan for the Fort Myers Shores Community Planning Area (see Maps attachment) in Lee County, particularly in the Caloosahatchee Shores community (as identified in Goal 21 of “The Lee Plan” (the Lee County Comprehensive Plan)) without the meaningful engagement and participation by the public. The creation of The Lee Plan and the Fort Myers Shores Community Plan involved extensive public involvement to shape the Comprehensive Plan for this part of the county. The proposed amendment will significantly change the nature and function of this area. This sets a dangerous precedent for potential future changes to other community plans without extensive community involvement, both within Lee County and in other jurisdictions.

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

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

5. RECOMMENDATION

Staff recommends that Council find this amendment (DEO 14-7 ESR, local ordinance CPA 2012-01) regionally significant and inconsistent with the Strategic Regional Policy Plan.

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

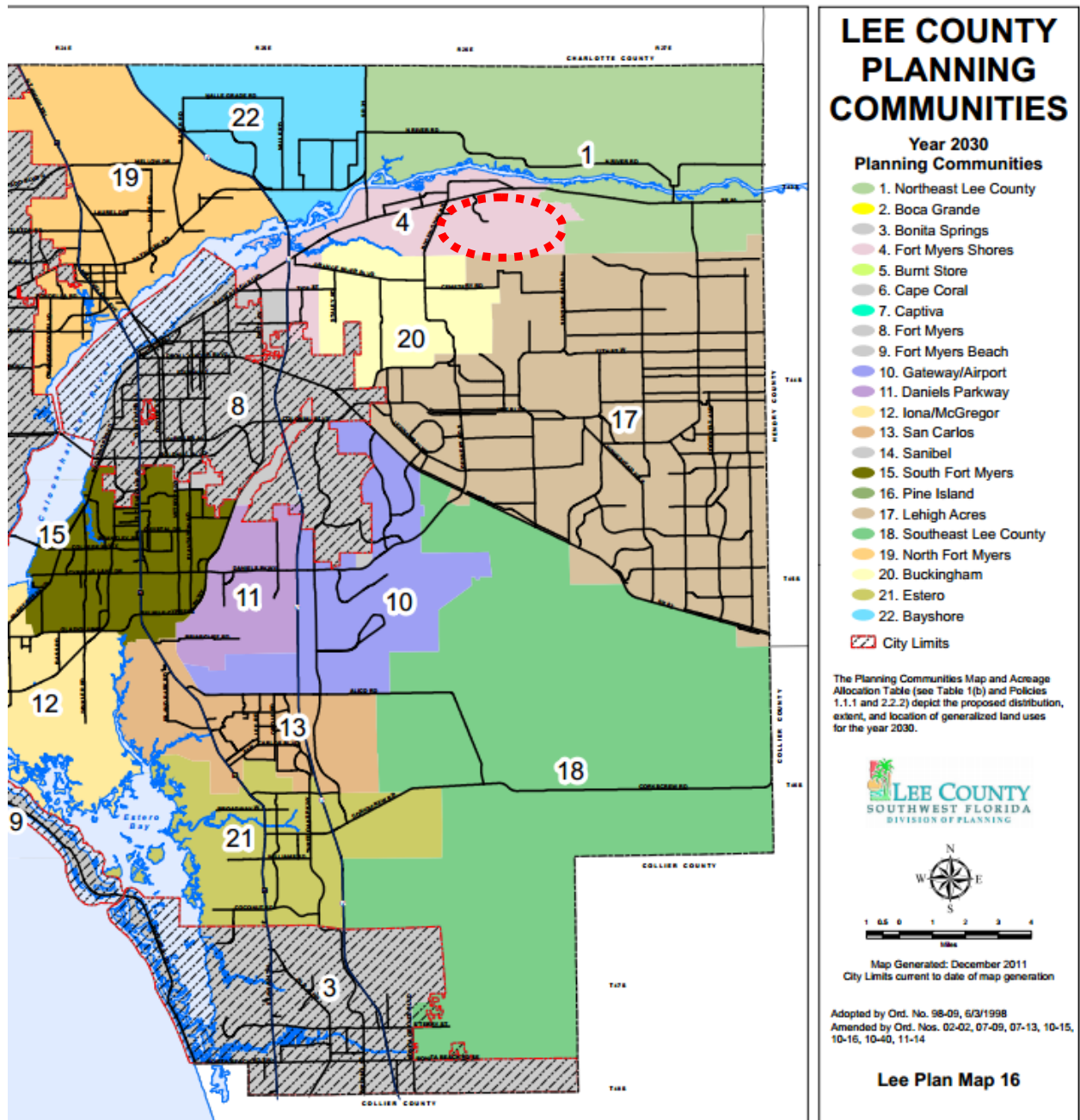
Attachment III

Maps

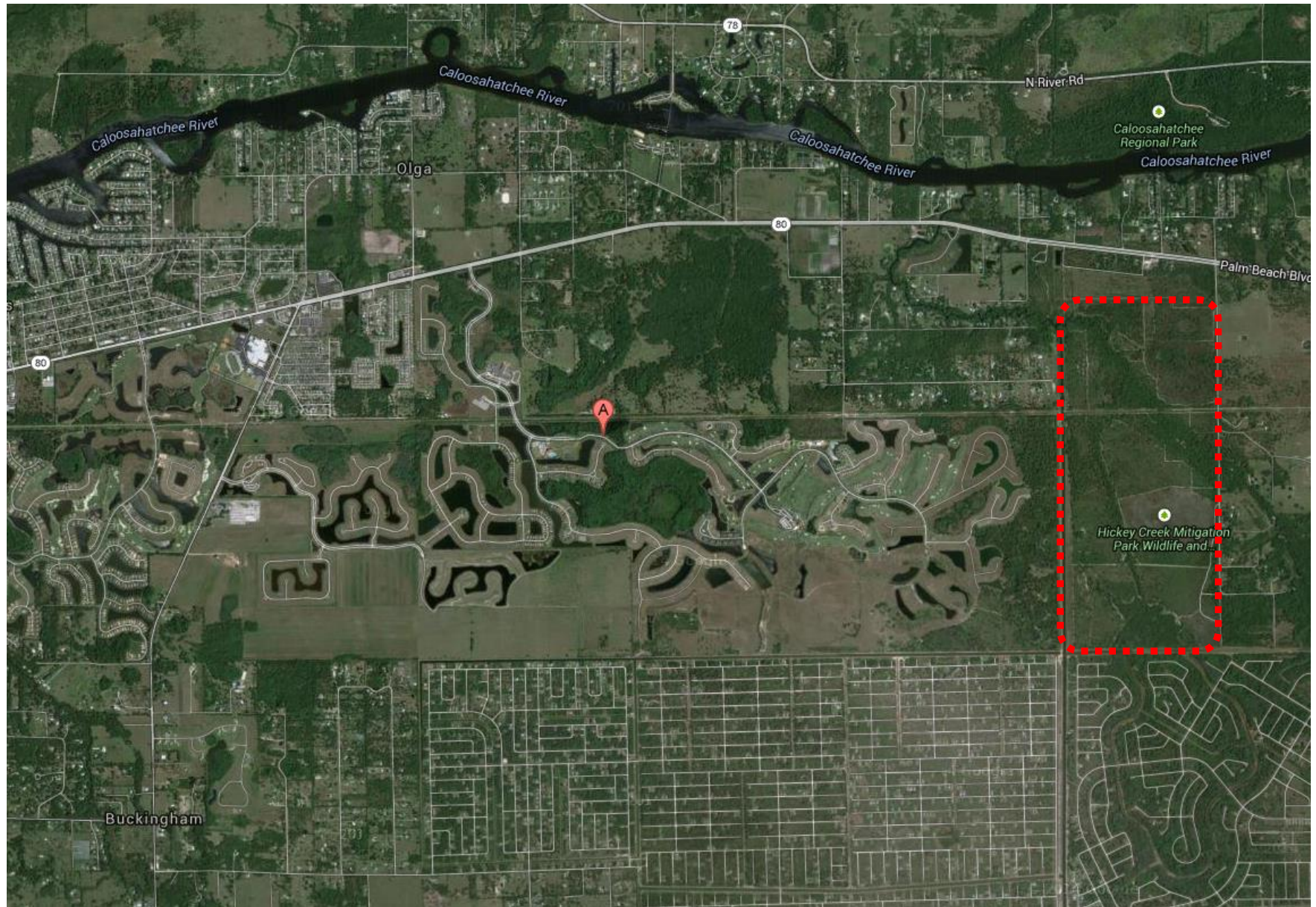
**Lee County
DEO 14-5ESR**

**Growth Management Plan
Comprehensive Plan Amendments**

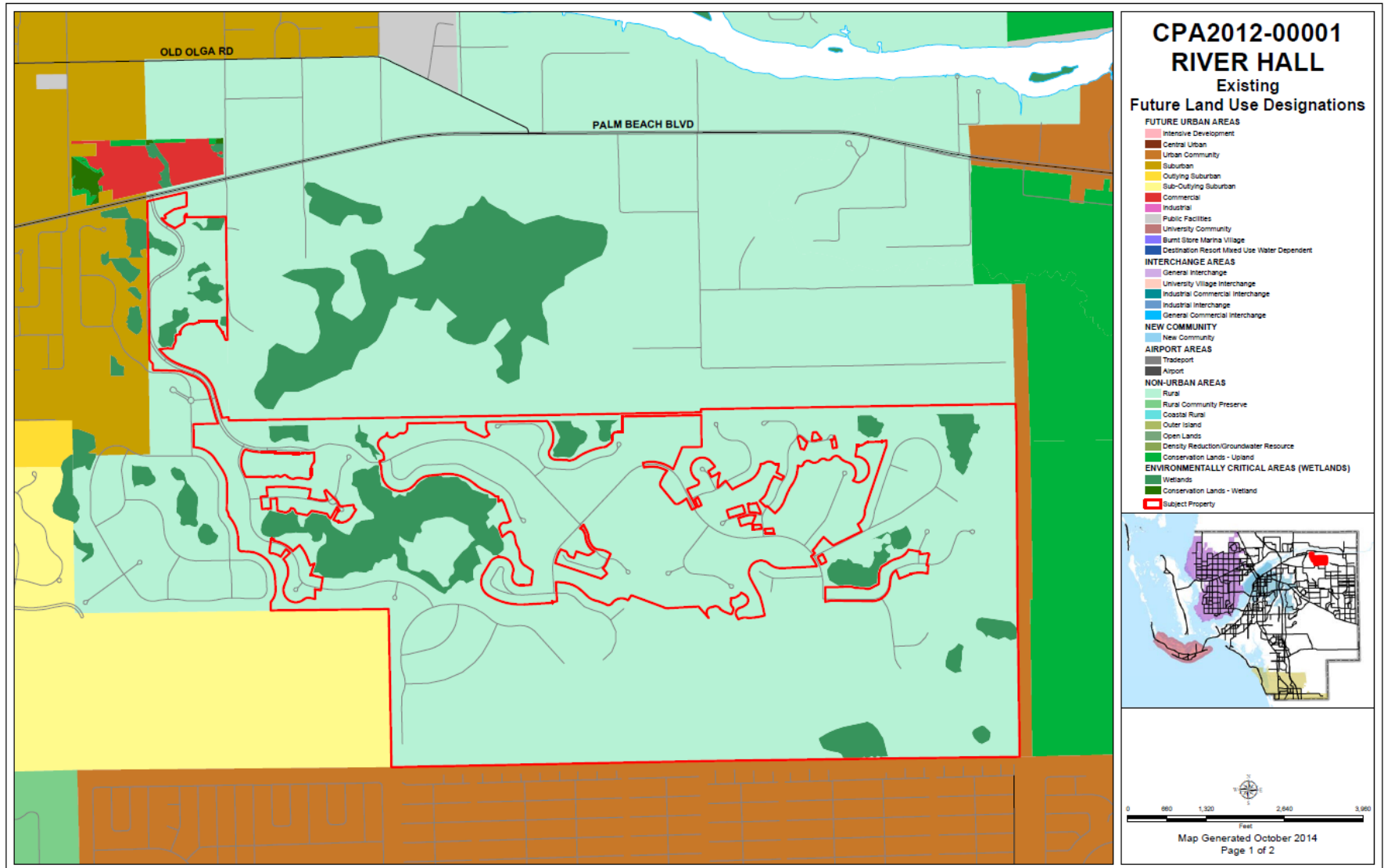
Map 1 – Approx. Site Location (shown in dashed red circle)



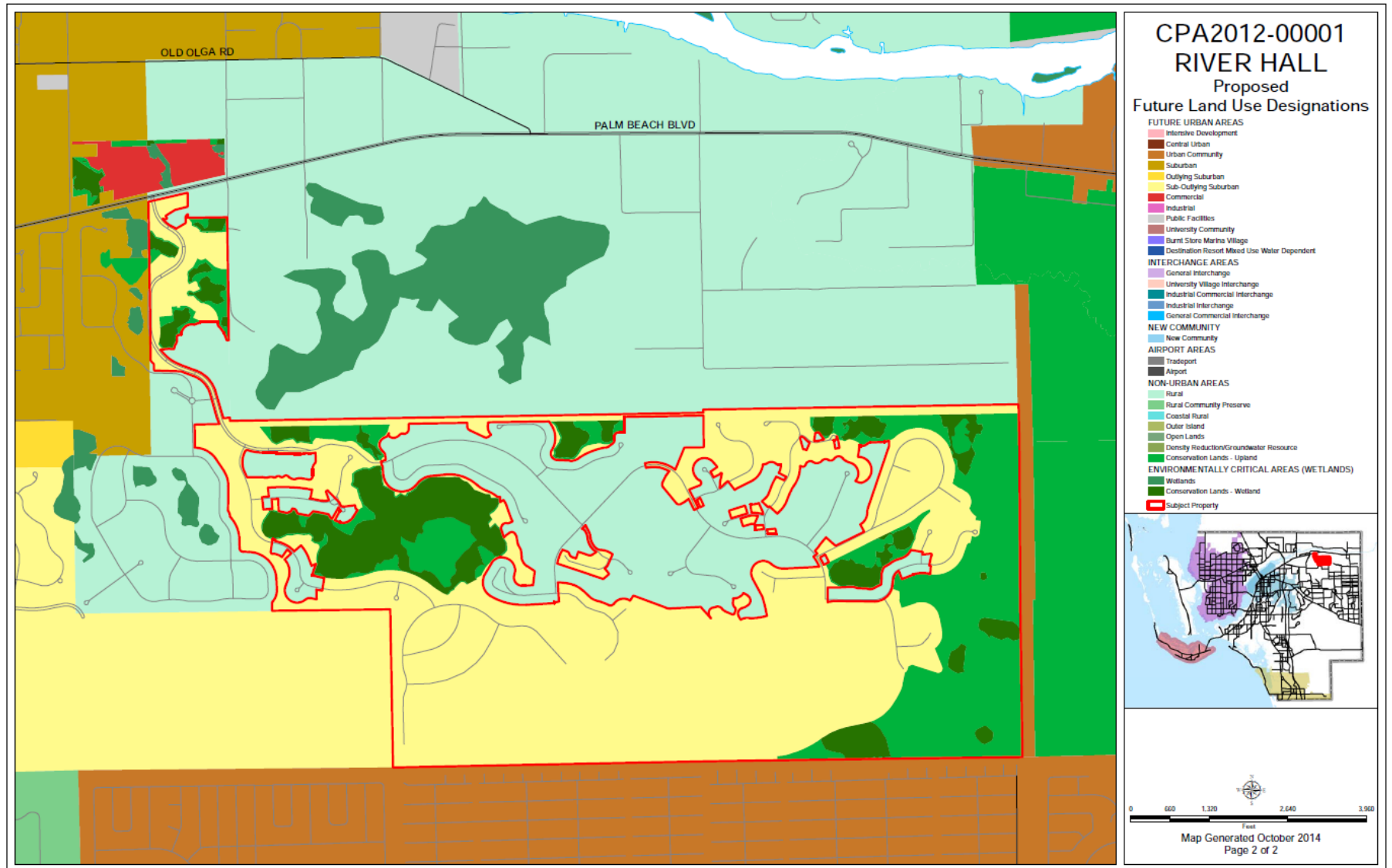
Map 2 – Aerial view (with Hickey Creek Mitigation Park circled, approx. location)



Map 3 – Existing Future Land Use



Map 4 – Proposed Future Land Use



Agenda Item

10b

10b

Sarasota Interstate Park of
Commerce (SIPOC) DRI –
Substantial Deviation

10b

**SARASOTA INTERCHANGE PARK
OF COMMERCE
(SIPOC)**

**SUBSTANTIAL
DEVIATION**

**FORMAL
REVIEW**

SIPOC SUBSTANTIAL DEVIATION DRI

FORMAL REVIEW

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APPENDIX – AGENCY COMMENTS

1. APPLICATION INFORMATION

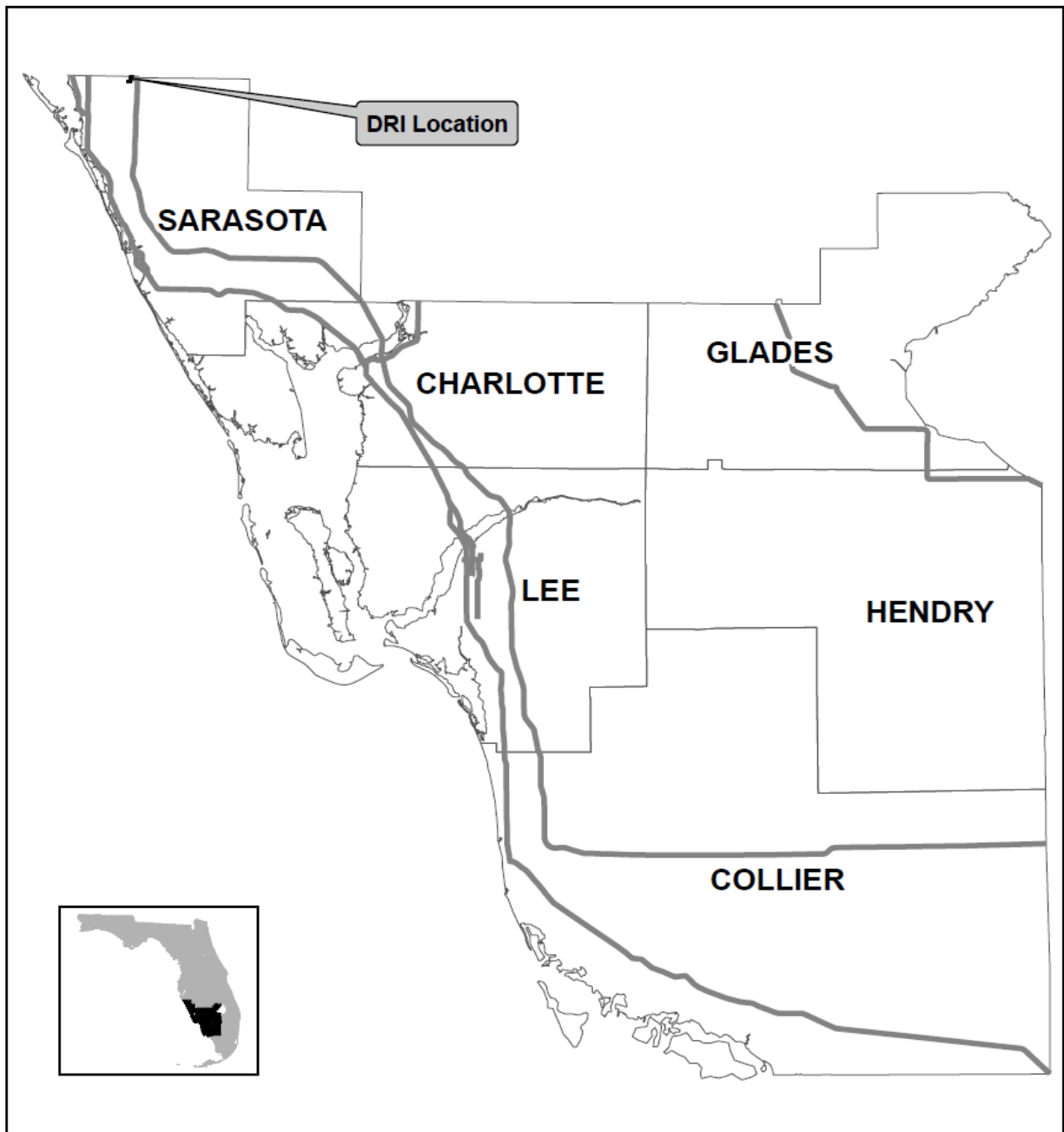
Development Order

The Development Order for the Sarasota Interstate Park of Commerce (SIPOC) Development of Regional Impact (DRI) was adopted by the Sarasota Board of County Commissioners on July 27, 1993 (Ordinance No. 93-049). The original SIPOC DRI consisted of 276 acres and was conceptually approved as a business and commerce park, to include 39 acres of CHI commercial development; 212 acres of Major Employment Center (MEC) and Interstate Regional Office Park (IROP) development; and 24.5 acres of multi-family residential development. Subsequent amendments are as follow:

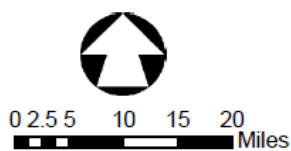
1. In 1998, (October 14, 1998): Ordinance No. 98-084 - **Notification of Proposed Change:** Amended and restating Ordinance No. 93-049... Changes include:
 - Extension of the commencement date;
 - Extension of Phase I buildout;
 - Extension of the project buildout;
 - Extension of the “Facility Reservation Period”;
 - Extension of the date the property shall not be subject to down-zoning, unit density reduction or intensity reduction; and,
 - Modifications to the Ordinance and Development Order (DO) conditions to reflect the proposed changes.
2. In 2002, (December 18, 2002): Ordinance No. 2002-090 - **Notification of Proposed Change 02-03:** Amendment to General Condition A.10.d of the SIPOC DO (Ordinance 98-084)...To extend the “Facility Reservation Period” date by seven months from December 28, 2002, to July 21, 2003.
3. In 2005, (September 27, 2005): Ordinance No. 2005-040 - **Notification of Proposed Change 03-02:** Utilize existing authorizations in DRI DO to develop 633,888 square feet of commercial space in Phase I, without increasing the overall and existing approved intensity of the DO... processed along with other petitions:
 - September 27, 2005: Ordinance No. 2005-037 adopted for **Rezone Petition No. 03-29:** from CHI/PID/PCD to CG/CHI/PCD/PID.
 - September 27, 2005: Resolution No. 2005-205 adopted for **Special Exception No. 1593:** for a retail sales over 60,000 square feet and garden center/outside merchandise.
4. In 2006, pursuant to Ordinance No. 2006-080, Phase II of the development changed
 - to eliminate Light Industrial uses, reduce Office uses by 20,982 square feet, and increase the Retail uses by 830,902 square feet;
 - increase the multi-family dwelling units to 1750;
 - update the Master Development Plan (Map C-3);
 - update the Native Habitat Preservation, Alteration & Mitigation Plan (Map F-2); change the buildout date to December 31, 2009;
 - extend the Facility Reservation Period to December 31, 2009; and

- modify the Ordinance and DO Conditions to reflect the proposed changes.
5. In 2007, pursuant to Ordinance No. 2007-064, the Future Land Use designation of University Town Center was changed from Commercial Highway Interchange, ½ Village I Commercial Center, Major Employment Center / Interstate Regional Office Park and High Density Residential to Village II Commercial Center, Regional Commercial Center, and High Density Residential, and that change was subsequently challenged.
 6. In 2008, the challenge to Ordinance No. 2007-064 resulted in the adoption of Ordinance No. 2008-33 which amended the Comprehensive Plan and created Special Planning Area No. 1, encompassing all of University Town Center as a single mixed use project consisting of an integrated and functional mix of commercial, retail, office, hotel and residential uses. Ordinance No. 2006-079 was also adopted to amend the Zoning Ordinance by incorporation of the University Town Center Binding Development Concept Plan.
 7. In 2009, the SIPOC / University Town Center Development of Regional Impact DO was amended to extend and update the buildout, facility reservation and down-sizing provision dates contained with the DO.
 8. In 2011, SIPOC / University Town Center Development of Regional Impact DO was amended to:
 - eliminate a requirement to provide community housing units as part of the proposed residential development component of the University Town Center;
 - delete references to project acreage designated either to commercial or residential uses; and
 - amend the Master Plan to include commercial as an allowed use within the portion of the University Town Center.
 9. In 2011, SIPOC / University Town Center Development of Regional Impact DO was further amended to:
 - Enable Benderson Development to move forward with deliver of the commercial retail, office, hotel and residential components at the site consistent with a proposed plan for the enclosed shopping mall component of the project;
 - Incorporate conforming changes to the text of Zoning Ordinance 2006-079 and special exceptions which apply to the site;
 - Allow for a variable width buffer along University Parkway and I-75.

Regional Location Map



Sarasota Interstate Park of Commerce

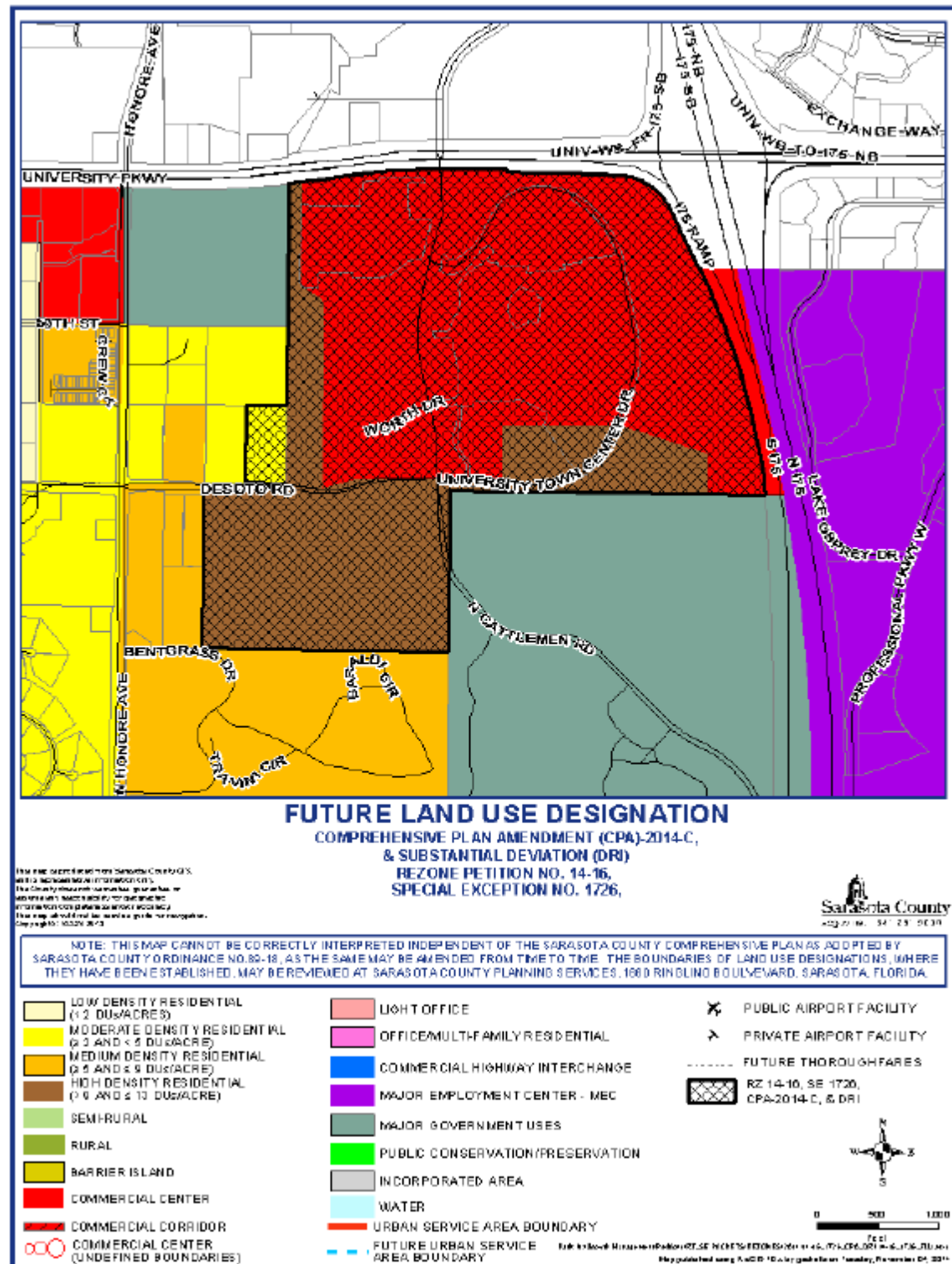


DRI Location Map



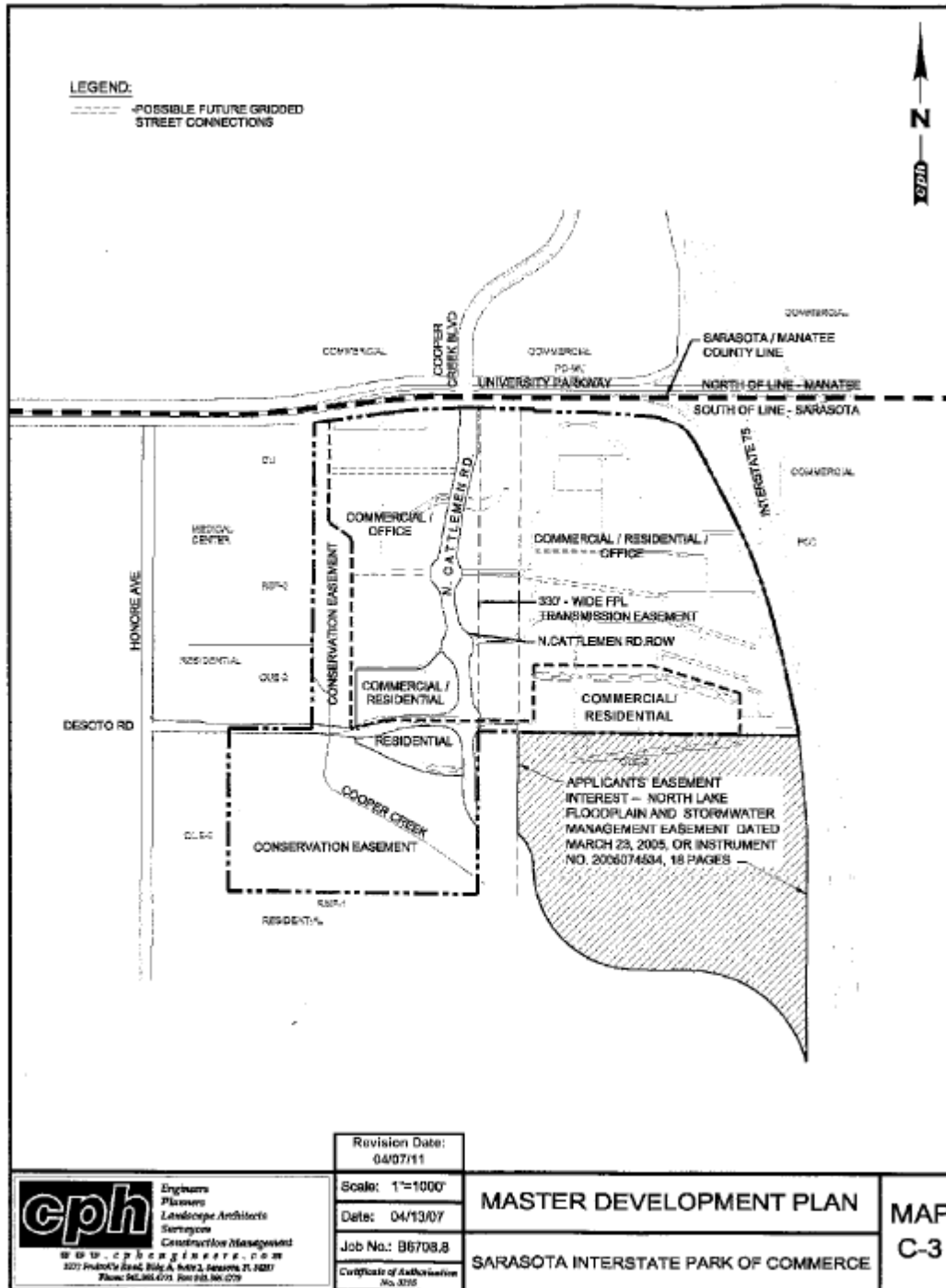


Future Land Use Designation

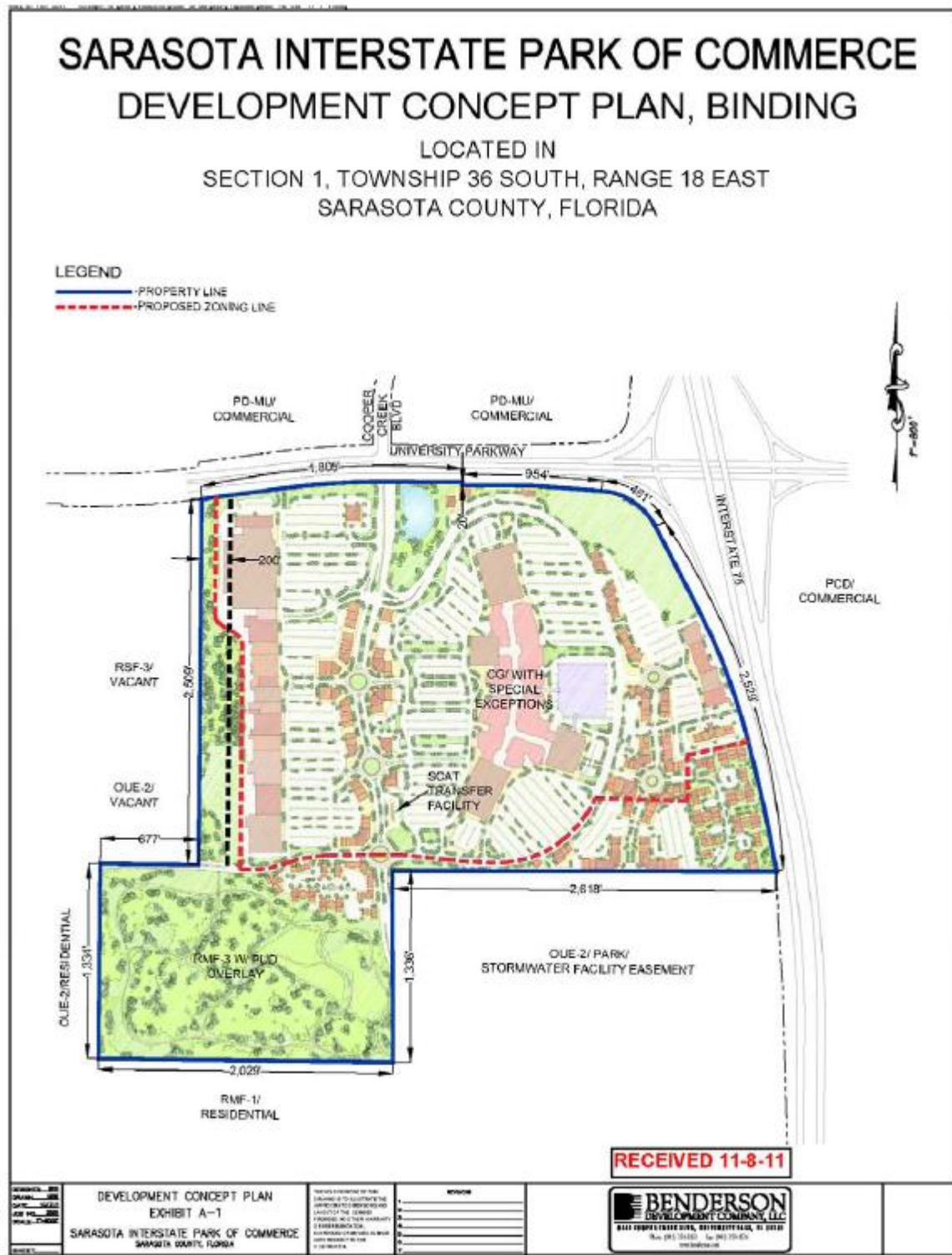




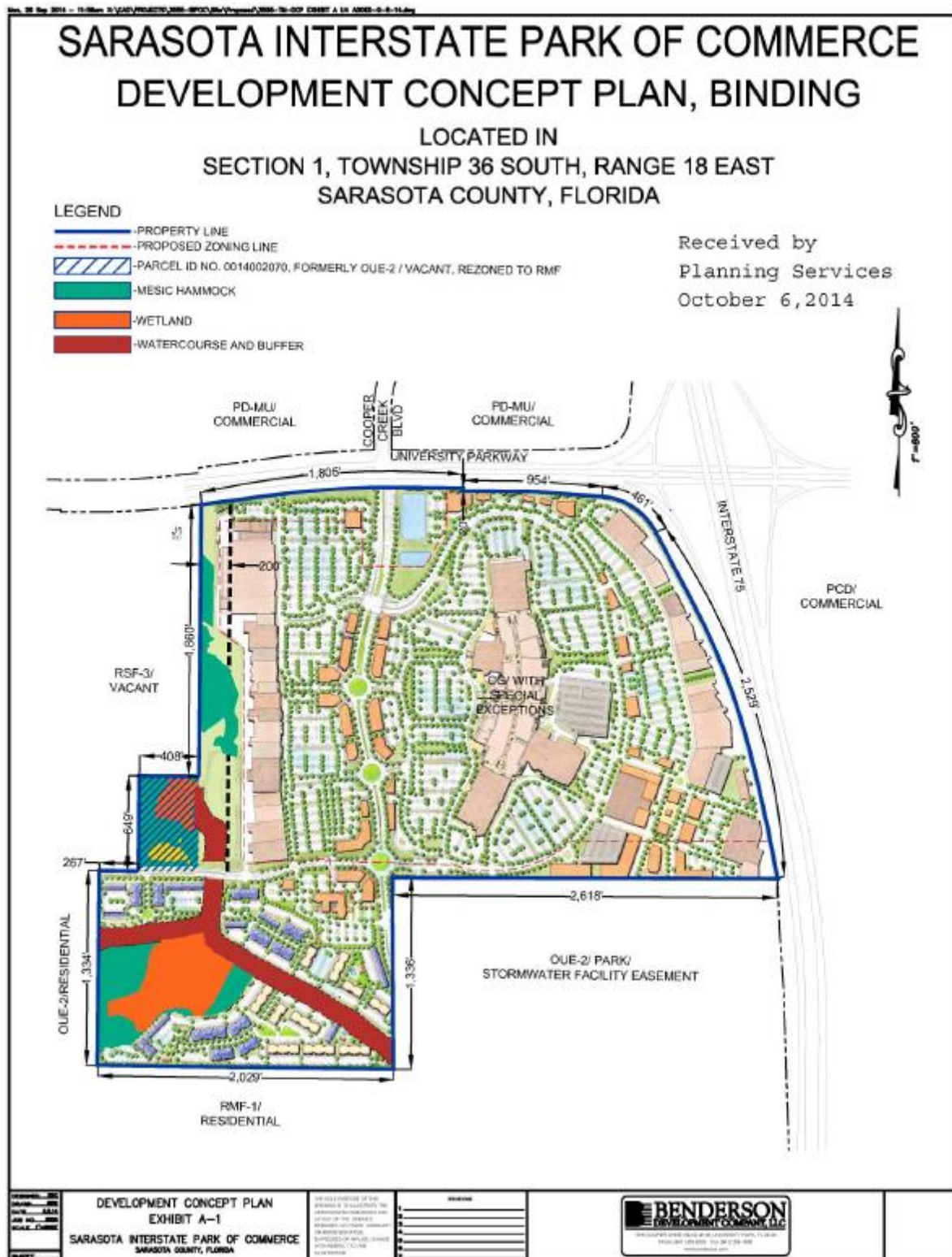
SIPOC - MASTER PLAN
Approved by Ordinance No. 2011-041



SIPOC – BINDING DEVELOPMENT CONCEPT PLAN
Approved by Ordinance No. 2011-079



SIPOC – PROPOSED BINDING DEVELOPMENT CONCEPT PLAN



SIPOC – PROPOSED BINDING DEVELOPMENT CONCEPT PLAN

SARASOTA INTERSTATE PARK OF COMMERCE
 DEVELOPMENT CONCEPT PLAN, BINDING
 LOCATED IN: SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST
 SARASOTA COUNTY, FLORIDA

PROPOSED ZONING CHART

CG W/SPECIAL EXCEPTIONS	478.00 ACRES	178.43
RMF-3W / PUD OVERLAY (CG USES)	97.55 ACRES	102.73
TOTAL	575.55 ACRES	281.16

SITE DATA

PROJECT ACREAGE	575.55 ACRES	281.16
STORMWATER FACILITY EASEMENT ACREAGE	101.8 ACRES (Park)	
BLDG COVERAGE MAXIMUM	55.3 AC (20%)	
MIN. OPEN SPACE	83.9 AC (30%)	36.82 AC (10%) of RMF 3 AC - *UP TO 50% MAY BE HARDSCAPE
STORM WATER FACILITIES	3.0 AC	
BUFFERS	7.5 AC	
PRESERVATION AREA	52.3 AC	13.28 AC
IMPERVIOUS AREA MAXIMUM	483.4 AC (84%)	221.66 AC (80%)
PERVIOUS AREA MINIMUM	82.9 AC (16%)	55.26 AC (20%)

EXISTING ZONING CG W/ SPECIAL EXCEPTIONS & RMF-3PUD

PROPOSED USES

RETAIL / RESTAURANT	4,694,090 SF, GLA	2,280,010 SF, GLA
OFFICE	228,800 SF, GLA	520,000 SF, GLA
THEATER	1,700 SEATS	
HOTELS	500 ROOMS WITH MICROWAVES	
RESIDENTIAL	750 MINIMUM, 1,750 MAXIMUM (INCLUDES 50 LIVE WORK UNITS)	

FLOOD ZONE "C" Panel Nos. 1251440075 D/1251440164 E

PARKING CALCULATIONS

USE	UNIT	REQ'D* / PROVIDED PARKING RATIO	REQ'D* / PROVIDED PARKING SPACES
RETAIL/OFFICE/RESTAURANT/ MIXED USE **	2,550,000 SF, GLA 2,550,000 SF, GLA	4 SP/1,000 SF	7,400 10,200
THEATER	1,700 SEATS	1 SP/3 SEATS	567
TRANSIENT ACCOMMODATIONS	500 ROOMS	1 SP/ROOM PLUS 1 SP/10 ROOMS	550
RESIDENTIAL UNITS	1,750 UNITS	2 SP/UNIT PLUS 1 SP/5 UNITS	3,850
TOTAL PARKING SPACES REQUIRED			48,967 15,167
TOTAL PARKING SPACES PROVIDED			48,967 15,167

*THE PROJECT MAY PROVIDE PARKING PER SECTION 7.1.11 ALTERNATIVE PARKING PLANS
 **WHERE ANY INDIVIDUAL USE COMPRISING 20% OF THE TOTAL GROSS LEASABLE AREA SHALL BE CALCULATED SEPARATELY

CG W/ SPECIAL EXCEPTIONS

1. PERMIT TRANSIENT ACCOMMODATIONS (HOTEL/MOTEL)
2. PERMIT GARDEN CENTER WITH OUTSIDE MERCHANDISE
3. PERMIT RETAIL SALES OVER 60,000 SQUARE FEET OF GROSS FLOOR AREA IN A SINGLE OCCUPANT BUILDING
4. PERMIT OUTDOOR DINING UNTIL 3 A.M., SUNDAY THROUGH SATURDAY, EXCEPT WITHIN 150 FEET OF THE WEST PROPERTY LINE
5. PERMIT INDOOR ENTERTAINMENT AFTER 10 PM
6. PERMIT OUTDOOR ENTERTAINMENT UNTIL 12 AM, EXCEPT WITHIN 200 FEET OF THE WEST PROPERTY LINE
7. PERMIT ADDITIONAL BUILDING HEIGHT NOT TO EXCEED 85 FEET
8. PERMIT WAIVER OF FRONT, SIDE AND REAR YARDS AND LANDSCAPE BUFFERS

RMF-3 PUD W/ SPECIAL EXCEPTIONS

1. PERMIT OUTDOOR DINING UNTIL 3 A.M., SUNDAY THROUGH SATURDAY, ONLY WITHIN AREAS EAST OF CATTLEMEN ROAD
2. PERMIT INDOOR ENTERTAINMENT AFTER 10 P.M., ONLY WITHIN AREAS EAST OF CATTLEMEN ROAD
3. PERMIT OUTDOOR ENTERTAINMENT UNTIL 12 A.M., ONLY WITHIN AREAS EAST OF CATTLEMEN ROAD


RMF 3 PUD MODIFICATIONS

1. PERMIT WAIVER OF PERIMETER STRUCTURE SETBACK AND LANDSCAPE BUFFERS REQUIRED PURUANT TO ZONING ORDINANCE SECTION 6.11.2E(1)
2. PERMIT WAIVER WITHIN AREAS EAST OF CATTLEMEN ROAD OF THE SETBACK REQUIRED PURSUANT TO ZONING ORDINANCE SECTION 6.11.2E(2) FOR BUILDINGS BETWEEN 35 FEET AND 85 FEET IN HEIGHT

DEVELOPMENT CONCEPT PLAN
EXHIBIT A-2
SARASOTA INTERSTATE PARK OF COMMERCE
SARASOTA COUNTY, FLORIDA

REVISION

1.	
2.	
3.	
4.	
5.	
6.	
7.	



BENDERSON
DEVELOPMENT COMPANY, LLC
8441 CORP. CENTER BLVD., SUITE 200, FT. MYERS, FL 33905
888.888.8888

New Urbanism Design Criteria for The Sarasota Interstate Park of Commerce (SIPOC)

The University Town Center will be a vibrant mixed use project that implements the guiding principles of New Urbanism as postulated by the Congress of New Urbanism and Stefanos Polyzoides. Use of the *Design Criteria* listed below will ensure the continuity of these principles into perpetuity.

1. Connectivity

- Street network is designed to reduce congestion and create a coherent system
- Pedestrian paths and sidewalks network is extensive and welcoming
- Bicycle use encouraged by safe street designs and amenities
- Regional and local transit are provided to reduce auto use

2. Figural Open Space

- Well-developed system of outdoor spaces encourages pedestrians
- Conservation areas are provided for recreation and natural resource preservation
- Public plazas and other social gathering spaces are widely distributed
- Buildings and spaces are well-linked for a coherent and holistic approach

3. Compactness

- Mixed-use and flex building fabric is the glue which holds the project together
- Community buildings are provided in logical, central locations
- Adjacency of services and housing to de-emphasize the automobile
- "Park-once" facilities reduce multiple auto trips

4. Diversity

- Quality architectural fabric reflects a range of regional traditions
- Variety of housing types and income levels
- Public spaces, variety of uses and activities offer vitality and a well-developed public realm
- Mixture of housing, retail & office to create economic vitality and a true residential community

5. Sustainability

- High capture rates for traffic, created by integration of transit and mixed use
- Stormwater and irrigation systems to capture and reuse water
- Drought-resistant native plants integrated to support outdoor networks
- Application for certification of site plan, by Florida Green Building Coalition
- Additional water conservation accomplished by installing high-efficiency plumbing fixtures
- On-site transit station along with internal trolley system promotes multi-modal functions
- Bicycle and Pedestrian systems connect all land uses
- Bicycle racks provided throughout all land use groups

Received June 1, 2007

2. LAND USE

The Sarasota Interstate Park of Commerce (SIPOC) / University Town Center (UTC) project includes a Substantial Deviation to the SIPOC DRI, as well as a large scale Comprehensive Plan Amendment, rezoning and an amendment to the approved special exception.

Development of Regional Impact (DRI) - Substantial Deviation

A substantial deviation of the SIPOC / UTC DRI has been proposed by Benderson Development Company, LLC (Benderson). Benderson is proposing to increase the retail and office square footage from 1,680,000 square feet and 220,000 square feet to 2,280,000 square feet and 320,000 square feet, respectively. The anticipated buildout of the project will be extended to 2020.

In accordance with Chapter 380.06 (19), F.S. regulating DRIs, the substantial deviation is necessary to accommodate the additional 600,000 square feet of retail and 100,000 square feet of office to the SIPOC / UTC project, as well as a reconfiguration of the binding development concept plan. The reconfiguration of the proposed site improvements will result in the elimination of Wetland J and improvements to an area at the southwest corner of DeSoto and Cattlemen Roads that was previously set aside as open space. Impacts to wetlands will be mitigated offsite within the Braden River watershed. A 5+ acre parcel adjacent to the project site to the west is being added to this DRI project.

Comprehensive Plan Consistency

The proposed Comprehensive Plan amendments submitted by the Applicant consists of changes to the Future Land Use Chapter background text relating to Special Planning Area #1, and amendment to Policy 2.2.4 to reflect additional acreage and revised commercial and office square footages, and amendment to the Future Land Use Map to redistribute Commercial Center and High Density Residential Uses, and to add an additional 5 acres near the southwest of the existing site while changing its Future Land Use Map designation from Moderate Density Residential to High Density Residential, and an amendment to Future Land Use Figure 9-6 to indicate the location of the additional 5 acres of property to that map.

Applicant Commitments to be included as Development Order Conditions

Applicant has committed to providing wetland mitigation within the project watershed and adding an additional 5 acre wetland area to the project site.

Recommended Development Order Conditions

A. GENERAL

1. The SIPOC development shall occur in substantial accordance with all commitments and impact – mitigating actions specified by the Applicant in the Application for Substantial Deviation from the Approved Development of Regional Impact (and supplementary documents) that are not in conflict with the Development Order. The property shall be developed in accordance with the Master Development Plan. All preliminary, final, and site and development plans shall be consistent with the Master Development Plan.

