



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Southwest Florida Gulf Coast Refuge Complex
Florida Panther National Wildlife Refuge
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March 1, 2021

Collier County Planning Commission
2800 North Horseshoe Drive
Naples, FL 34104

RE: PL20190001836 and PL20190001837, Longwater and Bellmar Village SRA Resolutions respectively

Dear Collier County Planning Commissioners,

The Florida Panther National Wildlife Refuge (FPNWR) is 26,609 acres adjacent to the Rural Land Stewardship Area (RLSA) and approximately 1.25 miles southwest of the proposed Bellmar Village. Administered by the US Fish and Wildlife Service, the FPNWR was established in 1989 to assist in the recovery of endangered species such as the Florida Panther. FPNWR staff have worked cooperatively with the applicants and other landowners within the RLSA for many years to assist in habitat management activities across the FPNWR's boundary lines, and more generally, in discussions on how to keep landscape connectivity for far ranging species like the Florida panther and black bear.

Both of the villages of Longwater and Bellmar are currently under federal review for a more comprehensive planning approach in the Eastern Collier Multi-Species Habitat Conservation Plan (ECMSHCP), which would lead to the protection of 106,000 acres within the RLSA. It is preferable to delay permitting individual developments in the ECMSHCP development area until the Environmental Impact Statement and Endangered Species Act Section 10 review for the ECMSHCP is completed. In addition, the County should complete the adoption of the RLSA 5 year review amendments prior to approving developments within the RLSA so that the County's development permit and RLSA requirements are not contradictory to the mitigation requirements proposed by the ECMSHCP.

Separate and apart from the Service's work considering the ECMSHCP, the Service has concerns about the proximity of these developments to the FPNWR that the planning commission should address with the applicant prior to approval of Longwater and Bellmar villages.

First, the future development within the RLSA, including both Longwater and Bellmar, will encroach upon several current conservation areas such as the FPNWR. These conservation lands are intensely managed using prescribed burning to manage the fire-adapted ecosystems for the benefit of wildlife and to reduce high fuel loads, the latter of which contributes to more catastrophic harmful wildfires. The Stewardship Sending Areas within the RLSA and adjacent to the proposed developments include fire-adapted habitats that will need to be managed with silvicultural activities such as prescribed fire and exotic invasive plant control.

This encroachment toward conservation lands can complicate the appropriate management of the FPNWR. For instance, the refuge's southern boundary is 1-75, and eastern boundary is State Road 29. As such, we often have to burn habitats on the refuge with a prevailing southerly or easterly wind direction. These prescriptions are in place to mitigate risk of serious traffic accidents on those major roads, and cannot be changed, leaving the locations for high-density residential and commercial developments in the RLSA directly in the path of our current smoke management protocols. On some prescribed burns, we will not have the ability to redirect smoke away from the location of these future developments.

We recommend that all existing and future landowners and leaseholders (e.g., residents, businesses, health care providers, and homeowner associations) within the RLSA sign an acknowledgement notice within their deed or lease agreement that recognizes and accepts the use of prescribed fire to manage the adjacent habitats on both public and private conservation lands. We believe this indemnification is necessary for fire managers to be held harmless for any adverse impacts from the inconveniences of smoke produced by prescribed fires, and to ensure that this critically important management tool is not further limited by new developments.

The Florida Forest Service's *Prescribed Fire in Florida Strategic Plan 2013-2020* identified two objectives to facilitate this action:

4-2 states: "Introduce Smoke Disclosure Language in deed transfers and homeowner association agreements with county planning,"

4-3 states: "Develop a smoke easement template."

There are a few examples of these Indemnifications being used in other states. I look forward to working with the Planning Commission, Collier County Commissioners and the Florida Forest Service to construct the appropriate language for such an instrument prior to any further development of the RLSA.

Secondly, the application does not address the need for hydrologic restoration of the adjacent Camp Keais Strand Flowway Stewardship Area. Hydrological restoration of the Camp Keais Strand was identified as a unique functional group within Southwest Florida Comprehensive Watershed Management Plan, which the County and Service both participated in.

During this effort, members of local and state agencies, NGOs, and the Federal government made every effort to take a holistic approach to hydrological restoration. We implore the County and other regulatory authorities to require the applicants to include wetland restoration activities identified within the Southwest Florida Comprehensive Watershed Management Plan, especially those within the Camp Keais Strand functional group.

Hydrologic restoration of the Camp Keais Strand is clearly a component of the RLSA Stewardship Sending Areas, and is critically important for downstream conservation lands such as the FPNWR. Currently two farm fields restrict the flowway to a few culverts in a span of 100 yards, whereas restoring these farm fields back to wetlands would result in a nearly 1 mile wide flowway immediately adjacent to the proposed Longwater development. The applicant's original plans for the Town of Rural Lands West included restoring these approximately 935 acres of farmland in the middle of the Camp Keais Strand Stewardship flowway in SSA15, to benefit the hydrology of downstream conservation lands. This wetland restoration was not included in the plans for Rivergrass Village, Longwater Village or Belmar Village, and we believe that it should, as this type of wetland restoration was clearly the intent when the RLSA was established.

If properly implemented, Camp Keais Strand hydrological restoration activities could ultimately benefit one of the most biodiverse forested wetlands in the state of Florida (i.e., Fakahatchee Strand), as well as the Picayune Strand.

In conclusion, we believe the planning commission should take a pause in considering developments within the RLSA on an individual project approach, and implement a more comprehensive planning approach. By incorporating our recommendations, we believe that they will: 1) Minimize impacts to one of the most important land management tools in the state of Florida (i.e., fire); 2) Protect important habitats; 3) Provide for critically important wetland restoration within hydrologic flowways such as Camp Keais Strand; 4) Improve the quality and quantity of water entering the FPNWR; and 5) Address the landscape connectivity needs of wildlife such as the Florida panther and black bear.

Sincerely,

Kevin Godsea
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Southwest Florida Gulf Coast Refuges

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