

MINUTES OF THE MEETING OF THE COLLIER COUNTY  
RURAL LANDS STEWARDSHIP AREA REVIEW COMMITTEE

**Community Development and Environmental Services [CDES] Building; 2800 North Horseshoe Drive, Rooms 609/610, Naples, Florida, 34104; September 23, 2008**

**LET IT BE REMEMBERED, that the Collier County Rural Lands Stewardship Area Review Committee in and for the County of Collier, having conducted Business herein, met on this date at 9:00 A.M. in REGULAR SESSION at the CDES Building, Rooms 609/610 2800 North Horseshoe Drive, Naples, Florida, with the following members present:**

VICE CHAIRMAN: Neno Spagna  
Brad Cornell  
David Farmer  
Gary Eidson  
Bill McDaniel  
Zack Floyd Crews  
Tom Jones  
Fred N. Thomas, Jr.

ALSO PRESENT: Nick Casalanguida, Director of the Transportation Planning Department, Thomas Greenwood, Principal Planner and Michael DeRuntz, Principal Planner, Comprehensive Planning Department; Laura Roys, Senior Environmental Specialist, Environmental Services; and approximately 25 members of the public.

**I. Call Meeting to Order**

The meeting was called to order at 9:05 AM by *Vice-Chairman Neno Spagna* who chaired the meeting in the absence of Chairman Ron Hamel.

**II. Roll Call**

Roll call was taken, and a quorum was established as 8 of 12 members were present.

**III. Approval of Agenda**

*Mr. McDaniel moved to approve the agenda as presented and seconded by Mr. Thomas .  
Voice Vote - Unanimously approved*

**IV. Approval of Minutes of the September 16, 2008 Meeting**

*Mr. Thomas moved and McDaniel seconded to approve the minutes as distributed. Mr. Eidson stated that the language on page 3 at the beginning of the first paragraph needs to be added onto to read that Transportation is wanting the Committee to understand the planning and fiscal needs of the County. Mr. Thomas and Mr. McDaniel agreed to this clarifying language. Voice Vote - Unanimously approved.*

**V. Presentations None.**

**VI. VI. Old Business**

As a preface to today's discussion, *Mr. Greenwood* stated the following:

- Primary focus today will be upon review of the **Group 4 Policies** [distributed version includes all proposals advanced to date, including those from Eastern Collier Property Owners [ECPO] dated September 18 and those referred from the Transportation Planning Department received by staff on September 18<sup>th</sup>.
- Review of Wilson Miller September 18, 2008 **Stewardship Credit Estimates under Existing and Revised RLSA Program**

Also referred to were ECPO comments dated September 19 on Group 4 policies from John Passidomo and September 19 proposal from John Passidomo on behalf of ECPO to revise Policy 1.6.

**A. Phase 2... Review of Group 1-Group 5 Policies of the Rural Land Stewardship Overlay [continuation] and Stewardship Credit Estimates under Existing and Revised RLSA Program.** *Mr. Greenwood* stated that whatever action the Committee takes will appear in the DRAFT Phase 2 Report and will be subject to a second overall review by the Committee prior to its issuance of its final recommended report.

**1. Review of Wilson Miller September 18, 2008 Stewardship Credit Estimates under Existing and Revised RLSA Program.** The Committee elected to review the attached September 18, 2008 memo from Wilson Miller with the discussion and review led by *Al Reynolds* of Wilson Miller with summarized as follows:

- a. Assumptions include that 100% of the property owners will voluntarily participate in the program over time, but will likely be less; numbers in the September 18 memo are rounded; did not include any assumption of any of the Open land participating in the existing program because it would likely be very minimal because of the low credits available on such lands;
- b. The existing RLSA Program could generate credits sufficient to entitle approximately 43,312 Stewardship Receiving Area [SRA] acres;
- c. The proposed RLSA Program with revisions would generate 421,000 credits or 57,888 SRA acres but, with a modification of the credits needed to entitle 1 acre of SRA from 8 credits to 10 credits and reduce the SRA acreage to fall within the proposed cap of 45,000 acres;

*Bill McDaniel* stated that there needs to be an economic balance between the potential credits produced and the potential of using those credits so that the credit value is not diminished to the point where it is not economically feasible for the property owners to participate voluntarily in the RLSA program. *Mr. Reynolds* stated that there would be a new supply of credits under the proposed revised system and that there needs to be made corresponding adjustments to increase the number of credits for SRAs and that it is impossible to predict demand 50 years into the future and that the system will need to be looked at again in 5-7 years for possible adjustment. *Mr. Reynolds* stated that the 128,000 base credits calculated uses the existing RLSAO is very close to those projections prepared 7 years ago when the program was just being adopted. *Mr. Reynolds* covered the Restoration Credit and Early Entry Bonus Credit analyses, stating that the analysis is based upon 5 years of data of SSAs 1-13 and more reliable than data available when the existing RLSA program was first adopted. *Mr. Jones* pointed out that the Wilson Miller analysis of RLSA maturity under the existing RLSA program is very close to that developed by County staff [and Van Buskirk through the East of CR 951 Infrastructure Study] which are both independent of the Wilson Miller projections. *Mr. Reynolds* stated the proposed credit system is based upon additional possible credit generation from Agriculture Credits, Panther Corridor Credits, and Tiered Restoration. *Mr. Jones* stated that the proposed credit system is based upon preliminary actions taken by the Committee on Group 2 and 3 policies and that the program is voluntary and needs to be economically feasible or the property owners will not participate. *Mr.*