2. All conditions for Development Approval involving deed restrictions shall be submitted for approval by the County, and provide for enforcement by, and the award of reasonable attorneys' Fees to the County, in addition to enforcement by the SIPOC Owners Association, Inc., and such other persons as may be appropriate.
3. The term "Applicant" shall mean the Developer, the Sarasota Associates A-1, LLC, Sarasota Associates, B-II, LLC, Sarasota Associates, C-III, LLC, Sarasota Associates, D-IV, LLC, Sarasota Associates, E-V, LLC, Desoto 5470, LLC, and Honore Associates I, LLC, its successors and assigns.
4. Where approval by a County department is required herein, the Applicant requesting approval shall be entitled to review of the department decision by the Board of County Commissioners and the Board of County Commissioners may affirm, modify, or reverse such decision.
5. Reasonable access to the SIPOC project site by Sarasota County government agents and employees shall be granted for the purpose of monitoring and implementation of the Development Order.
6. If conditions contained in this Development Order require the Applicant to submit certain information with preliminary plan/site and development plan and construction plans, it shall be understood that such information shall be reviewed and approved by appropriate Sarasota County Development Review Committee members in accordance with all applicable laws, ordinances, rules, and regulations, consistent with this Development Order.
7. If it is demonstrated during the course of monitoring the development, that substantial changes in the conditions underlying the approval of the Development Order have occurred or that the Development Order was based on substantially inaccurate information provided by the Applicant, resulting in additional substantial regional impacts, these impacts shall be subject to the requirements of Chapter 380.06(19), Florida Statutes.
8. Throughout the SIPOC development, the Applicant shall comply with the requirements listed in the document entitled "Administrative Guidelines for Monitoring and Procedures for Management and Changes to Developments of Regional Impact in Unincorporated Sarasota County", as may be amended.
9. The issuance of Development Orders, including Final Development Orders for Phase I and Phase II development, shall be subject to the requirements of the Sarasota County Concurrence Management Regulations Sarasota County Code of Ordinances, Chapter 94, Article VII) with respect to the provision of adequate park and recreation facilities and levels of service for such facilities.
10. The following terms are defined for purposes of implementing the requirements of the Transportation Conditions and the provisions of the Annual Traffic Monitoring Program Methodology attached hereto as Exhibit F.
 - a. "Funding Commitments" shall mean the fulfillment of an action necessary to ensure the completion of any road or intersection improvement required by this Development Order or identified in any subsequent Annual Traffic Monitoring Report prior to the time the impacts from the development occur. These actions include one or any combination of the following:

- i. the provision of a binding commitment by a private person or responsible entity (which may include the posting of a cash bond or irrevocable letter of credit in a form satisfactory to Sarasota County) for the design, engineering, and actual construction of the improvement to be completed when the improvement is identified as being necessary in the approved Annual Traffic Monitoring Report as required in this Development Order; or,
- ii. a commitment for actual construction and completion of the improvement pursuant to an approved Developer Agreement where said Agreement is incorporated into this Development Order through an amendment of the Development Order; or,
- iii. for the purpose of reviewing a “Final Local Development Order”, as that term is defined in Sarasota County’s Concurrency Management (Regulations Sarasota County Code of Ordinances, Chapter 94, Article VII):
 - a) the placement of the construction phase for an improvement in the current i.e., first year of Sarasota County’s adopted Capital Improvement Program for roads and intersections under the jurisdiction of Sarasota County; or
 - b) the placement of the construction phase for an improvement in the current i.e., first year of Manatee County’s adopted Capital Improvement Program, and, where construction of the improvement is subject of a binding executed contract for roads and intersections under the jurisdiction of Manatee County; or
 - c) the placement of the construction phase for an improvement in the current i.e., first year of the Florida Department of Transportation’s (FDOT) adopted 5- Year Work Program, and, where construction of the improvement is subject of a binding executed contract for roads and intersections under the jurisdiction of FDOT.
- iv. for the purposes of reviewing a development order that is not a “Final Local Development Order”, as that term is defined in Sarasota County’s (Concurrency Management Regulations Sarasota County Code of Ordinances, Chapter 94, Article VII):
 - a) the placement of the construction phase for an improvement within the first five years of Sarasota County’s adopted Capital Improvement Program for roads and intersections under the jurisdiction of Sarasota County; or,
 - b) the placement of the construction phase for an improvement within the first five years of Manatee Count/s adopted Capital Improvement Program for roads and intersections under the jurisdiction of Manatee County; or,
 - c) the placement of the construction phase for an improvement within the first five years of the Florida Department of Transportation’s (FDOT) adopted 5- Year Work Program for roads and intersections under the jurisdiction of FDOT.
- b. “Final Development Order” shall mean a Final Development Order as defined in Sarasota County’s Concurrency Management Regulations (Sarasota County Code of (Ordinances, Chapter 94, Article VII). A “Final Development Order” shall include the approval of a construction plan for development requiring subdivision plans or site and development plan approval, or, building permits for development not requiring such construction plan approval.

- c. “Annual Concurrency Evaluation Period” shall mean a time period not to exceed one (1) year commencing on the required submittal date for the next annual traffic monitoring report required after expiration of the Facility Reservation Period and continuing through (but not including) the last day before the required submittal date for the next annual traffic monitoring report. In the event that an annual traffic monitoring report is not approved by the Sarasota County Transportation Department on or before the required submittal date, the Annual Concurrency Evaluation Period shall commence on the date the report is approved and conclude on the last day before the required submittal date for the next annual traffic monitoring report.
 - d. “Facility Reservation Period” shall mean the time period commencing on the effective date of this Development Order and expiring on the earlier of:
 - i. December 31, 2020, or
 - ii. at such time as cumulative SIPOC development, for which Final Development Orders have been issued, cumulatively generates more than 7,344 gross p.m. peak hour trip ends, or more than 3,885 net new p.m. peak hour trip ends.
11. “Master Association Common Areas” including, but not limited to, common recreation areas, open and landscaped areas, drainage areas, wetlands and lakes, roadways, sanctuaries, and entranceways shall be maintained by the Applicant or SIPOC Owner’s Association (or duly delegated sub-association) in accordance with the following documents:
- Surface Water Management, Maintenance and Monitoring Best Management Practices (BMPs) Regulations;
 - Preservation Area Best Management Practices (BMPs) Regulations;
 - Stormwater Management, Maintenance, and Monitoring Best Management Practices (BMPs) Regulations;
 - Water Quality Best Management Practices (BMPs) Regulations; and
 - Landscape installation and maintenance requirements as listed Section 7.3 of the Zoning Code.
12. As used herein, the term “Responsible Entity” may include, but shall not be limited to, Sarasota County, Manatee County, the Florida Department of Transportation, or any other state or local governmental entity that provides for the construction of transportation improvements.

B. LAND USE

1. The SIPOC development shall occur in two phases as listed below.
 - a. Phase I, with a buildout date December 31, 2014, includes up to 633,888 gross square feet of retail uses on approximately 147.3 acres ±, together with a maximum of 3,169 parking spaces.

Traffic impact intensities for SIPOC Phase I development shall not exceed 1,811 gross p.m. peak hour trip ends or 1,370 net new p.m. peak hour trip ends.

Potable water impact intensities for SIPOC Phase I development shall not exceed 0.19 million gallons per day (m.g.d.) of potable water capacity.

Wastewater impact intensities for SIPOC Phase I development shall not exceed 0.19 m.g.d. of wastewater capacity.

- b. Phase II, with a buildout date of December 31, 2020, includes up to 1,646,112 gross square feet of retail uses, 320,000 gross square feet of office uses, 500 hotel rooms, and 1,750 multi-family dwelling units.

Traffic impact intensities for SIPOC Phase II development shall not exceed 7,344 gross p.m. peak hour trip ends or 3,885 p.m. peak hour trip ends.

Potable water intensities for SIPOC Phase II development shall not exceed 2.54 m.g.d. of potable water capacity.

Wastewater impact intensities for SIPOC Phase II development shall not exceed 2.54 m.g.d. of wastewater capacity.

4. All development shall occur in substantial accordance with the land use designations as depicted on the Master Development Plan attached hereto as Exhibit C.

Issues to be Resolved

Additional Development Order Conditions may be included based on the recommendations contained in the SWFRPC assessment report.

3. ENVIRONMENTAL SYSTEMS

A. NATIVE HABITATS

Project Inventory and Impact Assessment

The subject Substantial Deviation Change known as Sarasota Interstate Park of Commerce (SIPOC) pertains to the 276.32 acres that is located at the southwest corner of University and Interstate I-75. SIPOC Phase 1 which is located on the western section of the property consisting of a Super Target and associated commercial buildings. Phase 2 of the project area contains the mall at UTC and future areas for multi-family residential development. The acreage of each native habitat type on the site for pre-construction and post-construction is provided below:

Native Habitats

Habitat Type	Pre-construction	Post-construction	Percentage Impact
Wetland*	28.9 acres	13.3 acres	54%
Mesic Hammock	25.8 acres	11.8 acres	54%
Pine Flatwoods	23.8 acres	0.13 acres	99%
Total	78.5 acres	25.23 acres	68%

*The amount of wetlands impacted in Phase I is not included.

The proposed changes in this request impact an additional 15.6 acres of forested wetlands and 4.53 acres of herbaceous wetlands on-site. The applicant also proposes to impact an additional 12.7 acres of mesic hammock and 14.6 acres of pine flatwoods. These proposed impacts will accommodate the additional development requested by the Applicant. The exact amount will be determined during the site and development plan review stage at the County. Most of the proposed native habitat impacts are located within the 64 acre native habitat conservation area easement corridor located along Cooper Creek on the west side of the parcel.

Comprehensive Plan Consistency

During the 2003 project reviews for the subject parcel, 73 acres of native habitat was designated as a preserve area in a manner consistent with Chapter 2 of the County's Comprehensive Plan, (including ENV Policies 4.4.1., 4.4.2., and 4.5.4.) and the "Principles for Evaluating Development Proposals in Native Habitat." The existing high quality habitat along Cooper Creek was identified for preservation using context sensitive site design to promote long-term conservation of the native habitat. Existing native habitat preserve areas along the western edge of the Creek and southern boundary of the subject parcel were preserved under County approvals to protect and enhance the wildlife corridor to the north into Manatee County. The current habitat network is consistent with ENV Policy 4.4.2., which requires "Development and infrastructure shall be configured or designed to optimize habitat connectivity, minimize habitat fragmentation, and minimize barriers to wildlife movement. Where deemed necessary by the County, configuration shall include artificial corridor components."

The Applicant proposes to impact approximately 42 acres of native habitat that the Comprehensive Plan designated as preserve areas as part of the existing DRI. The submitted DRI Substantial Deviation proposes to impact 6.3 acres of wetland swamps within the preserve area along Cooper Creek. This proposal is inconsistent with Principle VII.A.2.a of the Environment Chapter of the County's Comprehensive Plan. These wetlands exhibit good functionality and have a higher degree of environmental importance given their location along the creek. The application also proposes to impact 9.29 acres of wetland swamp located in the northeast corner of the property along I-75 and 4.53 acres of herbaceous wetlands within the Cooper Creek preserve area. The applicant has not provided justification that demonstrates consistency with Principle VII.A.2.f; specifically, the Applicant has not provided any comments that the northeastern wetland swamp could not be restored or that the herbaceous wetland in the Cooper Creek preserve area has lost function and value to justify the proposed impacts.

The Applicant proposes to impact 8.79 acres of mesic hammock in addition to the 5.2 acres of hammock already impacted on the site under the approved Site and Development plan review. This result in a total 54% of mesic hammock impacts on the parcel, which is inconsistent with the County's Comprehensive Plan as Principle VIII.A.2.b limits impacts to 25% of the on-site mesic hammock.

After discussions with County staff, a revised development concept plan was submitted that shows additional habitat to be protected compared to their original proposed concept plan. The Applicant has proposed changes that still maintain the core wetlands and mesic hammock habitats that ensure a functional environmental, watercourse buffer, and wildlife corridor along

Cooper Creek. The Applicant has also asserted that Wetland J1 located adjacent to the I-75 interchange is isolated from the main environmental system and has been impacted by nuisance and invasive species, thereby reducing its environmental function and value. Further, the Applicant proposes off-site mitigation within Manatee County to fully compensate for the wetland impacts. However, no information has been received regarding the proposed location, acreage, or mitigation activities. As such the County's environmental staff is unable to determine the appropriateness of the mitigation and the overall environmental benefits of the proposed mitigation. To be consistent with Principle VII.A.2.f of the Environmental Chapter of the County's Comprehensive Plan, the Applicant needs to show that on-site wetland mitigation is not feasible and that the Board of County Commissioners has approved an interlocal agreement that ensures that the County can maintain compliance with the standards of the Comprehensive Plan within another jurisdiction.

In addition, the Applicant has submitted plans for development within an existing Conservation Easement (CE) dedicated to the Southwest Florida Regional Water Management District (District) that prohibits the additional proposed development. The County has received sufficiency review and comments from the District regarding the UTC Substantial Deviation. The District noted that no meetings have been held to date to discuss the possible release of the CE. The applicant has not provided the District with permitting-level details of the desired proposal and the District is strongly encouraging the applicant to schedule a meeting with their staff as soon as possible to discuss the details of the release of the CE and proposed mitigation. The District also stated that evaluation of any proposed release of the CE for the proposed impacts to the existing mitigation corridor are highly involved, time-intensive, and require approval from the District's Governing Board.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant received by staff. The pertinent commitments by the Applicant have been incorporated by staff in the recommended development order conditions found below. Also, additional stipulations will be reviewed for inclusion if deemed by the County Environmental Permitting during the rezoning stage and development order finalization.

Recommended Development Order Conditions

1. Onsite wetland habitat, wetland mitigation areas, associated wetland buffers, and mesic hammock habitat not approved for impact shall be designated as preserve area on submitted Site and Development plans and plats, and maintained consistent with the Guiding Principles of the Sarasota County Comprehensive Plan. All activities including, but not limited to, filling, excavating, altering vegetation (including trimming of trees and understory), and storing of materials shall be prohibited within preserve areas unless written approval is first obtained from Sarasota County Environmental Protection Division. Exception may be granted by Environmental Protection Division to facilitate implementation of approved resource management plans.

2. Mesic hammock areas proposed for alteration shall not exceed 25 percent of the total on-site mesic hammock area, subject to the review and approval by Environmental Permitting during preliminary plan or site and development plan submittal. Mesic hammock areas not approved for removal shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a preserve and labeled a preserve on all plans. All activities including filling, excavating, altering of vegetation (both trees and understory) and storing of materials shall be prohibited within preservation areas, except where approved by Environmental Protection Division through: 1) the Resource Management Plan for the project, or 2) specific written of hand removal of nuisance or exotic vegetation.
3. A Mitigation, Maintenance, and Monitoring Plan that is consistent with the Guiding Principles of the Sarasota County Comprehensive Plan and maintains the functions and values of onsite preservation areas, conservation areas, and wildlife corridors, is required for the UTC (fka SIPOC) DRI prior to or current with any Site and Development plan submittal. If the Mitigation Plan includes off-site mitigation outside of Sarasota County boundaries, an interlocal agreement or other legal mechanism acceptable to the County shall be submitted for review to Environmental Protection Division prior to the submittal and approval of any site and development plan application.
4. The 73.2 acre Preservation Area, located in the west and southwest portion of the SIPOC DRI and along the west property line, shall be preserved in their entirety as either native habitat in open space or mitigation area, as applicable. No activities, including but not limited to clearing, filling, excavating, altering vegetation and storing of materials shall commence within the on-site Conservation Easement (Sarasota County Clerk of the Court Instrument No. 2005234325) until the easement has been released and a replacement mitigation area has been approved by the Environmental Protection Division.
5. The channelized ditch (Cooper Creek) existing in the southwest portion of the subject property as shown on the Amended Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2, dated October 6, 2014), shall be retained and provide a minimum 100-foot wide watercourse buffer on each side of Cooper Creek, as measured from the top of bank. The technical aspects of integrating Cooper Creek into mitigation proposals shall be addressed by the Applicant at the appropriate Preliminary Plan, Site and Development Plan, or Construction Plan stage.
6. During development of the subject properties, all vegetative species contained within Section 54-621 of Sarasota County's Exotic Plant Code, state regulations (Chapters 5B-57.007 and 62C-52.011, FAC), and the Florida Exotic Pest Plant Council's list of Category I and II invasive species, as appropriate to this geographic region, shall be eradicated or removed from the property. Any such vegetation eradicated or removed from required landscape buffers shall be replaced with native species as part of an approved landscape plan, and any such vegetation eradicated or removed from preserve areas shall be replaced in accordance with a County approved resource management plan. Removed vegetation shall be disposed of in a County approved landfill or by another method approved by Environmental Protection Division.

Issues to be Resolved

1. A majority of the proposed habitat impacts are contained within a Conservation Easement (CE) dedicated to the Southwest Florida Water Management District. As of the date of the County's staff report, the Applicant has not met with the District to discuss the removal of the CE or the proposed impacts to the existing native habitat mitigation corridor. The proposed impacts to this area require the approval from the District's Governing Board.
2. The applicant is proposing to impact 54% of the existing mesic hammock habitat was previously designated as a preserve area through County approvals for development of the property to date. This is inconsistent with Principle VIII.A.2.b of the Environment Chapter of the County's Comprehensive Plan. The Comprehensive Plan limits the impacts to mesic hammocks to 25%.
3. Native habitat connection to the existing preserve areas located on adjacent parcels along the southern property boundary need to be maintained for consistency with ENV VII.A.2 of the Comprehensive Plan.
4. The proposed impacts of the existing forested wetland preserve areas within the 51 acre section of Cooper Creek preserve area is inconsistent with Principle VII.A.2.a and ENV Policy 4.4.2 of the Environment Chapter of the Comprehensive Plan.
5. The Applicant proposes off-site mitigation within Manatee County to fully compensate for the proposed development's wetland impacts. However, no information has been provided regarding the proposed location, acreage, or mitigation activities. As such County staff cannot determine the appropriateness of the mitigation and the overall environmental benefits of the proposal.

B. RARE AND ENDANGERED SPECIES

Project Inventory and Impact Assessment

The 2003 environmental report for the subject site identified several listed (threatened, endangered, or species of special concern) species utilizing the subject property. These species included the wood stork (*Mycteria Americana*), white ibis (*Eudocimus albus*), little blue heron (*Egretta caerulea*), and Sherman's fox squirrel (*Sciurus niger shermani*). None of these species were observed during the surveys for this Substantial Deviation review. However, many of the wading birds listed here are known to use the existing wetland preserve areas for foraging. The more recent surveys did identify two active gopher tortoise (*Gopherus polyphemus*) burrows located in the existing pine flatwoods preserve area.

Comprehensive Plan Consistency

Based on the Applicant commitments and other information provided in the ADA, the SIPOC Substantial Deviation DRI appears to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan regarding resource protection.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

Section C (Native Habitats/Rare and Endangered Species) of Exhibit B (Development Order Conditions for Development Approval for the Petition No. 03-29 and NOPC 03-02) Granted by the Sarasota County Board of County Commissioners stipulations shall apply. (See stipulations below):

1. A wildlife corridor shall be provided in accordance with the Amended Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2, dated October 6, 2014). The entirety of the wildlife corridor shall be labeled as preserve area on all future development plans. All activities including, but not limited to, filling, excavating, altering of vegetation (including trimming of trees and understory), and storing of materials shall be prohibited within the wildlife corridor preserve area. Exception may be granted by Environmental Protection Division to facilitate implementation of approved resource management plans. All lighting adjacent to the wildlife corridor shall be directed into the development.
2. An updated Wildlife Management Plan has been prepared for the UTC development and approved by the Florida Fish and Wildlife Conservation Commission (FFWCC). The Wildlife Management Plan shall be submitted prior to or concurrent with submittal of any preliminary plan or site and development plan for Phase II development. The Wildlife Management Plan shall also be subject to the following conditions:
 - a. Wildlife crossings shall be provided where appropriate under roadways that cross the floodplain of Cooper Creek and shall include the FFWCC in design review. The final wildlife crossing designs and maintenance plans shall be appended to the Wildlife Management Plan. County Site and development plans shall include engineered details for said wildlife crossings and shall provide for movement of aquatic and terrestrial fauna underneath the roadway.
 - b. The use of herbicides within preserve areas shall be prohibited, except for invasive plant removal or eradication, and only by a licensed applicator.
 - c. Upland habitat wildlife survey periods will immediately follow the pine flatwood burn/mechanical disturbance cycle. Other listed species such as indigo snakes encountered during surveys shall be noted in the monitoring reports.
 - d. Upon review of the monitoring data and habitat conditions that result from the proposed site management, the FFWCC and Sarasota County Environmental Protection Division shall have the opportunity to recommend management plan amendments to the entity responsible for preserve management, if the objectives set down in the management plan are not being achieved.

3. Prior to submittal of any Site and Development plan application, a qualified environmental professional shall conduct a final listed species survey no more than four weeks before submittal, for each phase of the project to be constructed. Each on-site habitat shall be surveyed with recognized sampling techniques for all listed species which may occur in those habitats. Results shall be forwarded to Environmental Protection Division and shall include a site plan overlaid with survey transect, locations of all identified burrows, nests, or other evidence of listed species, and details of the methodologies used to conduct the surveys. In addition, Environmental Protection Division shall be provided with all documentation from appropriate regulatory agencies regarding listed species issues associated with the site prior to construction plan approvals.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

C. DRAINAGE

Project Inventory and Impact Assessment

The SIPOC / UTC DRI development site encompasses an area of approximately \pm 281.16 acres. The subject property lies within the Braden River (Cooper Creek) Drainage Basin. Based on the Braden River Basin Master Plan and the Southwest Florida Water Management District (SWFWMD) topographic aerials, runoff from the site is conveyed south through the site's stormwater management system, which is a network of interconnected hydraulic conveyance and stormwater ponds, and ultimately is discharged to the Braden River (Cooper Creek).

The Cooper Creek / Braden River waterways are classified as a Class I Surface Water (Potable Water Supplies) by the State of Florida and will require a 1.5 times treatment provision for a stormwater facility design.

Soils

The soil information is based on data obtained from the United States Department of Agriculture (USDA) Soil Conservation Service. It should be noted that this information pertains to 'natural' conditions and that the presence of adjacent man – made drainage works can affect wet season water table depth and duration.

Drainage Classification	Soil	Percent Soil on Site (±)	Depth of WSWT₁ Below Existing Ground Surface (feet)	Months for Wet Season Water Table
Poorly Drained	EauGallie and Myakka fine sands	33.6%	0.5 to 1.5	June to October
Poorly Drained	Pineda (31) - fine sand	21.5%	0.0 to 1.0	June to February
Poorly Drained	Felda (12) – fine sand, depressional	18.0%	+2.0 ₂ to 1.0	June to February
Somewhat Poorly Drained	Cassia (7)) – fine sand	9.7%	1.5 to 3.5	July to January
Very Poorly Drained	Holopaw (22) – fine sand, depressional	8.9%	+2.0 ₂ to 1.0	June to February
Very Poorly Drained	Delray (8) – fine sand, depressional	5.0%	+2.0 ₂ to 1.0	June to December
Poorly Drained	Felda (11)) – fine sand	1.7%	0.0 to 1.0	June to February
Poorly Drained	Bradenton (4) – fine sand	1.7%	0.0 to 1.0	June to October
Poorly Drained	Wabasso (41) – fine sand	0.01%	0.5 to 1.5	June to October

1. WSWT – Wet Season Water Table

2. The (+) indicates that the water is above the ground surface and these soils are generally located in depressional areas and poorly defined drainageways.

Floodplain

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), the site is located within Zones "C (unshaded)" or areas determined to be outside of the 500-year floodplain.

Federal Emergency Management Agency's (FEMA) Flood Insurance Map (FIRM)	Percent (%) of Property (±)
Zone "C" or "X (Unshaded)": Areas determined to be outside of the 500-yr. floodplain	100%
Braden River Basin Master Plan and SWFWMD Aerial Topography	Percent (%) of Property (±)
Flood Zone "AE" or >3' deep or moving areas determined to be located with the 100-yr floodplain	41.6%
Zone "X" or < 1' deep within the 100-yr floodplain	3.9%
Flood Zone "A" or Special Flood Hazard Areas inundated by 100-yr flood; base flood elevation not determined	1.52%

Future Land Use Policy 1.1.6 from the Sarasota County Comprehensive Plan allows development with the 100-year floodplain as long as the function of the floodplain is protected through floodplain compensation. Floodplain compensation must meet the requirements of the Land Development Regulations (LDRs) and will be examined at the time of Site and Development Plan / Construction approval.

Flood History of the Area

A review of the Public Works Business Center Neighborhood Response Team (NRT) data base and County staff reports did not indicate any reports of flooding of the subject site.

Comprehensive Plan Consistency

Stormwater drainage concurrency for new development is based in part on provisions of a new onsite stormwater management system designed to meet current level of service requirements of the Land Development Regulations (Ordinance No. 2000-074). Final determination of stormwater drainage concurrency is deferred to the time of Site and Development Plan / Construction Plan Approval.

At the time of Site and Development Plan / Construction Plan Approval, the applicant must demonstrate that the proposed project will not cause any adverse impacts to off-site property and will not worsen any existing off-site drainage problems in order to obtain Construction Authorization.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended DRI Development Order Conditions

The Master Stormwater Plan shall be subject to the Conditions set forth herein:

1. The SIPOC DRI shall be subject to the Master Stormwater Management Plan that incorporates the following:
 - a. use of concurrent and compatible stormwater modeling methods for the DRI site and the remainder of Cooper Creek watershed north of University Parkway indicating that planned development will not result in increases in the 100 – year peak discharge rate in Braden River (Cooper Creek) at University Parkway. The Braden River (Cooper Creek) Watershed Model shall be consistent with the Stormwater Management Plan for the University Place DRI. Development of the model may utilize the stormwater model information developed for the University Place DRI for the area upstream of the DRI site;
 - b. verification and calibration of the stormwater model calculations using the following data:

- stream flow data from the existing United States Geological Service (USGS) gauging station on Cooper Creek (a.k.a. Foley Creek) at University Parkway; and
- recorded rainfall data from a rainfall gauge local to the DRI site or other available data.

In order to accomplish this verification the entire Braden River (Cooper Creek) (a.k.a. Foley Creek) basin upstream of the USGS gauge shall be modeled. Data from 50 significant rainfall events or significant rainfall events over a two (2) year period, whichever occurs first, shall be used for model verification. Measured hydrographs for the measured rainfall events shall be compared with computed hydrographs, and the initially assumed Soil Conservation Service (SCS) coefficients will be evaluated for accuracy.

The CG zoned area of the DRI site may be developed prior to verification and calibration of the stormwater model, subject to installing a rain gauge to collect the site rainfall data required, if adequate data from other sources is not found adequate for verification and calibration. The rain gauge to collect site rainfall data shall be installed prior to construction approval for any portion of the CG zoned area.

- c. use of the same hydrologic soil classification for pre-development and post-development conditions hydrologic calculations.
 - d. that the proposed development shall not result in increases in the 100-year discharge and water surface elevation of Cooper Creek which would adversely affect off-site property.
 - e. that because this site discharges into the Cooper Creek and Braden River waterways, which are classified as a Class I Surface Waters (Potable Water Supplies) by the State of Florida, a 1.5 times treatment provision for a stormwater facility design will be required.
2. Each Preliminary Plan and Site and Development Plan submitted for any lot or parcel within the DRI area shall demonstrate consistency with the approved master stormwater management plan, or the master stormwater management plan shall be updated and submitted to appropriate Sarasota County departments for review and approval prior to each Site and Development Plan or Preliminary Plan submittal. The updated master stormwater plan shall also be submitted to Manatee County, the City of Bradenton, and SWFWMD for review and comment.
 3. Elevations corresponding to a 100-year flood plus one (1) foot shall be used to set minimum building elevations on the site.
 4. Treated stormwater runoff shall be utilized for on-site irrigation to the maximum extent practicable.
 5. All internal stormwater management lakes and ditches shall be set aside as private drainage easements on the appropriate recorded final plat. Stormwater lakes shall include adequate maintenance easements around the lakes with access to a paved roadway. Drainage and

maintenance access easements shall be provided for Cooper Creek (a.k.a. Foley Creek) on the recorded appropriate final plat. Dedication designations of the drainage and maintenance access easements shall be determined at the preliminary plan stage in consultation with the Sarasota County Water Resources Planning and Regulatory.

6. A Master Operation and Maintenance Manual for the Stormwater Management System shall be submitted to the appropriate Sarasota County departments for review and approval prior to submission of the first Preliminary Plan, Site and Development Plan or Construction Plan for any development within the DRI site and shall be adopted by the entity (applicable owners' association) responsible for routine maintenance. Said Manual shall also be submitted to the SWFRPC, the City of Bradenton, and Manatee County staff for review and comment. At the time of Site & Development Preliminary Plan submittal, the responsibility for maintenance of the stormwater management system shall be designated, with an applicable owners association responsible for routine maintenance of all stormwater facilities identified until the SIPOC Owners' Association is activated to operate and maintain the entire drainage system. The Manual shall include a stormwater lake littoral zone monitoring and maintenance program, a water bodies and swale maintenance plan, and maintenance of parking facilities and operation inspection.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

D. WATER QUALITY

Project Inventory and Impact Assessment

An environmental testing firm maintains a surface water and groundwater quality monitoring program at a network of three (3) groundwater and three (3) surface water monitoring stations. The project's stormwater management system is designed to provide water quality treatment for the runoff from the developed site prior to discharge to the receiving surface waters. No significant pollution discharges into the receiving waters is anticipated. Surface and groundwater water monitoring shall be performed bi-monthly.

Comprehensive Plan Consistency

Based on the Applicant commitments and other information provided in the ADA, the SIPOC Substantial Deviation DRI appears to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan regarding water quality protection.

Applicant Commitments to be included as Development Order Conditions

Refer to the Amended and Restated Development Order for Sarasota Interstate Park of Commerce Development of Regional Impact.

Recommended Development Order Conditions

1. The SIPOC stormwater management system shall meet the design standards applicable to stormwater systems that discharge into Outstanding Florida Waters (OFW), in effect as of the date of issuance of this Development Order, as provided in Chapter 403, Florida Statutes and in Chapters 62-25, 62-302, 62-4, 62-40 and other applicable chapters of the Florida Administrative Code.

The Applicant elects to be bound by the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, and Chapters 62-25, 62-302, 62-4, 62-40 and other applicable chapters of the Florida Administrative Code in effect on the date this Development Order is issued. In the event of any conflict between said rules and any condition of this Development Order, the more stringent shall apply.

To demonstrate compliance with these standards, the water quality in the receiving water body shall be monitored in with the Water Quality Monitoring Plan attached in this document. Stormwater discharge shall not cause the receiving water body to violate the limits defined in the class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural and/or other causes outside the control of the developer, site specific, alternative criteria may be established in conjunction with the Sarasota County Water Resources (or its successors).

The final design of the SIPOC stormwater management system shall be submitted to SWFWMD, SWFRPC, Manatee County, and the City of Bradenton for review and comment, and to Sarasota County for review and approval. Upon completion of the final SIPOC stormwater design, appropriate revisions shall be made to the surface and groundwater monitoring methodologies, as may be justified. Any such revisions shall be submitted to SWFWMD, SWFRPC, Manatee County, and the City of Bradenton for review and comment, and to Sarasota County for review and approval.

The requirements of this Section have been imposed upon the project subsequent to the Applicant's drainage and natural systems analyses and otherwise exceed the requirements of Sarasota County. Accordingly, meeting these higher stormwater design standards may impose obligations upon the project potentially at variance with the requirements of other provisions of this Development Order. In the event that final engineering plans and design of the stormwater system reveals conflicts between:

- a. The ability of the Project to be developed in the manner or to the extent contemplated in the ADA and sufficiency responses;
- b. The foregoing stormwater system design standards; and/or
- c. Other provisions of this Development Order or other applicable regulations (e.g., wetland hydroperiods maintenance)

The Applicant shall be entitled to petition the Board of County Commissioners for the minimum modification to the provision described in (c) above which would relieve the conflicts with (a) and (b) above. If appropriate, the Development Order shall be amended to reflect any such changes and such amendment(s) shall not be deemed to constitute a substantial deviation as long as the thresholds set forth in Chapter 380.06(19), Florida Statutes, have not been exceeded.

The Applicant shall maintain surface and ground water quality on the SIPOC DRI site at existing or improved levels. The water quality monitoring program as referenced in the Water Quality Methodology Statement is attached hereto as Exhibit G, dated August 8, 2006. Additionally, sampling for chlorides, sulfides, silver, organics, pesticides and metals, shall be continued prior to, during, and after construction activities. All the parameters listed in the referenced methodology and the ones listed above shall be monitored three times during the six month period preceding the initiation of construction activities. At least one of the monitoring events shall occur during the wet season period (June to September) and one event shall occur during the dry period season (October to March). If the maximum contaminant level (MCL) of organics, pesticides and metals exceeds the standards of Chapter 17-302 and 17-550, F.A.C., or Sarasota County Ordinance No. 72-37, as amended, the sampling of these parameters shall continue until such time that these parameters are in conformance with the referenced rules, regulations, or ordinances. The water quality monitoring program shall be initiated at least six months prior to initiation of construction and the last preconstruction sampling event shall occur at Least three months prior to initiation of construction. The laboratory results of all the sampling events of the water quality monitoring program shall be submitted to Sarasota County Water Resources and the City of Bradenton as soon as they become available from the laboratory.

2. The water quality monitoring program shall continue during those periods that construction activities are underway, with the groundwater sampling events occurring semi-annually, and surface water sampling events occurring bi-monthly. The program shall continue until at least one year after all construction activity is completed for the DRI site, with reports provided on a quarterly basis. These reports shall be submitted to the City of Bradenton for review and comment to the Sarasota County Water Resources for review and approval. If these reports indicate violations of applicable state water quality standards that are not due to natural and/or other causes outside the control of the developer, all construction must cease and the source of the water quality violation(s) shall be identified and remediated prior to any further construction. The program may be extended past the one year time limit when laboratory results indicate that the water quality standards are in violation of the state and/or Sarasota County standards during the post-developmental phase of the project. The program shall not be permanently discontinued however, without the approval of Sarasota County Water Resources and the Board of County Commissioners. Upon request from the Applicant, and after approval by Sarasota County Water Resources, the water quality monitoring program may be temporarily suspended when the construction activities are going to be halted for a period of three months or more. Upon resumption of the construction activity, the water quality monitoring program shall be resumed.

3. The methodology for the monitoring and reporting of the turbidity parameter in those areas under construction shall be included in the Best Management Practices (BMP's) Manual to be submitted prior to the submittal of the first Preliminary Plan, Site and Development Plan, or Construction Plan. Turbidity shall be monitored on a daily basis, preferably during the afternoon, upstream and downstream of the areas undergoing construction activities.
4. If any proposed changes in water quality monitoring locations, parameters, and/or frequency are suggested by either Sarasota County Water Resources, the County Resource Permitting Division, the Florida Department of Environmental Regulation, the Southwest Florida Water Management District, or the Applicant, such changes shall be submitted to the City of Bradenton for review and comment and shall be coordinated with the appropriate County and State agencies prior to approval by Sarasota County.
5. A Master Best Management Practices Manual (BMP's) Manual, that combines water quality and water quantity aspects, shall be submitted to Sarasota County for review and approval prior to the submittal of the first Preliminary Plan, Site and Development Plan, or Construction Plan for the DRI project. Said Manual shall also be submitted to the SWFRPC and the City of Bradenton for review and comment. The BMP's Manual shall include instructions for proper disposal of grass clippings; the use of fertilizer; herbicides, chemicals, and other products; and the requirement to regularly vacuum sweep all internal streets, sidewalks, and parking facilities. The BMP's shall also include a provision that construction silt barriers, hay bales, any anchor soil and accumulated silt shall be removed upon completion of the construction activities. The BMP's shall be adopted by appropriate legal documents and shall be referenced in all Preliminary Plans, Site and Development Plans, or Construction Plans, and shall be utilized during all construction activities.
6. During construction activities, the Applicant shall employ the Best Management Practices for erosion and sedimentation control to maintain air and water quality. These practices shall be included with, or presented on, all construction plans and are subject to the approval by the appropriate County Departments, including, but not limited, to fixed control structures, perforated pipes, and grass swale conveyances. Swales shall be used whenever possible rather than closed systems.
7. Utilization of wetlands for treatment of stormwater, to the extent possible, shall be consistent with the Apoxsee "Principles for Evaluating Development Proposals in Native Habitats", Section VIA.2.f, and any applicable rules and regulations in effect at the time of plan design and development plans submittal.
8. No commercial extraction of minerals from the subject property shall occur during the construction of this project, with the provision that materials excavated for lakes may be utilized as fill material elsewhere on the property, as needed, if the material is useable for the proposed use. This condition does not preclude the Applicant from selling any excess minerals that are excavated as part of the normal development process, as long as the Applicant does not establish a commercial extraction operation.

9. The SIPOC stormwater management system shall meet the design standards applicable to stormwater systems that discharge into Outstanding Florida Waters (OFW), in effect as of the date of issuance of this Development Order, as provided in Chapter 403, Florida Statutes, and in Chapters 62-25, 62-302, 62-4, 62-40, and all other applicable Chapters of the Florida Administrative Code. Pursuant to the provisions of the Clean Water Act, certain construction activities are required to obtain a National Pollutant Discharge Elimination System permit prior to the initiation of construction at the site.
10. All underground storage tanks shall be constructed according to all applicable local, state, and federal laws, rules and regulations. Site plans and construction plans shall be reviewed by Sarasota County for compliance with all applicable local, state and federal laws, rules and regulations. The Sarasota County Pollution Control Division shall also have an inspector present at the time when the tanks are installed or removed.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

E. HISTORICAL/ARCHAEOLOGICAL

Project Inventory and Impact Assessment

With the original ADA for SIPOC DRI, the Department of Historical Resources conducted a walk over survey of the parcel; no cultural resources investigation was recommended.

Comprehensive Plan Consistency

Based upon the information provided in the ADA, the SIPOC Substantial Deviation DRI appears to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan regarding historic resources.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended DRI Conditions

1. If evidence of the existence of historic resources is discovered or observed at development sites or during development activities after final approval, all work shall cease in the area of effect as determined by the Director. The developer, owner, contractor, or agent thereof shall notify the Director of Historical Resources within two working days. Examples of such evidence include whole or fragmentary stone tools, shell tools, aboriginal or historic pottery, historic glass, historic bottles, bone tools, historic building foundations, shell mounds, shell middens, or sand mounds. The Director shall assess the significance of the finds within three

working days of notification and to mitigate any Adverse Effects so as to minimize delays to development activities.

2. If any human skeletal remains or associated burial artifacts are discovered at development sites or during development activity, all work in the area must cease, and the permittee must immediately notify the nearest law enforcement office and notify the Director of Historical Resources within two working days. According to chapter 872, Florida Statutes, it is unlawful to disturb, vandalize, or damage a human burial.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

4. PUBLIC FACILITIES

A. TRANSPORTATION

Project Inventory and Impact Assessment

SIPOC is an approved 281 ± acre mixed-use development of regional impact located in the southwest quadrant of University Parkway and I-75. The subject petition has been filed to add up to 600,000 square feet of retail, 100,000 square feet of office to the existing entitlements, and extend the build-out date and facility reservation period from December 31, 2018 to December 31, 2020.

Trip Generation and Impact Area

A traffic impact analysis was submitted with the SIPOC NOPC application. The traffic impact analysis was based on a total of 1,750 dwelling units; 500 room hotel; 320,000 square feet of office; and 2.28 million square feet of retail to be constructed in two phases, as follows:

- Phase I: 634,000 gross square feet of retail, including restaurant uses.
- Phase II: 1,750 dwelling units; 500 hotel rooms; 320,000 square feet of office uses; up to 1,646,000 gross square feet of retail, including restaurant uses.

Approximately 1.55 million square feet of retail and 13,268 square feet of office has currently been built.

If developed as proposed, the project's daily trip generation is expected to be 79,893 gross (38,558 net new external) daily trips. The peak hour trip generation is estimated to be 7,344 gross (3,885 net new external) PM peak hour trips.

Please note: the facility reservation table in the Development Order conditions reflects the cumulative SIPOC development. However, the Facility Reservation Table should only reflect the reservation of trips for the remaining Phase I and Phase II development to be constructed. Staff is

awaiting additional information from the Applicant's Transportation Engineers to provide the revised information.

Based on the PM peak hour trips generated, the following improvements were found to be required in order to maintain the adopted levels of service on the significantly impacted roadways through December 31, 2020:

Improvements Required by Developer

Intersection/Roadway	Recommended Improvement	Phase Number	%DRI Complete (based on vehicle trips)*
University Parkway & I-75 East Ramps	Construct 3 rd NB left-turn lane	II	69
University Parkway & North Cattlemen Rd / Cooper Creek	Reconfiguration of the inside northbound through lane to a left turn lane for a total of three.	II	58
University Parkway & North Cattlemen Rd / Cooper Creek	Construct 3 rd SB left-turn lane	II	96

* % DRI complete is based upon 3,885 net new p.m. peak hour external trips

Improvements by Other

Intersection/Roadway	Recommended Improvement	Funding Agency	Year Construction Programmed
I-75 & University Parkway	Diverging Diamond Interchange	FDOT	FY 2015
Lakewood Ranch Boulevard	Extend the existing four-lane roadway from Communications Parkway to the southern Villages of Lakewood Ranch South boundary.	Schroeder-Manatee Ranch, Inc. (SMR)	None
Lakewood Ranch Boulevard	Four-lane arterial from the southern Villages of Lakewood Ranch South boundary to Fruitville Road	SMR/Other Developer Contributions/ Sarasota County	None
East/West Connector (I-75 Overpass)	Overpass across I-75 between University Parkway and Fruitville Road	Sarasota County/ VLWRS	None

* SMR is required to construct Lakewood Ranch Boulevard as a two-lane arterial within a four-lane right-of-way pursuant to the Restated Adequate Transportation Facility Agreement from the southern property boundary of VLWRS to Fruitville Road.

Section 163.3180(5), Florida Statutes, as revised by the Community Planning Act in 2011, allows developers another mitigation alternative in jurisdictions that retain transportation concurrency. In those jurisdictions, the developer may instead enter into a proportionate share agreement with the local government. Under the statute, the proportionate share formula does not take into account the “existing deficiencies,” i.e. the facilities operating below the adopted level of service due to non-project traffic. Based on the detailed analysis performed for the SIPOC development the improvements listed in Table 3 were identified as improvements needed to correct the existing deficiencies. For the SIPOC development, the developer would be responsible for only a proportionate share of the improvement caused by the addition of the project traffic.

2011 Community Planning Act Improvements

Intersection/Roadway	Recommended Improvement	Funding Agency
Desoto Road	Extension from Harold Avenue to Tivoli Avenue	No funding assigned
University Parkway & North Cattlemen Road/Cooper Creek	Construct 4 th EB through lane	No funding assigned

Access

Access to the project is approved via one connection to University Parkway, four connections to North Cattlemen Road and one connection on Desoto Road as follows:

- University Parkway, approximately 600 feet west of North Cattlemen Road: This access is restricted to right-in/right only.
- North Cattlemen Road, approximately 400 feet south of University Parkway: This access is restricted to right-in/right-out only.
- North Cattlemen Road, approximately 800 feet south of University Parkway: A signalized intersection.
- North Cattlemen Road, approximately 1,320 feet (0.25 miles) south of University Parkway: A roundabout controlled intersection.
- North Cattlemen Road, approximately 1,900 feet (0.36 miles) south of University Parkway: A roundabout controlled intersection.

All other access connections internal to the development shall be consistent with the Access Management Plan, approved by Transportation Planning, Public Works.

Comprehensive Plan Consistency

The Applicant submitted a Comprehensive Plan Amendment application to add up to 600,000 square feet of retail, 100,000 square feet of office to the existing entitlements, and extend the build-out date and facility reservation period from December 31, 2018 to December 31, 2020. The proposed development is consistent with the Transportation related provisions of the Comprehensive Plan and with the proposed amendments. During subsequent reviews, the site plan should reflect transit amenities consistent with Transportation objectives and policies related to multi-modal and transit mobility needs.

Applicant Commitments to be Included as Development Order Conditions

There are no applicant commitments that staff recommends be included as development order conditions.

Recommended Development Order Conditions

1. Construction Plan approvals shall not be issued for any SIPOC Phase II development until such time as funding for the construction of the following improvements has been allocated and no certificate of occupancy nor temporary certificate of occupancy shall be issued until such time as these improvements have been accepted by Sarasota County:
 - a. Construction of the University Parkway at Cooper Creek Boulevard/North Cattlemen Road intersection including the following lane additions and/or modifications:
 - (1) reconfiguration of the inside northbound through lane to a left turn lane for a total of three; prior to 58 percent of the DRI buildout 2,236 net new p.m. peak hour external trips).
 - b. Construction of a northbound left-turn lane at the University Parkway at I-75 East Ramps intersection for a total of three prior to 69 percent of the DRI buildout or 2,683 net new p.m. peak hour external trips.

These improvements have been identified as being required in order to provide adequate traffic circulation.

Nothing herein shall be interpreted in such a way as to require that Sarasota County, construct these road improvements.

2. Construction Plan approvals shall not be issued toward any additional SIPOC development until an interim Transportation Management Association (TMA) has been established and the interim TMA has developed a Transportation Demand Management (TDM) Implementation and Monitoring Plan. The TDM Plan shall be designed specifically for the tenants of SIPOC, and may include the tenants of any Developer owned or managed development within a one-mile radius of SIPOC. The initial approved TDM Plan shall define an implementation and monitoring program that shall include the following minimum components:

- a. A menu of primary mode TDM strategies and a schedule of implementation. Primary mode TDM strategies include but are not limited to bicycling and walking, flexible work schedules, local circulator/trolley, public transit, remote parking and shuttle, and carpool/vanpool.
 - b. A menu of “core” support services and a schedule of implementation. Core support services are universal measures necessary to manage a TDM Plan but not directly supportive of a primary mode strategy. Core services cannot be provided for multi-development/multi-tenant TDM Plans without a TMA unless a developer, property owner, employer, or tenant in the Plan area commits to the responsibility of managing the TDM Plan.
 - c. A marketing and promotional plan that outlines how the TMA will introduce and educate tenants about the Plan, encourage use of the TMA’s services, and solicit membership into the TMA;
 - d. A monitoring, reporting, and refinement plan that describes the overall process, identifies a method for measuring “trip reductions,” provides a schedule of data collection coordinated with the annual Traffic Monitoring Program, provides a schedule of employee surveys (initial survey in year one and second survey in year three), and provides a description of the monitoring report contents and how it is used to refine the TDM Plan.
3. The internal street system shall be consistent with an Access Management Plan, approved by Sarasota County Public Works. The Access Management Plan shall depict all access points for the subject development to all existing and proposed roadways:
- a. Sarasota County acknowledges that with construction of the improvements listed in Transportation Conditions H.1.and the implementation of Condition H.2, a sufficient amount of road facility capacity is projected to be available to accommodate development at or above the adopted levels of service for the transportation facilities needed to accommodate the SIPOC development generating up to 3,885 net new p.m. peak hour external trips ends through 2020. Therefore, Sarasota County shall reserve for SIPOC that amount of p.m. peak-hour road capacity necessary to accommodate the equivalent of 7,344_p.m. peak-hour gross vehicle trips, of which 3,885_represent net new p.m. peak-hour external vehicle trips, through expiration of the Facility Reservation Period, provided that:
 - i. If a planned/programmed road or intersection improvement is not constructed or funded in accordance with the time frame such construction was assumed to occur in the Applicant's traffic impact analysis, the extent of such capacity reservation shall be reassessed and revised, as necessary, as part of the next annual monitoring report (required pursuant to Condition H.5-);

- ii. If the findings of the annual monitoring program indicate that the level of service on any road, intersection, or intersection approach in the traffic impact area falls below or is projected to fall below the adopted level of service for that facility, no further construction plan approvals shall be issued unless Funding Commitments for the improvement(s) required to maintain the adopted level(s) of service have been provided by the Applicant, another private person, or a responsible entity. In the event the annual monitoring report indicates that any road facility will fall below the adequate level of service for that facility, SIPOC development will be permitted to develop up to but not beyond that point where the road facility is projected to fall below the adopted level of service for the facility. If the findings of the annual monitoring program indicate that road and intersection capacity is available (consistent with adopted levels of service) in excess of that reserved for SIPOC development, Sarasota County may issue Final Development Orders for other development but only to the extent of the excess capacity.
- b. The following intersections and road segments shall be monitored as part of the annual traffic monitoring program during the capacity reservation period:
 - (1) University Parkway at Interstate 75 (east side);
 - (2) University Parkway at Interstate 75 (west side);
 - (3) University Parkway at Honore Avenue;
 - (4) University Parkway at North Cattlemen Road/Cooper Creek Boulevard;
 - (5) University Parkway at Lockwood Ridge Road;
 - (6) University Parkway at Conservatory Drive;
 - (7) University Parkway at Whitfield Avenue;
 - (8) University Parkway at Longwood Run Boulevard;
 - (9) University Parkway at Medici Court;
 - (10) North Cattlemen Road at any on-site intersections;
 - (11) North Cattlemen Road at Richardson Road;
 - (12) North Cattlemen Road at Fruitville Road;
 - (13) Honore Avenue at Longmeadow;
 - (14) Honore Avenue at 17th Street;
 - (15) Honore Avenue at Richardson Road;
 - (16) Desoto Road at Honore Avenue;
 - (17) Desoto Road at North Cattlemen Road;
 - (18) Desoto Road at any on-site intersections;
 - (19) University Parkway at Market Street; and
 - (20) Fruitville Road at Interstate 75 (west side);

If in the Annual Traffic Monitoring Report, the level of service on any of the intersections or intersection approaches fall below the adopted level of service, no further site and development plan approval shall be issued unless the required improvement(s) are made by the Applicant, or, Funding Commitments for the improvement(s) have been provided by the Applicant, another private person, or a responsible entity. Furthermore, if in the Annual Traffic Monitoring Report, any of the unsignalized intersections meet the criteria for traffic signal warrants as stated in the latest Manual on Uniform Traffic Control Devices, no further

construction plan approval shall be issued unless the intersections meeting signal warrants are signalized by the Applicant, or Funding Commitments for the signalization have been provided by the Applicant, another private person, or a responsible entity, or such measures are taken that eliminate the need for the signal.

Nothing herein shall be interpreted in such a way as to require that Sarasota County construct any intersection improvement(s) identified pursuant to the requirements herein.

In accordance with the capacity reservation provision above, Sarasota County shall reserve the following net new pm peak-hour external vehicle trips of road capacity for SIPOC in the amounts and on the segments set forth below:

In order to ensure that the adopted levels of service are maintained on these and the other roads and intersections in the traffic impact area during buildout of the remaining development, the review of all Development Order applications for development submitted after expiration of the Facility Reservation Period shall be subjected to the provisions and concurrency standards contained in the County's Concurrency Management (Sarasota County Code of Ordinances, Chapter 94, Article VII), as modified in Condition ~~No. 4~~ H.5 below.

5. The Applicant shall establish an annual traffic monitoring program pursuant to and consistent with the provisions and standards contained in the Annual Traffic Monitoring Program Methodology attached hereto as Exhibit F. Development Order applications, including Final Development Order applications, for any portion of the development submitted shall not be approved until annual monitoring reports are submitted.

The annual traffic monitoring program will be used to monitor the cumulative impacts of the development on the roadways, intersections, and intersection approaches in the traffic impact area. The findings of the annual monitoring program shall be submitted in an annual report, required pursuant to Section 3.4 of this Ordinance. The annual traffic monitoring report shall also include the findings of the annual TDM assessment required in Condition H.10.

