



SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Thursday, April 15, 2010 at 9:00 am

Southwest Florida Regional Planning Council
1st Floor Conference Room
1926 Victoria Avenue
Fort Myers, FL 33901

AGENDA

Mission Statement

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL – Ms. Nichole Gwinnett

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Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact Ms. Deborah Kooi at the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550 #210; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD. Or email dkooi@swfrpc.org.

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6. PUBLIC COMMENTS
7. DIRECTOR'S COMMENTS
8. STATE AGENCIES COMMENTS/REPORTS
9. COUNCIL ATTORNEY'S COMMENTS
10. COUNCIL MEMBERS' COMMENTS
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NEXT SWFRPC MEETING DATE
May 20, 2010

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEER - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DCA - Department of Community Affairs

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAW - Florida Administrative Weekly

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NARC - National Association of Regional Councils

NOPC - Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP - State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plans

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)

_____ Agenda
_____ Item

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Minutes

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MARCH 18, 2010**

The regular meeting of the **Southwest Florida Regional Planning Council** was held on **March 18, 2010** at the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Mick Denham** called the meeting to order at **9:00 a.m.** **Commissioner Butch Jones** led an invocation and the Pledge of Allegiance. Senior Administrative Staff Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Councilman Don McCormick, Commissioner Tricia Duffy, Ms. Andrea Messina

Collier County: Councilman Charles Kiester, Commissioner Jim Coletta, Councilwoman Teresa Heitmann, Commissioner Frank Halas, Mr. Bob Mulhere

Glades County: Commissioner Kenneth “Butch” Jones, Dr. Edward Elkowitz

Hendry County: Commissioner Karson Turner, Mayor Paul Puletti

Lee County: Commissioner Ray Judah, Mayor Mick Denham, Councilman Forrest Banks, Mayor John Sullivan, Councilman Tom Babcock

Sarasota County: Commissioner Jon Thaxton, Councilman Ernie Zavodnyik

Ex-Officio Members: Ms. Dianne Davies - SWFWMD, Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD, Mr. Johnny Limbaugh - FDOT, Ms. Tammie Nemecek - EDC of Collier County

MEMBERS ABSENT

Charlotte County: Commissioner Robert Skidmore, Mr. Alan LeBeau

Collier County: None

Glades County: Councilman Michael Brantley, Commissioner Paul Beck

Hendry County: Commissioner Tristan Chapman, Mr. Melvin Karau, Mayor Mali Channess

Lee County: Commissioner Tammy Hall, Ms. Laura Holquist, Mr. Paul Pass, Councilman John Spear

Sarasota County: Commissioner Carolyn Mason, Mr. George Mazzarantani, Commissioner Tom Jones, Mr. David Farley

Ex-Officio Membership: None

MOMENT OF SILENCE

The Council held a moment of silence in memory of Lee County Commissioner Bob Janes who also was a former Chair and member of the Council.

Commissioner Judah announced that there will be a celebration of Commissioner Janes' life held at the Harborside Event Center on March 22nd at 4:00 pm.

Chair Denham announced that the Council will be making a \$100 contribution to the Bob Janes memorial fund.

INTRODUCTIONS

Chair Denham introduced: Ms. Diana McGee, Regional Director from US Senator Bill Nelson's Office and Mr. Dick Keen from US Congressman's Tom Rooney's Office.

AGENDA ITEM #1 AGENDA

Ms. Messina moved and Dr. Elkowitz seconded to approve the agenda as presented. The motion carried unanimously.

AGENDA ITEM #2 MINUTES OF FEBRUARY 18, 2010

Councilman Kiester moved and Ms. Messina seconded to approve the minutes of February 18, 2010 as presented. The motion carried unanimously.

Chair Denham announced that he would be pulling Consent Agenda Item #3(d) Collier County Comprehensive Plan Amendments (DCA 10-1) for discussion purposes.

AGENDA ITEM #3(d) Collier County Comprehensive Plan Amendments (DCA 10-1)

Chair Denham stated that he is particularly interested in Amendment CP 2009-1 where the comments which staff had written indicate this amendment would be very detrimental to Everglades Restoration, etc.

Mr. Crawford of staff explained that Amendment CP 2009-1 of the Collier County Comprehensive Plan is a petition to change their future land use element and their future land use map and map series to create the Dade-Collier Cypress Recreation District within the conservation designation. The site is located on the Dade-Collier County line, just north of US41. The

property is owned by Dade County and it is really to make a recreation area for a variety of uses that you would normally find in a recreational park. The most serious concern that staff had was the proposed ATV usage in the area. Collier County has been looking for an ATV park location for several years, this piece of property was decided upon and studied by Dade County as the most appropriate for that use, so Collier County is trying to amend their comprehensive plan in order to allow the ATV park in that location. Staff has concerns for basically two main reasons: there are environmental concerns when you bring ATV vehicles into that area (the Everglades); and, there is a canal on the Everglades Restoration list, which is an approved project in the Everglades Restoration (L28), that is located just to east of the property. The Everglades Restoration is proposing to fill that canal which is going to change the sheet-flow in the Glades that will go over the site, so the water will be much more significant than what it is at the present time. Staff has received comments from the SFWMD in agreement that the canal issue could cause a problem in future for the use of the park for the proposed activities on the site. Staff recommends that it is regionally significant and inconsistent with the SRPP in terms with the environmental impacts the Everglades Restoration.

Chair Denham referred to Item 7 on Pages 64 and 65 of the item. He read staff's comments on the negative impacts.

Commissioner Coletta explained that this has been a special project which he has been working on very closely with Commissioner Peppe Diaz from Miami-Dade County. He noted that when the Picayune Forest was the south block of Golden Gate Estates, everyone had access to it for ATVs and it was a tremendous recreation location for families. As time went along the State realized that they had to do something along a conservation effort than what has been done in the past, so they came to Collier County and said if you give us the roads in the proposed Picayune Forest we will give you a square mile (640 acres) for ATV recreation. Unfortunately, to this day that never happened, so Collier County has been working ever since trying to come up with something for ATV recreation. This project is a partnership with Miami-Dade County on airport land which is already disturbed land and is fenced in. The property has man-made lakes and when the airport was built they filled in the land around it. He doesn't feel that there are any environmental impacts or endangered species on the property. As it is now the property floods during the summer time so the recreation vehicles will not be able to use the property.

Commissioner Coletta noted that the preserve next to the property was created with a combined effort of the environmentalists and the access community that likes to hunt and fish on the property. He then asked the Council that if they find an issue with the amendment to continue Amendment CP 2009-1 so that a more formal presentation could be made and members of the community could be present. He noted that the Collier County BOCC passed the amendment with a 5-0 vote.

Commissioner Halas asked where Council staff received their information from. Mr. Crawford explained that as far as the L28 information is concerned it came directly from the SFWMD and the environmental information came from local knowledge.

Commissioner Halas stated that when this amendment came before the Collier County BOCC he had some questions at the time and had asked staff and he was assured that there wouldn't be any environmental impacts, but now that he has read Council staff's comments and he now has some concerns once again.

Commissioner Judah said that he applauds Council staff comments and bringing forth this sensitive issue and he also respects and appreciates the position of the Collier County BOCC in regards to the promise that was made to the ATV recreational users. He then said that this was a holy war when this jetport landing strip was built and killed during the Nixon Administration, because of its impacts to the Everglades. It absolutely has a devastating impact to the Everglades Restoration and he welcomes to hear both sides of the issue and defer the item for that purpose.

Mr. Mulhere stated that another consideration is one of the issues that has been dealt with in Collier County in the significant amount of lands that are under state and federal ownership, where almost 80% of Collier County are under state or federal ownership, was the illegal use of lands for ATVs and the damage that was occurring as a result of that use (i.e. Big Cypress and Collier-Seminole State Park). This whole process was intended to find a location where this specific type of recreation use could be properly controlled and managed, and the impacts associated with it could also be properly controlled and managed.

Mr. Mulhere moved and Commissioner Judah seconded to continue Collier County Amendment CP 2009-1 in order to have a presentation on the issue at the April Council meeting. The motion carried unanimously.

Commissioner Coletta requested to approve the remaining six amendments that are within the item.

Mr. Hutchinson of staff requested that Mr. Crawford give an overview of the DCA process.

Mr. Crawford explained that DCA has a schedule for the ORC report which Council staff has to also meet that schedule. DCA will be producing the ORC report within the next month, so what he will do is take the Council's comments from the meeting and send them to DCA.

Commissioner Thaxton asked if DCA's timeline is set by rule. Mr. Crawford replied yes. Commissioner Thaxton stated then in essence the Council would be making no comments in reference to Amendment CP 2009-1. Mr. Crawford explained that we would unless DCA decides to change it for this particular one and defer the ORC report. Commissioner Thaxton asked if DCA has the legal authority to change it and give the Council the opportunity to submit comments at a later date. Mr. Crawford replied that he has never seen it done before.

Commissioner Coletta explained that it is moving forward for transmittal and it has to come back through the process again in Collier County for adoption. Mr. Crawford stated that after it is adopted it does come back for another round of comments.

Commissioner Thaxton stated that the time to get comments into the process is not at the adoption hearing, it is during the transmittal period and that is why the process is set up the way that it is.

Commissioner Judah asked for clarification that the Council is not to move forward on the amendment. Mr. Crawford explained that he would write in the letter to DCA that Amendment CP 2009-1 would be continued and pulled from the request.

Mr. Flood asked if staff comments are sent to DCA without the Council's blessing. Mr. Crawford explained that the comments are sent to DCA as staff comments with a letter stating that they are staff comments and they will be reviewed by the Council at the Council meeting and if there are any changes to the comments, staff will provide the Council's comments to DCA.

Commissioner Judah stated that the CP 2009-1 Amendment is not being moved forward at this time, so the comments will be reserved regarding this amendment until after the April Council meeting. Mr. Crawford explained that the Council is a commenting agency and the comments will state that Amendment CP 2009-1 has been continued for one month for further review.

Mr. Mulhere stated that he doesn't believe that the Council has the authority to stop the amendment from moving forward, but Collier County could choose to withdraw this particular amendment. He does feel that it is important that the Council's comments move forward.

Commissioner Judah stated that his assumption was that Collier County would withdraw Amendment CP 2009-1 until the Council has time to review it.

Commissioner Halas stated that he has a concern with what he read in the Council's staff report and he was also surprised that it was on the consent agenda. He believes that the issue needs to be discussed further. If there are environmental and endangered species impacts and if the SFWMD has some concerns, even though they haven't met their obligations, Collier County also has to make sure they meet their obligations of their federal partner of the lands and what their intended use is and what they are planning to do with the sheet-flow. These issues weren't brought out in the board meeting about them filling in a canal, which will create additional sheet-flow.

Ms. Davies stated that Mr. Mulhere was correct in stating that Collier County could grant a continuance or extension to the petition to DCA. She then explained that it is her understanding that Amendment CP 2009-1 is the only amendment among the amendment item, which has several amendments that are being proposed, the Council doesn't want to comment on and the rest of the amendment package will go through to DCA. She noted what she has seen happen is when the remainder of the amendment package goes through and Collier County receives the ORC Report, they will be able to address those comments through their review of the ORC Report. However, she has also seen DCA come back after an ORC Report has been addressed and pull specific petitions to be entered as out of compliance within that amendment package. So Collier County could end up with a Notice of Intent for Compliance In or Out of Compliance with the one specific petition being excluded.

Mr. Mulhere explained that typically is what Collier County will do which is set it up under a separate resolution. He then said that if the Council can move the rest of the amendment package forward with pulling Amendment CP 2009-1 and either make a recommendation today or defer making a recommendation which is the concern Commissioner Thaxton had expressed.

Mr. Mulhere and Commissioner Judah withdrew their motion.

Chair Denham suggested to forward staff comments as presented, but with additional comments as the Council has noted.

Commissioner Coletta stated that he would like to hear from the opposition, not just have the Council base their decision on staff's report. He feels that what is written in staff's report is a distortion of the truth because he has been out to the site many times. He feels that it is unfair not to be able to have a presentation be made with all of the parties involved.

Dr. Elkowitz stated that he agrees with the Chair's comments but they need to be stronger. The comments that are sent to DCA needs to be stronger in the way that the Council moves forward with the exception of this particular item which the Council wants to review and have a public hearing and have a review by Collier County, Dade County, and the Council. He said to move forward with the package, excluding this particular item until further investigation.

Commissioner Judah moved and Commissioner Thaxton seconded to move forward with staff's recommendations and also include Council's comments as noted.

Commissioner Thaxton stated that the argument that was made was that there would be ample opportunity to review it at the adoption hearing. He noted that the Council meeting was a duly advertised public hearing, so there was plenty of time for those individuals who wished to pull or to prepare comments on this item to attend this meeting and make their case. On the other hand, staff is present, their comments are prepared, and are prepared to defend what they stated within the report. We hire professional staff for the very reason of getting this sort of professional input. So, he feels that if there was some other input on the issue they should have been in attendance. This is why he supports transmitting staff's recommendations and then if there is additional professional input that should be heard by the Council, we will have the opportunity to do it at the adoption phase.

Mr. Mulhere moved an amendment to the motion and Commissioner Judah seconded to include a recommendation from the Council to Collier County to voluntarily relieve the Council staff from the 30 day comment period which would allow enough time for staff to come back to the Council and make a presentation in advance of providing ORC comments.

Dr. Elkowitz stated that he feels that the Council needs to spell out to DCA exactly what it wants.

Mayor Puletti asked for clarification in what is the definition of ATV recreation for the proposed site. Does it include mud holes, family picnics, etc. Commissioner Coletta replied that includes designated trails which there are a limited amount of them and there will be some picnic grounds. There are existing lakes with fish which will be available for fishing, camping areas available for family camping, which is all during the appropriate season.

Commissioner Turner noted that some of the wildlife management areas, Spirit of the Wild is 8,000 acres, Okee Slough is 34,000 acres, Dinner Island Wildlife Management Area 24,000 acres, and currently Hendry County is 50% owned by the State of Florida and our residents have zero areas to drive an off road vehicles. He stated that he agrees with Commissioner Coletta that there needs to be places for families to go with their recreational vehicles.

The amendment motion passed with three opposed.

The main motion passed with four opposed.

**AGENDA ITEM #3
CONSENT AGENDA**

Commissioner Judah moved and Councilman Banks seconded to approve the consent agenda as amended: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for February 28, 2010; Agenda Item #3(c) Estero Bay ABM Elections, Workplan & Bylaws; Agenda Item #3(e) Lee County Red Sox Stadium DRI - Development Order Review; Agenda Item #3(f) North Port Gardens DRI - Request for Extension; and Agenda Item #3(g) Florida Gulf Coast Technology & Research Park DRI - Request for Extension. The motion carried unanimously.

**AGENDA ITEM #4
HARBORVIEW SUBSTANTIAL DEVIATION DRI - STAFF ASSESSMENT**

Mr. Dan Trescott of staff explained the distributed letter requesting a continuance of the DRI Staff Assessment until the Council's April meeting.

Commissioner Judah moved and Commissioner Duffy seconded to approve the continuance of the Harborview Substantial Deviation DRI Staff Assessment to the April Council Meeting.

Commissioner Judah stated that there is a issue because the proposed subject property is within the coastal high hazard area and flood way and FEMA just recently adopted changes to the FEMA floodplain regulations which doesn't allow fill in flood ways. Mr. Trescott explained that he is working on that issue with Charlotte County. He stated that he is not sure if there really is a flood way located within the subject property, there is definitely a coastal high hazard area issue which apparently the county and applicant has worked out regarding the number of units that is allowed. There is a "V" zone and in terms of their regulations they have allowed no more than one foot of fill unless the applicant is going to fill the entire site and then they can actually request a map change.

Commissioner Judah noted that Lee County's Comprehensive Plan calls for a reduction in density in coastal high hazard areas and not an increase in density. Mr. Trescott stated that the law states that you cannot increase the density within the coastal high hazard area, which is going to change pretty soon because we are working on the new storm surge maps for the coastal counties as soon as the model is completed for the hurricane center.

Commissioner Judah stated that this issue needs to be discussed at the April meeting when this item is brought back before the Council.

The motion carried unanimously.

AGENDA ITEM #5(a)
Lower West Coast Watersheds Implementation Committee

SWFRPC Resolution #2010-02 - Resolution of the Southwest Florida Regional Planning Council in Support of the Federal Law Concerning Emerging Substances of Concern - Mr. David Crawford

Mr. Crawford of staff reviewed the item as presented.