*Farmer* asked if there is the possibility for owners of existing SSAs to come back to the county for more credits. *Mr. Reynolds* stated that there would probably be fewer credits possible under the proposed system for SSAs already approved. *Mr. McDaniel* stated that he has a problem with the 45,000-acre cap. *Mr. Cornell* stated that credit system needs to be balanced. *Mr. Eidson* stated that the system needs to be balanced and government, including transportation, needs to have some predictability to future development in the RLSA. *Mr. Farmer* stated that he favors a cap of 45,000 acres of SRA and that it seems reasonable based upon the calculations he made. *Mr. Jones* spoke in favor of the 45,000 acre cap and that there cannot be too many credits or the system will not work. *Nicole Ryan* encouraged to Committee to start with the 45,000-acre cap and work backwards, rather than changing from 8 credits/acre to 10 credits/acre for enabling one acre of SRA. She also encouraged the Committee to see more emphasis on preservation. *Russ Priddy* stated using the system suggested by Ms. Ryan would not be an incentive for small property owners of which he estimated there are about 175 to 180 owners of land having 5 to 10 acres of land and that most of these tracts are carve outs of larger properties and have homes on them already. *Al Reynolds* completed his presentation by stating that the RLSA Program is a proactive voluntary approach to conserve environmentally sensitive lands and agricultural lands while allowing limited well-designed compact urban development to occur. He stated the 45,000 acre cap for the proposed system is intended to keep the SRA development in the future at a level close to what is now allowed under the existing system. He stated that the Horizon Year being looked at is 2015, based upon conversations with the Comprehensive Planning Department staff.

**B. Phase 2... Review of Group 1-Group 5 Policies of the Rural Land Stewardship Overlay [continuation]** The Committee discussed the following policy language with Nick Casalanguida, Director of the Transportation Planning Department:

#### **Policy 4.4**

Collier County will update the Overlay Map to delineate the boundaries of each approved SRA. The county, in coordination with the land owners within the RLSA, shall develop a transportation network that has been shown to maintain the adopted Level of Service (LOS) through the build out of the RLSA east of CR-951. The build out network shall define the existing roadways that need to be improved and all proposed roadways. The plan shall also include the facility type, lane needs and provide evidence that it is financially feasible. The county, in coordination with the land owners within the RLSA shall identify and locate the public services needed to accommodate the build out population within the RLSA that would not otherwise be included within the individual SRAs. These services shall include but are not limited to: government offices, jails, court houses, landfills, maintenance facilities or any other facilities that would otherwise require travel back to the urban area. Land shall be set aside within the RLSA to accommodate these services so they can be constructed as they become needed based on development absorption. Such updates shall not require an amendment to the Growth Management Plan, but shall be retroactively incorporated into the adopted Overlay Map during the EAR based amendment process when it periodically occurs.

*Mr. Casalanguida* stated that the County is short on cash and bonding capacity for transportation improvements as follows:

- \$50,000,000 commercial paper interest rate increased from 5% to 12%
- Gas tax is depleted
- Cannot defer costs

He stated that deferring language is not good planning. He stated that the County will have a updated network plan within 6 months which will refine the horizon year network. No action was taken by the Committee on Policy 4.4 deferring a rewrite of the language proposed to Nick Casalanguida and John Passidomo [see discussion under Policy 4.14].

### **Policy 4.14**

The SRA must have either direct access to a County collector or arterial road or indirect access via a road provided by the developer that has adequate capacity to accommodate the proposed development in accordance with accepted transportation planning standards. An SRA proposed to adjoin land designated as an SRA or lands designated as Open shall provide direct vehicular and pedestrian connections to said areas so as to reduce travel time, travel expenses, improve interconnectivity, and keep the use of county arterial roads to a minimum when traveling between developments in the RLSA. Public or private roads and connecting signalized intersections within or adjacent to an SRA shall be maintained by the primary town or community it serves. No SRA shall be approved unless the capacity of County collector or arterial road(s) serving the SRA is demonstrated to be adequate in accordance with the Collier County Concurrency Management System in effect at the time of SRA designation. A transportation impact assessment meeting the requirements of Section 2.7.3 of the LDC, or its successor regulation shall be prepared for each proposed SRA to provide the necessary data and analysis. The county, in coordination with the land owners within the RLSA, shall develop a transportation network that has been shown to maintain the adopted Level of Service (LOS) through the build out of the RLSA east of CR-951. The build out network shall define the existing roadways that need to be improved and all proposed roadways. The plan shall also include the facility type and lane needs. SRAs shall provide mitigation credits in a bank, for species, wetlands or any other impacts which would require mitigation to expand the existing or proposed roadway network. These credits would be made available at no cost to the county if it can be shown that there are insufficient funds via impact fees or other revenue streams to cover the cost of the mitigation requirements. The construction and permitting of wildlife crossings and flow ways that are identified within the RLSA shall be the responsibility of the SRA that is adjacent to or near the identified locations. SRAs that are adjacent to existing roadways that must be expanded or proposed roadways shall provide right of way, water management and fill material at no cost to the county for mitigation of their transportation impacts and if it can be shown that there are insufficient funds via impact fees or other revenue streams to cover the cost of the roadway project.

