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EXECUTIVE SUMMARY

Recommend that the Collier County Board of County Commissioners (BCC) approve a resolution adopting the seven year Evaluation and Appraisal Report (EAR) of the Collier County Growth Management Plan for transmittal to the Department of Community Affairs (DCA) for sufficiency review according to the procedures and criteria outlined in Section 163.3191, Florida Statutes, Evaluation and Appraisal of Comprehensive Plan.

OBJECTIVE: That the Collier County Board of County Commissioners (BCC) approve a resolution adopting the seven year Evaluation and Appraisal Report (EAR) of the Collier County Growth Management Plan for transmittal to the Department of Community Affairs (DCA) for sufficiency review according to the procedures and criteria outlined in Section 163.3191, Florida Statutes, Evaluation and Appraisal of Comprehensive Plan.

CONSIDERATIONS: The periodic amendment process, which occurs once every seven years, as described in Chapter 163.3191, F.S., is a two-phase process referred to as the Evaluation & Appraisal Report (EAR). The EAR evaluates the performance of the various Elements of the local government comprehensive plan since the previous EAR-based amendments. It assesses the successes and shortcomings of the various Goals, Objectives, and Policies included within the GMP and designates Objectives and Policies which need revisions, modifications or deletions. Additionally, the EAR is the primary means by which the local plan can respond to changes in federal, state or regional planning requirements. It should be noted that for the 2004 to 2010 evaluation period for the 2011 EAR, there have been 57 GMP amendments processed by the County. While not all of these amendments were sent to the Department of Community Affairs for adoption, they were either publicly or privately submitted for processing and evaluation. A fact that recognizes the contemplation on the County's part of what improvements are need to assure the GMP is an effective blueprint for guiding future growth, but also accentuates the need for the comprehensive review of the GMP to ensure there is agreement within the Plan's individual elements.

Ultimately, the Objectives and Policies designated for adjustment in the EAR become the basis of proposed amendments to the local government comprehensive plan, the second phase of the process. These EAR-based amendments, as reviewed by the Environmental Advisory Council (EAC) and Planning Commission (PC), and subsequently adopted by the BCC, after found in compliance with the Chapter 163, Part II, F.S., then become part of the Goals, Objectives and Policies of the GMP until the next EAR is prepared in seven years.

The adoption of the EAR is the first part of a two prong process, during which areas of the GMP are evaluated for their effectiveness and if appropriate designated for adjustment or change. The exact specificity of that change is not determined during this first prong of the process, only that a change is needed within the various Elements, Goals, Objectives, or Policies of the GMP. Post adoption of the EAR by the BCC is when the specifics of the changes called out for in the EAR are composed and refined through the GMP EAR amendment adoption process. The County will have eighteen months from the date of the EAR adoption by the BCC to adopt the changes

designated by the EAR. Understanding this bifurcated process provides a clear direction for what is being asked of the EAC during the EAR workshop.

At the completion of the EAR August workshops (EAC – August 11 and CCPC August 25 & 27), staff presented the post workshop EAR books to the Department of Community Affairs (DCA) and the various other state reviewing agencies. In late October the County received the review comments which have been attached as exhibit “A” to the CCPC staff report within the EAR Adoption book. The majority of the comments from the DCA focus upon the need for further data and analysis regarding the major issues and their inter-relationship to the specific goals of the GMP’s various elements, as well as the effectiveness of the elements as they relate to the major issues. The BCC EAR Adoption books have been updated to address the specific comments contained in the courtesy review letters.

In lieu of a lengthy summary of the changes made to the EAR draft document, a summary memo of the proposed changes has been provided (Exhibit “A”) for review and consideration. Please note that staff has modified the EAR in other areas to provide additional clarity, but the summary memorandum only addresses modifications of substantive nature.

ORGANIZATION OF THE EAC-EAR ADOPTION BOOK: The presented 2011 EAC-EAR book is organized into a single-bound report containing an introduction and three (3) major chapters. These chapters are:

Chapter One – Public Participation & Issues Identified

Chapter Two – Countywide Assessment

Chapter Three –Evaluation of Major Issues

Chapter One – *Public Participation & Issues Identified* details the issues that were brought to the process from the public during the “Public Participation” portion of the EAR process. Chapter Two – *Countywide Assessment* is the individual review of each Element and Sub-Element of the GMP and the Goals, Objectives and Policies that comprise each of those Elements or Sub-Elements. Chapter Three - *Evaluation of Major Issues* are the issues agreed upon between the County and the DCA. **Chapter One and Chapter Three are both connected within Chapter Two. (Bolded for emphasis)** Within each Element reviewed within Chapter Two, staff has referenced Objectives and Policies that are directly related to Chapters One and Three. For example a public comment that is directly linked to Policy 1.6.1 of the Recreation and Open Space Element (ROSE) will be recognized within Chapter Two, as well as Chapter One. Additionally, Objectives and Policies that are directly related to a major issue will be specified within Chapter Three, as well as within the Element review contained within chapter Two.

As described above the structure of the EAR inter-relates all of the chapters contained in the report. Within each of these elements, the pertinent comments from the workshops and adoption hearings with the EAC and the CCPC have been applied to the related objective or policy, to provide identification of both bodies’ perspective, as well as comments offered by the general public. Unlike the EAR workshop edition books, the EAR adoption edition does not contain the evaluation of every policy and objective within the GMP, but rather only the objective and policies within the various elements in which modifications are being suggested are included. It

should be noted that within a few policies the CCPC and the EAC have taken differing positions, these areas will be highlighted during the EAR adoption hearing and will be presented to the BCC for final arbitration on the issue. These policies are highlighted in Exhibit "B" of the executive summary.


FISCAL IMPACT: County staff undertook the preparation of the EAR in-house. The Comprehensive Planning Department prepared the EAR with input and cooperation from numerous county divisions and departments. Direct and indirect costs have not been calculated for the preparation of the EAR.

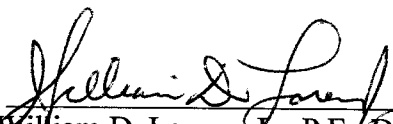
GROWTH MANAGEMENT IMPACT: Pursuant to section 163.3187(6)(a), Florida Statutes, "No local government may amend its comprehensive plan after the date established by the state land planning agency for adoption of its evaluation and appraisal report unless it has submitted its report or addendum to the land planning agency as prescribed by section 163.3191 ..." Therefore, timely action by the BCC adopting the EAR is necessary in order for the consideration of future comprehensive amendments. Otherwise, Collier County will be imposed with the aforementioned statutory sanction that would prohibit amending its comprehensive plan.

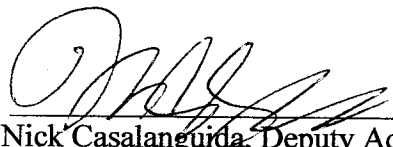
ENVIRONMENTAL ADVISORY COUNCIL (EAC): The recommendations by the EAC from its November 3, 2010 EAR adoption public hearing was for the BCC to adopt the 2011 EAR as modified by the EAC and transmit to the Department of Community Affairs.

PLANNING COMMISSION RECOMMENDATION (CCPC): The recommendations by the CCPC from its December 7, 2011 EAR adoption public hearing was for the BCC to adopt the 2011 EAR as modified by the CCPC and transmit to the Department of Community Affairs.

STAFF RECOMMENDATION: Recommend that the Collier County Board of County Commissioners (BCC); review the numerous changes recommended by the EAC and the CCPC, provide direction upon the individual policies in which there is conflicting recommendations from the EAC, CCPC and staff (exhibit "B") and approve a resolution adopting the seven year Evaluation and Appraisal Report (EAR) of the Collier County Growth Management Plan for transmittal to the Department of Community Affairs (DCA) for sufficiency review according to the procedures and criteria outlined in Section 163.3191, Florida Statutes, Evaluation and Appraisal of Comprehensive Plan.

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**SUMMARY OF RECOMMENDED CHANGES
2011 EVALUATION & APPRAISAL REPORT (EAR)
EXHIBIT "A"**

Goals, Objective and Policies: All Elements will be revised to reflect the proper formatting for all Goals, Objectives and Policies, as defined below:

Goal: General statement defining what the plan will ultimately achieve, typically beginning with "TO" followed by a transitive verb, such as, TO PROTECT or TO ENSURE.

Objective: A more specific statement than the stated Goal; describing actions that will help achieve the goal(s), typically beginning with the active verb providing the general direction, such as, "Implement", "Promote" or "Protect". Objectives use the term "will" and allow Policies to specifically require an activity with "shall".

Policies: Specific statements that provide directives on how to achieve the objectives and ultimately the Element's goals, typically beginning with phrases like, "The County shall promote...", "The County shall continue to..." or "The District shall expand..." or similar phrases. Policies use the terms "may" or "shall" to provide specific direction.

Goals, Objective and Policies: All Elements should be revised to reflect Department name changes, designee changes, renumbering due to objective and/or policy additions and/or deletions, and grammatical changes.

Capital Improvement Element

- Policy 1.4** – Revision to introduce reducing VMT and GHG emissions as criterion for further prioritizing projects; revision to provide another option/more options.
- Policy 1.5** – Revisions related to multi-Element revisions in a comprehensive effort to manage redundancy; revision related to 2010 CIE adoption with "Regional Park land" LOSS change from 2.9 to 2.7 acres per 1,000/population; revisions related to FDOT comments to the DCA.
- Policy 2.10** – Reconsider revision recommended that would allow for more-responsive fiscal management, as this Policy remains relevant and should not be changed.
- Objective 3** – Minor revision timeframe reference.
- Policy 3.1** – Minor revisions associated with new terminology.
- Policy 4.1** – Minor revision to provide updated Statutory cite.
- Policy 4.2** – Revision no longer necessary within context of EAR amendments; amendment to provide updated reference cite was made recently as part of 2010 CIE adoption (Ordinance No. 10-43).
- Policy 4.6** – Minor revisions associated with new terminology.
- Policy 4.7** – Minor revision to include an additional "best practices" entry.
- Policy 5.1** – Minor revisions associated with new terminology; may need minor revision to provide updated Statutory cite.

Transportation Element

- Policy 3.3** - Modification to state corridor width evaluated on a case by case basis.
- Policy 3.4** - Modifications to provide more flexibility in policy.
- Policy 3.5** - Revision to eliminate time frame for achieving policy.
- Policy 4.1** - Revision to be consistent with policy 4.3.
- Policy 4.6** - Addition to policy to address HB697.
- Policy 5.1** - Revision to provide clarification and applicability of policy.
- Policy 5.3** - Modifications to provide expanded applicability of policy.
- Policy 5.4** - Revision to include language outlining consistency of mitigation with Policy 5.5, HB697, and SB360.
- Policy 5.5** - Modifications to provide for monitoring success of TDM strategies.
- Policy 5.6** - Modifications to provide for monitoring success of TDM strategies and language outlining consistency of mitigation with Policy 5.5, HB697, and SB360.
- Policy 5.8** - Modification to improve effectiveness of policy.
- Policy 5.9** - Deletion based upon action accomplished.
- Policy 6.3** - Revisions to provide clarity to policy.
- Policy 6.5** - Revisions to update list of projects identified.
- Policy 6.6** - Collier County shall encourage emergency egress be permitted at all temporary access facilities. (new)
- Policy 7.3** - Modifications to expand applicability of policy.
- Policy 7.4** - Modifications to recognize the requirement to implement HB697.
- Policy 7.5** - Revision to recognize on-going efforts of the policy.
- Policy 9.3** - Revision to provide clarity of policy.
- Policy 11.2** - Revision to require the BCC review and approve the requested Airport Authority Master Plan.
- Policy 12.8** - Deletion based upon transit systems exempt from concurrency.
- Objective 13** - The County shall evaluate the creation of a separate Transit Element in the Growth Management Plan.

Public Facilities Element – Sanitary Sewer Sub-Element

- Objective 1** – Minor revisions to provide new departmental references; reformatting.
- Policy 1.1** – Minor revision to be more inclusive of jurisdictions under the Plan.
- Policy 1.3** -- Consider revision to set new review and reporting requirements.
- Policy 1.4** – May need an updated Ordinance cite.
- Policy 1.5** – Minor revision to be more inclusive of jurisdictions under the Plan.
- Policy 1.7** – Minor revision to provide updated Ordinance cite.
- Objective 2** – Reformatting.
- Policy 2.1** – Minor revisions to reconcile figures and be more inclusive of jurisdictions under the Plan; part of revision affecting multiple Elements to eliminate redundancy.

- Policy 2.4** – Minor revision to reference earlier Policy.
- Objective 3** – Reformatting.
- Policy 3.1** -- Revise/augment to introduce new Policy regarding private wastewater facilities.
- Objective 4** – Reformatting.
- Policy 4.7** – Minor revision to be more inclusive of jurisdictions under the Plan.
- Objective 5** - Consider modification to strengthen this Objective and its subsequent Policies, in demonstrating support for reducing VMT and GHG emissions; reformatting.
- Policy 5.3** – Minor revision to provide new agency reference; may need an updated/clearer Policy cite.

Public Facilities Element – Potable Water Sub-Element

- Goal** – Revisions to reflect all that supplying potable water entails, and its interdependence with provisions found in other Elements and Sub-Elements.
- Objective 1** – Minor revisions and reformatting.
- Policy 1.1** – Minor revision to be more inclusive of jurisdictions under the Plan.
- Policy 1.3** – Minor revision to provide additional specificity.
- Policy 1.5** – Minor revision to be more inclusive of jurisdictions under the Plan.
- Policy 1.6** – Minor revision to provide additional specificity.
- Objective 2** – Revision to strengthen this Policy language, be more inclusive and provide the desired clarity; reformatting.
- Policy 2.1** – Minor revisions to be more inclusive of jurisdictions under the Plan, correctly reference an outside document, and provide additional specificity.
- Policy 2.4** – Minor revision to be more inclusive of jurisdictions under the Plan.
- Policy 2.5** – Minor revision to recognize document updates.
- Policy 2.6** – Minor revision to update Ordinance reference.
- Objective 3** – Reformatting.
- Policy 3.1** – Minor revisions to reconcile certain LOS standards; deleting an unnecessary statement; part of revision affecting multiple Elements to eliminate redundancy; revision to add Ave Maria facility and LOSS information; consider revision to introduce water pressures and water amounts as new measures of Levels of Service.
- Policy 3.2** – Minor revision to abbreviate.
- Policy 3.3** – Minor revision to abbreviate.
- Policy 3.4** – Minor revisions to abbreviate, and provide additional specificity; additional statement specifying review procedure; verify accuracy of agency names and identifications.
- Objective 4** – Reformatting.
- Policy 4.5** – Provide specificity if deemed necessary.
- Policy 4.6** – Minor revision to eliminate redundant language in describing term used.
- Objective 5** – Minor revision to provide new departmental reference; defer consideration of suggested modification to strengthen this Objective and its subsequent Policies, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; reformatting.

Public Facilities Element – Drainage Sub-Element

- Goal** – Revisions to reflect all that stormwater management entails, and its interdependence with provisions found in other Elements and Sub-Elements; reformatting.
- Objective 1** – Minor revision to reflect GIS use; reformatting.

- Objective 2** – Reformatting.
- Policy 2.1** – Part of revision affecting multiple Elements to eliminate redundancy; verify that “as amended” may be used in this context.
- Objective 3** – Reformatting.
- Policy 3.4** – Revision to provide the desired clarity.
- Objective 4** – Reformatting, with consideration of minor revision to provide the emphasis suggested by the Environmental Advisory Council (EAC).
- Policy 4.1** – Revision to update document reference.
- Objective 5** – Reformatting; verify that “as amended” may be used in this context.
- Objective 6** – Reformatting, with consideration of revisions to provide additional natural drainage feature protections in certain County projects, introducing new detention features and including filter marshes, as suggested by the Environmental Advisory Council (EAC).
- Policy 6.1** – Verify that certain Federal and State standards would apply, with the proper agency protocols, whether or not references are included to them.
- Policy 6.2** – Minor revision to update document cite; revision to coincide with the increased water quality treatment requirement found in the CCME.
- Policy 6.3** – Minor revision to update document cite; consideration of revisions to provide additional natural drainage feature protections, as suggested by the Environmental Advisory Council (EAC).