Dr. Elkowitz moved and Commissioner Judah seconded to approve SWFRPC #2010-02 - Resolution of the Southwest Florida Regional Planning Council in Support of the Federal Law Concerning Emerging Substances of Concern.

Dr. Elkowitz stated that there are five classes of chemicals that are being analyzed and he would support to move forward on the analysis of other categories of chemicals.

Councilman McCormick asked for clarification that there were 38 million chemicals that the federal government has not regulated. Mr. Crawford replied yes.

Commissioner Thaxton thanked Dr. Elkowitz for his leadership on this issue.

The motion carried unanimously.

Dr. Elkowitz stated that when the issue of waste disposal is discussed with staff he would like to have staff review the following , we are dumping material that we believe is innocuous today, but 20 years in the future when there is new technology one of those 38 million chemicals are going to come up as a problem. Therefore he believes the next issue that the Council should concentrate on is waste disposal and where it is being created, how it is being created, and what is being disposed of. He explained that in Glades County there is a waste facility on the shores of Lake Okeechobee and he believes that it is within a flood zone, but what are the impacts going to be from this facility to the lake in 20 years. He then brought up the example of Love Canal in upstate New York, when it was discovered that what was being dumped into the canal was cancerous.

Chair Denham asked Dr. Elkowitz how he proposes the Council address the waste disposal issue. Dr. Elkowitz suggested creating a committee. Chair Denham explained that the problem with creating a committee is having the staff time to support the committee.

Commissioner Butch Jones stated that there was an individual that had a sugar cane field in Glades County and he applied for a permit for a C&D landfill, Glades County opposed the landfill with a vote of 5-0, but it was approved by every governmental agency. There is a spotter that is paid to watch every truck that comes into the landfill, supposedly no gypsum board, and you can go by any

day of the week and smell rotten eggs. Even though Glades County opposed the landfill, they insisted on the 9 mil liner which none of the regulatory agencies required.

Commissioner Coletta suggested having a presentation from the different elements of the waste management industry, environmental groups, etc. in order to have more information on the issue. He believes that in a very short time there won't be any more landfills, the current landfills will be considered resources to be mined. The way things are going now we are probably going to be converting the liner gear to bio-diesel.

Commissioner Judah stated that Lee County had recognized the issue back in the early 1990's and that is why they built a waste management facility in order to compliment a very aggressive recycling program.

Commissioner Judah moved Commissioner Butch Jones seconded to have the Council request that the State Legislature impose a requirement that for construction and demolition (C&D) Class III landfills have a liner. The motion carried unanimously.

Dr. Elkowitz stated that when staff reviews comprehensive plans and DRIs staff informally reviews waste disposal, so all he is asking for is that staff formally puts down whether or not they are in compliance.

Chair Denham asked if waste disposal is part of the DRI Checklist. Mr. Trescott replied it is part of the DRI Checklist as far as where the waste is being disposed. Chair Denham asked Mr. Trescott how all of the issues relative to waste disposal are being addressed by staff. Mr. Trescott explained that staff doesn't deal with the regulation of the landfill. Staff deals with where the waste is going, how much waste is being disposed of based on the types of development, and now staff is looking at more of construction debris. Staff has been mostly looking at domestic waste, but will also be reviewing construction debris.

Chair Denham suggested working with staff on whether or not an agenda item should be at a future meeting to further discuss the issue.

Opposition to State Fertilizer Rule Preemption of Local Ordinances Letter - Mr. James Beaver

Mr. Beaver reviewed the item as presented.

Commissioner Thaxton stated that he had served on the State's Urban Fertilizer Task Force and that committee which had both city, county, fertilizer, agriculture, etc. representation voted that the State be okay in creating a standard state-wide rule, but that committee recommend that the State not pre-empt local governments. So we need to remind the State Legislature that their own self-appointed committee advised them not to do what they are doing.

Chair Denham stated that he agrees with Commissioner Thaxton.

Mr. Beaver stated that for the water quality issues; the State has come back with a revised version of the designated uses rule and there has been some significant improvement which incorporates a number of comments that have been provided. The one problem that continues to exist is that

they have rule language and they have a hand book which goes along with the rule and the hand book is not completely consistent with the newly revised rule language. Comments are going to be received by FDEP until March 24th.

Mr. Beever stated that the Stormwater Rule is currently being revised and there is also a handbook that also goes along with the Stormwater Rule, so the committee needs to review the handbook to see how it goes with the Stormwater Rule. There will be workshops held in Fort Myers in May for people who want to see what the new version of the Stormwater Rule is like and comments are due by June 15th.

Mr. Beever explained that committee is also trying to follow the EPA's proposed Numeric Nutrient Standards Rule and the committee has compiled a draft letter based upon input that was received from the Council and committee and that it is going to be reviewed at the committee's next meeting.

Chair Denham announced that the Lower West Coast Watersheds Implementation Committee meets the first Thursday of every month at 10:00 am at the Council's offices.

AGENDA ITEM #5(b)
SWFRPC Quarterly Budget Committee Report – Ms. Laura Holquist

Chair Denham explained that since Ms. Holquist wasn't present that he would be giving the Quarterly Budget Committee Report.

Chair Denham explained that the first recommendation from the committee was to recommend to the Council that a policy is created within the next cycle where every five years the Council goes out for RFP for an Audit Team.

Commissioner Judah moved and Commissioner Thaxton seconded to have a policy created, within in the next cycle, where every five years the Council goes out for RFP for an Audit Team. The motion carried unanimously.

Chair Denham explained that the second recommendation from the committee was to have the Budget Committee approve any budget amendments for any given year prior to being presented to the full Council.

Councilman McCormick moved and Councilman Kiester seconded that the Budget Committee shall approve any budget amendments for any given year prior to being presented to the full Council.

Commissioner Judah recommended that the Budget Committee should "review and recommend" any budget amendments...

Both Councilman McCormick and Councilman Kiester agreed to Commissioner Judah's amendment. The amended motion shall read:

Councilman McCormick moved and Councilman Kiester seconded that the Budget Committee shall review and recommend ~~approve~~ any budget amendments for any given year prior to being presented to the full Council. The motion carried unanimously.

Chair Denham explained that the third recommendation from the committee was to compile an executive summary for each quarter and for the annual budget.

Commissioner Judah moved and Ms. Messina seconded to approve to have an executive summary for each quarter and for the annual budget. The motion carried unanimously.

Chair Denham explained that the fourth recommendation from the committee was to include a schedule within the monthly financials that shows grant activity.

Commissioner Judah moved and Councilman McCormick seconded to include a schedule within the monthly financials that shows grant activity. The motion carried unanimously.

AGENDA ITEM #6(a)

Census 2010 Presentation - Ms. Marcela Rice, U.S. Census Bureau

Ms. Rice gave a verbal presentation on the 2010 Census.

Councilwoman Heitmann asked if all ten questions are not completed will the survey still be counted. Ms. Rice replied yes, but the basic information should be put in because it is bar coded.

Councilwoman Heitmann asked if the Census is still requesting space at the Council. Ms. Rice replied that they do not need any space at the Council. Mr. Heatherington explained that the Council's office didn't have any privacy areas available for the census.

AGENDA ITEM #6(b)

Legislative Issues Update - Mr. Ken Heatherington

Mr. Heatherington reviewed the item as presented.

Commissioner Judah stated that he thought that the Bennett sponsored amendment was eliminated, but you are now saying that it is being discussed today. Mr. Heatherington said that is correct. Commissioner Judah said that the Council needs to keep track of it because SB360 was a bad bill to begin with.

Mr. Heatherington reviewed HB 1095 which deals with Dissolution of Special Districts and SB 1568 which is its companion, most local governments dislike the bills because it puts them on the hook for development districts.

Commissioner Judah moved and Commissioner Thaxton seconded to send a letter to the State Legislature opposing HB 1095 and SB 1568. The motion carried unanimously.

Commissioner Turner asked for clarification between a Bill and a Senate Joint Resolution. He then referenced Senate Joint Resolution #1206 sponsored by Senator Mike Bennett which states that if TECO, FPL or Algenol, etc. wants to build a renewable energy facility that a time certain date it will be tax exempt on the ad valorem rolls. He brings this issue up because hopefully within the near future there will be renewable energy facility in either Glades or Hendry Counties and they are going to have to pay ad valorem revenues on that facility, and he would like to see the local governments have the ability to make that decision whether they are exempt or not because we simply don't have the tax base to make them exempt.

Commissioner Turner moved and Commissioner Judah seconded to send a letter to the State Legislature stating that the Council is in opposition of having the State pre-empt the local cities and counties if they want the incentive in bringing renewable energy companies to their area and exempt ad valorem taxes, then it would be up to the local jurisdiction. The motion carried unanimously.

Commissioner Turner stated that the State of Florida is behind the times in terms of renewable energy portfolio and he wants to make sure that local rule is being considered.

Commissioner Duffy asked if anyone had any information on the On-Line Travel Bill where the on-line travel companies are paying the fed tax on net amount instead of on the gross amount. She explained that the Charlotte County BOCC discussed the issue at their last meeting that she was under the impression that bill was to have them pay on the higher amount, but when she looked into the issue the bill was written to give the travel companies more flexibility.

Councilman McCormick explained that companies like Expedia and Travelocity that do packages pay taxes on the initial fee as opposed to what the customer actually pays.

Commissioner Turner addressed the distributed Glades and Hendry Joint Transportation Disadvantaged Committee letter and asked for the Council's support.

Mr. Heatherington explained that the letter has to do with the transportation disadvantaged programs which are housed within the Council and there has been some discussion about possibly reducing the amount to the TD programs and also having the programs managed by FDOT. Mr. Gary Bryant from Goodwheels has stated that they may go away because there probably is a larger provider that is talking about district-wide transportation.

Ms. Messina explained that on behalf of the school districts, SB6 goes against the local school board authority and it puts a whole lot of things into the State Board of Education, such as having to submit our travel schedules to the State Board of Education for approval, having to submit our appraisal instruments, things that we usually work out with our local union. The unions are against SB6 because it circumvents reduction in force in the contractual union language and it also requires three things which are not going to go away even if this bill fails nationally: differentiate pay, performance pay, and national standards.

Commissioner Judah moved and Commissioner Turner seconded to have the Chair sign a letter from Glades County in support of not reducing the funds from the Transportation Disadvantaged program and also not raid the Transportation Trust Fund in order to balance the budget. The motion carried unanimously.

Mr. Heatherington explained that another issue that is passing in the committee (Wildlife HB 709) is the snake issue in the Everglades on licensing pythons, cobras, etc. Mr. Beever had mentioned that a white cobra was found in the Everglades. The issue of the impacts on the urban parks and natural parks was discussed because people are afraid to go to the parks due to the threat of the snakes.

Ms. Donley noted that the US Fish and Wildlife Service are taking comments on new federal regulation regarding exotic reptiles until May 11th.

**AGENDA ITEM #6(c)
Other Regional Issues**

Mr. Heatherington reviewed the item as presented.

**AGENDA ITEM #7
PUBLIC COMMENTS**

No public comments were made at this time.

**AGENDA ITEM #8
DIRECTOR'S COMMENTS**

Mr. Heatherington had no comments at this time.

**AGENDA ITEM #9
STATE AGENCIES COMMENTS/REPORTS**

SFWMD - Mr. Flood announced that the SFWMD Governing Board had voted to extend the contract with US Sugar to purchase those lands for environmental restoration. He also announced that April is Water Conservation Month and wanted to commend all the local governments for all of their efforts to push forward water conservation and the resolutions that have been adopted.

Chair Denham announced that the April Council meeting has been dedicated to water initiatives and the water management districts will be making presentations on their projects and programs.

SFWMD - Ms. Davies announced that she will be giving a presentation on the SWFWMD's Regional Water Supply Plan. She also announced that the SWFWMD's 2011-2015 Strategic Plan is available on their website.

**AGENDA ITEM #10
COUNCIL ATTORNEY'S COMMENTS**

Ms. Donley stated that she had no comments at this time.

**AGENDA ITEM #11
COUNCILMEMBERS' COMMENTS**

Commissioner Coletta announced that there is a meeting being held in Collier County tonight to firm up the hunting regulations for Pepper Ranch, which is land that Collier County had purchased under the Conservation Collier. Collier County had put together a Youth Hunt at Pepper Ranch which is scheduled to take place on April 16th and there are four volunteers for every youth and the hunt is being used to control some of the wild pig population. He also announced that the Boy Scouts have been holding Jamborees at Pepper Ranch and everyone has enjoyed it.

Councilman Zavodnyik stated that he would like to comment on an observation during the Council's discussion on the Collier County Comprehensive Plan Amendment item. He explained that he is generally a big supporter of staff; however, he feels that some of the comments that were made were not supportive of staff, this is not to say you cannot disagree with staff, but the tenure that he felt from the discussion about staff's input was too one-sided, incomplete, etc. and he feels that the Council needs to refrain from those types of comments. Secondly, he feels that the Council needs to find a better way of discussing such items, that item should not have been on the consent agenda. Staff should have realized that there were going to be two positions at least on that particular amendment/item and placed it on the agenda for discussion.

Commissioner Butch Jones complemented the SFWMD for their efforts in rotating their meetings around, especially to Glades County.

Councilman Banks stated that there were great Edison Pageant festivities in Fort Myers and he believes that the Edison Parade attendance broke the record.

Ms. Messina suggested placing the regional census information up on the Council's website.

Councilman McCormick stated that he attended the SFWMD Agricultural Seminar held in Fort Myers and he then suggested that the Council may want to give future consideration to land inventory. He asked do we have an inventory of land by use in our area. Mr. Heatherington explained that staff does have a public land use map, future land use map, existing comprehensive map, etc. which are located on the Council's website.

Ms. Davies stated that the SWFWMD also has layers.

Councilman Kiester suggested to staff to put the changes for the Harborview Substantial Deviation DRI Staff Assessment into a summary instead of having to copy the whole staff assessment over again for the April meeting.

**AGENDA ITEM #12
ADJOURN**

The meeting adjourned at 10:55 a.m.

Commissioner Karson Turner, Secretary

The meeting was duly advertised in the March 5, 2010 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 36, Number 09.

_____ Agenda
_____ Item

3

Consent Agenda

3

3

CONSENT AGENDA

Agenda Item #3(a) – Intergovernmental Coordination and Review

Approve administrative action on clearinghouse review items.

Agenda Item #3(b) – Financial Statement for March 31, 2010 & Grant Activity Sheets

Approve the financial statement for March 31, 2010 as presented. The grant activity sheets are for information purposes.

Agenda Item #3(c) – City of Sarasota Comprehensive Plan Amendments (DCA 10-1)

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and the City of Sarasota.

Agenda Item #3(d) – City of Bonita Springs Comprehensive Plan Amendments (DCA 10-1)

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and the City of Bonita Springs.

Agenda Item #3(e) – Hendry County Comprehensive Plan Amendments (DCA 10-2)

Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and Hendry County.

Agenda Item #3(f) – Sarasota Care Center East DRI - Abandonment

Accept the Sarasota Care Center East Application for Abandonment as submitted and find that the development is eligible for abandonment.

Notify Sarasota County, the Florida Department of Community Affairs and the applicant that the Council has determined the eligibility for abandonment and that no objections were raised to the proposed abandonment at the regional level.

Request Sarasota County to provide a copy of the official recorded document abandoning the Development Order for Sarasota Care Center East DRI.

RECOMMENDED ACTION: Approve consent agenda as presented.

4/2010

_____ Agenda
_____ Item

3a

Intergovernmental
Coordination & Review

3a

3a

Project Review and Coordination Regional Clearinghouse Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning March 1, 2010 and ending March 31, 2010.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.

Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.

Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the State Clearinghouse (Office of Planning and Budgeting) in Tallahassee.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items.