**Mr. Thomas** stated that he believed the County should move forward with its existing road construction plans and he further add that the owners should be responsible for their proportionate share of the impact of an SRA upon the County infrastructure and that the County pay its share. **Mr. Casalanguida** stated that is OK as long as the County has the funds to pay for the balance of the infrastructure costs required to keep the infrastructure at a level of service consistent with the Growth Management Plan. He stated that the Panther Protection Plan will add additional costs to infrastructure. **Mr. Spagna** asked if a special assessment wouldn't be a partial solution. **Mr. Eidson** stated that this conversation needs to occur now rather than later. **Mr. McDaniel** stated that Policy 4.14 language proposed is putting the onus on property owners due to someone else's mismanagement of funds. **Mr. Thomas** referred to private property owners' contributions of fill, right of way and impact fees as examples of private contributions related to SRAs. **Mr. Casalanguida** stated that there needs to be checks and balances and that impact fees have dried up. **Mr. Jones**, referring to language proposed in Policies 4.4 and 4.14, asked how property owners could predict 50 years in advance where facilities will be needed and set them aside; that the 45,000 cap SRA footprint is definable; and that landowners cannot identify something that may not occur for 50-75 years. **Mr. Casalanguida** referred to big ticket items such as jails, government center, etc. which are not triggered in whole by one SRA, but by a combination of several SRAs over many years. **Mr. McDaniel** stated that there is much long-range planning going on and referred to the Interactive Growth Model developed by Van Buskirk and the East of CR 951 Infrastructure Study as excellent examples of long range looks at infrastructure needs for the entire area of the County east of CR 951, including the RLSA

as well as Immokalee. *Mr. Casalanguida* stated that he agrees with Mr. Jones, but there is a need to get the RLSA property owners together and agree upon a plan. *Mr. Jones* stated that he is not opposed to long-range planning, but that he cannot predict 50+ years out. *John Passidomo*, speaking on behalf of ECPO, stated that he would work with Mr. Casalanguida to formulate some revised language related to Group 4 policies based on established state guidelines and guiding principles and bring them back to the Committee when it next meets. *Elizabeth Fleming*, of Defenders of Wildlife, asked Transportation not to show the two roads being “punched through” conservation lands as shown on the map displayed by Transportation during the September 16<sup>th</sup> meeting and encouraged the County to move forward with requirements for corridor crossings.

**[at 11:30am Fred Thomas left the meeting leaving a quorum of 7 members]**

No action was taken by the Committee on Policy 4.14 deferring a rewrite of the language proposed to Nick Casalanguida and John Passidomo.

The committee took action on the following Policies as follows:

### **Policy 4.1**

Collier County will encourage and facilitate uses that enable economic prosperity and diversification of the economic base of the RLSA. Collier County will also encourage development that utilizes creative land use planning techniques and facilitates a compact form of development to accommodate population growth by the establishment of Stewardship Receiving Areas (SRAs). Incentives to encourage and support the diversification and vitality of the rural economy such as flexible development regulations, expedited permitting review, and targeted capital improvements shall be incorporated into the LDC Stewardship District.

**Public Comment:** none

**Staff Comments:**

**Committee Action taken on September 23, 2008:** *Mr. Eidson* moved and *Mr. McDaniel* seconded to leave Policy 4.1 unchanged. Upon vote, the motion carried, unanimously, 7-0.

### **Policy 4.2**

All privately owned lands within the RLSA which meet the criteria set forth herein are eligible for designation as a SRA, except land delineated as a FSA, HSA, WRA or land that has been designated as a Stewardship Sending Area. Land proposed for SRA designation shall meet the suitability criteria and other standards described in Group 4 Policies. Due to the long-term vision of the RLSA Overlay, extending to a horizon year of 2025, and in accordance with the guidelines established in Chapter 163.3177(11) F.S., the specific location, size and composition of each SRA cannot and need not be predetermined in the GMP. In the RLSA Overlay, lands that are eligible to be designated as SRAs generally have similar physical attributes as they consist predominately of agriculture lands which have been cleared or otherwise altered for this purpose. Lands shown on the Overlay Map as eligible for SRA designation include approximately ~~74,500~~ 72,000 acres outside of the ACSC and ~~18,300~~ 15,000 acres within the ACSC. Total SRA designation shall be a maximum of 45,000 acres. ~~Approximately 2% of these lands achieve an Index score greater than 1.2.~~ Because the Overlay requires SRAs to be compact, mixed-use and self sufficient in the provision of services, facilities and infrastructure, traditional locational standards normally applied to determine development suitability are

not relevant or applicable to SRAs. Therefore the process for designating a SRA follows the ~~principles of the Rural Lands Stewardship Act as further described~~ procedures set forth herein and the adopted RLSA Zoning Overlay District.