The traffic impact assessment conducted for each annual traffic monitoring report shall address the cumulative impacts from those portions of the SIPOC development, as well as other development in both Sarasota and Manatee County that have been issued a Final Development Order or other Development Order having the effect of reserving road capacity for such development. The traffic impact assessment shall also address the project traffic for the following year.

The annual traffic monitoring report will also be used for traffic impact and concurrency evaluation purposes for any SIPOC development submitted to the County for review after expiration of the Facility Reservation Period. The purpose of the annual concurrency evaluation process is to provide the Applicant the opportunity to undergo a single "annual" concurrency evaluation for that amount of development for which Development Orders are expected to be submitted during the next year in lieu of having to undergo separate evaluations for each Development Order application submitted during that period. When

used for annual concurrency evaluation purposes, cumulative SIPOC development shall include those portions of the development for which Final Development Order applications will be (or are expected to be) submitted for review during the ensuing Annual Concurrency Evaluation Period.

When required, and after expiration of the Facility Reservation Period, the annual concurrency evaluation contained in each annual traffic monitoring report shall be used as the basis for approving/denying SIPOC Development Order applications submitted for review during the Annual Concurrency Evaluation Period in effect upon approval of that annual report. Development Order approvals for any development order submitted for review on or after the required submittal date for an annual traffic monitoring report shall not be granted unless and until the required annual traffic monitoring report has been approved pursuant to the provisions of this condition.

The first and all subsequent annual traffic monitoring reports shall be submitted to Sarasota County Public Works, Sarasota County Planning Services, and the Florida Department of Economic Opportunity (DEO) for approval no later than the anniversary of the effective date of this Development Order. The Sarasota County Public Works and DEO shall have forty-five (45) calendar days after receipt of an annual traffic monitoring report to review and either approve or reject the findings of that report. In the event that an annual traffic monitoring report is rejected, ~~the~~ Sarasota County Public Works or DEO shall identify the specific reasons for the rejection and the specific modifications or measures necessary to deem the report acceptable at the time said report is rejected. If an annual traffic monitoring report is rejected, Sarasota County may, in consultation with DEO and if it is acceptable to the Applicant, prepare necessary modifications and issue a revised annual traffic monitoring report within an additional twenty (20) calendar days. If the necessary modifications to the annual traffic monitoring report are not prepared by Sarasota County, the SIPOC Applicant shall have the opportunity to revise and/or modify the annual traffic monitoring report. After each revised annual traffic monitoring report is prepared, Sarasota County and DEO shall have twenty (20) calendar days to review and either approve or reject the annual traffic monitoring report. The Applicant shall coordinate the initial preparation of each annual traffic monitoring report with ~~the~~ Sarasota County Public Works and DEO, in a time frame deemed appropriate by the Applicant in order to meet the prescribed review approval time frames set forth herein. In the event any review agency shall fail to timely respond within the review deadlines set forth herein, that review agency shall conclusively be deemed to have approved the annual traffic monitoring report.

6. Development Order applications, including Final Development Order applications, for any portion of the development submitted during the annual concurrency evaluation period in effect for a given monitoring report, shall not be approved if the annual concurrency evaluation contained in that report indicates that traffic resulting from the approval of said Development Order will impact any road, intersection, or intersection approach in the traffic impact area that is operating (or projected to operate) below the adopted level of service for that facility. Notwithstanding the above, a Development Order application may be approved if one of the following mitigative actions, or both in combination, are committed to by the

Applicant (as a condition of approval for that Development Order), or, by another responsible entity:

- a. Other traffic impact reduction measures are implemented, including but not limited to (TDM) strategies, intended to eliminate the impact of the SIPOC development traffic on the deficiently operating facility (ies). These alternative measures identified in Condition H.10. shall be reviewed and approved by the Sarasota County Public Works, and approved by the Board of County Commissioners as an amendment to this Development Order pursuant to Chapter 380.06(19), Florida Statutes; or
 - b. Funding Commitments, as defined in Conditions A.10.a.i-iii., are provided for the improvement(s) necessary to eliminate the level of service deficiency on the road(s) and/or intersection(s) by the SIPOC DRI development.
7. In order to ensure that the cumulative amount of SIPOC development for which Final Development Order applications have been approved in any Annual Concurrency Evaluation Period does not exceed that which was assessed in the annual traffic monitoring report conducted for that evaluation period, each Final Development Order application submitted during an Annual Concurrency Evaluation Period shall be accompanied by a report summarizing the cumulative amount of approved SIPOC development during that evaluation period. Each report shall summarize the type and amount of SIPOC development, including the specific land uses and trip generation estimates, subject to the Final Development Order application being submitted for review, plus, all other SIPOC development for which Final Development Orders have been approved during the Annual Concurrency Evaluation Period currently in effect. A comparison between that which was initially assessed and that already approved plus that being proposed to date shall be made and briefly discussed in the report. The Applicant shall indicate in the report whether or not the amount of actual SIPOC development for which Final Development Order applications have been approved to date plus the incremental amount proposed as part of the Final Development Order application under review exceeds that which was originally assessed as part of the annual traffic monitoring report prepared for that Annual Concurrency Evaluation Period. If this amount is exceeded, no further Final Development Orders shall be approved unless, and until, an annual concurrency evaluation is prepared consistent with the provisions of the conditions herein and the Annual Traffic Monitoring Program Methodology, attached hereto as Exhibit F.
8. Prior to the approval of any Development Order for development after the expiration of the facility reservation period development, the Applicant shall be responsible for preparing a revised traffic analysis for the remaining SIPOC development. The revised traffic analysis shall be used to identify the potential traffic impacts associated with the subsequent phase of SIPOC development, the extent and timing of improvements required to maintain the adopted levels of service on those roads and intersections in the impact area for the subject phase of development. In conducting evaluations of whether the subsequent SIPOC development generates substantial/adverse impacts on any road facility in the traffic impact area, cumulative SIPOC development traffic impacts shall be included in the traffic analysis. The revised traffic analysis shall also be used as the basis for approving additional and/or revised conditions and traffic monitoring requirements associated with the subsequent phase of development.

The revised traffic analysis shall address the subsequent SIPOC development for which the Applicant is seeking approval under this, or a revised DRI Development Order, and any remaining development not subject to an approval and valid Final Development Order. The revised traffic analysis shall be submitted to the review agencies in accordance with the Notification of Proposed Change procedures outlined in Chapter 380.06(19), Florida Statutes.

Development Order applications for the SIPOC development that are submitted after expiration of the Facility Reservation Period, shall not be approved unless or until the development for which said Development Orders have been submitted is the subject of, or included in, a revised traffic analysis as required in this condition.

9. A Multi-modal Master Plan shall be established and maintained. As part of the Multi-modal Master Plan, the Applicant shall provide a mass transit facility. Said transfer facility shall be designed to accommodate a minimum of four (4) buses and be constructed at such time Sarasota County Area Transit (SCAT) establishes services to the development. The Applicant shall also operate a trolley system consistent with the routes identified in the submitted Notice of Proposed Change (NOPC) application.
10. The traffic impact analysis for the development as documented in the NOPC application was performed with consideration of the effects of the implementation of a Transportation Demand Management (TDM) program. Accordingly, the road and intersection improvements listed in the conditions above ~~may~~ reflect a “best case” scenario in terms of potential impacts from the development on the adjacent road network. The Applicant shall subsequently implement a TDM program which shall endeavor to divert and/or reduce p.m. peak-hour traffic generation from the development. The TDM program shall be reviewed and approved by Sarasota County Public Works, the Sarasota-Manatee Metropolitan Planning Organization (MPO), and ~~the~~ FDOT

The TDM program shall include an annual assessment of the success and achievement of the p.m. peak-hour vehicle diversion/reduction strategies.

- a. Findings of the assessment shall include:
 - i. Traffic data collection at the driveways, which are the subject of the TDM program, to verify that the projected gross trips for the driveways are not exceeded on an annual basis, consistent with Annual Traffic Monitoring Program Methodology (Exhibit F); and
 - ii. A biennial analysis of the TDM program’s process in meeting the 16 percent trip diversion/reduction goal, and recommendations for revising TDM program if the diversion/reduction strategies do not meet the goal.

The findings of the annual TDM assessment may serve as the basis for the Applicant and/or review agencies to request amendments to the Development Order.

- b. The TDM program shall seek to further the ~~TSM~~TDM objectives and policies set forth in the Florida Transportation Plan and shall include, but not be limited to, the following strategies:
 - i. Promote ride sharing by public and private sector employees;
 - ii. Increase urban area peak-hour automobile occupancy rates through expanded ride sharing efforts;
 - iii. Increase peak-hour occupancy rates for transit and other high-occupancy vehicles; and
 - iv. Other appropriate trip diversion/reduction strategies and measures.
11. The issuance of Development Orders, including Final Development Orders, as defined by Sarasota County Code of Ordinances, Chapter 94, Article VII, for the development, shall be subject to the requirements of the Sarasota County Concurrency Management Regulations (Sarasota County Code of Ordinances, Chapter 94, Article VII), with respect to the provision of adequate mass transit facilities and levels of service for such facilities.
 12. A master bicycle and pedestrian plan which includes the following unless modified by a variance or other accepted procedure shall be established and maintained:
 - a. All bicycle lanes and sidewalks required by the Land Development Regulations; and
 - b. A bikeway and pedestrian system on all internal roadways within the project. Any variance request (or other accepted procedure) shall also be submitted to the Planning and Development Services for review and comment.
 13. The Applicant shall dedicate the right-of-way for North Cattlemen Road and Desoto Road within the boundaries of the SIPOC development.
 - a. Right-of-way dedicated on Desoto Road (west of North Cattlemen Road) shall be in the amount of 80 feet (corresponding to a two-lane arterial road with closed drainage).
 - b. Right-of-way dedicated on North Cattlemen Road shall be in the amount of 120 feet (corresponding to a four-lane arterial road with closed drainage).
 - c. The Applicant shall be responsible for the construction of road and intersection improvements which are directly necessitated by the development. Any additional right-of-way at the North Cattlemen Road/Desoto Road intersection required in order to accommodate an appropriate alignment for the extension of Desoto Road will be dedicated by the Applicant at no cost to the County. Additional right-of-way required to accommodate additional lanes along North Cattlemen Road at any internal roadway and University Parkway to serve the traffic generated by the SIPOC development will be dedicated at no cost to Sarasota County. All intersection improvements including turning

lanes and other traffic control devices at the intersections of access points and internal roadways in the SIPOC development which improvements are required to serve the traffic generated by the SIPOC development shall be constructed by the Applicant at its cost or expense.

- d. The requirements of a through d c, as stated above, shall be considered minimum requirements and shall not preclude the County from entering into agreements with the developer which requires additional right-of-way dedication and improvements.

Issues to be Resolved

Staff is awaiting the necessary traffic data to update the Facility Reservation Table to reflect the reservation of trips for the remaining Phase I and Phase II development to be constructed only.

B. WATER SUPPLY

Project Inventory and Impact Assessment

The proposed changes to the SIPOC / UTC DRI will increase the Retail Commercial and Office space within the proposed development program. There is adequate capacity in the Sarasota County water system to provide service to the proposed project. At full buildout the project will generate total demands of 719,000 gallons per day (gpd) for potable water and 575,200 gpd for waste water. Non-potable water demands are estimated by the County to be 74,000 gpd average and 218,000 gpd at peak demand. Subsequent phases of development will be required to analyze system impacts and make improvements based upon current operating conditions and vested capacity.

Current or Proposed Uses

Proposed Change	Retail Commercial (sf)	Office (sf)	Hotel Rooms	Multi-Family Dwellings (Units)
Phase I	633,888			
Phase II	1,046,112	220,000	500	1,750
Proposed Change	600,000	100,000		
Total	2,280,000	320,000	500	1,750

Required EDU

Zoning Use	Number of EDUs	Water Flows (gpd)	Wastewater Flows (gpd)
Phase I	190	47,542	38,033
Phase II	2,446	611,458	489,167
Proposed Change	240	60,000	48,000
Total Required	2,876	719,000	575,200

The development is required to connect to the Sarasota County Public Utilities water and wastewater systems in accordance with current County rules and regulations. All connections to the potable water distribution and wastewater collection systems are required to pay the established Water Facilities Capacity Fee, Wastewater Facilities Capacity Fee, and Wastewater Deferred Revenue Charges at the time of connection. Capacity can only be reserved through payment of those fees. All potable water, reclaimed water, and wastewater customer connected to the County's system is responsible for the monthly water, reclaimed water, and wastewater charges according to the most recently adopted Utility Rate Resolution.

Comprehensive Plan Consistency

There are not new utility projects needed to be added to the list of the 5-year capital improvements or to the unfunded projects in support of this change. The development is responsible for providing all on-site and off-site infrastructure that will be necessary to serve the project.

Based upon the information provided in the ADA, the SIPOC Substantial Deviation DRI appears to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan regarding water resources.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

1. Information furnished by the Applicant at the time of construction plan submittal shall include a quantitative analysis of the project's impacts upon off-site potable water distribution facilities. If it is determined that off-site improvements are needed to provide adequate potable water service to the project, the Owner/Developer shall be responsible for the costs of installing the improvements.
2. Potable water distribution lines shall be installed outside of paved areas wherever possible. Sarasota County will not be financially responsible for damages to private roadways in commercial or multifamily areas of the development if it is necessary to repair or replace County-owned lines, which are beneath them.
3. The SIPOC DRI will obtain potable water service from the Sarasota County Utilities Department, which currently has adequate capacity permitted or programmed to serve Phase I of the SIPOC development. In obtaining commitments for potable water capacity, the development will be subject to Ordinance 90-36 (which limits the number of connections available per month), and Ordinance 90-22 (which does not allow commitment of connections until the building permits are issued), as they may be amended from time to time.

4. The issuance of Development Orders, including Final Development Orders as defined by Ordinance 89-103, as may be amended, for Phase I and all subsequent phases of development shall also be subject to the requirements of the Sarasota County Concurrency Management Regulations (Ordinance 89-103, as may be amended) with respect to the provision of adequate potable water facility capacity) and Levels of Service.
5. North Lake, adjacent to the Development is the proposed source of non-potable irrigation water.
6. Construction of the proposed development shall include the installation of a centralized potable water distribution system that is designed in accordance with all applicable local, state, and federal codes and regulations. When construction is complete, all potable water distribution lines, valves, hydrants, and appurtenances deemed by the Utility Department to be accepted for Public use and maintenance, shall be deeded at no cost to Sarasota County to be operated and maintained by the County in accordance with all applicable laws, ordinances, rules, and regulations.
7. Installation of the SIPOC development's proposed waterlines shall include off-site connections to the existing waterlines along Honore Avenue and University Parkway. Metering facilities, check valves, and other appurtenances as necessary shall be installed at the Owner/Developers expense, and shall be approved by the Sarasota County Utilities Department. Internal waterlines shall be sized based on an acceptable model, and looped for maximum efficiency.
8. Information furnished at the time of Construction plan submittal shall include a determination of the feasibility of utilizing reclaimed water to supplement the SIPOC development's non-potable water needs. If it is determined that the SIPOC development can utilize reclaimed water, construction of the development's "common area" landscape irrigation systems shall include piping, storage ponds, and appurtenances as are necessary to enable these systems to accommodate reclaimed water. Reuse water is currently not available in this area.
9. The Applicant shall utilize drought-resistant native plant species and water-conserving landscape techniques (Xeriscapetm) as integral components of the projects landscape design. A list of all plant materials to incorporate into landscaping plans for the development shall be reviewed and approved by the County Staff Forester during the Preliminary Plan and/or Site and Development Plan process.
10. For the purpose of water conservation, installation of high-efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices is required. This shall include the use of toilets requiring no more than 1.6 gallons per flush and the installation of self-closing and/or metered water faucets in all public and commercial rest room facilities.
11. Since the development is located in the Most Impacted Area (MIA) of the Eastern Tampa Bay Water use Caution Area (ETBWUSA), the availability of non-potable water to meet the project's needs is questionable. The Applicant shall provide assurance that adequate non-

potable water supplies are available for each phase of development. North Lake, adjacent to the Development is the proposed source of non-potable irrigation water.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

C. WASTEWATER MANAGEMENT

Project Inventory and Impact Assessment

There is adequate capacity in the Sarasota County water and sewer system to provide service to the proposed project.

Comprehensive Plan Consistency

The developer will be required to make a variety of improvements to the existing wastewater collection system due to the impacts created by the proposed changes to the SIPOC / UTC DRI. The development is responsible for providing all on-site and off-site infrastructure improvements that will be necessary to serve the project.

Based upon the information provided in the ADA, the SIPOC Substantial Deviation DRI appears to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan regarding water resources.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

1. Information furnished by the Applicant at the time of construction plan submittal shall include a quantitative analysis of the project's impacts upon off-site wastewater collection facilities. If it is determined that off-site improvements are needed to provide adequate wastewater service to the project, the Owner/Developer shall be responsible for the costs of installing the improvements.
2. Negotiations concerning the development of cost-sharing, line extension, or oversizing agreements between the Applicant and the Sarasota County Utility Department shall be completed before approval of the project's construction plans.
3. The SIPOC DRI shall obtain wastewater service from or through the Sarasota County Utilities Department, which currently has wastewater treatment capacity permitted or programmed to serve Phase I of the Development. The issuance of Development Orders, including Final Development Orders, for Phase I and all subsequent phases of the SIPOC

development, shall also be subject to the requirements of the Sarasota County Concurrency Management Regulations (Ordinance No. 89-103, as may be amended), with respect to the provision of adequate wastewater treatment capacity and Levels of Service.

4. Construction of the SIPOC development shall include the installation of a centralized wastewater collection system that is designed in accordance with all applicable local, state, and Federal codes and regulations. When construction is complete, all wastewater collection lines, pump stations, valves, and appurtenances deemed by the Utility Department to be accepted for Public use and maintenance, shall be deeded at no cost to Sarasota County to be operated and maintained by Sarasota County in accordance with all applicable laws, ordinances, rules, and regulations.
5. The Applicant shall design, permit, and construct a parallel 12" sewer force main from the west side of Honore Avenue to Cooper Creek (approximately 1,400'). The Applicant is required to make improvements to DeSoto Road and the intersection of DeSoto Road and Honore Avenue. The SIPOC flows have necessitated the 12" force main construction at this time, which had not been scheduled under the current 5-year CIP.
6. The Applicant shall design, permit, and construct an 18" HDPE Force Main from Cooper Creek to NC-3 (approximately 1,700'). The Development Plan called for the relocation of an existing 12" sewer force main from Cooper Creek to NC-3. A parallel 12" force main was proposed by the County in the future (beyond the current 5-year CIP). Due to the Development's requirement to re-align the existing 12' force main, coupled with the need for a future parallel 12" force main, which is now currently needed to mitigate the impacts on the County's existing sewer system, the Applicant is to design, permit, and construct an 18" sewer force main from Cooper Creek to NC-3.
7. The Applicant shall design, permit, and construct upgrades to an existing sewer lift station known as NC-3. The County made the initial capital investment to construct this lift station in 1999, when it constructed a major sewer line in North County to service future County sewer customers (Area A- PCSSRP). The station will be used exclusively by the SIPOC Development. The Applicant will be required to upgrade this station to current County standards, and to design, permit, and construct the improvements to meet the needs of the Development at Buildout.
8. The Applicant shall design, permit, and construct a parallel 16" force main from NC-3 to I-75 Intersection with the existing 20" force main (approximately 10,500'). Development requires a 12" parallel force main be constructed as a result of the increased flows from the proposed development. The County wishes to upsize this line to a 16" force main. The Applicant is to obtain 3 contractors' bids to construct this pipeline at both 12" and at 16" and enter into a developer oversizing agreement with the County. The County will pay the material costs associated with oversizing of this line.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

D. SOLID WASTE MANAGEMENT

Project Inventory and Impact Assessment

The Sarasota County Central County Solid Waste Disposal Complex has sufficient disposal capacity to handle project.

Comprehensive Plan Consistency

Based upon the information provided in the ADA, the SIPOC Substantial Deviation DRI appears to be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan regarding water resources.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

1. The Applicant shall include language in the covenants and restrictions for the development outlining all applicable laws and regulations regarding the proper storage, handling and disposal of hazardous waste and materials.
2. Prior to submittal of the first Preliminary Plan, Site and Development Plan or Construction Plan, the Applicant shall provide a Hazardous Materials Management Plan that establishes guidelines to ensure employee safety and for the proper use, handling, and storage of hazardous materials on the site. The Hazardous Material Management Plan shall be submitted to the SWFRPC and to the City of Bradenton for review and comments, and to the Sarasota County Pollution Control Division for review and approval, and shall be incorporated into all covenants and deed restrictions within the SIPOC DRI
3. Any business located within the SIPOC development, which generates hazardous waste, shall be responsible for the temporary storage, sitting and proper disposal of the hazardous waste generated by such businesses. Outside storage of hazardous waste shall be prohibited.
4. Restaurants shall be outfitted with grease trap systems if required by applicable laws or regulations. If necessary, the grease traps shall be installed and maintained by the tenant/landowner and they shall be required to contract with a licensed carrier for disposal.
5. The Applicant shall mulch trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the onsite needs.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

E. FIRE PROTECTION

Project Inventory and Impact Assessment

Fire Protection and Emergency Medical Services (EMS) are currently provided to the subject property by the Sarasota County Fire Department Station Number 7, which is located at 4754 17th Street. The response times from this station to the area of this development are 7 – 8 minutes. Station Number 6, located at 4100 Lockwood Ridge Road will provide backup services to this site, with response times projected in excess of 8 minutes.

As this project develops, an additional 1 – 2 minutes can be added to the aforementioned response time calculations. In a cardiac arrest emergency, for each minute that passes the chances of resuscitation decrease by 10%; as such, in ten minutes the chances of saving the cardiac arrest patient decrease to 0%. Additionally, fire doubles in intensity every 30 seconds, so flashover can occur within a one minute time period.

Comprehensive Plan Consistency

The comprehensive plan does not address the provision of fire protection service.

Applicant Commitments to be Included as Development Order Conditions

To address response time issues, the Applicant has agreed to work with Emergency Services in locating suitable property for the construction of a fire station.

Recommended Development Order Conditions

1. The Applicant shall install fire hydrants, internal loops to insure 1,000 gallons per minute (gpm) fire flows; and promotion of fire/smoke/security systems in all commercial buildings located within the SIPOC DRI.
2. Buildings requiring a fire flow greater than 1,000 gallons per minute (gpm) shall be sprinkler protected.
3. The Applicant and Sarasota County fire Department shall meet during the site plan review development process to discuss and incorporate safety, security, and access feature for the project.
4. Facilities qualifying under the Superfund Amendments Reauthorization Act (SARA) Title III and the Florida Hazardous Materials Emergency Response and Community Right to Know Act of 1988, must file hazardous materials reporting applications in accordance with Sections

302, 303, 304, 311-312, or 313. Applications must be updated annually by each reporting facility.

Issues to be Resolved

Additional Development Order Conditions may be included based on the recommendations contained in the SWFRPC assessment report.

F. POLICE PROTECTION

Project Inventory and Impact Assessment

SIPOC is located in unincorporated Sarasota County and will be served by the Sarasota County Sheriff's Department. The Sheriff's Department uses a grid/zone response system to deploy patrol deputies. Actual response times to the site will vary based on the nature of the incident, however, typical emergency response times of one to four minutes acceptable according to the Sheriff's Department. Police services are also provided by the Florida Highway Patrol (FHP), who maintains regular patrols on all State roadways, such as I-75. Additional assistance can be provided to the Sheriff's Department by the Manatee County Sheriff's Department through mutual service agreements. No on-site facilities or services are proposed.

Comprehensive Plan Consistency

The Comprehensive Plan does not address the provisions of police protection.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

1. During the Site and Development Plan and Construction Plan approval process, the Applicant shall consult with the Sheriff's Department to ensure that security features are incorporated within the project design including, but not limited to the following:
 - a. Appropriate access for law enforcement and other emergency vehicles;
 - b. Reasonable levels of lighting for public areas; and
 - c. Appropriate signage to enhance public safety.

Issues to be Resolved

Additional Development Order Conditions may be included based on the recommendations contained in the SWFRPC assessment report.

F. ENERGY CONSERVATION

Project Inventory and Impact Assessment

The SIPOC / UTC DRI project is served by Florida Power and Light (FPL) for their energy needs. On average commercial retail and office buildings use 14.3 kWh of energy per square foot annually, or in this case an estimated 27, 424 kWh per day for 600,000 square feet of retail and 100,000 square feet of office.

FPL has scheduled the installation of a secondary power source under I-75 to accommodate the energy needs of the proposed development in the project.

The Applicant has begun transitioning project facilities to energy efficient LED light fixtures and all cooling equipment is purchased on an as needed basis using the efficiency models that are available in the market at the time of purchase. The Applicant is also working with FPL to host solar rooftop installations as part of FPL's Commercial/Industrial Partnership Program and its Community based Solar Partnership. FPL's goal is to install 5 MW of solar rooftop units by the end of 2014.

Comprehensive Plan Consistency

The Comprehensive Plan does not address the provisions of energy conservation.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

1. Deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts (e.g. solar heating systems) shall be prohibited.
2. The Applicant shall implement the energy conservation measures listed below. The Applicant shall include these measures in the Design Criteria manual and in the SIPOC Development's covenants and restrictions. The above referenced Manual shall be submitted to the Planning and Development Services Business Center for review and approval prior to or concurrent with the first Site and Development Plan submittal.
 - a. Provisions for bicycle and/or pedestrian systems connecting land uses, to be placed along arterial and collector roads or in other appropriate locations with the project;
 - b. Provision of bicycle racks or storage facilities in recreational, commercial, office, and multi-family residential areas;
 - c. Cooperation with the Sarasota County Area Transit Authority in the location of bus stops, shelters and other passenger and system accommodations for a transit system to serve the project area;
 - d. Installation of energy efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public places; and
 - e. Planting of native shade trees and other vegetation to provide reasonable shade for all residential and recreational areas, streets and parking areas. Selections of all native trees

and other vegetation should be those that reduce requirements for water, fertilizer, maintenance, and other needs.

Issues to be Resolved

Additional Development Order Conditions may be included based on the recommendations contained in the SWFRPC assessment report.

G. EDUCATION

Project Inventory and Impact Assessment

The residential portion of the SIPOC development is projected to generate approximately 180-220 school aged children. This estimate is based on 25% of the proposed 1750 multi-family units being designated as affordable/workforce housing. The student generation rate for multi-family units is typically lower than for single family homes. However, the students generated from affordable/workforce housing units appear to be higher than those for single family units.

This project is located in the following school attendance areas: Booker Elementary, Booker Middle and Booker High School. Booker Elementary and Booker High School are currently at or above their programmatic capacity. To accommodate additional students from SIPOC will necessitate student stations being added to Booker Elementary and Booker High.

Comprehensive Plan Consistency

Currently there is no specific regulatory mandate that all public school Levels of Service be met prior to the issuance of a development order or permit, pursuant to Rule 9J-5.0055(1)(a). Based on recent legislation, school concurrency requirements will be established and phased in by December 2008 for all counties in Florida. The date for the implementation of school concurrency in Sarasota County is October 2008. At that time, school concurrency review will be done at the time of site plan or plat (or functional equivalent) for residential units.

Based on the above, portions of this project will be subject to concurrency review at the time of site plan or plat for the residential units.

Applicant Commitments to be Included as Development Order Conditions

There are no additional commitments by the applicant.

Recommended Development Order Conditions

1. Based on recent legislation that required implementation of School Concurrency in Sarasota County by October of 2008, some of the residential portions of this project will be subject to concurrency review at the time of site plan or plat (or functional equivalent), subject to the comprehensive plan provisions and regulations in effect at the time of plat or site plan.

2. To accommodate additional students from SIPOC will necessitate 90 student stations being added to Booker Elementary and 60 student stations being added to Booker High. The current (2006) student station cost for elementary schools is \$12,585 per station and for high schools is \$11,796 per station. The Applicant shall contribute to the cost per student station plus the RS Means Construction Cost Index per year since 2006 with each increment of development. Payment will be made to the School Board at the time of construction plan approval and will not be impact fee creditable.
3. The required payment based on the number of student stations may be adjusted based on the number of units actually shown on the construction plans for approval with each increment of residential development.

Issues to be Resolved

Additional Development Order conditions may be included based on the recommendations contained in the SWRRPC assessment report.

SARASOTA INTERCHANGE PARK OF COMMERCE (SIPOC)

SUBSTANTIAL DEVIATION

APPENDIX AGENCY COMMENTS

Florida Department of Transportation

EXHIBIT F ANNUAL TRAFFIC MONITORING PROGRAM METHODOLOGY

I. Purpose of the Annual Traffic Monitoring Program

Exhibit F sets forth the methodology required for use in conducting the annual traffic monitoring program and in preparing the annual monitoring reports required pursuant to the provisions of the Transportation Conditions in Exhibit B of the Sarasota Interstate Park of Commerce (SIPOC) DRI Development Order (Sarasota County Ordinance No. ()).

The purpose of the Annual Traffic Monitoring Program is to monitor the cumulative impacts of the SIPOC development on the significant (i.e., collectors and arterials) roadways, intersections, and intersection approaches in the traffic impact area (as defined in Section III.B. of this exhibit). The findings of the Annual Traffic Monitoring Program, to be submitted in an Annual Traffic Monitoring Report, will be used for traffic impact monitoring and when applicable, annual concurrency evaluation purposes for the SIPOC development. The annual concurrency evaluation process, where applicable, will be used by Sarasota County in determining the adequacy and availability of those transportation facilities needed to support the SIPOC development in lieu of requiring separate traffic impact and concurrency evaluations for each development order application submitted to Sarasota County for review. Further, the findings of the Annual Traffic Monitoring Report will assist Sarasota County and other responsible agencies, e.g. the Florida Department of Transportation (FDOT) and Manatee County, in determining the extent and timing of improvements necessary to maintain the adopted levels of service on those significant road, intersection, and intersection approaches serving SIPOC and other neighboring development; including site access-related improvements.

II. Annual Traffic Monitoring Program Activities

The following activities shall be conducted by the Applicant as part of the Annual Traffic Monitoring Program:

A. Data Collection

1. **Traffic Volume Counts** Collect current 4 to 6 p.m. peak-hour traffic counts along the road segments ("roads") and turning-movement counts at the intersections in the traffic impact area. Additional peak periods (i.e., am. peak-hour on selected segments and intersections) may be identified which will require counting and analysis. Continuous 24-hour directional counts shall be provided at boundary roadway locations of the combined SIPOC development. "Current traffic counts include those previously collected within a time period not to exceed twelve (12) months from the date such counts were collected to the required submittal date for the annual traffic monitoring report. In the event that current traffic counts for a given road, intersection location, or intersection approach are not available from Sarasota County, Manatee County, the Florida Department of Transportation (FDOT), or other responsible entity, the Applicant shall conduct the necessary traffic volume counts. All counts shall be tabulated in fifteen (15) minute increments with hourly totals for each hour during the entire period the traffic counts are conducted.

At a minimum, 4 to 6 p.m. turning-movement directional counts shall be conducted by the Applicant at the following intersection locations:

- (1) ~~University Parkway at Interstate 75 (east side);~~
- (2) ~~University Parkway at Interstate 75 (west side);~~
- (3) ~~University Parkway at Honore Avenue;~~
- (4) ~~University Parkway at North Cattlemen Road/Cooper Creek Boulevard;~~
- (5) ~~University Parkway at Lockwood Ridge Road;~~
- (6) ~~University Parkway at Conservatory;~~
- (7) ~~University Parkway at Whitfield Avenue;~~
- (8) ~~University Parkway at Longwood Run Boulevard;~~
- (9) ~~University Parkway at Medici Court;~~
- (10) ~~North Cattlemen Road at any on-site intersections;~~
- (11) ~~North Cattlemen Road at Richardson Road;~~
- (12) ~~North Cattlemen Road at Fruitville Road;~~
- (13) ~~Honore Avenue at Longmeadow;~~
- (14) ~~Honore Avenue at 17th Street;~~
- (15) ~~Honore Avenue at Richardson Road;~~
- (16) ~~DeSoto Road at Honore Avenue;~~
- (17) ~~DeSoto Road at North Cattlemen Road;~~
- (18) ~~DeSoto Road at any on-site intersections;~~
- (19) ~~University Parkway at Market Street; and~~
- (20) ~~Fruitville Road at Interstate 75 (west side).~~

- (1) University Parkway at Interstate 75 (east side);
- (2) University Parkway at Interstate 75 (west side);
- (3) University Parkway at Honore Avenue;
- (4) University Parkway at North Cattlemen Road/Cooper Creek Boulevard;
- (5) University Parkway at Lockwood Ridge Road;
- (6) University Parkway at Conservatory Drive;
- (7) University Parkway at Whitfield Avenue;
- (8) University Parkway at Longwood Run Boulevard;
- (9) University Parkway at Medici Court;
- (10) North Cattlemen Road at any on-site intersections;
- (11) North Cattlemen Road at Richardson Road;
- (12) North Cattlemen Road at Fruitville Road;
- (13) Honore Avenue at Longmeadow;
- (14) Honore Avenue at 17th Street;
- (15) Honore Avenue at Richardson Road;
- (16) Desoto Road at Honore Avenue;
- (17) Desoto Road at North Cattlemen Road;
- (18) Desoto Road at any on-site intersections;
- (19) University Parkway at Market Street;
- (20) Fruitville Road at Interstate 75 (west side);
- (21) North Cattlemen Road at Lowe's Driveway/Packhouse Road;
- (22) North Cattlemen Road at Palmer Boulevard;
- (23) Honore Avenue at Taywood Meadows;

- (24) Honore Avenue at Fruitville Road;
- (25) Honore Avenue at Antoinette Street;
- (26) 17th Street at Longmeadow; and
- (27) 17th Street at Fire Station No. 7.

All traffic counts shall be adjusted (as necessary) using appropriate peak- hour, peak season adjustment factors provided by a responsible agency Department.

2. Land Use Development and Traffic Generation

In order to prepare the analyses required to conduct an annual concurrency evaluation pursuant to the requirements of Transportation Condition Nos. 5 and 6 in the SIPOC DRI Development Order, the Applicant shall provide a summary of the type and amount (including traffic generation estimates) of all SIPOC development for which final development order applications have been approved to date, and, for that which will (or is projected to be) subject of final development order applications submitted during the ensuing year. In addition to existing development traffic reflected in the count information collected pursuant to Section II.A.1 above and SIPOC cumulative development traffic estimated as required herein, the Applicant shall include estimates of other traffic expected to be generated by vested development and other development for which final development orders have been issued as defined in Section III.E. below.

B. Data Tabulation

All traffic count information shall be tabulated and presented in a tabular format similar to that used in the transportation section of the original DRI Application. Land use and traffic generation information for SIPOC and all other development as required in II.A.2. above shall be identified separately and in cumulative totals.

C. Data Analysis

Prior to commencing this activity, the Applicant shall submit a technical memorandum summarizing the information gathered in Activities II.A. and II.B. to the Sarasota County Public Works Business Center for review and approval.

The Applicant shall perform p.m. peak-hour capacity and level of service analyses for all significant roads, intersections, and intersection approaches in the traffic impact area. Additional peak period (i.e., a.m. peak-hour on selected segments, intersections, and intersection approaches) conditions may be identified which will require analysis. Separate capacity and level of service analyses shall be prepared for each of the following scenarios (using existing road and intersection geometry plus any committed improvements pursuant to the provisions of Section III.D.herein):

1. current traffic only;
2. current traffic plus traffic expected to be generated by vested and other committed' development having approved final development orders defined in Section III.E. below (including those portions of the SIPOC development for which final development orders have been issued);

3. traffic analyzed in Section II.C.2. above plus traffic expected to be generated by those portions of SIPOC development for which final development order applications will (or are projected to be) submitted during the ensuing year.

D. Analysis Findings and Recommendations

Based on the results of the capacity and level of service analyses required in Section II.C. above, the Applicant shall identify all roads, intersections, an intersection approaches that do not operate at the adopted level of service for those facilities under each of the three (3) scenarios. The Applicant shall identify the extent and timing of the improvement(s) necessary to maintain the adopted levels of service on those facilities. The Applicant shall identify the proportion of the SIPOC development traffic contributing to the level of service deficiency(ies) on the facility(ies).

E. Annual Traffic Monitoring Report Documentation

The Applicant shall prepare an annual traffic monitoring report pursuant to the requirements of Transportation Condition No. 5 in the SIPOC DRI Development Order. The annual traffic monitoring report shall document the information collected, tabulated, and analyzed pursuant to Section II herein. As part of the report, the Applicant shall discuss the findings of the capacity and level of service analyses with respect to maintaining the adopted levels of service on the roads, intersections, and intersection approaches in the traffic impact area, the type, extent, and timing of improvements (if any) that would be necessary to maintain the adopted levels of service on any roads, intersections, and intersection approaches, that are operating or projected to be operating deficiently, the availability of funding commitments for such improvements, and, when applicable, whether or not the amount of SIPOC development for which final development order applications will (are projected to) be submitted in the ensuing year, is expected to meet the concurrency requirements set forth in Sarasota County's Concurrency Management Regulations (Sarasota County Code of Ordinances, Chapter 94, Article VII).

The annual traffic monitoring report shall be submitted pursuant to the submission requirements, and to the appropriate review agencies, as required in Section 3.4. and in Section H of Exhibit B to the SIPOC DRI Development Order.

III. Specific Parameters for Conducting the Annual Traffic Monitoring Program Activities

The following requirements concern certain parameters to be used by the Applicant when conducting the various activities required as part of the annual traffic monitoring program. Unless specifically addressed below, the conduct of all data collection, capacity, and level of service analyses shall be in accordance with current traffic impact assessment practices and methodologies approved by the Sarasota County Public Works Business Center.

A. Traffic Generation and Assignment

1. Trip Generation Rates

Estimates of SIPOC and other un-constructed development shall be based on the use of the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation manual. The use of traffic generation information other than the most current edition of the ITE Trip Generation manual must be supported by technical and or other documentation

justifying its use which has been reviewed and approved by the review agencies prior to submitting any traffic impact analyses within which such information is to be used.

2. Internal Trip Capture/Passer-By Trip Capture

The reduction of potential traffic generation from SIPOC development shall be in accordance with the methodology approved as part of the initial traffic impact study summarized in the SIPOC DRI Application.

3. Modal Split

No reduction in potential traffic generation from SIPOC development shall be allowed based upon modal split unless and until the ~~Transportation System Management (TSM)~~ Transportation Demand Management program required in Transportation Condition No. 10 of Exhibit B to the SIPOC development order has been implemented and the results deemed acceptable by the appropriate review agencies.

4. Traffic Distribution/Assignment Procedures

Traffic distribution and assignment procedures shall be in accordance with the methodology approved as part of the initial traffic impact study summarized in the SIPOC DRI Application. Traffic generation estimates based on the most recent FSUTMS transportation planning model validated for the Sarasota-Manatee MPO Area may be used in the determination of trip distribution.

B. Traffic Impact Area

The traffic impact area used for traffic impact and concurrency evaluation purposes in the annual traffic monitoring program shall be determined using the same five (5) percent threshold (rounded to the nearest tenth of a percent) as was used in the initial traffic impact study summarized in the SIPOC DRI Application.

The traffic impact area for each annual assessment shall be determined to be all collector, arterial, and interstate roads that are expected to serve SIPOC development where the cumulative amount of SIPOC development traffic consumes five (5) percent or more of that roads existing Level of Service “C” (**LOS “D”** in Manatee County) p.m. peak-hour service volume. Intersections located along and at the terminus of each “significant” road segment meeting or exceeding this criterion shall be included in the traffic impact area.

This requirement is intended to define the extent of the traffic impact area used in each annual traffic monitoring program based on the cumulative amount of SIPOC development for which final development orders have been issued, plus, the additional amount of development for which applications for final development orders will be submitted during the ensuing year. Consequently, the traffic impact area, associated roads, intersection, and intersection approaches, upon which each annual increment of the SIPOC development will be evaluated for concurrency purposes and will continue to expand as development progresses. The maximum extent of the traffic impact area for SIPOC development using the five (5) percent criteria included an area generally bounded by SR 70 (53rd Street) to the north, Lockwood Ridge Road to the west, ~~SR 789 (Fruitville Road)~~ Bahia Vista Street to the south, and ~~1-75 to the east extending southerly to Fruitville Road~~ Lakewood Ranch Boulevard to the east.

Although the maximum extent of the traffic impact area is not expected to change, it may be reduced or expanded based on the findings of subsequent traffic impact analyses conducted as part of the annual traffic monitoring program.

At a minimum, the traffic impact area used in each annual traffic monitoring program shall include the following roads and associated segments:

- ~~(1) — University Parkway at Interstate 75 (east side);~~
- ~~(2) — University Parkway at Interstate 75 (west side);~~
- ~~(3) — University Parkway at Honore Avenue;~~
- ~~(4) — University Parkway at North Cattlemen Road/Cooper Creek Boulevard;~~
- ~~(5) — University Parkway at Lockwood Ridge Road;~~
- ~~(6) — University Parkway at Conservatory;~~
- ~~(7) — University Parkway at Whitfield Avenue;~~
- ~~(8) — University Parkway at Longwood Run Boulevard;~~
- ~~(9) — University Parkway at Medici Court;~~
- ~~(10) — North Cattlemen Road at any on-site intersections;~~
- ~~(11) — North Cattlemen Road at Richardson Road;~~
- ~~(12) — North Cattlemen Road at Fruitville Road;~~
- ~~(13) — Honore Avenue at Longmeadow;~~
- ~~(14) — Honore Avenue at 17th Street;~~
- ~~(15) — Honore Avenue at Richardson Road;~~
- ~~(16) — DeSoto Road at Honore Avenue;~~
- ~~(17) — DeSoto Road at North Cattlemen Road;~~
- ~~(18) — DeSoto Road at any on-site intersections;~~
- ~~(19) — University Parkway at Market Street; and~~
- ~~(20) — Fruitville Road at Interstate 75 (west side).~~

- (20) University Parkway at Interstate 75 (east side);
- (21) University Parkway at Interstate 75 (west side);
- (22) University Parkway at Honore Avenue;
- (23) University Parkway at North Cattlemen Road/Cooper Creek Boulevard;
- (24) University Parkway at Lockwood Ridge Road;
- (25) University Parkway at Conservatory Drive;
- (26) University Parkway at Whitfield Avenue;
- (27) University Parkway at Longwood Run Boulevard;
- (28) University Parkway at Medici Court;
- (29) North Cattlemen Road at any on-site intersections;
- (30) North Cattlemen Road at Richardson Road;
- (31) North Cattlemen Road at Fruitville Road;
- (32) Honore Avenue at Longmeadow;
- (33) Honore Avenue at 17th Street;
- (34) Honore Avenue at Richardson Road;
- (35) Desoto Road at Honore Avenue;
- (36) Desoto Road at North Cattlemen Road;
- (37) Desoto Road at any on-site intersections;

- (38) University Parkway at Market Street;
- (20) Fruitville Road at Interstate 75 (west side); ~~and~~
- (21) North Cattlemen Road at Lowe's Driveway/Packinghouse Road;
- (22) North Cattlemen Road at Palmer Boulevard;
- (23) Honore Avenue at Taywood Meadows;
- (24) Honore Avenue at Fruitville Road;
- (25) Honore Avenue at Antoinette Street;
- (26) 17th Street at Longmeadow; and
- (27) 17th Street at Fire Station No. 7.

All significant intersections along these roads, including those required in Section II.A.1. herein shall be included at a minimum in the traffic impact area for each annual traffic monitoring program.

C. Level of Service Standards

For the purposes of implementing the annual traffic monitoring requirements, the determination of levels of service shall be in accordance with the procedures identified in the ~~2000~~ 2010 Highway Capacity Manual (or subsequent version thereof) for all peak-hour road intersection analyses, and, the most current Sarasota County, FDOT, and/or Manatee County level of service volume tables (as appropriate).

The adopted level of service standards against which the calculated service levels are to be measured and maintained shall be in accordance with the most current standards and/or policies adopted by the appropriate jurisdictional agency, i.e., Sarasota County, FDOT, SWFRPC, TBRPC and/or Manatee County.

D. Committed Road and Intersection Improvements

Consistent with the requirements of Sarasota County's Concurrency Management Regulations (Sarasota County Code of Ordinances, Chapter 94, Article VII), road and intersection improvements that can be recognized as having adequate funding commitments, and in turn that can be reflected in an annual traffic monitoring analysis, shall include those improvements defined in "Funding Commitments" in Condition A.10.

E. Non-Project ("Background") Traffic from Committed Development

Traffic impacts expected to be generated by development other than SIPOC shall be considered in the traffic impact assessment conducted as part of the annual traffic monitoring program. All development expected to generate traffic on the roads, intersections, and intersection approaches in the traffic impact area, where said development has reserve capacity and/or has been vested under the provisions of Sarasota and Manatee County's Concurrency Management Programs and/or development that has been issued final development orders and/or Certificates of Level of Service, shall be considered as background traffic in the traffic impact assessment conducted for each annual monitoring program.

Specifically, background traffic shall be determined to be existing traffic counts (adjusted appropriately to reflect peak-hour peak-season conditions) plus:

1. traffic expected to be generated by unbuilt vested and other “committed” development having final development orders or trip reservations under Sarasota County’s Concurrency Management Program; and
2. traffic expected to be generated during the following year by unbuilt vested and other “committed” development having Certificates of Level of Service under Manatee County’s Concurrency Management Program.

Agenda Item

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Regional Issues

11

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Agenda Item

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“ECO”nomics: The Connection
between Environment, Quality of
Life and Economy

11a

“ECO” nomics: The Connection between Environment, Quality of Life and Economy

Nicole Johnson, Director of Governmental Relations for the Conservancy of Southwest Florida, will be speaking on a topic she calls “ECO”nomics. This term embodies the fact that our environment and our economy are not mutually exclusive – we cannot choose one over the other, since a healthy environment, robust economy and thriving quality of life are inextricably linked.

Ms. Johnson will be identifying fourteen Principles of “ECO”nomics that support the fact that short-term economic gain cannot be achieved at the expense of the long-term health of our environmental and quality of life.



CONSERVANCY
of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

“ECO”nomics:

***The Connection Between Environment,
Quality of Life and Economy***

Southwest Florida Regional Planning Council – November 20

Nicole Johnson

Director of Governmental Relations

In SW Florida, Our Environment ^{50 YEARS} Is Our Economy



How Well Are We Protecting Our Investment?

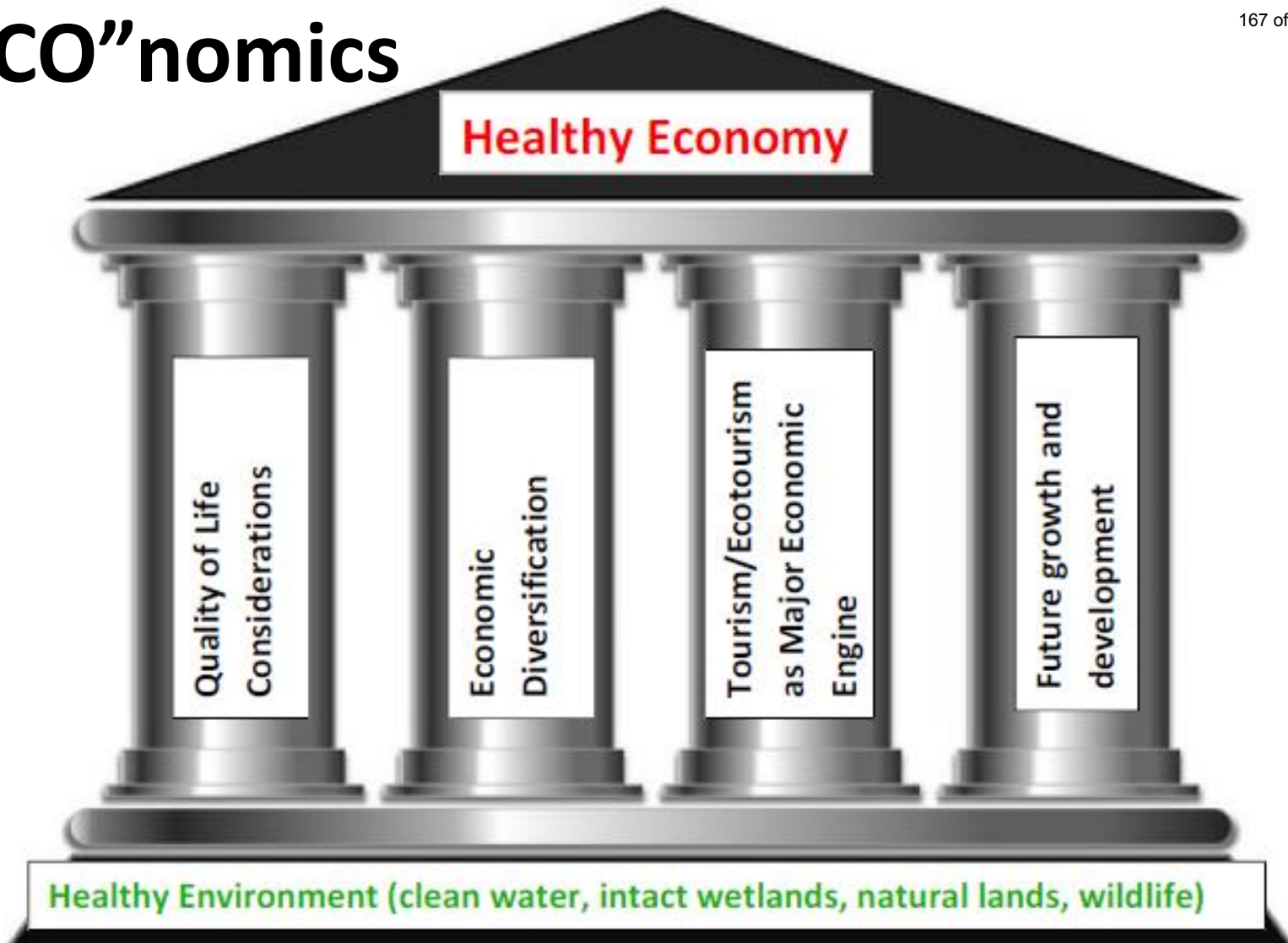


Is this the canary in the coal mine?