4/2010

ICR Council - 2010

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2010-03	Mr. William Fleeman	Community Haven for Adults and	Sarasota County	Community Haven for Adults and Children with Disabilities, Inc. - 2010 U.S.C. Section 5310 Grant.	Federal Transit Administration	\$136,000.00	Regionally Significant and Consistent
2010-14	Ms. Lainie Edwards	FDEP - Environmental Permitting	Collier County	FDEP Joint Coastal Permit (File No. 0142538-008-JC) - Wiggins Pass Maintenance Dredging in Collier County, FL.			Regionally Significant and Consistent

Review in Progress

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2010-15			Collier County	FDEP Permit Modification #1332L for production enhancement through well completion with lateral well bores (LWBs) for the BreitBurn Florida LLC at Raccoon Point Field, Pad 5 in Collier County, Florida.			Review in Progress

_____ Agenda
_____ Item

3b

Financial Statement
For March 31, 2010 &
Grant Activity Sheets

3b

MONTHLY FINANCIAL CONTENTS
For the month ending March 31, 2010

	Pages
Financial Reports:	
Balance Sheet - Governmental Types and Account Groups	1
Balance Sheet - Assets, Liabilities and Capital	2
Income Statement - Combined	3
This page is a comparison of the budget and actual for the current month as well as the year to date figures. It also includes the net income for both the month and the year to date. The last column of the report reflects the percentage spent of the budget in each expense line as well as the overall total.	
Explanation of Council's Financial at current month end including:	4
<ul style="list-style-type: none"> - Percentage of Budget Spent for RPC, MPO, and NEP and any predicted expenses as to percentages not within acceptable range. There may be further comments on the breakdown of actual expenses. - Net income at current month end - Graphs showing the distribution of revenues and expenses - Any other notes felt needed at this time 	
Income statement - Comparison of current year vs. prior year	5
This page is a comparison of the actual figures for the current month and year to date to the previous year's figures. It also includes the net income for both years.	
Breakdown of actual expenses for the RPC, MPO, NEP including	
<ul style="list-style-type: none"> - percentages and any amendments requested. - Please note that the Budget on the Income Statement on page 3 will not reflect any amendments, if needed, until they are actually approved. 	
Combined RPC/MPO/NEP	6
NEP	7
MPO	8
RPC Total	9
RPC by Project	10
Grant Activity	
Net Income Statement with a breakdown of monthly recognized revenue	11
Overall view of all Grants (RPC-MPO-NEP)	12

At the request of our auditors, we are also including a bank reconciliation for the current month and a general ledger reflecting our other bank balances.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
COMBINED BALANCE SHEET -
GOVERNMENTAL FUND TYPES AND ACCOUNT GROUPS
March-10**

	Governmental Fund Types		Account Groups		Totals
	General Fund	Special Revenue Fund	General Fixed Assets	General Long-Term Debt	(Memorandum Only)
ASSETS AND OTHER DEBIT					
Cash and cash equivalents	\$ 60,969	\$ -	\$ -	\$ -	\$ 60,969
Investments	514,221	-	-	-	514,221
Receivables - grants and contracts	-	465,283	-	-	465,283
Receivables - other	-	-	-	-	-
Due from other funds	-	(213,612)	-	-	(213,612)
Other assets	675	-	-	-	675
Property and equipment, net	-	-	1,619,940	-	1,619,940
Amount to be provided for retirement of general long-term debt	-	-	-	1,317,335	1,317,335
TOTAL ASSETS AND OTHER DEBIT	\$ 575,865	\$ 251,671	\$ 1,619,940	\$ 1,317,335	\$ 3,764,810
LIABILITIES, FUND EQUITY AND OTHER CREDIT					
LIABILITIES					
Accounts payable and accrued expenses	\$ 174	\$ -	\$ -	\$ -	\$ 174
Retainage payable	53,820	-	-	-	53,820
Due to other governments	-	-	-	-	-
Due to other funds	(213,612)	-	-	-	(213,612)
Deferred revenue - grants and contracts	-	251,671	-	-	251,671
Accrued compensated absences	-	-	-	71,257	71,257
Notes payable	-	-	-	1,246,077	1,246,077
TOTAL LIABILITIES	(159,618)	251,671	-	1,317,335	1,409,388
FUND EQUITY AND OTHER CREDIT					
Investment in general fixed assets	-	-	1,619,940	-	1,619,940
Fund balance					
Reserved, designated	644,000	-	-	-	644,000
Unreserved, undesignated	91,482	-	-	-	91,482
TOTAL FUND EQUITY AND OTHER CREDIT	735,482	-	1,619,940	-	2,355,422
TOTAL LIABILITIES, FUND EQUITY AND OTHER CREDIT	\$ 575,865	\$ 251,671	\$ 1,619,940	\$ 1,317,335	\$ 3,764,810

SWFRPC
Balance Sheet
March 31, 2010

ASSETS

Current Assets		
Cash - Bank of America Oper.	\$	61,323.68
Cash - FL Local Gov't Pool		503,530.79
Cash - FL Gov't Pool-Fund B		10,689.77
Petty Cash		200.00
Accounts Receivable		278,432.07
Accounts Receivable-MPO		186,221.76
Accounts Receivable-RC&D		128.80
Bulk Mail Prepaid Postage		675.41
Amount t.b.p. for L.T.L.-Leave		71,257.44
Amount t.b.p. for L.T.Debt		1,246,077.13
		<hr/>
Total Current Assets		2,358,536.85
Property and Equipment		
Property, Furniture & Equip		2,018,567.66
Accumulated Depreciation		(398,627.57)
		<hr/>
Total Property and Equipment		1,619,940.09
		<hr/>
Total Assets	\$	<u><u>3,978,476.94</u></u>

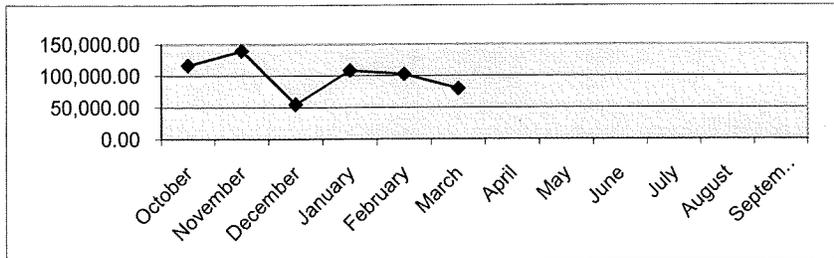
LIABILITIES AND CAPITAL

Current Liabilities		
Retainage Payable	\$	53,819.73
Deferred Income		251,725.78
FSA Payable		(6.00)
Accrued Annual Leave		71,257.44
Long Term Debt - Bank of Am.		1,246,077.13
LEPC Contintency Fund		180.44
		<hr/>
Total Current Liabilities		1,623,054.52
		<hr/>
Total Liabilities		1,623,054.52
Capital		
Fund Balance-Unrestricted		11,718.67
Fund Balance-Restricted		644,000.00
Fund Balance-Fixed Assets		1,619,940.09
Net Income		79,763.66
		<hr/>
Total Capital		2,355,422.42
		<hr/>
Total Liabilities & Capital	\$	<u><u>3,978,476.94</u></u>

The next few pages are a breakdown of actual expenses for each project in Special Revenues as well as in general operations. Included in these pages, as requested, are percentages for each line item and an overall percentage spent by the RPC, NEP, and MPO.

The overall percentage of the Budget spent is 49.83%
 The percentage of the RPC Budget spent is 60.76%
 The percentage of the MPO Budget spent is 39.54%
 The percentage of the NEP Budget spent is 45.08%

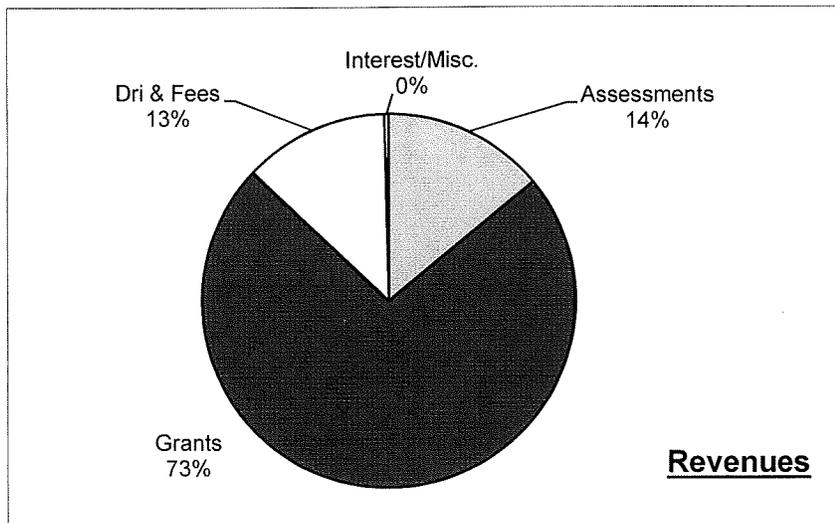
For the month ending March 31, 2010 **\$79,763** is our net income.



Net Income (unaudited)

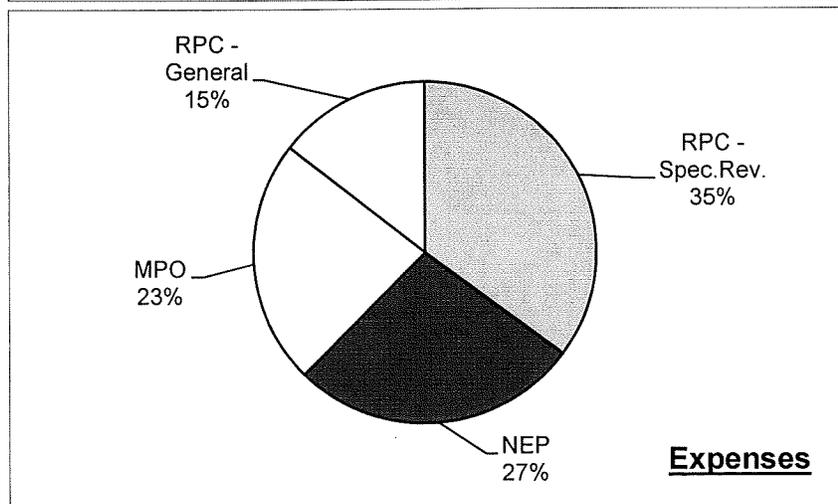
As can be seen in this graph, the net income moves in quarterly cycles. For the month ending March 31, 2010

Total Revenues	1,674,910
Total Expenses	1,595,147
Net Income	<u>79,764</u>



Revenues

Assessments	235,276
Grants	1,223,934
Dri & Fees	209,729
Interest/Misc.	5,972
	<u>1,674,910</u>



Expenses

RPC - Spec. Rev.	560,883
NEP	434,471
MPO	370,426
RPC - General	229,368
	<u>1,595,147</u>

SWFRPC
Income Statement - Two Years
For the Six Months Ending March 31, 2010

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
Revenues				
Total Revenues	340,950.86	337,217.27	1,674,910.41	1,655,429.84
Expenses				
Salaries Expense	162,397.38	134,015.29	806,683.27	797,497.42
FICA Expense	12,071.10	10,092.93	59,052.16	63,695.04
Retirement Expense	13,320.21	13,896.19	67,108.00	75,800.95
Health Insurance Expense	27,127.50	14,458.18	97,242.22	106,944.13
Unemployment Comp. Expe	0.00	0.00	3,850.00	826.54
Workers Comp. Expense	424.00	553.00	2,544.00	3,319.00
Grant/Consulting Expense	13,800.00	36,500.00	15,900.60	61,970.00
NEP-Contractual	60,023.57	64,930.28	100,213.53	128,191.08
MPO-Contractual	27,895.30	3,750.00	107,817.64	4,700.00
Audit Services Expense	3,200.00	0.00	43,116.00	45,686.00
Travel Expense	7,545.50	3,792.51	23,754.53	25,044.97
Telephone Expense	1,455.18	700.87	4,740.22	4,396.85
Postage / Shipping Expense	5,523.83	576.09	14,454.54	18,690.17
Storage Unit Rental	0.00	224.00	224.00	1,568.00
Equipment Rental Expense	935.68	2,466.16	16,392.81	18,445.91
Insurance Expense	0.00	0.00	21,564.15	25,766.81
Repair/Maint. Expense	1,631.77	907.30	8,203.35	11,502.21
Printing/Reproduction Expen	482.34	5,078.05	43,963.93	29,956.64
Utilities (Elec, Water, Gar)	1,447.17	1,657.88	9,150.17	10,189.95
Advertising/Legal Notices Ex	2,141.25	1,783.34	7,013.59	6,507.88
Other Misc. Expense	891.48	640.00	1,836.91	1,440.78
Office Supplies Expense	2,013.48	1,183.82	9,466.18	9,084.99
Computer Related Expense	2,436.77	4,314.71	14,762.14	38,619.30
Publication Expense	358.70	0.00	702.10	769.03
Prof. Develop./Dues Expens	4,810.50	787.00	31,892.54	23,862.75
Meetings/Events Expense	1,036.74	5,517.43	15,852.63	28,796.87
Capitol Outlay Expense	0.00	0.00	3,770.02	1,278.00
Long Term Debt	10,645.92	10,645.92	63,875.52	63,875.52
Total Expenses	363,615.37	318,470.95	1,595,146.75	1,608,426.79
Net Income	\$ (22,664.51)	\$ 18,746.32	\$ 79,763.66	\$ 47,003.05

RPC-MPO-NEP Combined
Budget vs. Actual
For the month ending March 31, 2010

	Combined Actual	Combined Adopted Budget	Combined Amended Budget	Combined Total Amendments	Combined Amended Budget	Combined VARIABLE	41.67% 50	Combined Comments
Revenues								
Membership Dues	235,276	470,552	470,552	0	470,552	235,276	50.00%	
Federal/State/Local Grants	1,223,934	2,333,993	2,333,993	166,634	2,500,627	1,276,694	48.95%	
Dir/Monitoring Fees	209,729	200,000	200,000	0	200,000	-9,729	104.86%	
Interest And Miscellaneous	5,972	30,000	30,000	0	30,000	24,028	19.91%	
Carry Over Fund Balance		637,988	637,988	0	637,988			
Total Income	1,674,910	3,672,533	3,672,533	166,634	3,839,167	1,526,269		
Expenditures								
Direct:								
Salaries	806,683	1,677,662	1,677,662	0	1,677,662	870,979	48.08%	
FICA	59,052	122,000	122,000	0	122,000	62,948	48.40%	
Retirement	67,108	166,000	166,000	0	166,000	98,892	40.43%	
Health Insurance	97,242	180,000	180,000	0	180,000	82,758	54.02%	
Workers Compensation	6,394	8,000	20,879	0	20,879	14,485	30.62%	
Total Personnel	1,036,480	2,153,662	2,166,541	0	2,166,541	1,130,061	47.84%	
Consultant Fees	15,901	40,000	40,000	0	40,000	24,099	39.75%	
NEP Contractual	100,214	121,250	121,250	0	121,250	21,036	82.65%	
MPO Contractual	107,818	58,683	58,683	163,634	222,317	114,499	48.50%	
Audit Fees	43,116	47,000	47,000	0	47,000	3,884	91.74%	
Travel	23,755	48,000	48,000	0	48,000	24,245	49.49%	
Telephone	4,740	12,700	12,700	0	12,700	7,960	37.32%	
Postage	14,455	30,000	29,000	0	29,000	14,545	49.84%	
Storage Space Rental	224	3,000	224	0	224	0	100.00%	
Equipment Rental	16,393	35,200	35,200	0	35,200	18,807	46.57%	
Insurance	21,564	35,000	35,897	-1,800	34,097	12,533	63.24%	
Repair/Maintenance	8,203	20,000	20,000	0	20,000	11,797	41.02%	
Printing/Reproduction	43,964	74,500	70,500	0	70,500	26,536	62.36%	
Utilities (Elec. Gas, Water)	9,150	25,000	25,000	0	25,000	15,850	36.60%	
Advertising	7,014	10,050	10,050	2,800	12,850	5,836	54.58%	
Other Miscellaneous	1,837	2,000	2,000	1,500	3,500	1,663	52.48%	
Office Supplies	9,466	23,000	23,000	0	23,000	13,534	41.16%	
Computer Related Expenses	14,762	38,000	38,000	0	38,000	23,238	38.85%	
Publications	702	4,000	4,000	0	4,000	3,298	17.55%	
Professional Development	31,893	33,500	38,500	500	39,000	7,107	81.78%	
Meetings/Events	15,853	44,000	44,000	0	44,000	28,147	36.03%	
Capital Outlay-Operations	3,770	38,000	27,000	0	27,000	23,230	13.96%	
Capital Outlay-Building	0	10,000	10,000	0	10,000	10,000	0.00%	
Long Term Debt	63,876	128,000	128,000	0	128,000	64,124	49.90%	
Allocation of Fringe/Indirect Reserve for Operation Expense		0	637,988	0	637,988	637,988		
Total Cash Outlays	1,595,147	3,672,533	3,672,533	166,634	3,839,167	2,244,020	49.83%	
Net Income/(Loss)	79,763	0	0	0	0	0		