**Public Comment:**

**Public Input:**

1. Evaluation of water consumption must be compared to actual agricultural pumpage and not permitted volumes when reviewing consumptive use impacts. Agricultural uses do not use water 12 months a year so their actual use is not consistent with the impacts of residential irrigation. This change in withdrawals over different periods of time should be reviewed for impacts on the aquifers. Also, when SFWMD converts agricultural water use to landscaping there is a reduction applied that reduced maximum availability should be used when analyzing water resources for new SRA's. **[Mark Strain]**

**ECPO Comments:** Applicants are required to provide an analysis meeting SFWMD standards during water use permitting to provide assurances that the conversion from agriculture use to development uses will not cause adverse impacts to groundwater resources, surrounding wetlands, or surrounding property owners. In most cases, the conversion of land from agriculture to SRA uses reduces the consumption of groundwater by a significant percentage. Climate conditions vary from year to year, therefore actual pumpage rates and volumes can change significantly. The fact that a farm operation may not pump its maximum rate in any given year, depending on climate cycles, does not limit their legal right to do so when the demand dictates.

Regarding seasonal agricultural consumption, there is a large acreage of perennial crops (e.g. citrus) in the area whose temporal irrigation demand matches that of lawn and landscape. Seasonal row crops are generally grown in the dry season and use substantial quantities of water when impacts to the aquifer are most critical. Typical landscape demand associated with future development should ameliorate rather than further impact the groundwater resource.

2. The Conservancy strongly supports further delineation of potential areas appropriate for SRAs within the plan. While the mapping of the FSAs and HSAs are prohibited from being allowed designation as SRAs, there is a large area (almost 100,000 acres) that could potentially be used as SRAs. Further refinement of areas where development should be directed, based on infrastructure and environmental compatibility, should be reviewed. For example, additional provisions should be included that further directs development and other incompatible uses away from the Area of Critical State Concern (ACSC). A maximum number of towns, villages, hamlets and CROs within the RLSA should also be explored. **[Conservancy]**

**ECPO Comments:** RLS Policy 4.16 requires that an SRA have adequate infrastructure available to serve the proposed development. Infrastructure includes transportation, potable water, wastewater, irrigation water, stormwater management, and solid waste. SRA applications are required to include several components including a natural resource index assessment, an impact assessment report (relative to infrastructure), and an economic assessment report. These components are thoroughly considered during the review process, and it is the responsibility of the applicant to justify the size, location, and land use components of a particular SRA. One town has been approved since adoption

of the RLS program and it does not appear that the existing regulations have caused a proliferation of development in the area. The timing and location of future SRAs will be guided by existing market conditions and the ability of an applicant to prove that the necessary infrastructure can be provided and that the project is fiscally neutral or positive.

3. The Conservancy believes that there should be specific guidelines for distance separations between SRAs. If SRAs are allowed to be located back-to-back, without any true separation, mega-towns could result in areas where rural character should be maintained. **[Conservancy]**

**ECPO Comments:** The goal of the RLS Group 4 Policies is to enable conversion of other uses in appropriate locations, while discouraging urban sprawl, and encouraging development that utilizes creative land use planning techniques. Specifically, Policy 4.11 requires the perimeter of each SRA be designed to provide a transition from higher density and intensity uses within the SRA to lower density and intensity uses on adjoining property. The edges of SRAs are to be well defined and designed to be compatible with the character of adjoining property. Also, Policy 4.14 requires an SRA to have direct access to a County collector or arterial road or indirect access via a road provided by the developer, and that no SRA shall be approved unless the capacity of County collector or arterial road(s) serving the SRA is demonstrated to be adequate. Since approval of the RLS program, one 5,000-acre town has been approved, while approximately 55,000 acres of SSAs are approved or pending.

4. Establish distances between villages and towns; and distance from Immokalee. **[FWF]**

**ECPO Comments:** The goal of the RLS Group 4 Policies is to enable conversion of other uses in appropriate locations, while discouraging urban sprawl, and encouraging development that utilizes creative land use planning techniques. Specifically, Policy 4.11 requires the perimeter of each SRA be designed to provide a transition from higher density and intensity uses within the SRA to lower density and intensity uses on adjoining property. The edges of SRAs are to be well defined and designed to be compatible with the character of adjoining property. Also, Policy 4.14 requires an SRA to have direct access to a County collector or arterial road or indirect access via a road provided by the developer, and that no SRA shall be approved unless the capacity of County collector or arterial road(s) serving the SRA is demonstrated to be adequate. Since approval of the RLS program, one 5,000-acre town has been approved, while approximately 55,000 acres of SSAs are approved or pending.

5. There should be more guidance on where towns and villages can be located. As it is written now, it is possible to locate towns near each other with only a small buffer between which encourages sprall. Without planning, all the density will be located on the western portion of the RLSA. Ideally the towns should be spread out, with large agricultural areas between them. Maybe a maximum number of towns needs to be agreed upon and the general areas where these can be located indicated on a map. At a minimum, there needs to be more guidance provided as to where towns can be located and their buffering requirements. This will facilitate all types of future infrastructure planning by the County. **[Judith Hushon]**

**ECPO Comments:** Areas suitable for development are currently mapped as "Open" on the RLSA Overlay Map. The RLSA policies and implementing Land Development Code provide locational and suitability criteria as well as design standards to guide development.