“ECO”nomics

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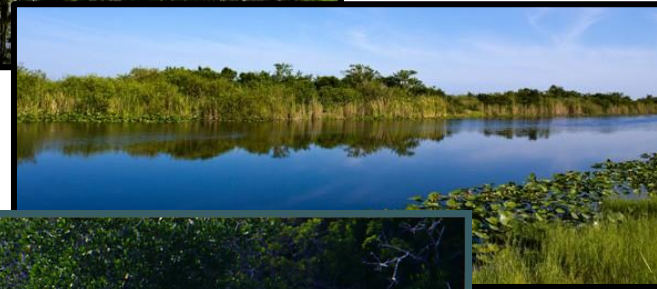
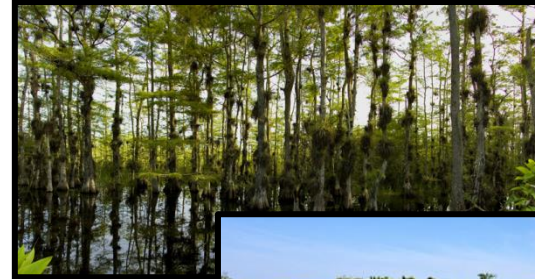


Principle 1: We Live In An Environmentally Sensitive Area

Our sensitive environment requires more protective measures than other areas

These regulations result in an exceptional quality of life

If these requirements are weakened, we risk diminishing our environment, and in turn our economy and quality of life will suffer



Principle 2: Learn From Past Mistakes



Poorly planned development is costly, and that cost will be the burden of the taxpayers

- Sprawl can result in up to 25% more cost for water/sewer infrastructure and 33% more in road costs
- Many buyers prefer compact, walkable communities
 - Approx. 76 million baby boomers looking for “age in place” opportunities



Stormwater Concerns

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Sprawl = High Infrastructure Costs



Protection of Mangrove Wetlands



Shorelines Are Dynamic



June 14, 2012

June 29, 2012



Principle 3: It's More Cost-Effective to Do It Right Than to Fix It Later

Lake Trafford

From that to this

- Over 10 years to complete
- Cost – over \$21M
- Dredged 6M cubic yards of muck



Restoration Is Costly - \$448M

55,000 acres
Over 100 miles of canals
Over 800 miles of roads
Part of Everglades Restoration



Principle 4: Thoughtful Transportation Planning Saves \$ and Natural Resources

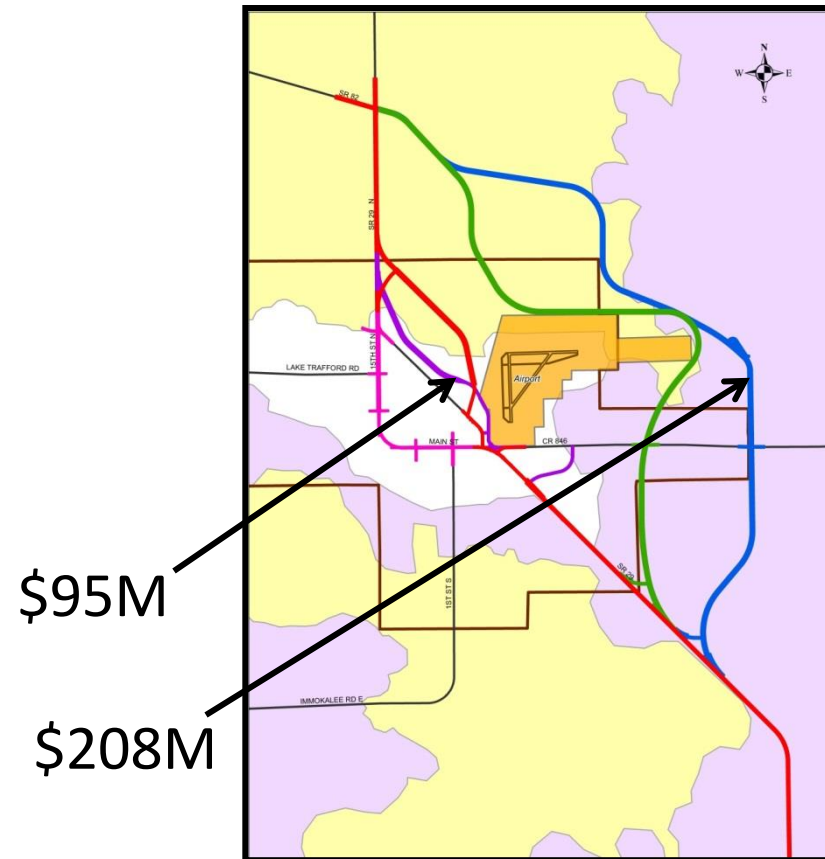
SR 29 Bypass

Environmentally and economically....which makes more sense?

Eastern alignment impacting wetlands and habitat, and bypassing the community entirely?

OR

Western alignment through town?



Principle 5: Water Is Our Most Precious Commodity

2011 Estuaries Report Card

- Water quality throughout the region, particularly with regard to nutrients and dissolved oxygen, continues to be degraded
- Expanding range of water quality impairments



Results of Water Quality Degradation

 **CAUTION**

POSTED _____: Based on counts of the cyanobacteria (blue-green algae), MDPH thresholds for recreational waters have been exceeded.



- Water which looks like the pictures above may contain algae capable of producing toxins that can be dangerous to humans and pets.
- People and pets should avoid contact in areas of algae concentration
- Do not swallow water and rinse off after contact

For further information call:
MA Department of Public Health at 617-624-5757

Excess nutrients can cause algal blooms, which contain toxins

New state “Limited Recreation” standard (safe for fish consumption but not swimming)



Principle 6: Natural Systems Provide Economic Benefits

19 of 20

Storm protection
Nutrient cycling
Pollution filtration
Eco-tourism

Sport fishing
Boating/canoeing/kayaking
Educational opportunities
Scientific research



*Wildlife tourism generates over
\$8 billion in spending every year in
Florida.*

Every 2.9 acres of conservation
land in the Estero Basin
provides one full time job

Annual tourist spending of
\$27,470 per acre



Principle 7: A Healthy Environment ^{8f} Helps Protect Our Community

Univ. of Iowa studied impacts of 10 tropical events in Haiti and the Dominican Republic and found that Haiti sustained significantly more damage, destruction and loss of life.

Mangrove in Dominican Republic



WHY?

In part because Haiti “has a very small percentage of forest cover remaining due to deforestation practices, and this lack of land cover increased the severity of flash flooding and mudslides that contributed largely to the population killed from storms.”



Mangrove Deforestation in Haiti



Nature's Shield – Protection of Property



*Hurricane damaged mangroves along bay
2005*



Same mangroves along bay 2007

Hurricane Wilma damaged mangroves before and after



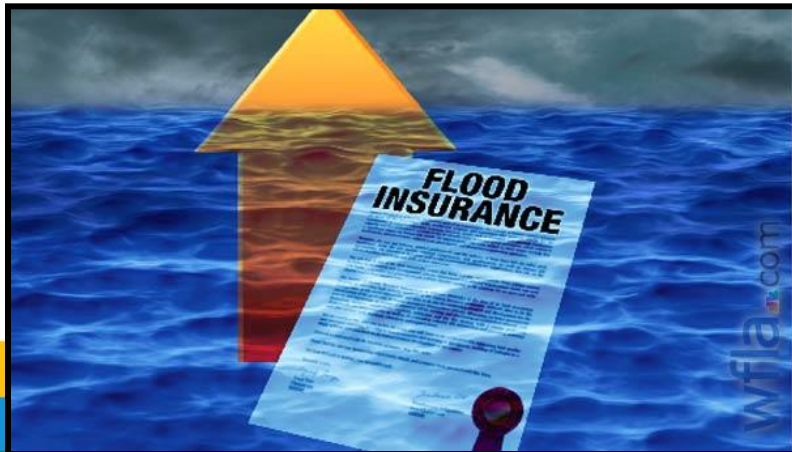
Principle 8: Conservation Land Benefits You In Ways You May Not Realize

Conservation Land Can Lower Your Flood Insurance

CREW



Due in part to the benefits provided by land acquisition through the Conservation 20/20 program, FEMA gave a 25% rate reduction to residents within the 100-year floodplain and a 10% discount for those outside the 100-year floodplain.



Pepper Ranch



Town of Ft. Myers Beach Pursues Annexation of Mangroves

In 2013, the Town Council unanimously voted to pursue annexation of Mound Key, due to the benefit of additional open space on the town's FEMA rating.

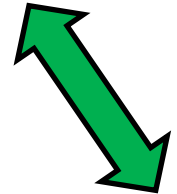


Principle 9: Regulation Is An Important Part of Protecting Our Environment and Economy



What we're told

The reality



The Contention:

FL growth management laws of 70s and 80s blamed for devastating effects of 2007 recession.

Wendell Cox, St. Louis demographer



The Reality:

Financial Crisis Inquiry Commission investigating the great recession did not find growth management policies such as Florida's caused the collapse.

Collapse driven by speculative real estate, lax regulations and weak underwriting standards.



Recession Used To Advocate Repeal of Regs

Despite all of this growth, in 2011 Florida growth management laws were severely weakened.

The problem:

FL on track to again bring in 1000 people per day.....

However, we do not have the same growth management oversight that help to protect us.



Eden Prairie, FL



Principle 10: It is Essential that Local Governments Take an More Active Role

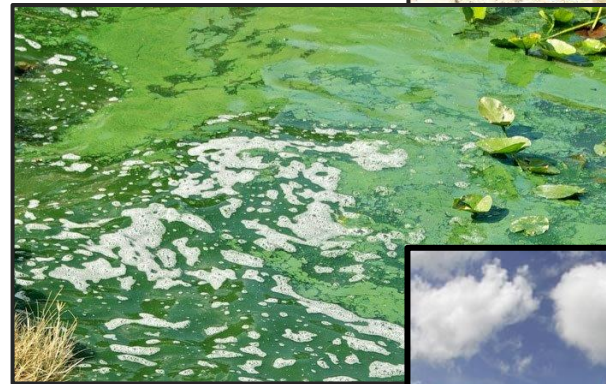


Principle 11: Take a Long-Term View

Discussion of the role of regulation, economic development and growth must shift from being solely in the context of job creation and broadened to include:

- Residents
- Visitors
- Public Health
- Environment
- Long-term economic viability

Short-term economic gain cannot be achieved at the expense of the long-term health of our environment and quality of life



Principle 12: Wetlands Provide Vital Flood Protection

South Florida is near sea level with a high water table, making us particularly prone to the risk of flooding.

Wetlands naturally store floodwaters.

As they are drained, that water is shunted downstream, increasing risk of flooding.

Over 2 million people in FL have flood insurance. Flood insurance premiums are shooting up.



Each acre of wetland can store 1-1.5 million gallons of floodwater!



Principle 13: Wetlands Provide a Cost-Efficient Way to Store Water



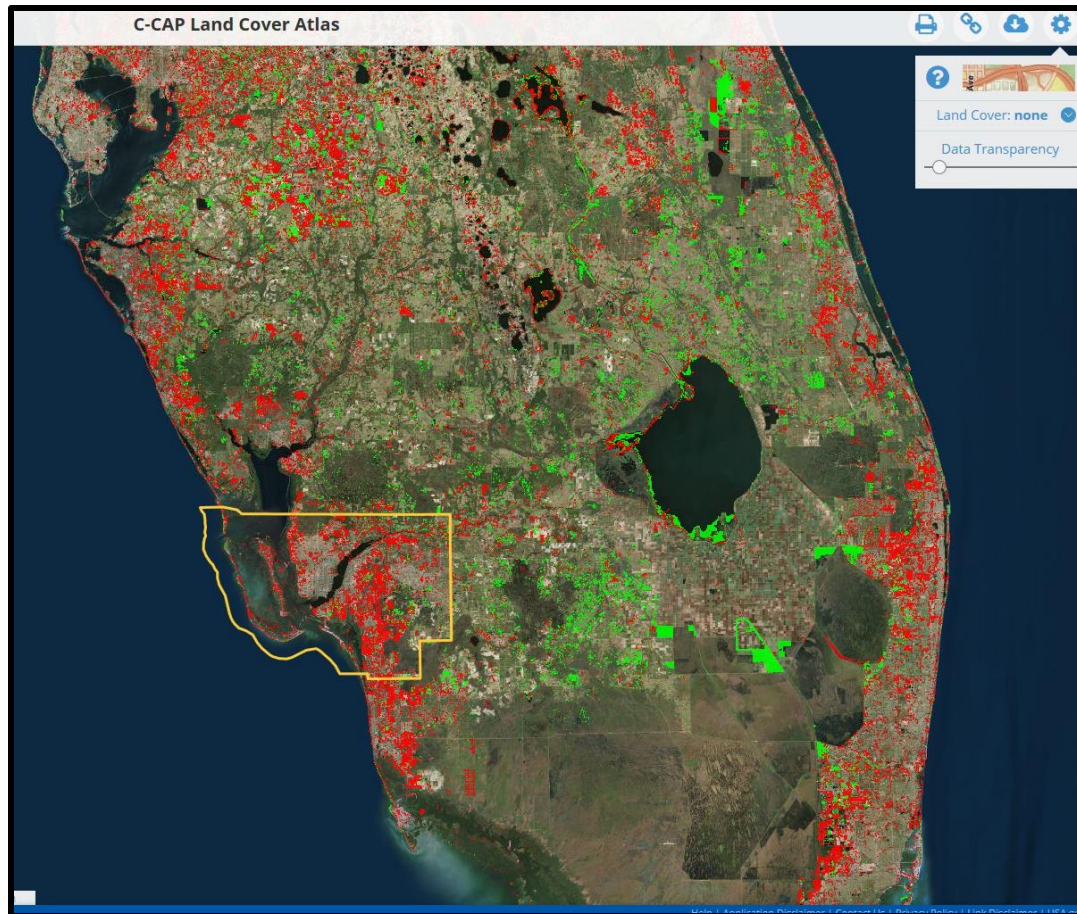
Proposed projects in the 2011 Collier County Watershed Management Plan will cost taxpayers over \$24 million in construction costs alone!

This is only to deal with *current* lost storage and pollution.

Loss of more wetlands will mean *even more taxpayer-funded water storage and treatment projects will be required!*



Between 1996 and 2010, the 6 counties within the SWERPC lost over 90 sq. mi. of wetlands



Lee – over 37 sq. mi.

Collier – over 21 sq. mi.

Sarasota – over 13 sq. mi.

Hendry – over 6 sq. mi.

Glades – over 7 sq. mi.

Charlotte – over 7 sq. mi.

Principle 14: Know What You've Got & Make What You Have Work Better

Focus on the urbanized area for new economic opportunities

Create inventory of what is built, not-yet-built and available for dev't

Find opportunities to improve current inventory (consolidate pre-platted lots)

Make changes to local plans that facilitate the types of new dev't or redevelopment in appropriate and compatible locations



In these difficult economic times, the most fiscally prudent course of action is often the most environmentally compatible



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SWFRPC Committee Reports

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Budget & Finance Committee

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Agenda Item

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Legislative Affairs Committee

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2015

★★

LEGISLATIVE PRIORITIES



Draft: November 12, 2014

Key Legislative Dates

(Subject to change)

2014

November

- 18-20 House/Senate Organizational Session
- 13-14 Florida League of Cities Legislative Conference

2015

January

- 5-9 Legislative Interim Committees
- 20-23 Legislative Interim Committees
- 23, 5 pm Deadline for submitting requests for drafts of general bills and joint resolutions, including requests for companion bills

February

- 2-5 Legislative Interim Committees
- 9-13 Legislative Interim Committees
- 10-11 Florida League of Cities FAST Fly-In – Washington, DC
- 16-20 Legislative Interim Committees
- 25, 5 pm Deadline for approving final drafts of general bills and joint resolutions, including companion bills

March

- 3 Legislative Session Convenes
- 3, 12 pm Deadline for filing bills for introduction (Rule 3.7(1))
- 17-18 Florida League of Cities Legislative Action Days

April

- 21 50th day - last day for regularly scheduled committee meetings (Rule 2.9(2))
- 27 All bills are immediately certified (Rule 6.8)
- Conference Committee Reports require only one reading (Rule 4.5(1))
- Motion to reconsider made and considered the same day (Rule 6.4 (4))

May

- 1 Last Day of Regular Session



2015 Southwest Florida Regional Planning Council Legislative Priorities

Executive Summary

This legislative agenda addresses issues that affect the region as a whole, and that can be more effectively addressed through the collaborative efforts of the local governments of the region speaking with one collective voice.

[Note: click on the items below for more detailed information.](#)

I. Funding Requests

- A. **Request:** full state funding of regional planning councils to, at a minimum, cover the costs of statutory responsibilities and support enhanced economic development activities.
- B. **Request:** South Florida Water Management District State Funding Priorities related to the Southwest Florida Region.
- C. **Request:** the South Florida Ag Council request for \$1.8 million of the \$5.5 million UF/IFAS budget request for recurring funding to provide for additional faculty positions, support staff, and research operations and programming at the Southwest Florida Research and Education Center.
- D. **Request:** \$4 million for the creation of a regional transportation plan for Southwest Florida.
- E. **Request:** \$1 million for an economic development project in Glades County that brings together the public and private sector in a true partnership. This project includes the construction of a 40,000 square foot training center consisting of 30,000 sq. ft. of working warehouse training and business incubator space/10,000 sq. ft. of classroom and office space.

2015 Southwest Florida Regional Planning Council Legislative Priorities Executive Summary

II. Legislative Priorities

A. Planning for Large Scale Land Development Projects (DRIs, Platted Lands, etc.)

1. **Support:** Continued improvements to Florida's growth management laws that maintain or improve: the identification and mitigation of greater-than-local impacts of development; the standing of local governments to have multijurisdictional impacts properly addressed; and the intergovernmental review process for local comprehensive plan amendments that affect other local governments.
2. **Support:** Consolidation of Platted Lands/Antiquated Subdivisions

B. Economic Development

1. **Support:** legislation that reauthorizes existing statewide enterprise incentive zone programs and ensures the existence of state incentive programs targeting job creation, job expansion, investment and economic stability.
2. **Support:** measures that could reduce the negative economic impact on rural counties of the State purchase of rural lands for conservation purposes.

C. Restoration of the Region's Rivers, Estuaries, and Waterbodies

1. **Support:** the water policy legislative priorities adopted by the Council in its 2014 Legislative Agenda.
2. **Support:** implementation of the 2015 recommendations of the 16 County Coalition for the Responsible Management of Lake Okeechobee, St. Lucie and Caloosahatchee Estuaries and Lake Worth Lagoon.
3. **Support:** Conversion of Septic to Central Sewer Systems

D. Energy and Climate Resilience

1. **Support:** legislation, projects, and programs to: 1) create a comprehensive state energy policy; 2) establish a renewable energy portfolio standard; 3) fund energy conservation loan programs for homes and businesses; 4) revise public service commission regulations to improve the financial feasibility of energy conservation for power companies; 5) ensure against energy supply interruptions; 6) improve the power and fuel transmission line network; and 7) establish a sea level rise mitigation trust fund for critical state and local government infrastructure retrofit projects.

E. Home Rule/Unfunded Mandates

1. **Support:** legislation that reduces and eliminates unfunded mandates and increases local government revenues and their ability to collect sufficient to provide needed services and facilities.
2. **Oppose:** legislation that assaults Home Rule authority, and the preemption or incremental erosion of local planning or regulatory and taxing authority, which diminish the ability of local governments to carry out comprehensive planning activities.
3. **Oppose:** preemption of fertilizer ordinances adopted by local governments.

2015 Southwest Florida Regional Planning Council Legislative Priorities

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2015 Southwest Florida Regional Planning Council Legislative Priorities

This legislative platform was adopted by the Southwest Florida Regional Planning Council (SWFRPC) on November 20, 2014. It is a list of legislative initiatives for the Southwest Florida Region.

This legislative agenda is not intended to represent a complete list of issues the Council will take a specific stand on. As the session progresses, there are usually bills, rules, issues or policies that require additional advocacy efforts.

I. Funding Requests

A. State Funding of Regional Planning Councils

Background: Regional Planning Councils perform several required activities under 16 different state statutes. They also provide significant functions, values, and services to state agencies and to local governments statewide. The Governor appoints one-third of the voting members of the eleven regional planning councils around the state. State funding of around \$2.5 million per year has been provided to regional planning councils since 1986. No definitive reason for the vetoes has been provided by the Governor's office.

For the last four years, the Governor's veto of regional planning council funding has created an unfunded mandate statewide totaling \$10 million.

SUPPORT full state funding of regional planning councils to, at a minimum, cover the costs of statutory responsibilities and support enhanced economic development activities.

B. [South Florida Water Management District State Funding Priorities](#)

Support funding of SFWMD priority projects related to the Southwest Florida Region, including:

- **Restoration Strategies**
Everglades First Tier Priority - Requesting \$32M to continue implementing the Governor's Restoration Strategies water quality plan. (Benefits estuary allowing movement of water south of the lake.)
- **Kissimmee River Restoration**
Everglades First Tier Priority – Requesting \$5M to continue land acquisition and construction. (Benefits estuary through storage and treatment north of the lake.)
Second Tier Priority – May request an additional \$15M to complete the State/District's financial obligations for this project.
- **Picayune Strand Restoration**
Everglades First Tier Priority – Requesting \$5M for design and construction of the Southwestern Protection Features that must be completed before the Faka Union pump station can be operated. (Located in Collier County.)
- **C-43 Reservoir**
Everglades Second Tier Priority – May request \$10M to complete another early increment of the C-43 Reservoir and increase the amount of interim storage capacity. (Benefits estuary with storage and treatment; located in Hendry County.)

- **Lakeside Ranch STA, Phase II**

Lake Okeechobee First Tier Priority – Requesting \$18.7M to initiate Phase II construction on the Lakeside Ranch stormwater treatment area. (Benefits estuary by treating water from Lake O.)

- **Lake Istokpoga Impoundment**

Lake Okeechobee First Tier Priority – Requesting \$4M to construct Phase II: a 400-acre above-ground impoundment. (Benefits estuary through storage and treatment north of the lake)

- **Dispersed Water Management Program**

Lake Okeechobee First Tier Priority – Requesting \$17.3M to fully fund out years of existing Dispersed Water Management contract terms. (Benefits estuary through storage and treatment within watershed and north of the lake.)

C. UF/IFAS Southwest Florida Research and Education Center

Background: The Southwest Florida Research and Education Center is a component of the University of Florida Institute of Food and Agricultural Sciences. It was established as the university's support facility in 1958 and became a research and education center in 1986 after the southwest Florida agricultural industry convinced the state that the region needed its own center to serve the region's unique agricultural and natural resource needs.

In 2012, the Southwest Florida Research and Education Center ranked second place among the 11 UF *Institute of Food and Agricultural Sciences* research and education centers for competitive grants received and third place for refereed scientific publications, two important metrics of academic productivity. During the recession, however, the SWFREC lost funding for faculty, staff, and research programs, which severely limited its ability to promote and protect the health and productivity of southwest Florida and statewide agricultural interests.

In 2014, the Florida Legislature granted a budget amendment of \$2.0 million to restore funding for the Research and Education Center in order to provide for the hiring of a center director, and to provide for the construction of new facilities to accommodate increased faculty, staff, and students.

Support the South Florida Ag Council request for \$1.8 million of the \$5.5 million UF/IFAS budget request for recurring funding to provide for additional faculty positions, support staff, and research operations and programming at the Southwest Florida Research and Education Center.

[Additional information on the South Florida Ag Council funding request for the Southwest Florida Research and Education Center.](#)

D. Transportation Plan for Southwest Florida Region

Request: The Council is seeking \$4 million to fund the creation of a regional transportation plan for Southwest Florida.

The Southwest Florida Regional Planning Council believes that it is becoming increasingly important to develop a Regional Transportation Plan that addresses the interactions and interconnections among jurisdictions in Southwest Florida. The Regional Transportation Plan is intended to build upon what has already been accomplished by its member counties and MPOs in developing their long range transportation plans, not to revisit or replace the jurisdictions' or MPO's Long Range Transportation Plans, to revisit or replace Florida DOT transportation plans, or to usurp the authority of any jurisdiction in its land use and transportation planning endeavors. Rather, the intent is to bring the various planning efforts and strategies together and mold them into a concise, cohesive, comprehensive regional action plan, consistent with the future direction and vision for the region, and for the benefit of all those counties and MPOs.

This regional transportation planning effort would identify a vision for Southwest Florida, using the Regional Planning Council's Strategic Regional Policy Plan as the foundation. With the region's population expected to continue to grow, the Plan will chart the course for accommodating this growth while fostering an innovative, prosperous and competitive economy; preserving a healthy and safe environment; and allowing all residents and visitors to share the benefits of vibrant, sustainable communities connected and supported by an efficient and well-maintained transportation network.

[Additional information on the Regional Transportation Plan](#)

E. Glades County Regional Training Center

Request: Glades County is requesting \$1 million in support and funding for an economic development project that brings together the public and private sector in a true partnership. This project includes the construction of a 40,000 square foot training center (30,000 sq. ft. of working warehouse training and business incubator space/10,000 sq. ft. of classroom and office space) on a 4.3 acre parcel located within the Glades County's twenty acre industrial/business park. This appropriation will allow for the County to complete construction of the training center building.

The Training Center is for logistics, distribution, manufacturing and transportation services, including curriculum. The Training Center will provide new jobs, but more importantly this project will offer a unique opportunity to reduce the high unemployment in these communities of Rural Area of Opportunity (formerly known as Rural Areas of Critical Economic Concern.)

Glades County has earmarked \$1.3 million in reserves to provide infrastructure to the Training Center; the County is also applying for CDBG and Rural Infrastructures Grants funding.

[Additional information on the Glades County Training Regional Training Center](#)

II. Legislative Priorities

A. Planning for Large Scale Land Development Projects (DRIs, Platted Lands, etc.)

1. Developments of Regional Impact (DRIs)

Background: Since 1972, the DRI process has been a valuable and significant planning tool that has improved the quality and value of large-scale development projects. The DRI process, which has been streamlined and reformed since its inception, protects valuable local, regional, state, and national economic and environmental resources, and identifies and minimizes the impacts of proposed development projects on affected local governments.

SUPPORT continued improvements to Florida's growth management laws that maintain or improve:

- the identification and mitigation of greater-than-local impacts of development;
- the standing of local governments to have multijurisdictional impacts properly addressed; and
- the intergovernmental review process for local comprehensive plan amendments that affect other local governments.

2. Consolidation of Platted Lands/Antiquated Subdivisions

Background: Platted lands (also referred to as antiquated subdivisions) refer to those areas which, although platted, recorded and sold, are not suitable for development or other appropriate use due to non-compliance with applicable land use regulations or other factors such as environmental issues. Many of the subdivisions are removed from the pool of land available for development or other appropriate use. The majority of the areas affected by platted lands sites in Florida are located in the southwest quadrant of the state.

Platted lands are often characterized by one or more of the following traits: fiscally unsound, or lack of, service delivery; housing developments with no lands set aside for parks, schools or commercial sites; lack of cohesive character in an area with no ability to ensure sound planning; lack of environmental sensitivity; inadequate planning for emergency management and evacuation; and, serious infrastructure deficits, such as water and wastewater systems. Without legislative action, areas affected by antiquated subdivisions will continue to deteriorate, economically and environmentally.

SUPPORT legislative action that facilitates the ability of local governments to address platted land issues, including:

- Use of land acquisition funding for consolidation of platted lands;
- Consider amending Florida Statutes to:
 - clarify that the exercise of eminent domain powers for platted lands development or conservation constitutes a public purpose;
 - amend the CRA statute to specify that under certain circumstances, antiquated subdivisions can be considered “blight”;
 - address recordation and administrative issues relevant to antiquated lands;
 - reinstate local governments’ authority to vacate plats on their own motion, previously provided under Ch. 177, F.S.

B. Economic Development

Background: The Southwest Florida Region, like other regions around the nation, are faced with global competition and the choice of investing in diversification, import/export infrastructure, innovation, and education or risk falling behind economically. The current economy – long focused on tourism, agriculture and construction – must be reinforced to respond to new global challenges and competition in an increasingly interconnected world. The region's citrus industry, for example, must now compete with products from other countries while simultaneously confronting citrus greening. The slowdown in the residential construction and tourism sectors, however temporary, highlights the importance of a diverse, more recession-proof economy for the region's economic sustainability.

Educational foundations of the region also must be strengthened to ensure a competent and diverse workforce. Challenges related to the region's location and its special physical and environmental features also must be addressed.

SUPPORT legislation, projects and programs that: 1) encourage flood insurance reform; 2) increase funding for local beach renourishment efforts, and inlet and navigable waterway maintenance and improvement; 3) improve the region's climate for existing and emerging industry clusters, business retention, and job growth and creation; 4) facilitate infrastructure retrofits due to saltwater intrusion and sea level rise; 5) fund roadway corridor retrofits and community development/redevelopment programs to improve economic development potential; 6) fully fund the State Housing Initiatives Partnership (SHIP) program; 7) expand the region's housing and homeownership opportunities for underserved populations; 8) support state, federal and local efforts to include research and assist the citrus industry in addressing and controlling the damage and threat caused by citrus greening; 9) improve the region's public education system, including higher education; and 10) increase FDEP Brownfields voluntary cleanup tax credit funding from \$5 million to \$10 million.

1. Florida Enterprise Zone Program

Background: The authority for the state enterprise zone incentive program, originally established in 1982, expires December 31, 2015. The program offers an assortment of tax incentives to business locating in areas targeted by local government for economic revitalization. Tax incentives include a sales and use tax credit, tax refund for business machinery and equipment used in an enterprise zone, sales tax refund for building materials used in an enterprise zone, and a sales tax exemption for electrical energy used in an enterprise zone. Local governments can provide additional incentives for a zone located within their boundaries. There are seven designated enterprise zones in the Southwest Florida Region, and 65 enterprise zones statewide.

SUPPORT legislation that reauthorizes existing statewide enterprise incentive zone programs and ensures the existence of state incentive programs targeting job creation, job expansion, investment and economic stability.

2. Conservation Lands and Fee Purchase Issues in Rural Counties

Background: In the past, state agencies have attempted to improve water quality by purchasing land in rural counties for water storage and treatment purposes. This practice has resulted in negative economic impacts on these counties, since many rural counties are at the maximum ad valorem millage rates, and state purchase of land for conservation purposes therefore limits the ability of the rural counties to pay for basic services for citizens, since land that is put into conservation or fee simple purchase reduces revenues for the counties. However, there are potential solutions to this issue.

Fee simple acquisition of property for conservation purposes also removes future development and job creation. These lands also may end up being surplused in the future, but since the property may have been off the tax roll for several years, any potential economic development that may have occurred is lost. When lands are placed in conservation easements rather than utilizing fee simple acquisition, the conservation lands do not become idle lands, and the property owner can continue to use the lands for farming, cattle, timber, etc.

The following measures, if implemented, could reduce the negative economic impact of the State purchase of rural lands for conservation purposes:

- The County needs to be a critical part and be included in the beginning of any negotiations for purchase or lands for conservation by any governmental organization or where public funds are used to purchase or place lands in conservation or water management.
- Lands put into conservation or fee simple purchase could have those development rights transferred to the County to allow the County to place that lost density on other lands or sell to those who would desire to increase their density for the County to recover the lost potential revenue.
- Lands put into conservation development rights can stay with the current owner and placed on lands negotiated with the County to increase the value of those lands and the profitability for the owner to develop those lands. These transfers would require the owner to develop those credits within ten years or the development credits would become the County's to sell or distribute.

[Additional information on Conservation Lands and Fee Purchase Issues in Rural Counties](#)

C. Restoration of the Region's Rivers, Estuaries, and Waterbodies

Background: Southwest Florida is a region where the water quality of the bays, estuaries, rivers, lakes, wetlands, bayous and the Gulf of Mexico is critical to the region's environmental, economic, and recreational prosperity and to the health, safety and welfare of the citizens of this region. The sustainable economies are inextricably linked to clean, healthy water, both in reality and in the perception of residents and visitors. The increased frequency and duration of red tide blooms, green algae blooms, and increased accumulation of red drift algae on local beaches, as well as other algae and water related problems, have heightened community concerns about water quality and cultural eutrophication of surrounding waters. These riverine and estuarine systems together are recognized as some of the most diverse in North America, with an estimated annual economic value worth billions of dollars. Concerns about these rivers and estuaries include: too much or not enough freshwater input, degradation of seagrass, oyster bars, and other benthic habitats, reduction of shellfish and fish populations, nutrient loading, algal blooms, and abnormal mortality in fish, aquatic mammals, sea turtles, and bird populations.

SUPPORT legislation, projects, or programs to: 1) reduce harmful freshwater discharges into the Caloosahatchee River Estuary, Imperial River and Naples Bay/ Gordon River; 2) balance freshwater flows to the Caloosahatchee River to have sufficient healthy flows in the dry season; 3) better manage Lake Okeechobee and improve the Herbert Hoover Dike; 4) increase water storage, aquifer recharge and the health and longevity of the Region's natural systems and water supply; 5) adequately fund local government efforts to comply with Total Maximum Daily Load regulations and targets contained in the Florida Department of Environmental Protection (FDEP) Basin Management Action Plans; 6) adequately fund the Charlotte Harbor National Estuary Program; and 7) support the findings and recommendations of the [Caloosahatchee Watershed Regional Water Management Issues white paper](#) prepared by Lee County and the City of Sanibel.

1. **Continue to support the water policy legislative priorities adopted by the Council in its [2014 Legislative Agenda](#).**
2. **Support implementation of the [2015 Recommendations of the 16 County Coalition for the Responsible Management of Lake Okeechobee, St. Lucie and Caloosahatchee Estuaries and Lake Worth Lagoon](#).**

3. Conversion of Septic to Central Sewer Systems

Background: Leakage from coastal septic sewage systems has been suggested as a contributing factor to the current poor health of certain watersheds in southwest Florida, including Gottfried Creek, North Prong of Alligator Creek, Alligator Bay/Port Charlotte, Cape Coral Canal System, Nine Mile Canal, Trout Creek, Orange River/Lehigh Acres, Mullock Creek, Hendry Creek, Cocohatchee River, and Golden Gate Estates/Gordon River/Naples Bay. Many local and state political leaders in the region have expressed some desire to eventually get the most troublesome coastal septic tank areas onto public sewer systems. The cost of switching from septic tanks to public sewer systems may be prohibitive for individual counties and property owners.

SUPPORT legislation that would increase funding for and reduce the cost of converting coastal septic systems to central sewer systems and that provides incentives for property owners and local governments to encourage conversions.

D. Energy and Climate Resilience

Background: Energy and climate resiliency are of concern to the region for four main reasons: 1) the cost of doing business; 2) environmental impacts; 3) energy security; and 4) the cost of adaptation and infrastructure retrofit due to sea level rise and temperature related climate change. Due to the region's geography and growth potential, it is expected to have high energy needs and will be especially vulnerable to sea level rise and high temperatures over the long term. Those factors, when coupled with its vulnerable resources, infrastructure, and growth patterns, put the region at a disadvantage compared to other national and international metropolitan areas. However, the opportunities presented by renewable energy sources, energy conservation and climate adaptation strategies are all within control of the state and the region. There are viable approaches for responding to energy and climate resiliency challenges to ensure the special place that is the Southwest Florida Region retains the competitive advantages afforded by its special climate, geography and people.

SUPPORT legislation, projects, and programs to: 1) create a comprehensive state energy policy; 2) establish a renewable energy portfolio standard; 3) fund energy conservation loan programs for homes and businesses; 4) revise public service commission regulations to improve the financial feasibility of energy conservation for power companies; 5) ensure against energy supply interruptions; 6) improve the power and fuel transmission line network; and 7) establish a sea level rise mitigation trust fund for critical state and local government infrastructure retrofit projects.

E. Home Rule/Unfunded Mandates

Background: Federal and state mandates that require local governments to perform actions but provide no funding for them to fulfill the requirements create an added burden on local taxpayers and may displace other essential local governmental priorities. This is especially true during an economic recovery with reduced ad valorem revenues available to finance local government. Unfunded mandates take control of the hands of local government and local taxpayers end up paying the bill.

SUPPORT legislation that reduces and eliminates unfunded mandates and increases local government revenues and their ability to collect sufficient to provide needed services and facilities.

OPPOSE legislation that assaults Home Rule authority, and the preemption or incremental erosion of local planning or regulatory and taxing authority, which diminish the ability of local governments to carry out comprehensive planning activities.

OPPOSE preemption of fertilizer ordinances adopted by local governments.

F. Other Priorities for Consideration by Council

1. Water and Land Conservation Amendment

Background: This amendment creates a funding guarantee for environmental conservation.

Issue: Whether Council desires to support dedicating of a percentage of the revenues from the amendment to specific purposes, or advocate against use of the funds for specific purposes.

2. Offshore oil drilling

3. Fracking

DRAFT

III. APPENDICES

A. Southwest Florida Regional Transportation Plan

The Southwest Florida region includes six counties (Charlotte, Collier, Glades, Hendry, Lee and Sarasota), that are represented by four separate MPOs (Charlotte, Collier, Lee and Sarasota/Manatee). Two counties (Glades and Hendry) are not yet represented by MPOs. Those counties and MPOs prepare long range transportation plans for their individual county and / or MPO. They generally do an excellent job of reflecting what their citizens' desire in long range transportation plans for their specific and individual jurisdiction. However, the plans vary in how well they address the interaction and interconnection between adjacent counties and MPOs and the relationship between the individual county or MPO and the overall Southwest Florida region. While there has certainly been on-going coordination between counties and MPOs, until recently, this interaction and interconnection has not been formally addressed, except by the Florida DOT. While some jurisdictions have made significant efforts to reflect adjacent jurisdictions, the shortage of transportation funds makes this more and more difficult.

Today, with population growth, the expanding economy, and changes in technology, jurisdictional boundaries in reality get blurred and the interactions and interconnections between jurisdictions become more significant. What happens in one county can have a significant impact on adjacent counties or jurisdictions. In addition, many of the land use and transportation decisions made today will have a significant impact on future generations throughout the region.

For these reasons, the Southwest Florida Regional Planning Council believes that it is becoming increasingly important to develop a Regional Transportation Plan that addresses these interactions and interconnections among jurisdictions in Southwest Florida. The Regional Transportation Plan is intended to build upon what has already been accomplished by those counties and MPOs in developing their long range transportation plans.

It is not the intent of the Regional Transportation Plan to revisit or replace the jurisdiction's or MPO's LRTP, to revisit or replace Florida DOT transportation plans, or to usurp the authority of any jurisdiction in its land use and transportation planning endeavors. Rather, the intent is to bring the various planning efforts and strategies together and mold them into a concise, cohesive, comprehensive regional action plan, consistent with the future direction and vision for the region, and for the benefit of all those counties and MPOs.

This regional transportation planning effort will identify the vision for Southwest Florida, using the Regional Planning Council's Strategic Regional Policy Plan as the foundation. With the region's population expected to continue to grow, the Plan will chart the course for accommodating this growth while fostering an innovative, prosperous and competitive economy; preserving a healthy and safe environment; and allowing all residents and visitors to share the benefits of vibrant, sustainable communities connected and supported by an efficient and well-maintained transportation network.

The Plan will address all modes of transportation – auto, truck, transit, para-transit, railroad, pedestrian, bicycle, air and water, plus intermodal facilities, ports and goods movement. It will consider land use, technology, economic opportunities, environmental features, and interactions between our region and other regions.

The Plan will build upon prior planning efforts, such as:

- Regional Planning Council's Strategic Regional Policy Plan
- Local plans and strategies
- MPO plans and strategies
- State plans and strategies
- Transit and para-transit plans
- Aviation plans
- Rail plans
- Goods movement plans
- Intermodal facilities plans, including ports
- Tiger grant applications
- Land use plans / development patterns

The Plan should examine the following.

- Mobility, as well as congestion
 - Transportation planning for all modes of travel
 - Emphasis on person trips
 - Land use planning
 - Transportation demand management (TDM)
 - Transportation systems management (TSM)
 - Goods movement
 - Cost efficiency
 - Strategic capacity investments
- Environment
 - Transportation's role in protecting and improving the environment
 - Emissions / green house gases
 - Protection of natural areas
- Funding
 - Traditional funding for short-term and long-term
 - New funding opportunities

The Plan will strive to achieve the following.

- Regional vision regarding major transportation corridors, including east-west corridors, as well as north-south corridors.
- Regional vision regarding transit and para-transit.
- Regional vision regarding goods movement.
- Consistency with Regional Planning Council's Strategic Regional Policy Plan.
- Extensive public information, involvement and outreach, including key State and local officials, stakeholders and community workshops.
- Consensus among local jurisdictions and MPOs on cross boundary issues.
- A range of choices among alternative modes of travel.
- Sustainable communities.
- Preservation of open space, natural resources and the environment.
- Enhancement of economic and international trade opportunities.

- Cost effectiveness.

The transportation planning effort will be led and guided by the Southwest Florida Regional Planning Council. A team of outstanding local and regional consultants, leaders in their individual fields, will be assembled by the Regional Planning Council. The team will include:

- Transportation planners
- Land use planners
- Environmental planners
- Public involvement / community outreach experts
- Visionaries

It is very likely that the planning effort will be a 2 to 3 year effort, with much of that time focused on community outreach at the beginning of the study, at major milestones throughout the study, and before plan adoption. The planning effort is ambitious and will be expensive. The anticipated cost of the study will range from \$3 million to \$4.5 million over the anticipated planning period.

This paper provides a brief summary of the purpose and nature of the proposed study. Of course, agreement will be needed among the affected jurisdictions and MPOs. Once such agreement is reached, a detailed scope of services will be prepared and fees estimated for the various tasks. Then, the Regional Planning Council will seek funding from grants or other sources, so that the study can proceed.

B. SWFRPC 2014 Legislative Agenda - Water Policies

A. Federal Water Policy Priorities

1. 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. (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. State Water Policy Priorities

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

C. Glades County 2015 Legislative Project Support & Assistance Request

Member Sponsors:
Senator Bill Galvano, District 26 Representative Cary Pigman, District 55
Project Title:
Glades County Regional Training Center. Glades County is a Fiscally Constrained County located in a State Designated Rural Area of Economic Opportunity, formerly known as a Rural Area of Critical Economic Concern, in Moore Haven, Florida
Project Cost:
\$1,000,000
Requester/Recipient:
Glades County Board of County Commissioners P.O. Box 1527 Moore Haven, FL 33471 Paul Carlisle, County Manager 863-946-6000
Project Description:
<p>Glades County as a fiscally constrained county is requesting support and funding for an economic development project that brings together the public and private sector in a true partnership. This project includes the construction of a 40,000 square foot training center (30,000 sq. ft. of working warehouse training and business incubator space/10,000 sq. ft. of classroom and office space) on a 4.3 acre parcel located within the Glades County's twenty (20) acre industrial/business park. This appropriation will allow for the County to complete construction of the training center building. FDOT has committed to providing turn lanes and traffic signaling on US 27.</p> <p>The Training Center is for logistics, distribution, manufacturing and transportation services including curriculum. It will ultimately serve the entire FHREDI region, which includes Glades, Hendry, Okeechobee Highlands, Hardee, and DeSoto Counties, and the cities of Pahokee, Belle Glade and South Bay and the Community of Immokalee. The Training Center will provide new jobs, but more importantly this project will offer a unique opportunity to reduce the high unemployment in these communities of Rural Area of Opportunity, formerly known as Rural Area of Critical Economic Concern/RACEC.</p> <p>The Training Center is designed to coincide with the opening of a travel center being developed on adjacent property. The travel center is designed for long distant truck traffic and will initially employ 30 people, potentially including drivers and mechanics trained at the proposed training center. The Training Center can also provide the workforce training for two projects under development in the area- Americas Gateway Logistics Center and Air Glades.</p> <p>Glades County has earmarked \$1.3 million in reserves to provide infrastructure to the Training</p>

Center, which includes trucking circulation area and parking, outside storage, staging, sorting area, visitor, student and employee parking areas, lighting, roadways, signage, landscaping, irrigation, water, stormwater treatment area and wastewater. The County is applying for CDBG and Rural Infrastructures Grants funding.	
Supporting State and local statistical information:	
The project is located in a Rural Area of Opportunity, formerly known as Rural Area of Critical Economic Concern/RACEC.	
The project combines Economic development, workforce training and job creation and education	
This project will provide for reducing unemployment and increase the lower than State median household incomes in the region as unemployed residents in the region are able to successfully secure employment at existing businesses and new businesses that are recruited to the region. State sales tax revenue will be enhanced by this new and expanding business creation.	
Glades County median household income = \$35,219; State = \$47,309; Glades County persons below poverty = 35.3%; State = 15.6% Glades County unemployment = 9.3%; State = 6.7%	
Contact Information:	
Contacts in Tallahassee: Dale Milita dmilitagovser@gmail.com (561.718.2100) Ken Grimes kgrimesgovser@gmail.com (863.559.3809) Connie Vanassche ccvgovser@gmail.com (561.512.0089)	Contacts in Glades County: Paul Carlisle, County Manager P.O. Box 1527 Moore Haven, FL 33471 863.946.6000 pcarlisle@myglades.com

D. Glades County- Conservation Lands and Fee Purchase Issues in Rural Counties

As the various State agencies look to improve the water quality and assess land for conservation several issues arise for the rural counties that may not have been considered as part of the evaluation process. These issues create hardships for those counties in that it removes in perpetuity the County's development and workforce opportunities.

In the rural counties where we are up against the maximum ad valorem millage rates this is devastating to our ability to raise the needed funding to provide the basic services to our residents. Every acre that is put into conservation or fee simple purchase reduces our revenues and with the current budget deficits that we experience this is not sustainable.

I have provided some solutions to consider to offset this issue that can be a win for all parties involved. When lands are placed in Conservation Easements the contracts are negotiated for future use. The Conservation Lands do not become idle lands, the property owner can continue to use the lands as they are currently doing such as, farming, cattle, timber, etc. and may be altered depending on how the contract is negotiated. The Conservation Lands only restricts the future development but that also is up to how the agreement is negotiated.

Fee simple purchase of property also removes the future development and job creation much the same as Conservation Lands. Portions of these lands have a much higher probability to be surplus someday in the future, but the property may have been off the tax roll for several years and any potential development that may have occurred was lost forever. My proposal if enacted could have the agency that is considering purchase of the land be more cautious of what they purchase if the land would then have little value if put back on the market as surplus. The agency would not look to purchase land just because of the price but on actual need.

The following are some proposed solutions:

- The County needs to be a critical part and be included in the beginning of any negotiations for purchase or lands for conservation by any governmental organization or where public funds are used to purchase or place lands in conservation or water management.
- Lands put into conservation or fee simple purchase could have those development rights transferred to the County to allow the County to place that lost density on other lands or sell to those who would desire to increase their density for the County to recover the lost potential revenue.
- And/or Lands put into conservation development rights can stay with the current owner and placed on lands negotiated with the County to increase the value of those lands and the profitability for the owner to develop those lands. These transfers would require the owner to develop those credits within ten years or the development credits would become the County's to sell or distribute.
- The County should receive the mitigation rights to the lands placed in Conservation or Water Management to sell or transfer the mitigation credits to others who benefit from those efforts directly or indirectly.
- Lands put in water management should be evaluated on the effectiveness of the program and then determine if the program should continue or be expanded.

- Payment in Lieu of Taxes should be at the use of the property as is was when it went into conservation or fee simple holdings. As the current program provides for property that was in and may still remain in agriculture the tax rate could drop in some cases from \$900.00 per acre to \$50.00 but please keep in mind the farmer under conservation is still allowed to continue with the operation in place. This is very difficult for rural Counties to overcome when you are talking about hundreds of thousands of acres.

We all desire to keep Florida a beautiful place and keep our water and estuaries clean. Though we were not good stewards in the past and allowed extremely high density developments to occur along the coast we cannot then over regulate the rural counties into bankruptcy by not allowing them to create managed growth and be sustained with a reasonable tax flow to be able to provide the most basic services for families that go back generations in these areas.

These proposals are a beginning point to start the discussion and I am sure there are details that will need to be worked out but it is my opinion this is a win win for all involved. I welcome any comments or suggestions that you may have to make this program a success.

E. 2015 Recommendations of the 16 County Coalition for the Responsible Management of Lake Okeechobee, St. Lucie and Caloosahatchee Estuaries and Lake Worth Lagoon

16 COUNTIES | ONE VOICE for South Florida's Ecosystem

2015 FEDERAL AND STATE LEGISLATIVE PRIORITIES

#1 Herbert Hoover Dike (HHD)

FEDERAL: Increase annual appropriation or rehabilitation of the HHD to accelerate project completion

#2 Kissimmee River Restoration

FEDERAL AND STATE: Continued appropriations to complete restoration

Other important priorities:

- **FEDERAL AND STATE:** Funding necessary to complete St. Lucie C-44 reservoirs/STA complex and the entire Indian River Lagoon-South project including the C-23, C-24 and C-25 projects
- **FEDERAL AND STATE:** Funding necessary to complete the C-43 project
- **FEDERAL:** An updated Water Resources and Reform Development Act every two years to include authorization of crucial ecosystem restoration projects
- **STATE:** Protect local fertilizer ordinances
- **STATE:** Protect local wetland protection ordinances, oppose any preemption to regulations, particularly in water control districts created and operating pursuant to chapter 298, Florida State Statutes
- **STATE:** Support the recommendations of the Senate Select Committee on Indian River Lagoon and Lake Okeechobee Basin

F. SFWMD FY2016 State Funding Priority Requests

Restoration Strategies

Everglades First Tier Priority – Requesting \$32M to continue implementing the Governor’s Restoration Strategies water quality plan. (C-139 FEB, STA 5/6 earthwork, A-1 FEB, STA1W expansion, L-8 FEB)

Kissimmee River Restoration

Everglades First Tier Priority – Requesting \$5M to continue land acquisition and construction.

Second Tier Priority – May request an additional \$15M to complete the State/District’s financial obligations for this project.

C44STA Construction

Everglades First Tier Priority – Requesting \$35M to continue expediting the construction of three C-44 STA components – the discharge system (which will allow us to temporarily store water ahead of the entire project completion), the treatment area marsh and the pump station.

Second Tier Priority – May request an additional \$15M to continue work and meet partnership cash-flow requirements.

Picayune Strand Restoration

Everglades First Tier Priority – Requesting \$5M for design and construction of the Southwestern Protection Features that must be completed before the Faka Union pump station can be operated.

C-43 Reservoir

Everglades Second Tier Priority – May request \$10M to complete another early increment of the C-43 Reservoir and increase the amount of interim storage capacity.

Biscayne Bay Coastal Wetlands

Everglades Second Tier Priority – May request \$3M to install additional pump station and culverts for the L-31E component of the project.

Broward County Water Preserve Areas (WCA3A/3B)

Everglades Second Tier Priority – May request \$3M to initiate construction plans and specifications for the Water Conservation Area 3-A/3-B Seepage Management Area component of the Broward Water Preserve Areas project.