NEP
Budget vs. Actual
For the month ending March 31, 2010

	CHNEP Actual	CHNEP Adopted Budget	NEP Amended Budget	CHNEP Requested Amendments	CHNEP Amended Budget	CHNEP VARIABLE	41.67% 50	CHNEP Comments
Revenues								
Membership Dues	434,471	963,700	963,700	0	963,700	0	45.08%	
Federal/State/Local Grants	0	0	0	0	0	529,229		
Drift/Monitoring Fees	0	0	0	0	0	0		
Interest And Miscellaneous	0	0	0	0	0	0		
Carry Over Fund Balance	0	0	0	0	0	0		
Total Income	434,471	963,700	963,700	0	963,700	529,229		
Expenditures								
Direct:								
Salaries	109,573	350,000	350,000		350,000	240,427	31.31%	
FICA	0	0	0		0	0		
Retirement	0	0	0		0	0		
Health Insurance	0	0	0		0	0		
Workers Compensation	0	0	0		0	0		
Total Personnel	109,573	350,000	350,000	0	350,000	240,427	31.31%	
Consultant Fees	0	0	0		0	0		
NEP Contractual	100,214	121,250	121,250		121,250	21,036	82.65%	
MPO Contractual	0	0	0		0	0		
Audit Fees	0	0	0		0	0		
Travel	8,768	15,000	15,000		15,000	6,232	58.45%	
Telephone	218	700	700		700	482	31.15%	
Postage	11,123	20,000	20,000		20,000	8,877	55.62%	
Storage Space Rental	103	103	103		103	0	100.00%	
Equipment Rental	0	200	200		200	200	0.00%	
Insurance	551	897	897		897	346	61.39%	
Repair/Maintenance	0	0	0		0	0		
Printing/Reproduction	43,506	60,000	60,000		60,000	16,494	72.51%	
Utilities (Elec, Gas, Water)	0	0	0		0	0		
Advertising	0	550	550		550	550	0.00%	
Other Miscellaneous	0	500	500		500	500	0.00%	
Office Supplies	1,990	3,000	3,000		3,000	1,010	66.35%	
Computer Related Expenses	30	4,000	4,000		4,000	3,970	0.75%	
Publications	25	500	500		500	475	5.00%	
Professional Development	6,526	7,000	7,000		7,000	474	93.22%	
Meetings/Events	11,532	30,000	30,000		30,000	18,468	38.44%	
Capital Outlay-Operations	0	15,000	15,000		15,000	15,000	0.00%	
Capital Outlay-Building	0	0	0		0	0		
Long Term Debt	0	0	0		0	0		
Allocation of Fringe/Indirect	140,313	335,000	335,000		335,000	194,687		
Reserve for Operation Expense	0	0	0		0	0		
Total Cash Outlays	434,471	963,700	963,700	0	963,700	529,229	45.08%	
Net Income/(Loss)								

MPO
Budget vs. Actual
For the month ending March 31, 2010

	MPO Actual	MPO Adopted Budget	MPO Amended Budget	MPO Requested Amendments	MPO Amended Budget	MPO VARIABLE	41.67% 50	MPO Comments
Revenues								
Membership Dues	370,426	770,178	770,178	166,634	0	566,386	39.54%	
Federal/State/Local Grants		0	0					
Dri/Monitoring Fees		0	0					
Interest And Miscellaneous		0	0					
Carry Over Fund Balance		0	0					
Total Income	370,426	770,178	770,178	166,634	0	566,386		
Expenditures								
Direct:								
Salaries	109,397	300,000	300,000			190,603	36.47%	
FICA	0					0		
Retirement	0					0		
Health Insurance	0					0		
Workers Compensation	0					0		
Total Personnel	109,397	300,000	300,000	0	300,000	190,603	36.47%	
Consultant Fees	0					0		
NEP Contractual	0					0		
MPO Contractual	107,818	58,683	58,683	163,634	222,317	114,499	48.50%	
Audit Fees	0					0		
Travel	1,784	8,000	8,000			6,216	22.29%	
Telephone	378	3,000	3,000			2,622	12.61%	
Postage	1,750	5,000	5,000			3,250	35.00%	
Storage Space Rental	0					0		
Equipment Rental	0					0		
Insurance	0					0		
Repair/Maintenance	0					0		
Printing/Reproduction	291	6,500	6,500			6,209	4.47%	
Utilities (Elec, Gas, Water)	0					0		
Advertising	5,264	7,500	7,500	2,500	10,000	4,736	52.64%	
Other Miscellaneous	0	500	500			500	0.00%	
Office Supplies	234	5,000	5,000			4,766	4.69%	
Computer Related Expenses	0	2,000	2,000			2,000	0.00%	
Publications	0	1,500	1,500			1,500	0.00%	
Professional Development	1,093	1,500	1,500	500	2,000	908	54.63%	
Meetings/Events	-125	2,000	2,000			2,125	-6.25%	
Capital Outlay-Operations	2,542	3,000	3,000			458	84.73%	
Capital Outlay-Building	0					0		
Long Term Debt	0					0		
Allocation of Fringe/Indirect Reserve for Operation Expense	140,001	365,995	365,995			225,994		
Total Cash Outlays	370,426	770,178	770,178	166,634	936,812	566,386	39.54%	
Net Income/(Loss)								

Regional Planning Council
Budget vs. Actual
For the month ending March 31, 2010

	Total RPC Actual	RPC Adopted Budget	RPC Amended Budget	RPC Requested Amendments	RPC Amended Budget	RPC VARIABLE	41.67% 50	RPC Comments
Revenues								
Membership Dues	235,276	470,552	470,552		470,552	235,276	50.00%	
Federal/State/Local Grants	419,037	600,115	600,115		600,115	181,078	69.83%	
Drift/Monitoring Fees	209,729	200,000	200,000		200,000	-9,729	104.86%	
Interest And Miscellaneous	5,972	30,000	30,000		30,000	24,028	19.91%	
Carry Over Fund Balance	637,988	637,988	637,988		637,988	637,988	0.00%	
Total Income	870,014	1,938,655	1,938,655	0	1,938,655	1,068,641	44.88%	
Expenditures								
<u>Direct:</u>								
Salaries	587,714	1,027,662	1,027,662		1,027,662	439,948	57.19%	
FICA	59,052	122,000	122,000		122,000	62,948	48.40%	
Retirement	67,108	166,000	166,000		166,000	98,892	40.43%	
Health Insurance	97,242	180,000	180,000		180,000	82,758	54.02%	
Workers Compensation	6,394	8,000	20,879		20,879	14,485	30.62%	
Total Personnel	817,510	1,503,662	1,516,541	0	1,516,541	699,031	53.91%	
Consultant Fees	15,901	40,000	40,000		40,000	24,099	39.75%	
NEP Contractual	0	0	0		0	0		
MPO Contractual	0	0	0		0	0		
Audit Fees	43,116	47,000	47,000		47,000	3,884	91.74%	
Travel	13,203	25,000	25,000		25,000	11,797	52.81%	
Telephone	4,144	9,000	9,000		9,000	4,856	46.04%	
Postage	1,582	5,000	4,000		4,000	2,418	39.54%	
Storage Space Rental	121	2,000	121		121	0	100.00%	
Equipment Rental	16,393	35,000	35,000		35,000	18,607	46.84%	
Insurance	21,013	35,000	35,000		33,200	12,187	63.29%	
Repair/Maintenance	8,203	20,000	20,000		20,000	11,797	41.02%	
Printing/Reproduction	167	8,000	4,000		4,000	3,833	4.18%	
Utilities (Elec, Gas, Water)	9,150	25,000	25,000		25,000	15,850	36.60%	
Advertising	1,750	2,000	2,000	300	2,300	550	76.07%	
Other Miscellaneous	1,837	1,000	1,000	1,500	2,500	663	73.48%	
Office Supplies	7,242	15,000	15,000		15,000	7,758	48.28%	
Computer Related Expenses	14,732	32,000	32,000		32,000	17,268	46.04%	
Publications	677	2,000	2,000		2,000	1,323	33.86%	
Professional Development	24,275	25,000	30,000		30,000	5,726	80.92%	
Meetings/Events	4,446	12,000	12,000		12,000	7,554	37.05%	
Capital Outlay-Operations	1,228	20,000	9,000		9,000	7,772	13.64%	
Capital Outlay-Building	0	10,000	10,000		10,000	10,000	0.00%	
Long Term Debt	63,876	128,000	128,000		128,000	64,124	49.90%	
Allocation of Fringe/Indirect	-280,314	-700,995	-700,995		-700,995	-420,681	39.99%	
Reserve for Operation Expense		637,988	637,988		637,988	637,988		
Total Cash Outlays	790,250	1,938,655	1,938,655	0	1,938,655	1,148,405	60.76%	
Net Income/(Loss)	79,763	0	0	0	0	0		

Regional Planning Council
Budget vs. Actual
For the month ending March 31, 2010

	DCA	HMEP/SQG/ EMERG	Economic Developmnt.	Hurricane Evac/Sea Level Rise	TDs	DRIs/ NOPCs	Other Contracts	Total RPC Special Rev.	General	Empl. Bene.	Total RPC General	Total RPC Actual
Revenues												
Membership Dues	103,535	56,046	34,877	17,626	33,296		173,657	419,037	235,276		235,276	235,276
Federal/State/Local Grants						209,729		209,729				419,037
Drif/Monitoring Fees												209,729
Interest And Miscellaneous									5,972		5,972	5,972
Carry Over Fund Balance												0
Total Income	103,535	56,046	34,877	17,626	33,296	209,729	173,657	628,766	241,248	0	241,248	870,014
Expenditures												
Direct:	45,977	5,914	14,367	7,730	14,053	87,776	62,206	238,024	203,727	145,963	579,486	817,510
Salaries	0	4,950	0	0	0	0	2,101	7,051	8,850	0	8,850	15,901
FICA	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Health Insurance	837	4,176	0	0	0	61	977	6,050	43,116	0	43,116	43,116
Workers Compensation	0	0	0	0	0	0	0	0	7,153	0	7,153	13,203
Total Personnel	45,977	5,914	14,367	7,730	14,053	87,776	62,206	238,024	203,727	375,759	579,486	817,510
Consultant Fees	0	0	0	0	0	0	0	0	0	0	0	0
NEP Contractual	0	0	0	0	0	0	0	0	0	0	0	0
MPO Contractual	0	0	0	0	0	0	0	0	0	0	0	0
Audit Fees	0	0	0	0	0	0	0	0	0	0	0	0
Travel	0	0	0	0	0	0	0	0	4,144	0	4,144	4,144
Telephone	0	0	0	0	0	0	0	0	1,073	0	1,073	1,582
Postage	28	66	74	0	193	47	102	509	121	0	121	121
Storage Space Rental	0	0	0	0	0	0	0	0	16,393	0	16,393	16,393
Equipment Rental	0	0	0	0	0	0	0	0	21,013	0	21,013	21,013
Insurance	0	0	0	0	0	0	0	0	8,203	0	8,203	8,203
Repair/Maintenance	0	0	0	0	0	0	0	0	115	0	115	167
Printing/Reproduction	1	6	1	0	21	12	12	53	9,150	0	9,150	9,150
Utilities (Elec, Gas, Water)	0	0	0	0	0	0	0	0	623	0	623	1,750
Advertising	67	0	0	0	1,060	0	0	1,127	542	0	542	1,837
Other Miscellaneous	0	0	0	0	0	0	1,295	1,295	7,187	0	7,187	7,242
Office Supplies	0	0	0	0	0	0	55	55	13,433	0	13,433	14,732
Computer Related Expenses	0	0	0	0	0	0	1,299	1,299	576	0	576	677
Publications	0	0	0	0	0	0	101	101	21,685	0	21,685	24,275
Professional Development	540	30	2,000	0	0	0	20	2,590	866	0	866	4,446
Meetings/Events	0	200	27	0	0	0	3,354	3,581	0	0	0	1,228
Capital Outlay-Operations	0	0	0	0	0	0	1,228	1,228	0	0	0	0
Capital Outlay-Building	0	0	0	0	0	0	0	0	63,876	0	63,876	63,876
Long Term Debt	0	0	0	0	0	0	0	0	-578,235	0	-578,235	-280,314
Allocation of Fringe/Indirect	58,879	7,557	18,408	9,896	17,970	112,462	72,749	297,921				
Reserve for Operation Expense												
Total Cash Outlays	106,329	22,898	34,877	17,626	33,296	200,358	145,498	560,883	-146,391	375,759	229,368	79,763
Net Income/(Loss)												

Southwest Florida Regional Planning Council
For the month ending March 31, 2010

Net Income/Loss Statement

	Prior Period	Amended Budget	Current Period	Current Period as % of Rev/Exp	% Change from Prior Period	% of Budget
Revenue						
DCA - GENERAL	72,227		95,695			
DCA - TITLE III	7,839		7,839			
SALT MARSH LANDS	10,756		19,624			
WETLANDS	66,420		85,211			
ECONOMIC DEVELOP.	25,026		34,877			
HMEP-PLANNING	18,000		18,000			
HMEP-TRAINING	34,546		34,546			
SQG	3,500		3,500			
TD GLADES/HENDRY	10,240		14,467			
TD LEE	9,586		18,829			
HURRICANE EVACUATION	6,874		17,626			
RTIC REVIEW	8,136		8,136			
COML - EDICS	16,500		16,500			
TRANSIT ORIENTED DEV.						
CLIMATE VULNERABILITY	30,586		30,586			
CLIMATE RESILIENCY						
PEOPLE, PROSPERITY & PRESERVATION	13,600		13,600			
TOTAL FEDERAL/STATE/LOCAL GRANTS (RPC)	333,836	600,115	419,037	25.0%	25.5%	69.8%
DRIs/NOPCs - DRI MON.	170,275	200,000	209,729	12.5%	23.2%	104.9%
ASSESSMENTS & MISC INC.	238,685	500,552	241,248	14.4%	1.1%	48.2%
CHNEP	307,808	963,700	434,471	25.9%	41.1%	45.1%
MPO	283,608	936,812	370,426	22.1%	30.6%	39.5%
Total Revenue	1,334,212	3,201,179	1,674,910	100.0%	25.5%	52.3%
Operating Expenses (all 3 entities-RPC,MPO,NEP)						
Salaries and Fringe (all personnel)	821,140	2,166,541	1,036,480	65.0%	26.2%	47.8%
Consultant Fees	2,101	40,000	15,901	1.0%	657.0%	39.8%
NEP Contractual	40,190	121,250	100,214	6.3%	149.3%	82.7%
MPO Contractual	79,922	222,317	107,818	6.8%	34.9%	48.5%
Audit Fees	39,916	47,000	43,116	2.7%	8.0%	91.7%
Travel	16,209	48,000	23,755	1.5%	46.6%	49.5%
Telephone	3,285	12,700	4,740	0.3%	44.3%	37.3%
Postage	8,931	29,000	14,455	0.9%	61.9%	49.8%
Storage Unit Rental	224	224	224	0.0%	0.0%	100.0%
Equipment Rental	15,457	35,200	16,393	1.0%	6.1%	46.6%
Insurance	21,564	34,097	21,564	1.4%	0.0%	63.2%
Repair/Maintenance	6,572	20,000	8,203	0.5%	24.8%	41.0%
Printing/Reproduction	43,482	70,500	43,964	2.8%	1.1%	62.4%
Utilities (Gas,Water, Garb.)	7,703	25,000	9,150	0.6%	18.8%	36.6%
Advertising	4,872	12,850	7,014	0.4%	43.9%	54.6%
Other Miscellaneous	945	3,500	1,837	0.1%	94.3%	52.5%
Office Supplies	7,453	23,000	9,466	0.6%	27.0%	41.2%
Computer Related Exps.	12,325	38,000	14,762	0.9%	19.8%	38.8%
Publications	243	4,000	702	0.0%	188.5%	17.6%
Professional Development	27,082	39,000	31,893	2.0%	17.8%	81.8%
Meetings/Events	14,816	44,000	15,853	1.0%	7.0%	36.0%
Capital Outlay-Operations	3,770	27,000	3,770	0.2%	0.0%	14.0%
Capital Outlay-Building	0	10,000	0	0.0%	-	-
Long Term Debt	53,230	128,000	63,876	4.0%	20.0%	49.9%
Total Operating Expenses	1,231,432	3,201,179	1,595,147	100.0%	29.5%	49.8%
Net Income or (loss)	102,780	0	79,763			

