

APPENDIX KK

[To be addressed during]
Phase 2

Received
at May 1, 2008
CCPC meeting
Regarding
Phase 1 Report

RLSA DISCUSSION ITEMS

Compiled by Mark Strain from December 2005

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This is a draft listing of concerns noted during the implementation of the Rural Lands Stewardship Area (RLSA) in Collier County. The purpose of this list is to document issues that need to be addressed at the 5-year review of the RLSA amendments.

Concerns Post RLSA:

1. Fiscal impact analysis model (FIAM) minimum standards should be no less than minimum county wide standards as a conservative approach until historic data is acquired. This will provide the maximum protection to the taxpayers. The analysis needs to be re-visited and the development provided corrections made every year and include accurate absorption rates, traffic capture rates and sales demographics, all of which have significant effects on the outcome of the FIAM.
2. The conversion ratio used to create Stewardship Credits should have been reviewed and applied in a model as the maximum scenario for development. The averages that were used understated the growth potential. Future adjustments should be based on a maximum impact analysis to assure a conservative approach for taxpayers.
3. Impacts on certain elements of regional infrastructure were not given adequate analysis. Hurricane evacuation and shelters space, health care facilities and affordable housing as example, were not adequately addressed and minimum standards should be considered as guidelines for SRA approval.
4. The uses retained on lands, such as Ag 2, are not preservation lands yet they are proffered as such in subsequent development analysis. This then supports arguments to completely remove wetlands within the areas where development was to take place when in reality the ratios of natural set aside preservation lands were much smaller in comparison to the wetlands being destroyed if the Ag2 lands were excluded. While some A2 lands are in more natural states, the fact they are not truly conservation lands is misleading.
5. The actual ability to develop in the RLSA under the standard zoning did not include an analysis of what amount of non-jurisdictional lands could actually be permitted. This produced a false sense of urgency to protect environmentally sensitive land that in reality may never have been allowed to be improved. Even as 5 or 10 acre home sites, the ability to infringe upon wetlands is limited.

6. The incentive program to jump start the RLSA program was too generous and only increased the magnitude of development and the speed in which it will occur in the rural areas. Because of this, a need to look at longer range studies in lieu of the typical 5-years associated with concurrency issues should be considered.
7. The Governor's order was aimed at creating a balance between Agriculture, development and environmentally sensitive land. What ended with up is a plan that can create an imbalance as the program is geared to produce more environmentally set aside land and development and greatly reduces agriculture. This will result in Agriculture being pushed further out and destroying more pristine systems under the auspices of the Right to Farm Act.
8. Vesting issues and concurrency were not adequately addressed and as a result separate developer contribution agreements are being created that provide excessive development rights beyond those contemplated in the original SRA. DCA's should not be allowed until an SRA is approved in order to better understand the impacts from the SRA.
9. Indices are weighted heavier towards environmentally sensitive lands when in actuality those are the areas least likely to ever be used for development based on various agency regulations. The SSA credit system does not consider the jurisdictional aspects of SFWMD or the ACOE to assess developmental potential. Off-setting indices should have been considered for this.
10. SSA's can be created in a non-contiguous and piece meal fashion, thus assuring no functionality of wetland land mass. Even though to date that has not been the case, we should consider language that encourages contiguous SSA's.
11. SSA approval is not subject to EAC or CCPC review only BCC. SRA approval occurs via EAC, CCPC and BCC process, as should have been provided for SSA approval.
12. 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.
13. Concentrated centers of development will produce a night time glow from electric light sources, the impacts of which should be considered on nearby conservation lands, such as Corkscrew Swamp Sanctuary.

14. Water storage areas that SFWMD allowed for Ag are allowed to be used for development storm water as well, yet these areas were not required to be included in development acreages nor analysis provided to determine effects of this additional use. This occurs for many uses within the developmental areas, thus making it appear as though development is using less acreage when in fact the impacts from development may cause changes to the water quality and quantity in land that is not part of the SRA.
15. Indices are determined using a grid pattern that averages uses within each grid. This can have the effect of reducing the value of viable wetlands when the grid is split between activities. A proportional area of the land types within each grid could be applied to determine a more balanced index value.
16. Buffers from wildlife habitat were established at distances that did not adequately address hydrologic impacts. The hydrological impacts of agricultural uses are far different than the uses of a town or village and these need to be better understood to assure no impacts to surrounding wetlands. Agricultural control elevations should be compared for compatibility with changes brought on by development.
17. An analysis is needed to determine how is the long range transportation plan is coordinated with the transportation needs plan and the transportation financially feasible plan for this area. Using the 5-year modeling of the GMP is inadequate for an area the size of the RLSA and we should be analyzing the SRA's on their impact to the 30-year build out study.
18. Many acres within SSA's are Ag lands that have been used in the past for a variety of activities that have the potential to cause soil and water contamination. These uses include cattle dipping, petroleum spillage from wells and even solid waste disposal areas from hunting or remote camps. Since the SSA's are given credit for their environmental value a requirement for a clean environmental audit prior to the SSA's credit issuance on all property within the SSA should be mandatory.