Ten Mile Creek Reservoir

Everglades Second Tier Priority – May request \$7M to complete modifications to the Ten Mile Creek project.

Lakeside Ranch STA, Phase II

Lake Okeechobee First Tier Priority – Requesting \$18.7M to initiate Phase II construction on the Lakeside Ranch stormwater treatment area.

Lake Istokpoga Impoundment

Lake Okeechobee First Tier Priority – Requesting \$4M to construct Phase II: a 400-acre above-ground impoundment.

Dispersed Water Management Program

Lake Okeechobee First Tier Priority – Requesting \$17.3M to fully fund out years of existing Dispersed Water Management contract terms. (Excludes contracts being negotiated now with FY15 funds)

G. South Florida Ag Council Funding Request for the UF/IFAS Southwest Florida Research and Education Center

CONSIDERATIONS: The Southwest Florida Research and Education Center is a component of the University of Florida Institute of Food and Agricultural Sciences. It was established as the university's support facility in 1958 and became a research and education center in 1986 after the southwest Florida agricultural industry convinced the state that the region needed its own center to serve the region's unique agricultural and natural resource needs.

The research, education, and extension activities at SWFREC have been, and will continue to be, an economic engine for the region and the state. While the SWFREC serves the entire State of Florida, it focuses on Collier, Lee, Charlotte, Hendry, and Glades counties, which produce almost 25% of Florida's citrus and nearly 80% of the tomatoes and other fresh vegetables sold to U.S. markets during the winter months. Southwest Florida's agricultural interests, including cattle ranches, citrus, vegetables, sugarcane, and ornamental growers, collectively generate \$1 billion in sales annually, and are the core of an agribusiness and natural resource economy in southwest Florida by contributing more than \$6 billion of compound economic activity statewide annually. The SWFREC is a valuable educational portal to both the University of Florida and the wider national Land Grant university system, providing science and technology applicable to the management of water, environmental issues, and natural resources critical to the region, state, and nation.

In 2012, the Southwest Florida Research and Education Center ranked second place among the 11 UF/*Institute of Food and Agricultural Sciences* research and education centers for competitive grants received and third place for refereed scientific publications, two important metrics of academic productivity. During the recession, however, the SWFREC lost funding for faculty, staff, and research programs, which severely limited its ability to promote and protect the health and productivity of southwest Florida and statewide agricultural interests.

In 2014, the Florida Legislature granted a budget amendment of \$2.0 million to restore funding for the Research and Education Center in order to provide for the hiring of a center director, and to provide for the construction of new facilities to accommodate increased faculty, staff, and students.

As a follow-up to last year's advancement, the South Florida Ag Council is requesting \$1.8 million of the \$5.5 million UF/IFAS budget request for recurring funds to provide funding for additional faculty positions, support staff, and research operations and programming.

Approval of the proposed Resolution will memorialize the Southwest Florida Regional Planning Council's support for the UF/IFAS Southwest Florida Research and Education Center and the South Florida Ag Council's request for 1.8 million in recurring funding.

**UF/IFASSOUTHWEST FLORIDA RESEARCH AND EDUCATION CENTER (SWFREC)
SWFRECINDUSTRY CRITICAL STAFFING NEEDS**

ADDITIONAL FACULTY POSITIONS NEEDED:

1. **Soil Microbiologist**----There is a priority need for a soil microbiologist to conduct research and extension programs related to citrus and vegetables. Presently, SWFREC has a lack of expertise in soil microbes. Issues related to soil health have surfaced as a high priority in the development of therapies to combat the citrus greening disease (HLB).
2. **Citrus Plant Pathologist**----The number of serious diseases confronting the citrus industry justifies the addition of a full-time plant pathologist at SWFREC dedicated solely to citrus. Not only is HLB a major concern but Southwest Florida is the epicenter for Citrus Black Spot in Florida. With this addition, the current plant pathologist would be able to focus exclusively on vegetable diseases and management the plant disease diagnostic lab.
3. **Agricultural Economist**----Numerous research projects have a priority need for economic analyzes of treatment responses so growers can determine the feasibility of adopting modification of production practices. The current SWFREC agricultural economist is assumes an expanded statewide role for UF/IFAS related to labor issues.
4. **Plant Physiologist**----Most problems that hamper profitable vegetable and citrus production are associated with pathogens, insects or physiological disorders. Presently, SWFREC has no plant physiologist to conduct research and extension programs to solve physiological disorders.
5. **Agricultural Engineer/Precision Agriculture**----Key stakeholders in Southwest Florida are large agricultural producers who are continually seeking ways to increase efficiency with resulting economic and environmental benefits. An engineer is needed to conduct extension and research programs in areas as GIS, drones, lasers, infrared imaging, etc.
6. **Weed Scientist**----Weeds remain a dominant pest requiring costly management strategies with heavy reliance on chemical herbicides. There is a critical need to develop alternative weed management methods and to better understand the relationship between soil microbes and herbicides.

Note: This list was compiled based on input from the South Florida Agricultural Council, SWFREC Vegetable Advisory Committee, and the SWFREC Citrus Advisory Committee.

Economic Impacts From Agriculture on SW Florida

- Crop, Livestock, Forestry & Fisheries (crops, sugarcane, cattle, poultry, forestry, ornamentals) \$1516.2M
- Agricultural Inputs & Services (landscaping, pest control, veterinary, farm machinery, fertilizer) \$974.2M
- Food & Kindred Manufacturing (food, pet food, canning, breweries, sugar, soft drinks) \$185M
- Forest Products (paperboard containers, windows, doors, paper mills) \$53.1M
- Food & Kindred Product Distribution (retail stores, lawn & garden centers, wholesale foods, etc) \$3051.5M
- Mining—(oil and gas extraction, etc) \$262.2M
- Nature Based Recreation— (golf courses, hunting, fishing) \$127.9M

Source: Alan W. Hodges, UF/IFAS EDIS FE935, 2013

Total Economic Impact (Includes Economic Multiplier 1.6):

\$6.17 Billion Annually

Definition of economic impacts - 3 categories:

- **Direct:** sales that are directly attributable to farming operations. (ex. Boxes of oranges, cartons of tomatoes, tons of sugarcane, or hundred weight of calves.)
- **Indirect:** sales that result from companies that sell to agricultural operations (ex. Fertilizer & chemical sales, insurance brokers, farm bankers, equipment dealers.)
- **Induced:** sales that result when farmers, their employees, and the employees of allied businesses spend their income on consumer goods (ex. TVs, cars, clothes, entertainment activities, etc.)



Economic Importance of Agriculture to Southwest Florida



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Issues Important to Southwest Florida Agriculture

- New technology: higher yields and/or lower costs
- Exotic Pests & Diseases (Citrus Greening)
- Access to water and land
- Immigration reform and farm worker concerns
- Global competition and free trade
- Regulations and food safety standards

Updated July 2014

H. Platted Lands

Note: this is an excerpt from a report by the Legislative Committee on Intergovernmental Relations (LCIR) in 2003. The LCIR determined to conduct an interim project to address various issues arising out of antiquated subdivisions.

Executive Summary

* * *

Florida's ever increasing population places constant demands on the state's limited land areas to accommodate such growth. For a variety of reasons, certain tracts of land known as platted lands, cannot be developed or put to other uses. Platted lands (also referred to as antiquated subdivisions) refer to those areas which, although platted, recorded and sold, are not suitable for development or other appropriate use due to non-compliance with applicable land use regulations or other factors such as environmental issues. Many of the subdivisions are removed from the pool of land available for development or other appropriate use. The majority of the areas affected by platted lands sites are located in the southwest quadrant of the state, however, other parts of the state are experiencing platted lands problems in varying degrees.

Background Starting in the 1920's, and carrying through the 1970's, enterprising businessmen sold land in Florida to people around the globe. While many sales were legitimate, some sales strategies called for twenty-three lots to an acre or sold land described as "waterfront" that was miles and miles away from any coast. In other areas, only paper plats were sold, and were never recorded and never experienced any development. Large-scale marketing land sale ventures were conducted by companies that owned enormous tracts of land. With only a dip in action during the Depression, rapid land sales transactions were completed with little or no governmental regulation.

A mix of factors to include lack of governmental regulation of land sales, poor planning by some land sale companies and lack of research by prospective buyers contributed to the creation of millions of acres that now stagnate as undevelopable or useable. It is estimated that Florida has more than 2,600 antiquated subdivisions, covering over 2.1 million lots.

In the 1980s, as the state and local governments became more involved in land use regulations, the problems caused by antiquated subdivisions became more apparent. Developers, private lot owners, and service providers also became aware of the obstacles caused by antiquated subdivisions as their own plans were stymied.

The Platted Lands Problem Although what constitutes optimal neighborhood design is constantly being reevaluated by planners, architects and residents, there appears to be consensus that antiquated subdivisions do not carry traits that are conducive to providing a high quality of life.

Platted lands are often characterized by one or more of the following traits: fiscally unsound, or lack of, service delivery; housing developments with no lands set aside for parks, schools or commercial sites; lack of cohesive character in an area with no ability to ensure sound planning; lack of environmental sensitivity; inadequate planning for emergency management and evacuation, and; serious infrastructure deficits, such as water and wastewater systems.

Historical Initiatives A significant amount of scholarly literature on platted lands was published in the 1970s and 1980s. The last few years have witnessed some renewed interest in those areas where orderly growth is a priority and population continues to increase.

One of the difficulties in addressing the platted lands situation is that no vacant lot inventory exists. No single repository of data exists that contains specific information identifying lots as being located in an antiquated subdivision.

In 1985, the Florida Legislature directed the Florida Department of Community Affairs (DCA) to address the issue in a comprehensive manner and offer legislative solutions. DCA issued a report in the summer of 1986 which addressed platted lands on a statewide basis and included proposed legislation. The draft legislation proposed amendments to several state laws. To date, none of these specific proposals have been adopted. DCA also funded a study that focused on Monroe County and its unique platted lands problems. Alternatives for dealing with platted lands were included in that study, although specific legislative language was not.

More studies followed, including a report issued in 1997 by the Southwest Florida Regional Planning Council (SWFRPC), incorporating and updating the draft legislation in the DCA 1986 report. In 2001, the SWFRPC revised the proposed legislation by adding more specificity

* * *

Port Charlotte is an unincorporated community located in Charlotte County. This area provides a vivid example of the day to day impact that antiquated subdivisions have on a community. The corporation that owned huge expanses of land in this area went bankrupt in the 1980s. This left the county responsible for maintenance of almost 200 miles of roads in the failed subdivision. The subdivision still has little development.

Despite the scarcity of houses in the subdivision, garbage collectors have to make their rounds. The sanitation company reports that one truck can usually provide trash service for 1,200 homes in a single day. Yet, because a garbage hauler in Port Charlotte has to travel so many blocks between houses, only about 300 houses are serviced. The inefficiencies of this system, and the high cost of providing service to these homes, result in other property owners essentially subsidizing service delivery in the platted subdivisions.

Lehigh Acres in Lee County followed the path to development similar to other antiquated subdivisions. In the mid-1950s, Lehigh Acres was platted and small, single family lots were sold to buyers around the globe. Cheap land was the primary selling point. The development was located in an isolated area, far from infrastructure and services. There are reportedly close to 135,000 lots in the area. As of 1997, slightly over 121,000 lots were still undeveloped. At the time the area was platted and marketed, no thought was given to infrastructure deficits or commercial and public space needs.

This shortsightedness has resulted in current homeowners using private wells and septic tanks and traveling substantial distances for shopping and employment. Despite Lehigh Acres' current condition, efforts have been ongoing to improve its livability, including the establishment of a Community Redevelopment Agency (CRA). The Lehigh Acres Community Redevelopment Planning Committee of the CRA hired a vendor who produced the Lehigh Acres Commercial Land Use Study, designed to improve the quality of the subdivision. There appeared to be support for the proposals offered in the study, but they, too, never came to fruition.

The **Golden Gate Area** is located in Collier County; it is not incorporated. There are so many lots in Golden Gate, that should the area ever experience rapid development, the need for services and infrastructure could be significant. Based on methodology used by the Charlotte County Planning Department in 1995 as part of its Evaluation and Appraisal Report, Collier County presented the following projections regarding infrastructure needs for the Golden Gate Area. Staff used an average household size for Collier County of 2.49 persons and applied that to the 23,966 lots in the area. Staff then projected a buildout population of 59,675 people with the following projected needs.

- 10,640,830 gallons of potable water per day
- 6,959,678 gallons of wastewater treated per day
- 74 acres of community parks
- 169 acres of regional parks
- \$10,295,722 for recreational facilities
- 18,981 square feet of library space with 77,649 volumes

- 138 jail beds plus 50 staff
- 7 new schools for K-12 public education
- 148,397 square feet of government office space

The scenarios described above by local governments reflect genuine dilemmas for cities and counties, developers, and private property owners alike.

Property Rights

No discussion of possible strategies for dealing with antiquated subdivisions available to local governments should begin without recognition of the strong public sentiment in support of private property rights. Yet, in the context of antiquated subdivisions, private lot owners' concerns about losing their property values may be unfounded, because unless such an alternative path is taken, the lot owner is forever precluded from any use of their property.

The Florida Constitution provides that "No private property shall be taken except for a public purpose and with full compensation therefore paid to each owner or secured by deposit in the registry of the court and available to the owner." In other words, the government can force a private property owner to accept payment for the landowner's property, if the government needs that land for a public purpose. The government's authority to exercise its eminent domain powers is also found in statute.

In 1995, the Florida Legislature enacted the Bert J. Harris, Jr., Private Property Rights Protection Act (Harris Act). The Harris Act provides judicial relief and compensation to private landowners who can show they suffered an "inordinate burden" on their property as a result of government action. This statute was the culmination of many years of debate and serious efforts to amend the state constitution to provide more specific protections for private property owners. The effects of the Act's passage remain the topic of discussion and analysis.

Techniques Available for Addressing Platted Subdivision Problems

Several methods are available for use by local governments and other stakeholders to turn platted lands into vibrant communities or conserved land. They all require certain conditions to be present, superior planning, and political resolve.

The problem of platted lands is compounded because in so many instances, the entity wishing to develop or conserve the land cannot locate the lot owner. The ownership status of the millions of lots throughout the state has a significant impact on whether a particular approach can be used to deal with the particular parcel of land.

1. Lot merger. Lot merger occurs when the local government's Comprehensive Plan requires lots to be combined in order to meet minimum lot size requirements. Problems can arise if the owner of the lot to be built on is surrounded by lots that the owner cannot acquire. In this situation, the local government can allow for a variance, if appropriate.

2. Plat vacation. Plat vacation, where the plat lines are removed and redrawn, is most commonly used when one landowner owns or acquires multiple lots. Plat vacation also only resolves the initial piece of the problem – once the plats are vacated, the community still needs an entity with a plan and funding to develop the property. If no development has occurred for a certain amount of time, the landowner can request that the antiquated plat be vacated and a new plat is recorded. The government will generally allow such plat vacation provided no injury occurs to any other party who owns land in the subdivision.

Earlier Florida law allowed a local government to initiate plat vacation on its own motion, provided certain conditions were met. These provisions were repealed in 1985. Despite repeal of the state law on plat vacation, local governments are authorized to adopt ordinances through which plat vacation can occur on the local government's initiative.

3. Acquisition. Lands can be acquired through outright purchase, voluntary land submissions or by delinquent tax deeds. Regardless of the acquisition technique used, the local government can benefit by increasing its store of lots and then using those lots either to benefit the community (for a park, for example) or as trading chips to move development into a designated area. The lots would be part of any transfer of development rights program the local government might establish.

4. Impact fees. In limited circumstances, the local government could impose impact fees on the development. This works best when lot ownership rests in one entity's hands, and there is a willing and able developer who believes that even if required to pay impact fees, the enterprise will be profitable. This approach has its limitations, however, as impact fees cannot be required retroactively on a parcel.

5. Transfer of development rights. The theory behind a Transfer of Development Rights (TDR) program is that it allows a landowner, usually through a governmental program, to transfer rights he or she has from one parcel to another parcel. In this way, the government identifies the area which it does not want to see developed, and targets other areas for development. The parcel which is to be preserved is the "sending" parcel. The parcel to which development rights are transferred is the "receiving" parcel. The transfer of rights from one lot to another can be noted in the form of a zoning certificate, notations on the subdivision plate, or some other written means. This technique will be of limited value where the lot owners do not have at least one lot in each zone. Local governments may also need technical and financial assistance in developing appraisal techniques and incentive based strategies with specific goals, such as natural resources protection. It is used with some frequency in western states.

6. Incorporation. Some communities have incorporated, or sought to incorporate, in order to implement their own comprehensive plan, rather than the county's plan. However, in order to incorporate, certain standards and conditions must be met as required under Chapter 165, Florida Statutes. Not all platted subdivisions can avail themselves of this tool. Even areas that have incorporated continue to experience land use problems.

7. Consolidation or readjustment. Land consolidation or readjustment occurs when an area is targeted for reassembly and the majority of owners are persuaded to support the readjustment of the property in a way that will give value to their investment, rather than remove it. The property owners are authorized to create a common enterprise such as a joint venture partnership or a corporation. Local government can also be involved. Dissenting land owners can opt out and be bought out.

Those who pool their lots basically place their ownership in a unified interest, out of which they anticipate receiving a proportional share of the profit. The property is considered as a whole, rather than as a collection of individually owned lots. The whole is then deplatted and replatted into a viable development, with each original owner retaining shares in the development in proportion to their original contribution of land. The replatted land is developed, and the individual owners can either receive a share of the enterprise, or they can sell their share.

8. Community redevelopment agencies. The Community Redevelopment Act of 1969 could conceivably be used as a vehicle for development of the antiquated subdivisions. Under Florida law, a city or county can, after making a finding of necessity, create a Community Redevelopment Agency (CRA). The CRA has various enumerated powers with regard to the subject area. The primary purposes of the Act are to rehabilitate, clear and redevelop slum and blighted areas.

It is unknown whether an antiquated subdivision could fall under the "blight" definition without further amendments to the statute. Advocates for wider application of the statute argue that it is advisable to take a pro-active approach and create a CRA to improve the conditions of an antiquated subdivision before the area deteriorates into blighted or slum conditions. Local governments may be amenable to revisiting the parameters of the statute, provided any new use is narrowly defined to address platted lands.

* * *

Conclusions and Proposals

By inhibiting the development or other appropriate use of properties, antiquated subdivisions serve as a barrier to sound land use and economic vitality. The phenomenon of antiquated subdivisions is a circular one. They exist in large part due to persuasive marketing strategies of the past, and yet their evolution into lands with more viable uses depends largely on modern marketing strategies. In order for any project to be successful, local governments, private developments, or hybrid entities must take into consideration that they may need to dispel fears some property owners may have that their property is being “taken” from them rather than being turned into a valuable commodity.

While property rights concerns may have a chilling effect on government action, in the context of antiquated subdivisions, there is generally not much the property owner can do with the land without government intervention. Problems associated with antiquated subdivisions cannot be resolved unless all stakeholders work collaboratively, creatively and tailor their techniques to the nuances of the subdivision, while remaining consistent with the community vision.

Lot owners, developers and regulators, by working together, may achieve the highest likelihood of dealing successfully with the local platted lands dilemma. Government officials and policymakers may want to concentrate on establishing incentives that would make it attractive to the private sector to invest in developing the lands. The private sector may wish to focus on providing development projects designed to be well received by the public and government sector. Finally, by being receptive to non-traditional approaches, private landowners may find themselves participating in projects that transform their valueless lots into valuable commodities.

Conclusions

Based on research during the course of this project, the following conclusions are made:

- (1) The lack of reliable information regarding the fiscal and development related impact of antiquated subdivisions on local communities is significant. Currently, there is no obligation or incentive for a local government to thoroughly assess the size, tax implications, or future plan for an antiquated subdivision within its jurisdiction. It would be helpful if local governments were required, as part of the comprehensive plan amendment process, to identify antiquated subdivisions and set out any goals, policies and objectives regarding these parcels.
- (2) Creative strategies must be implemented at the local level. Each local government has its own platted lands situation. Each community also has its own local ordinances under which growth management is regulated. It would be inappropriate for the state to attempt to formulate a “one size fits all” solution for this particular set of issues.
- (3) Among the local governments that responded to the LCIR survey, the primary state action requested was for land acquisition funding. It is unlikely, given the state’s current fiscal situation, that state funds will be available for land acquisition. However, the state can assist local governments’ efforts to deal with platted lands by providing them other techniques.
- (4) The state has an interest in assisting local governments to promote vibrant, fiscally sound communities, which will in turn contribute to the state’s vitality.

Proposals

Those local governments experiencing problems with antiquated subdivisions are not completely without techniques available to resolve their issues. However, the state has a role and interest in the state’s orderly growth and preservation, and can assist local governments in their efforts by modifying existing statutes. As well, the state should continue to explore and consider whether other statutory changes would be useful. Accordingly, the following legislative proposals are offered for consideration to provide property owners and local governments with additional tools to address challenges posed by antiquated subdivisions.

First, local governments already are familiar with the requirements of comprehensive plan amendments. In order to validate any need to deal with an antiquated subdivision within its jurisdiction, through creation of a CRA or the use of any other technique, amend s. 163.3177, F.S., to require local governments to identify in their future land use plans any area where the local government seeks to consolidate undeveloped platted or subdivided lots and the vacation of all or a portion of these lots to allow appropriate development or other use.

Second, amend statutes to clarify that the exercise of eminent domain powers for platted lands development or conservation constitutes a public purpose. Specifically: 1) amend s. 125.01, F.S., to recognize that actions taken by the county government pertinent to antiquated subdivisions constitute a county purpose; and 2) amend s. 166.411, F.S., to enumerate a municipality's authority to exercise its eminent domain powers for certain actions relevant to platted lands.

Third, amend the existing CRA statute to specify that under certain circumstances, antiquated subdivisions can be considered "blight". The definition of blight under s. 163.340, F.S., can be altered, but narrowly so, to allow CRAs to be established to prevent further decline of an area whose orderly development or economic viability are hampered by platted subdivisions issues.

Finally, state policy makers may wish to evaluate whether Florida statutes should be amended to address recordation and administrative issues relevant to antiquated lands, as well as to reinstate local governments' authority to vacate plats on their own motion, previously provided under Ch. 177, F.S.

Without action, Florida's land use problems may increase significantly as areas plagued with antiquated subdivisions continue to deteriorate, economically and environmentally.

* * *

CHAPTER ONE: Description of Platted Lands

"Antiquated subdivisions, defined as prematurely subdivided lands whose lot sizes or potential development no longer meet current zoning or subdivision standards in their jurisdiction." Much of the funds generated by land sales was returned to the developments' marketing budgets, rather than being spent on infrastructure and amenities. The marketing ploys over the years offered deals "too good to be true."¹

A. PROBLEMS ASSOCIATED WITH PLATTED LANDS

Conventional wisdom on what constitutes optimal neighborhood design is constantly being reevaluated by planners, architects and residents, but there appears to be consensus that these old platted subdivisions do not carry traits that are conducive to providing a high quality of life. Platted lands may have one or more of the characteristics listed below, each of which may degrade or inhibit the use of the property. In Chapter Three, specific problems cited by communities throughout the state are presented.

1. Single Use Structure

Many of the large scale developments were originally platted for single family home use. Little thought was given to the need for commercial space, school sites, parks or other public facilities. The tendency to plan development with only a single use in mind, single family homes, could frequently lead to large isolated developments. If a development comprising thousands of acres has only single family houses, with no infrastructure nearby or as part of the community, there can be aggravating problems, such as increased commute time to and from job sites and shopping, attendant air pollution from a rise in the number of cars on the road, the need to bus children to schools out of the neighborhood and so on.

2. Environmental Issues

¹Jim Schwab, "Zoning News," American Planning Association. May 1997, p.1.

An oft-cited problem of platted subdivisions is that they were platted on environmentally sensitive lands. Several subdivisions lay on wetlands, in floodplains, atop critical aquifers, or in areas in which important flora or fauna is found. Twenty-five or thirty years ago, building on floodplains or wetlands was not considered ill-advised or illegal. Further, habitat protection did not receive much regulatory attention until the 1970s and 1980s.

3. Abandoned Developments

Some antiquated subdivisions remain in limbo to this day because the original developer who sold the lots went bankrupt, leaving the development tied up in litigation. Alternatively, the subdivision may have been abandoned, leaving the county to figure out what to do with it. The success of large land developers rose and fell and sometimes rose again under a successor entity. Successor companies, however, did not always follow through with the original plans for the subdivisions, leaving lot owners uncertain of what lay in store for them.

4. Water Supply and Wastewater

The rush to sell small lots sometimes overrode any thought given to how the homeowners would get water or rid their homes of waste. A significant number of lots in platted subdivisions cannot be made accessible to supporting infrastructure such as water supplies or centralized wastewater treatment systems due to their location or environmental concerns. Even those lot owners whose homes could be served by some type of water and wastewater systems, sometimes would find such hook ups to be cost prohibitive.

Many local governments are now aware of the environmental problems septic tanks can cause, and will not allow thousands more of them into their already troubled communities. However, generally it is not cost effective for a central utility to provide service to an area that is (usually) far from any urban core, and has disjointed and disorderly development. The lot owners are caught in a bind of how to secure services.

5. Transportation and Roads

Another infrastructure related problem posed by antiquated subdivisions involves transportation. Many communities complain of poor access to these subdivisions, which were not part of any comprehensive or planned road system. Providing public transportation to these isolated areas is very costly, as is trying to adapt road planning to take into consideration these isolated and convoluted subdivisions. Many of the communities contain roads in substandard conditions. When roads are not used regularly, they are more prone to buckling. Furthermore, the lack of weight on the roads can make them brittle. If the roads crack, rain can seep in, further deteriorating the road. Maintenance can become more difficult and costly. Roads that receive little use add to local governments' already stretched fiscal resources. Rights of way and easements for roadside maintenance were not routinely secured in some of the older platted subdivisions, as they are now in modern developments. Drainage issues were not considered either. When added to the fact that many of these lots are located in floodplains or wetlands, drainage problems are further exacerbated.

6. Service Delivery

A troubled road network, with houses spaced sporadically, in an obscure part of the county are all conditions conducive to poor service delivery. The expense of providing service, such as garbage pick-up, to these areas can be prohibitive. Garbage haulers may spend an entire day servicing an area platted for thousands of homes, that only has a dozen houses actually built. School bus service suffers, as well. Road conditions in platted subdivisions are often poor, houses are placed sporadically, and few school children reside in these neighborhoods. The local government must provide public transportation to and from school for children attending public schools, regardless of the cost to the government. The cost of providing such services in antiquated subdivisions is disproportionate to the number of persons served.

7. Public Safety and Emergency Management

Poor roads and distance from any urban core are characteristics of antiquated subdivisions that cause serious public safety concerns. Local governments that provide police and fire protection are at a disadvantage when

an emergency call requires a trip to an isolated location. When police and fire service must be provided to a community of fifty that is many miles from any other development, the commitment of time necessary to travel diverts safety officers from more densely populated locales with more needs. In central Florida, firefighters have found themselves unable to respond to brush fires, due to the amount of time they must spend in responding to house calls in isolated areas.¹¹

8. Rate of Build Out

The “build out rate” refers to the speed at which development is accomplished. In a well planned community, build out will be done in phases, so that the attendant population increases can be handled by existing or funded infrastructure. Because platted subdivisions generally envision large numbers of single family home owners moving in simultaneously, local governments frequently have not been able to provide the infrastructure necessary to keep pace with the population’s needs.

9. Non-compliance with Growth Management Laws

Much of the development initially envisioned or marketed for platted subdivisions is not allowed under current growth management laws. Further, it is not viable for some of the subdivisions to attempt to be brought into compliance. Wetlands cannot be built on, and concurrency requirements are grounded in law. Not only are there state laws and regulations to contend with, but more and more counties and municipalities are taking an active role in trying to control their destiny as it relates to growth and development. Compliance with land use codes, future land use maps and other ordinances cannot be accomplished by many of the subdivisions unless radical departures from their original plans are taken.

B. SUMMARY

Poorly planned antiquated subdivisions result in counties collecting property taxes with no real ability or strategy for providing services. These areas generally do not lend themselves to development because there are no lands set aside for parks, schools or commercial sites. The lack of cohesive character in an area with no ability to ensure sound planning, and serious infrastructure deficits contribute to the unintended result of these areas stagnating. Individual lot owners have watched their investments drop in value, all the while they must continue to pay taxes on the lots. With little or no hope of ever getting to enjoy the use of their lot, some owners have chosen to let the lots escheat to the county. The county is then left holding the lot, without the benefit of collecting ad valorem taxes from the owner. With this scenario, it is understandable that local governments find the task of overcoming the obstacles to development or other use to be so daunting, that attempts at problem solving are sometimes abandoned.

* * *

I. Caloosahatchee Watershed Regional Water Management Issues

STORAGE & TREATMENT PROGRESS SUMMARY - OCTOBER 22, 2014

Introduction

The coastal communities of Lee County were devastated by the freshwater discharges from Lake Okeechobee and the Caloosahatchee watershed during the summer of 2013. For more than four months a dark-colored freshwater plume blanketed Lee County's beaches. This event impacted the ecology of our waters, the quality of life of our citizens, area businesses, and it continues to have a lasting effect on our local economy. These discharges occurred as a direct result of inadequate water storage within the Kissimmee, Lake Okeechobee, and Caloosahatchee watersheds and the ability to convey water south into Everglades National Park and Florida Bay.

Flood control projects, channelization, and other land use changes that have occurred throughout Central and South Florida over the past century have resulted in a water management system that is very different from its original state. The system that we have today delivers water to the coast very quickly, with little to no water treatment. This has resulted in the Caloosahatchee estuary receiving too much water during the wet season and not enough during the dry season. The water that we do receive is laden with excessive nutrients that can stimulate harmful algal blooms.

What is at Stake?

In Lee County, tourism generates more than \$2.7 billion annually. Real estate tax revenue in Lee County is more than \$293 million annually. A recent poll by the Lee County Visitor and Convention Bureau indicated that 94% of all visitors to Lee County identified our beaches as our most attractive asset. Local water quality can have a tremendous influence on consumer confidence and can greatly impact tourism and our local economy. In addition to impacts on our local economy, too much or too little freshwater delivered to the coast can effect critical estuarine resources such as seagrasses, oysters and fishes. The combined impacts on the local economy and the ecology of our waters can greatly influence the quality of life of Lee County residents.

What is needed to address the Problem?

A comprehensive strategy is needed to address water storage and treatment within the Kissimmee, Lake Okeechobee, and Caloosahatchee watersheds. In addition, land and infrastructure are needed to convey excess water south into Everglades National Park and Florida Bay where it is needed.

What are Lee County and the five municipalities of Lee County doing to address the problem?

Lee County and the five municipalities of Lee County are working together to address the Lake Okeechobee and Caloosahatchee water resource issues. Recognizing that the problem originates in the Kissimmee watershed, just south of Orlando, and includes Lake Okeechobee and the Caloosahatchee watersheds, the County and municipalities are working with federal and state agencies responsible for water management and are working in their local watersheds to advocate for and implement projects that will address the problem. Collectively, the County and municipalities have developed a list of short-term, low-cost strategies, as well as a longer-term list of state and federal priorities to address water storage and treatment throughout the Kissimmee, Lake Okeechobee, and Caloosahatchee watersheds. The goal is to improve the quantity, quality, timing

and distribution of water to the coast of Lee County and restore historic flows to the Everglades and Florida Bay.

Short-term, Low-Cost Strategies for Water Storage

1. *Revisit the Lake Okeechobee Regulation Schedule (LORS 2008) risk assessment to determine if there are any opportunities to provide more storage to reduce discharges to the estuaries in light of recent improvements in the Herbert Hoover Dike. Evaluate the Lake Okeechobee Minimum Flow and Level (MFL) to determine if Lake levels can be maintained lower to increase storage capacity without ecological impacts. Reevaluate how flows to the Caloosahatchee are measured under the LORS 2008 schedule (S-77 instead of S-79 in higher bands) to make regulatory releases more equitable.*
 - a. On September 17, 2013, the Lee County municipalities sent a joint letter to Governor Scott and the South Florida Water Management District (SFWMD) requesting support for the U.S. Army Corps of Engineers (USACE) to reevaluate the risk assessment for the Lake Okeechobee Regulation Schedule, LORS 2008. On July 8, 2014, the Southwest Florida Community Foundation sent a letter on behalf of 24 individuals representing several local governments and organizations to Assistant Secretary of the Army, Jo-Ellen Darcy, requesting that the Corps accelerate the risk assessment for the Herbert Hoover Dike. Over the past year, the U.S. Army Corps of Engineers has been working on the Herbert Hoover Dike Rehabilitation Project and Dam Safety Modification Study. As part of that study, the Corps will be assessing progress to date on the Herbert Hoover Dike and will evaluate the risk assessment for LORS 2008 in light of progress made on dike repairs to date. The report is scheduled to be completed in March 2015.
2. *Maximize flows through the Stormwater Treatment Areas (STAs) and Water Conservation Areas (WCAs) to the fullest extent possible to convey water south during the wet season to reduce high-flow impacts to the coastal estuaries.*
 - a. During the 2014 wet season, the STAs and WCAs were utilized to the fullest extent possible. However, the majority of the water that they received was water from the Everglades Agricultural Area (EAA), not water from Lake Okeechobee. Since the capacity was maximized to treat EAA water, no additional capacity was freed up within the Lake as a result of this action.
 - b. One of the major challenges to moving water south in the short-term is the lack of storage, treatment, and conveyance infrastructure south of Lake Okeechobee. Projects like Modified Water Deliveries (MOD Waters), the Central Everglades Planning Project (CEPP), and the structural improvements along the Tamiami Trail are needed in order to increase the capacity and eliminate impacts to tribal and agricultural lands south of the Lake. *It is important to note that these are long-term projects, not short-term low-cost strategies.
 - c. Another option to addressing high-flow impacts to the estuaries is to seek emergency temporary deviations from federal and state water quality criteria and restrictions that limit discharges south into Everglades National Park during extreme wet conditions and events. This engages a “shared adversity” doctrine that does not pit one ecosystem against another.

3. *Maximize storage on all private lands currently under contract with the SFWMD for the dispersed water management program. Investigate the potential for additional projects based on cost/benefit analysis (e.g., Alico Corporation 75,000 acres in eastern Caloosahatchee basin). Explore additional economic incentives for water storage on private lands within the Caloosahatchee basin.*
 - a. Over the past year a significant volume of additional dispersed water storage has become available. As of October 11, 2014, the SFWMD is reporting 86,257 acre-feet (annual average) of dispersed storage being utilized. In 2014, the Nicodemus Slough dispersed water management project came online. This project is estimated to store an additional 34,000 acre-feet of water within the Caloosahatchee watershed and will reduce wet season flows to the Caloosahatchee. The SFWMD is continuing to explore other dispersed water storage projects, including a proposal from Alico Corporation to store additional water within the Caloosahatchee basin. In order for this program to be viable and compete with regional storage facilities, these projects must be cost-effective and their performance verified. An overall analysis needs to be completed to verify effectiveness, along with a plan to meet a designated amount of managed storage to provide the desired outcome.
4. *Utilize emergency storage on all public lands within the Kissimmee, Lake Okeechobee, St. Lucie and Caloosahatchee basins. Secure permits and/or authorizations now in preparation for the spring recession in Lake Okeechobee and free up storage capacity for wet season. The C-43 West Reservoir/Berry Groves site is a good example of where there are opportunities for water storage on public lands. These sites should be utilized prior to exceeding the high flow ecological targets in the Caloosahatchee (>2,800 cfs 30-day moving average).*
 - a. During the 2014 wet season, the SFWMD utilized publicly owned pre-project lands and other District-owned lands for emergency water storage throughout the water management system. SFWMD emergency storage efforts for 2014 included 9,169 acre-feet on pre-project lands and the use of approximately 148,771 acres of natural lands for water temporary water storage. This estimate includes a portion of the C-43 West Basin Reservoir Project lands.

The SFWMD secured permits and authorization to utilize the site for temporary storage prior to the 2014 wet season. The west coast stakeholders were persistent in requesting that all permits and authorizations were in place prior to this year's rainy season.
5. *Provide adaptive flexibility for water level management in the Upper Kissimmee Chain of Lakes regulation schedules to allow more water storage by holding lake levels higher earlier than November for the benefit of water supply, water quality, and wildlife habitat.*
 - a. To date there has not been any substantive progress on this issue. The Corps continues to manage water levels within the Kissimmee Chain of Lakes at their current schedules and no deviations from these schedules have occurred over the past year. However, throughout the 2014 rainy season the Corps has maintained levels within the Chain of Lakes close to the top of their specified schedules. This has marginally helped reduced the rate at which water flows into Lake Okeechobee.
6. *Reassess the Adaptive Protocols for Lake Okeechobee to ensure that the Caloosahatchee receives ecologically beneficial flows to meet established salinity targets during the dry season when other water users are not experiencing water shortage cutbacks and no other ecosystems are being harmed.*

- a. On March 3, 2014, the Lee County municipalities sent a joint letter to the SFWMD requesting that the Adaptive Protocols for Lake Okeechobee be reassessed to ensure that water flows to the Caloosahatchee are not reduced or eliminated when the needs of all other water users are being met. On June 18, 2014, the municipalities of Lee County sent a similar letter to the SFWMD regarding Adaptive Protocols highlighting that there are inherent flaws in the Protocols that reduce flows to the Caloosahatchee when there is no risk of water shortage and no other water users are being cut back. In July 2014, the SFWMD Governing Board approved a staff recommendation to evaluate whether or not there were opportunities for additional operational flexibility within the Adaptive Protocols in the middle and upper bands of the Lake Regulation Schedule. SFWMD staff is currently evaluating the data to determine if operational changes can provide additional water for all water users. This exercise could identify additional water in the middle and upper bands of the LORS to supplement dry season flows to the Caloosahatchee. Lee County is a participant on the technical team that is investigating additional storage options in the middle and upper bands.
7. *Settle the Lykes Brothers Basinger Grove dike/floodplain storage issue between the SFWMD and USACE, which is preventing 70% of the Kissimmee River restoration storage and treatment benefits for work already completed.*
 - a. This issue has been resolved. Additional storage is now available within the Kissimmee River floodplain as a result of this agreement. This should provide additional storage and treatment benefits to the Caloosahatchee. Total storage and treatment numbers are forthcoming.

FEDERAL PRIORITIES

1. *Fully support the 2014 Water Resources Reform and Development Act (WRRDA) bill, which includes authorization for the Caloosahatchee C-43 West Basin Reservoir Project; and appropriate 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.*
 - a. The WRRDA bill was signed into law by President Obama on June 10, 2014. The bill authorizes several important Comprehensive Everglades Restoration Program (CERP) projects, including the C-43 West Basin Reservoir, the C-111 Spreader Canal, Broward County Water Preserve Area, and the Biscayne Bay Coastal Wetlands projects. The next step is for Congress to appropriate the funds needed to construct the various projects in WRRDA. This will require a great deal of work to ensure that our legislators hear from us and understand the importance of funding the C-43 Reservoir Project. This year the Florida legislature appropriated \$18 million to help fund the C-43 Reservoir Project. It is estimated that we will need \$300 million in federal appropriations to match state funds to complete the project. According to the South Florida Water Management District, work on the project is scheduled to begin in winter 2015. Lee County and several of the municipalities passed resolutions urging congress to pass WRRDA. Representatives from Lee County and its municipalities traveled to Washington D.C. to advocate for WRRDA and to promote projects that would create additional water storage and treatment.
2. *Obtain federal authorization and funding for the Central Everglades Planning Project (CEPP). The project will move approximately 210,000 acre-feet of water south of Lake Okeechobee and will address some of the damaging flows to the St. Lucie and Caloosahatchee estuaries.*

- a. The Corps' Project Implementation Report (PIR) was not completed in time for the project to be included in the 2014 WRRDA bill. However, the report was later approved by the Army Corps Civil Works Review Board and the public comment period for the Final PIR ended on October 3, 2014. CEPP continues to be one of the region's top priorities. We are hopeful that this project will be authorized in the next WRRDA bill or sooner. On September 16, 2014, Senator Bill Nelson and Congressman Patrick Murphy sponsored a bill to authorize the Central Everglades Planning Project. This bipartisan bill is supported by Senator Rubio and other members of the Florida delegation. Full support of the Florida delegation will be critical for this bill to get traction.
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 already been purchased by the State and need Federal funding to move forward with the projects.*
- a. Through authorization of WRRDA, the Federal government will have the opportunity to appropriate funds for several very important CERP projects, including the C-43 West Basin Reservoir. We need to keep pressure on our Federal legislative delegation to ensure that funds are appropriated for our priority 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 possibly provide additional storage in the lake to reduce peak flows to the estuaries.*
- a. On September 17, 2013, the Lee County municipalities sent a joint letter to Governor Scott and the SFWMD requesting support for the U.S. Army Corps of Engineers to reevaluate the risk assessment for the Lake Okeechobee Regulations Schedule, LORS 2008. On July 8, 2014, the Southwest Florida Community Foundation sent a letter on behalf of 24 individuals representing several local governments and organizations to Assistant Secretary of the Army, Jo-Ellen Darcy, requesting that the USACE accelerate the risk assessment for the Herbert Hoover Dike. Over the past year, the USACE has been working on the Herbert Hoover Dike Rehabilitation Project and Dam Safety Modification Study. As part of this study, the Corps will be assessing progress to date on the Herbert Hoover Dike and will evaluate the risk assessment for LORS 2008 in light of progress on dike repairs. The report is scheduled to be completed in March 2015. It is hopeful that the assessment will determine that improvements made to date have reduced the risk of dam failure to the point where the current cap on lake elevation can be raised, thereby providing more available storage. It is not our desire to maintain the lake at higher elevations but only to expand the operating range. Lowering of the lake for the benefit of its ecosystem can continue but at a rate that is less harmful to the estuaries.

STATE PRIORITIES

- 1. *Construct the first Cell of the C-43 West Basin Reservoir Project. As currently planned, the C-43 Reservoir will store up to 170,000 acre-feet of basin storm water and overflow from Lake Okeechobee. The C-43 Reservoir is expected to supply enough water to meet the existing Minimum Flow and Level for the Caloosahatchee River 80% of the time. The project, with an*

estimated cost of more than \$600 million, was designed with two large cells, a single 1,500 cfs pump station and a number of gated overflow and discharge structures. Under CERP, the State of Florida and South Florida Water Management District are responsible for 50% of the total project costs. Historically, the State has generally satisfied their cost share through land acquisition. In this case, however, most of the land was purchased using federal dollars. As a result, the State will be responsible for paying for at least 50% of the construction costs. The first cell is expected to provide approximately 85,000 acre-feet of storage and is estimated to cost approximately \$300 million.

In addition to the land needed to construct the reservoir, there is an additional 1,500 acres of land on the site that was purchased as part of the Berry Groves acquisition. This land should be used to construct a stormwater treatment area (STA) adjacent to the reservoir to treat water before it is discharged into the Caloosahatchee.

- a. The State appropriated \$18 million for moving forward with an interim project for the C-43 reservoir site. Work is scheduled to begin in winter 2015. The SFWMD is evaluating options for cell one construction on the site. Additional funds will be needed from the Legislature in 2015 to move forward with construction of the first cell.
 - b. As part of the Caloosahatchee Visioning process, the water quality treatment component for the C-43 Reservoir (STA) has been one of the top-ranked priorities (to date) for the stakeholders participating in the process. This project could get momentum if there is continued support from the stakeholders.
2. *Construct the C-43 Water Quality Treatment and Demonstration Project (BOMA Property). The objective of this project is to demonstrate and implement cost effective wetland-based strategies for reducing Total Nitrogen (TN) load, and other constituents including Total Phosphorus (TP) and Total Suspended Solids (TSS), to the Caloosahatchee River and its downstream estuarine ecosystems. This is a multi-phased project involving bioassays, mesocosms, test cells, and field-scale cells to test, optimize, and demonstrate effectiveness of wetland-based technology, ultimately leading to implementation of a full-sized treatment facility.*
 - a. In late 2012, a conceptual design for a testing facility was completed. Full engineering design and permitting of the testing facility is contingent upon funding. The SFWMD will be performing the bioassays and mesocosms study in 2015 and 2016.
 3. *Move forward with the Lake Hicpochee Restoration Project. Funds are 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.*
 - a. Northern Lake Hicpochee restoration is in progress. 5,300 acres of land are already in State ownership and the SFWMD acquired an additional 540 acres north of Lake Hicpochee to be used for shallow storage. The project will provide shallow water storage of approximately 1,917 acre-feet. The State has an option to buy additional lands to expand the project (total number of acres are forthcoming). The Lake Hicpochee South Project is currently in a holding pattern. According to the SFWMD, cost/benefit data from the project on the south side of Lake Hicpochee suggest that, as designed, the project is not cost-effective. A redesign of the project may be necessary to make this project more feasible.

4. *Purchase additional lands south of Lake Okeechobee at fair market value, acquire private easements, or swap existing State-owned lands for the critical lands needed to facilitate storage, treatment and conveyance of water south into Everglades National Park. The State currently owns 26,790 acres of land that was purchased for \$197,396,088 (\$7,400/acre) from U.S. Sugar Corporation as part of the Reviving the River of Grass Project, with an option to purchase an additional 153,209 acres. The State should acquire the critical lands needed to store, treat and convey water south through purchase from willing sellers, acquisition of private easements, or by swapping for existing non-essential State-owned lands to acquire the footprint needed to effectively store, treat and convey water south through the Everglades Agricultural Area.*
 - a. Under the State's contract with U.S. Sugar Corporation the "Initial Non-Exclusive Option", which includes approximately 46,800 acres of land, expires in October 2015. The "Entire Option Property Non-Exclusive Option", which includes 153,209 acres, or the balance of that if the Initial Non-Exclusive Option is exercised, will expire in October 2020.
 - b. The University of Florida has been contracted to conduct a study to evaluate the feasibility of Plan 6 and moving water south through the EAA to Everglades National Park. This study is scheduled to be completed in March 2015.
 - c. The Central Everglades Planning Project (CEPP) will provide the initial infrastructure for conveying water south. A phased approach, building on the CEPP project, would be an alternative to a Plan 6 flowway concept and would further the goal of increasing flows south, reducing the harmful high-flow discharges to the estuaries.
5. *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. Investigate the potential for additional projects based on cost/benefit analysis.*
 - a. Over the past year, a significant volume of additional dispersed water storage has become available. As of October 11, 2014, the SFWMD is reporting 86,257 acre-feet (annual average) of disbursed storage being utilized. In 2014, the Nicodemus Slough disbursed water management project came online. This project is estimated to store 34,000 ac-ft of water within the Caloosahatchee watershed and will help reduce wet season flows to the Caloosahatchee. The District is continuing to explore other dispersed water storage projects. In order for this program to be viable and compete with regional storage facilities, these projects must be cost-effective and their performance must be verified. An overall analysis needs to be completed to verify effectiveness, along with a plan to meet a certain volume of managed storage to provide the desired outcome.
6. *Implement projects and programs funded under State legislative appropriations for the Caloosahatchee basin including the following:*
 - a. Establish new monitoring sites to assess environmental impacts to the Caloosahatchee River and Estuary. An objective of the Senate Select Committee on Indian River Lagoon and Lake Okeechobee Basin (IRLOB) funding was to identify scientifically based solutions to improve the water quality and quantity in the St. Lucie Estuary, Indian River Lagoon, and Caloosahatchee River and estuary. Information generated through the monitoring and research efforts will help support potential changes in the design and operation of the Northern Everglades and

Estuaries system. To achieve this, Lee County in partnership with the Sanibel-Captiva Conservation Foundation (SCCF) Marine Laboratory is seeking funding to deploy two new RECON/LOBO sensors in the Caloosahatchee estuary; upgrade the original nitrogen and phosphorus sensors with current technology on three existing LOBO units and cost share 8 flow monitoring stations with the USGS. This suite of projects will provide documentation and enable us to better inform and focus local and state TMDL and BMAP assessments. Total cost for the additional monitoring is estimated at \$615,260.

- b. Begin oyster and seagrass restoration within the Caloosahatchee River and Estuary. The Northern Estuaries Resource Recovery pilot program was designed to re-establish vital estuarine habitats of shellfish and submerged aquatic vegetation (SAV) beds within the Northern Estuaries; St. Lucie/Indian River Lagoon and Caloosahatchee Estuary. The Senate Select Committee recommended, and the Legislature approved, appropriating \$500,000 for each estuary to support the program, for a total of \$1 million. The intent of this program is to replace critical ecosystem components such as oyster reefs and SAV that were lost by the high volume 2013 discharges to the northern estuaries. Tasks 2 and 4 seek to replace (restore) habitats damaged beyond repair to a pre-2013 level. Tasks 3 and 5 of this program seek to build resiliency by providing a source of healthy reefs and SAV for future restoration projects.

OTHER REGIONAL PROGRESS

1. *Caloosahatchee Visioning Program/Community Forum Update. Progress towards developing a regionally-supported list of restoration projects within the Caloosahatchee basin.*
 - a. The SFWMD is sponsoring a program referred to originally as the Caloosahatchee Visioning Process, which was aimed at identifying a restoration “vision” for the Caloosahatchee River and Estuary. The process began with a series of stakeholder interviews. The goal of these interviews was to collect information from local stakeholders on what they thought were the restoration priorities for the Caloosahatchee and the process that should be followed to implement restoration. Following the interviews a science-based Caloosahatchee Ecological Indicators workshop was convened. This workshop was organized by the SFWMD and the Consensus Building Institute (CBI), under contract with the SFWMD for the Caloosahatchee Visioning Program. The purpose of the Indicators Workshop was for scientists and resource managers to discuss past, present and future ecological indicator species that may help to guide restoration of the Caloosahatchee River and Estuary. A final report of the proceedings was submitted to the SFWMD by the Florida Gulf Coast University Watershed Institute. The Caloosahatchee Visioning Program has now morphed into an interagency group made up of state and local agencies, utilities, and other effected parties that have been tasked with developing consensus on a list of priority projects to address water storage and water quality within the Caloosahatchee basin. The SFWMD and CBI held the first of several Caloosahatchee Community Forums on August 8, 2014 to bring in other local stakeholders to get input on priority projects. The community forum and the interagency working group have been directed to focus specifically on restoration projects. Discussion of policy-related issues of how the Caloosahatchee is managed has been precluded.
 - b. The interagency team has developed a preliminary list of Caloosahatchee River Watershed Priority Projects. Two lists of projects were created, a Regional Project list and a Local Project

list. The Regional Project list includes large-scale projects that are perceived to provide regional benefits. The local project list includes projects that will have more localized benefits, but cumulatively will benefit water storage and treatment within the Caloosahatchee watershed. See attached lists at bottom for details.