OVERALL VIEW OF ESTABLISHED ACTIVE GRANTS INCLUDING MPO AND CHNEP

Agency / Contract #	PROJECT NAME	CDEA/CSFA	GRANT PERIOD	FEDERAL	STATE	OTHER or MATCH	TOTAL	TOTAL SPENT	BALANCE
DCA 10-DR-BS-13-00-21-009	DCA - GENERAL	52-006	7/1/09 - 6/30/10		221,640		221,640	159,024	62,616
DCA 10-CP-07-13-00-21-021	DCA - TITLE III	52-006	7/1/09 - 6/30/10		40,909		40,909	43,703	-2,794
EPA CD95450310	SALT MARSH LANDS	66-456	10/1/09 - 6/30/12	299,725			299,725	19,624	280,101
EPA CD96484907	WETLANDS	66-456	10/1/07 - 12/31/10	470,494			470,494	278,232	192,262
EDA 04-83-06028 (w/match)	ECONOMIC DEVELOP.	11-300	1/1/08 - 12/30/10	169,189		72,510	241,699	124,305	117,394
DEM 09-DT-04-13-00-21-300	HMEP-PLANNING	20-703	10/1/09 - 09/30/10	18,000			18,000	8,072	9,928
DEM 09-DT-04-13-00-21-300	HMEP-TRAINING	20-703	10/1/09 - 09/30/10	34,546			34,546	14,209	20,337
GLADES HW440	SQG	N/A	10/1/09 - 09/30/10			3,500	3,500	617	2,883
TD APJ53	TD GLADES/HENDRY	55-002	7/1/09 - 6/30/10		35,106		35,106	21,081	14,025
TD APJ60	TD LEE	55-002	7/1/09 - 6/30/10		29,576		29,576	27,452	2,124
DCA THRU NERPC 07-HS-32-13-00-21-355	HURRICANE EVACUATION	97-039	3/07 - 06/10		264,225		264,225	244,977	19,248
COLLIER PO # 4500105936	COLLIER LMS	N/A	2009			20,000	20,000	34,489	-14,489
GLADES GLADES EMERG.MGMT.	GLADES LMS	N/A	10/08 - 12/09			27,000	27,000	27,081	-81
NERPC PO # 142	RTIC REVIEW	N/A	8/31/09 - 6/30/10			20,228	20,228	3,870	16,359
NERPC PO # 194	COML - EDICS	N/A	11/09 - 09/10			16,500	16,500	717	15,783
LEE PO # 204388	TRANSIT ORIENTED DEV.	N/A	12/09 - 04/10			10,000	10,000	4,064	5,936
LEE PO # 204715	CLIMATE VULNERABILITY	N/A	01/10 - 03/10			20,000	20,000	13,124	6,876
LEE PO # 204716	CLIMATE RESILIENCY	N/A	01/10 - 09/10			30,000	30,000	586	29,414
LOCAL GCCF GRANT # 20092864 PLUS CHARGES	PEOPLE, PROSPERITY & PRESERVATION	N/A	10/1/09 - 12/31/09			10,000 3,600	13,600	9,496	4,104
EPA CE96457406-4	CHNEP	66-456	10/1/06 - 9/30/10	952,700			952,700	434,471	518,229
FHA/US DOT THRU FDOT 416340-1-14-01-0261 (46)	MPO	20-205	7/1/09 - 6/30/10	1,279,962		158,053	1,438,015	755,690	682,325

OTHER LOCAL AND/OR FEE BASED PROJECTS:

FEE BASED	DRIs/NOPCs - DRI MON.	N/A	Fiscal Year			209,729	209,729	200,358	9,371
LOCAL ASSESSMENTS & MISC INC.	UNFUNDED/LOCAL/INDIRECT	N/A	Fiscal Year			476,524	476,524	225,101	251,423

The above figures are each grant from inception to date. The total spent is that amount over the life of the grant.

Not all grants are aligned with our fiscal year. Some are multi-year, some are annual grants, but on a different fiscal year than that of the SWFRPC as indicated in the 'GRANT PERIOD' column.

SWFRPC
General Ledger

For the Period From Mar 1, 2010 to Mar 31, 2010

Filter Criteria includes: 1) IDs: Multiple IDs. Report order is by ID. Report is printed with shortened descriptions and in Summary By Period Format.

Account ID Account Description	Date	Trans Description	Debit Amt	Credit Amt	Balance
101000	3/1/10	Beginning Balance			191,474.12
Cash - Bank of America O		Current Period Change	230,717.18	360,867.62	-130,150.44
	3/31/10	Ending Balance			61,323.68
101006	3/1/10	Beginning Balance			503,146.30
Cash - FL Local Gov't Pool		Current Period Change	384.49		384.49
	3/31/10	Ending Balance			503,530.79
101006B	3/1/10	Beginning Balance			11,045.49
Cash - FL Gov't Pool-Fund		Current Period Change		355.72	-355.72
	3/31/10	Ending Balance			10,689.77

SWFRPC GRANTS AWARDED									
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Name of Project	SWFRPC Mission Implemented	Funding Source	\$\$ requested for RPC staff	Total Award	In-kind or Match	Total value of project	Date Grant Submitted	Project Award Date/Length of Grant	Lead
Development of Regional Climate Change Indicators and Monitoring Plan	SWFRPC Climate & Energy Committee CHNEP Climate Ready Estuary	U.S. EPA	N/A	\$75,000		\$75,000+			Liz
Development of Climate Change Model Ordinances, Comprehensive Plan language and possibly resolutions	SWFRPC Climate & Energy Committee CHNEP Climate Ready Estuary	U.S. EPA	N/A	~\$75,000	N/A				
Climate Change Vulnerability Assessment and Adaptation Opportunities for Salt Marsh Types in Southwest Florida	SWFRPC Climate & Energy Committee CHNEP Climate Ready Estuary	U.S. EPA Region 4	\$299,725.00	\$299,725.00	\$140,000 (from Lee County)	\$439,725.00		10/1/2009	

SWFRPC GRANTS SUBMITTED									
Name of Project	SWFRPC Mission Implemented	Funding Source	\$\$ requested for RPC staff	Total Request	Inkind or Match	Total value of project	Date Grant Submitted	Project Award Date/Length of Grant	Lead
Sustainable Environment for East Lee, Buckingham and Lehigh Acres	SWFRPC SRPP Emergency Preparedness	U.S. EPA, CARE program	\$55,324.46	\$97,245.26		\$97,245.26 + partner undocumented match		Not awarded	Liz
	CHNEP Management Plan								
Climate Showcase Community	SWFRPC Climate & Energy Committee	EPA		\$472,365.37	\$500,000	\$972,365.37	7/22/2009	Not Awarded	Liz
	CHNEP Management Plan								
Gulf of Mexico Program Geospatial mapping of infrastructure	SWFRPC Climate & Energy Committee CHNEP Climate Ready Estuary	US EPA	\$193,660	\$299,740	\$299,740	\$299,740	6/15/2009	Not Awarded	Liz/Tim Walker
Sustainable Broadband Adoption	SWFRPC	NARC/NTIA	\$240,732	\$400,000	\$38,940	\$4,056,544	3/15/2010	6/10 - 8/10 & 18 months	Jennifer/Nichole
Prevention and Wellness – Communities Putting Prevention	SWFRPC & Lee County Health Department	Centers for Disease Control & Prevention	\$419,050	\$1,216,768	\$199,185	\$8,999,077	11/30/2009	Not Awarded	Dave Hutchinson

SWFRPC GRANTS SUBMITTED									
Name of Project	SWFRPC Mission Implemented	Funding Source	\$\$ requested for RPC staff	Total Request	Inkind or Match	Total value of project	Date Grant Submitted	Project Award Date/Length of Grant	Lead
The Southwest Florida Solar Retrofit Initiative – SERI	SWFRPC & Lee County	DOE	TBA	TBA	TBA	\$34.8 million	Dec-09	TBA	Ken or Dave H.
Source Reduction Assistance Grant	SWFRPC	EPA	\$27,000		\$0	\$65,000	2/2/2010	TBA	John Gibbons
Southwest Florida Habitat Restoration Partnership	CHNEP CCMP	NOAA	\$97,500	\$3,000,000	\$3,003,000	\$6,003,000	9/30/2009	TBA/ 3 years	Liz/CHNEP partnered with TBEP and SBEP
Mapping Sustainability Indicators in the Western Everglades Using Geospatial and Information Technologies	CHNEP CCMP, SWFRPC SSRP	NSF	\$51,562	?	?	?	Feb-10	TBA/3 years	Liz/ partnership with FGCU/RPC would be sub-contractor
North Spreader Eco-System Management Area	SWFRPC, FSU		\$2,500 per quarter			\$10,000.00		June 2010/2 years	Dave Hutchinson

SWFRPC CURRENTLY WORKING ON									
Name of Project	SWFRPC Mission Implemented	Funding Source	\$\$ requested for RPC staff	Total Request	Inkind or Match	Total value of project	Date Grant Submitted	Project Award Date/Length of Grant	Lead
Resource Conservation Challenge Competitive Grant	SWFRPC	EPA			\$0	\$75,000		TBA	John Gibbons
IECGP Radio Interoperability Training	SWFRPC	DEM				\$16,000		TBA	Dave H.
IECGP and/or Incident Command Exercises	SWFRPC	DEM				\$40,000		TBA	Dave H.

SWFRPC Upcoming Opportunities				
Name of Project	Funding Source	Due Date, Total Requested & Inkind or Match	Details & Date Grant Submitted	Lead
HUD Sustainable Communities Planning Grant	HUD	Grant will be due in June 2010/20% In-kind Match	Grant application scheduled to be released on April 12, 2010 from HUD. SWFRPC submitted proposal comments on March 11, 2010.	Jennifer/Nichole/Liz
Partners for Fish and Wildlife Program	USFWS		Technical Assistance	CHNEP
U.S. EPA Wetlands Program Development Grant	USEPA	June 2010, match required, CHNEP or parnters may be able to supply in-kind	Basic research, implemnts CHNEP's CCMP	Liz
Coastal Partners Initiative	FDEP	October 2010, requires match, but in-kind volunteer hours are eligible, up to \$50,000	Grassroots restoration, education	Liz
Gulf of Mexico Program	US EPA	June 2010,		Liz
NOAA Coastal and Marine Habitat Restoration National and Regional Partnership Grants	NOAA	Sep-10		Liz
EPA STAR	US EPA	Jul-10		Liz

_____ Agenda
_____ Item

3c

City of Sarasota Comprehensive
Plan Amendments (DCA 10-1)

3c

3c

**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
CITY OF SARASOTA**

The Council staff has reviewed a proposed amendment to the City of Sarasota Comprehensive Plan (DCA 10-1). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps are found in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review is as follows:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			<u>Consistent</u>
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	
09-PA-01	no	no	no	1. less than regionally significant; 2. procedural; 3. consistent with the SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and City of Sarasota.

Attachment I

LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

- Charlotte County, Punta Gorda
- Collier County, Everglades City, Marco Island, Naples
- Glades County, Moore Haven
- Hendry County, Clewiston, LaBelle
- Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
- Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to developments of regional impact, certain small developments, compliance agreements, and the Job Siting Act is not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.

[[s. 163.3184(6)(b)]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."

[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

**SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL
COMPREHENSIVE PLAN AMENDMENT REVIEW**

1. Local Government Name:

City of Sarasota

2. Amendment Number:

DCA 10-1

3. Did the RPC prepare the Plan Amendment: (YES) (NO)

No

4. Date DCA Notified RPC that Amendment Package was Complete, if Applicable:

March 17, 2010

5. Date Amendment Review must be Completed and Transmitted to DCA:

April 15, 2010

6. Date the Review was Transmitted to DCA:

April 6, 2010

7. Description of the Amendment:

These proposed amendments are City-initiated changes to the *Sarasota City Plan (2030)* and include changes to several chapters in City's Comprehensive Plan. The changes were submitted by the local government to address maintain internal consistency within the Plan, to address statutory requirements of State Senate Bill 360 and State House Bill 1021, which became law on July 1, 2009. Specifically, the following changes were made to the City of Sarasota's Plan:

1. The Mass Transit Level-of-Service (LOS) standard located in the Capital Improvements Action Strategy 1.5 was not revised when the Comprehensive Plan was adopted in December 2008 and it still reflected the previous standard. The proposed Plan amendment mirrors the mass transit LOS standards found in the

Transportation and Future Land Use Elements and maintains internal consistency within the Plan.

2. The Public School Facilities LOS standards should be included in the Concurrency Management System that is adopted in the Future Land Use Element (FLUE). It was not included in the FLUE at the time of adoption; however, these LOS standards are located in the Public School Facilities and Capital Improvement Elements. Additionally, the term “Mass Transit” was omitted in describing the transit LOS standard. These revisions will maintain internal consistency within the Plan.
3. The following revisions are necessary as a result of changes to the Florida Statutes:
 - a. The FLUE to be revised to address land use consistency for lands adjacent to airports (HB 1021) by adding a new Objective 10 and Action Strategies 10.1 through 10.4;
 - b. The Governmental Coordination Element to be revised to provide for recognition of Airport Master Plans and may provide for an interlocal agreement pursuant to 333.03(1)(b), Florida Statutes (interlocal agreement in accordance with provisions in Chapter 163 to adopt, administer, and enforce airport zoning regulations in an airport hazard area) (HB 1021) by adding Action Strategy 3.6; and

8. Is the Amendment consistent with the Strategic Regional Policy Plan:

Council staff has reviewed the proposed amendments as presented and find that the changes are not regional in scope, procedural in nature and consistent with the Strategic Regional Policy Plan.

9. Applicable Strategic Regional Policy Plan Goals, Strategies and Actions:

Regional Transportation Element Balanced Intermodal/Multimodal System

Goal 1: Construct an interconnected multimodal transportation system that supports community goals, increases mobility and enhances Southwest Florida’s economic competitiveness.

Strategy: In cooperation with FDOT and the region’s airport operators develop a mode balanced plan for people and freight.

Action 1: Assist the region’s airports in planning new improvements that will minimize travel delays and improve ground access for passengers, goods and commercial vehicles.

Action 2: In cooperation with FDOT, local governments, and the MPOs, annually identify airport improvements that optimize Intermodal connections with other transportation modes.

Strategy: Ensure airports in the Region will be expanded to meet the regional aviation systems needs for foreseeable demand in passengers and cargo and in private small plane operations.

Action 1: By 2003, identify land surrounding airports to be preserved and protected to allow for future increased operations and expansion.

Livable Communities

Goal 2: Livable communities designed to affect behavior, improve quality of life and responsive to community needs.

Strategy: Promote through the Council's review function a good environment for driving, walking, bicycling, and public transit using a highly connected network of public streets, green space, and community centers.

Action 4: Review comprehensive plans and land development regulations for incentives to develop and redevelop using mixed uses, higher densities, shared parking; and improved vehicular, mass transit, pedestrian and bicycle access and travel, as well as providing a variety of affordable residential densities and types.

Strategy: Review projects for impacts on our neighborhoods, commercial centers, and natural areas due to roadway expansions and right-of-way reservations.

Action 1: Report on comprehensive plans and land development regulations that protect future state, regional, and local public facilities, corridors, and rights-of-way from building encroachment.

Regional Cooperation

Goal 5: Develop a cost-effective and financially feasible transportation system that adequately maintains all elements of the transportation system to better preserve and manage the Region's urban and non-urban investment.

Strategy: Develop land use plans and policies that assess the potential for adverse impacts to transportation facilities and protect investment in transportation infrastructure.

Action 4: Review local government transportation concurrency management systems and planning agreements for mediation provisions addressing transportation impacts to neighboring jurisdictions when requested by the affected local government

Economic Development

Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Maintain the physical infrastructure to meet growth demands.

Action 1: Review plan amendments, development proposal, and clearinghouse items for public facility deficits and encourage mitigation of those deficits.

