



AGENDA  
ESTERO BAY AGENCY ON BAY MANAGEMENT

Monday, February 8, 2021 – 9:30 a.m.

SWFRPC

Virtual GoToMeeting

1. Call to Order
2. Attendance
3. Approval of Minutes from January 11, 2021 (requires a quorum)
4. Julianne Thomas, Conservancy of Southwest Florida – FFD Development Agreement
  - [FFD Development Agreement](#)
  - Volunteer to draft one-page letter based on Conservancy comment
5. Discussion – Strategize how to gather and provide targeted information and resources to different community groups
  - New to Southwest FL (HOAs)
  - Newly elected officials
  - Chamber of Commerce (businesses)
6. Thank you for Mackenzie
7. Old Business
8. New Business
9. Emerging Issues
10. Announcements
11. Public Comments on Items Not on the Agenda
12. Set Date for Next EBABM
13. Adjournment



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

February 1, 2021

*sent via email*

Kevin Ruane, District 1 Commissioner, Lee County  
Cecil Pendergrass, District 2 Commissioner, Lee County  
Ray Sandelli, District 3 Commissioner, Lee County  
Brian Hamman, District 4 Commissioner, Lee County  
Frank Mann, District 5 Commissioner, Lee County

RE: FFD Development Agreement

Dear Commissioners:

On behalf of our more than 6,400 supporting families, the Conservancy of Southwest Florida is providing comment on the proposed development agreement between Lee County and FFD. We understand that the Development Agreement represents negotiations made between Lee County and FFD, however, we believe that changes need to be made prior to signing the agreement in order to provide the greater protection to the Florida Panther.

We have long opposed the piecemeal way in which changes and amendments to the DRGR area have been approved. Changes to allow for stand-alone commercial and approval of development after development in the DRGR have eroded the once rural character and Corkscrew Road will soon be filled with strip malls and cookie cutter planned developments, many of them gated. This does not reflect what the area is supposed to be pursuant to the Lee Plan, and we once again request that the Lee Plan be amended to appropriately guide development in this area of Lee County.

Specific Concerns with the proposed development agreement:



Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

1. An additional 100,000 sq feet of Commercial.
  - a. Will this be open to the public? We are guessing, based on the location of the commercial parcels that it will. However, we would ask that this be clarified in the agreement.
  - b. Will this count toward the 300,000 sq ft. Commercial recently approved for the EEPKO overlay? It should. We understand that doing so will use up the remaining square footage and possibly exceeds that allotment. We do hope that this additional commercial approved square footage along with Old Corkscrew Commercial, which is right next door and the Verdana Village commercial allotment will satiate the commercial needs for Corkscrew Road. Thus, we hope you acknowledge that no additional amendments seeking to build commercial space along this corridor will be needed in the future. We noted in our letter about the 300,000 sf cap in January 2020 that we didn't expect that cap to stand. We hope you prove us wrong.
2. There are 2,637.73 acres of Secondary Panther Habitat on the site, and it appears that the applicant would like to develop 2,291.8 acres. This development acreage can be accommodated in Secondary Panther Habitat and we are requesting that no development in Primary Panther Habitat be added as a condition to the development agreement.

Specifically, we are concerned that Parcels 8, 12, and 13 are developing Primary Panther Habitat, and pursuant to our request above, we requesting that the portions of these parcels which are in primary habitat be place in conservation and not be developed. If additional land is needed for development, we request that the portion of Phase C north of the wildlife crossing be considered as it is in secondary habitat.

The survival and recovery of the Florida panther are dependent upon maintaining, restoring, and expanding the panther population and its habitat in southern Florida. Specifically, the recovery of the Florida panther population is dependent on maintaining the ability of the Primary, Secondary, and Dispersal Zones, as identified by expert panther biologists Kautz et

al. (2006)<sup>1</sup> to contribute to a viable population. Habitat loss and fragmentation are the greatest threats to the Florida panther; these threats are primarily a result of rapid population growth and conversion from natural habitats and agriculture to urban land use.<sup>2</sup>

Panthers are wide ranging, secretive, and occur at low densities. They require large contiguous areas to meet their social, reproductive, and energetic needs, a requirement that is being compromised by rapid development. Panther habitat continues to be lost to urbanization, residential development, conversion to agriculture, and mining. Because of this, there is a need for land use planning that incorporates panther conservation and recovery. Protection of the remaining breeding habitat in south Florida is essential to the survival and recovery of the Florida panther. Further loss of adult panther breeding habitat is likely to reduce the prospects for survival of the existing population, and decrease the probability of natural expansion of the population into south-central Florida<sup>3</sup>.

Ideally, we would like development to avoid impacts to adult breeding habitat. However, as there are 3,593 acres of adult breeding habitat on the property, we understand that this is likely not practicable. We do recommend avoiding the adult panther breeding habitat to the greatest extent practicable. Requiring development to occur in secondary habitat is our compromise position.

3. The part of Phase C north of the wildlife crossing is confusing. Where is the wildlife expected to go when it reaches the edge of the property? Onto the golf course? We realize recommending this portion of Phase C be open to development in order to protect primary panther habitat could result in a smaller area or no area for wildlife, however, given the size and location of the corridor, it is unlikely that this area would actually facilitate wildlife movement.

---

<sup>1</sup> Kautz, R. et al, How much is enough? Landscape-scale conservation for the Florida panther, BIOLOGICAL CONSERVATION 130 (2006) 118 – 133

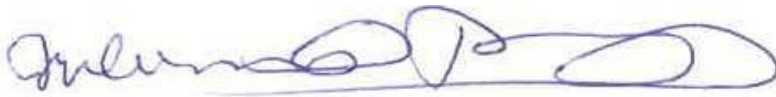
<sup>2</sup> Kautz, R. et al, How much is enough? Landscape-scale conservation for the Florida panther, BIOLOGICAL CONSERVATION 130 (2006) 118 – 133

<sup>3</sup> Frakes RA, Belden RC, Wood BE, James FE (2015) Landscape Analysis of Adult Florida Panther Habitat. PLoS ONE 10(7): e0133044. <https://doi.org/10.1371/journal.pone.0133044>

4. We request a condition in the development agreement that there will be no fencing along the property line where the property abuts the CREW Wildlife and Environmental Area. CREW straddles Lee and Collier counties and provides natural flood protection, water filtration and vital aquifer recharge. It also serves as an important wildlife corridor. We understand that there will likely be a need for fencing to minimize human wildlife interactions. We are simply asking that this fencing be placed at the edge of the development as opposed to the along the property lines where the property abuts CREW lands.

If this project were going through a traditional approval process, we would have more suggestions and comments. One such suggestion would be to require a more innovative design that incorporates compact development, walkable communities, and a village type plan rather than more typical suburban sprawl. However, given that this is a development agreement that has already been through negotiations, we are asking you to address the four important issues enumerated above prior to approval of the development agreement. Thank you for your time in consideration of our comments, questions and concerns.

Sincerely,



Julianne Thomas

Senior Environmental Planning Specialist

(239) 262-0304 x 252

[juliannet@conservancy.org](mailto:juliannet@conservancy.org)

cc:

Michael Jacob, Deputy County Attorney, Lee County

Roger Desjarlais, County Manager, Lee County