6. Provide maps of build out scenarios. Further, just as natural resources are mapped, so should the areas most suitable for development. **[Defenders of Wildlife]**

**September 23, 2008 Discussion**

- **Brad Cornell** stated that he would like to have the 45,000 acre cap proposed in the RLSA be reduced by an acreage amount each time a property is developed under the base zoning of Agriculture in amount equivalent to such acreage.
- **Mr. Jones** stated that he likes the 45,000 cap and that we need to keep away from baseline zoning as such a mechanism will hurt the credit system.
- **Russ Priddy** stated that one must understand that there are about 240 smaller property owners in the RLSA and that about 175-180 of these property owners own 5 to 10 acre properties. He stated that most of these properties have homes on them and, if there is 0% participation in the RLSA program by such owners, then there will be maybe 8,000 acres at a density of 1 unit/5 acres which is equivalent to about 1,600 units which is negligible. He stated the proposal of Mr. Cornell is not warranted and could cause more harm than good to the RLSA Overlay.

**Staff Comments:** Staff pointed out that the proposed additions and deletions were presented by ECPO via a communication dated September 18, 2008.

**Committee Action:** *Motion Eidson* and seconded by *Mr. Farmer* to accept the proposed amendments as shown. *Upon vote*, the motion carried 6-1, with Mr. Cornell voting in opposition.

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**VII. New Business** [none]

**VIII. Public Comments** [none]

**IX. Next Meeting**

*Mr. Spagna* stated that the next meeting but that it will be held on September 30, 2008, in Rooms 609/610 of the CDES Building, 2800 North Horseshoe Drive, in Naples, Fl. from 9:00 A.M. – 12 Noon.

**X. Adjournment**

*Mr. McDaniel* moved to adjourn the meeting, seconded by *Mr. Eidson* with the motion approved unanimously with adjournment at 12:00PM.

Rural Lands Stewardship Area Review Committee

*Neno Spagna*  
Neno Spagna, Vice-Chairman

These minutes approved by the Committee on 9-30-08, as presented \_\_\_\_\_ or as amended ✓



**TO: Tom Greenwood**  
**FROM: WilsonMiller**  
**DATE: September 18, 2008**  
**SUBJECT: Estimates of Stewardship Credits under the current and revised RLSA Program and recommendation for Credit calibration**

As requested, we have reviewed the RLSA Credit System to estimate and compare the potential credits that can be generated under the current RLSA Program and under the RLSA as it may be revised in accordance with the Collier County Rural Lands Stewardship Area Review Committee's (CCRLSARC) discussions.

**EXECUTIVE SUMMARY:**

- 316,000 Credits
- 41,040 Acres
- A. The currently adopted RLSA Program is estimated to produce a total of 315,000 Stewardship Credits assuming 100% property owner participation. These Credits would entitle a maximum of 43,312 SRA acres, including allowance for public benefit uses. Approximately 43,700 acres of Open designated land would remain with baseline rights, and some or all of this land could potentially be converted from Agriculture to development at 1 unit per 5 acres (or other permitted baseline uses).
  - B. Three proposed modifications to the RLSA Program have been conceptually approved by the CCRLSARC, including Agriculture Credits, Panther Corridor Credits, and Tiered Restoration. Should the three modifications described above be adopted without further changes, and again assuming 100% property owner participation, including all Open designated land outside of SRAs being placed into Agriculture SSAs, the program is estimated to produce 421,000 Credits and 57,888 SRA acres.
  - C. With certain recommended adjustments to the RLSA Credit system further detailed in this report under Section 3, including a change from 8 Credits per SRA acre to 10 Credits per SRA acre, the RLSA Program would produce a total of 404,000 Credits. All remaining Open designated land is assumed to be within Agriculture SSAs. This number of Credits would fall within an appropriate range to comply with the proposed cap of 45,000 SRA acres, as further detailed below.
  - D. Conclusion: The proposed modifications to the RLSA Program, coupled with recommended adjustments set forth herein, will meet the Goal and Objective of the RLSA and will reduce the potential total development footprint by nearly 50%.

## **METHODOLOGY AND RESULTS OF ANALYSIS**

The methodology and results for this analysis are described below and all Credit estimates have been rounded to the nearest 1,000. Please note that we have used a different methodology (described in detail below) than the County to arrive at an estimate of potential Credits and development acres at maturity under the current program, but the results are comparable (315,000 Credits compared to 316,761 Credits).