Action 2: Assist local governments and state agencies in planning for future support service facilities, before the need arises.

Action 3: Review proposed public facilities to ensure their location in urban areas that have in place, or are covered by binding agreements to provide, the resources and facilities for desired growth in an environmentally acceptable manner.

Strategy: Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided.

Action 3: Include in planning efforts the recognition of lands with natural capacity, accessibility, previous preparation for urban purposes, and adequate public facilities.

Livable Communities

Goal 3: A stable economy based on a continuing excellent quality of life.

Strategy: Maintain and improve the natural, historic, cultural, and tourist-related resources as primary regional economic assets.

Action 1: Assist in the identification and acquisition of Potential Park and recreational sites and other resources in future growth areas.

Action 2: Participate in studies, plans, and programs for public access to beaches and other resources.

Action 3: Review proposed development to require that natural and other resources of regional significance are maintained, enhanced, restored, or re-created, as appropriate.

10. The effects of the Proposed Amendment on Regional Resources or Facilities Identified in the Strategic Regional Policy Plan:

Because these amendments deal with making the City's Comprehensive Plan consistent internally, addressing State statutory requirements and correcting scrivener errors, Council staff finds that the proposed changes will not significantly impact regional resources or facilities that are identified in the Strategic Regional Policy Plan.

11. Extra-Jurisdictional Impacts that would be Inconsistent with the Comprehensive Plan of the Affected Local Government:

Council staff has reviewed the proposed amendments and find that there are no identifiable extra-jurisdictional inconsistencies with the affected local government Comprehensive Plan.

Analysis of the effects on the proposed amendments on the following issues to the extent they are addressed in the Strategic Regional Policy Plan on:

12. Compatibility among local plans including, but not limited to, land use and compatibility with military bases:

Council staff has reviewed the proposed amendments and find that the requested changes are compatible with local plans and provide for consistent land uses adjacent to airports. The proposed changes do not impact any military bases.

13. Impacts to significant regional resources and facilities identified in the Strategic Regional Policy Plan, including, but not limited to, impacts on groundwater recharge and the availability of water supply:

Council staff has reviewed the proposed amendments and find that the requested changes will not significantly impact regional resources and will not have significant impacts on groundwater recharge or the availability of water supplies to the local jurisdictions.

14. Affordable housing issues and designation of adequate sites for affordable housing:

Council staff has reviewed the proposed amendments and find that the requested changes will not significantly impact affordable housing in the City nor will the proposed changes significantly impact potential sites for affordable housing that are currently in the City.

15. Protection of natural resources of regionally significance identified in the Strategic Regional Policy Plan including, but limited to, protection of spring and groundwater resources, and recharge potential:

Council staff has reviewed the proposed amendments and find that the requested changes do not significantly impact the protection of natural resources of regional significance that are identified in the Strategic Regional Policy Plan. The proposed amendments to the City's Comprehensive Plan do not impact the protection of springs, groundwater resources, or the City's existing recharge potential.

16. Compatibility with regional transportation corridors and facilities including, but not limited to, roadways, seaports, airports, public transportation systems, high speed rail facilities, and intermodal facilities:

Council staff has reviewed the proposed amendments and find that the requested changes will provide consistency within the Plan as it relates to the LOS standards for Mass Transit. Council staff finds that the proposed changes are consistent with regional transportation corridors and facilities such as roadways, airports, public transportation systems, and multi-modal facilities. The proposed changes to the Comprehensive Plan do not address seaports or high speed rail facilities.

17. Adequacy and compatibility with emergency preparedness plans and local mitigation strategies including, but not limited to, the impacts on and availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation:

Council staff has reviewed the proposed amendments and find that the requested changes will not have significant regional impacts on the compatibility of emergency preparedness plans or local mitigation strategies dealing with hurricane shelters, maintenance of hurricane clearance times or hazard mitigation.

18. Analysis of the effects of extra-jurisdiction impacts which may be created by the amendment:

Council staff has reviewed the proposed changes to the City of Sarasota Comprehensive Plan and does not find significant effects of extra-jurisdictional regional impacts created by the proposed amendments.

Attachment III

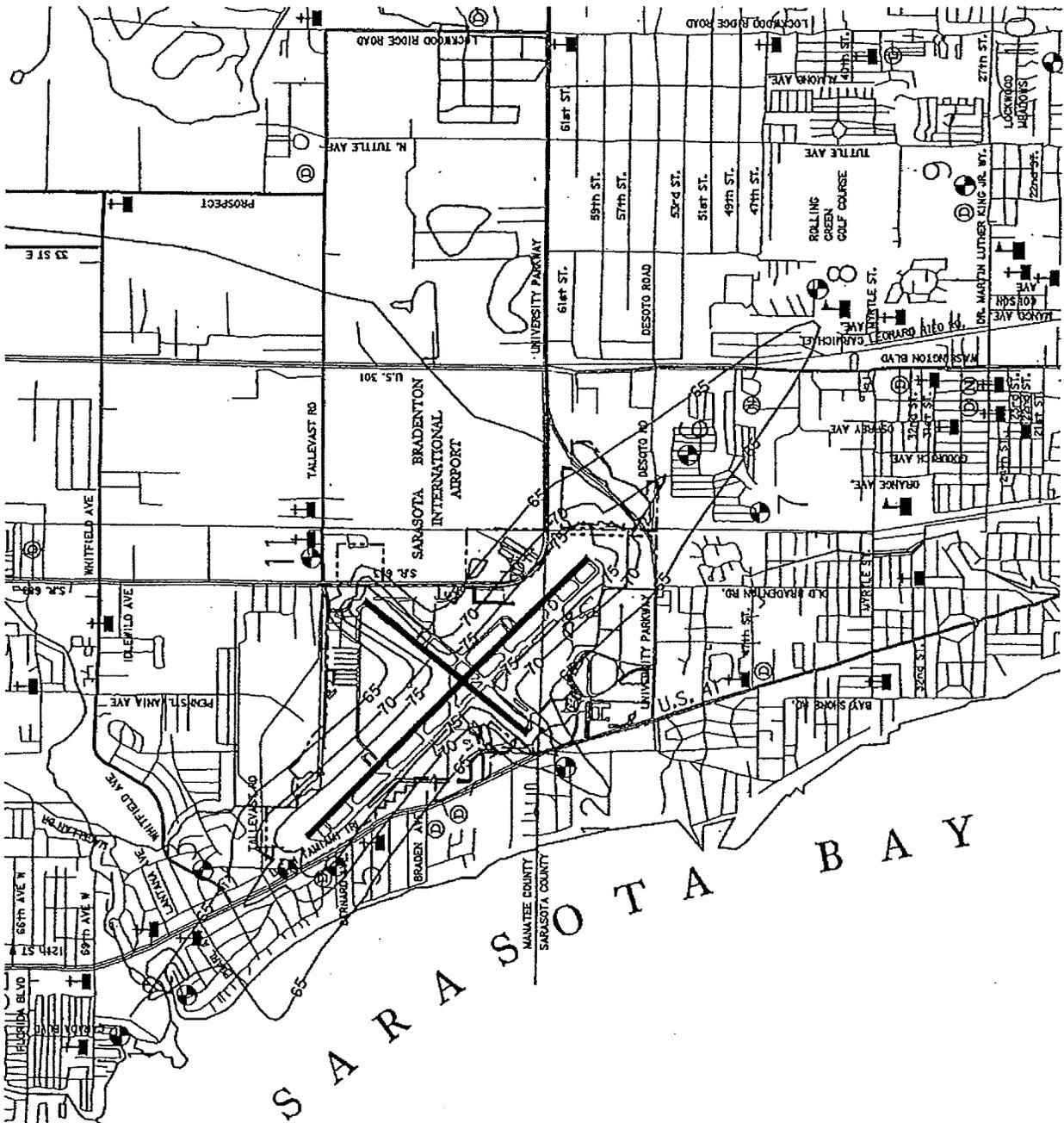
Maps

**City of Sarasota
DCA 10-1**

**Proposed Comprehensive Plan
Amendment Locations**

- LEGEND**
- Airport Boundary
 - ⊕ School
 - ⊕ Church
 - ⊕ Hospital
 - ⊕ Day Care
 - ⊕ Nursing Home
 - ⊕ DNL Noise Contours
 - 65
 - ⊕ Noise Monitoring Site

Figure 4
**FUTURE (2000)
 NOISE EXPOSURE MAP**
 with Recommended Noise Abatement
 Measure Implemented



SARASOTA BAY

_____ Agenda
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3d

City of Bonita Springs Comprehensive
Plan Amendments (DCA 10-1)

3d

3d

**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
CITY OF BONITA SPRINGS**

The Council staff has reviewed proposed amendments to the City of Bonita Springs Comprehensive Plan (DCA 10-1). The proposed amendments are requesting changes to the City of Bonita Springs Comprehensive Plan. This amendment was developed under the Local Government Comprehensive Planning and Land Development Regulation Act. (A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I, staff comments are provided in Attachment II, and a location map is provided in Attachment III.)

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the county threshold for a development of regional impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			<u>Consistency</u>
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	
DCA 10-1	no	no	no	1. not regionally significant; 2. consistent with the SRPP with conditions

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and City of Bonita Springs.

Attachment I

LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e.g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to Developments of Regional Impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.

[(s. 163.3184(6)(b)]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."

[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

**SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL
COMPREHENSIVE PLAN AMENDMENT REVIEW**

1. Local Government Name:

City of Bonita Springs

2. Amendment Number:

DCA 10-1

3. Did the RPC prepare the Plan Amendment: (YES) (NO)

No

4. Date DCA Notified RPC that Amendment Package was Complete, if Applicable:

March 19, 2010

5. Date Amendment Review must be Completed and Transmitted to DCA:

April 18, 2010

6. Date the Review was Transmitted to DCA:

April 7, 2010

7. Description of the Amendment:

The City of Bonita Springs is requesting a text amendment to provide for a Felts Avenue Sub-district in the Comprehensive Plan in order to have a transitional area between intense commercial uses and medium density residential areas located along the Old US 41 Redevelopment Overlay District Future Land Use Designation.

The proposed Sub-district is approximately 8.6 ± acres in size and is intended to provide protection of adjacent lower intensity neighborhoods located to the east of the overlay district from the impacts of the more intense commercial areas located to the west.

Felts Avenue is currently a transition area located adjacent to the City's downtown redevelopment area and has an existing land use pattern of single-family, duplexes, multi-family residential, religious facilities, and municipal land uses. The subject area is located

along a lower level network of local streets, which provide convenient access to the surrounding neighborhood. The properties consists of an area one half block wide and eight blocks long. Each block averages 300 feet in length and approximately 150 feet in depth.

All development or redevelopment must be at a size, scale and character similar to the nearby residences to the east. The proposed designation is not intended for large-scale, parking-intensive uses that are incompatible with the size, proportion, intensity and character of the adjacent neighborhood.

According to the City staff report, the proposed amendment does not increase residential density, but will allow low intensity commercial, office, and light retail to operate in the area. The City anticipates that new commercial uses will operate businesses within existing residential structures. Property owners within the Redevelopment Overlay District will be required to develop or redevelop in accordance with the existing Old 41 District regulations and the proposed Felts Avenue Sub-district regulations. The supplemental Felts Avenue Sub-district Land Development Code (LDC) regulations will provide development standards for redevelopment in this area of the City.

8. Is the Amendment consistent with the Strategic Regional Policy Plan:

Council staff has reviewed the proposed amendment and finds that the request is not regionally significant due to its small size, downtown location and redevelopment character and finds that the proposed amendment is consistent with the Strategic Regional Policy Plan due to the fact that the proposed amendment will assist in the development and redevelopment of the downtown area of the City of Bonita Springs.

9. Applicable Strategic Regional Policy Plan Goals, Strategies and Actions:

Economic Development Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided.

Action 2: Identify existing urban lands and transportation corridors for development or redevelopment, and ensure adequate access and services are provided.

Action 3: Include in planning efforts the recognition of lands with natural capacity, accessibility, previous preparation for urban purposes, and adequate public facilities.

Action 4: Participate, coordinate, or promote intergovernmental coordination for siting unpopular land uses.

Action 5: Review proposed development for increased densities and infill in suitable urban areas.

Affordable Housing
The Supply of Affordable Housing

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

Strategy: Increase the supply of affordable housing through public and private efforts.

Action 4: Work with local governments to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Action 5: Encourage local governments to adopt strategies that promote the development of affordable housing by the private and nonprofit sectors including incentives such as one-step permitting/review process for developers and contractors and the donation of publicly owned lands for development by non-profit organizations.

Action 6: Work with state programs to change current criteria that make it difficult to compete for projects in some portions of the region.

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Development livable, integrated communities that offer residents a high quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local governments to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Action 3: Encourage communities that are pedestrian friendly or offer alternative modes of transportation to overcome transportation problems many low-income families face.

Action 4: Encourage new housing to be built in higher areas to reduce the need for costly flood insurance.

Action 5: Promote the mix of affordable and non-affordable housing to create integrated communities.

Strategy: Protect existing, well-established neighborhoods and communities and revitalize those experiencing deterioration.

Action 1: Encourage communities to fill existing infrastructure gaps (such as sidewalks, parks, lighting, etc.) in neighborhoods that offer affordable housing.

- Action 2:** Assist communities in identifying neighborhoods that are, or are in danger of, deteriorating.
- Action 5:** Review comprehensive plans and land development regulations to encourage the inclusion of incentives to develop and redevelop land downtown.
- Action 6:** Work with local agencies to apply for state or federal programs that assist in community revitalization.
- Action 7:** Encourage communities to focus on troubled areas in a comprehensive method that coordinates programs and services, rather than using a shotgun approach.
- Action 8:** Promote resident involvement in neighborhood planning efforts, so residents are active in making decisions that will affect their areas.

10. The effects of the Proposed Amendment on Regional Resources or Facilities Identified in the Strategic Regional Policy Plan:

Council staff has reviewed the proposed amendment and finds that the proposed changes due to its small size and impacts will not have significant impacts on regional resources or facilities that are identified in the Strategic Regional Policy Plan.

11. Extra-Jurisdictional Impacts that would be Inconsistent with the Comprehensive Plan of the Affected Local Government:

The proposed Redevelopment Overlay Sub-district will not have extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plans of the affected local government due to central location of the proposed district and due to the minimal size of the redevelopment area.

Analysis of the effects on the proposed amendments on the following issues to the extent they are addressed in the Strategic Regional Policy Plan on:

12. Compatibility among local plans including, but not limited to, land use and compatibility with military bases:

The proposed amendment will add to the City's development and redevelopment of the downtown Old 41 Corridor area. The proposed Sub-district will provide an appropriate transition area from the commercial activities along the Corridor and the low density residential areas to the east. Council staff finds that the requested changes are compatible with local plans and existing land uses.

The proposed changes have no impacts on military bases.

13. Impacts to significant regional resources and facilities identified in the Strategic Regional Policy Plan, including, but not limited to, impacts on groundwater recharge and the availability of water supply:

Council staff has reviewed the proposed amendment and finds that the requested changes to the City's Comprehensive Plan will not significantly impact any regional resources or regional facilities that are identified in the Strategic Regional Policy Plan. The requested changes will not significantly impact groundwater recharge or the availability of water supply to the City.

14. Affordable housing issues and designation of adequate sites for affordable housing:

Council staff has reviewed the requested amendment and finds that the Sub-district will not significantly impact the issues associated with affordable housing in the City and will not substantially impact the designation of adequate sites for affordable housing. Council staff believes the proposed Sub-district may aid in the protection of the existing affordable housing stock in the City and may be used to develop additional affordable housing units in the future.

15. Protection of natural resources of regionally significance identified in the Strategic Regional Policy Plan including, but limited to, protection of spring and groundwater resources, and recharge potential:

Council staff has reviewed the proposed amendment and finds that the requested changes to the City's Comprehensive Plan will not significantly impact any regionally important natural resources that are identified in the Strategic Regional Policy Plan. The requested changes will not significantly impact the protection of springs, groundwater resources or recharge potential that currently exist in the City.