Public Facilities Element – Solid Waste Sub-Element

- Goal** – Revision to incorporate guiding principles for solid waste management; reformatting.
- Objective 1** – Minor revisions including reformatting.
- Policy 1.1** – Minor revision to add explanatory details.
- Policy 1.2** – Verify that “as amended” may be used in this context.
- Policy 1.4** – Minor revision to add explanatory details.
- Objective 2** – Reformatting; re-state to capture essence of subsequent Policies, as amended
- Policy 2.4** – Revisions to remove mandate to complete a date-specific task; consider alternate version for minor revision in reference to specific facility.
- Policy 2.5** – Part of revision affecting multiple Elements to eliminate redundancy.
- Policy 2.8** – Revision to reduce level of specificity.
- Policy 2.14** – New recommendation to add a Policy committing the County to maintain effective debris clean-up plans.
- Policy 2.18** – New recommendation to add a Policy committing the County to study improved waste management techniques.
- Policy 2.24** – New recommendation to add a Policy committing the County to evaluate viability of recycling agricultural plastic films.
- Policy 2.25** – New recommendation to add a Policy committing the County to explore feasibility of expanding Immokalee transfer facility to provide additional services.
- Policy 2.28** – New recommendation to add a Policy directing the County to assist other groups to establish recycling programs.
- Policy 2.30** – New recommendation to add a Policy directing the County to encourage the construction of sustainable buildings.
- Objective 3** – Minor revision, including reformatting.
- Policy 3.2** – Minor revision to delete a parenthetical statement.

- Policy 3.4** – New recommendation to add a Policy committing the County to encourage sustainable landscaping practices.
- Policy 3.5** – New recommendation to add a Policy ensuring the County meets recent, Statutory recycling rate.

Public Facilities Element – Natural Groundwater Aquifer Recharge Sub-Element

- Goal** – Revisions to reflect all that aquifer recharge area protection entails, and its interdependence with provisions found in other Elements and Sub-Elements; reformatting.
- Objective 1** – Revisions to extend time allowed to complete a periodic task; reformatting.
- Policy 1.1** – Minor revision.
- Policy 1.2** – Consider revision to identify potable water wellfield locations in the greater Immokalee area.
- Policy 1.5** – Consider revision to identify department involved with preparing and utilizing the referenced publication; minor revision to update document cite; verify that “as amended” may be used in this context.
- Objective 2** – Reformatting.
- Policy 2.2** – Minor revision to update document cite.
- Objective 3** – Reformatting.
- Policy 3.3** – Consider revision to reflect coordinated monitoring efforts, and point out monitoring efforts in the greater Golden Gate Estates area.
- Policy 3.5** – Consider revision to point out efforts in the greater Golden Gate Estates area.
- Objective 4** – Reformatting.
- Policy 4.1** – Minor revision to reference another section in same document.
- Objective 5** – Revisions, including reformatting; removal of undefined term from further use in this Objective and its subsequent Policies.
- Policy 5.5** – Modify to reduce extent of specificity.

Housing Element

- Objective 1** – Revise to reflect a new annual yearly affordable-workforce unit production rate.
- Policy 1.1** – Revise to reflect that the County presently has affordable-housing interlocal agreements with the City of Naples and the City of Marco Island; and, add a requirement that the municipalities shall re-evaluate their respective interlocal agreements with the County every three years.
- Policy 1.4** – Revise to make consistent with Section 163.3177(f) 1.g., Florida Statutes.
- Objective 2** – Modify to reflect the removal of the HDC reference and their stated mission; add the phrase “for- profit and not- for-profit providers of affordable-workforce housing” before the phrase, “shall assist Collier County...”; and, delete the references to “fifteen” percent and “1,000” units and replace with a new annual yearly affordable-workforce unit production rate.
- Policy 2.1** – Revise to remove agency reference, as it is no longer relevant.

- Policy 2.9** - Revise to reflect new timeline for task completion.
- Policy 2.10** - Revise to reflect departmental name change and Program addition.
- Policy 2.11** - Revise to replace a specific departmental reference with a general reference.
- Policy 3.5** - Revise to include a date for completion of the Policy task.
- Policy 3.7** - Revise to include a date for completion of the Policy task.
- Objective 4** - Revise to remove reference to City of Naples conducting survey.
- Policy 4.3** - Revise to include a date for completion of the Policy task.
- Policy 5.4** - Revise to include a date for completion of the Policy task.
- Policy 5.6** - Revise to include a date for completion of the Policy task.
- Policy 5.7** - Revise date to coincide with the amended survey commission date to be established in.
- Objective 6** - Revise to delete the term, “group care facilities” and replace with the term, “group housing and Continuing Care Retirement Centers”.
- Objective 7** - Revise to delete the term, “Urban Coastal Fringe” and replace with the term, “Coastal High Hazard Area”.
- Objective 8** - Modify the Objective to remove the restriction that rehabilitated units must be located only in the Immokalee Urban Area, Rural Fringe Mixed Use District, and within the Rural Lands Stewardship Area.
- Policy 8.1** - Modify to remove reference to “non-conforming” residences to correlate with the Immokalee Area Master Plan Element.
- Policy 8.2** - Delete, as Policy objective has been completed.
- Policy 8.3** - Modify to reflect completion of survey and provide a reference that activities are ongoing.
- Policy 8.6** - Revise to remove second sentence of Policy.
- Objective 9** - Staff recommends creating a new Objective based on the 2009 adoption of HB 697, Green House Gas Reduction strategies.
- Policy 9.1** - Staff recommends creating a new Policy based on the 2009 adoption of HB 697, Green House Gas Reduction strategies.
- Policy 9.2** - Staff recommends creating a new Policy based on the 2009 adoption of HB 697, Green House Gas Reduction strategies.
- Policy 9.3** - Staff recommends creating a new Policy based on the 2009 adoption of HB 697, Green House Gas Reduction strategies.
- Policy 9.4** - Staff recommends creating a new Policy based on the 2009 adoption of HB 697, Green House Gas Reduction strategies.
- Policy 9.5** - Staff recommends creating a new Policy based on the 2009 adoption of HB 697, Green House Gas Reduction strategies.

Recreation and Open Space Element - ROSE

- Policy 1.1.1** - Modification based upon BCC action to adjust level of service from stated level.
- Policy 1.1.5** - Deletion based upon removal of facilities value as a level of service standard by the BCC.
- Policy 1.1.6** - Revision for clarification of the policy.

- Policy 1.3.1** - Revision to promote alternative transportation routes to County owned parks to promote Green House Gas reductions.
- Policy 1.4.1** - Revision for clarification of the policy.
- Policy 1.4.2** - Revision to eliminate list of governmental providers of recreational facilities.
- Policy 1.5.1** - Revision of policy to include open space.
- Goal 2** - Deletion based upon neighborhood parks not provided by County.
- Objective 2.1-** Deletion based upon neighborhood parks not provided by County.
- Policy 2.1.1** - Deletion based upon neighborhood parks not provided by County.
- Policy 2.1.2** - Modification and relocation based upon changes to treatment of neighborhood parks.
- Policy 2.1.3** - Deletion based upon neighborhood parks not provided by County.
- Policy 2.1.4** - Deletion based upon neighborhood parks not provided by County.
- Policy 2.1.5** - Deletion based upon neighborhood parks not provided by County.
- Goal 3** - Revision based upon Goal 2 proposed deletion.
- Objective 3.1-** Revision to reflect anticipated adoption of the Parks Master Plan.
- Policy 3.1.1** - Revision based on renumbering.
- Policy 3.1.2** - Revision based on renumbering.
- Policy 3.1.3** - Revision based on renumbering.
- Policy 3.1.4** - Revision based on renumbering and elimination of assumption of automatic cost increases.
- Policy 3.1.5** - Revision based on renumbering.
- Policy 3.1.6** - Revision based on renumbering.
- Policy 3.1.7** - Revision based on renumbering and potentially on outcome of Parks Master Plan.

Conservation & Coastal Management Element

- Objective 1.1-** Revise to reflect Program has been implemented and activities are ongoing.
- Policy 1.1.3** - Revise per EAC to address financial feasibility.
- Policy 1.1.6** - Revise to include an effective date.
- Objective 1.2-** Revise per the EAC to address database provisions.
- Policy 1.2.3** - Modify to require that only watershed dependent data should be organized by watershed and sub-basin units; and revise per CCPC to include specific text.
- Policy 1.2.5** - Delete per staff as Policy is no longer relevant.
- Policy 1.3.1** - Revise per EAC to include correct acronyms.
- Policy 1.3.4** - Delete, as Policy is no longer relevant.
- Objective 2.1-** Modify to reflect completed work and reword first sentence in item (c); and revise per EAC to add requirement that compensation for all wetland impacts occur within the same drainage area.
- Policy 2.1.3** - Revise per EAC to include within the Policy measurement tools for determining improvements to the watersheds over time.
- Policy 2.1.6** - Revise per EAC to include within the Policy the use of watershed management plans

for ongoing data collection guidance.

Policy 1.3.1 - Revise to reflect most current acronym references per EAC

Policy 1.3.4 - Delete, as Policy is no longer relevant

Objective 2.1- Revise to require that compensation for all wetland impacts occur within the same drainage area per EAC

Policy 2.1.3 - Revise to include requirement for measurement tools for determining improvements to the watersheds over time per EAC

Policy 2.1.6 - Revise to require the use of watershed management plans for ongoing data collection guidance per EAC

Objective 2.2- Modify to add qualifier, such as “to attain the highest water quality practical” per staff; retain Objective text as written per CCPC; and retain Objective text as written per SFWMD.

Policy 2.2.1 - Revise to include provision to encourage wastewater re-use for irrigation per EAC.

Policy 2.2.2 - Revise to include establishment and implementation of a fertilizer ordinance to limit nitrogen and phosphorus use per EAC.

Policy 2.2.5 - Revise to include benchmarks for Policy achievement per EAC.

Objective 2.3- Revise to include coordination and Plan development with the FDEP per staff; and retain Objective text as written per CCPC.

Objective 2.5- Delete, as estuarine management program has been implemented per staff; and, revise to reflect initial implementation and ongoing maintenance per CCPC and EAC.

Policy 2.5.1 - Delete, as estuarine management program has been implemented per staff; and, revise to reflect initial implementation and ongoing maintenance per CCPC and EAC.

Policy 2.5.2 - Delete, as estuarine management program has been implemented per staff; and, revise to reflect initial implementation and ongoing maintenance per CCPC and EAC.

Policy 2.5.3 - Delete, as estuarine management program has been implemented per staff; and, revise to reflect initial implementation and ongoing maintenance per CCPC and EAC.

Objective 3.1- Revise to reflect establishment of the monitoring network, addition of phrase, “to ensure highest water quality practical,” and reference that groundwater monitoring activities are ongoing per staff; and, retain Objective text as written per CCPC.

Policy 3.1.1 - Revise to address improvement of groundwater monitoring in order to assess saltwater intrusion per EAC.

Objective 3.3- Revise to add provision for staff assessment within a specific Immokalee wellfield extending under the airport and adjoining industrial lands per EAC.

Policy 3.4.1 - Revise to add reference to salinity trending within Policy per EAC.

Policy 3.4.4 - Revise to add provision for coordination with the SFWMD and Big Cypress Basin per EAC.

Policy 4.1.2 - Revise to indicate that the County, in coordination with the SFWMD shall be responsible for devising a method to determine agricultural pumpage.

Policy 4.1.3 - Revise to indicate County Department responsible for compiling water use requirements of the native plant and animal community associations within the County.

Policy 6.1.1- Modify to reference the June 2010 Land Development Code amendments that implement specific subsections of this Policy, address scrivener’s errors in subsections

- 6.1.1 (7 & 13) and revise applicable subsections, delete subsection 6.1.1 (7), and add an exemption from the native vegetation retention requirements for Federal and State parks, preserves and forests whose purpose is to manage land for conservation per staff; revise to clearly reflect intent per CCPC; and, revise to clearly reflect intent per EAC.
- Policy 6.1.2 -** Revise to include reference to the June 2010 Land Development Code amendments that implement specific subsections of the Policy, and include an exemption from the native vegetation retention requirements for Federal and State parks, preserves and forests whose purpose is to manage land for conservation purposes per staff; revise to clearly reflect intent per CCPC; and, revise to clearly reflect intent per EAC.
- Policy 6.2.1-** Revise to correct the Florida Administrative Code reference; and insert reference to the current SFWMD land use and land cover inventory.
- Objective 6.2-** Revise to require mitigation within the same drainage area as initial impact per EAC.
- Policy 6.2.3 -** Revise provision (6) to include that watershed management plans contain designated areas to be protected from development so as to preserve habitat, water flows, recharge areas and to prevent future flooding per EAC.
- Policy 6.2.5 -** Delete Section 6.2.5 (6)(5)(b)(3), as the specific criteria to identify mitigation priorities and implement the incentive program have been adopted into the Land development Code, and address native vegetation retention standards for the Lake Trafford/Camp Keais Strand System as part of the Immokalee Area Master Plan amendments per staff; and revise to clarify native vegetation requirements for the Lake Trafford/Camp Keais Strand System per CCPC; and revise to clarify native vegetation requirements for the Lake Trafford/Camp Keais Strand System and provide cross references to other Elements per EAC.
- Policy 6.2.7 -** Revise to require wetland mitigation within impacted watershed per EAC.
- Policy 6.3.2 -** Revise to reflect maintenance dredging permit requirement and include within the CCME additional policies to protect sea grasses from dredging activities per the EAC.
- Policy 6.3.3 -** Delete, as the new FWC Rule Change prohibits speed zones to be established based on benthic resources per staff; retain Policy as written per CCPC; and, retain Policy as written per EAC.
- Policy 7.1.2 -** Delete references to specific wildlife publications and plans listed in the Policy, revise to add a general reference to publications utilized by the FFWCC and USFWS as their technical assistance, and delete the reference to mitigation for black bear habitat, as no such mitigation is required by the FFWCC or USFWS per staff; and revise to add provision for retention of old growth slash pines for RCW nesting habitat per EAC.
- Policy 7.1.6 -** Delete, as the Land Development Code amendment to implement this Policy has been completed per staff; and, revise to reflect the continuance of Policy Objective per CCPC.
- Objective 7.2 -** Revise to reflect the most up-to-date, best available data on manatee deaths in Collier County waters.
- Policy 7.2.2 -** Delete specific reference to Policy 6.3.3, as reference is no longer relevant per staff; and revise Policy to retain reference to Policy 6.3.3 per EAC.