### **1. CURRENTLY ADOPTED RLSA PROGRAM**

#### **Base Credits**

Base Credits are the Credits generated by use of the Natural Resource Index and Land Use Layer System. They are created from FSAs, HSAs, WRAs and Open lands that are designated as SSAs by the property owners. To estimate the total potential Base Credits, we performed a model run of the NRI values and current mapping of AG1 and AG 2 land uses as recently adjusted during the Stage 1 process. We have assumed that all FSAs, HSAs and WRAs become SSAs with land use layers removed down to current AG1 or AG2 use. We have applied this model to all of the FSAs, HSAs and WRAs lands regardless of whether they are in approved SSAs or not. We then compared the modeled credits to actual SSA Base Credits generated from SSAs 1-13, and this analysis shows that actual Base Credits in these approved SSAs are approximately 15% greater than the model due to the inclusion of more site specific data, such as listed species surveys which have enabled a greater level of accuracy in calculating NRI values. However, we expect this variance will be less going forward based on the composition of future SSAs being more heavily weighted toward WRAs. Therefore we applied an adjustment factor of 10% to the model derived Base Credits (116,329). The rounded total estimate is **128,000 Base Credits**.

#### **Restoration Credits**

Restoration Credits are generated by application of Policy 3.11. Because these Credits are dependent on site specific conditions that require detailed evaluations and restoration planning and permitting by each property owner, as well as successful implementation, it was not possible to estimate these Credits at the inception of the RLSA Program. We now have 5 years of actual data from 13 SSAs that we can use to estimate the use of the restoration program. Notwithstanding, the same variables of site specific conditions, owner decisions, and permitting requirements will still apply to future restoration. For this estimate, the following approach has been used:

Total acres of FSA, HSA, and Restoration Zone within RLSA:	73,000
Acres of planned restoration, SSAs 1-13:	12,000
<u>Acres deemed not suitable for restoration, SSAs 1-13</u>	<u>21,000</u>
Maximum eligible acreage for future restoration:	40,000

For SSAs 1-13, approximately 29% of the total acreage is proposed for restoration. Assuming that the same percentage applies to the 40,000 acres that are eligible for future restoration, 11,600 additional acres would be restored ( $40,000 \times 0.29 = 11,600$ ). The projected additional restoration credits generated under the current system would be approximately 78,000 credits, as shown in the table below:

System	Potential Restoration (Acres)	Estimated Restoration (Potential acres x 29%)	Restoration Credits (credits/acre)	Estimated Credits
Camp Keais	15,000	4,350	8	34,800
OK Slough	25,000	7,250	6	43,500
<b>TOTAL</b>	<b>40,000</b>	<b>11,600</b>	<b>N/A</b>	<b>78,300</b>

The total estimate for restoration credits under the current system is:

Approved restoration credits (SSAs 1-9, 11):	28,000
Pending restoration credits (SSAs 10, 12, 13):	54,000
Estimated future restoration credits (rounded):	78,000
<b>Total restoration credit estimate for current system:</b>	<b>160,000</b>

#### **Early Entry Bonus Credits**

RLSA Policy 1.21 provides for a maximum of **27,000 Early Entry Bonus Credits**. These Credits are available until January 2009, at which time they are no longer available.

#### **Potential Credits and SRA acres under currently adopted RLSA Program**

Base Credits:	128,000
Restoration Credits:	160,000
Early Entry Bonus Credits:	27,000
<b>Total Credits:</b>	<b>315,000 Credits</b>

SRA Acres at 8 Credits per acre:	39,375 Acres
Public Benefit Acres estimated at 10%:	3,937 Acres
<b>Total SRA Acres:</b>	<b>43,312 Acres</b>

#### **Remaining Baseline development potential**

Open Land not included in SRAs or SSAs	
ACSC Open Land	15,000 Acres
Non ACSC Open Land	28,700 Acres
<b>Total remaining Open Land</b>	<b>43,700 Acres</b>

## **2. PROPOSED RLSA MODIFICATIONS**

Three proposed changes to the RLSA Program have been conceptually approved by the CCRLSARC that would change the Credit estimates described previously. Two are new credit categories that resulted from the Florida Panther Protection Program, and the third is a proposed modification to the Restoration Credit system.

### **Agriculture Credits**

These Credits result from a property owner agreeing to eliminate non-agricultural uses from Open designated land and are an alternative to development under baseline zoning rights. Our estimates are calculated based on the acreage of privately owned Open designated land in the ACSC not already included in approved SSAs (approximately 15,000 acres) at 2.6 Credits per acre yielding 39,000 Credits, and privately owned Open designated land outside of the ACSC (approximately 72,000 acres), less the amount of potential SRA acres proposed under the Florida Panther Protection Program (45,000) and less the acreage of a potential Panther Corridors on such Open Lands (approximately 1,300 acres) and miscellaneous land (700 acres). This results in an estimated 25,000 acres of Agriculture outside of the ACSC at 2.0, or 50,000 Credits. Therefore, the rounded total estimate is **89,000 total Agriculture Credits**.

### **Panther Corridor Credits**

Panther Corridor Credits result from a property owners agreeing to designate land and construct improvements to implement the north and south Panther Corridors referenced in the Florida Panther Protection Program. These corridors will require the use of both Open Lands and WRAs. We currently estimate approximately 1,300 acres of Open land and 1000 acres of WRA land in the north and south corridors would be required for a total of 2,300 acres at 10 Credits per acre, or **23,000 Panther Corridor Credits**. It is possible for these acreages to be more or less, and the viability of these corridors is currently under review by the Florida Panther Protection Program Scientific Technical Review Committee.