2. *Lee County Tidal Caloosahatchee Total Maximum Daily Load (TMDL) and Basin Management Plan (BMAP) Compliance*

- a. Lee County and other stakeholders (Florida Department of Transportation (FDOT), City of Ft Myers, Cape Coral, East County Water Control District (ECWCD), Lucaya CCD, Charlotte County) are required by the Florida Department of Environmental Protection (FDEP) to reduce total nitrogen levels (TN) in the Caloosahatchee estuary by 140,853 lbs/yr for the first five-year Basin Management Action Plan (BMAP). Lee County's Conservation 2020 lands buying program has a total of 12,313 acres within the Caloosahatchee River watershed. Lee County in partnership with other local government agencies has constructed water quality treatment amenities on conservation lands. The Conservation 2020 water quality projects account for 22,152 lbs/yr (16%) TN pollution reduction credit. Lee County receives 2,222 lbs/yr TN reduction credit for structural stormwater and hydrologic restoration projects not associated with conservation lands and 196 lbs/yr TN reduction credit for street sweeping within the Caloosahatchee River watershed.

The Lee County Division of Natural Resources (LCDNR) in partnership with the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension Services has implemented public education programs for do-it-yourself landscapers as well as the professional landscape community to prevent vegetative waste and fertilizer runoff pollution. Under our National Pollution Discharge Elimination System (NPDES) permit, LCDNR provides public education and regulatory enforcement for development-related activities within Lee County. Lee County receives 20,445 lbs/yr (15%) total nitrogen reduction credit toward the BMAP obligations for public education programs and existing fertilizer ordinance.

DRAFT (10/20/14)

Watershed Projects List

Information contained in the attached tables (one for regional projects, the other for local projects) reflects project data developed for the 2012 update of the Caloosahatchee River Watershed Protection Plan and information provided by local governments. The information has been updated to reflect project status as of summer 2014. It has also been updated to include results from implementers' individual assessments of each project's relative importance.

Project Phase has been categorized as: Near-term to reflect projects anticipated to be completed within the next 5 years, Long-term to reflect projects that are anticipated to be completed in 5 years or longer, and Ongoing to reflect activities that are anticipated to span both near- and long-term.

Category Projects which are located in or will affect more than one county have been categorized as Regional. The remaining projects are categorized as Local.

Agency reflects the principle agency(s) responsible for the implementation of the project.

Estimate Cost reflects the most current estimate provided by the agency and reflects the costs needed to complete the project.

Funded designates if there is adequate funding currently in budget to complete project through construction. A “Partial” designation is given where a portion or phase of project has been completed or funded.

DRAFT

Caloosahatchee River Watershed Projects

Project/Activity	Description	Project Status	Phase	Category/ Agency	Estimated Cost	Funded?
	REGIONAL PRIORITIES SET TO FUND					
C-43 West Basin Storage Reservoir Project	CERP component involves an above-ground reservoir (170,000 ac-ft capacity) located south of the CR and west of the Ortona Lock (S-78); this will comprise a significant portion of total water storage requirement for the C-43 Basin. Project is expected to provide multiple benefits including flood control, recreation, habitat enhancement and water recharge. The project will provide for timed releases of water to the estuary and will have O&M costs associated with the pumping operations.	In April 2011, a Record of Decision was issued by the USACE and an approved Project Implementation Report was submitted to the U.S. Congress. Project was authorized in June 2014. Funding to construct an interim project at the site was appropriated by the Florida Legislature in 2014.	Long-term	Regional State USACOE	\$452m Phase 1 \$18m	Partial \$18m
C-43 Water Quality Treatment and Demonstration Project (BOMA Property)	The objective of this project is to demonstrate and implement cost effective wetland-based strategies for reducing TN load, and other constituents including TP and TSS, to the Caloosahatchee River and its downstream estuarine ecosystems. Special attention will be given to reducing dissolved organic nitrogen (DON) as it constitutes the most abundant and recalcitrant form of TN in the Caloosahatchee River. This is a multi-phased project involving bioassays, mesocosms, test cells, and field-scale cells to test, optimize, and demonstrate wetland-based technology effectiveness ultimately leading to implementation of a full sized treatment facility. It is envisioned that information gained from this project will be applicable to other South Florida Systems.	In late 2012, a conceptual design for a testing facility was completed. Full engineering design and permitting of the testing facility is contingent upon funding. The District will be performing the bioassays and mesocosms study in FY15 and 16.	Long-term	Regional SFWMD, Lee County	\$8,100,000 (des. & const.)	Pending \$1.5m Grant FDEP
Lake Hicpochee North Hydrologic Enhancement Project	The channelization of the Caloosahatchee River in the 1800's drained the lake and bisected it into two distinct parts, north and south. The objective of this project is to enhance the hydrology of Lake Hicpochee North with ancillary benefits of habitat restoration and water quality improvements. Phase I involves construction of a shallow storage feature on approximately 640 acres of land and construction of a spreader canal to deliver water to Lake Hicpochee North. Phase II involves the acquisition of an additional 2,454 acres for use as a flow equalization basin. Project is expected to provide multiple benefits including flood control, habitat enhancement and water recharge.	Design activities for Phase I are ongoing and construction is scheduled to begin by June 2015. Phase II requires land acquisition and the design and construction of the FEB.	Short-term (Phase I)	Regional SFWMD	Phase I \$17,200,000 (funded) Phase II \$16,600,000 (acq.)	Y
Babcock Ranch Preserve Water Storage Project	Project purpose is to reduce stormwater runoff to the Caloosahatchee River originating from approximately 4,220 acres of watershed located in the southwest portion of the Babcock Ranch State Preserve. The project will provide shallow water storage by improving existing berms, constructing new berms, modifying existing water control structures and installing new water control structures. Project is expected to provide multiple benefits including flood control, habitat enhancement and water recharge.	Design to be conducted in FY14/15; funded by DACS. Construction funding will be required in FY15/16.	Near-term	Regional TBD	\$1,200,000 (des. & const.)	Partial
SR 29 Improvements	Additional stormwater improvements to be incorporated into SR 29 road improvements located between the City of LaBelle and US 27.	Project in design. Construction anticipated within next 5 years. FDOT is willing to collaborate with other entities for project enhancements.	Near-term	Regional FDOT		Y

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
	POTENTIAL REGIONAL PRIORITIES NEEDING SOME FURTHER INFORMATION OR DETAIL					
West Caloosahatchee Water Quality Treatment Area (C-43 reservoir site)	<p>Project consists of a water quality facility in association with C-43 West Basin Storage Reservoir site to treat reservoir water to reduce nutrient concentrations from the CRE and nutrient pollutant loading downstream.</p> <p>Project is expected to provide multiple benefits including habitat enhancement, recreation and water quality improvements.</p> <p>The project is expected to have O&M costs associated with pumping operations.</p>	<p>Project was included in the Southwest Florida Comprehensive Watershed Plan; however there has not been any additional design or funding.</p> <p>1,500 acres was retained in ownership by the SFWMD for potential future water quality treatment.</p> <p>Funding to initiate a conceptual design study is required.</p>	Long-term	Regional TBD		N
Carlos Waterway Conveyance	<p>A conceptual project to use an existing waterway owned by East County Water Control District to convey water from C-43 West Basin Storage Reservoir into the Caloosahatchee.</p> <p>Project is expected to provide habitat enhancement, and water quality improvements.</p>	A conceptual design study is required.	Long-term	Regional TBD		N
	REGIONAL PROJECTS NEEDING RESCOPING OR MORE FEASIBILITY WORK					
Lake Hicpochee South Project	<p>The purpose of this project is to enhance the hydrology of Lake Hicpochee South by redirecting storm water through upland and wetland areas rather than a canal.</p> <p>Project is expected to provide multiple benefits including flood control, habitat enhancement, and water quality improvements.</p> <p>The project is expected to have O&M costs associated with pumping operations.</p>	<p>In 2008 a conceptual design report was completed that had a high implementation cost for the project. In 2013 a conceptual re-evaluation report was completed in cooperation with the Flaghole Drainage District and Hendry Hilliard Water Control District to refine portions of the 2008 report in order to integrate existing infrastructure where possible to maximize the cost-effectiveness of the project.</p> <p>Project requires funding for design and construction.</p> <p>Land is in public ownership. Will require collaboration with local 298 Districts to implement.</p>	Long-term	Regional TBD	\$4,500,000 (const.)	N
Lee-Charlotte County Border Area Hydrologic Improvement	<p>This project involves reconnecting and improving the hydrology of the area through the construction of a series of filter marshes and weirs within and adjacent to the FPL transmission line. The project will create a conveyance system that during the rainy season will function to connect multiple watersheds within the corridor. It will allow excess water from one watershed to flow to the next watershed via a series of filter marshes providing water treatment and storage before entering the CRE.</p> <p>Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.</p>	<p>A conceptual design study is required. It is unknown at this point if land acquisition will be required.</p> <p>The project will require collaboration with FPL and multiple land owners. It is anticipated to take 15 years to fully implement, but could be constructed in phases.</p>	Long-term	Regional Lee County	\$400,000 (feas.) \$2,000,000 (design) \$5,000,000 (acq.) \$12,600,000 (cons.)	N

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
	VERY CONCEPTUAL PROJECTS THAT COULD HELP MEET ADDITIONAL WATER STORAGE NEEDS					
East Caloosahatchee Storage Project	Project includes constructing distributed reservoirs on 7,500 acres of private properties, with the potential to create 100,000 ac-ft of above ground storage. Project could be designed to allow for dry season releases. It is expected to have O&M costs associated with pumping operations.	Further study required to develop project(s). Assumes the acquisition of approximately 7,500 acres.	Long-term	Regional TBD		N
Caloosahatchee Storage – Additional Project	Project creates 50,000 ac-ft of aboveground storage in Caloosahatchee River Watershed. Project could be designed to allow for dry season releases. It is expected to have O&M costs associated with pumping operations.	Further study required to develop project(s). Assumes the acquisition of approximately 3,500 acres.	Long-term	Regional TBD		N
C-43 Distributed Reservoirs Project	Project involves construction of multiple storage reservoirs to capture excess runoff for use to meet both environmental flows to the CRE and agricultural demands. Project could be designed to allow for dry season releases. It is expected to have O&M costs associated with pumping operations.	Further study required to develop project(s). Assumes the acquisition of approximately 6,600 acres.	Long-term	Regional TBD		N
Caloosahatchee Ecoscape Water Quality Treatment Area Project	Project consists of a constructed wetland designed for optimal removal of TN from the CRE. Conceptual project developed to reduce nutrient pollutant loading downstream. Strategy of this effort was to formulate both structural and non-structural features.	Project was included in the Southwest Florida Comprehensive Watershed Plan (formerly Southwest Florida Feasibility Study), which is in the process of being completed; however, there has not been any additional design or funding work performed.	Long-term	Regional TBD		N
ASR on Public Lands	Development of Aquifer Storage and Recovery arrays on public lands to capture surplus water flow in watershed. Potential locations include BOMA property and Babcock Ranch Preserve. It is expected to have O&M costs associated with pumping operations.	Further study required to develop project(s).	Long-term	Regional TBD		N
	ADDITIONAL KINDS OF POTENTIAL REGIONAL RESTORATION PROJECTS					
Tape Grass (<i>Vallisneria americana</i>) Plantings Upstream of S-79 Project	District study helps reestablish viable tape grass seed stock for future populations in the upper CRE. The goal is to create a viable tape grass seed stock in the upper CRE; test two genetic strains of South Florida tape grass for survival, growth, and flower and seed production for two years; and determine how long enclosures need to remain in place to ensure survival.	In 2011, cages were monitored weekly in June and bimonthly in July and August; to date, cages are holding up well. The Lake Trafford plants/cages are showing significantly more growth at both sites compared to those in Lake Kennedy. In August, spread outside of the cages and new growth in the cages was observed at Site 2 for Lake Kennedy treatments. Funding for additional planting and monitoring was appropriated for FY14-15.	Near-term	Regional SFWMD, Lee County		Partial
Oxbow Restoration	Project involves the restoration of remnant oxbows within the Caloosahatchee River. Project would involve limited dredging of the former river channel and restoration/preservation of adjacent littoral vegetation. Approximately 40 oxbows have been identified for restoration. Project is expected to provide multiple benefits including recreation, habitat enhancement, and water quality improvements.	Several oxbows are publicly owned. Could involve collaboration with multiple public and private entities. Project budget for Oxbow24 was \$500,000. Estimated nutrient removal cost was \$140/lbs TN, \$3,500/lbs TP	Long-term	Regional TBD	\$500,000 per oxbow	N

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
Tape Grass Plantings below S-79	Involves the restoration and enhancement of +/-1,200 acres of historic submerged aquatic vegetation (tape grass) in the oligohaline littoral zones of the Caloosahatchee River below S-79. The project will involve the planting and establishment of between 16-20 large "founder colonies" in the upper estuary and tributaries to restore fish and wildlife habitat and serve as a seed bank for recovery of historic distribution and density of tape grass.	There is no local sponsor for this project. Project was submitted for RESTORE funding.	Long-term	Regional TBD	\$2,312,900	N
	LOCAL PRIORITIES FOR THE NEAR TERM					
Harns Marsh Improvements – Phase III (West Marsh) Project	Project involves an existing 578-acre ECWCD stormwater treatment facility. Phase III includes designing the West Marsh (additional 202+/- acres) to expand the marsh treatment facility. This will reduce freshwater discharges to the Caloosahatchee River (via the Orange River) and provide water quality treatment. Project is expected to provide multiple benefits including flood control, recreation, habitat enhancement, water quality improvements and water recharge.	All necessary lands have been acquired. Project design is currently underway. The project involves collaboration with multiple agencies including FDOT as a potential source for construction funding.	Near-Term	Local ECWCD	\$6,000,000	N
Nalle Grade Stormwater Park Project	Lee County project proposes to restore/modify an existing degraded marsh system and design a stormwater retention facility to minimize flooding in the Bayshore Creek Watershed. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.	Project is in design and permitting. \$500,000 in Legislative funding was appropriated. Construction is scheduled to begin in 2016.	Near-term	Local Lee County	\$3,300,000 (design & cons.)	Partial
Ford Canal Filter Marsh (Ford Street Preserve) Project	City of Fort Myers project creates a filter marsh to improve overall quality of storm water discharging into Billy Creek; marsh is intended to work collectively with other treatment areas along Billy Creek and its tributaries. Project creates a treatment marsh designed to divert and treat low flows from low-level rain events using a diversion weir.	Phase 1 complete, Phase 2 awarded with construction to begin in August 2014 and Phase 3 is being permitted.	Near-term	Local Ft. Myers	\$2,000,000	N
Fichter's Creek Restoration Project	Project provides ecosystem restoration through hydrologic and water quality improvements in Fichter's Creek, and provides flood protection for neighboring areas; components include 3.2 acres of lakes, three dry detention areas (7.1 acres), culvert installation/ replacement, filter marsh creation, and berm work. Project is expected to provide multiple benefits including flood control, habitat enhancement and water recharge.	Easement is required. Project has been permitted; construction is planned to begin in FY16.	Near-term	Local Lee County	\$1,400,000 (const.)	N
Aquifer Benefit and Storage for Orange River Basin (ABSORB) Project	Project involves increasing stormwater storage capacity and groundwater recharge in the Southwest area of Lehigh Acres by constructing 27 weirs. Project is expected to provide multiple benefits including flood control, water quality improvements and water recharge.	Project is designed and permitted. Scheduled to begin construction by the end of 2014. Partial funding is in place (FDEP \$1.2m) and the rest is being worked on with an agreement from FDOT for the SR 82 widening project.	Near-term	Local ECWCD	\$1,200,000 (const.)	Partial
Hickey Creek Canal Widening Project	Project includes the canal widening and construction of littoral zones along three miles of Hickey Creek Canal. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water storage.	No land acquisition is required. Project is designed and permitted. Construction is waiting on funding and a project source to take the fill material removed.	Near-term	Local ECWCD		N

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
Hendry Extension Canal Widening Project	Project provides additional water quantity storage within existing canal right-of-way to help provide more stormwater storage in the 5.5 mile section of Hendry Extension Canal. Project is expected to provide multiple benefits including flood control and water recharge.	Project permitted and designed, construction projected in FY2015. FDOT providing funding through SR82 expansion.	Near-term	Local ECWCD	\$6,000,000 (const.)	Y
Hydrologic Restoration of Bob Janes Preserve	Project will serve to restore the natural sheet flow and possibly impound water within the abandoned farm fields to allow aquifer recharge, reduce high flows in a manmade ditch (Lighter Canal) during the wet season. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.	Phase I involving the restoration of former agricultural fields was completed in 2014. The second phase is awaiting construction funds. No land acquisition is required.	Near-Term	Local Lee County	\$600,000 (const.)	Partial
Hydrologic Restoration of Six Mile Cypress Slough Preserve - North	The historical site hydrology and ecosystem have been significantly altered. Water from portions of the preserve has been diverted north into the Orange River, rather than south into Six Mile Cypress Slough. Restoration of historic flows could benefit Six Mile Cypress Slough and reduce the amount of water flowing into the Orange River and ultimately the Caloosahatchee River. Project is expected to provide multiple benefits including flood control, recreation, habitat enhancement, water quality improvements and water recharge.	Phase I, the impoundment, is permitted and will undergo construction during 2014. Additional construction funds will be needed to complete the project phase. Phase II, the rehydration of the western cypress dome, is being permitted and will be constructed with financial help by the Florida Department of Transportation. Phase III, will require the design, permitting and construction of a flowway which will bring water to Phase 1 of the project.	Near-term	Local Lee County	\$1,000,000	Partial
Hydrologic Restoration of Caloosahatchee Creeks Preserve	The project area is a former marsh that was disturbed when covered with fill during the dredging of the Caloosahatchee River in the 1950s. The project will cut a meandering stream channel through the spoil in the location near a historic channel and rehydrate former wetlands. Project is expected to provide multiple benefits including habitat enhancement, water quality improvements and water recharge.	No land acquisition is required. The project has been designed and permitted.	Near-term	Local Lee County	\$650,000 (cons.)	Y
Hydrologic Restoration of Telegraph Creek Preserve	This project will help to restore the natural sheet flow from the 800-acre palmetto prairie and wet prairie/hydric flatwoods system into Telegraph Creek where ditches were installed by previous owners to help drain this portion of the preserve. Geowebbing and/or culverts will be installed along existing management trails that are eroding into the creek. The existing swale where the water formerly would have flowed to the creek will be graded and cleaned out. The washouts will be recontoured and plantings will be installed to reduce further soil erosion into the creek. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.	No land acquisition is required. The project requires further design.	Near-term	Local Lee County	\$500,000 (cons.)	Y
Ft. Myers Central Sewer Expansion	Septic tank conversion to central sewer to reduce nutrient loading in the watershed and expand reclaimed water from 6 MGD to 11 MGD. The project area is located within the city limits east of I-75.	The project is tentatively scheduled for FY 2016-2017 based on funding availability	Near-Term	Local Ft. Myers	\$11,000,000	N

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
Ranch Lakes Estates Central Sewer Project	Septic tank conversion to central sewer located at Ranch Lakes Estates in Moore Haven. Involves the construction of additional gravity sewer collection system in the Moore Haven downtown and Ranch Lakes Estates area adjacent to the Caloosahatchee River to homes now served by individual private old and failing septic systems. This project will reduce nutrient loading to the Caloosahatchee Basin.	The wastewater improvement project includes the preliminary engineering services, design, permitting and construction.	Near-term	Local Glades County	\$350,000	N
Jacks Branch/County Line Ditch	Project involves improvement of water flow within Jacks Branch watershed and modification of the County Line Ditch by widening the ditch and providing weirs for increased water storage and treatment. Project is expected to provide multiple benefits including flood control, water quality improvements and water recharge.	All necessary land has been acquired. The project has been designed and permitted. Requires construction funding. Could be constructed in conjunction with Babcock Ranch Preserve Project.	Near-Term	Local Hendry County	\$3,600,000 (const.)	N
City of LaBelle Stormwater Master Plan Implementation	Project includes stormwater conveyance and water quality storage improvements in the City of LaBelle.	The C-5 portion of the city's 2004 Master Stormwater Plan was completed in 2010. These stormwater management improvements included retrofitting stormwater catch basins and adding vegetative swale treatment. Funding required to continue design and construction of additional projects.	Near-Term	Local LaBelle		N
North Ten Mile Canal Stormwater Treatment System Project	Project provides stormwater storage and treatment for an urban and commercial area with the City of Ft. Myers. It is intended to minimize peak flows and enhance water quality within Manuel's Branch and Carrell Canal.	FDEP permit is being reviewed for a modification. Project scheduled to begin in next five years	Near-term	Local Ft. Myers	\$4,500,000	N
Sunniland/Nine Mile Run Drainage Improvements	Project involves the restoration of historical flows to Buckingham Trails Preserve. Consists of the rehydration of the preserve through the removal of manmade alterations to correct the natural sheetflow and hydrology. Project is expected to provide multiple benefits including flood control, habitat enhancement and water recharge.	Requires land acquisition. Project design scheduled during FY14/15 with construction in FY15/16.	Near-term	Local Lee County	\$50,000 (acq.) \$100,000 (des.) \$300,000 (con.)	N
Yellow Fever Creek/Gator Slough Transfer Facility Project	Project involves the hydrologic restoration of the historical flows to the headwaters of Yellow Fever Creek. Project includes the construction of an interconnection facility between Gator Slough Canal and Yellow Fever Creek to transfer surface waters during high flow. Flows are currently intercepted by Gator Slough Canal and redirected to Matlacha Pass.	Conceptual design is complete. Permitting to begin in FY15 pending further coordination between Lee County and City of Cape Coral.	Near-term	Local Lee County Cape Coral	\$671,000 (design & cons.)	N
Billy Creek Restoration Dredging	Removal of exotic vegetation and dredging of Billys Creek.	Project is permitted. Project to begin in FY2016.	Near-term	Local Ft. Myers	\$680,000	Y
Moore Haven Canal Dredging	Deepening and widening of Moore Haven Canal. Will provide sediment reduction, an increase in wetland habitat, and water quality benefits to the Caloosahatchee River	State and federal permits have been approved. Partially funded in FY13-14.	Near-term	Local Glades County	\$12,000,000	Partial

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
	LONG-TERM LOCAL PROJECTS					
Greenbriar Preserve Project	Project involves modifications within Greenbriar Swamp and to the connecting canal/swale system to increase surface water connectivity and storage within the swamp, thereby reducing freshwater discharge to the Caloosahatchee River via Hickey's Creek. Project is expected to provide multiple benefits including flood control, habitat enhancement and water recharge.	Project is included in the ECWCD FY2014-FY2018 Capital Improvement Plan. Project requires further design work.	Long-term	Local ECWCD Lee County		N
Section 10 Storage Project	Project includes modifying an existing mine pit to allow for additional surface water storage in the ECWCD Water Management System; also, includes improvements to the connecting canals, control structures, and a pump station.	Requires land acquisition. Project requires further design work.	Long-term	Local ECWCD	\$6,500,000	N
Hendry County Storage Project	Project consists of the construction of shallow water storage facility to help reduce nutrient loading to the CRE. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge. The project is expected to have the capability of providing timed releases of water to the estuary. It will be expected to have O&M costs associated with pumping operations.	Project was included in the ECWCD FY2010-FY2014 Capital Improvement Plan. ECWCD has evaluated three sites for possible acquisition. Funding will be required for land acquisition, design and construction.	Long-term	Local ECWCD		N
Spanish Creek Preserve Restoration	Project involves the acquisition of agricultural lands to create shallow water storage and wetland flow-way to rehydrate the Ruby Daniels Preserve at Spanish Creek. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.	Phase 1 involving the rehydration of a portion of Ruby Daniels Preserve was completed in 2014. Design and acquisition of approximately 640 acres land is required to construct the storage and complete rehydration of Spanish Creek.	Long-Term	Local Lee County	\$14,800,000 (acq. des. const.)	Partial
Lehigh Wetland Restoration	Undeveloped lots will be purchased to restore remnant wetlands through the construction of one weir. Project is approximately 710 acres located in the Greenbriar Swamp area. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.	Funding needed to initiate the project.	Long-term	Local Multiple	\$70,000,000 (acq. des. & const.)	N
Mirror Lakes Storage/Rehydration Project	Multi-phase project intended to rehydrate Mirror Lakes (aka Halfway Pond), reduce peak flow discharges to the Orange River, and restore flows to the headwaters of the Estero River. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge.	Phase I (rehydrate Mirror Lakes) completed October 2012 to include a pump station and approximately 1,000 acre-ft of storage. Phase II and III involves moving water south under SR 82, and is in the planning and preliminary design stage.	Long-term	Local ECWCD FDOT SFWMD	Phase II: \$300,000 (const.) Phase III: TBD	Partial
Cape Coral Canal Stormwater Recovery by Aquifer Storage and Recover (ASR) Project	Project uses ASR wells in Cape Coral to overcome water shortfall in the dry season and provide flood attenuation in the wet season. Project is expected to provide multiple benefits including flood control, water quality improvements and water recharge.	Three ASR wells were constructed in 2007; however, cycle testing has not started and construction of pumping stations and associated connections is not anticipated until 2015 due to budgetary constraints.	Long-term	Local Cape Coral		Partial

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
Stumper Jumper Ranch Land Acquisition	Project involves the acquisition and restoration of 149 acres of disturbed land located within the Spanish Creek watershed in northeast Lee County. Project is expected to provide multiple benefits including flood control, habitat enhancement, water quality improvements and water recharge	Project design and acquisition required. Former Lee County Conservation 20/20 nomination.	Long-term	Local Lee County	\$1,482,250 (acq.)	N
Lehigh Acres Wastewater Treatment and Stormwater Retrofit Project	Project involves installing stormwater treatment features in Lehigh Acres, updating current stormwater management system, and converting high-density septic tanks to centralized wastewater treatment. Includes the conversion of 12,666 septic tank systems to central sewer. Project is expected to provide multiple benefits including flood control and water quality improvements. The project is expected to have O&M costs associated with the central sewer system.	Nearly 100 single family homes in Lehigh Acres have been connected to the centralized wastewater treatment plant since 2009. Project requires funding to continue.	Long-term	Local Multiple	\$197,238,350 (sewer component)	N
Fort Myers-Cape Coral Reclaimed Water Interconnect Project	Project includes installing a 20-inch diameter transmission line from Fort Myers Treatment Plant to Cape Coral Reclamation Treatment Plant. This is intended to help prevent discharging 9 mgd treated water into the CRE.	The feasibility study completed in 2010 found that constructing a disposal well was a less expensive near-term option; however, project is still desirable as a long-term option. Legislative funding for additional study was appropriated for FY14-15.	Long-term	Local Cape Coral Ft. Myers		Partial
Cape Coral Wastewater Treatment and Stormwater Retrofit Project	City of Cape Coral utility expansion project to convert septic systems to gravity sewers and replace older stormwater inlets with newer inlets designed to assist stormwater management. Includes improvements to existing sewer system and incorporation of roadside swale into drainage system. Project is expected to provide multiple benefits including water quality improvements, water reuse and water recharge.	Project on-going. Next scheduled area is located in Northwest Sector outside of Caloosahatchee watershed.	Long-term	Local Cape Coral		N
Shoemaker-Zapato Canal Stormwater Treatment Project	Project includes installing weir/water control structures to increase channel storage and provide peak flow attenuation. It will enhance water quality and reduce erosion and siltation into Billy Creek.	Additional study required	Long-term	Local Ft. Myers		N
Winkler Canal Treatment Marsh Project	Project creates a treatment marsh designed to divert and treat low flows from low-level rain events using a diversion weir.	Project has been permitted but is on-hold pending funding for land acquisition.	Long-term	Local Ft. Myers		N
	ON-GOING PROGRAMS					
Northern Everglades – Payment for Environmental Services (NE-PES) Program	NE-PES solicitation is an innovative approach that allows cattle ranchers to deliver environmental services for water and nutrient retention. The goal is to establish relationships via contracts with private landowners to obtain water management services of water and nutrient retention to reduce flows and nutrient loads to Lake Okeechobee and the St. Lucie and Caloosahatchee rivers.	First solicitation: 8 projects under contract, none within the Caloosahatchee Watershed. Second solicitation: 2 projects are within the Caloosahatchee Watershed. The Mudge Ranch project, located in Glades County north of the Caloosahatchee River, is operational. The Babcock Property Holdings project, located in Charlotte County, is being negotiated.	Ongoing	Regional Dispersed Water Mgmt. SFWMD	\$2,000,000 Both Projects Combined	Y

Project/Activity	Description	Project Status	Phase	Category/Agency	Estimated Cost	Funded?
Dispersed Water Management Water Farming Assessment	Utilize fallow/out-of-production citrus lands to store water and attenuate nutrients. To determine the overall feasibility of the water farming concept, information with respect to environmental benefits gained compared to the cost estimates associated with on-site construction, infrastructure improvements, environmental assessments, and facility maintenance needs to be evaluated.	The District entered into a cooperative agreement with Gulf Citrus Growers Association to assess the feasibility of water farming. The feasibility study was completed in December 2013. Funding for further implementation is not available at this time.	Ongoing	Regional Dispersed Water Mgmt. SFWMD	TBD	Y
Dispersed Water Management Interim Sites	Parcels scheduled to become regional restoration projects present an opportunity to provide water retention through interim, low-cost alterations to the existing surface water management systems. These parcels would then provide an interim role of contributing to the watershed restoration effort while the final designs are completed and approved. If the public lands are being leased, then water management strategies will be jointly developed with the lessees to reduce discharges while not adversely affecting flood protection (including adjacent properties) and water quality.	Interim lands in the Caloosahatchee Watershed include BOMA and C-43 reservoir site.	Ongoing	Regional Dispersed Water Mgmt. SFWMD	\$700,000	Y
Urban BMPs: Urban Fertilizer Rule [Lake Okeechobee Estuary and Recovery (LOER)] & Florida Yards and Neighborhoods Program	The Urban Fertilizer Rule is an FDACS rule that regulates the content of phosphorus and nitrogen in urban turf fertilizers to improve water quality. The Florida Yards and Neighbors Program provides education to citizens by promoting land use designs to minimize pesticides, fertilizers, and irrigation water.	Since 2009, the UF/IFAS Florida Yards and Neighborhood Program has expanded from a homeowner approach to cover a broader audience (e.g., builders, developers, architects).	Ongoing	Regional Source Control Multiple		Y
Recyclable Water Containment Areas Project	Project uses agricultural or other lands to provide temporary storage, remove nutrients, and treat agricultural stormwater runoff which will help reduce nutrient loading to the CRE. Involves the construction of earthen berms to retain up to two feet of water storage. Would remain operational approximately 5 years, then returned to agricultural production. Project is expected to provide multiple benefits including water reuse and water recharge. It is expected to have O&M costs.	Project was included in the Southwest Florida Comprehensive Watershed Plan (formerly Southwest Florida Feasibility Study), which is in the process of being completed. Funding for design and construction will be required. Additionally, partnerships will be required to implement.	Ongoing	Regional TBD		N
Agricultural BMPs – Owner Implemented, Funded Cost-Share, and Cost-Share Future Funding	Implements agricultural BMPs and water quality improvement projects to reduce the discharge of nutrients from the watershed.	Total agricultural acreage in the Caloosahatchee Watershed is approximately 476,568 acres. Approximately 71 percent of this acreage is enrolled in owner implemented BMPs and have cost-share type BMPs in place. Goal is 100% coverage	Ongoing	Regional Source Control DACS		Y

IV. Legislative Priorities for Local Governments and Relevant Organizations

A. Local Governments

1. Charlotte County

Charlotte County Commission

2015 State Legislative Priorities

Guiding statement- State and Local Governments are partners in the promotion and protection of the health and welfare of our Community. To preserve this partnership:

- Promote state policies which benefit the economic development, environmental and social health of Charlotte County and its citizens.
- Avoid legislative changes or fiscal decisions which impact County revenues such as unfunded mandates, revenue limitations, trust fund diversions or cost shifts.
- Maintain local flexibility to address problems by honoring home rule, and avoiding unnecessary preemptions of local authority.

Charlotte County Legislative Agenda

Support Economic Development and Job Creation

- Continue Enterprise Zones as an incentive for redevelopment and create additional incentives
- Maintain or increase funding for local government affordable housing programs
- Monitor National Flood Insurance Protection Program and related state efforts
- Develop regional economic development and job training programs and innovation clusters
- Development of Regional Impact Review
 - Monitor changes to or elimination of program and avoid changes which disadvantage the County in economic development

Support Fiscal Responsibility

- Avoid shifting costs for state programs to local governments without a funding source
- Communications Services Taxes
 - Ensure any amendment to current law is revenue neutral and allows for growth
- Recognize that local government has tremendous demands for infrastructure growth and maintenance, and support of law enforcement, court and jail functions and do not put any additional limits on local government revenue growth or spending.
- Support methods to enable local efforts to collect due and payable local taxes, fees, fines and other revenues

Support the Environment

- Partner with the county and federal government in continuing the East/West Spring Lake Sewer Service Program
 - Funding is needed to convert properties with old septic tank systems to a new, centralized sewer service of a county-wide project

- Seek funding for Stump Pass beach 10 Year Management Plan
 - Financial assistance needed for implementation of beach erosion control/restoration project
- Reclaimed Water
 - To preserve groundwater resources, promote funding for reclaimed water transmission lines and mandate connection to reclaimed water sources when available.
- Waters of the U.S.
 - Monitor proposed EPA Rule on wetlands jurisdiction (Federal)
- If Amendment I re: dedication of 1/3 of doc stamp revenues passes, its implementation should include:
 - State support of projects which assist in meeting state and federal water quality standards and endangered species protection
 - Matching programs for local acquisition programs
- Do not preempt local regulation of fertilizer application

Support Public Health

- Health Department Funding - assist with the delivery of basic health services by addressing inequities in funding
- Expand the Clean Indoor Air Act to include the regulation of smoking at youth athletic facilities and beaches
- Combat Abuse of Prescription Drugs
 - Support the Prescription Drug Monitoring Program
 - Avoid preemption of Local Pain Clinic Ordinances

Support Transportation Funding

- Support funding assistance to local roads which are critical evacuation routes and those that are access roads to state parks.
- Support a restructure of the formula and methodology used in the distribution of gas tax funds and a review of methodology of state prioritization (criteria) and funding for transportation projects.
- Support a review of state criteria for roads to be designated SIS (state roads). Charlotte County believes there are roads within Charlotte County that meet the criteria to be designated state roads.
- Seek accountability for Railroad expenditures for Crossing Expenses

Support Public Safety

- Provide equitable state funding for juvenile justice detention costs
- Ensure local authority and flexibility to protect the community through local ordinances to regulate pain clinics

2. Collier County

Collier County 2015 State Legislative Priorities

Issues of Major Importance to Advocate:

1. **Inland Oil Drilling & Fracking** – The Board of County Commissioners (BCC) has requested assistance from the Collier County Legislative Delegation to support legislation that improves and strengthens State rules and regulations governing oil well drilling activities. The BCC has entered into a formal agreement with the Florida Department of Environmental Protection (DEP) to jointly develop and support regulatory reforms in this industry.
2. **Pedestrian and Bike Safety** – Collier County will ask the Florida Department of Transportation (FDOT) District One Secretary Billy Hattaway how Collier County can assist in his 2015 Pedestrian and Bicycle Focused Initiative in a complementary fashion. Collier County will also participate in a statewide task force to address these safety issues and education effectively.
3. **University of Florida/Institute of Food and Agricultural Sciences(UF/IFAS)** Collier County will continue efforts to identify and pursue a recurring funding source for UF/IFAS.
4. **Human Trafficking** – Work with the Collier County Sheriff's Office to add measures to the 2012 Florida Human Trafficking Law that improve and strengthen current legislation.

Water Quality Funding Requests:

Collier County is requesting funding allocations from 2015 Florida Legislature appropriations for five (5) water resource projects identified as critical needs in the community. The following prioritized water projects have been identified based on deliberate, measured review:

- I) **Naples Park Water, Wastewater and Stormwater (Swale Rehabilitation and Culvert Replacement Program)**
Project Description: This is a phased project which will replace all three types of water infrastructure components resulting in water quality improvements reducing pollutant loading to the impaired waters of Wiggins Pass.
Cost: The estimated total cost for construction is **\$10 million**, including **\$1.4 million** for stormwater and **\$8.6 million** for water infrastructure components.
- II) **Golden Gate City Outfall System Replacement Program (Golden Gate City Stormwater Improvement Project)**
Project Description: The project will improve collection, treatment and conveyance of stormwater runoff within the four(4)-square-mile area of Golden Gate City. Stormwater runoff from this 50-year-old system is conveyed to the Golden Gate Canal system, which discharges into the impaired waters of Naples Bay.
Cost: The estimated cost for Phase I construction is **\$0.8 - \$1.6 million**.
- III) **Livingston Road Aquifer Storage and Recovery (ASR) System**
Project Description: This is a shovel-ready program for wet and dry season optimization of water resources through ASR that will enhance the environment and provide a sustainable water supply.
Cost: The estimated cost bundled in a single phase is **\$15 million** for Fiscal Year (FY) 2015/16.
 Alternatively, three (3) phases would request **\$5 million** each for FY 2015/16, FY 2016/17, and FY 2017/18.

IV) South Service Area Re-use Optimization

Project Description: This is a permitted project for wet and dry season optimization of water resources through four (4) new Lower Tamiami wells to supplement Irrigation Quality (IQ) water supply in the South Service Area to enhance the environment and provide sustainable water supply.

Cost: The estimated cost for Phase I, including two (2) wells at **\$2 million** each, is a total of **\$4 million** for FY 2015/16.

Phase II will include two (2) wells at **\$2 million** each, **\$4 million** total in FY 2016/17.

V) Lely Area Stormwater Improvement Project (LASIP)/Wingsouth Airpark Channel Improvements

Project Description: This project will improve stormwater collection, conveyance and quality while rehydrating environmental preserve areas in the upstream section of the Rookery Bay watershed. The improvements are a component of the Lely Area Stormwater Improvement Project (LASIP), a regional stormwater improvement master plan.

Cost: The estimated cost for construction is **\$2.6 million**.

Issues to Monitor: The Board of County Commissioners (BCC) on behalf of Collier County citizens advocates for the overall principles of preserving the **Home Rule** authority of local governments; opposing state **Preemption**; opposing **Unfunded Mandates**; and protecting against **Trust Fund Diversions**.

- A. **Beach Funding & Maintenance** – Support increased funding and streamlined permitting for beach renourishment and maintenance for coastal counties as beaches continue to be the State of Florida’s economic engine and tourism industry driver, attracting visitors and creating jobs.
- B. **Communications Services Tax (CST)** – Oppose any legislation that would change the CST; support present CST collections. Loss of CST represents \$5 million impact to Collier County.
- C. **Gaming** – Continue to monitor the new Seminole Gaming Compact being negotiated by Governor Rick Scott and the Seminole tribe. Support at least three (3) % government share of any future gaming proceeds to finance future infrastructure needs. The Seminole gambling casino in Immokalee has plans to expand vertically.
- D. **Impact Fees** – Continue to support home rule authority over administration of Collier County’s existing impact fee program.
- E. **Gulf Consortium** – Support Collier County’s continued participation in the federal RESTORE Act directives, including the State of Florida’s Gulf Consortium. Transocean is the only determined civil settlement so far; Collier County is eligible for more than \$900,000. The decision of a settlement with British Petroleum (BP) continues in federal court with Phase III; most recently BP was found to be “grossly negligent” in the Deepwater Horizon tragedy of April 2010.
- F. **Transportation** – Oppose diverting funds from the State Transportation Trust Fund to non-transportation projects. A total of \$10.1 billion was funded for transportation items for the current FY 2014-2015. Also, pursue an increased return on dollars for Collier County, a long-time donor county.
- G. **Libraries** – Continue to support State Aid to Libraries and the Southwest Florida Library Network (SWFLN). Last session, there was about \$34 million in statewide allocations.
- H. **Public Record Requests** – Request a legislative amendment to add onto current public records law 119.07(1) a provision that includes Emergency Medical Technicians (EMTs) and Paramedics as exemptions, like firefighters and law enforcement.

- I. **Tourism** - Protect the current level of funding to VISIT FLORIDA and support increased funding.
- J. **Offshore Oil and Gas Drilling** - Continue to support *permanently prohibiting offshore oil and gas drilling in Florida territorial waters*, which are within nine (9) geographic miles from the coast of the Gulf of Mexico.
- K. **Uber** - Aligning with the Florida Association of Counties (FAC), Collier County supports their new policy statement for the regulation of taxis and limousines, which reads: FAC supports maintaining the integrity of home rule power, which allows counties to regulate taxis, limousines, and jitneys for the purpose of public safety and consumer protection. Conversely, FAC opposes any effort that preempts to the state the regulation of chauffeured limousines, limousine services and drivers of chauffeured limousines.

3. Glades County

The Glades County Board of County Commission is requesting that the Delegation introduce and support the requests made on behalf of Glades County:

1. Mitigation and development credits; PILT revision to provide revenue based on just value;
2. Support continued funding of the Glades County Regional Training Center through DEO;
3. Remove the requirement for State appropriations, SCOP and Scrap to be paid by reimbursement but rather a direct pay for Counties in the R.E.O. for fiscally constrained counties.
4. Glades County seeks continued support for continuing Payment in-lieu of Taxes (PILT) for the Private Correctional Facility and for eligible agency controlled/owned lands in Glades County;
5. Support continued funding for County Wastewater Improvement Projects and removal of septic tanks; in your packet is a Request for Legislative Support and Funding for our wastewater project. We received no funding last year and will appreciate your support for funding this session.
6. Small County Courthouse Funding; we realize that Small County Courthouse Funding has been scarce the last few years, however we have life, safety and ADA requirement needs and will appreciate your support.
7. Support obtaining additional technical and financial assistance from FDEP, SFWMD and/or the Florida Legislature in the efforts to improve the Moore Haven Canal.
8. Support continuation of the Fiscally Constrained Counties (Set-Aside) Program;
9. Support programs and funding for Economic Development, Small Businesses, the County's Industrial Park, tourism for rural communities; (Rural Infrastructure Grants and EDTF Grants)
10. Continued support for FDOT funding:
 - Support continuation of funding for the FDOT Small County Resurface Assistance Program. (SCRAP)
 - Support continuation of funding for the FDOT Small County Outreach Program (SCOP).
 - Support funding improvements for US27 and SR78;
11. We ask that you oppose any budget or legislation with **non-funded mandates**.
12. Support City of Moore Haven Legislative Issues:

- Support Glades School District Legislative Issues;
- Support for FAC 2014 Legislative Agenda, as may be appropriate for small rural counties.

4. Bonita Springs

2014-15 Legislative Priorities (approved by Council 9-3-14):

1. The City of Bonita Springs supports state sustainability initiatives, especially those which would prevent discharges from Lake Okeechobee and which promote clean fresh and salt water bodies. The City also opposes any water quality proposals which would negatively impact our city.
2. The City of Bonita Springs supports the amendment of the 2014 Village of Estero incorporation legislation to correct the proposed village boundaries to reflect the 2014 residential and commercial voluntary annexations into the City of Bonita Springs.
3. The City of Bonita Springs believes in affordable insurance rates for our citizens. Towards that end, the City opposes any action or legislation, at any level, that will have the effect of significantly increasing flood insurance rates.
4. The City of Bonita Springs supports legislation that would allow pari-mutuel facilities within counties that have passed referendums to provide slot gaming. The City also supports a decoupling of dog racing requirements for pari-mutuel facilities that provide additional gaming.
5. The City of Bonita Springs opposes any legislation that would require State mandated fertilizer standards that preempt adopted municipal standards.
6. The City of Bonita Springs supports efforts to provide additional health care facilities in South Lee County.

More GENERALLY, the City of Bonita Springs supports increased state funding for education (private, public and charter schools), supports state funding of Regional Planning Councils, supports state sustainability initiatives including possible alternative sources of power, and opposes any legislation that would pre-empt Home Rule protection.

5. Cape Coral

City of Cape Coral

STATE LEGISLATIVE INITIATIVES FOR 2015

INTRODUCTION: The legislative platform adopted by City Council on October 20, 2014, is a list of legislative initiatives for the City of Cape Coral. The identified initiatives represent the city's priority interests at the State level but are not meant to represent a complete list of issues the City will take a specific stand on. Often a piece of legislation, rule, issue or policy will require additional advocacy efforts.

Always, the city's advocacy efforts are to ensure the City's fiscal, operational and quality of life interests are represented on behalf of the citizens of Cape Coral.

Legislative Initiatives

The City of Cape Coral will support pension reform that preserves the ability of the employer and the members of a collective bargaining unit to amend local law plans through mutual consent. The City of Cape Coral also supports allowing the modification of all pension benefits payable under the local law and through mutual consent without violating state chapter minimums, providing an analysis proves the state monies are not supporting 100% of the benefits under the system.

The City of Cape Coral will support legislation that addresses water quality and quantity issues that affect local communities, specifically efforts to revitalize and protect Florida's springs, aquifers, surface waters and estuaries.

The City of Cape Coral supports legislation that designate resources solely for the unique problems facing pre-platted cities and provides property owners and local governments additional tools including funding with which to address challenges posed by antiquated subdivisions.

The City of Cape Coral supports legislation that will mandate local school districts to share capital money with municipal charter schools and the capital funding be distributed in a proportionate manner with municipal charter school authorities ensuring that municipal run public schools have the same access to capital dollars as county schools.

The City of Cape Coral will support legislation that will allow for the collection of F.S. Chapter 175 monies in exchange for providing Fire protection to a Municipal Services Taxing Unit (MSTU) through an Inter Local Agreement.

The City of Cape Coral will support legislation that diversifies tourism opportunities by amending F.S. Chapter 180.07 or the adoption of new legislation providing microbreweries and distilleries the option to qualify for directional tourism signage.

The City of Cape Coral will support legislation that supports using State Housing Initiative Partnership Program (SHIP) trust fund exclusively for housing.

The City of Cape Coral supports initiatives proposed by the Florida League of Cities.

The City of Cape Coral opposes legislation that creates unfunded mandates, legislation that fails to protect the needs of municipalities, legislation that assaults Home Rule authority or legislation that fails to safeguard the legislative intent and elements initially cited in Florida Statutes, Chapter 163.33 known as the Community Redevelopment Act of 1969.

Funding Requests

The City of Cape Coral supports grant funding for the Southwest Florida Military Museum. The museum promotes tourism and is dedicated to honoring our military, preserving and displaying military artifacts and memorabilia while educating the public and future generations about our nation's military heritage.

The City of Cape Coral requests continued support for future FDEPSRF loans. Cape Coral is the third largest municipality by size and approximately half of the City's pre-platted parcels remain to be served by centralized water and sewer services. City Council has approved the expansion of 12 square miles of utility line extensions covering nearly 20,000 parcels. The City is presently in construction in the first of three areas in its Utility Extension Project (UEP) bringing water, sewer and irrigation to approximately 6,000 parcels using FDEPSRF Loans. We are also in the process of design services for the second area. Securing the FDEP Clean Water and Drinking Water loans is key to funding the project. As the City continues to extend utility infrastructure throughout the City we will be applying for future FDEPSRF Loans.

6. Fort Myers

City of Fort Myers 2015 Legislative Agenda

Introduction

The City of Fort Myers proactively seeks to communicate and inform the local legislative delegation and community regarding the impacts of State and Federal actions on local government through the development and adoption of a legislative agenda. The Legislative Agenda provides the Fort Myers platform for legislative issues to be considered by the 2015 Session of the Florida Legislature that convenes on March 3, 2015 and ends on May 1, 2015. The legislative agenda is provided to the Local Legislative Delegation, Florida League of Cities, and City lobbyist to assist in representing the interests of Fort Myers in State governance.

LeeCounty Local LegislativeDelegation

The local legislative delegation for Lee County consists of the following members: Senator Lizbeth Benacquisto (District 30), Senator Garrett Richter (District 23), Representative Matt Caldwell (District 79), Representative Dan Eagle (District 77), Representative Heather Fitzenhagen (District 78), and Representative Raymond Rodrigues (District 76).

Mission of theCity of Fort Myers

The mission of the City of Fort Myers is to be financially responsible and to be a leader in municipal services, with a dedicated City workforce and an involved community.

Goals of theCityof Fort Myers

The five year goals established in the 2013 City of Fort Myers Strategic Plan are as follows:

- ☐ Financially sound City providing exceptional municipal services.
- ☐ Safe and livable neighborhoods.
- ☐ Economic prosperity and a growing economy.
- ☐ Vibrant downtown on the river.

The following 2015 legislative agenda issues were adopted by the City Council of the City of Fort Myers on September 15, 2014.

Energy and Environmental Quality

Policy Statement

- ☐ Support a balanced water resources policy that provides for enhancements to water quality and resource conservation that provides for reductions in nutrients, flood damage prevention, protects the tourism economy, rehabilitates natural environments, and provides recreation opportunities.
- ☐ Support the establishment of a comprehensive, State-wide policy on sustainable energy development and conservation that provides incentives for the development and implementation of renewable and alternative energy sources.

Action Agenda

- ☐ Support Coordinated Federal and State Funding for Water Quality Improvements in the Caloosahatchee River Basin. Support Coordinated Federal and State Funding for water quality improvements in the Caloosahatchee River Basin for reservoirs, the Central Everglades Planning Project, the Comprehensive Everglades Restoration Plan, and the restoration of the Herbert Hoover Dike.
- ☐ Support Legislation that Provides for Local Government Collection of Stormwater Fees from Public School Systems. Support the introduction of legislation that provides for the ability of municipalities to enforce payment by School Districts refusing to pay storm water utility bills of municipalities. The City opposes legislation that limits (or prohibits) the ability to appropriately address flooding and water quality improvement programs through the use of stormwater utility user fees.
- ☐ Support Legislation and Funding to Eliminate Septic System Discharges. Support the establishment and appropriation of funding for a program to eliminate nutrient discharges into surface and ground water sources from septic systems located near impaired water bodies and public drinking water sources.
- ☐ Support the Restoration of Funding to the Florida Recreation Development Assistance Program. Supports the restoration of funding by the State to the Florida Recreation Assistance Program (FRDAP) to clear the current backlog of granted projects and provide sufficient additional matching grant funds to provide for the development of parks and recreation facilities to provide for the expected quality of life and sense of place provided by municipalities.
- ☐ Oil and Gas Exploration. Oppose legislation authorizing exploration and drilling for oil and gas within Florida's territorial waters if the legislation fails to ensure scientific evidence of no impact to the travel-tourism industry for any drilling within 25 miles of the shoreline, limits or preempts municipal input and authority, or fails to properly apportion revenues derived from any gas or oil exploration in an equitable manner between cities and counties.