- Objective 7.3-** Revise to reflect the most up-to-date, best available data on sea turtle disorientation.
- Policy 7.3.1 -** Revise to reflect the correct Policy reference.
- Policy 7.4.1 -** Modify Policy to refer to other funding opportunities.
- Policy 9.1.6 -** Revise to reflect the establishment of a training program.
- Policy 9.1.7 -** Revise to reflect current departmental reference.
- Policy 9.2.3 -** Modify to reflect the establishment, and maintenance, of a cooperative agreement.
- Policy 9.4.3 -** Modify to remove redundant sentence.
- Policy 10.1.1 -** Revise Policy or add policies to include strategies to preserve recreational and commercial working waterfronts.
- Policy 10.1.5 -** Modify to consistently refer to “marine” wetlands per staff; revise to clarify “marine wetlands” per CCPC; and revise to define or clarify “marine wetlands” per EAC.
- Policy 10.1.6 -** Modify to require that destruction of any marine wetlands requires a fiscal analysis.
- Policy 10.2.1 -** Modify to require beach access sites shown on plans to be at the discretion of the County.
- Objective 10.3-** Revise to include LDC map reference per EAC.
- Objective 10.4-** Revise Objective to read, “...continue to be restored and then maintained per EAC.
- Policy 10.4.13 -** Modify the Policy to change its focus to educating the public about sea level rise.
- Policy 10.6.2 -** Delete, as existing regulations are adequate to address sea level rise per staff; retain Policy as written per the CCPC; and retain Policy as written per the EAC.
- Objective 12.1-** Modify to address legislative changes to hurricane evacuations requirements.
- Policy 12.1.3 -** Modify to reflect shelter space figures that are consistent with the Southwest Florida Regional Planning Council’s Hurricane Evacuation Study Update.
- Policy 12.1.5 -** Modify to reflect updated equipment listing requirements for onsite shelters.
- Policy 12.1.7 -** Revise to add requirement to coordinate with the municipalities per CCPC.
- Policy 12.1.9 -** Revise to reflect correct terminology and coordination activities.
- Policy 12.1.11 -** Revise to reflect latest date of document.
- Policy 12.1.12 -** Revise to reflect latest date of document.
- Policy 12.1.13 -** Modify to reference funding limitations.
- Policy 12.1.14 -** Delete, as the inclusion of hurricane shelters within the 5-year schedule of Capital Improvements is not supported.
- Policy 12.1.15 -** Modify to make Policy references consistent with State and Federal guidelines; and, revise to reflect latest date of document.
- Policy 12.1.17 -** Revise sentence for clarity.
- Policy 12.1.21 -** Revise to reflect the next due date for the Plan update.
- Policy 12.2.5 -** Modify to provide new CHHA definition.
- Policy 12.3.2 -** Revise for clarification and sentence structure.
- Objective 12.4-** Revise to reflect current terminology and departmental names.

Intergovernmental Coordination Element – ICE

- Objective 1 -** Minor revisions to include certain key agencies.

- Policy 1.2** - Revision to reflect the Department name change.
- Policy 1.3** - Revision to reflect the Department name change.
- Policy 2.1** - Inclusion of the word “appropriate” so that agreements are not limited to agencies within Collier County.
- Policy 2.6** - Minor text revisions to update dates.
- Policy 2.7** - Minor text revisions to update dates and requirements.
- Policy 2.8** - Revision to correct SFWMD name.
- Policy 2.9** - Minor text revisions to include a comma and delete specific Florida Statute sub-section.

Future Land Use Element

- Policy 1.4:** Revise to allow for, but not mandate, the creation of a District (perhaps replace “shall” with “may”).
- Policy 2.1:** Revise to correct the CIE Policy reference.
- Policy 2.4:** If changes are made to the Density Rating System to delete the Traffic Congestion Area density reduction factor, as proposed, then revise this policy to delete that reference.
- Policy 2.5:** Revise to reflect the existence of the TCMAs (perhaps replace “shall designate” on first line with “has designated”).
- Policy 4.5** Revise to recognize the periodic update (perhaps replace the last sentence with a commitment to periodically update the inventory).
- Policy 4.7:** Revise to specify that a redevelopment plan may only be prepared by the County or its agent unless first approved by the Board, to add reference to the Immokalee Redevelopment Plan, and to correct the date reference.
- Policy 5.3:** Revise to clarify changes to the Urban designation refers to the new designation of lands as Urban (perhaps replace “changes” in the third line with “addition”).
- Policy 5.14:** Revise as necessary to reflect the changed status and contents of the Inter-local Agreements as well as any changes necessary to correlate with the Public School Facilities Element.
- Objective 6:** Revise to reference the establishment of TCMAs in past tense (perhaps replace “are hereby” in the last sentence with “have been”).
- Policy 6.3:** Revise paragraph e) to begin with a verb so as to follow the sentence structure (perhaps add “Providing” before “Vehicular”).
- Objective 7:** Revise to reference reduction of greenhouse gas emissions (perhaps add “reduce greenhouse gas emissions,” on the second line after “policies,”).
- Policy 7.3:** Revise for proper wording (perhaps replace “and their interconnection points” with “and/or provide interconnection(s).”)
- Policy 7.7:** Revise to update the Division name.
- Density Rating System - Residential In-fill:** Revise to eliminate TDR requirement.

Density Rating System - Traffic Congestion Area: Delete, and replace with a Coastal High Hazard Area density reduction factor; so reflect this on the FLUM; make correlating changes to all GMP references to this provision; revise both the Roadway Access and Proximity to Mixed Use Activity Center or Interchange Activity Center (residential density bands) bonuses to replace reference to this provision with CHHA reference; and, revise the Conversion of Commercial Bonus to prohibit its application within the CHHA. The Affordable-Workforce Housing Density Bonus would continue to apply within the CHHA.

Mixed Use Activity Center Subdistrict: Revise to reduce allowable density for residential-only projects within the CHHA to a maximum of 4 DU/A; revise the Master Planned Activity Center provision for clarity, and possible substantive change.

Rural Fringe Mixed Use District: Revise to clarify the District only applies to A-zoned lands; to correct a miss-numbering in the RFMUD Sending Lands designation; and, revise the Exemption provision to clarify the applicability of "expansion" and to delete unneeded text from the Exemption title.

Future Land Use Map: Revise the CHHA boundary to correlate with any CHHA boundary description change made in CCME Policy 12.2.5.

Planning Horizon Issue: Revise the various planning horizons in the GMP to be consistent.

Designation/District/Subdistrict Relationship: Revise throughout to clarify the relationship between Designations, Districts and Subdistricts.

Map FLUE-14 Existing Zoning Consistent with FLUE by Policy, Immokalee Area: Delete; replacement map to be adopted into the Immokalee Area Master Plan to correlate with new Policy 6.1.9 in that Master Plan.

Public School Facilities Element

Policy 2.3 - Delete the last paragraph within the Policy, as the required school concurrency regulations were adopted within the Land Development Code in June 2010.

Policy 2.5 - Delete the Policy, as the required school concurrency regulations were adopted within the Land Development Code in June 2010.

Policy 3.6: - Revise the Policy to reflect the establishment of the Citizen Advisory Group (CAG); and, add a reference to reflect that the planning and monitoring of school concurrency by the CAG is ongoing.

Golden Gate Area Master Plan ~ *The below list designate policies that should be visited during the Golden Gate Area Master Plan Restudy effort.*

Goal 1 – Reformatting; re-state to capture essence of subsequent Objectives and Policies.

Objective 1.1 – Reformatting.

Policy 1.1.4 – Defer consideration of suggested revisions to re-identify a specific land area and treat it differently in these provisions; then, revise as necessary or retain as written.

- Policy 1.1.5** – Defer consideration of suggested revisions to delete.
- Policy 1.1.6** – Defer consideration of suggested revisions to delete, relocate or reformat.
- Policy 1.1.8** – Review for accuracy regarding references to maps located elsewhere, Policies found in other GMP Elements, and adoption dates of referenced documents; then, revise as necessary or retain as written.
- Policy 1.2.2** – Defer consideration of suggested revisions to identify another specific activity able to benefit from alternative financing, and re-emphasize balanced transportation planning efforts – in part or entirely.
- Policy 1.2.4** – Reformatting.
- Objective 1.3**– Reformatting.
- Policy 1.3.1** – Minor revisions to provide new departmental references.
- Objective 1.4**– Reformatting.
- Policy 1.4.1** – Defer consideration of suggested revisions to expand to ensure comprehensive and uniform application of LDC.
- Goal 2** – Reformatting.
- Objective 2.1** – Defer consideration of suggested revisions to re-identify a specific land area and treat it differently in these provisions; then, revise as necessary or retain as written; reformatting.
- Policy 2.1.1** – Defer consideration of suggested revisions to delete, as no longer applicable.
- Policy 2.1.2** – Defer consideration of suggested revisions to re-identify a specific land area and treat it differently in these provisions; then, revise as necessary or retain with minor revision to update terminology.
- Policy 2.1.3** – Defer consideration of suggested revisions to delete, as no longer applicable.
- Policy 2.1.4** – Defer consideration of suggested revisions to delete, as no longer applicable.
- Objective 2.2** – Defer consideration of suggested revisions to show remaining efforts following major project completion; reformatting.
- Policy 2.2.1** – Defer consideration of suggested revisions to delete, as no longer applicable.
- Policy 2.2.2** – defer consideration of suggested revisions to delete, as no longer applicable; review for accuracy regarding references to LDC or Statutory cites,; then, revise as necessary or retain as written.
- Goal 3** – Reformatting.
- Objective 3.1**– Defer consideration of suggested modification to strengthen this Objective and its subsequent Policy, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; reformatting.
- Goal 4** – Reformatting.
- Objective 4.1** – Reformatting.
- Policy 4.1.1** – Defer consideration of suggested revisions to delete mandate to complete a date-specific task.
- Policy 4.1.2** – Defer consideration of suggested revisions to delete mandate to complete a date-specific task.
- Policy 4.1.3** – Defer consideration of suggested revisions to delete mandate to complete a date-specific task.
- Goal 5** – Reformatting.
- Objective 5.1** – Consider minor revision to show use of existing resource; revisions to delete mandate to complete a date-specific task; re-state to capture essence of subsequent Policy; defer consideration of suggested modification to strengthen this Objective and its subsequent

- Policy, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; reformatting.
- Policy 5.1.1** – Defer consideration of suggested revision to show use of existing resource; revisions to better support its Objective; reformatting.
- Objective 5.2** – Minor revision to be more inclusive of jurisdictions under the Plan; reformatting.
- Policy 5.2.1** – Minor revision for clarity; defer consideration of suggested modification to strengthen this Policy, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; reformatting.
- Policy 5.2.2** – Revisions to delete mandate to complete a date-specific task; consider minor revision to show use of existing MPO resource; defer consideration of suggested modification to strengthen this Policy, in demonstrating support for reducing VMT and GHG emissions – in part or entirely.
- Policy 5.2.3** – Minor revision to show remaining efforts following major project completion.
- Objective 5.3** – Defer consideration of suggested revision to show use of existing resource; reformatting.
- Policy 5.3.2** – Minor revision to strengthen preservation efforts.
- Goal 6** – Defer consideration of suggested modification to strengthen this Goal, and its subsequent Objectives and Policies, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; reformatting.
- Objective 6.1** – Defer consideration of suggested modification to strengthen this Objective and its subsequent Policies, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; revisions to illustrate expanded planning efforts for more mobility options; reformatting.
- Policy 6.1.1** – Minor revision to illustrate expanded planning efforts; reformatting.
- Policy 6.1.2** – Minor revision to reflect continuing efforts between agencies.
- Objective 6.2** – Defer consideration of suggested modification to strengthen this Objective and its subsequent Policies, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; revisions to this Objective and its subsequent Policies addressing development of route alternatives for traffic throughout the Golden Gate area; reformatting.
- Policy 6.2.4** – Revisions to strengthen the connection with Transportation Policy 7.1 and develop different urban and rural standards and criteria.
- Objective 6.3** – revisions to this Objective and its subsequent Policies addressing development of route alternatives for traffic throughout the Golden Gate area; reformatting.
- Policy 6.3.1** – Defer consideration of suggested revision to delete mandate to complete a date-specific task.
- Policy 6.3.2** – Minor revision to delete mandate to complete a date-specific task.
- Goal 7** – Reformatting.
- Objective 7.1** – Reformatting.
- Policy 7.1.3** – Revision to delete mandate to complete a date-specific task.
- Objective 7.2** – Reformatting.
- Policy 7.2.1** – Minor revision.
- Policy 7.2.2** – Minor revision to eliminate duplication of activities.
- Objective 7.3** – Re-state to capture essence of subsequent Policies; defer consideration of suggested modification to strengthen this Objective and its subsequent Policies, in demonstrating support for reducing VMT and GHG emissions – in part or entirely; reformatting.
- Policy 7.3.1** – Minor revision to illustrate expanded planning efforts.

- Policy 7.3.2** – Review for accuracy regarding references to adoption dates of referenced documents; then, revise as necessary or retain as written.
- Policy 7.3.4** – Minor revision to delete mandate to complete a date-specific task.

ECONOMIC ELEMENT

- Objective 1** - Revision to clarify the purpose of the objective.
- Policy 1.2** - Revision to expand focus of policy.
- Objective 2** - Revision to expand focus of objective
- Objective 3** - Revision to objective by making this objective number 1, with all policies under this objective reflecting the change.
- Policy 3.1** - Modification based upon expansion of the policy.
- Policy 3.8** - Revision based upon need to explain what is the County's traditional economic base.
- Policy 3.9** - Deletion based upon redundancy with policy 3.3
- Policy 3.14** - Relocation of text.
- Policy 3.14** - Replace existing policy with one which calls for the County to monitor the County's unemployment rate.
- Objective 4** - Revision to clarify the purpose of the objective.
- Policy 4.1** - Modification based upon proposed combination of policy, 4.1, 4.2 and 4.3 into single policy.
- Policy 4.2** - Modification based upon proposed combination of policy, 4.1, 4.2 and 4.3 into single policy.
- Policy 4.3** - Modification based upon proposed combination of policy, 4.1, 4.2 and 4.3 into single policy.

Exhibit B

The following Policies and/or Objectives have recommendations from the CCPC, EAC, and/or staff that suggest different direction or require funding for the proposed changes. Staff is asking the BCC to provide final arbitration on the issues identified.

Conservation and Coastal Management Element

Policy 1.1.3:

Collier County shall continue to support established environmental policies by maintaining an appropriately administered and professionally staffed governmental unit capable of developing, administering, and providing long-term direction for the protection and management of the County's environmental resources.

Policy Achievement Analysis:

The County continues to support established environmental policies by maintaining an appropriately administered and professionally staffed governmental unit capable of developing, administering, and providing long-term direction for the protection and management of the County's environmental resources.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that the financial feasibility of achieving the Policy objectives with limited staff resources be evaluated.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change to this Policy is recommended. Staff believes that current staffing levels are adequate to fulfill the Policy objectives, and adjustments have been made over time in response to changes in workload.]

OBJECTIVE 1.2:

Maintain the framework for an integrated, computer-based environmental resources data storage, analysis, and graphics system and annually update the databases based on previous year's analytical data in order to monitor the status of the County's natural resources and propose potential protection measures when appropriate.

Objective Achievement Analysis:

The Collier County Environmental Planning Section maintains a robust, GIS-based system (ESRI's ArcGIS) that will be updated annually.

This Objective remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that the Objective address/include provisions for quality of data, analysis of data, and availability of data; and, the Environmental Planning Section maintain copies of, and an index to, analyses performed on these GIS-based data.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change to this Policy is recommended. The computer-based environmental resources data is stored with the Division's GIS data. This makes the data most available to other county staff. Data quality details are stored as metadata files when they are provided by the data source. Published GIS data are required to include metadata files. Almost all county data are public records and available, there is no need for the environmental planning section to maintain copies. A log of environmental analysis will be started and stored with the environmental GIS data.]

Policy 1.2.3:

Collected and/or compiled data will be organized by established water-shed and sub-basin units.

Policy Achievement Analysis:

Most of this data is in GIS format, so there is no need or benefit to organize it by watershed.

The Policy remains relevant and should be retained. However, the Policy should be modified to require watershed dependent data only be organized by watershed and sub-basin units.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that text be added to the Policy that ensures data quality.]

[Planning Commission Comment from the August 27, 2010 EAR Workshop – Suggesting that the Policy be revised to read, “Non GIS-based data collected will be organized by established watershed and sub-basin units.”]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – Staff concurs with the CCPC recommendation that the Policy be revised for clarity. However, staff does not concur with the EAC's recommendation, as “data quality” is addressed in preceding Policies.]