### **Tiered Restoration Credit Estimates**

The proposed tiered restoration system is a modification to the current program to better define the type and relative value of different restoration types. For this estimate, we assume that 11,600 acres within future SSAs are suitable for restoration activities as previously described, with 600 acres dedicated for panther habitat restoration, and the remaining 11,000 acres split equally between the four other restoration types (caracara, exotic removal / burning, flow way, and native habitat restoration). For this analysis, we also assume that approved and pending SSAs will be considered as vested under the current program, and that future SSAs will use the tiered system. The calculations are as follows:

Restoration Type	Acres	Credits per Acre	Restoration Credits
Panther Habitat	600	10	6,000
Caracara	2,750	4	11,000
Exotic Control/Burning	2,750	6	16,500
Flow Way	2,750	6	16,500
Native Habitat Rest.	2,750	8	22,000
<b>Total</b>	<b>11,600</b>	<b>N/A</b>	<b>72,000</b>

The total estimated restoration credits with implementation of the tiered system for future SSAs are shown below:

Approved restoration credits (SSAs 1-9, 11):	28,000
Pending restoration credits (SSAs 10, 12, 13):	54,000
<u>Estimated future restoration credits:</u>	<u>72,000</u>
<b>Tiered Restoration Credits:</b>	<b>154,000</b>

These restoration estimates are subject to variation based on site specific analysis for restoration suitability, decisions made by the property owner, approval by the County and permitting agencies and successful restoration implementation.

#### **Potential Credits and SRA acres under a revised RLSA Program**

Should the three modifications described above be adopted without further changes, there would be the following resulting Credits and SRA acres:

Base Credits:	128,000
Restoration Credits:	154,000
Early Entry Bonus Credits:	27,000
Agriculture Credits	89,000
<u>Panther Corridor Credits</u>	<u>23,000</u>
<b>Total Credits:</b>	<b>421,000 Credits</b>

SRA Acres at 8 Credits per acre:	52,625 Acres
<u>Public Benefit Acres at 10%:</u>	<u>5,263 Acres</u>
<b>Total SRA Acres:</b>	<b>57,888 Acres</b>

#### **Remaining Baseline development potential**

Open Land not included in SRAs or SSAs      0 Acres

### **3. ADJUSTMENTS TO ACHEIVE 45,000 ACRE SRA CAP**

The Florida Panther Protection Program has called for a cap of 45,000 SRA acres in the RLSA, and should this cap be reflected in the revised RLSA Program, certain adjustment will be necessary so that the RLSA Credit System will produce sufficient Credits to entitle a potential 45,000 acre SRA scenario, without leaving a substantial number of excess Credits. The following items are recommended:

1. The cap of 45,000 SRA acres will include public benefit acres.
2. The proposed Tiered Restoration System will be used for all future SSAs.
3. No extension of the Early Entry Bonus Program beyond January 2009. Approximately 7,000 EEBs not included in approved or pending SSAs will be eliminated.
4. A change in the SRA Credit Ratio from 8 Credits per SRA acre to 10 Credits per SRA acre for Credits generated from any future, non-vested SSAs.
5. SSA vesting will be applied as follows:
  - a. All approved SSAs (1 -9, 11) would be vested at the 8 Credit per SRA acre ratio and in accordance with the restoration programs set forth therein. This represents a total of 73,488 credits. Any SRA acres entitled with these Credits will be computed at the current 8 Credit per acre ratio. This includes Credits and SRA acres already approved for and applied to the Town of Ave Maria.
  - b. Proposed SSAs 14, 15, and 16 would be vested at the current 8 Credit per SRA acre ratio to the extent required to entitle the proposed Town of Big Cypress DRI/SRA. These SSAs will include restoration designation credits at the current rate of 4 per acre in the Camp Keais Strand. Total restoration credits per acre will not exceed the level provided under the new tiered system as approved. This represents an estimated total of 24,000 Credits and 3,000 SRA acres.
  - c. Proposed SSAs 10, 12, and 13 will continue to be processed and approved under current adopted standards (8 Credits per SRA acre and non-tiered restoration). Should all of the proposed modifications be approved, the owners of these SSAs will agree to subsequently amend these SSAs to adjust to the 10 Credit per SRA acre ratio and tiered restoration system following approval and adoption of these new standards. This would reduce the estimated restoration credits by 10,000. Should the proposed modifications not be adopted, these SSAs will not be amended.
6. All new SSAs will conform to the new adopted standards.