Finance, Taxation, and Personnel

Policy Statement

- ☐ The City opposes unfunded mandates and supports legislative action that strengthens the prohibition on unfunded mandates, improves identification and quantification procedures, eliminates loopholes, and requires full funding of new State mandates to the City.
- ☐ Support legislation that provides home rule authority of municipalities to diversify sources of revenues to provide for a healthy fiscal condition and reduce costs in the issuance of debt. The City opposes legislation that seeks to cap revenues of state and local governments.
- ☐ Support legislation that protects the home rule authority to negotiate benefits and pension plan provisions for municipal employees to ensure sound, secure, and stable pensions will exist for current and future City employees.

Action Agenda

- ☐ Support the Continuation of Funding and Use of State Funds to Support Sustainable Police and Fire Pension Programs. Support efforts to enable State Chapter 175 and Chapter 185 funds to be used to support current benefits of police and fire pension programs. The City supports the continuation of funding by the State through the appropriation of Chapter 175 and Chapter 185 funds for use in all pension programs including defined benefit programs, defined contribution programs, and fire and police participation in the Florida Retirement System.
- ☐ Oppose Efforts to Reduce or Eliminate Municipal Revenue Authority including Communication Service Tax and Business Tax. The City will oppose bills filed that attack home rule and cap local revenues to include efforts that reduce or eliminate municipal taxing authority for property taxes, communication service taxes, and business taxes. Efforts on this issue will be coordinated with the Florida League of Cities.
- ☐ Support Legislation Extending the Authority to Cities to Establish and Receive Revenues from a Bed Tax. Support the development and introduction of legislation extending the authority of Fort Myers to implement a Bed Tax. The Florida Constitution currently prohibits a municipality from implementing any tax that is not authorized by State Statute. Statute currently permits Counties to levy a Bed Tax for the use of travel and tourism activities. The proposed language would extend the existing authority granted to counties to municipalities.
- ☐ Support Legislation Extending the Authority to Cities to Establish and Receive Revenues from the Local Option Infrastructure Surtax. Supports a change to Chapter 212, Tax on Sales, Use and other transactions, to allow a municipality to impose a ½ or 1 cent surcharge on sales and use tax within municipal boundaries, without an interlocal agreement or consent of the county for infrastructure improvement.
- ☐ Support Legislation to Increase Municipal Representation on County Value Adjustment Boards: Supports legislation that modifies the membership of each county's value adjustment board to provide for rotating municipal representation starting with the municipality that has the highest assessed value in the county. Provide municipal representation in appeal hearings regarding exemptions, classifications, property assessments, tax deferrals, and homestead portability.
- ☐ Support Legislation to Authorize Municipalities to Implement a Law Enforcement Assessment Fee. Support legislation to allow municipalities to implement a Law Enforcement Assessment Fee similar to the Fire Assessment Fee.
- ☐ Oppose Legislation that Limits Home Rule Authority to Establish Local Vendor Preference Programs. The City opposes legislation that prohibits or restricts municipalities to establish or enforce local vendor preference processes in competitive bidding practices and continuing contract processes.

Growth Management and Economic Development

Policy Statement

- ☐ The City supports legislation that promotes quality urban development, especially new statutory regulatory incentives for projects that involve infill development, job creation, and economic development.

Action Agenda

- ☐ Support Legislation that Promotes Growth and Redevelopment in Urban Areas. Supports legislation that promotes quality urban development, especially new statutory regulatory incentives for projects that involve infill development, job creation, and economic development. The issue will be coordinated with the Florida League of Cities and the Florida Redevelopment Association.

- ☐ Support the Funding of the Florida Brownfield Program and Tax Credits. Supports the funding by the State of the Florida Brownfield Program Voluntary Cleanup Tax credit to clear the current backlog and to provide sufficient additional tax credit funding to encourage the redevelopment of blighted urban areas.
- ☐ Support Legislation to Reauthorize the Florida Enterprise Zone Program and Establish Super Enterprise Zones in Areas with Higher Rates of Unemployment and Poverty. The Florida Enterprise Zone program will sunset on December 31, 2015. The City encourages the State to reauthorize the program and expand incentives in areas with higher rates of unemployment and poverty. Encourage the State to examine the fiscal impact to include State costs offset for health and social services programs in addition to the cost of incentives to generate job growth and business investment.
- ☐ Support the Limited Use of Eminent Domain for Economic Development. Support the introduction of legislation that provides for the limited use of eminent domain by municipal governments and redevelopment agencies for the assembly of land in blighted areas for redevelopment purposes.
- ☐ Support State and Federal Funding for Workforce Development and Programs Designed to Enhance the Graduation Rate of At-Risk Students. Supports legislative funding and efforts of the Southwest Florida Workforce Development Board to assist residents seeking employment, learning job skills, and provide programs to support employers' efforts to locate employees and develop existing workforce.

Transportation and Intergovernmental Relations

Policy Statement

- ☐ Support legislation that preserves local control of transportation planning and provides opportunities for additional revenue options to fund municipal infrastructure projects.
- ☐ The City supports legislative efforts that strengthen home rule and recognizes the benefits of partnerships with public, private, and non-profit organizations in the provision of efficient and effective municipal services.

Action Agenda

- ☐ Support an Amendment to Require Cable Service Providers to Provide Municipal Facilities Institutional Networks in Exchange for the Use of Municipal Rights-of-Way. Amend Chapter 610 of the State Statutes to provide for the no cost provision of institutional networks access leases to municipalities that provide public rights-of-way access to cable service providers. The amendment protects the tax payer from paying for private company profits for network cable leases to municipalities when the private companies are receiving the public rights-of-way access from the municipalities at no cost.
- ☐ Support Funding of Department of Transportation for Bicycle and Pedestrian Features, Aesthetic Improvements, and Drainage Infrastructure in Coordination with Adopted Redevelopment Plans on State Roads in the City. Support funding of FDOT to support transportation planning and infrastructure improvements to encourage redevelopment consistent with adopted City plans for U.S. 41, State Road 80, State Road 82, Fowler-Evans Corridors, and McGregor Boulevard.
- ☐ Support the 2015 Legislative Agenda of the Florida League of Cities. In adopting the 2015 Legislative Agenda for the City of Fort Myers, City Council includes the legislative efforts and platform of the Florida League of Cities as consistent with the efforts of the City.
- ☐ Support the Increase of Funding for the Prevention and Treatment of Substance Abuse and Mental Health Services. Support the increase of per capita funding by the State for substance abuse prevention and mental health treatment services using an equitable statewide formula. Increased

efforts for drug abuse prevention and mental health treatment will improve the health of the citizens of the State and reduce the costs for public services that result from the failure to adequately fund mental health services.

Urban Administration

Policy Statement

- ☐ Support legislative actions that provide resources and programs for safe and livable neighborhoods and assist the City in providing exceptional municipal public safety services.

Action Agenda

- ☐ Support the Protection of Local Ordinances that Regulate Loud Music. Supports the amendment of enabling Statute, §316.3045, for the operation of radios or other mechanical sound making devices or instruments in vehicles to change wording that was deemed by the Florida Supreme Court to be overly vague and "a content-based restriction on free speech which violates the First Amendment". Amending the Statute to address the Court concern protects the continued enforcement of municipal noise ordinances that are based on the Statute.
- ☐ Support a Joint Resolution for a Constitutional Amendment to allow the Forfeiture of Real Property to Abate Criminal Nuisances on Homestead Properties. Supports the adoption of a Joint Resolution for a Constitutional Amendment to Article X, Section 4 of the State Constitution to support law enforcement efforts to abate criminal nuisance properties by providing an exception to homestead protection to allow property forfeiture when a clear nexus exists between the property and criminal activity.
- ☐ Support a Legislative Amendment to Increase the Requirements for Charter Amendments of the Electors of a Municipality. Seeks the amendment of State Statute 166.031 to increase the requirements for citizen petition initiatives to amend municipal Charters to protect Charters from frivolous initiatives and reduce the financial burden on the taxpayers when such referendums are placed on the ballot.
- ☐ Support the Definition and Establishment of Regulatory Standards for Sober Homes: Support legislation that defines and establishes minimum regulatory standards for sober home facilities and allows for more stringent local regulations of these facilities.
- ☐ Support Legislation that Enhances the Continued Incarceration or Supervision of Violent Felony Offenders. Support legislation supported by the Florida Parole Commission that enhances the continued incarceration or supervision of violent felony offenders. The City opposes legislation that provides for the early release of inmates or reduces the current requirement for inmates to serve a minimum of 85% of their sentence.

B. Organizations

1. Florida APA

2015 APA FLORIDA LEGISLATIVE PROGRAM, POSITION and POLICY STATEMENTS

Introduction and User Overview:

APA Florida is an association of diverse professional disciplines applying a wide array of talents and expertise in the public and private sectors which are vital to a workable growth management system in Florida at all levels of government. The talents and expertise include a range of topical areas such as: comprehensive land use planning; land development regulations; economic development planning; redevelopment; community health; environmental assessment and planning; financial feasibility geographic information systems and geospatial analysis; population and demographic trend and analysis; urban design and form; circulation design and multi-modal transportation; and social planning.

APA Florida's Legislative Program and Positions represent the Chapter's views on professional planning issues especially related to the State's annual Legislative Session. Developed over time, most remain essentially the same and offer background and guidance as issues emerge or change on an annual basis. Similarly, the Chapter's major priorities remain constant, unless significant legislative initiatives surface requiring reordering.

The Program is adopted by the members as part of the annual business meeting at APA Florida's Annual Conference. This ensures regular updates and timely support. It is regularly reviewed and updated by the Chapter's Legislative Policy Committee (LPC), made up of representatives of each local Section and numerous at-large appointments ensuring depth and breadth of expertise. The LPC submits the Program for review to APA Florida's elected Executive Committee before the annual meeting, where it is adopted as is or with amendments. Members unable to attend the annual meeting may vote on it by proxy.

The Key Position Statements are intended as an easy aid for any APA Florida member to use to maximize their impact when having the attention of one of their Legislators. It also simplifies a member's focus and fosters the use of APA Florida's positions to assess issues arising before local and regional decision-makers. This format has been successful in broadening APA Florida's impact and increasing its effectiveness as the Chapter works with its Sections to expand the planning constituency participating in the legislative process.

The balance of the Positions assist and guide members, the Executive Committee, the Legislative Representative and the Chapter Office in allocating time and resources when responding to and prioritizing the overwhelming volume of issues that develop in the course of the annual 60-day Legislative Session. It enables the APA Florida leadership to refine and adapt the Chapter's legislative focus to meet its most pressing needs and those of the profession. It further benefits the Executive Committee and Legislative Policy Committee, which convene on a year round basis, in being able to take a stand on issues between annual meetings.

KEY POSITION STATEMENTS

Introduction

The American Planning Association (APA) and its professional institute, the American Institute of Certified Planners (AICP), are organized to advance the art and science of planning and to foster the activity of planning – physical, economic, and social – at the local, regional, state, and national levels. The objective of the Association is to encourage planning that will contribute to the public well-being by creating communities and environments that meet the needs of people and of society more effectively as well as meet the challenges engendered by our changing society.

The Florida Chapter of the American Planning Association serves APA members in the state, and is the state-level resource for networking and professional development. The Chapter provides members the opportunity to share experiences with colleagues and to broaden perspectives. The Chapter holds an annual conference, educational workshops and professional development seminars, AICP exam preparation courses, and produces a newsletter. APA Florida also conducts legislative programs, sponsors training workshops, conducts an awards program, provides input to various elected officials, and provides public information to and about the planning profession.

Our Mission

The APA Florida provides statewide leadership in the development of sustainable communities by advocating excellence in planning, providing professional development for its members, serving as the state's collective technical resource, and working to protect and enhance the natural and built environments.

General Objectives:

- APA Florida is committed to an **integrated planning** system in Florida with clearly delineated state, regional and local planning responsibilities.
- APA believes meaningful state oversight functions should be performed by a **single state land planning agency**.
- APA Florida is committed to promoting, protecting and preserving **well-planned** neighborhoods, communities, cities and rural areas, high quality **natural areas** and **resilient and sustainable economies** throughout Florida.
- APA Florida **supports visioning** at the state, regional and local levels, in order to foster economic development, create jobs, and promote a healthy statewide economy. The state's vision should set the framework for future growth, economic opportunity, patterns of development and preservation of a high quality of life for all Floridians.
- APA Florida believes that local government should have maximum **funding flexibility** in order to fully fund existing and future infrastructure needs.
- APA Florida is committed to **promoting sustainable communities** through sound planning principles that promote alternative energy usage and production, efficient resource utilization, and sustainable resource management practices.
- APA Florida believes that truly **outstanding Florida communities and regions** offer safe, dynamic, equitable, convenient, attractive and healthful environments with employment and economic opportunities, friendly neighborhoods, and equal access to a high quality of life, including education, recreation, and personal growth opportunities for all generations.

APA FLORIDA SUPPORTS:

Communities are planned and guided by the talents of planning professionals who strive to bring vibrancy and permanency to the built environment, while preserving the natural environment. APA Florida is committed to the advancement of the following goals, throughout the State, by utilizing trained and qualified planning professionals, and with the support of elected officials and community leaders.

- Legislative revisions that strengthen, improve and integrate current planning processes consistent with Florida's long-standing commitment to growth management, sustainable economic development, and healthy communities.
- A balanced approach among public and private sector perspectives in state, regional and local planning, policy development and decision-making that does not preempt local government authority.
- Long-range land and resource management that conserves, protects, and enhances the state's natural resources.
- Planning policy that better integrates the siting and planning of significant land uses and includes greater public/private cooperation and accountability.
- An open and collaborative planning process that includes meaningful and responsible citizen participation.

POLICIES

Toward these ends, the Chapter's policies are listed below in alphabetical order and not in order of priority:

Adequate Public Facilities: APA Florida supports programs that ensure that the impacts to public infrastructure and facilities (in particular transportation, water and wastewater) that occur as a result of new development are adequately mitigated in a timely and financially feasible manner and that the construction of infrastructure is compatible with the character of the local community. APA Florida supports revisions to Florida's growth management laws provided the revisions assure accountability to the public and a dedicated, recurring source of funding for the mitigation.

Affordable Housing: Shelter is a basic human need. In spite of the recent economic shift, housing issues remain tantamount in meeting the needs of the State's current and future workforce. APA Florida supports efforts to incentivize the location efficient siting of affordable housing options, such as the Sadowski Affordable Housing Act.

Annexation: APA Florida supports annexation policies or legislation that provide coordinated land use planning and efficient provision of infrastructure and services between cities and counties.

Brownfields: Brownfields are abandoned, idled, or underused industrial and commercial properties where expansion, reuse, or redevelopment may be complicated by real or perceived environmental contamination. They are a tool for local governments to use for marketing and enhancing redevelopment and economic development of existing developed sites previously overlooked due to perceived environmental problems or past activities that might have created environmental concerns. While cleanup of contaminated sites is the ultimate goal of Brownfields activities, the program itself is primarily designed to allow redevelopment and revitalization of community areas that have been abandoned by commerce and industry. APA Florida supports funding to provide sufficient additional tax credits and other incentives to ensure the continued success of Florida's Brownfield Programs in the future.

Carbon Sequestration/Credits: Water and carbon management are of rising importance to institutional investors and result in benefits such as cost savings and energy efficiencies. To promote Florida as a desirable location for investment by institutional investors and for economic development, APA Florida supports laws, regulations, and policies that reward companies for implementing programs such as those that reduce energy use in their supply chain, invest in energy efficiencies, voluntarily report their carbon emissions that can be independently verified, and have internal practices that incentivize emission reductions. APA Florida supports the promotion of carbon sequestration and a carbon credit system, through the use of agriculture, silviculture, urban forestry practices and the continued protection of natural systems, and the implementation of cap-and-trade and other methods of achieving GHG reduction targets which create a market for carbon credits.

Citizen Participation: APA Florida strongly supports citizen access and public input to the planning process and is committed to improving citizen involvement through local planning initiatives and legislative changes to Florida's growth management framework. APA Florida supports an open and collaborative planning process that includes meaningful citizen participation through reasonable notice, open public records and accessibility to all stages of the planning process, as well as promoting the use of citizen participation best practices at the local level.

Citizen Standing: Citizen standing and public participation are fundamental to an effective growth management process. APA Florida supports the rights of citizens to meaningfully participate in the planning process and will oppose proposals to weaken citizen standing.

Climate Change: The scientific evidence on climate change is that the Earth's climate system is definitely warming, and it is very likely that humans are a major cause of it through activities such as deforestation and burning fossil fuels that increase concentrations of greenhouse gases in the atmosphere. Most scientists also agree there are climate change impacts that are irreversible and that are likely to get worse. Florida is particularly vulnerable to impacts associated with climate change. These impacts include but are not limited to more frequent heat waves and droughts, stronger tropical storms and higher storm surges, drier conditions in some regions and wetter conditions in others, and rising sea levels as glaciers melt and ocean waters warm and expand. Natural and built environments are at risk from climate change. In planning for our future, both mitigation and adaptation to climate change and its impacts are needed to maintain a safe, attractive and resilient environment for residents and businesses in Florida. Adaptation to climate change and mitigation of its impacts is important for the State's overall economy and the jobs that support it, business investments, infrastructure, the health of its people, and the conservation of its natural resources and protection of its natural amenities. APA Florida supports a growth management system at the state, regional and local level which recognizes and provides plans, incentives, standards, and regulations that address climate change adaptation and mitigation. APA Florida supports policies and programs, including APA's Climate Change Policy Guide, that will reduce long-term risk, promote economic development and sustainability, and provide transparent disclosure of the risk associated with climate change. APA Florida also supports state, regional and local policies, plans and safe development practices that promote sustainable Disaster Resistant Communities as a component of climate change resilience.

Developments of Regional Impact (DRI): Legislative action over the past few years has resulted in: 1) the exemption of large scale projects from DRI review in "dense urban land areas" that encompass much of the state; 2) the elimination of certain land uses from DRI review; and 3) increases in numerous amendment thresholds, which in the aggregate have effectively substantially reduced the breadth and scope of the DRI program. The DRI process needs a thorough analysis on

whether in its present form it adequately serves to ensure that large or particular types of development are sufficiently reviewed for their regional impacts and to ensure necessary intergovernmental coordination for the mitigation of regional impacts. Although it can be argued that local governments have become more capable of better assessing and providing for development impacts within their boundaries than when the DRI process was first established, Florida's growth management system still lacks adequate mechanisms for addressing regional and intergovernmental impacts of major development. Further, local governments should be allowed an option to use the DRI process where it is not mandated by statute. APA Florida objects to creating exemptions to the current process that eliminate or weaken regional reviews and intergovernmental coordination for development projects that have regional impacts. Any proposed changes to the DRI process should be based on sound evidence to assure that the intent of the DRI statute regarding regional review and intergovernmental coordination is maintained. APA Florida supports the use of Sector Plans and the Rural Lands Stewardship program as alternatives to the DRI process as long as the programs adequately protect against inappropriate leapfrog development and sprawl, identify and provide for mitigation of regional impacts, and occur within a strong regional and state framework.

Economic Development: APA Florida supports sound planning principles and incentives that allow for a mix of land uses to diversify the economic base of the state and local communities while sustaining the quality of life that defines Florida. APA Florida believes that sustainable and quality economic development requires good planning and appropriate coordination at various levels of government, including strong state support, incentives and flexibility for local governments. To increase economic diversity and sustainability in the global market place, encourage an innovation economy, and create more high quality jobs, APA Florida supports attracting, retaining and expanding targeted industries providing quality diverse employment opportunities by ensuring the availability of appropriately entitled land, statewide economic development assistance and incentives, adequate infrastructure which includes efficient transportation corridors (including multi-modal facilities), conservation of Florida's irreplaceable natural land areas and coastlines that attract employers and tourists alike, an appropriate mix of housing choices, and the availability of affordable quality education and training.

Energy Policy: APA Florida supports a State Energy Policy to meet the needs of the population of the State of Florida consistent with efficient conservation of natural resources, multi-modal forms of transportation and flexible local land use planning programs that encourage a mix of uses. A statewide Energy Policy should provide statutory incentives for renewable energy projects and programs that create jobs, redevelop existing buildings and infrastructure, attract and retain existing businesses, and bring new industries to Florida. State policies should encourage the manufacturing, distribution and use of alternative and renewable energy sources.

Equity: Economic, environmental and social equity are paramount. APA Florida supports statutes and rules that promote equity. With regard to private property rights, APA Florida supports balancing individual property rights and the interests of the public-at-large.

Everglades Restoration: APA Florida supports Everglades Restoration and, to that end, encourages affected local governments to incorporate the needs of this restoration program into their land use decisions and comprehensive planning processes.

Finance & Taxation: APA Florida supports an equitable approach to finance and taxation that enables communities to adequately address local needs and priorities. APA Florida supports simplifying and stabilizing Florida's state and local revenue structure to provide diverse and adequate fiscal resources to fully fund the existing and future infrastructure needs of the state. APA Florida supports the re-examination of Florida's tax system to address inequities in such areas as ad valorem taxation and sales tax exemptions. APA Florida supports the creation of local options for taxation that may be necessary to enable communities to finance local needs.

Fiscally Sound Planning: APA Florida supports comprehensive planning as an important foundation for economic development and job creation. These goals can only be realized if community infrastructure needs are fully funded. Local governments should be able to pursue flexible state and local option revenue sources to meet these important goals.

Florida Forever Act: APA Florida is a member of the Florida Forever Coalition and supports funding for the Florida Forever Act. Furthermore, APA Florida opposes any diversion of funds from this program for other uses. APA Florida supports innovative land protection acquisition strategies.

Funding: Effective planning and growth management requires adequate funding to address the challenges of Florida's growth. Funding resources that were to accompany passage of the Growth Management Act were not provided and serious shortfalls have occurred at the State and local levels. Although steps have been taken to provide targeted funding

in certain areas (e.g., land acquisition and road building), a greater commitment to funding of sound planning and growth management is needed, particularly at the state level.

Governmental Roles: The State of Florida, local governments, Regional Planning Councils and other entities of Florida government each play a vital role in planning and growth management matters. APA Florida supports adjusting governmental roles to acknowledge and respect the capabilities of local and regional entities, implementing the vision of individual communities, and meeting the long-term needs of the public at large. Legislative authority to support local planning options within the state framework is preferable to legislative mandate. A cohesive, well conceived plan is needed toward this end, including appropriate incentives, safeguards and evaluation mechanisms.

Hazard Mitigation: APA Florida supports the integration of hazard mitigation principles into the local comprehensive planning process, including post-disaster redevelopment planning for both coastal and inland communities.

Healthy Communities: The health of communities is a key element of our quality of life. Aiming for a high quality of life, APA Florida encourages a holistic, multi-disciplinary approach to planning, redeveloping, and retrofitting communities that consider the health impact that the built environment has on the people that live, work, and play there. Healthy communities should be places whereby providing easy access to safe recreation, active transportation and aging in place are provided and access to healthy, affordable food and produce is available to all persons regardless of age, disability, race, or income. To ensure we are planning healthy communities, APA Florida supports the measurement and monitoring of community health indicators, using the best available information, such as rates of obesity, diabetes, heart disease, regular exercise, and consumption of fresh fruits and vegetables; and the collaboration of planners with public health officials, public and civic organizations, and private business to improve them. Furthermore, APA Florida supports policies and strategies that promote healthy communities and the examples of the strategies include programs designed to ensure the ongoing viability of agriculture in communities and expand new opportunities for local and regional food systems and urban agriculture, such as community gardens, farmers markets, and local produce stands.

Impact/Mobility Fees: APA Florida supports the ability of local governments to establish a system of impact fees based on local needs in accordance with existing case law. APA Florida supports, as appropriate for the local jurisdiction, a structure of impact fees, or mobility fees based on a locally adopted mobility plan, as funding for additional capacity needs to address the impacts created by new development. The fee payment amount should be based on fee formulas that ensure that developers are not charged twice for the same improvement; that total long-term costs are considered; and that public subsidies, investments or costs to be borne by others are transparent.

Infrastructure Planning: One of the most essential roles of planning, which is to protect the public health, safety and welfare, is fundamentally served through effective infrastructure planning. Planners are uniquely situated to achieve success by promoting intergovernmental coordination to secure and allocate scarce resources for the construction of infrastructure such as roads, bridges, transit systems, trails and sidewalks, stormwater and wastewater reuse systems, schools and other infrastructure. Only through more efficient capital improvements planning, intergovernmental coordination, governmental and public-private partnerships, shared use of systems, and the application of a wide range of funding tools including bonding, grants, tax increment financing, and matching appropriation from multiple governmental levels, can Florida's communities hope to satisfy the demand for infrastructure maintenance and improvements.

Intergovernmental and Regional Coordination: Understanding and addressing the regional and extra-jurisdictional impacts of development is essential to a strong Florida economy and a sound Florida environment. Local comprehensive plans and implementing regulations, while important, are not a substitute for intergovernmental review and necessary provisions for mitigation of the regional impacts of such development.

The Development of Regional Impact (DRI) process is one tool to address intergovernmental and regional cooperation, and there are varying opinions on the success of that process. Newer processes such as Sector Planning provide a complementary regional coordinating mechanism for generalized planning and development for the very largest development, but do not always address the intergovernmental conflicts and extra-jurisdictional impacts that can arise from smaller developments. Meanwhile, the intergovernmental coordination elements of comprehensive plans have often been lacking in assuring true coordination and mitigation of extra-jurisdictional impacts.

Goals of regional coordination should be to minimize inappropriate leapfrog development and sprawl, and identify and provide for the avoidance and mitigation of extra-jurisdictional impacts, with particular attention to rural areas and those within the urban periphery. APA Florida believes that the DRI and Sector Planning processes need a thorough analysis on whether in their present form they adequately serve to ensure that large or particular types of development are sufficiently reviewed for their regional impacts and to ensure necessary intergovernmental coordination for the

mitigation of regional impacts. An improved coordination and review mechanism focused on extra-jurisdictional impacts may need to be considered. If a new mechanism is pursued, it should maintain the virtues of the current DRI process such as predictability, improved development and a comprehensive regional perspective, while also providing flexibility to local governments and reducing or eliminating the need for statutory exemptions. Any new process should focus on infrastructure and environmental impacts of new development and should result in a streamlined and focused assessment that is less costly and easier to understand than the current DRI and Sector planning processes.

Integrated Transportation and Land Use Planning: APA Florida supports and advocates statutes and rules that provide integrated transportation and land use planning. APA Florida advocates the close coordination of MPOs, transit, transportation authorities, FDOT and local governments to ensure integration of land use and transportation planning. APA Florida further supports the development and implementation of context-sensitive transportation solutions appropriate to the communities they serve.

Land Use Board of Appeals: In an effort to further streamline the development process, APA Florida supports the creation of a Land Use Board of Appeals as an efficient and expert means to settle disputes on certain local or state land use decisions in place of the circuit court. The Board could be an appointed panel of attorneys with expertise in land use matters and could be established either on a regional basis or statewide basis.

Military Installations: APA Florida supports policies and legislation that provide for the viability and continued presence of military installations within the State, protect against incompatible land uses which may affect vital military missions, and provide for the continuity of operations while adequately protecting private property rights and community visions. To further this aim, APA Florida supports the creation of a voluntary, willing seller state land acquisition program and fund for the purchase of buffers. In addition, APA Florida supports cooperation and open communications between military installations, local governments and the general public, including but not limited to the collaborative exchange of information regarding official plans and programs.

Plan Amendment Review Process: APA Florida continues to support maintaining a streamlined plan amendment review process that provides meaningful input and enforcement on issues related to important regional and state interests, and, possibly, to assign certain review duties to the regional level. APA Florida also supports and advocates that the term “important regional and state interests” be defined by statute or that existing statutes be amended to include criteria for defining such interests and that the state land planning agency be required to undertake rulemaking to define such interests.

Preemption of Local Government Authority: APA Florida supports local government authority to fund and implement sound planning practices and opposes preemption or incremental erosion of local planning, regulatory and taxing authority, as this substantially diminishes the ability of local governments to carry out comprehensive planning activities.

Redevelopment and Community Redevelopment Agencies: APA Florida supports initiatives that promote quality urban development and redevelopment within our cities, especially new statutory and regulatory incentives for projects that involve infill development, job creation, and economic development. Infill development and redevelopment of blighted areas and of dilapidated or abandoned properties supports economic development and renewed essential services and infrastructure to improve the quality of life in our communities. APA Florida also supports appropriate statutory and regulatory incentives to improve the form and pattern of development of areas with extensive antiquated and undeveloped subdivisions. Furthermore, APA Florida supports legislation that preserves the home rule powers of local governments to create and effectively use community redevelopment agencies to redevelop and revitalize their declining areas, including the use of tax increment financing. APA Florida further supports local control and disposition of any disputes between local governments over the use of such agencies and financing and, to that end, supports current mechanisms for cities and counties to negotiate, establish, operate, and fund Community Redevelopment Agencies.

Referenda for Comprehensive Planning: APA Florida believes the use of referenda is neither an effective growth management tool nor a means for effective citizen participation in the community planning process. APA Florida strongly opposes measures that would require referenda for local comprehensive plan amendments. APA Florida supports local government authority to fund and implement sound planning practices and opposes preemption of this authority by referenda. APA Florida believes that approval of comprehensive plans by referenda will be counterproductive to quality community planning initiatives and will not produce better land use decisions.

Regional Boundaries: Improved regional integrated planning for jobs creation and economic development, integrated and efficient transportation systems, and environmental resource management would result in more efficient and strategic selection of infrastructure improvements and the associated allocation of fiscal resources. APA Florida opposes changes

to regional jurisdictional boundaries unless a compelling rationale can be demonstrated, such as achieving more effective regional governing structures or intergovernmental coordination. APA Florida believes that effective coordination and cooperation among Florida's regional entities can be accomplished under the existing structure. Instead of re-drawing boundaries, the Legislature should promote regional cooperation by supporting and funding regional visioning and regional planning initiatives.

Regional Planning: APA Florida supports expanding the role of Regional Planning Councils (RPCs) to promote enhanced regional planning and better address regional needs, along with the funding necessary to support their duties and responsibilities.

Rural Lands: APA Florida recognizes that Florida's rural lands require long-range planning for sustainability, opportunities for economic development and diversification, and supporting efforts to preserve and protect Florida's scenic, natural and environmentally significant areas. Such sustainable planning must achieve the following: 1) protect environmentally valuable lands and resources; 2) maintain and enhance the economic viability of agricultural and other predominantly rural land uses; 3) promote economic diversification while reducing premature urban conversion; 4) allow limited future development in appropriate locations using a compact mixed-use form that ensures compatibility with surrounding rural lands; and 5) provide cost-efficient delivery of public facilities and services.

APA Florida also supports the continued funding of state land acquisition and the use of rural land programs, conservation easements and other incentive-based initiatives to preserve agriculture and rural lands and to help plan for future growth outside urban areas.

Schools: APA Florida continues to support the provision of adequate school facilities to serve the existing and projected student population in Florida. Toward this end, the adoption and implementation of programs that provide for coordinated planning between local governments and school districts for school siting, construction and supporting infrastructure and the sharing of growth, development and demographic data will advance this goal. APA Florida continues to support efforts to maximize the co-location and joint use of both schools and public/civic facilities to serve the community. APA Florida supports legislation and rules that expand the ability of the Department of Education and local school districts to be more proactive in the acquisition of land and construction of schools and to explore and develop new or expanded funding sources to address the need for additional school capital facilities. APA Florida also continues to support revitalization and expansion of older schools in urban areas and adequate funding to support this effort.

Sound Planning: APA Florida believes that sound planning is the foundation for the economic growth, job growth and stability of communities. APA Florida supports a fully-funded integrated state growth management program established in state statutes and rules. APA Florida can support changes to the program which promote effective planning and which strengthen, improve and integrate current planning processes without sacrificing accountability on the local, regional and state scale. This includes the following concepts: fiscal impact analysis used as part of a sound planning program; the update and re-adoption of a State Comprehensive Plan that clearly provides policy and budgetary guidance on state priorities; and adequate funding to prepare and implement local comprehensive plans and regional policy plans.

State Plan: The State Comprehensive Plan should be an integral component of Florida's planning and growth management policy framework. An update of the Plan is long overdue. Restructuring of this long-standing statute (Chapter 187, F.S.) is needed to link the plan to the state budget in accordance with Article III, Section 19(h) of the Florida Constitution, to officially designate it as the "state planning document" and to clearly delineate state level priorities, within and beyond the growth management realm.

State Priority Interests: Proposals involving the designation of "state priority interests" and revamping the roles of government in growth management in the context of this framework continue to be discussed. APA Florida believes that state priority interests should be compelling and designated for long-term planning purposes. See Plan Amendment Review Process above.

Sustainability: Economic, environmental and social issues are interdependent and integrated. Effective and efficient optimization of scarce natural resources provides sustainability to human life and viability to rural/agricultural living. A sustainable community is one that thrives over generations, enjoying a prosperous economy, healthy environment, a balanced mix of land uses, disaster resiliency and vibrant civic life. APA Florida supports the incorporation of new community and redevelopment practices, standards, policy regulations, and measurable outcomes that balance the impact of the built environment on natural ecosystems, minimizes impacts to surrounding rural lands or water bodies, enhances natural biodiversity, and incorporates wise use of all resources to provide proper infrastructure and services.

APA Florida strongly encourages and supports using a combination of incentives for sustainable and livable communities and regulatory frameworks to mitigate problems caused by climate change and wasteful energy consumption, as well as fostering the redevelopment and revitalization of urban areas and local hazard mitigation and post-disaster redevelopment planning.

Takings: APA Florida supports the balancing of public interests with private property rights and adherence to a thorough, open and transparent planning process before invoking the use of eminent domain. Furthermore, APA Florida supports the exercise of legitimate property rights but opposes any expansion of takings and just compensation laws.

Transportation: Sustained economic development and job creation requires an efficient, interconnected, multi-modal network of transportation facilities including port, waterway, aviation, rail, highways, transit, trails, bicycle, and pedestrian modes of transportation. APA Florida supports funding, whether it is public, private or an appropriate public/private partnership (P3) and whether it is on a statewide or local level, for new transportation initiatives, such as transit and rail construction and re-use of existing transportation rights-of-way and infrastructure. APA Florida also supports local and regional government authority, and the formation of new regional authorities, to manage, fund and implement recurring revenue sources for the ongoing operations and development of multi-modal transportation systems. APA Florida supports programs and funding to promote mobility for people and goods, and for coordinated transportation and land use initiatives that promote transportation modal choice and reduce vehicle miles traveled. APA Florida also supports improved measures of development impacts including the implementation of multi-modal level of service standards, and the application of new and approved technologies to be used to identify vehicle miles traveled versus trip production.

Trust Funds: APA Florida supports the integrity of all Trust Funds for their stated use.

Urban Policy: APA Florida supports policies and programs that encourage development and redevelopment of underutilized urban land. In particular, APA Florida supports and encourages policies and programs that maximize the use of existing infrastructure, including transportation facilities, utilities, public safety resources, parks, schools and other community facilities. APA Florida supports legislation that promotes quality urban development and redevelopment within our cities, especially new statutory and regulatory incentives for projects that involve infill development, job creation, and economic development.

Water Resource Protection: Residential, commercial, industrial, agricultural, recreational, and other uses require fresh water. In return, land use change affects both water quality and quantity. Pollutants that are discharged directly or indirectly into water bodies affect living organisms and ultimately human population. Fresh water supplies are decreasing. APA Florida therefore supports planning efforts which seek to conserve water resources and provide for an adequate supply of water resources for all existing and future uses, while protecting and maintaining quality of water resources and related natural systems. APA Florida also supports a continuation of the long-standing public policy that waters in the state are held in trust and protected for reasonable-beneficial use by all citizens of the state and should not be allowed to become a privately held, property-based right.

2. Florida League of Cities



The Florida League of Cities' Legislative Policy Development Process

More than 3,000 bills are filed each year and League staff typically tracks more than 800 for potential impact on municipalities. Florida's legislative session is regularly scheduled for 60 days a year. Because of this compressed timeframe, it is important for city officials and League staff to focus on a limited number of legislative priorities and ensure the priorities:

- Adhere to the League's paramount goal of preserving municipal home rule powers;
- Are issues that directly affect the functions of municipal government (as opposed to affecting municipal citizens generally);
- Are issues of statewide, rather than local or regional, interest;
- Require state legislative action rather than seek changes to constitutional or federal law; and
- Do not seek legislative authorization for something that municipalities already possess the power to do under their home rule powers, if they so choose.

The League's purpose is to focus on those legislative issues most likely to affect daily municipal governance and local decision making. The Municipal Home Rule Powers Act and the Florida Constitution provide that cities in Florida have the authority to govern themselves locally, independent of state control. Preserving Home Rule, educating citizens on this valuable right and maintaining a focus on those issues that directly affect self-governance, service delivery and the quality of life of each municipality are essential goals of the Florida League of Cities.

Legislative Policy Committees

The business of the League is conducted by its Board of Directors, but the League's legislative policies are shaped through a grass roots process beginning with recommendations from "Legislative Policy Committees" and culminating in adoption of a "Legislative Action Agenda" by the League's general membership.

Legislative Policy Committee members, their chairs and vice-chairs are appointed each year by the League president. Any city official is eligible to serve on a Policy Committee. Appointments are usually based upon a city official's support and advocacy of the League's adopted Legislative Action Agenda, as well as their participation at meetings, Legislative Action Day and other legislative-related activities. The Policy Committees typically meet in August, September, October and November to discuss potential legislative priorities. There are currently five standing legislative policy committees:

Energy, Environment and Natural Resources Committee: This committee addresses policies specific to **municipal concerns** with coastal management, energy, environmental and

wetlands permitting, hazardous and toxic wastes, recycling, solid waste collection and disposal, stormwater, wastewater treatment and reuse, water management, water quality and quantity.

Finance, Taxation and Personnel Committee: This committee addresses **municipal roles** in general finance and tax issues, Home Rule revenues, infrastructure funding, insurance, local option revenues, pension issues, personnel and collective bargaining issues, revenue sharing, tax and budget reform, telecommunications and workers' compensation.

Growth Management and Economic Affairs Committee: This committee addresses policies specific to **municipal concerns** with community redevelopment, economic development, growth management and land use planning issues, annexation, eminent domain, tort liability and property rights, as well as ethics and elections.

Transportation and Intergovernmental Relations Committee: This committee addresses **municipal concerns** relating to transportation and highway safety, as well as affordable housing (and foreclosures), billboards, charter counties, charter schools, gaming, rights-of-way and sunshine law.

Urban Administration Committee: This committee addresses **municipal concerns** with building and fire safety codes, building codes and construction, code enforcement, emergency management, homeland security, public meetings, public property management, public safety, purchasing and special districts.

The League encourages every city to participate in legislative policy committees and strives to balance the committees' with respect to geographic location and the size of the cities represented. In reality, not every city is able to participate and, therefore, it is possible the policy committees may not be truly reflective of the full diversity of the League's membership. The Legislative Committee can help balance any potential imbalances in policy committee representation.

2015 Priority Recommendations of the Florida League of Cities

Growth Management and Economic Affairs Committee

Enterprise Zones

Proposed Policy:

The Florida law that authorizes the creation of Enterprise Zones is due to sunset on December 31, 2015 without legislative action. The Florida League of Cities will SUPPORT legislation that renews the Enterprise Zone program for the purpose of incentivizing private investment in economically distressed areas of municipalities in order to continue revitalizing, rehabilitating, and stimulating employment in these areas.

Background:

In 1982, the Florida Legislature created and in 1994 significantly amended the Enterprise Zone (EZ) Program to provide incentives to induce private investment in economically distressed areas of the state. The program has several goals, including revitalizing and rehabilitating distressed areas, encouraging businesses to locate and expand in these areas, stimulating employment among area residents, and enhancing the areas' general social and economic well-being.

To achieve the EZ goals, the state, county, and municipal governments provide investments, tax incentives, and local government regulatory relief to encourage residents to improve their property and for businesses to invest and locate in designated zones. Tax incentives include a sales and use tax credit, tax refund for business machinery and equipment used in an enterprise zone, sales tax refund for building materials used in an EZ, and a sales tax exemption for electrical energy used in an EZ. Local governments can provide additional incentives for a business zone located within the boundaries.

In order to create an EZ, a local government must establish a strategic plan, form a local Enterprise Zone Development Agency, and submit a specific map showing the zone's boundaries. Currently, Florida has 65 EZ's. Because of the diversity in the population and economy throughout the state of Florida, the EZ program is designed to accommodate both rural and urban areas.

In the Enterprise Zone Program annual report dated March 1, 2013, the Department of Economic Opportunity (DEO) noted that in 2012:

- 4,500 businesses moved into or were created in enterprise zones
- 11,602 new jobs were created by businesses located in enterprise zones
- \$10,934,474 state tax incentives were approved by the Florida Department of Revenue
- 1,454 state tax incentive applications were approved by the Florida Department of Revenue

Furthermore, over a seventeen year period from 1997 to 2013, DEO staff have indicated that the EZ Program has created about 130,000 new jobs.

In 2005, the Florida Legislature extended the enterprise zone program for ten years. The enabling legislation supporting the Florida EZ Program is scheduled to sunset on December 31, 2015 unless the legislature reenacts the program.

Critics of the EZ program have cited low business participation, lack of employment growth and low effectiveness in meeting the goals established by the legislature for the program. As a result, advocates of the EZ program have suggested the following revisions to increase the effectiveness of the program:

- Reducing minimum thresholds for smaller businesses
- Modifying job tax credits to include part-time employees
- Increasing the tax refund for building materials
- Simplifying the application process and allowing online applications
- Expanding the area in which qualified employees must reside to an area outside the EZ
- Seeking incentives for employer paid job training and certifications

The Enterprise Zone program is one of the few economic development tools that allows cities to partner with the state to accomplish the task of rebounding Florida's economy.

Current Status:

During the 2014 Legislative Session bills filed to reauthorize the Enterprise Zone program for another 10 years were not heard in either chamber. Business groups, local governments and other stakeholders have partnered in seeking a reauthorization of the program. The Florida League of Cities

will continue to work with legislators, legislative staff, and the DEO to develop bill language and find bill sponsors to address this issue in the upcoming session.

Developments of Regional Impact

Proposed Policy:

The Florida League of Cities SUPPORTS reform of the state's growth management laws to increase the scope of state and regional technical assistance in the municipal planning of large-scale developments traditionally facilitated through the Development of Regional Impact process. In addition, in order to mitigate the multijurisdictional impacts of large-scale developments, the League supports strengthening intergovernmental coordination elements to facilitate coordination between local governments in addressing multijurisdictional impacts, such as traffic, water, and the environment.

Background:

The Development of Regional Impact (DRI) process sets up an in-depth, comprehensive process for evaluating certain large developments. More specifically, the DRI process provides for state and regional review of the impacts anticipated by large developments that, because of their character, magnitude, or location, would have a substantial effect on the health, safety, or welfare of the citizens of more than one county. The DRI process was implemented by the Florida Environmental Land and Water Management Act of 1972 and predates the state's current comprehensive planning process. Prior to the adoption of the comprehensive planning process, the DRI process was one of the state's primary growth management tools.

In 1975, the Legislature enacted the Local Government Comprehensive Planning Act, requiring all local governments to adopt a comprehensive plan to address land use and related issues. Comprehensive plans contain chapters or "elements" that address future land use, housing, transportation, sanitary sewer, solid waste, drainage, potable water, natural groundwater recharge, coastal management, conservation, recreation and open space, intergovernmental coordination, and capital improvements. During the 1985 and 2011 sessions, the growth management laws were significantly revised. Throughout the evolution of the Comprehensive Planning Act, the DRI process has stayed in place. However, the number of developments that would be covered by the DRI process has been reduced.

In the past, the Legislature has taken steps towards removing or phasing out the DRI process. Ultimately these attempts have failed and what remains is a scaled down version of the original DRI process. The legislature has increased thresholds for determining what projects are considered DRIs, and created multiple exemptions to the DRI process, such as: airports, mines, power plants, hotels and marinas. The Regional Planning Councils (RPC) play the most significant role with respect to determining the impacts of a DRI and guiding the review process. The role of the RPCs is to provide a broad-based regional perspective and to enhance the ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries.

The RPC also acts like a planning consultant, assisting the developer at the early stages in understanding and planning for the appropriate regional impacts, which ultimately is designed to result in project designs that are improved relative to the initial submitted proposal. This technical and planning support can be particularly valuable to small and/or rural communities that do not have their own planning staff.

Ultimately, however, the RPC's recommendation is purely advisory. The local government retains the ability to accept or refuse the RPC's recommendations.

One of the largest exemptions to the DRI process is the "dense urban land area" exemption (DULA). Projects located in jurisdictions that meet a certain statutory density criteria are considered DULAs and exempted from DRI review. Currently, this exemption applies to 8 counties and 242 cities.

One of the most significant impacts resulting from large-scale developments are the traffic impacts that often times affect multiple local government jurisdictions. The DRI process includes consideration of the impact of the development on regional infrastructure and resources, while comprehensive planning historically focuses on one jurisdiction at a time. RPCs may recommend extra jurisdictional traffic impact mitigation, but there is no requirement that the local government issuing the development order actually require mitigation of impacts in adjacent jurisdictions. However, local comprehensive plans do have an intergovernmental coordination element and local governments are authorized to enter into intergovernmental agreements on how to handle the impacts.

Critics of the DRI process cite that the process often takes over nine months to complete and in some cases it can take years to get a project through the process. Studies and mitigation expenditures can be costly. The involvement of all affected local governments, the RPC, and several state agencies often results in significant concessions from the developer before a project receives final approval. Some argue that the DRI process has outlived its time. The comprehensive planning process is now a more firm planning foundation, and affected or aggrieved parties are able to challenge development orders for consistency with the comprehensive plan – even if the DRI process were to go away. However, many people agree that the DRI program helps to improve large-scale developments.

Current Status:

During the 2014 Legislative Session, SB 372 (Galvano) which would have expanded the DULA exemption from the DRI process to seven counties and twenty cities was filed. Ultimately, SB 372 failed to pass the legislature. Currently, no bills have been filed for the 2015 Session affecting the DRI process, but it is anticipated that legislation will be filed attempting to phase out or eliminate the DRI process

3. 16 County Coalition for the Responsible Management of Lake Okeechobee, St. Lucie and Caloosahatchee Estuaries and Lake Worth Lagoon

(Included above – [click here](#) to link to the document)

4. Florida Small County Coalition

The Small County Coalition 2015 Legislative Program



**Revised Draft
Tentatively Adopted
September 22, 2014**

Legislative Districts Representing Small Counties

Populations Under 150,000 and Associate Members

13 of 40 Senate Districts Include Small Counties

Senate District 1 – Don Gaetz	Holmes, Jackson, Walton, and Washington
Senate District 2 – Greg Evers	Santa Rosa*
Senate District 3 – Bill Montford	Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Liberty, Madison, Taylor, and Wakulla
Senate District 4 – Aaron Bean	Nassau
Senate District 5 – Charlie Dean	Baker, Citrus, Columbia, Dixie, Gilchrist, Lafayette, Levy, Suwannee, and Union
Senate District 6 –	Flagler, and Putnam
Senate District 7 – Rob Bradley	Bradford and Clay*
Senate District 11 – Alan Hays	Sumter
Senate District 18–Wilton Simpson	Sumter
Senate District 21 – Denise Grimsley	Highlands, Martin, and Okeechobee
Senate District 26 – Bill Galvano	DeSoto, Glades, Hardee, and Highlands
Senate District 32– Joe Negron	Indian River, and Martin

Senate District 39 – Dwight Bullard

Hendry and Monroe

20 of 120 House Districts Include Small Counties

House District 2 – Mike Hill	Santa Rosa*
House District 3– Doug Broxson	Santa Rosa*
House District 5–	Holmes, Jackson, Walton, and Washington
House District 7– Halsey Beshears	Calhoun, Franklin, Gulf, Jefferson, Lafayette, Liberty, Madison, Taylor, and Wakulla
House District 8– Alan Williams	Gadsden
House District 10 – Elizabeth Porter	Baker, Columbia, Hamilton, and Suwannee
House District 11– Janet Adkins	Nassau
House District 18 - Travis Cummings	Clay*
House District 19– Charles VanZant	Bradford, Clay, Putnam, Union
House District 21 – Keith Perry	Dixie, and Gilchrist
House District 22 – Charlie Stone	Levy
House District 24– Travis Hudson	Flagler
House District 33– Marlene O’Toole	Sumter
House District 34– Jimmie T. Smith	Citrus
House District 54– Debbie Mayfield	Indian River
House District 55– Cary Pigman	Glades, Highlands, and Okeechobee
House District 56 – Ben Albritton	DeSoto, and Hardee
House District 80– Matt Hudson	Hendry
House District 82 – MaryLynn Magar	Martin
House District 120– Holly Merrill Raschein	Monroe

The SMALL COUNTY COALITION**Legislative Program for 2015****Introduction**

The Small County Coalition is a statewide alliance of county commissions from small and rural counties. The purpose of the Coalition is to give increased visibility and support to the issues to small counties and rural communities.

The Small County Coalition’s primary mission is to help Florida’s small and rural counties address legislative issues from a small county/rural perspective and work effectively with state agencies leadership.

The Small County Coalition believes in the importance of a state rural policy that protects the character of our small and rural areas; promotes economic development; and, maintains and promotes the viability of existing small county economies such as agriculture and eco-tourism.

The Small County Coalition supports programs that improve the financial viability and fiscal capacity of Florida's local governments in small counties.

The Small County Coalition supports programs that help provide services to Floridians who reside in small counties; Floridians who visit their communities for enjoyment; and, Visitors from outside the state who travel through small counties in route to destinations in and out of Florida.

The Small County Coalition is hopeful that the Florida Legislature will use the following suggestions to guide their actions relating to small and rural areas:

MAJOR LEGISLATIVE GUIDING PRINCIPLES

- Continue Funding in High Priority Need Areas;
- Ensure Effectiveness of Economic Development Efforts; Stimulate Employment Growth; and Target Actions to Protect Against Job Losses or Economic Instability;
- Oppose Proposals that Shift Cost from State to Local level, Increase Local Costs, and/or are "One Size Fits All" approaches;
- Identify and Eliminate, Waive, Delay, or Mitigate Requirements, Regulations, Mandated Criteria, Reports, Studies, or other requirements that are non-critical, have unintended consequences, and result in increased local spending; and,
- Provide for "Meaningful Local Involvement" in State or Regional activities and local decisions.

Priorities to Guide the 2015 Legislative Session

The Small County Coalition submits the following suggestions for consideration by the Governor, Cabinet Members, Members of the Florida Legislature, the Leadership within State Agencies and, other local, state, and federal interests that might be supportive of Florida's small and rural communities.