Policy 1.3.1:

The purpose of the NRPA program is to direct incompatible land uses away from significant environmental systems that exist at a landscape scale, contain large systems of connected wetland and upland habitats, and support a wide variety of listed species. The program will include the following:

- a. Identification of the NRPAs in map form as an overlay to the Future Land Use Map; During the Assessment for the Rural Fringe area, the County has determined that CREW Trust lands, Belle Meade, a portion of the Northern Belle Meade shall be identified as NRPAs. The County also has determined that the South Golden Gate Estates is a NPRA. The specific boundaries have been identified as NRPAs on the Future Land Use Map.
- b. A process for verifying the existence and boundaries of NRPAs during development permit applications;
- c. Guidelines and standards for development of NRPAs including conservation guidelines to protect natural resource values, to maintain ecologically functioning systems, and to restore or mitigate NRPAs already degraded. Allowable land uses, vegetation preservation standards, development standards, and listed species

protection criteria for the NRPAs are those contained in the NRPA Overlay within the Future Land Use Element.

- d. A review process, integrated into the normal development application review, to ensure that the guidelines and standards are being met;
- e. A program to defer development of NRPAs. First consideration should be fee simple purchase (based on public referenda approving and funding purchases). Other options should include, but not be limited to, tax incentives and transfer of development rights;
- f. A program to pursue Delegation of Authority Agreements with State and Federal Permitting agencies for local regulation of activities that may alter the biological and physical characteristics of NRPAs;
- g. The County shall seek assistance from and support State (e.g. CARL, SOR) or Federal land acquisition programs for County areas qualifying as NRPAs.

Policy Achievement Analysis:

The County established Natural Resource Protection Areas (NRPAs) to direct incompatible land uses away from significant environmental systems that exist at a landscape scale, contain large systems of connected wetland and upland habitats, and support a wide variety of listed species. The Policy also provides information regarding the relationship of the NRPAs to the Rural and Agricultural Area Assessment. Finally, the Policy requires the County to seek assistance from, and support, state and/or federal land acquisition programs for areas qualifying as NRPAs; Conservation Collier identifies nominated properties within Federal and State acquisition areas and coordinates with the agencies to make them aware of willing sellers within their acquisition areas.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting to delete the acronym “CARL” and insert “Florida Forever”; and spell-out the acronym, “SOR” - Save Our Rivers.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – Staff generally agrees with the EAC’s recommendation, and suggests that the Policy be revised to read, “The County shall seek assistance from, and support, State and/or Federal land acquisition programs for County areas qualifying as NRPAs.”]

OBJECTIVE 2.1:

By January 2008, the County shall complete the prioritization and begin the process of preparing Watershed Management Plans, which contain appropriate mechanisms to protect the County’s estuarine and wetland systems. The process shall consist of (1) an evaluation of areas for which Watershed Management Plans are not necessary based on current or past watershed management planning efforts, (2) an assessment of available data and information that can be used in the development of Watershed Management Plans, and (3) budget authorization to begin preparation of the first Watershed Management Plan by January 2008. A funding schedule shall be established to ensure that all Watershed Management Plans will be completed by 2010. In selecting the order of Plan completion, the County shall give priority to watersheds where the development growth potential is greatest and will impact the greatest amount of wetland and listed

species habitats. The schedule and priorities shall also be coordinated with the Federal and State agency plans that address Total Maximum Daily Loads (TMDLs). Until the Watershed Management Plans are completed, the County shall apply the following as interim standards for development:

- a. All new development and re-development projects shall meet 150% of the water quality volumetric requirements of Section 5.2.1(a) of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District (February 2006) and the retention and detention requirements, and the allowable offsite discharge rates required by Drainage Sub-element Policy 6.2 and 6.3, respectively;
- b. Loss of storage or conveyance volume resulting from direct impacts to wetlands shall be compensated for by providing an equal amount of storage or conveyance capacity on site and within or adjacent to the impacted wetland.
- c. Floodplain storage compensation shall be evaluated for developments within the designated flood zones "A", "AE", and "VE" as depicted on the Flood Insurance Rate Maps published by the Federal Emergency Management Agency with an effective date of November 17, 2005. Floodplain storage compensation shall also be evaluated for areas known to be periodically inundated by intense rainfall or sheetflow conditions.
- d. All development located within areas identified on Figure 1 shall be evaluated to determine impacts to natural wetlands, flowways, or sloughs. For this particular evaluation, natural wetlands, flowways, or sloughs shall be tentatively identified as contiguous lands having a continual preponderance of wetland or wet facultative plant species and a ground elevation through the major portion of the natural wetland, flowway, or slough at least one (1) foot lower than the ground at the edge of the natural wetland, flowway, or slough. The edge of the natural wetlands, flowways, or sloughs shall be identified by field determination and based upon vegetation and elevation differences from the adjacent uplands or transitional wetlands. The County shall require the applicant to avoid direct impacts to these natural wetlands, flowways, or sloughs or, when not possible, to ensure any direct impact is minimized and compensated for by providing the same conveyance capacity lost by the direct impact. The County shall adhere to the limiting discharge rates of each basin as outlined in Ordinance 2001-27, adopted May 22, 2001 which amended the County Water Management Policy and provided basin delineations where special peak discharge rates have been established. The limiting discharge rates will be reviewed as a part of the Watershed Management Plans, and modified according to the analyses and findings of the Watershed Management Plans.
- e. All new development and re-development projects shall ensure surrounding properties will not be adversely impacted from the project's influence on stormwater sheet flow.
- f. Prior to the issuance of a final development order, the County shall require all development projects to obtain the necessary state and federal environmental permits.
- g. Within one year of the effective date of these amendments, the County shall adopt land development regulations to require Best Management Practices of future development or re-development projects. Best Management Practices means structural and non-structural facilities or practices intended to reduce pollution either through source control or treatment of stormwater.

Figure 1. Restoration Project Areas Where Interim Development Standard 2.1.d is

Applicable [See Figure 1 following CCME text]

Objective Achievement Analysis:

Collier County is currently involved in the development of the Watershed Management Plans. The County completed the initial delineation and prioritization of the watersheds by the end of November 2007. Dedicated funding for development of the Watershed Management Plans was also obtained and set aside in 2007. The County coordinated with the Florida Department of Emergency Management coastal Light Detection and Ranging (LiDAR) aerial topographic mapping effort to obtain more detailed and expanded coverage of the County. The County also coordinated with the South Florida Water Management District to utilize their existing two-dimensional regional hydrologic and hydraulic model for southwest Florida as a starting tool in the development of the Watershed Management Plans. The County utilized the various policies under CCME Objective 2.1 to form the basis for the Scope of Services and then hired a consultant team to prepare the Watershed Management Plans. The work is in progress and is scheduled for completion by the end of 2010.

This Objective remains relevant and should be retained. However, the Objective should be modified to reflect completed work, and the first sentence in (c) reworded as follows, "Floodplain storage compensation shall be evaluated for developments within the designated Special Flood Hazard Area (flood zones starting with the letter "V" or "A") as depicted on the effective Flood Insurance Rate Map published by the Federal Emergency Management Agency."

[Public Comment (Community Meeting held on 3/15/10):

Public stated that the County has not developed a county-wide stormwater plan.]

[Public Comment (Community Meeting held on 3/15/10):

Public stated that all development in the urban zones and outside should be considered and evaluated after each watershed and its characteristics are developed.]

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting to add in section b. of the Objective, a requirement that compensation for all wetland impacts occur within the same drainage area.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended to this Objective as part of the EAR-based amendments, as wetland impacts will be addressed as part of the Watershed Management Plans. Further, mitigation requirements for wetland impacts will be determined by the BCC with the adoption of the Watershed Management Plans.]

Policy 2.1.3:

The Plans will also evaluate structural and non-structural controls for restoring historical hydroperiods in impacted watersheds where possible and for reducing the impacts of canal and stormwater discharges to estuaries.

Policy Achievement Analysis:

The Scope of Services for development of the Watershed Management Plans includes this policy's features.

The Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that measurement tools be added to the Policy so as to determine improvements to the watersheds over time.]

[Environmental Advisory Council (EAC) Comment from the November 3, 2010 Adoption Hearing – Suggesting that the EAC comment from August 11, 2010 be revised to read, “measurement tools be added to the Policy for determining improvements to the watersheds over time.”]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change to the Policy is recommended at this time. The Watershed Management Plans include performance measures, and the need for future evaluation of improvements will be addressed when Plans are adopted.]

Policy 2.1.6:

Until the completion and adoption of individual watershed management plans, promote water management permitting on a basin by basin approach.

Policy Achievement Analysis:

Water management permitting is regulated by the South Florida Water Management District.

The Policy is not relevant and should be deleted, as water management permitting is regulated by the SFWMD.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that data shortfalls be addressed.]

[Environmental Advisory Council (EAC) Comment from the November 3, 2010 Adoption Hearing – Suggesting that EAC comment from August 11, 2010 be revised to read, “use watershed management plans for ongoing data collection guidance.”]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change to the Policy is recommended at this time, as the Watershed Management Plans will identify data needs.]

Policy 2.2.1:

Wastewater treatment plants shall not be allowed to discharge directly to rivers, canals or jurisdictional wetlands unless they meet Florida Department of Environmental Protection (FDEP) regulations and are not in violation of other Goals, Objectives and Policies of this Element.

Policy Achievement Analysis:

Policy 2.2.1 bans wastewater treatment plants from discharging directly into rivers, canals or jurisdictional wetlands unless they meet Florida Department of Environmental Protection (FDEP) regulations and are not in violation of other Goals, Objectives, and Policies of this Element.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting to insert the phrase, “encourage wastewater re-use for irrigation” within the Policy.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – Staff recommends retaining the Policy as written, as the reference to “re-use” is not applicable to this Policy. Further, staff suggests an additional Policy be added within the CCME to address the EAC’s recommendation, if Board directed.]

Policy 2.2.5:

By December 31, 2008, and no less than every three years, stormwater management systems shall be inspected and certified by a licensed Florida professional engineer for compliance with their approved design, and any deficiencies shall be corrected.

Policy Achievement Analysis:

The deadline for Policy 2.2.5 has not been met, and the County has not identified stormwater management systems that are not currently meeting State water quality treatment standards. The County is developing a process for stormwater management systems, which is expected to be completed by December 2015.

This Policy remains relevant and should be retained. However, the Policy should be revised to reflect an extended deadline to December 2015; and include a requirement to coordinate activities with the South Florida Water Management District (SFWMD) and FDEP.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting to add benchmarks within the Policy for the achievement of the stated objectives by year 2015.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change to the Policy is recommended at this time. The Florida Department of Environmental Protection has been working on an update to the statewide stormwater Rule that includes system inspections. The County is following the development of this Rule and will wait to review the standards in the Rule prior to adopting a local ordinance.]

Policy 3.1.1:

Wellhead protection areas identified on the Future Land Use Map Series shall be protected as follows:

- 1. Wellhead protection areas shall consist of four (4) Wellfield Risk Management Zones defined as follows:**
 - a) W-1 is the land area surrounding the identified potable water wellfield wellheads and extends to the five percent ground water capture zone boundary line (which approximates the one year ground water travel time to the wellfield).**
 - b) W-2 is the land area between the W-1 boundary line and the ten percent ground water capture zone boundary line (which approximates the two year ground water travel time to the potable water wellfield).**

- c) W-3 is the land area between the W-2 boundary line and the twenty-five percent ground water capture zone boundary line (which approximates the five year ground water travel time to the potable water wellfield).
 - d) W-4 is the land area between the W-3 boundary line and the 100 percent ground water capture zone boundary line (which approximates the twenty year ground water travel time to the potable water wellfield).
2. Land uses are restricted within the wellfield risk management zones as follows:
- a) Future solid waste disposal facilities: prohibited in all wellfield risk management zones.
 - b) Future solid waste transfer stations: prohibited in W-1, W-2, W-3.
 - c) Future solid waste storage, collection, and recycling storing hazardous products and hazardous wastes: prohibited in W-1, W-2, W-3.
 - d) Future non-residential uses involving hazardous products in quantities exceeding 250 liquid gallons or 1,000 pounds of solids: provide for absorption or secondary containment in W-1, W-2, W-3.
 - e) Future domestic wastewater treatment plants: prohibited in W-1.
 - f) Future land disposal systems: must meet high level disinfection standards as found in 40 CFR part 135.
 - g) Land application of domestic residuals: limit metal concentrations, nitrogen based on uptake ability of vegetation), and require a conditional use.
 - h) Future petroleum exploration and production and expansions of existing: prohibited in W-1 and W-2, conditional use required in W-3 and W-4.
 - i) Future on-site disposal systems (septic tanks) requiring a soil absorption area greater than 1,000 square feet are allowed to discharge in zone W-1 subject to complying with construction standards and provision of an automatic dosing device and a low-pressure lateral distribution.
 - j) On-site sewage disposal systems (septic tanks) serving existing industrial uses and subject to the thresholds in d) and e) above within wellfield zones W-1, W-2, and W-3 shall meet all construction and operating standards contained in 64E-10, F.A.C. as the rule existed on August 31, 1999 and shall implement a ground water monitoring plan.
3. Conditional uses shall be granted only in extraordinary circumstances and where impacts of the development will be isolated from the Surficial and Intermediate Aquifer.

Policy Achievement Analysis:

There is one (1) policy within this Objective. Policy 3.1.1 contains criteria for the identification of wellhead protection areas within the County's Future Land Use Map Series.

This Policy remains relevant and should be retained, but paragraph 3 should be modified to: clarify the conditional use reference pertains to those conditional uses required by this policy, as opposed to all conditional uses allowed by the zoning district on a given property within a wellfield protection area; and, remove or clarify the term "extraordinary circumstances." Additionally, the Policy will be evaluated to determine if it would be more appropriately located in the Natural Groundwater Aquifer Recharge Sub-Element (NGARSE).

[Environmental Advisory Council (EAC) Comment from August 11, 2010 Workshop – Suggest addressing the improvement of ground water monitoring in order to assess saltwater intrusion.]

[Post Workshop and Adoption Hearings – Staff Comment – Implementation of the EAC's recommendation will require the monitoring activities to be programmed and funded.]

OBJECTIVE 3.3:

Continue to identify, refine extents of, and map zones of influence and contribution around potable wellfields in order to identify activities that must be regulated to protect ground water quality near wellfields. (Refer to Objective 1.1 in the Natural Ground Water Aquifer Recharge Sub-Element.)

Objective Achievement Analysis:

This Objective remains relevant and should be retained. However, the Policy will be evaluated to determine if it would be more appropriately located in the Natural Groundwater Aquifer Recharge Sub-Element (NGARSE).

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that staff assess the wellfield in Immokalee that has a 10 year cone of depression extending under the airport and adjoining industrial zoning.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – Implementation of the EAC's recommendation will require the existing Model be adjusted to accommodate the 10-year Risk Management Special Treatment Overlay zones, as the Model evaluates years 1, 2, 5 and 20 only. (The cost to adjust the Model is unknown at this time.)]

Policy 6.1.6:

Exemptions from the native vegetation retention requirements of CCME Policy 6.1.2 – The requirements of Policy 6.1.2 shall not apply to, affect or limit the continuation of existing uses. Existing use shall be defined as: those uses for which all required permits were issued prior to June 19, 2002; or, projects for which a Conditional Use or Rezone petition was approved by the County prior to June 19, 2002; or, land use petitions for which a completed application was submitted prior to June 19, 2002. The continuation of existing uses shall include expansions of those uses if such expansions are consistent with, or clearly ancillary to, the existing uses.

Hereafter, such previously approved developments shall be deemed to be consistent with the Plan's Goals, Policies and Objectives for the Rural Fringe area, and they may be built out in accordance with their previously approved plans. Changes to these previous approvals shall also be deemed to be consistent with the Plan's Goals, Objectives and Policies for the Rural Fringe Area as long as they do not result in an increase in development density or intensity. On the County owned land located in Section 25, Township 26 E, Range 49 S (+/-360 acres), the native vegetation retention and site preservation requirements may be reduced to 50% if the permitted uses are restricted to the portions of the property that are contiguous to the existing land fill operations; exotic removal will be required on the entire +/- 360 acres.