16. Compatibility with regional transportation corridors and facilities including, but not limited to, roadways, seaports, airports, public transportation systems, high speed rail facilities, and intermodal facilities:

Council staff has reviewed the proposed amendment and finds that the development and redevelopment that will result due the proposed Sub-district will not significantly impact the Old US 41 transportation corridor, which is a regionally significant facility. In addition, the proposed development is not large enough to significantly impact public transportation systems or high speed rail facilities. The proposed amendment may on a small scale aid in the provision of improved intermodal facilities and the roadway network in the City by providing increased opportunities to interconnect the City's roadway network and provide sidewalks to increase walkability in the City.

The proposed amendment will have no impact on airports and seaports.

17. Adequacy and compatibility with emergency preparedness plans and local mitigation strategies including, but not limited to, the impacts on and availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation:

Council staff has reviewed the proposed amendment and finds that the potential development and redevelopment that will result due to the establishment of the proposed

Sub-district is not large enough to have significant impacts on emergency preparedness and local mitigation strategies relative to hurricane shelter, maintenance of hurricane clearance time or hazard mitigation.

18. Analysis of the effects of extra-jurisdiction impacts which may be created by the amendment:

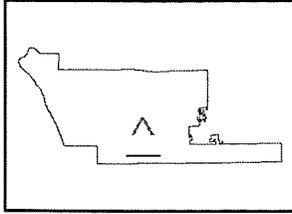
Council staff has reviewed the proposed amendment and finds that the potential development and redevelopment that will result due to the establishment of the proposed Sub-district is not large enough to have significant extra-jurisdictional impacts. The proposed area of the City is centrally located and will have little if any impacts to adjacent jurisdiction's infrastructure or natural resources.

Attachment III

Maps

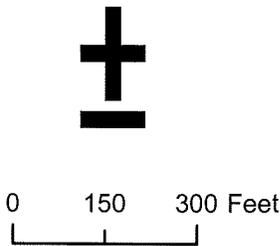
City of Bonita Springs
DCA 10-1

FELTS AVE SUBDISTRICT AERIAL



Legend

-  ROADS
-  PARCELS
-  FELTS FRONT LOTS
8.62 ACRES

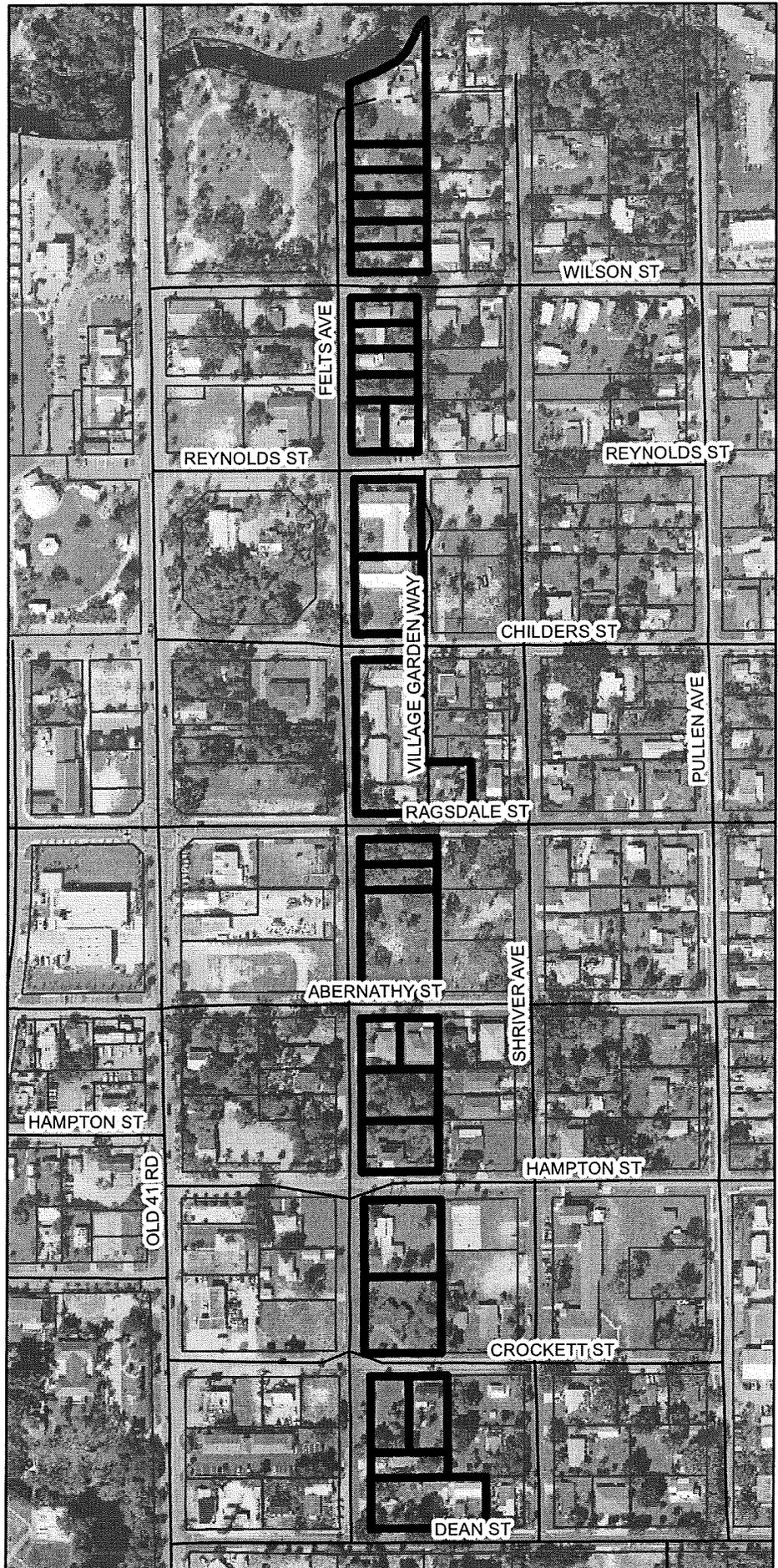


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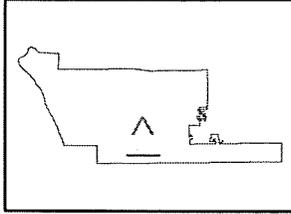
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INCORPORATED BY RESOLUTION 14-1994



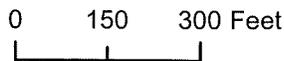
FELTS AVE SUBDISTRICT PROPOSED FLUM



Legend

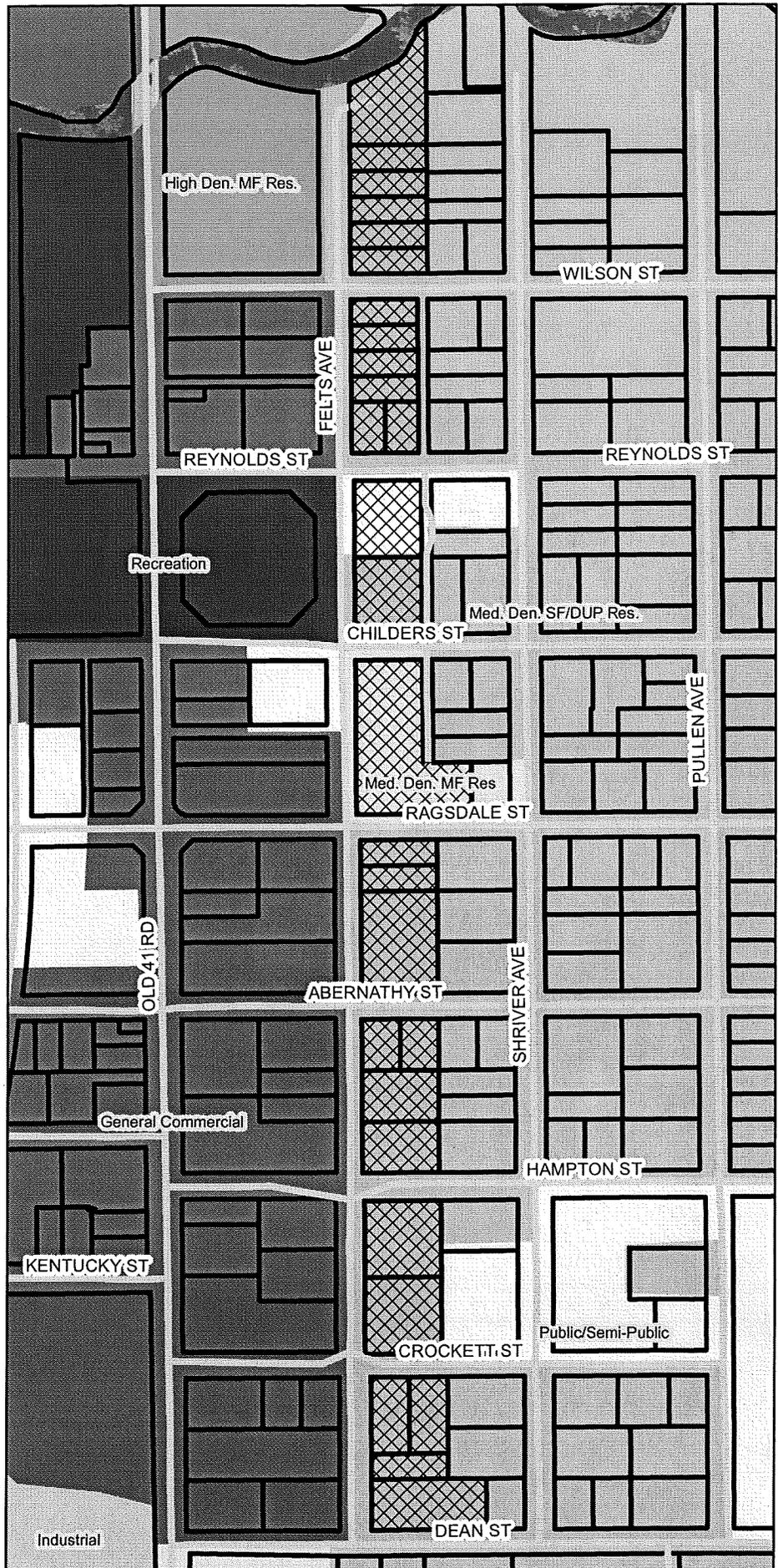
8.62 ACRES

-  ROADS
-  PARCELS
-  FELTS SUB-DISTRICT
- Future Land Use**
-  General Commercial
-  High Den. MF Res.
-  Industrial
-  Interchg. Commercial
-  Med. Den. MF Res.
-  Med. Den. SF/DUP Res.
-  Public/Semi-Public
-  Recreation

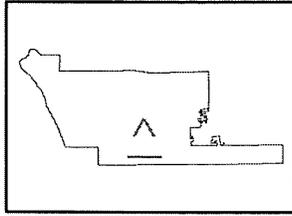


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FELTS AVE SUBDISTRICT FEMA FLOODZONE MAP



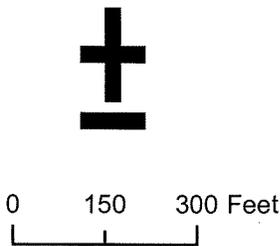
Legend

- ROADS
- ▭ PARCELS
- ▭ FELTS FRONT LOTS

2008 Flood Zone Determination

- ▨ 0.2 PCT ANN FLOOD HAZARD
- AE-EL10 (NAVD88)

8.62 ACRES

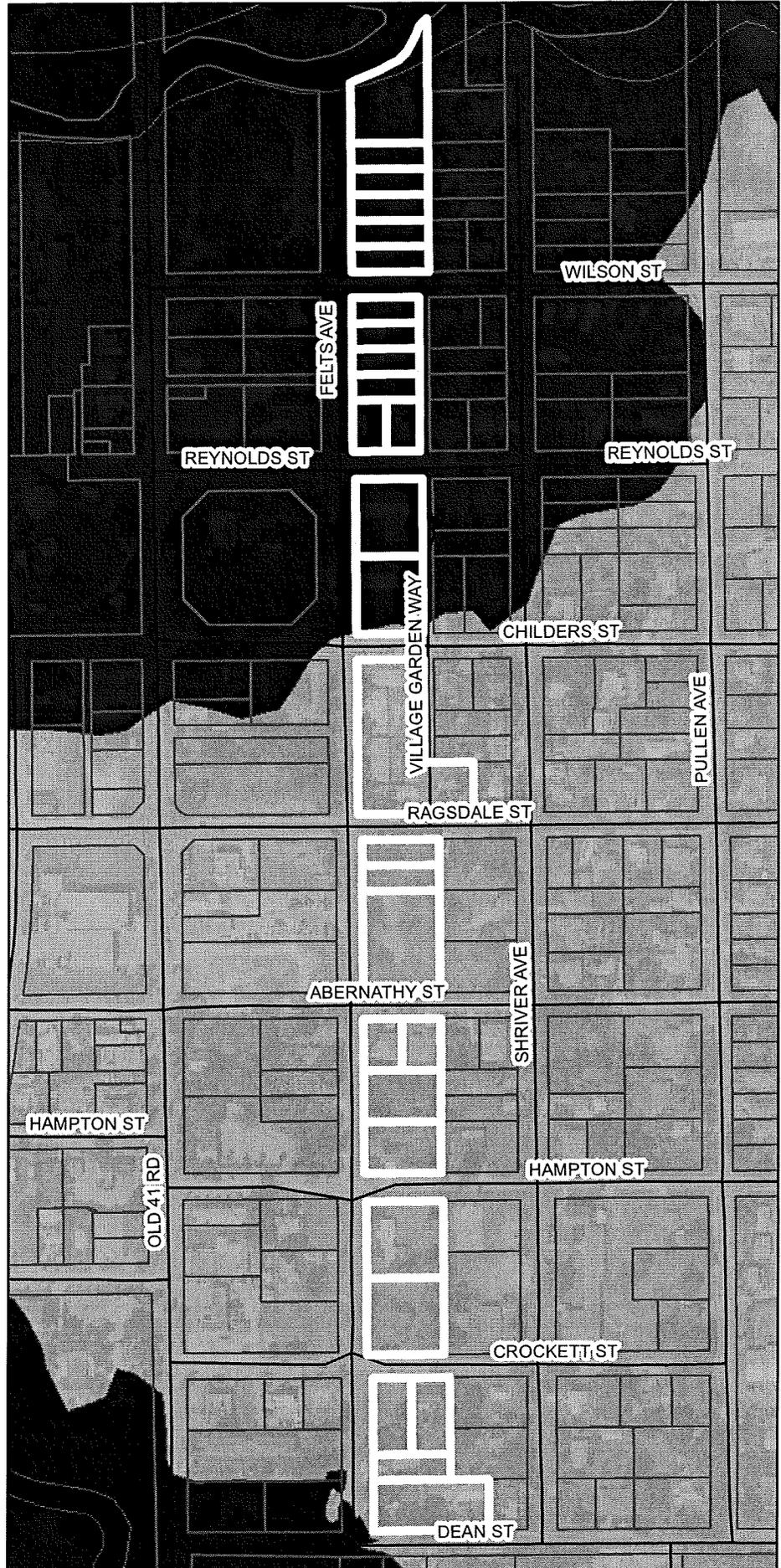


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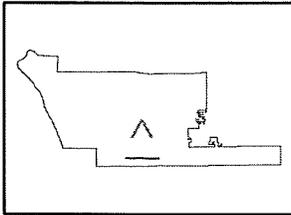
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INCORPORATED: FEBRUARY 1984