With these adjustments, the following table shows the resulting number of Credits and potential SRA acres:

**Estimated Credits (assuming full property owner participation):**

Base Credits from all NRI based SSAs	128,000
Early Entry Bonus Credits (upon phase out)	20,000
Restoration Credits	144,000
Agriculture Credits (40,000 acres)	89,000
<u>Panther Corridors (assumes 2,300 acres)</u>	<u>23,000</u>
<b>Total Estimated Credits</b>	<b>404,000</b>

**Projected SSA supply of Credits**

SSAs 1-9, 11 Vested Credits (approved)	73,488 credits
<u>SSAs 14-16 Vested Credits (estimated)</u>	<u>24,000 credits</u>
SSA Credits vested at 8 Credits per SRA acre	97,488 credits
Remaining SSAs at 10 Credits per SRA acre	306,512 credits

**Projected SRA acres assuming all Credits are used:**

SRA acres entitled at 8 Credits per acre	12,186 acres
<u>SRA acres entitled at 10 Credits per acre</u>	<u>30,651 acres</u>
<b>Subtotal of Credit entitled SRAs</b>	<b>42,837 acres</b>
<u>Public benefit acres estimated at 10%</u>	<u>4,283 acres</u>
<b>Total potential SRA acres</b>	<b>47,120 acres</b>

**Remaining Baseline development potential**

Open Land not included in SRAs or SSAs 0 acres

**Credit estimates and excess Credits**

The total supply of Credits entitles less than 45,000 acres of SRAs, but estimated public benefit acres must also be considered. Because the RLSA is a voluntary, market based system and these estimates assume 100% property owner participation in the RLSA Program, and each category of estimate has a range of assumptions built in to the estimated number, it is advisable to allow for some variance. The above estimates result in sufficient Credits that, together with public benefit acres, provides for an approximate 5% variance in total potential SRA acres. There are a number of factors that could offset this potential "excess" including but not limited to: less than 100% participation by all property owners in the RLSA, less than 10% public benefit acres, purchase of land and/or Credits by a publicly funded conservation program, less than 100% success rate in restoration implementation, and lack of market demand for all of the potential Credits.

#### **4. COMPARISON OF ALTERNATIVES**

The following three tables illustrate the land use summaries at full utilization using the current and revised and recalibrated programs. With the proposed revisions, the acreage of potential SRAs increases nominally from 43,300 acres (Tables 4.1 and 4.2) to 45,000 acres (Table 4.3). However the potential development footprint of Open Land converted to baseline development could be reduced dramatically, depending on the use of the new Agriculture Credit. Table 4.1 shows 100% of Open Lands converted to baseline uses under the current program and Table 4.3 shows 100% of Open Lands placed in Agriculture SSAs under the revised program.

We do not expect that all of the Open land outside of SRAs would be converted to baseline development under the current program. Market incentives that favor well planned, compact, mixed use communities with a wide range of housing options served by high quality infrastructure and services would satisfy most of the demand for new homes in the RLSA. In addition, Golden Gate Estates already offers a significant supply of 2.25 to 5 acre lots without such services for those that prefer this alternative.

Table 4.2 shows a more realistic scenario for comparison, where 10% of ACSC Open lands are converted (based on ACSC regulations limiting site alterations to 10% of any site) and 25% of non ACSC Open Lands are converted. Comparing Table 4.2 and Table 4.3 still demonstrates that the potential development footprint is reduced by approximately 7,000 acres using the revised RLSA system.

<b>Table 4.1: Current RLSA Land Use Summary at full utilization with 100% baseline conversion</b>		
	<b>Acres</b>	<b>% of Total</b>
NRI based SSAs	92,000	
<b>SSA Subtotal</b>	<b>92,000</b>	<b>47.0%</b>
Open Land conversion to baseline rights	43,700	
SRAs	43,300	
<b>Potential Development Footprint</b>	<b>87,000</b>	<b>44.4%</b>
Public Land and Miscellaneous	16,846	8.6%
<b>Total RLSA</b>	<b>195,846</b>	<b>100.0%</b>



<b>Table 4.2: Current RLSA Land Use Summary with partial baseline conversion</b>		
	<b>Acres</b>	<b>% of Total</b>
NRI based SSAs	92,000	
<b>SSA Subtotal</b>	<b>92,000</b>	<b>47.0%</b>
ACSC Open Land conversion at 10%	1,500	
Non ACSC Open Land conversion at 25%	7,175	
SRAs	43,300	
<b>Potential Development Footprint</b>	<b>51,975</b>	<b>26.5%</b>
Open Land remaining in Agriculture	35,025	17.9%
Public Land and Miscellaneous	16,846	8.6%
<b>Total RLSA</b>	<b>195,846</b>	<b>100.0%</b>

<b>Table 4.3: Revised and recalibrated RLSA Land Use Summary at full utilization</b>		
	<b>Acres</b>	<b>% of Total</b>
NRI based SSAs	92,000	47.0%
Agriculture SSAs	40,000	20.4%
Panther Corridors	2,300	1.1%
<b>SSA Subtotal</b>	<b>134,300</b>	<b>68.5%</b>
<b>Potential Development (SRAs)</b>	<b>45,000</b>	<b>23.0%</b>
Public Land and Miscellaneous	16,546	8.5%
<b>Total RLSA</b>	<b>195,846</b>	<b>100.0%</b>

Under the revised and recalibrated RLSA, in addition to agricultural uses retained on the majority of 92,000 acres of NRI based SSAs, 40,000 additional acres of agricultural land are protected as Agriculture SSAs. Two important Panther corridors are also incentivised.

It should also be noted that current RLSA Policy 4.10 requires a minimum of 35% of each SRA to be open space. As a result, a minimum of 15,750 acres of the total 45,000 acres of SRA will be open space, and a maximum of 29,250 acres will be developed land. This results in a net developed footprint equal to 15% of the total RLSA acreage.