Policy Achievement Analysis:

Policy 6.1.6 makes all existing land uses exempt from the native vegetation retention requirements of CCME Policy 6.1.2 if the effected land uses were issued prior to June 19, 2002;

or projects for which a Conditional use or Rezone petition has been approved by the County prior to June 19, 2002; or, land use petitions for which a completed application has been submitted prior to June 19, 2002.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that the last sentence in the Policy be revised to read, “... exotic removal and preserve management will be...”]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended, as the Policy was adopted as part of the Final Order amendments in 2002 to accommodate the expansion of the landfill. Preserve management is already required pursuant to Policy 6.1.2 (6) of this Element.]

OBJECTIVE 6.2:

The County shall protect and conserve wetlands and the natural functions of wetlands pursuant to the appropriate policies under Goal 6. The following policies provide criteria to make this objective measurable. The County's wetland protection policies and strategies shall be coordinated with the Watershed Management Plans as required by Objective 2.1 of this Element.

Objective Achievement Analysis:

This Objective remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting staff include within the Objective the requirement for mitigation within the same drainage area as the initial wetland impact.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended to this Objective as part of the EAR-based amendments, as wetland impacts will be addressed as part of the Watershed Management Plans. Further, mitigation requirements for wetland impacts will be determined by the BCC with the adoption of the Watershed Management Plans.]

Policy 6.2.3:

Collier County shall implement a comprehensive process to ensure wetlands and the natural functions of wetlands are protected and conserved. This wetland preservation and conservation process shall be coordinated with the Watershed Management Plan process, as referenced in Objective 2.1 of this Element. However, the process outlined within this policy is primarily based on directing concentrated population growth and intensive development away from large interconnected wetland systems. These wetland systems have been identified based on their type, values, functions, sizes, conditions and locations within Collier County. These systems predominantly occur east of the County's Urban boundary, as delineated on the Countywide Future Land Use Map (FLUM), within the Future Land Use Element (FLUE). Many of these wetlands fall within public lands or land targeted for acquisition. High quality wetlands systems located on private property are primarily protected through native vegetation preservation

requirements, or through existing PUD commitments, conservation easements, or Stewardship Sending Area Designations, or via the NRPA or Sending designations within the Rural Fringe Mixed Use District or land/easement acquisition, or innovative landowner incentives. Protection measures for wetlands and wetland systems located within the northeastern portion of Collier County, excluding the community of Immokalee, are contained in the Rural Lands Stewardship Area Overlay (RLSA Overlay) of the FLUE (and as depicted on the FLUM). Protection measures for wetlands and wetland systems located within the Urban and Estates designated areas of the County shall be based upon the jurisdictional determinations made by the applicable state or federal agency. Where permits issued by such state or federal agencies allow for impacts to wetlands within Urban and Estates designated areas and require mitigation for such impacts, the permitting agency's mitigation requirements shall be deemed to preserve and protect wetlands and their functions, except for wetlands that are part of a Watershed Management Plan preserve area. The County shall direct impacts away from such wetlands.

The large connected wetland systems that exist at the landscape scale in Collier County shall be protected through various Land Use Designations and Overlays that restrict higher intensity land uses and require specific land development standards for the remaining allowable land uses. Collier County shall direct incompatible land uses away from these large landscape scale wetland systems through implementation of the following protection and conservation mechanisms:

(1) Conservation Designation

Best available data indicates that 76% of all wetlands found in Collier County are contained within the boundaries of the Conservation Designation as depicted on the Countywide Future Land Use Map. The overall purpose of the Conservation Designation is to conserve and maintain the natural resources of Collier County and their associated environmental, recreational, and economic benefits. The allowed land uses specified in the FLUE's Conservation Designation (Reference FLUE Land Use Designation Section IV.) will accommodate limited residential development and future non-residential development. These limitations support Collier County's comprehensive process to direct concentrated population growth and intensive land development away from large connected wetland systems.

(2) Big Cypress Area of Critical State Concern Overlay (ACSC)

Best available data indicates that 74% of the County's wetlands are within the Big Cypress Area of Critical State Concern Overlay. The land development regulations contained in the ACSC Overlay District, as depicted on the Countywide Future Land Use Map, provide standards that facilitate the goal of directing higher intensity land uses away from wetland systems. The development standards for the ACSC Overlay (Reference FLUE Land Use Designation Section V.) specify that site alterations shall be limited to 10% of the total site. The majority of the land contained within the ACSC is also within the Conservation Designation and thus is subject to the land use limitations of that Land Use Designation.

(3) Natural Resource Protection Areas (NRPAs)

Major wetland systems and regional flow-ways were used as criteria to establish the NRPA Overlay District as shown on the Future Land Use Map, and as discussed in FLUE Land Use Designation, Section V.C. These areas include high functioning wetland systems and, although portions of the NRPA Overlay include lands within the Conservation Designation, represent

approximately 12% of the County's wetlands, which are not located in Conservation Lands. Based on the relatively high concentration of wetlands within NRPA designated lands, incompatible land uses shall be directed away from these areas. Allowable land uses within NRPA's are also subject to native vegetation retention and preservation standards of 90%.

(4) Rural Fringe Mixed Use District Sending Lands

Best available data indicates that 16,000+ acres of wetlands are contained within designated Sending Lands and that such wetlands constitute approximately 70% of land cover in these areas. Incompatible land uses are directed away from the Rural Fringe Mixed Use District Sending Lands through an incentive-based Transfer of Development Rights (TDR) Program that allows land owners within these Sending Lands to transfer their residential density out of the Sending Lands to Rural Fringe Mixed Use District (and limited Urban) Receiving Lands. A complete description of the TDR Program is contained in the FLUE, Future Land Use Designation Description Section, Agricultural/Rural Designation, Rural Fringe Mixed Use District. Incompatible land uses are also directed away from Sending Lands through restrictions on allowable uses. Finally, allowable uses within these lands are also subject to native vegetation retention and preservation standards of 80% to 90%, as required by Policy 6.7.1 of this Element.

(5) Flowway Stewardship Areas [re-numbered to reflect merger of Ordinance No. 2002-32 and 2002-54]

Flowway Stewardship Areas have been designated within the Rural Lands Stewardship Area Overlay (RLSA), as depicted on the Future Land Use Map, and are shown on the Rural Lands Study Area Natural Resource Index Map Series. Flowway Stewardship Areas (FSAs) are for the most part privately owned wetlands that are located within the Camp Keais Strand and Okaloacoochee Slough. These lands form the principal wetland flowway systems in the RLSA. The Overlay provides an incentive to permanently protect FSAs through the creation and transfer of Stewardship Credits. It also contains provisions that eliminate incompatible uses from the FSAs and, which establish protection measures.

(6) Watershed Management Plans

Collier County will establish watershed management plans throughout the County, but with particular emphasis on the Urban and Estates designated areas. These watershed management plans shall be established in accordance with Objective 2.1 of this Element and will include the preservation or, where feasible, creation of landscape-scale wetland conservation areas to act as habitat, natural water quality treatment and water quantity retention/detention areas. The County shall direct incompatible land uses away from such large-scale wetlands.

Collier County shall allow for more intensive development to occur in Rural Fringe Receiving Lands, North Golden Gate Estates, the Rural-Settlement Area District, and the Urban Designated Areas subject to the land uses identified in the Future Land Use Element, the Immokalee Area Master Plan, and the Golden Gate Area Master Plan. These areas account for only 6% of Collier County's wetlands. Except for tidal wetlands within the coastal portion of the Urban Designated Area and wetlands that are part of an established watershed management plan, the County finds that the wetland systems in these areas are more fragmented and altered than those systems located within the

Conservation Lands, ACSC and NRPA Overlays, and Rural Fringe Sending Lands.

On a project-specific basis, wetlands and wetland functions shall be protected through the following mechanisms:

- (1) Federal and State jurisdictional agency review and wetland permitting;**
- (2) Vegetation preservation policies supporting CCME Objective 6.1;**
- (3) Wetland protection policies supporting CCME Objective 6.2;**
- (4) Clustering provisions specified in the Rural Fringe Mixed Use District of the FLUE**
- (5) The protection of wetlands that are part of an established watershed management plan, as per Objective 2.1 of this Element.**
- (6) Land or easement acquisition.**
- (7) Land owner incentives, such as transferable development rights, tax relief, or USDA grants for restoration.**

Policy Achievement Analysis:

Policy 6.2.3 requires Collier County to implement a comprehensive process to ensure that wetlands and the natural functions of wetlands are protected and conserved. The process outlined within this policy is primarily based on directing concentrated population growth and intensive development away from large connected wetland systems. High quality wetlands systems located on private property are primarily protected through native vegetation preservation requirements, or through existing PUD commitments, conservation easements, or Stewardship Sending Area Designations, or through the Natural Resource Protection Areas or Sending designations in the Rural Fringe Mixed Use District. The large connected wetland systems that exist at the landscape scale in Collier County are protected through various Land Use Designations and Overlays that restrict higher intensity land uses and require specific land development standards for the remaining allowable land uses.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that provision (6) of the Policy be revised to include that the watershed management plans contain designated areas to be protected from development so as to preserve habitat, water flows, recharge areas and to prevent future flooding.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended, as wetlands will be addressed as part of the Watershed Management Plans.]

Policy 6.2.7:

Within the Estates Designated Area and the Rural Settlement Area, the County shall rely on the wetland jurisdictional determinations and permit requirements issued by the applicable jurisdictional agency, except for wetlands that are part of a Watershed Management Plan preserve area. The County shall direct impacts away from such wetlands. This policy shall be implemented as follows:

- (1) For single-family residences within Southern Golden Gate Estates or within the Big Cypress Area of Critical State Concern, the County shall require the appropriate federal and state wetland-related permits before Collier County issues a building permit.**
- (2) Outside of Southern Golden Gate Estates and the Big Cypress Area of Critical State Concern, Collier County shall inform applicants for individual single-family building**

permits that federal and state wetland permits may be required prior to construction unless the proposed residence is within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element, in which case the appropriate jurisdictional permit is required prior to the issuance of a building permit. The County shall also notify the applicable federal and state agencies of single-family building permits applications in these areas.

- (3) Within North Golden Gate Estates and the Rural Settlement Area, Collier County shall incorporate certain preserved and/or created wetlands and associated uplands into the County's approved watershed management plans, as per Objective 2.1 of this Element. The size and location of wetlands incorporated into the watershed management plans will be based upon the approved requirements for such plans. The County may issue single-family building permits within or adjacent to such wetlands, subject to appropriate mitigation requirements, which preserve the functionality of the wetland within the applicable watershed management plan. For a proposed residence which is to be located within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element, the appropriate jurisdictional permit is required prior to the issuance of a building permit.
- (4) Collier County shall continue to work with federal and state agencies to identify properties that have a high probability of wetlands and animal listed species occurrence. The identification process will be based on hydric soils data and other applicable criteria. Once this identification process is complete, the County will determine if the process is sufficiently accurate to require federal and state wetland approvals prior to the issuance of a building permit within these areas. The County shall use information on wetland and/or listed species occurrence to inform property owners of the potential existence of wetlands and/or listed species on their property.
- (5) Within one year after Watershed Management Plans are accepted by the Board of County Commissioners, Collier County shall develop and implement additional means to protect wetland systems identified in each Plan for preservation or restoration. Means to consider include innovative landowner incentives, transferable development rights, tax relief, land or easement acquisition, state and federal grants, and enhanced regulations.

Policy Achievement Analysis:

Policy 6.2.7 stipulates that within the Estates Designated Area and the Rural Settlement Area, the County is to rely on the wetland jurisdictional determinations and permit requirements issued by the applicable Jurisdictional agency, except for wetlands that are part of a Watershed Management Plan preserve area.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that wetland mitigation occur within the same watershed.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended, as wetlands will be addressed as part of the Watershed Management Plans. Further, mitigation requirements for wetland impacts will be determined by the BCC with the adoption of the Watershed Management Plans.]

Policy 6.3.2

Impacts to sea-grass beds shall be minimized by locating boat docks more than 10 feet from existing sea-grass beds. Where this is not possible, boat docks shall be sited to impact the smallest areas of sea-grass beds possible, be no lower than 3.5 feet NGVD,

have a terminal platform no greater than 160 square feet, and have the access dock be no wider than 4 feet.

Policy Achievement Analysis:

Policy 6.3.2 stipulates that impacts to sea-grass beds are to be minimized by locating boat docks more than 10 feet from existing sea-grass beds. Where this is not possible, boat docks are to be sited in such manner as to impact the smallest area of sea-grass beds possible, and to be no lower than 3.5 feet NGVD, have a terminal platform no greater than 160 square feet, and have the access dock be no wider than 4 feet.

This Policy remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that a reference to the required maintenance dredging permit be inserted within the Policy; and additional Policies be added, if necessary, to protect sea grasses from dredging activities.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended, as dredging is regulated by the State of Florida and Federal government, not the County. Maintenance dredging is generally allowed by these agencies. Mitigation may be required and determined during permitting with the State and Federal agencies.]

Seagrass protection issues are required to be addressed by the Florida Fish and Wildlife Conservation Commission pursuant to the Florida Manatee Management Plan adopted by the State in December 2007. The plan calls for implementation of a statewide seagrass management plan, creation of an interagency statewide seagrass monitoring plan, and evaluation of the feasibility of a rule for the protection of the state's seagrass resources.]

Policy 7.1.2

Within areas of Collier County, excluding the lands contained in the RLSA Overlay, non-agricultural development, excluding individual single family residences, shall be directed away from listed species and their habitats by complying with the following guidelines and standards:

- (1) A wildlife survey shall be required for all parcels when listed species are known to inhabit biological communities similar to those existing on site or where listed species are directly observed on the site. The survey shall be conducted in accordance with the requirements of the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS) guidelines. The County shall notify the FFWCC and USFWS of the existence of any listed species that may be discovered.**
- (2) Wildlife habitat management plans for listed species shall be submitted for County approval. A plan shall be required for all projects where the wildlife survey indicated listed species are utilizing the site, or the site contains potential habitat for listed species. These plans shall describe how the project directs incompatible land uses away from listed species and their habitats.**
 - (a) Management plans shall incorporate proper techniques to protect listed species and their habitat from the negative impacts of proposed development. Developments shall be clustered to discourage impacts to listed species habitats.**

Open space and vegetation preservation requirements shall be used to establish buffer areas between wildlife habitat areas and areas dominated by human activities. Provisions such as fencing, walls, or other obstructions shall be provided to minimize development impacts to the wildlife and to facilitate and encourage wildlife to use wildlife corridors. Appropriate roadway crossings, underpasses, and signage shall be used where roads must cross wildlife corridors

1. The following references shall be used, as appropriate, to prepare the required management plans;
 - a. South Florida Multi-Species Recovery Plan, USFWS, 1999.
 - b. Habitat Management Guidelines for the Bald Eagle in the Southeast Region, USFWS, 1987.
 - c. Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations found on Lands Slated for Large Scale Development in Florida, Technical Report No. 4, Florida Game and Fresh Water Fish Commission, 1987.
 - d. Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay (*Aphelocoma coerulescens*), Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991.
 - e. Ecology and Habitat Protection Needs of the Southeastern American Kestrel (*Falco Sparverius Paulus*) on Large-scale Development Sites in Florida, Nongame Technical Report No. 13, Florida Game and Fresh Water Fish Commission, 1993.
2. The County shall consider any other techniques recommended by the USFWS and the FFWCC, subject to the provisions of paragraph (3) of this policy.
3. When listed species are directly observed on site or indicated by evidence, such as denning, foraging or other indications, priority shall be given to preserving the listed species habitats first, as a part of the retained native vegetation requirement contained in Policy 6.1.1 and Policy 6.1.2 this element. The County shall also consider the recommendations of other agencies, subject to the provisions of paragraph (3) of this policy.
- (b) For parcels containing gopher tortoises (*Gopherus polyphemus*), priority shall be given to protecting the largest most contiguous gopher tortoise habitat with the greatest number of active burrows, and for providing a connection to off site adjacent gopher tortoise preserves.
- (c) Habitat preservation for the Florida scrub jay (*Aphelocoma coerulescens*) shall conform to the guidelines contained in Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991. The required management plan shall also provide for a maintenance program and specify an appropriate fire or mechanical protocols to maintain the natural scrub community. The plan shall also outline a public awareness program to educate residents about the on-site preserve and the need to maintain the scrub vegetation. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of paragraph (3) of this policy.
- (d) For the bald eagle (*Haliaeetus leucocephalus*), the required habitat management plans shall establish protective zones around the eagle nest restricting certain activities. The plans shall also address restricting certain types of activities during the nesting season. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of paragraph (3) of this policy.