- Support mitigating the impact within Medicaid County Cost Share Formula to a set increase. –
- The Small County Coalition supports establishing a cap on the individual county Medicaid cost share growth that remedies the disparity caused by the formula change mandated in SB 1520 in the 2013 Legislative Session. The State is requested to provide an appropriation to offset the county cost share in excess of the set cap.
- Protect priority program funding - The Small County Coalition requests that funding levels to high valued grant programs and revenue sharing be protected. These programs include – Small County Road funding, Revenue Sharing, Fiscally Constrained programs; State Aid for Local Libraries; Support for Transportation Projects and Programs; Transportation Disadvantaged; Regional Planning Councils, Housing funds; County Health Department Funding and Rural Health Initiatives; Aerial Photography; Small County Water Projects; Payment In Lieu of Taxes; Courthouse and infrastructure projects.
- Protect Rural Water Resources – Water resources are a critical asset to Florida's rural economy and future economic development efforts. The Small County Coalition opposes additional statutory requirements relating to water-infrastructure that are not accompanied with sufficient funding to comply with timelines and construction.
- Protect Fiscally Constrained County Offset Funding – The Small County Coalition requests a Fiscally Constrained funding component with any proposed constitutional amendment that reduces local revenue capacity.
- Rural Economic Development - The Small County Coalition supports reauthorization of the Florida Enterprise Zone program. The Small County Coalition supports the creation of a Rural Grants Program that will assist in upfront infrastructure costs relating to a certified sites program and construction of "speculative" buildings to help assist rural economic development. The Small County Coalition

supports the creation of a Tax Incentive reimbursement program to offset the cost of ad valorem tax incentives necessary to secure economic development projects in Florida's small rural communities.

- Land Purchasing Programs - The Small County Coalition supports provisions at the state level that require the involvement of local officials within land-buying programs for the purpose of identifying impacts and determining specific actions that are necessary to enable subsequent community development.
- Payment In Lieu of Taxes - The Small County Coalition supports comprehensive Payment In Lieu of Taxes programs that offset the impact of lands purchased by Federal, State, or other tax-exempt entities. PILT programs should be funded in a fashion, so as not to diminish the fiscal capacity of small counties. Regarding lands purchased by Water Management Districts, the Coalition requests that funding from the Water Management Trust Fund be allocated to the water management districts for Payment In Lieu of Taxes to eligible counties. In addition, the Small County Coalition requests that the Legislature consider adjusting PILT payments to accommodate the increased value and/or the valued use of the property by the purchasing entity.
- Rural Health Care – The Small County Coalition supports restoring funding reductions in operating support to County Health Departments.
- Funding for Jails and EOCs - The Small County Coalition supports funding to assist in expansion and construction of local jail facilities and emergency operation centers in counties that lack the resources to address critical construction needs.
- Support Efforts to Protect, Promote and Enhance the Agriculture Industry - The Small County Coalition supports state and federal efforts to research and assist the citrus industry in addressing and controlling the damage and threat caused by citrus greening/Huanglongbing (HLB).
- The Small County Coalition supports funding for small county projects prioritized and recommended within the Agriculture Education and Program Facility program.

GENERAL GOVERNMENT AND FISCAL POLICY PROPOSALS

Cost Shifts and Increasing Costs– The Small County Coalition is concerned with cost-cutting recommendations that shift responsibilities and increased requirements to the local level. The Small County Coalition requests opposition to unfunded legislative or agency proposals that impact services or increase the cost of local governments.

- Oppose the shifting of program costs to the local level.
- Oppose legislation that shifts administrative or un-funded responsibilities to local governments.
- Offset the cost of any fund shifts on Florida's fiscally constrained small counties.
- Continue allocating funding to offset the impact of the Department of Juvenile Justice pre-trial detention costs shift on fiscally constrained counties.

Revenue Sharing

- Evaluate State and Local Revenue Sharing Programs to enhance funding to small counties that evidence fiscal hardships, rely heavily of local ad valorem, and/or demonstrate conditions of limited revenue capacity.

Fiscally Constrained Counties

- Enhanced funding is currently provided to Fiscally Constrained Counties within State Revenue Sharing; and additional revenue offsets are provided for the impact of Amendment 1, Juvenile Pretrial Detention Costs, and, for Conservation Easement exemptions provided in the Florida Constitution.

The Small County Coalition requests continued commitment to provide Fiscally Constrained offset funding for programs currently funded.

- Protect the Fiscally Constrained Revenue Sharing Program - Ensure a “No Harm” standard in any effort to change the funding source or the criteria for the Fiscally Constrained Program.
- Continue funding commitment to Fiscally Constrained counties.

Florida Retirement System – The Small County Coalition supports a Florida Retirement System that is stable and sustainable. The Florida Legislature is requested to maintain current provisions and benefits for employees and retirees participating in the program.

Provide Special Project Infrastructure Funding - The Small County Coalition requests special funding to address special infrastructure and local projects including: Small County Courthouse Renovations, Emergency Shelters needs, Repair or replacement of bridges rated below satisfactory on DOT inspections Roads, Parks, Water Projects, Libraries, and other non-recurring local priorities.

Meaningful Involvement of Local Officials in State and Regional Actions – The Small County Coalition requests that state and regional agencies provide “Meaningful Local Involvement” when making decisions, issuing permits, establishing rules, and/or are developing agency actions the impact a local community or adjacent communities. This includes notifying local officials of agency actions; providing opportunity for local input; providing for a “full cost disclosure”; providing for a complete analysis of impacts to local communities; and provisions for local government be involved and express support or opposition to the proposed actions. The Small County Coalition also recommends that Agency Boards, Commissions, Advisory Councils including the Florida Fish and Wildlife Commission and the Water Management Districts include representatives from small counties, rural areas and local governments.

Provide Revenue Flexibility – The Small County Coalition supports increased flexibility in local revenue sources as determined for local funding needs.

Pre-emption of Local Regulatory Authority and Oversight - Oppose legislation that pre-empts local government involvement in local issues that may need local regulation and/or oversight. Support repeal of statutes that pre-empt or restrict local government regulation or oversight of local issues.

Provide Revenue Flexibility – The Small County Coalition supports increased flexibility in local revenue sources as determined for local funding needs.

Regional Planning Councils

- Regional Planning Councils provide planning and technical services and economic development support activities to local governments. Regional Planning Council assistance is especially helpful to Florida’s rural local governments.
- The Small County Coalition supports funding of regional planning councils.

Impact Fees- Impact fees should continue to be authorized through local home rule authority guided by local conditions, such as, growth rates, infrastructure needs and fiscal capacity of the local community.

Rural Health Care

- Local Health Departments provide essential health care programs and services in Florida’s rural communities. The Small County Coalition supports the current structure for Health Departments and requests priority funding for health departments including increased primary health care services in small counties.
- Implement steps to limit health care costs on local governments.

- Continue state funding to reimburse county Health Departments that provide primary care and/or dental services in rural areas and support fiscal sustainability of County Health Departments.
- Increase funding to meet health-related transportation needs of indigent and disadvantaged populations.
- Cap or limit county responsibility for inpatient hospital costs and nursing home cost share.

Small County Courts

- Provide funding to support Small County Courthouse Renovation and Construction Projects.
- Ensure that small counties and rural areas have sufficient resources for the operation of Florida's court system.

Small County Jails- Provide funding to assist in expansion and construction of local jail facilities in small counties that are experiencing overcrowding resulting from incarceration of state parole violations.

Parks and Recreation

- Fully fund projects recommended within the FRDAP program.
- Provide special project funding for local recreation infrastructure.

Small County Technical Assistance Program- Restore the funding level for the Small County Technical Assistance Program .

Small County Libraries

- Support state aid funding.
- Protect equalization component within the current formula
- Provide opportunity for legislative funding for main library structures in small counties that do not meet Federal Square Footage standards, demonstrate that they meet appropriate local conditions and funding

County Revenue Issues

- Authorize non-charter counties to levy Communications Services Tax at the level authorized for charter counties and cities. Communications Services Tax - Currently provides that charter counties and cities can levy communications services tax at a rate of up to 5.2% while non-charter counties can levy only up to 1.72%. The tax is applied to purchases on telephone service, cable service, and wireless service. F.S. 202.20(a)
- Authorize non-charter counties to levy the Public Service Tax. The "Municipality Utilities Tax" provides cities and charter counties with authority to levy a rate of up to 10% on purchases of natural gas, electricity and water. Charter Counties got the ability to levy this from a court case in the 90's. The court ruled that Charter Counties had all powers of local self-government. F.S. 166.231

Emergency Management

- Infrastructure Needs – provide funding for emergency management related facilities to meet the evacuation and shelter needs in Florida's small counties.
- Road Capabilities - Ensure small county roads receive the support needed within the Strategic Intermodal System and the Florida Transportation Plan to accommodate evacuation needs of coastal and urban communities.
- Communications – Ensure the necessary funding to meet the communication equipment needs in rural areas.

Affordable Housing- Maintain and protect the existing state housing trust funds for affordable housing programs, specifically the local S.H.I.P programs.

Liability Issues

- Maintain Sovereign Immunity Limits and the current process for resolving claims.
- Evaluate and revise the legislation pertaining to presumption relating to Police and Firefighters to ensure claims are in fact job-related.

Limit Training and Hiring Mandates – Small county officials support increased opportunities to enhance professionalism in key program areas through relevant and accessible training opportunities tiered to meet local needs. The Small County Coalition requests the Florida Legislature and State Agencies avoid mandating rigid training and hiring requirements for Local Positions.

TRANSPORTATION AND ROAD POLICY PROPOSALS

Small County Road Programs– The Small County Coalition requests that the Florida Legislature continue to provide increased funding for Small County Rural Assistance Program (SCRAP) and the Small County Outreach Program. Funding in FY 14-15 for SCRAP and SCOP totaled \$82.7 million. In addition, the Small County Coalition requests consideration of special funding to support repair or replacement of bridges rated below satisfactory on DOT inspections.

Small County Road Funding

- Small County Road Assistance Program (339.2816 FS) and the Small County Outreach Program (339.2818 FS) provide critical road funding in small counties.
- The Small County Coalition requests funding to support bridge repair or replacement for bridges rated below satisfactory by DOT evaluations.
- Provide continued technical assistance that would facilitate funding for regional transportation projects in rural counties.

Strategic Intermodal System

- Ensure that the Florida's Strategic Intermodal System is accessible from all areas of the state, includes strategic emerging transportation hubs, corridors and connectors important to rural communities, and is not funded at the expense of other road programs important to small counties.

Florida Transportation Plan 2060

- Ensure that the Florida Transportation Plan provides sufficient focus, direction and funding to address the development of efficient road systems in Florida's rural counties.

Dirt Roads

- Ensure that local governments have the authority to initiate routine maintenance on existing infrastructure (roads, ditches, driveways, etc.) without having to comply with burdensome, overly prescriptive and costly permit requirements.

Transportation Disadvantaged

- The Transportation Disadvantaged program responds to critical transportation needs in Florida's rural counties. Floridians that are unable to self-provide transportation to the medical appointments, employment, and other locations rely heavily on this program. The Small County Coalition requests that funding for the Transportation Disadvantaged programs that are providing critical services to the medically needy, elderly, and developmentally challenged be protected and any effort to limit the scope of transportation programs to these constituents be avoided. .

Energy Issues

- Develop programs to maximize buying power of state and local governments to influence favorable pricing for fuel efficient equipment, vehicles and actual fuel purchases.
- Ensure aggressive oversight and enforcement relating to consumer protection from energy costs.
- Consider approaches to develop alternative fuel sources.

Gas and Sales Tax

- Consider indexing local option fuel taxes to an inflation factor.
- Review distribution formulas for GAS TAX and SALES TAX to ensure fair distribution to areas that do not have significant Points of Collections within their communities

Road Reclassification

- Allow counties demonstrating fiscal hardship to reclassify counties roads to the state road system.

RESOURCE MANAGEMENT POLICY PROPOSALS

Water Utilization and Transfer

- Water resources are a critical asset to Florida's rural economy and future economic development efforts. The Small County Coalition requests that the Florida Legislature, the State Agencies that oversee water resources, and, the Water management Districts work closely with Florida's county leadership to protect and provide sustainable water resources in Florida's small counties. The Small County Coalition recommends: Maintaining current water management structure; Continuing Local Sources First Philosophy; and, Ensuring local government participation in water supply availability determinations. The Small County Coalition supports funding assistance in support of water projects that provide infrastructure critical for economic growth, environmental protection, water quality improvements, and, address other local and regional needs. The Small County Coalition opposes additional statutory requirements relating to water-infrastructure that are not accompanied with sufficient funding to comply with timelines and construction.
- Ensure local government participation in water supply availability determinations;
- Continue Local Sources First Philosophy; and,
- Require that prior to transferring water from another region or county, entities in areas desiring water transfer, shall:
- Maximize utilization of local sources to the extent to which sustainability is impacted;
- Implement conservation methods or other locally identified opportunities;
- Take steps to limit cause of increased consumption, such as a moratorium on new construction until an adequate supply of water is available in the community; and,
- Ensure that any transfer determination meets a "No Harm" standard in reference to the region from which water is being transferred.
- Continue State efforts to protect adequate water flow levels in the Apalachicola, Chattahoochee, Flint River Basin.

Promote the Sustainability of Marine Resources - The Small County Coalition is concerned with the short and long-term sustainability of the saltwater and freshwater water bodies and the impact of water-related environmental and regulatory issues on marine and freshwater resources. Recreational fishing, fisheries production, and water-related ecotourism are vital to the State of Florida, in all coastal counties, and especially

in the small counties where employment opportunities are limited. The Small County Coalition urges all local, state, and federal agencies to coordinate programs concerning renewable marine resources. The Small County Coalition recognizes the importance of water quality and water flow in areas where oysters and shellfish are produced, and where fishing resources are critical to the local economy. The Small County Coalition supports efforts to protect the marine and freshwater fishing industry and urges that regulatory decisions be based on current science and stock assessment data and take into consideration economic impacts on coastal economies. The Small County Coalition supports the efforts of the State of Florida to restore the historical water flow levels in the Apalachicola River Basin.

Florida Fish and Wildlife - Fisheries and wildlife issues are very important to Florida's small counties. Florida's small counties have significant amounts of forest, undisturbed land and rural coastal communities. Decisions impacting these areas, including regulation related to hunting, fishing, bear management, "Big Animal" permits and other commission actions have significant consequence. The Small County Coalition requests that the Florida Fish & Wildlife Commission work with the Small County Coalition on issues where decisions that have significant consequences and to establish a protocol for discussions of mutual concern.

Small County Solid Waste Program Funding - Small County Solid Waste Grants are funded at \$3.0 million. The Small County Coalition requests a funding increase to implement programs included in FS 403.706 (4). Provide increase in funding for small county solid waste and recycling grants. Streamline reporting requirements for counties exempt from the Recycling Goal.

Water Projects - Provide funding for Sewer and Water line hookups and Storm Water Projects including Innovative Water Supply Initiatives, and other local infrastructure project needs.

Coastal And Marine Impacts

- Support research and program initiatives that will ascertain the causes and provide for remedies relating to Red Tide, algae blooms, forms of water pollution and other related environmental degradation occurring in Florida's coastal waters.
- Initiate comprehensive program to offset the economic impacts that Oil Spills, Red Tide, Hurricane damage, Gas Increases, and Coastal Water quality problems have had on all elements of Florida's marine industries.
- Support a Working Waterfronts program that ensures local government participation in development of local plans.

Disposal of Septic Waste

- The Small County Coalition supports extending the authority for land application of septage which is set to expire in 2016 until funding is provided to counties that do not have the fiscal resources to provide alternative disposal methods.

Non-native Invasive Species

- Ensure sufficient funding and support to effectively address the management and spread of non-native invasive upland and aquatic species throughout Florida.
- The Small County Coalition requests support and appropriate regulatory leadership to address the spread of "Lion" Fish with Florida waters.

Agriculture

- Promote, protect and strengthen efforts to support the agricultural economy of the State of Florida and other industries that are critical to the economies of rural areas.
- Ensure a coordinated state/local policy to support the unique land use issues of agricultural properties and ensure that local governments retain ability to establish local ordinance regulating land use issues.

- Provide funding for the Rural Lands Stewardship Program and the Rural & Family Lands Protection Act, as well as, other programs structured to preserve agricultural lands and promote Agriculture.
- Maintain existing ad valorem taxation policies relating to Agricultural property.

Growth Management

- Ensure that growth management requirements in rural counties are not overly burdensome and costly; do not limit or burden potential for economic growth; and, include provisions for waivers of provisions if determined appropriate by local government officials.
- Ensure that small counties have the resources to effectively assess the impact of growth and development at the local level and in neighboring communities; and enable funding options for small counties to meet costs related to growth.
- Promote the capacity of the Regional Planning Councils to assist local governments with planning considerations as deemed necessary by the local government.

Permitting and Inspections

- Provide alternatives to existing requirements for rural county building inspectors and plan examiners that acknowledge differing skill sets needed amongst rural/urban certification.
- Oppose Performance Based Permitting Program.

Land Buying Programs

- Incorporate within PILT funding formula consideration of infrastructure needs and other impacts resulting from increased utilization of land purchased by state agencies. Incorporate within PILT funding formula consideration of infrastructure needs and other impacts resulting from increased utilization of land purchased by state agencies.
- Conservation Easements - Consider initiating a program of conservation easements and/or leases as an alternative to fee simple purchase within land acquisition programs thereby maintaining the revenue capacity of property secured by public agencies.

ECONOMIC DEVELOPMENT POLICY PROPOSALS

The Small County Coalition supports:

- A clear rural job creation strategy within the state economic development job creation plan. This strategy should include - Legislative Flexibility and Regulatory Predictability; Organizational realignment of resources in support of rural job creation.; Identify and support Emerging Market Opportunities in rural areas; and, Protect Against Actions that impact local economic stability.
- The identification of High Value Opportunities for development within state rural initiatives.
- Establishing measureable performance standards to serve as benchmarks for evaluating effectiveness of economic development efforts in rural areas.
- Program changes that will help Florida's rural communities be more competitive with competing states.
- Allowing fiscally constrained counties or project site locations to be eligible for Enterprise Zone benefits in RAO regions.
- Establishing a Rural Economic Development fund to support high-value opportunities – support infrastructure and providing for funds for key Renovations and Restoration of important local venues.

- Ensuring collaboration and involvement of public and private interests on local Economic Development Councils.
- Establishing a clear goal for rural job growth.
- Protecting communities from decisions that would negatively impact the local economy in rural areas.
- Establishing clear performance measures for all economic development programs.
- Creating an inventory of “High Valued” opportunities in Florida’s rural counties.
- Establishing a “Super Fund” to support rural projects – future and current.
- Expanding the Rural Enterprise Program to include all counties within a designated Rural Area of Critical Economic Concern.
- Enhancing marketing effort to promote increase visitation, tourism, and business opportunities in Florida rural areas. Florida’s small counties are rich in water, forests, historical sites and unique cultural and recreational activities.
- Revising rural infrastructure awards and qualifications to be more competitive with competing states
- Providing for targeted industry waivers in RAO regions (through the REDI structure and specific rural targeted industries).
- Increasing award amounts of the rural jobs tax credit to be more competitive with competing states
- Removing award amount restriction on QTI awards when local match is waived.
- Allowing project site locations to be considered an Enterprise Zone in RAO regions.

Rural Economic Development Initiative (REDI)

- REDI leadership should ensure that State Agency heads are familiar with the REDI process and that Agency REDI coordinators have access to and consult with Agency management on rural resource and policy issues.
- REDI leadership should ensure that all REDI Agencies are implementing the statutes that enable REDI counties to effectively compete and received sufficient support to facilitate local projects. Specifically pertaining to F.S. 288.019 – modifying evaluation criteria; F.S. 288.0656 – Assigning High level Staff to REDI and, F.S. 288.06561 – Providing Waiver of match policy that enables project effectiveness.
- REDI leadership should ensure that State Agencies provide technical assistance to small counties as needed to maximize administrative and financial support.
- REDI leadership should ensure that every REDI State Agency identify and document specific resources that are intended to or could be used to assist rural community development and implement technical assistance to ensure accessibility and resource delivery at the local level.
- Ensure that all existing “Grants and Resources” available to assist small counties are marketed by state agencies and used in a coordinated manner to ensure distribution and impact at the local level.
- REDI leadership should ensure that all agency programs that provide funding and services for local governments provide the necessary administrative assistance for small counties to access the state resources.
- REDI Agencies should promote flexibility and, if justified, waivers, in regulatory and administrative requirements that require additional local resources and increase local costs

Rural Areas Of Opportunity (RAO)

- The Small Count Coalition supports regional collaboration and communication through the RAO program.
- The Small County Coalition requests a strategic effort within the State Job Creation Plan to change the economic conditions within RAO designated counties sufficient to allow currently designated counties to become non-RAO.

CHANGES IN COUNTY MEDICAID COST-SHARE PAYMENT METHOD INCLUDED IN SENATE BILL 1520 PASSED IN THE 2013 LEGISLATIVE SESSION WILL BEGIN IMPACTING COUNTIES IN FY 2015-2016.

During the 2013 Legislative Session, the Legislature passed Senate Bill 1520 modifying the method of calculating what each county is required to pay in the State County Medicaid Cost Share from a formula based on "Utilization" to a formula based on "Enrollment".

Prior to SB 1520, the historical method of payment for counties has been based on the portion of the state total that is attributed to how much service is provided to county residents, a factor referred to as Utilization.

SB 1520 changed the method of payment from how much each county pays for resident Utilization to county's % of residents who are enrolled in Medicaid, a factor that will be referred to as Enrollment.

What does the Change in Payment Method do?

- The change in payment method has a seven year implementation schedule that changes the County Cost Share formula from being 100% Utilization based to 100% Enrollment Based.
- In the first two years (FY13-14 and FY14-15), the county payment is based on the % of what the county utilization share has been of the state total plus a predetermined % increase. In FY13-14 - all counties will pay a 7.24% increase. In FY 14-15 - all counties will pay a 2.74% increase.
- In years 3-7 (FY15-16 through FY19-20) the number of " Medicaid enrollees" in the county is transitioned in as a factor for determining how much a county pays.
- Beginning in FY 15-16 - the impact of the shift skews the county cost share – with some counties receiving decreases (5.29% decrease in Pinellas) while other counties receive double digit increases (35% increase in Lafayette.)
- The broad range of decreases/increases hold throughout the years 3 to 7 of the program - while the formula shifts to "Enrollment."

Implementation Schedule Transitioning from Utilization to Enrollment

FY13-14 - County Shares Based 100% on Utilization and 0% on Medicaid Enrollees

FY14-15 - County Shares Based 100% on Utilization and 0% on Medicaid Enrollees

FY15-16 - County Shares Based 80% on Utilization and 20% on Medicaid Enrollees

FY16-17 - County Shares Based 60% on Utilization and 40% on Medicaid Enrollees

FY17-18 - County Shares Based 40% on Utilization and 60% on Medicaid Enrollees

FY18-19 - County Shares Based 20% on Utilization and 80% on Medicaid Enrollees

FY19-20 - County Shares Based 0% on Utilization and 100% on Medicaid Enrollees

The State Total of County Medicaid Cost Share is estimated to increase 24% by FY 19-20

Over the next seven years, from FY 12-13 to FY 19-20, the Statewide County Medicaid Cost Share total is estimated to increase 24%, increasing from \$251.4 million in FY 2012-13 to \$312.3 million in FY 19-20.

What is the impact of the change on each county over the seven year transition period?

- 5 counties will experience increase greater than 100% over what they have been paying.
- 48 Counties will experience increases greater than the 24% of growth in the total program.
- 19 Counties will experience an increase less than the 24% growth of the state total.

Counties Ranked Based on % of Projected Increase to % of Decrease of Cost-share from FY 12-13 to FY 19-20.

Lafayette payment projected to increase 220.44%

Pinellas % projected to decrease 23.65%

Lafayette County projected increase 220.44%	Calhoun County projected increase 37.11%
Hendry County projected increase 155.95%	St. Johns County projected increase 36.68%
Hardee County projected increase 152.93%	Collier County projected increase 36.24%
Madison County projected increase 108.95%	Hernando County projected increase 35.92%
Bay County projected increase 101.70%	Union County projected increase 33.30%
Holmes County projected increase 93.76%	Flagler County projected increase 33.12%
Gadsden County projected increase 89.29%	Sarasota County projected increase 32.64%
Putnam County projected increase 83.30%	Hillsborough County projected increase 30.76%
Indian River County projected increase 82.47%	Charlotte County projected increase 30.67%
Jackson County projected increase 81.57%	Walton County projected increase 28.71%
Washington County projected increase 76.45%	Citrus County projected increase 27.96%
DeSoto County projected increase 75.21%	Polk County projected increase 27.92%
Hamilton County projected increase 74.53%	Gulf County projected increase 26.97%
Baker County projected increase 73.84%	<u>Levy County projected increase 26.55%</u>
Taylor County projected increase 72.84%	<u>STATE/COUNTY COSTSHARE INCREASE 24%</u>
Osceola County projected increase 72.66%	Orange County projected increase 21.82%
Okaloosa County projected increase 64.24%	Dade County projected increase 21.31%
Sumter County projected increase 63.33%	Jefferson County projected increase 21.20%
Wakulla County projected increase 62.23%	Bradford County projected increase 19.81%
St. Lucie County projected increase 61.99%	Duval County projected increase 19.08%
Martin County projected increase 58.44%	Lake County projected increase 19.05%
Santa Rosa County projected increase 56.91%	Pasco County projected increase 18.63%
Gilchrist County projected increase 56.08%	Palm Beach County projected increase 18.6 %
Nassau County projected increase 53.40%	Liberty County projected increase 18.46%
Dixie County projected increase 50.58%	Brevard County projected increase 15.46%
Highlands County projected increase 50.57%	Manatee County projected increase 12 %
Suwannee County projected increase 48.43%	Broward County projected increase 10.74%
Marion County projected increase 48.29%	Monroe County projected increase 5.97%
Lee County projected increase 48.22%	Seminole County projected increase 5.31%
Clay County projected increase 44.31%	Alachua County projected increase 1.61%
Okeechobee County projected increase 47.40%	Columbia County projected increase 1.60%
Leon County projected increase 41.87%	Franklin County projected <u>decrease</u> (7.26%)
Volusia County projected increase 39.73%	Glades County projected <u>decrease</u> (19.64%)
Escambia County projected increase 38.18%	Pinellas County projected <u>decrease</u> (23.65%)

LEGISLATIVE FIX IS NEEDED IN 2015 SESSION TO MITIGATE THE RANGE OF DISPARITY INHERENT IN THE SHIFT FROM "UTILIZATION TO "ENROLLMENT".

Funding Issues Important to Small Counties

HB 5001 General Appropriations Act

Issue - Program Name	FY 13-14	Funding Approved in GAA for 2014-15
DOT - Small County Road Assistance	\$27,661,567	\$26,257,065
DOT - Small County Outreach Program	\$49,205,899	\$82,703,857 of which \$9,000,000 is appropriated for municipal projects pursuant to SB 218.
DOT - County Transportation Programs	\$74,924,146	\$48,839,574
DJJ - Fiscally Constrained – DJJ Offset	\$3,883,853	\$3,883,853
DOR - Fiscally Constrained – Conservation Easement	\$250,000	\$300,000
DOR-Fiscally Constrained– Amendment 1	\$23,750,000	\$23,200,000
FWC - Control of Invasive Plants	\$31, 823,647	\$34,823,647
DOS –Library Coop	\$1,500,000	\$2,000,000
DOS – Library State Aid Program	\$24,699,440	\$29,910,429
DOS – State Touring Program	Not Funded	\$200,000
DOR - Aerial Photography	\$400,000 - counties under 50,000	\$173,900 for counties under 50,000
DOR - Emergency Distribution	\$17,207,042	\$18,507,042
DOR– Supplemental Distribution	\$592,958	\$592,958
DEP - Payment In Lieu of Taxes	\$1,360,000	\$1,360,000
DOC – Payment In Lieu of Taxes	\$1,074,362	\$1,074,362
DEP–Small County Wastewater Trtmnt	\$23,301,810	\$21,000,000
DEP –Small County Solid Waste Grants	\$3,000,000	\$3,000,000
DEO - Regional Planning Councils	\$2,500,000 – VETOED	\$2,500,000 – VETOED
DACS - Mosquito Control	\$2,660,000	\$2,790,000 - \$1,130,000 designated for 3 specific initiatives.
DACS - Oyster Planting	\$350,000	\$8,148,183 - An additional 768,060 is allocated for Apalachicola Bay Oyster Processing facility upgrades
DACS - Rural Community Fire	\$72,589	\$72,589
DEM - Disaster Preparedness	\$5,856,802	\$5,926,144
DEM - Emergency Management	\$7,189,061	\$7,309,061
DEO - Rural Community Development	\$1,170,000	\$1,170,000
DEO - Rural Infrastructure	\$1,600,000/ \$1,600,000	\$1,600,000/ \$1,600,000
AHCA -Rural Health Services	\$144,606,418	\$155,016,956
DCF - Community Care for the Elderly	\$59,094,996	\$63,344,996
DOH - County Health Departments	\$970,496,674	\$981,352,188
DEO - Home Energy Assistance	\$84,063,764	\$84,063,764
DEO -Weatherization Grants	\$18,000,000	\$18,000,000
DEP –Drinking Water Revolving Loan	\$72,928,158	\$77,194,809
DEP –Land Acquisition	\$70,000,000- \$50M based on sale	\$40,000,000 funded by sale of surplus land for Florida Forever; an additional \$10,000,000 provided to Water Mgt Districts for land acquisition

DEP - Springs Restoration		\$25,000,000 shall be placed in reserve until the department submits to the Legislative Budget Commission a project plan that includes, but is not limited to, a prioritization of springs projects that best represents all geographic regions of the state with an emphasis on equal spending between urban and agricultural areas to protect the quality and quantity of water that flows from springs.
DEP – Water Projects	\$59,475,000	\$88,505,684 for specific project list; Over 163 million in additional funding provided throughout the budget Everglades Restoration, Indian River Lagoon and Lake Okeechobee Basin Initiatives.
DEP – PARKS – FRDAP	\$642,000 Small Proj.	\$2,479,820 - Funds are provided for the Fiscal Year 2014-2015 Priority List for Small Projects Fund - Development list.
DOT - Trans. Disadvantaged	\$50,887,853	\$50,898,510
DOT – Trans. Disadvantaged Medicaid	\$61,351,633	\$2,825,000
DMS –Wireless 911 to Counties	\$70,020,273	\$70,020,273
DMS - Wireless 911 - to Providers	\$15,484,846	\$15,484,846
DMS –Non-Wireless 911 to Counties	\$50,030,674	\$50,030,674
DEO - Affordable Housing		\$67,660,000
DEO - SHIP		\$100,000,000
Courthouse Projects in Small Counties		\$9,605,877 for the restoration or replacement of small county courthouses. Calhoun..... 200,000 Jefferson..... 200,000 Washington..... 9,205,877

Small County Coalition Officers for 2014-15

Chairperson – Commissioner Karson Turner, Hendry County
Vice-Chairperson – Commissioner Scarlet Frisina, Columbia County
Secretary – Commissioner Gail Garrard, Lafayette County
Past- Chairperson - Commissioner Warren Yeager, Gulf County

Executive Committee Members

Commissioner Sara Comander (Walton County)– 2015
Commissioner Cheryl Sanders (Franklin County) – 2016
Commissioner Ronnie Moore (Madison County) – 2015
Commissioner Chuck Lockey (Jackson County) – 2016
Commissioner Ron Williams (Columbia County) – 2015
Commissioner Danny Leeper (Nassau County) - 2016

Commissioner D. Ray Harrison (Gilchrist County) – 2015
 Commissioner Patricia Patterson (Taylor) - 2016
 Commissioner Buddy Mansfield (DeSoto County) – 2015
 Commissioner Sue Birge (Hardee County) – 2016

Small County Coalition Members

Baker County Commission	Gulf County Commission	Martin County Commission
Bradford County Commission	Hamilton County Commission	Monroe County Commission
Citrus County Commission	Hardee County Commission	Nassau County Commission
Clay County Commission	Hendry County Commission	Okeechobee County Commission
Columbia County Commission	Highlands County Commission	Putnam County Commission
Dixie County Commission	Holmes County Commission	Santa Rosa County Commission
DeSoto County Commission	Jackson County Commission	Suwannee County Commission
Flagler County Commission	Jefferson County Commission	Taylor County Commission
Franklin County Commission	Lafayette County Commission	Union County Commission
Gadsden County Commission	Levy County Commission	Wakulla County Commission
Gilchrist County Commission	Liberty County Commission	Walton County Commission
Glades County Commission	Madison County Commission	Washington County Commission

Coalition Consultants

Robert P. Jones & Associates
 Bob Jones and Chris Doolin
 1118-B Thomasville Road, Tallahassee, Florida 32303
 1-850-224-3180 or cdoolin@nettally.com

5. South Florida Water Management District

(Included above – [click here](#) to link to the document)

12g

12g

Nominating Committee

12g

12g

--- Agenda --- Item

12h

12h

Quality of Life & Safety
Committee

12h

--- Agenda --- Item

12i

12i

Regional Transportation
Committee

12i



REGIONAL TRANSPORTATION COMMITTEE MEETING AGENDA

November 20, 2014

11:00am – 12:00pm (Immediately following the SWFRPC Meeting)

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. **Call To Order & Introductions – Chair Alan Mandel**
2. **Review & Approve Minutes of the June 3, 2014 Meeting**
3. **Review of the Regional Transportation Plan Proposal**
4. **Discussion on Funding the Regional Transportation Plan Proposal**
5. **New Business**
6. **Next Meeting Date and Time**
7. **Adjournment**

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.

Agenda Item

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New Business

13

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EXECUTIVE SUMMARY

Recommendation for the Southwest Florida Regional Planning Council to approve a Resolution in support of the budget request made by the South Florida Ag Council to the Florida Legislature for continued funding of the Southwest Florida Research and Education Center.

OBJECTIVE: To support the South Florida Ag Council's request for \$1.8 million in recurring funding for the UF/IFAS Southwest Florida Research and Education Center.

CONSIDERATIONS: The Southwest Florida Research and Education Center is a component of the University of Florida *Institute of Food and Agricultural Sciences*. It was established as the university's support facility in 1958 and became a research and education center in 1986 after the southwest Florida agricultural industry convinced the state that the region needed its own center to serve the region's unique agricultural and natural resource needs.

The research, education, and extension activities at SWFREC have been, and will continue to be, an economic engine for the region and the state. While the SWFREC serves the entire State of Florida, it focuses on Collier, Lee, Charlotte, Hendry, and Glades counties, which produce almost 25% of Florida's citrus and nearly 80% of the tomatoes and other fresh vegetables sold to U.S. markets during the winter months. Southwest Florida's agricultural interests, including cattle ranches, citrus, vegetables, sugarcane, and ornamental growers, collectively generate \$1 billion in sales annually, and are the core of an agribusiness and natural resource economy in southwest Florida by contributing more than \$6 billion of compound economic activity statewide annually. The SWFREC is a valuable educational portal to both the University of Florida and the wider national Land Grant university system, providing science and technology applicable to the management of water, environmental issues, and natural resources critical to the region, state, and nation.

In 2012, the Southwest Florida Research and Education Center ranked second place among the 11 UF/*Institute of Food and Agricultural Sciences* research and education centers for competitive grants received and third place for refereed scientific publications, two important metrics of academic productivity. During the recession, however, the SWFREC lost funding for faculty, staff, and research programs, which severely limited its ability to promote and protect the health and productivity of southwest Florida and statewide agricultural interests.

In 2014, the Florida Legislature granted a budget amendment of \$2.0 million to restore funding for the Research and Education Center in order to provide for the hiring of a center director, and to provide for the construction of new facilities to accommodate increased faculty, staff, and students.

As a follow-up to last year's advancement, the South Florida Ag Council is requesting \$1.8 million of the \$5.5 million UF/IFAS budget request for recurring funds to provide funding for additional faculty positions, support staff, and research operations and programming.

Approval of the proposed Resolution will memorialize the Southwest Florida Regional Planning Council's support for the UF/IFAS Southwest Florida Research and Education Center and the South Florida Ag Council's request for 1.8 million in recurring funding.

RECOMMENDATION: That the Southwest Florida Regional Planning Council approves the attached Resolution in support of the \$1.8 million recurring funding request made by the South Florida Ag Council to fund the UF/IFAS Southwest Florida Research and Education Center, and upon approval by the Board and subsequent execution, distribute the Resolution through our legislative lobbyist and representatives.

Attachments:

- Proposed Resolution
- UF/IFAS Southwest Florida Research and Education Center Industry-Critical Staffing Needs
- Economic Impacts from Agriculture on SW Florida
- South Florida Agricultural Council Membership Meeting List

SWFRPC Resolution #2014-05

**A RESOLUTION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL SUPPORTING
RECURRING FUNDING FOR THE UF/IFAS SOUTHWEST FLORIDA RESEARCH AND EDUCATION CENTER**

WHEREAS, the Southwest Florida Research and Education Center (SWFREC), part of University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS), was established as a UF support facility in 1958 and became a UF/IFAS station in 1986 after agricultural interests in southwest Florida convinced the state that the region needed its own center to serve the area's unique agricultural needs; and,

WHEREAS, the research and extension capacity at SWFREC has been and will continue to be an economic engine for the region and the state; and,

WHEREAS, the SWFREC serves the entire state focusing on Collier, Lee, Charlotte, Hendry, and Glades Counties, which produce almost 25% of Florida's citrus and nearly 80% of the tomatoes and other fresh vegetables sold during winter to northeastern U.S. markets; and,

WHEREAS, Southwest Florida agricultural interests, including citrus, vegetable, sugarcane, and ornamental growers, along with cattle ranchers, collectively generate \$1 billion in farm sales annually, and are the core of an agribusiness and natural resource economy in southwest Florida that contributes more than \$6 billion of total annual economic activity statewide; and,

WHEREAS, the SWFREC is a valuable regional portal providing technology and science regarding the management of water, environmental issues, natural resources, and economic development to the region that impacts the entire state; and,

WHEREAS, in 2012, the Southwest Florida Research and Education Center ranked second place among the 11 UF/*Institute of Food and Agricultural Sciences* research and education centers for competitive grants received and third place for refereed scientific publications, two important metrics of academic productivity; and,

WHEREAS, in recent years, the SWFREC has lost funding for staff, faculty and research programs, limiting and endangering the ability of the SWFREC to promote and protect the health and productivity of southwest Florida and statewide agricultural interests;

NOW, THEREFORE, BE IT RESOLVED that the Southwest Florida Regional Planning Council, is in support of the South Florida Ag Council request for \$1.8 Million of the \$5.5 Million UF/IFAS budget request for recurring funding to provide for additional faculty positions, support staff, and research operations and programming at the Southwest Florida Research and Education Center.

DULY ADOPTED by the Southwest Florida Regional Planning Council this 20th day of November, 2014.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Teresa Heitmann, Chair

ATTEST:

Margaret Wuerstle, Executive Director

Economic Impacts From Agriculture on SW Florida

- Crop, Livestock, Forestry & Fisheries \$ 1516.2 M
(crops, sugarcane, cattle, poultry, forestry, ornamentals)
- Agricultural Inputs & Services \$971.2 M
(landscaping, pest control, veterinary, farm machinery, fertilizer)
- Food & Kindred Manufacturing (food, pet food, canning, breweries, sugar, soft drinks) \$185 M
- Forest Products (paperboard containers, windows, doors, paper mills) \$53.1 M
- Food & Kindred Product Distribution \$3051.5 M
(retails stores, lawn & garden centers, wholesale foods, etc)
- Mining—(oil and gas extraction, etc) \$262.2 M
- Nature Based Recreation— (golf courses, hunting, fishing) \$127.9 M

Source: Alan W. Hodges, UF/IFAS EDIS FE935, 2013

Total Economic Impact (Includes Economic Multiplier 1.6):

\$6.17 Billion Annually

Definition of economic impacts - 3 categories:

- **Direct:** sales that are directly attributable to farming operations. (*ex. Boxes of oranges, cartons of tomatoes, tons of sugarcane, or hundred weight of calves.*)
- **Indirect:** sales that result from companies that sell to agricultural operations (*ex. Fertilizer & chemical sales, insurance brokers, farm bankers, equipment dealers.*)
- **Induced:** sales that result when farmers, their employees, and the employees of allied businesses spend their income on consumer goods (*ex. TVs, cars, clothes, entertainment activities, etc.*)



Economic Importance of Agriculture to Southwest Florida



Fritz M. Roka

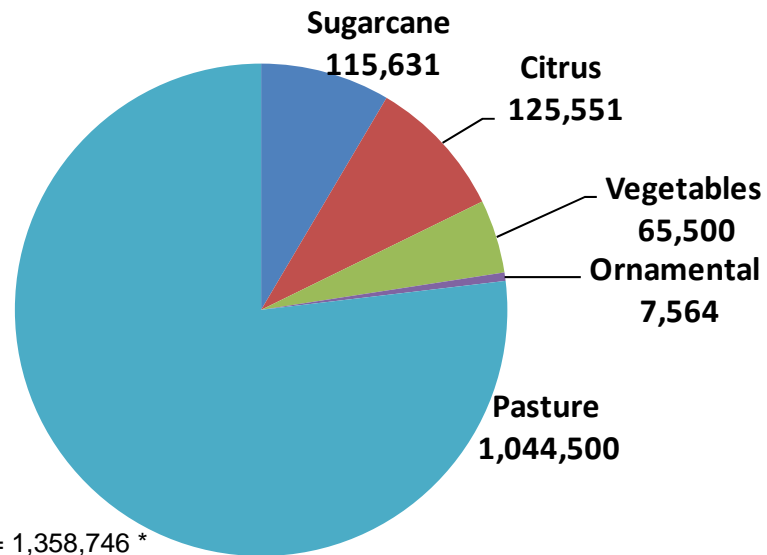
**University of Florida
Southwest Florida Research & Education Center
2685 State Road 29 North
Immokalee, FL 34142
(239) 658-3400**

Issues Important to Southwest Florida Agriculture

- New technology: higher yields and/or lower costs
- Exotic Pests & Diseases (Citrus Greening)
- Access to water and land
- Immigration reform and farm worker concerns
- Global competition and free trade
- Regulations and food safety standards

Updated July 2014

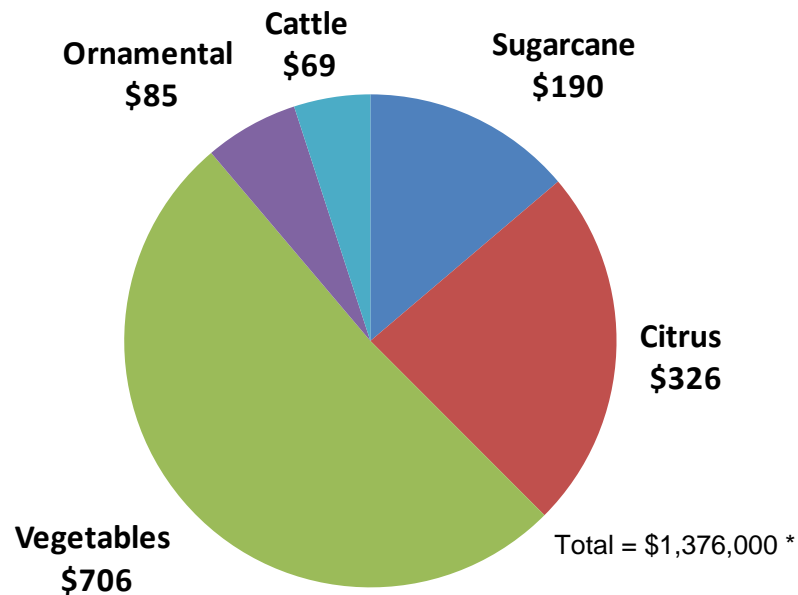
Southwest Florida Agricultural Acreage, 2013



Total Ag Acres= 1,358,746 *
(33% of SW Fla.)

*Forestry acreage and products NOT included

Farm-Gate Sales, 2013 (\$M)



Total = \$1,376,000 *

*Forestry acreage and products NOT included

Production Costs and Yields

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	Annual Costs (inc. harvest)	Typical Yields/Ac
Oranges for juice	\$3,800/Acre	311 (90 lb-bx)
Tomatoes, round	\$17,500/Acre	1,400 (25 lb-ctn)
Bell Peppers	\$18,500/Acre	900 (28 lb-bu)
Iowa Field Corn	\$800/Acre	165 bu

Important Point: High productions costs

Grower Prices

		2013 Price	2007-2013 Price Range	Break-Even Price
Oranges (on-tree)	Bx	\$7.58	\$5.77-8.41	\$6.82
Tomatoes	Ctn	\$12.65	\$4.95-32.95	\$12.50
Bell Peppers	Bu	\$12.88	\$5.35-51.65	\$19.47

Important Point: Volatile prices

Conclusions

- **Agricultural production is a business**
- **Significant financial resources required to grow crops**
- **Land will remain in agriculture so long as growers receive a “reasonable” return**

Southwest Florida— Charlotte, Collier, Glades, Hendry, Lee

SOUTHWEST FLORIDA RESEARCH AND EDUCATION CENTER (UF/IFAS)
INDUSTRY CRITICAL STAFFING NEEDS

ADDITIONAL FACULTY POSITIONS NEEDED:

1. **Soil Microbiologist**-----There is a priority need for a soil microbiologist to conduct research and extension programs related to citrus and vegetables. Presently, SWFREC has a lack of expertise in soil microbes. Issues related to soil health have surfaced as a high priority in the development of therapies to combat the citrus greening disease (HLB).
2. **Citrus Plant Pathologist**-----The number of serious diseases confronting the citrus industry justifies the addition of a full-time plant pathologist at SWFREC dedicated solely to citrus. Not only is HLB a major concern but Southwest Florida is the epicenter for Citrus Black Spot in Florida. With this addition, the current plant pathologist would be able to focus exclusively on vegetable diseases and management the plant disease diagnostic lab.
3. **Agricultural Economist**-----Numerous research projects have a priority need for economic analyzes of treatment responses so growers can determine the feasibility of adopting modification of production practices. The current SWFREC agricultural economist is assumes an expanded statewide role for UF/IFAS related to labor issues.
4. **Plant Physiologist**-----Most problems that hamper profitable vegetable and citrus production are associated with pathogens, insects or physiological disorders. Presently, SWFREC has no plant physiologist to conduct research and extension programs to solve physiological disorders.
5. **Agricultural Engineer/Precision Agriculture**-----Key stakeholders in Southwest Florida are large agricultural producers who are continually seeking ways to increase efficiency with resulting economic and environmental benefits. An engineer is needed to conduct extension and research programs in areas as GIS, drones, lasers, infrared imaging, etc.
6. **Weed Scientist**-----Weeds remain a dominant pest requiring costly management strategies with heavy reliance on chemical herbicides. There is a critical need to develop alternative weed management methods and to better understand the relationship between soil microbes and herbicides.

Note: This list was compiled based on input from the South Florida Agricultural Council, SWFREC Vegetable Advisory Committee, and the SWFREC Citrus Advisory Committee.

October 22, 2014

SOUTH FLORIDA AGRICULTURAL COUNCIL

AGRICULTURAL LUNCHEON IN SUPPORT OF SOUTHWEST FLORIDA
RESEARCH AND EDUCATION CENTER

October 22, 2014 (10:30 a.m. -1:00 p.m.)
ALICO Ranch Headquarters, Hendry County

COMPANY	REPRESENTATIVE	TITLE	E-Mail
ALICO, Inc	Clay Wilson	Chief Executive Officer	cwilson@alicoinc.com
ALICO, Inc	Ken Smith	Exec. Vice Pres./COO	ksmith@alicoinc.com
ALICO, Inc	Garrett Wallace	Dir. Of Gov. & Reg. Affairs	gwallace@alicoinc.com
Barron Collier Partnership	Bob Newsome	Agribusiness Manager	bnewsome@barroncollier.com
Barron Collier Partnership	Katie Sproul	Co-President	ksproul@barroncollier.com
Collier Co. Board of Commissioners	Jim Flanagan	Assistant to Tim Nance	jimflanagan@colliergov.net
Collier Enterprises	Mike Taylor	Vice President	taylorag@mtaylornaples.com
Collier Enterprises	Christian Spilker	V.P. of Land Mgmt	cspilker@collierenterprise.com
Consolidated Citrus	Charlie Lucas	President	clucas@cclpcitrus.com
DiMare Brothers	Tony DiMare	Vice President	dimareruskin@aol.com
A. Duda and Sons	Tom Duda	Sr. Vice President	tom.duda@duda.com
Gargiulo Farms	Mike Sullivan	President/CEO	msullivan@gargiulofarms.us
Hilliard Brothers of Florida	Joe Hilliard	General Partner	jhilliard@hilliardbrothers.com
Lipman Produce	Jaime Weisinger	Dir of Community Relations	jaime.weisinger@lipmanproduce.com
Lykes Brothers	Bill Barber	V.P./General Mgr.	bill.barber@lykes.com
Okeelanta Corp-Florida Crystals	Diego Luzuriaga	Director, Research & Dev.	diego.luzuriaga@floridacrystals.com
Orange-Co	Jim Mercer	President	jmercer@orangecofla.com
Pacific Tomato Growers	Billy Heller	Chief Executive Officer	bheller@sunripeproduce.com
Pavese Law Firm	Kate English	Partner	katherineenglish@paveselaw.com
Stitt Ranch, Inc	John Stitt	President	stitt ranch@gmail.com
T.O.C. Land Services, Inc	Hugh English	President	hoodie7@embarqmail.com
T.O.C. Land Services, Inc	Dallas Townsend	Vice President	dtownsend@embarqmail.com
Troyer Brothers, Inc	Aaron Troyer	Operations Manager	aaron@troyerbrothers.com
U.S. Sugar Corp	Ken McDuffie	Sr. V.P. of Ag Operations	kmcduffie@ussugar.com
Also attending:			
Honorable Ben Albritton		Representative	ben.albritton@myfloridahouse.gov
Honorable Lizbeth Benacquisto		Senator	benacquisto.lizbeth.web@FLSenate.gov
Honorable Dwight Bullard		Senator	bullard.dwight.web@FLSenate.gov
Honorable Matthew Caldwell		Representative	matt.caldwell@myfloridahouse.gov
Honorable Heather Dawes Fitzenhagen		Representative	heather.fitzenhagen@myfloridahouse.gov
Honorable Bill Galvano		Senator	galvano.bill.web@FLSenate.gov
Honorable Matt Hudson		Representative	matt.hudson@myfloridahouse.gov
Honorable Kathleen Passidomo		Representative	kathleen.passidomo@myfloridahouse.gov
Honorable Cary Pigman		Representative	cary.pigman@myfloridahouse.gov