- (e) For the red-cockaded woodpecker (*Picoides borealis*), the required habitat protection plan shall outline measures to avoid adverse impacts to active clusters and to minimize impacts to foraging habitat. Where adverse effects cannot be avoided, measures shall be taken to minimize on-site disturbance and compensate or mitigate for impacts that remain. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of paragraph (3) of this policy.
- (f) In areas where the Florida black bear (*Ursus americanus floridanus*) may be present, the management plans shall require that garbage be placed in bear-proof containers, at one or more central locations. The management plan shall also identify methods to inform local residents of the concerns related to interaction between black bears and humans. Mitigation for impacting habitat suitable for black bear shall be considered in the management plan.
- (g) For projects located in Priority I and Priority II Panther Habitat areas, the management plan shall discourage the destruction of undisturbed, native habitats that are preferred by the Florida panther (*Felis concolor coryi*) by directing intensive land uses to currently disturbed areas. Preferred habitats include pine flatwoods and hardwood hammocks. In turn, these areas shall be buffered from the most intense land uses of the project by using low intensity land uses (e.g., parks, passive recreational areas, golf courses). Golf courses within the Rural Fringe Mixed Use District shall be designed and managed using standards found in that district. The management plans shall identify appropriate lighting controls for these permitted uses and shall also address the opportunity to utilize prescribed burning to maintain fire-adapted preserved vegetative communities and provide browse for white-tailed deer. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of paragraph (3) of this policy.
- (h) In order to protect loggerhead (*Caretta caretta*) and other listed sea turtles that nest along Collier County beaches, projects within 300 feet of the MHW line shall limit outdoor lighting to that necessary for security and safety. Floodlights and landscape or accent lighting shall be prohibited. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of Policy 7.1.2(3).
- (i) The Management Plans shall contain a monitoring program for developments greater than 10 acres.
- (3) The County shall, consistent with applicable GMP policies, consider and utilize recommendations and letters of technical assistance from the Florida Fish and Wildlife Conservation Commission and recommendations from the US Fish and Wildlife Service in issuing development orders on property containing listed species. It is recognized that these agency recommendations, on a case by case basis, may change the requirements contained within these wildlife protection policies and any such change shall be deemed consistent with the Growth Management Plan.

Policy Achievement Analysis:

Policy 7.1.2 provides guidelines and standards for directing non-agricultural development, except for individual single-family residences, away from listed species and their habitats. This policy does not apply to lands located within the RLSA.

This Policy remains relevant and should be retained. However, the Policy should be modified to remove the references to specific wildlife publications and plans listed in the Policy; add a general reference to publications utilized by the FFWCC and USFWS as their technical assistance, since the most current information used by these agencies should be used in protecting listed species; and, delete the reference to mitigation for black bear habitat, as no such mitigation is required by the FFWCC or USFWS.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting to add a provision in (e) to encourage the retention of old growth slash pines for RCW nesting habitat.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is recommended, as the Policy requires adverse impacts to active red-cockaded woodpecker (RCW) clusters and their foraging habitat be minimized, and where adverse effects cannot be avoided, to compensate or mitigate for impacts that remain. Old growth slash pines may not necessarily be located in the best RCW foraging habitat, depending on how impacted the site is, and may be more sensitive to die off with habitat restoration efforts.]

OBJECTIVE 10.3:

Undeveloped coastal barriers shall be maintained predominantly in their natural state and their natural function shall be protected, maintained and enhanced.

Objective Achievement Analysis:

This Objective remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting that a reference to maps contained in the Land Development Code be added.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – The undeveloped coastal barriers identified in the text of the Land Development Code and CCME Policy 10.6.1 are identified by the Federal Coastal Barrier Resources System. A reference to the Federal Coastal Barrier Resources System maps should be provided in CCME Objective 10.3.]

OBJECTIVE 10.5:

For undeveloped shorelines, provide improved opportunities for recreational, educational, scientific, and esthetic enjoyment of coastal resources by protecting beaches and dunes and by utilizing or where necessary establishing construction standards, which will minimize the impact of manmade structures on the beach and dune systems.

Objective Achievement Analysis:

This Objective remains relevant and should be retained.

[Environmental Advisory Council (EAC) Comment from the August 11, 2010 Workshop – Suggesting to insert, “mangroves” after “beach and dune systems” or add another Policy to address protection of coastal mangroves.]

[Post EAC and CCPC Workshops and Adoption Hearings – Staff Comment – No change is needed, as the undeveloped coastal barriers identified b the County and Federal Coastal Barrier Resources System also include adjacent mangrove systems. Protection is also provided by either conservation easements or Special Treatment overlay within the County. In addition, State and Federal permits require minimizing the impacts to mangroves.]

Staff Report

Presentation to the Collier County Planning Commission (CCPC) for recommendation to the BCC on the seven year Evaluation and Appraisal Report (EAR) of the Collier County Growth Management Plan for transmittal to the Department of Community Affairs (DCA) for sufficiency review according to the procedures and criteria outlined in Section 163.3191, Florida Statutes, Evaluation and Appraisal of Comprehensive Plan.

OBJECTIVE: Florida Statutes require all local governments within the State of Florida to maintain comprehensive planning programs based upon an adopted local government comprehensive plan. As part of this planning requirement, the local government must monitor changing conditions and must use this information to guide periodic amendments to the local comprehensive plan. Within Collier County the local comprehensive plan is the Growth Management Plan (GMP), originally adopted by Ordinance NO. 89-05.

The periodic amendment process, which occurs once every seven years, as described in Chapter 163.3191, F.S., is a two-phase process referred to as the Evaluation & Appraisal Report (EAR). The EAR evaluates the performance of the various Elements of the local government comprehensive plan since the previous EAR-based amendments. It assesses the successes and shortcomings of the various Goals, Objectives, and Policies included within the GMP and designates Objectives and Policies which need revisions, modifications or deletions. Additionally, the EAR is the primary means by which the local plan can respond to changes in federal, state or regional planning requirements. It should be noted that for the 2004 to 2010 evaluation period for the 2011 EAR, there have been 57 GMP amendments processed by the County. While not all of these amendments were sent to the Department of Community Affairs for adoption, they were either publicly or privately submitted for processing and evaluation. A fact that recognizes the contemplation on the County's part of what improvements are need to assure the GMP is an effective blueprint for guiding future growth, but also accentuates the need for the comprehensive review of the GMP to ensure there is agreement within the Plan's individual elements.

Ultimately, the Objectives and Policies designated for adjustment in the EAR become the basis of proposed amendments to the local government comprehensive plan, the second phase of the process. These EAR-based amendments, as reviewed by the Environmental Action Council (EAC) and Planning Commission (PC), and subsequently adopted by the BCC, after found in compliance with the Chapter 163, Part II, F.S., then become part of the Goals, Objectives and Policies of the GMP until the next EAR is prepared in seven years.

BACKGROUND: On August 25 and 27, 2010 the CCPC conducted its EAR workshop in which the policies and objectives of each of the GMP's individual elements was conducted. The EAR adoption review should serve as an opportunity for the CCPC to confirm the Policies and Objectives designated for modification and the issues raised are those discussed during the August workshops and will be those recommended to the BCC within the EAR for adoption.

As noted during the August workshop, the adoption of the EAR is the first part of a two prong process, during which areas of the GMP are evaluated for their effectiveness and if appropriate designated for adjustment or change. The exact specificity of that change is not determined during this first prong of the process, only that a change is needed within the various Elements, Goals, Objectives, or Policies of the GMP. Post adoption of the EAR by the BCC in January of 2011 is when the specifics of the changes called out for in the EAR are composed and refined through the GMP EAR amendment adoption process. The County will have eighteen months from the date of the EAR adoption by the BCC to adopt the changes designated by the EAR. Understanding this bifurcated process provides a clear direction for what is being asked of the EAC during the EAR workshop.

At the completion of the EAR August workshops with the CCPC and the EAC, staff presented the post workshop EAR books to the Department of Community Affairs (DCA) and the various other state reviewing agencies. In late October the County received the review comments which have been attached as exhibit "A" to this staff report. The majority of the comments from the DCA focus upon the need for further data and analysis regarding the major issues and their inter-relationship to the specific goals of the GMP's various elements, as well as the effectiveness of the elements as they relate to the major issues. The CCPC EAR Adoption books have been updated to address the specific comments contained in the courtesy review letter.

It should be noted that the Environmental Advisory Council (EAC) at their November 3, 2010 regularly scheduled public hearing provided a recommendation to the Board of County Commissioners to adopt the proposed EAR. The policies and objectives recommended for modification by the EAC have been specified within the CCPC EAR Adoption book.

ORGANIZATION OF THE EAC-EAR ADOPTION BOOK: The presented 2011 EAC-EAR book is organized into a single-bound report containing an introduction and three (3) major chapters. These chapters are:

Chapter One – Public Participation & Issues Identified

Chapter Two – Countywide Assessment

Chapter Three –Evaluation of Major Issues

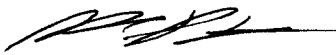
Chapter One – *Public Participation & Issues Identified* details the issues that were brought to the process from the public during the "Public Participation" portion of the EAR process. Chapter Two – *Countywide Assessment* is the individual review of each Element and Sub-Element of the GMP and the Goals, Objectives and Policies that comprise each of those Elements or Sub-Elements. Chapter Three - *Evaluation of Major Issues* are the issues agreed upon between the County and the DCA. **Chapter One and Chapter Three are both connected within Chapter Two. (Bolded for emphasis)** Within each Element reviewed within Chapter Two, staff has referenced Objectives and Policies that are directly related to Chapters One and Three. For example a public comment that is directly linked to Policy 1.6.1 of the Recreation and Open Space Element (ROSE) will be recognized within Chapter Two, as well as Chapter One. Additionally, Objectives and Policies that are directly related to a major issue will be specified within Chapter Three, as well as within the Element review contained within chapter Two.

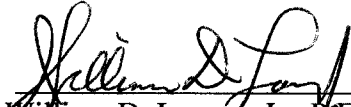
As described above the structure of the EAR inter-relates all of the chapters contained in the report. Within each of these elements, the pertinent comments from the August workshops with the EAC and the CCPC have been applied to the related objective or policy, to provide identification of both bodies' perspective, as well as comments offered by the general public. Unlike the EAR workshop edition books, the EAR adoption edition does not contain the evaluation of every policy and objective within the GMP, but rather only the objective and policies within the various elements in which modifications are being suggested are included. It should be noted that a few policies in which the CCPC and the EAC have taken differing positions, these areas will be highlighted during the EAR adoption hearing and will be presented to the BCC for final arbitration on the issue

FISCAL IMPACT: County staff undertook the preparation of the EAR in-house. The Comprehensive Planning Department prepared the EAR with input and contributions from numerous county divisions and departments. Direct and indirect costs have not been calculated for the preparation of the EAR.

GROWTH MANAGEMENT IMPACT: Pursuant to section 163.3187(6)(a), Florida Statutes, "No local government may amend its comprehensive plan after the date established by the state land planning agency for adoption of its evaluation and appraisal report unless it has submitted its report or addendum to the land planning agency as prescribed by section 163.3191 ..." Therefore, timely action by the EAC, CCPC and BCC adopting the EAR is necessary in order for the consideration of future comprehensive amendments. Otherwise, Collier County will be imposed with the statutory sanction that would prohibit amending its comprehensive plan.

REQUESTED ACTION: Staff request that the CCPC reviews the proposed policies and objectives designated for change within the individual Elements, as directed during the EAC and CCPC EAR workshops held in August 2010, and provide a recommendation to adopt the 2011 Collier County Evaluation and Appraisal Report to the Board of County Commissioners.

Prepared By:  **Date:** 11-10-10
Michael Bosi, AICP, Planning Manager
Comprehensive Planning Section

Reviewed By:  **Date:** 11-13-2010
William D. Lorenz, Jr., P.E., Director
Land Development Services Department

Approved By:  **Date:** 11-16-10
Nick Casalanguida, Deputy Administrator
Growth Management Division



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

October 15, 2010

The Honorable Fred W. Coyle, Chairman
Collier County Board of County Commissioners
3301 E. Tamiami Trail
Naples, Florida 34112

RE: Collier County Proposed Evaluation and Appraisal Report

Dear Chairman Coyle:

The Department has completed a review of the Collier County proposed Evaluation and Appraisal Report (EAR) and has enclosed comments and recommendations for your consideration, including review comments from other state and regional agencies.

The proposed EAR makes progress in evaluating the comprehensive plan as part of the EAR process. However, the EAR should be revised and strengthened to address the issues identified by the Department in the enclosed review comments. This will ensure that the EAR sufficiently addresses the requirements of Section 163.3191, Florida Statutes (F.S.).

In part, the Department's comments focus on the need to revise the EAR to address: (1) assessment of plan objectives for major issues; (2) assessment of corrective actions or plan amendments for the major issues based on the assessment of plan objectives; (3) incomplete information to address community-wide assessment requirements (revised population projections; and changes in growth management laws since 2008); (4) assessment of water supply planning; (5) assessment of past reductions in land use density within the coastal high hazard area; (6) assessment of the extent to which the transportation concurrency exception area and transportation concurrency management areas have achieved their purposes; and (7) the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing the concurrency management system in coordination with the municipalities and county. The Department encourages the County to make the necessary revisions to the EAR based on the enclosed review comments.

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

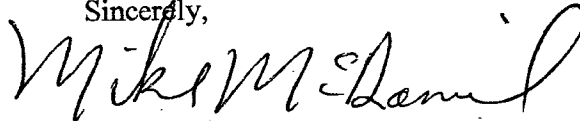
The Honorable Fred W. Coyle, Chairman
October 15, 2010
Page 2

Please note that a formal sufficiency determination was not conducted at this time; this will be done after the EAR is adopted by the County. However, the review comments, if not adequately addressed in the adopted EAR, may serve as sufficiency issues. We have also included a copy of regional and state agency comments for your consideration.

With respect to any suggested comprehensive plan amendments identified in the EAR, the Department's review comments do not constitute a compliance review of the proposed amendments. EAR-based plan amendments suggested in the EAR will be reviewed in accordance with the requirements of Chapter 163, Part II, F.S., and Rule 9-J, Florida Administrative Code (F.A.C.), when submitted as proposed plan amendments.

As the County prepares the adopted EAR, Department staff is prepared to further discuss the issues raised in the review comments. If you have any questions concerning this matter, please contact Brenda Winningham, Regional Planning Administrator, at (850) 487-4545, or Scott Rogers, Principal Planner, at (850) 922-1758.

Sincerely,



Mike McDaniel, Chief
Office of Comprehensive Planning

MM/sr

Enclosures: Review Agency Comments

cc: Ken Heatherington, Executive Director, Southwest Florida Regional Planning
Council
Nick Casalanguida, Interim Administrator, Community Development and Environmental
Services Division

DEPARTMENT OF COMMUNITY AFFAIRS COMMENTS
FOR
COLLIER COUNTY
PROPOSED EVALUATION AND APPRAISAL REPORT

1. The identification of major issues and, where pertinent, the potential social, economic, and environmental impacts of these issues [Section 163.3191(2)(e)]:

The proposed EAR sufficiently addresses the requirement of Section 163.3191(2)(e), F.S., except with regard to the major issues of "Urban Development Pattern" and "Intergovernmental Coordination" for which the EAR does not identify, where pertinent, the potential social, economic, and environmental impacts of the issues. Revise the EAR to identify, where pertinent, the potential social, economic, and environmental impacts relevant to the major issues of Urban Development Pattern and Intergovernmental Coordination.

2. An assessment of whether plan objectives within each element, as they related to major issues, have been achieved, and whether unforeseen and unanticipated changes in circumstances have resulted in problems and opportunities with respect to major issues in each element [Section 163.3191(2)(g)]; and, Any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report [Section 163.3191(2)(i)]:

The proposed EAR does not sufficiently address the requirements of Sections 163.3191(2)(g) and (i), F.S., for the major issues as follows:

a. (Major Issue: Climate Change): The proposed EAR identifies many Comprehensive Plan objectives/policies that are relevant to the issue of climate change. However, for many of these objectives/policies, the EAR does not assess the following: (1) how has the objective/policy been implemented over the evaluation period, including specific examples of the implementation; (2) why the implementation has been effective or ineffective in achieving the purpose of the objective/policy; and (3) based on 1 and 2, why revisions are needed or not needed to the objective/policy, and identification of the extent/nature of the revisions. Revise the EAR to include the assessment.

b. (Major Issue: Urban Development Pattern): The proposed EAR section titled "Major Issues" does not address the major issue of "Urban Development Pattern." The section titled "Major Issues" does not include an assessment addressing: (1) identification of the plan objectives related to the intergovernmental coordination major issue; (2) evaluation of whether the objectives have been achieved, and whether unforeseen and unanticipated changes in circumstances have resulted in problems and opportunities with respect to intergovernmental coordination; and (3) evaluation of any actions or corrective measures, including whether plan amendments are anticipated to address intergovernmental coordination. Revise the EAR to include the assessment.

c. (Major Issue: Water Resource Protection): Part of the major issue pertains to floodplain management programs and existing criteria. The proposed EAR section titled "Major Issues" does not include an assessment addressing: (1) identification of the plan objectives related to the floodplain management programs and existing criteria; (2) evaluation of whether the objectives have been achieved, and whether unforeseen and unanticipated changes in circumstances have resulted in problems and opportunities with respect to the floodplain management programs and existing criteria; and (3) evaluation of any actions or corrective measures, including whether plan amendments are anticipated to address floodplain management and existing criteria. Revise the EAR to include the assessment.

d. (Major Issue: Intergovernmental Coordination): The proposed EAR section titled "Major Issues" does not address the major issue of "Intergovernmental Coordination." The section titled "Major Issues" does not include an assessment addressing: (1) identification of the plan objectives related to the intergovernmental coordination major issue; (2) evaluation of whether the objectives have been achieved, and whether unforeseen and unanticipated changes in circumstances have resulted in problems and opportunities with respect to intergovernmental coordination; and (3) evaluation of any actions or corrective measures, including whether plan amendments are anticipated to address intergovernmental coordination. Revise the EAR to include the assessment.

e. (Major Issue: Rural Lands Stewardship Area Overlay): The proposed EAR section titled "Major Issues" does not sufficiently address the major issue of "Rural Lands Stewardship Area Overlay" (RLSA Overlay) because of the following: (1) the EAR states that, pursuant to Future Land Use Element Policy 1.22, the County prepared two reports (Report I in 2008, and Report II in 2009) evaluating the RLSA Overlay, but the EAR does not include Reports I and II or a sufficient summary assessment of Reports I and II for the Department to determine that the evaluation of the effectiveness of the RLSA Overlay is sufficient; and (2) the EAR recommends revisions to Comprehensive Plan policies for the RLSA, but these recommended revisions are not based on a sufficient assessment of the effectiveness of the RLSA Overlay. Revise the EAR to include a complete sufficient assessment of the effectiveness of the RLSA Overlay and to demonstrate that the recommended revisions to policies are based on the assessment.

3. Population growth and changes in land area [Section 163.3191(2)(a)]:

The proposed EAR does not sufficiently address the requirements of Section 163.3191(2)(a) and (i), F.S., because the EAR does not include revised population projections for the new updated planning timeframe, which the EAR (Future Land Use Element pages 37-38) suggests may be year 2025. The EAR should be revised to include updated population projections to address the new planning timeframe.

4. Relevant changes in growth management laws [Section 163.3191(2)(f)]:

The proposed EAR does not sufficiently address Section 163.3191(2)(f), F.S. because the proposed EAR section titled "Statutory Changes" does not identify changes to Chapter 163, Part II, Florida Statutes, since the year 2008. Revise the section titled "Statutory Changes" to identify the statutory changes since year 2008.

5. An assessment of the extent to which the local government has been successful in identifying alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in Section 373.0361(2)(a) within the local government's jurisdiction. An evaluation of the degree to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in the element as necessary to serve existing and new development. [Section 163.3191(2)(I)]:

The proposed EAR does not include a section that specifically addresses the requirements of Section 163.3191(2)(I), F.S. Revise the EAR to include a section that very briefly addresses the requirements of Section 163.3191(2)(I), F.S.

6. An evaluation of whether any past reduction in land use density within the coastal high hazard area impairs the property rights of current residents when redevelopment occurs. The local government must identify strategies to address redevelopment and the rights of affected residents balanced against public safety considerations. [Section 163.3191(2)(m)]:

The proposed EAR does not sufficiently address Section 163.3191(2)(m), F.S. Collier County has coastal high hazard area; however, the proposed EAR does not include an evaluation of whether any past reduction in land use density within the coastal high hazard area impairs the property rights of current residents when redevelopment occurs, and include in such an evaluation the identification of strategies to address redevelopment and the rights of affected residents balanced against public safety considerations. The EAR should be revised to include the evaluation.

7. An evaluation of the extent to which a concurrency management exception area designated pursuant to Section 163.3180(5), a concurrency management area designated pursuant to Section 163.3180(7), or a multimodal transportation district designated pursuant to Section 163.3180(15) has achieved the purpose for which it was created and otherwise complies with the provisions of Section 163.3180. [Section 163.3191(2)(o)]:

The proposed EAR does not sufficiently address Section 163.3191(2)(o), F.S. Collier County has designated a Transportation Concurrency Exception Areas (South U.S. 41 TCEA) and two Transportation Concurrency Management Areas (Northwest TCMA; and East Central TCMA), and the proposed EAR does not evaluate the extent to

which these areas have achieved the purpose for which they were created and otherwise comply with the provisions of Section 163.3180, F.S. Revise the EAR to include the evaluation.

8. An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties, as appropriate pursuant to Section 163.3180(10). [Section 163.3191(2)(p)]:

The proposed EAR does not include a section that addresses the requirements of Section 163.3191(2)(p), F.S. Revise the EAR to include a section that specifically and sufficiently addresses the requirements of Section 163.3191(2)(p), F.S.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 14, 2010

Ray Eubanks, Administrator
Plan Review and DRI Processing
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Dear Mr. Eubanks:

**Subject: Collier County
Comments on Proposed Evaluation and Appraisal Report (EAR)**

The South Florida Water Management District (District) has completed its review of the proposed Evaluation and Appraisal Report (EAR) transmitted by Collier County (County) for preliminary review. The District appreciates the opportunity to provide water resource-related technical assistance during the County's evaluation of major issues and comprehensive plan elements. The County has committed to working with the District in updating the County's adopted Water Supply Facilities Work Plan as the Lower West Coast Regional Water Supply Plan is updated. The District requests the Department of Community Affairs (DCA) consider the following recommendations in its EAR sufficiency analysis:

Water Quality

- Retain the current language of Objective 2.2, in the Conservation and Coastal Management Element, which requires that surface waters discharging into estuaries shall meet Federal, State, or local water quality standards. The proposed change weakens the objective in providing protection to the County's surface waters. The District looks forward to working with the County on achieving water quality standards within the County's water bodies.
- Include an objective and related policies describing the strategies (including funding mechanisms) designed to achieve Total Maximum Daily Loads (TMDLs) and Nutrient Loading Criteria established for water bodies in the County.
- Incorporate objectives and policies for coordinating with the State in its TMDL program including efforts in assessing the verified list of impaired waters under Section 303(d) of the Clean Water Act and any subsequent TMDLs developed for those waters. This section should also address the planning and implementation of any future Everglades West Coast Basin Management Action Plans developed for water bodies with TMDLs in the Southwest Coast and Interdrainage Area Planning Units.

Ecosystem Restoration

- Include objectives and related policies describing planned coordination with the District in implementing the Lake Trafford Critical Restoration Project, Lake Trafford Watershed Management Plan, and Picayune Strand Restoration Project.
- Include a policy to emphasize land uses should not be inconsistent with adjacent restoration programs, such as the Comprehensive Everglades Restoration Plan (CERP).

Flood Protection

- Incorporate objectives and policies for floodplain management in the Stormwater Management Sub-Element. Floodplain management policies should include the implementation of floodplain management regulations, including provisions for incorporating compensating storage in development plans.
- Add a policy to the Immokalee Area Master Plan that provides a requirement for detailed design segments and development of funding mechanisms for the stormwater management improvements identified in the recommended alternatives of the Immokalee Stormwater Management Plan.
- Include a policy that addresses coordination with the District regarding the use of and/or connection to Works of the District. The County must coordinate with the District Right-of-Way Program for appropriate authorization prior to making use or connecting to Works of the District. The coordination includes but is not limited to canals and associated overbanks and water conservation areas. Specific requirements are codified in Chapter 40E-6, Florida Administrative Code.

Natural Systems

- Provide a policy that requires the development of management and restoration plans for the Pepper Ranch Conservation Area (Pepper Ranch) to protect its unique terrestrial biota and habitat. Management and restoration plans should be completed prior to incorporating the Pepper Ranch into the County's regional park system.

Water Supply

- Describe the programs in the Intergovernmental Coordination Element that provide coordination between the County and the other water suppliers to ensure that water supplies will be sufficient to meet projected water demands for the unincorporated areas.

Mr. Ray Eubanks, Administrator

October 14, 2010

Page 3

The District offers planning and technical assistance to the County and the Department of Community Affairs in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. For assistance or additional information, please contact Deborah Oblaczynski, Senior Planner, at (561) 682-2544 or doblaczy@sfwmd.gov.

Sincerely,



Rod Braun

Director

Intergovernmental Policy and Planning Division
South Florida Water Management District

c: Mike Bosi, AICP, Collier County
Ken Heatherington, AICP, SWFRPC
Deborah Oblaczynski, SFWMD
Jim Quinn, FDEP
Brenda Winningham, DCA



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

STEPHANIE C. KOPELOUSOS
SECRETARY

October 8, 2010

Mr. Ray Eubanks
Plan Review and Processing Administrator
Department of Community Affairs (DCA)
Division of Community Planning
2555 Shumard Oaks Blvd.
Tallahassee, FL 32399

RE: Collier County Proposed Evaluation and Appraisal Report (EAR) – FDOT Recommendations and Comments

Dear Mr. Eubanks:

The Florida Department of Transportation (FDOT), District 1, has reviewed the Collier County Proposed Evaluation and Appraisal Report (EAR), transmitted to the Department of Community Affairs (DCA) on September 10, 2010 in accordance with the requirements of Florida Statutes (F.S.) Section 163 and Chapter 9J-11 of the Florida Administrative Code (F.A.C.). The department offers DCA the following comments and recommendations for your consideration in review of the EAR.

CAPITAL IMPROVEMENTS ELEMENT (CIE)

EAR recommended changes to this element include the following:

- Renaming of certain element references, including Sub-Element, Goal, and Objectives and Policies throughout;
- **Policy 1.4**revision to introduce reducing Vehicle Miles Traveled (VMT) and Green House Gas (GHG) emissions as criterion for further prioritizing projects;
- **Policy 1.5**revisions related to multi-Element revisions in a comprehensive effort to manage redundancy;
- **Policy 2.10**considered for revision to allow for more-responsive fiscal management;
- **Objective 3**minor revision timeframe reference;
- **Policy 3.1**minor revisions associated with new terminology;
- **Policy 4.1**minor revisions to provide updated Statutory cite;
- **Policy 4.2**revision to provide updated reference site;
- **Policy 4.6**minor revisions associated with new terminology;
- **Policy 5.1**minor revisions associated with new terminology (*may need minor revisions to provide updated Statutory cite*).

The department has the following comments on these recommended changes:

FDOT Comment # 1: For clarification, Policy 1.5 (A) (1) (*included in page 5*) of the CIE should be revised to specifically indicate that the peak hour Level of Service (LOS) standard of "E" does not apply to roadways on the Florida Intrastate Highway System (FIHS), Strategic Intermodal System (SIS), Emerging Strategic

Intermodal System (ESIS), and non-state roadway facilities funded by the Transportation Regional Incentive Program (TRIP).

FDOT Comment # 2: Please revise Policy 1.5 (A) (2) (*included in page 5*) of the CIE to indicate that the peak hour LOS standard of “D” does not apply to state arterials and collectors on the FIHS, SIS, ESIS, and TRIP funded roadways.

FDOT Comment # 3: Consistent with Comments # 1 and # 2, please revise Policy 1.5 (B) (*included in page 5*) of the CIE to indicate that FDOT sets and maintains the LOS for all FIHS, SIS, ESIS, and TRIP funded roadways including I-75 (SIS), S.R. 29 (ESIS) and S.R. 82 (SIS).

FDOT Comment # 4: The department recommends that Policy 1.5 (B) of the CIE be expanded to include language indicating that the LOS standard on the ESIS facilities S.R. 29 (*I-75 to the Hendry County Line*) and S.R. 82 (*Hendry County Line to S.R. 29*) should be LOS “C” consistent with the standards set forth by the FDOT. Also, the LOS standards on I-75 from the Broward County Line to S.R. 951 should be LOS “B” and from S.R. 951 to Lee County should be LOS “D” corresponding to rural and urbanized area, respectively.

TRANSPORTATION ELEMENT (TE)

EAR recommended changes to this element include the following:

- **Policy 3.4**modifications to provide more flexibility in policy;
- **Policy 3.5**revision to eliminate time frame for achieving policy;
- **Policy 4.9**addition of new policy to address HB697;
- **Policy 5.1**revision to provide clarification and applicability of policy;
- **Policy 5.3**modifications to provide expanded applicability of policy;
- **Policy 5.5**modifications to provide for monitoring;
- **Policy 5.6**modifications to provide for monitoring;
- **Policy 5.8**modifications to improve effectiveness of policy;
- **Policy 5.9**deletion based upon action accomplished;
- **Policy 6.2**revision to terminology within policy;
- **Policy 6.3**revision to provide clarity to policy;
- **Policy 6.5**revisions to update list of projects identified;
- **Policy 7.3**modifications to expand applicability of policy;
- **Policy 7.4**modification to recognize the requirement to implement HB697;
- **Policy 7.5**revision to recognize on-going efforts of the policy;
- **Policy 9.3**revision to provide clarity of policy;
- **Policy 12.8**deletion based upon transit systems exempt from concurrency.

The Department has the following comments on these recommended changes:

FDOT Comment # 5: Please revise Policy 1.3 in the Transportation Element to be consistent with Policy 1.5 in the CIE. Please see FDOT Comments # 1 and # 2.

FDOT Comment # 6: Please revise Policy 1.4 in the Transportation Element to be consistent with Policy 1.5 (B) of the CIE. Please see FDOT Comment # 3.

FDOT Comment # 7: The department recommends that Policy 1.4 of the Transportation Element be expanded to include language indicating that the LOS standard on the ESIS facilities S.R. 29 (*I-75 to the Hendry County Line*) and S.R. 82 (*Hendry County Line to S.R. 29*) should be LOS “C” consistent with the

standards set forth by the FDOT. Also, the LOS standards on I-75 from Broward County Line to S.R. 951 should be LOS "B" and from S.R. 951 to Lee County should be LOS "D" corresponding to rural and urbanized area, respectively.

FDOT Comment # 8: Consistent with the Collier County Planning Commission (CCPC) comment from the August 25, 2010 EAR Workshop, the department recommends that a time frame be determined to accomplish Policy 3.5 of the Transportation Element.

FDOT Comment # 9: The department notes that the EAR identifies the need to modify Policy 5.1 of the Transportation Element to clarify the following terms and concepts: "*Significantly impacted road segment and deficient as it related to the County adopted 2%-2.5%-3%*", "*mitigation and how it should be applied*", and "*what happens when mitigation allows a project to be consistent with this policy*".

FDOT Comment # 10: The department recommends that the terms and concepts clarified in Policy 5.1 be consistent with the Florida Administrative Code and Florida Statutes, and that appropriate references be cited accordingly.

FDOT Comment # 11: The department notes that the modification to provide for monitoring relating to Policy 5.5 is mistakenly placed within Policy 5.6 and should be brought under Policy 5.5.

FDOT Comment # 12: The department notes that the modification to provide for monitoring relating to Policy 5.6 is not found in the document and should be included.

INTERGOVERNMENTAL COORDINATION ELEMENT (ICE)

EAR recommended changes to this element include the following:

- **Objective 1** minor revisions to include certain key agencies;
- **Policy 1.2** revision to reflect the Department name change;
- **Policy 1.3** revision to reflect the Department name change;
- **Policy 2.1** inclusion of the word "*appropriate*" so that agreements are not limited to agencies within Collier County;
- **Policy 2.6** minor text revisions to update dates;
- **Policy 2.7** minor text revisions to update dates and requirements;
- **Policy 2.8** revision to correct SFWMD name;
- **Policy 2.9** minor text revisions to include a comma and delete specific Florida Statute sub-section.

These revisions do not impact state roadways and, therefore, the department offers no comments.

FUTURE LAND USE ELEMENT (FLUE)

EAR recommended changes to this element include the following:

- **Policy 1.4** revise to allow for, but not mandate, the creation of a District (*perhaps replace "shall" with "may"*);
- **Policy 2.1** revise to correct the CIE Policy reference;
- **Policy 2.4** if changes are made to the Density Rating System to delete the Traffic Congestion Area density reduction factor as proposed, then revise this policy to delete that reference;
- **Policy 2.5** revise to reflect the existence of the TCMA's (*perhaps replace "shall designate" on first line with "has designated"*);
- **Policy 4.5** revise to recognize the periodic update (*perhaps replace the last sentence with a commitment to periodically update the inventory*);

- **Policy 4.7**revise to specify that a redevelopment plan may only be prepared by the County or its agent unless first approved by the Board, and to add reference to the Immokalee Redevelopment Plan;
- **Policy 5.3**revise to clarify changes to the Urban designation refers to the new designation of lands as Urban (*perhaps replace "changes" in the third line with "addition"*);
- **Policy 5.14**revise as necessary to reflect the changed status and contents of the Inter-local Agreements as well as any changes necessary to correlate with the Public School Facilities Element;
- **Objective 6**revise to reference the establishment of TCMAs in past tense (*perhaps replace "are hereby" in the last sentence with "have been"*);
- **Policy 6.3**revise paragraph e) to begin with a verb so as to follow the sentence structure (*perhaps add "Providing" before "Vehicular"*);
- **Objective 7**revise to reference reduction of greenhouse gas emissions (*perhaps add "reduce greenhouse gas emissions," on the second line after "policies."*);
- **Policy 7.3**revise for proper wording (*perhaps replace "and their interconnection points" with "and/or provide interconnections(s)"*);
- **Policy 7.7**revise to update the Division name;
- **Office and In-fill Commercial Subdistrict** revise criterion "I" regarding its applicability;
- **Density Rating System – Residential In-fill**revise to eliminate Transfer of Density Rights (TDR) requirement;
- **Density Rating System – Traffic Congestion Area** delete and replace with a Coastal High Hazard Area (CHHA) density reduction factor, reflect this on the FLUM, make correlating changes to all Growth Management Plan (GMP) references to this provision, make correlating changes to the FLUM to modify the four partial residential density bands within the Urban Residential Subdistrict to complete circular brands, revise both the Roadway Access and Proximity to Mixed Use Activity Center or Interchange Activity Center (*residential density bands*) bonuses to replace reference to this provision with CHHA reference, and revise the Conversion of Commercial Bonus to prohibit its applications within the CHHA;
- **Mixed Use Activity Center Subdistrict** revise to reduce allowable density for residential-only projects within the CHHA to a maximum of 4 DU A and revise the Master Planned Activity Center provision for clarity and possible substantive change;
- **Rural Fringe Mixed Use District** revise to clarify that the District only applies to A-zoned lands, to correct a miss-numbering in the RFMUD Sending Lands designation, and revise the Exemption provision to clarify the applicability of "*expansion*" and to delete unneeded text from the Exemption title;
- **Bayshore/Gateway Triangle Redevelopment Overlay**revise to delete subparagraph 8.e.;
- **Future Land Use Map and Map Series** revise the CHHA boundary to correlate with any CHHA boundary description change made in CCME Policy 12.2.5, revise to update and correct as necessary underlying details of some FLUM series maps, revise one or more maps to correlate with past map changes on related maps, revise Stewardship Overlay Map to add additional approved Stewardship Sending Area and to correct the boundaries of SSA #7, revise FLUM to correct the depiction of certain boundaries in the eastern portions of the County, and revise FLUM legend to depict the (*non-Activity Center*) interchange feature;
- **Henderson Creek Mixed Use Subdistrict**revise to delete paragraph "p";
- **Davis Boulevard/County Barn Road Use Subdistrict** revise to correct a date reference;
- **Planning Horizon Issue** revise the various planning horizons in the GMP to be consistent;
- **Designation/District/Subdistrict Relationship**revisions throughout to clarify the relationship between Designations, Districts, and Sub-districts.

The Department has the following comments on these recommended changes:

FDOT Comment # 13: (Density Rating System – Residential In-fill) It is not clear how much additional development could occur should the elimination of the TDR requirement to qualify for the Residential Infill bonus density occur. Should substantial additional development occur from this amendment, the department recommends that an area wide traffic study be conducted and supporting documentation be provided to establish that adequate capacity will be available for new trips that will impact state facilities for the long-term horizon year and short-term year 2015 conditions.

FDOT Comment # 14: (Density Rating System – Traffic Congestion Area) Please provide analyses to establish the impact of deleting the Traffic Congestion Area Density reduction factor and replacing it with the Coastal High Hazard Area reduction factor. Should substantial additional development occur from this amendment, the department recommends that an Area Wide Traffic Study be conducted and supporting documentation provided to establish that adequate capacity will be available for new trips that will impact state facilities for the long-term horizon year and short-term year 2015 conditions.

GOLDEN GATE AREA MASTER PLAN (GGAMP)

EAR recommended changes to the GGAMP Element include the following:

- **Goal 1**reformatting; re-state to capture essence of subsequent Objectives and Policies;
- **Objective 1.1**reformatting;
- **Policy 1.1.5**may be deleted;
- **Policy 1.1.6**may be deleted or relocated;
- **Policy 1.2.2**revisions to identify another specific activity able to benefit from alternative financing, and re-emphasize balanced transportation planning efforts;
- **Policy 1.2.4**reformatting;
- **Objective 1.3**reformatting;
- **Policy 1.3.1**minor revisions to provide new departmental references;
- **Objective 1.4**reformatting;
- **Policy 1.4.1**consider expanding to ensure comprehensive and uniform application of LDC;
- **Objective 2.1**reformatting;
- **Policy 2.1.1**delete (*no longer applicable*);
- **Policy 2.1.2**minor revision to update terminology;
- **Policy 2.1.3**delete (*no longer applicable*);
- **Policy 2.1.4**delete (*no longer applicable*);
- **Objective 2.2**revisions to show remaining efforts following major project completion, and reformatting;
- **Policy 2.2.1**delete (*no longer applicable*);
- **Policy 2.2.2**delete (*no longer applicable*);
- **Objective 3.1**consider modification to strengthen this Objective and its subsequent Policy in demonstrating support for reducing VMT and GHG emissions, and reformatting;
- **Objective 4.1**reformatting;
- **Policy 4.1.1**revisions to delete mandate to complete a date-specific task;
- **Policy 4.1.2**revisions to delete mandate to complete a date-specific task;
- **Policy 4.1.3**revisions to delete mandate to complete a date-specific task;

- **Objective 5.1**consider minor revision to show use of existing resource, revisions to delete mandate to complete a date-specific task, re-state to capture essence of subsequent Policy, consider modification to strengthen this Objective and its subsequent Policy in demonstrating support for reducing VMT and GHG emissions, and reformatting;
- **Policy 5.1.1**consider minor revision to show use of existing resource, revisions to better support its Objective, and reformatting;
- **Objective 5.2**minor revision to be more inclusive of jurisdictions under the Plan, and reformatting;
- **Policy 5.2.1**minor revision for clarity, consider modifications to strengthen this Policy in demonstrating support for reducing VMT and GHG emissions, and reformatting;
- **Policy 5.2.2**revisions to delete mandate to complete a date-specific task, consider minor revision to show use of existing MPO resource and consider modification to strengthen this Policy in demonstrating support for reducing VMT and GHG emissions;
- **Policy 5.2.3**minor revision to show remaining efforts following major project completion;
- **Objective 5.3**consider minor revision to show use of existing resource, and reformatting;
- **Policy 5.3.2**minor revision to strengthen preservation efforts;
- **Goal 6**consider modification to strengthen this Goal, and its subsequent Objectives and Policies, in demonstrating support for reducing VMT and GHG emissions;
- **Objective 6.1**consider modification to strengthen this Objective and its subsequent Policies in demonstrating support for reducing VMT and GHG emissions and revisions to illustrate expanded planning efforts for more mobility options, and reformatting;
- **Policy 6.1.1**minor revision to illustrate expanded planning efforts, and reformatting;
- **Policy 6.1.2**minor revision to reflect continuing efforts between agencies;
- **Objective 6.2**consider modification to strengthen this Objective and its subsequent Policies in demonstrating support for reducing VMT and GHG emissions, and reformatting;
- **Objective 6.3**reformatting;
- **Policy 6.3.1**minor revision to delete mandate to complete a date-specific task;
- **Policy 6.3.2**minor revision to delete mandate to complete a date-specific task;
- **Objective 7.1**reformatting;
- **Policy 7.1.3**revision to delete mandate to complete a date-specific task;
- **Objective 7.2**reformatting;
- **Policy 7.2.1**minor revision;
- **Policy 7.2.2**minor revision to eliminate duplication of activities;
- **Objective 7.3**re-state to capture essence of subsequent Policies; consider modification to strengthen this Objective and its subsequent Policies in demonstrating support for reducing VMT and GHG emissions, and reformatting;
- **Policy 7.3.1**minor revision to illustrate expanded planning efforts;
- **Policy 7.3.4**minor revision to delete mandate to complete a date-specific task;
- **GGAMP Objective**.....new recommendation based on 2009 adoptions of HB 697 and the County Energy Audit & GHG Inventory;
- **GGAMP Policy**..... new recommendation to follow County Energy Audit & GHG Inventory;
- **GGAMP**assessment of Select Provisions;

- **Estates – Mixed Use District (Conditional Uses Subdistrict)** revision to encompass all essential service uses relevant to the Golden Gate Estates area and expand the referenced listed zoning districts to encompass all relevant zoning districts in Golden Gate Estates;
- **Estates – Commercial District (Randall Boulevard Commercial Subdistrict)** revision to replace the term “shopping center” with reference to C-2 uses.

These revisions do not impact state roadways and, therefore, the department offers no comments.

IMMOKALEE AREA MASTER PLAN ELEMENT (IAMP)

EAR recommended changes to IAMP Element include the following:

- The IAMP Element of the GMP is currently in the process of revising and replacing each existing Goal, Objective and Policy of the IAMP, as well as revising and replacing all future land use designations on the IAMP and IAMP FLUM. The IAMP is expected to be adopted in the first quarter of 2011. The proposed plan intends to increase density and intensity as the main mechanism to promote economic development within the Immokalee Urban Area

The department has the following comments on these recommended changes:

FDOT Comment # 15: The changes to the IAMP Element have the potential to create an increase in vehicle trips on state roadway facilities. The department recommends that an Area Wide Traffic Study be conducted and supporting documentation provided for the above referenced amendments to establish that adequate capacity will be available for new trips that may impact state roadways for the long-term horizon year and short-term year 2015 conditions. Funding sources should be identified for improvements required to alleviate all short-term failures. The improvements needed to achieve and maintain the adopted LOS standard through the year 2015 (*short term*) should be included in a Five-Year Schedule of Capital Improvements. For long-term failures, appropriate policies should be identified in the CIE or Transportation Element of the Comprehensive Plan and the needed improvements should be added to the appropriate plans and programs.

Additional Comment:

FDOT Comment # 16: Analyses and data should be provided for all state roadway facilities for the current year (2010) and the long-term horizon year (2030) to ensure that all ESIS, SIS, FIHS, and non-state roadways with improvements funded through the TRIP adhere to the adopted FDOT LOS standards and to the roadway capacities found in the FDOT 2009 Generalized LOS Tables. If alternative capacities are used for any ESIS, SIS, FIHS, or TRIP facilities, please provide supporting documentation for review showing the derivation of the alternative capacity. Please provide policies/plans to remedy any failures projected for state roadways in the horizon year.

If you have any questions, or should clarification or additional information be needed, please contact me at (239) 461-4300 or lawrence.massey@dot.state.fl.us.

Sincerely,



Lawrence Massey
District 1 Growth Management Coordinator

LLM/ltm/gmb



FLORIDA DEPARTMENT OF STATE

Dawn K. Roberts

Interim Secretary of State

DIVISION OF HISTORICAL RESOURCES

September 29, 2010

Mr. Ray Eubanks
Department of Community Affairs
Bureau of State Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Historic Preservation Review of the Collier County Evaluation and Appraisal Report

Dear Mr. Eubanks:

According to this agency's responsibilities under Section 163, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document. Our cursory review indicates that historic resources are addressed in the Countywide Assessment of various elements within the Evaluation and Appraisal Report (EAR), but not specifically addressed as Major Issues.

In the Countywide Assessment, Policy 3.5 of the Housing Element addresses the Old Naples area and the protection and preservation of the residential character. This policy has not yet been achieved, but remains relevant. The recommendation is to add a due date so as to make this policy measureable. Objective 5 of this element goes into more depth regarding historic resources and indicates that the county and City of Naples will monitor all identified significant historic resources annually to ensure that these resources are being maintained. This objective is proposed to be retained, along with implementing policies. Implementing policies include maintaining significant historic structures by means of the provision of technical assistance; the review of land development regulations to encourage protection and preservation of historic structures; local designation of significant resources; and potential incentives to encourage preservation of historic housing. The last policy has not yet been achieved as incentives to maintain and rehabilitate historic homes have not been adopted.

In the Conservation and Coastal Management Element assessment, Objective 11.1 addresses the protection of both archaeological sites and historic properties in the county. Implementing policies considered relevant and to be retained include the continued enforcement of development regulations; no loss of historic or archaeological resources on county-owned property and protection of resources on private property; and fortuitous finds during construction activities and the appropriate measures to ensure assessment and evaluation of the resource, including preservation if appropriate. We note that in Policy 11.1.2.c, mention is made of the excavation of archaeological resources by the Division of Historical Resources. This agency does not conduct excavations on private property.

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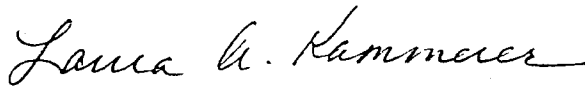
Mr. Eubanks
September 29, 2010
Page 2

In the Future Land Use Element, Policy 3.1.h. regarding Land Development Regulations, provides for the protection of historically significant properties, and lists the various means for protection of these properties. This policy is proposed to be retained.

Our cursory review suggests that no major changes are proposed for the protection and preservation of significant archaeological sites and historic properties.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at 850.245.6333.

Sincerely,



Laura A. Kammerer, Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

pc: Ms. Brenda Winningham