FELTS AVE SUBDISTRICT EXISTING ZONING



Legend

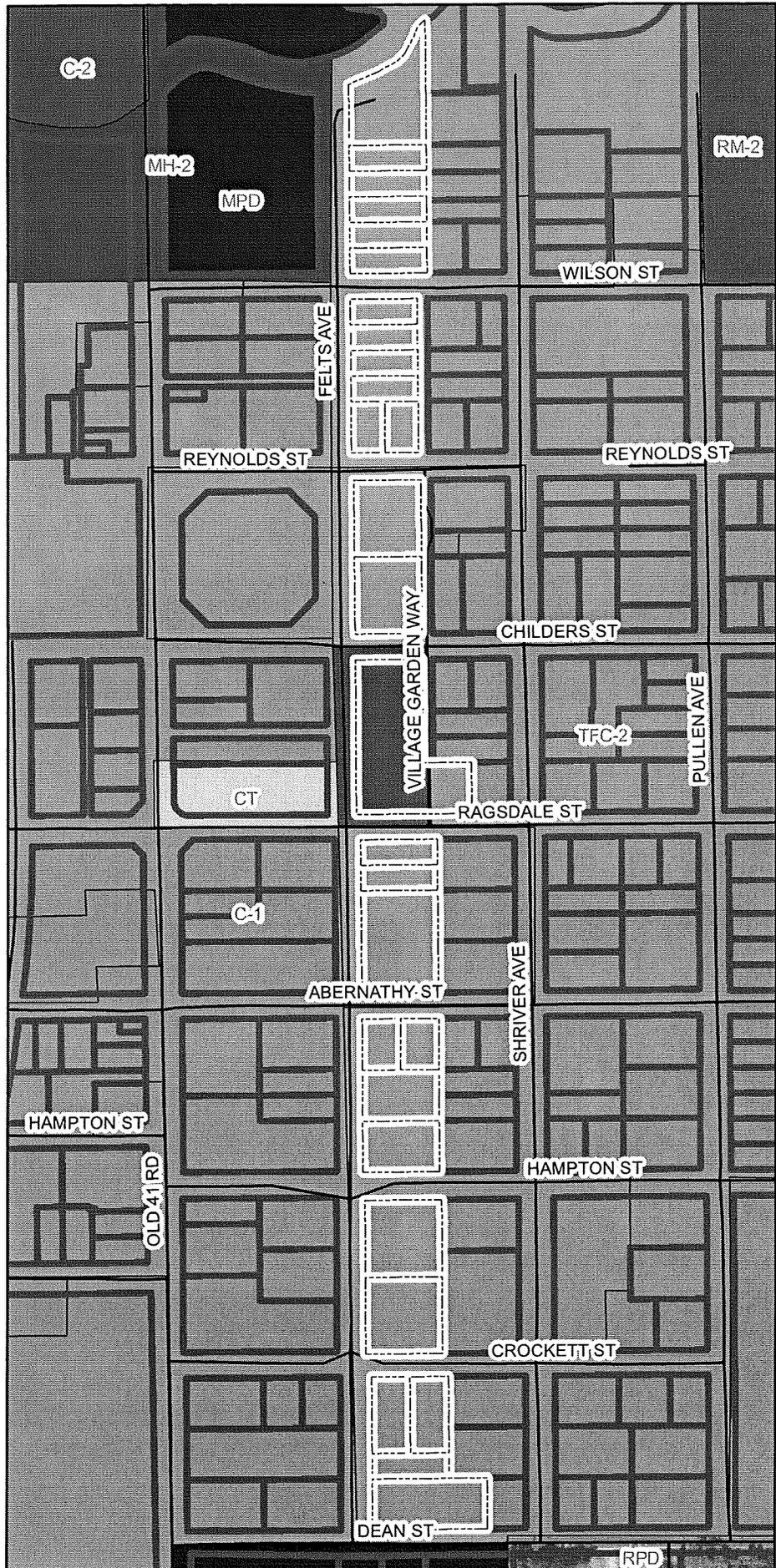
- ROADS
- ▭ PARCELS
- - - FELTS FRONT LOTS
- C-1 **8.62 ACRES**
- C-2
- CT
- MH-2
- MPD
- RM-2
- TFC-2



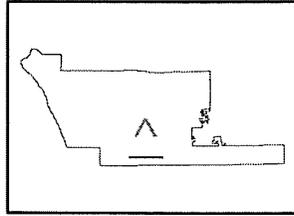
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FELTS AVE SUBDISTRICT EXISTING USES



8.62 ACRES

Legend

 FELTS FRONT LOTS

CURRENT USES

uses

 COMMERCIAL

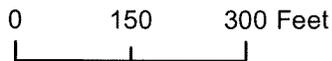
 PUBLIC

 RELIGIOUS

 RESIDENTIAL

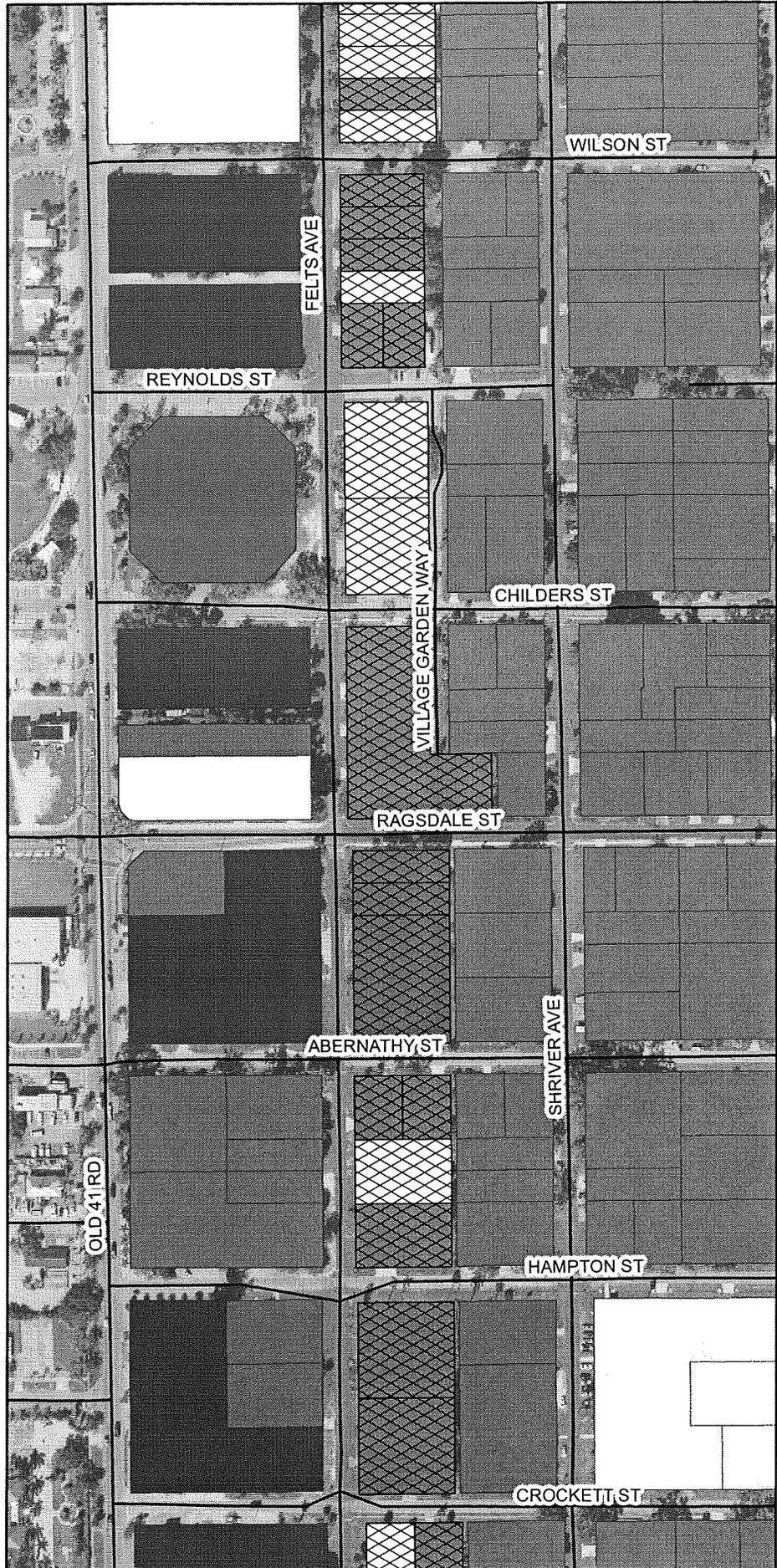
 VACANT

 ROADS

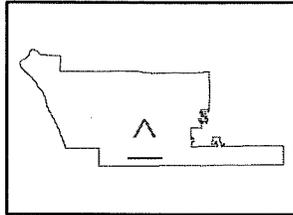


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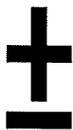
FELTS AVE SUBDISTRICT EXISTING LAND USE



Legend

8.62 ACRES

-  ROADS
-  PARCELS
-  FELTS FRONT LOTS
- Future Land Use**
-  General Commercial
-  High Den. MF Res.
-  Industrial
-  Interchg. Commercial
-  Med. Den. MF Res
-  Med. Den. SF/DUP Res.
-  Public/Semi-Public
-  Recreation



0 150 300 Feet

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_____ Agenda
_____ Item

3e

Hendry County Comprehensive
Plan Amendments (DCA 10-1)

3e

3e

**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
HENDRY COUNTY**

The Council staff has reviewed proposed amendments to the Hendry County Comprehensive Plan (DCA 10-2ER). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps are found in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			<u>Consistent</u>
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	
DCA 10-2ER	yes	yes	yes	(1) regionally significant; (2) 7 elements consistent 3 elements inconsistent with the SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and Hendry County.

04/10

Attachment I

LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I**Comprehensive Plan Amendments**

A local government may amend its plan twice a year. (Amendments related to developments of regional impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

[s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal.

[(s. 163.3184(6)(b)]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government."

[s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

Attachment II

**SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL
COMPREHENSIVE PLAN AMENDMENT REVIEW**

1. Local Government Name:

Hendry County

2. Amendment Number:

DCA 10-2ER

3. Did the RPC prepare the Plan Amendment: (YES) (NO)

No

4. Date DCA Notified RPC that Amendment Package was Complete, if Applicable:

February 25, 2010

5. Date Amendment Review must be Completed and Transmitted to DCA:

March 26, 2010

6. Date the Review was Transmitted to DCA:

The Council staff report was transmitted to DCA on March 26, 2010. Council will hear the requested amendments and review staff comments on April 15, 2010.

7. Description of the Amendment:

Hendry County is requesting amendments to their Comprehensive Plan based on the approved 2008 Evaluation and Appraisal Report (EAR). Various amendments were requested in the following plan elements:

- Element I - Future Land Use
Changes to this Element included minor changes to the wording; updating the timelines and horizon dates; text changes to Objective 2.1 related to TDRs and revised development standards; text changes to Objective 2.1 land use descriptions; text changes that provide new policies relating to community plans; new objectives and policies related to innovative planning techniques (TDRs and Local Sector

Plans); revised text in Policy 2.3.1 to allow schools under the Commercial land use and moving school standards to the Public Education Facilities Element; revised the text in Policy 2.6.2 changing the requirements for traffic studies (includes all new development instead of those with 20 or more units); added text related to green building actions; changed text in Policy 2.7.4 related to mining approvals by the County, especially in environmentally sensitive areas; made text changes for additional protection of wetlands, endangered species, and habitats; updated text related to utility services; changed text relating to land use criteria; updated data and analysis concerning population projections, land area totals, land use inventories and growth trends; added text concerning the issues identified through the EAR process; and provided new text concerning community planning in Felda, Pioneer Plantation and Wheeler Estates.

- Sub-Element for the County's Rural Lands

The requested amendments provide a new Rural Sub-Element, which is intended to protect rural areas and agricultural uses in the County. The new Sub-Element includes the following: created a new Rural Lands Overlay in Objective 2.10; provides text in Objective 2.11 that allows agriculture uses a priority consideration over non-agriculture uses; provides text in Objective 2.12 that relates to incentives for agricultural purposes; provides new text relating to a tiered TDR program; provides text relating to farm worker housing; provides text in Objectives 2.15 and 2.6 regarding a natural resource preservation plan; provides text enhancing conservation buffers and ecological connectivity; provides text for updating the County's Land Development Code (LDC); provides in Objective 2.22 text that will provide consideration for the establishment of a urban growth boundary; add language in Objective 2.22 that provides incentives for Receiving Lands in the Rural Lands Overlay for developments that are mixed use and self-sustaining; provides text identifying the rural Tiered TDR Program; provides text that offer incentives for commercial and industrial development within the Rural Lands Overlay; provides text in Objective 2.24 that addresses the Tiered TDR Program; provides text describing the transect approach to planning Towns and Villages; provides text that states the LDC will be amended within two years to address scenic views, lighting, roadway design and general design standards; provides text that describes the development review process in the Rural Lands Overlay and allows for Hamlet, Village, Town, Compact Economic Development and Compact Urban Development without a Comprehensive Plan amendment; provides text in Objective 2.32 that addresses changes in the Transportation Element that include requiring a study of the Rural Sub-Element's impacts within two years; and provides text in Objective 2.33 that addresses multimodal roadway design.

- Element II - Traffic

This element was amended to include the following changes: provided minor rewording to make the element clearer; updated the planning timeline and horizons;

added text concerning the County's long range Transportation Plan; deletes Policies 3.1.3 and 3.1.4 containing language about LOS standards for the County roads (LOS standards were moved to the CIE); provides revisions to Objective 3.4, stating that the County will develop a common traffic analysis methodology with Clewiston and LaBelle; revises Objective 3.10.2 requiring bicycle paths and sidewalks or trails on major arterials, minor arterials, and rural major collectors that are built to FDOT design standards; adds funding sources for projects in Object 3.12; added Objective 3.13 that provides for public participation; and adds Objective 3.14 that relates to railroad crossing safety.

- Element III – Housing

This element was amended to provide for minor rewording, timeline and horizon changes; provides text for incentivizing affordable housing, housing design standards, adequacy of housing supply and residential lands, neighborhood redevelopment, housing programs, and historic buildings.

- Element IV - Recreation and Open Space

This element included updates to the inventory of recreation facilities and provides text concerning meeting o\public access to recreational facilities, funding of recreation facilities, environmentally sensitive areas, and the Rural Lands Overlay.

- Element V - Infrastructure

This element included updates to wording, references to the 10-Year Water Supply Facilities Work Plan; revises LOS standards; and provides text about coordination, and waste reduction methods.

- Element VI - Conservation

This element was amended to provide minor rewording, update inventories (e.g. natural resources and hazardous waste sources), revising maps, and revising text related to development of parcels containing jurisdictional wetlands; provided for the 10-Year Water Supply Facilities Work Program; provided text for historic resources, soil classification, mining, habitat protection/restoration, water quality, coordination, endangered species, and preservation requirements for development projects of varying sizes.

- Element VII - Intergovernmental Coordination

This element was changed to provide for minor word changes and text about interlocal agreements, coordination with the Cities of Clewiston and LaBelle; provide text for school coordination; deleted Policy 8.1.3 regarding coordination with FDOT for the improvements on SR 29 and SR 80.

- Element VIII - Capital Improvement

Changes to this element included minor rewording, additional text about financial feasibility, and the deletion of redundant policies. The Five-Year Schedule of Capital Improvements was updated.

- Element IX - Concurrency

This element was amended to include minor word changes and the addition of LOS standards from other elements.

- Element X - Economic Development

This element was amended to include minor word changes.

In addition, the County staff made additional minor changes to the document stemming from comments received during the workshop held on January 20, 2010. These changes included the following:

1. Categorization of Agriculture uses into two categories - level one and level two;
2. Removal of the Public Nuisance Policy in Rural Sub-Element;
3. Revisions to the color scheme in the Felda area future land use map;
4. Changes to the text of the Future Land Element to clarify that the Murphy's Landing site on SR 80 has not commenced development;
5. Change to the Highway Business Center (SR 80) acreage requirement (one unit per acre);
6. Change to Policy 5.1.5 of the Recreation and Open Space Element to establish coordination of both east and west recreation entities in the establishment of a new regional park;
7. Changes to Policies 2.18.1, 2.20.1, and 2.31.3 in the Rural Sub-Element;
8. Changes to the Introduction section of the Conservation Element;
9. Changes to Objectives and Policies in the Conservation Element;
10. Changes to Policies in the Future land Use Element; and
11. Inclusion of revised maps in the Conservation Element.

8. Is the Amendment consistent with the Strategic Regional Policy Plan:

The Council staff has reviewed the changes proposed in the EAR program submitted for review and finds that they are all regionally significant since they all must be consistent with the Intergovernmental Coordination Element. Council staff also supports most of the proposed changes identified in the Plan Elements text and the Future Land Use Map changes. Council staff finds those changes to be consistent with the Strategic Regional Policy Plan (SRPP).

There is however several areas of concern related to the proposed amendments that Council staff believes will require additional work in order to be found consistent with the SRPP. These areas of concern are as follows:

Element I - Future Land Use / Sub-Element - Rural Lands

While the Council staff is aware of the need for development opportunities in the rural Counties of the region in order to provide an adequate tax base for the provision of governmental programs and to assure for the health, safety and welfare of the Citizens of the rural areas, Council staff has concerns about the proposed Transfer of Development Rights (TDR) program as identified in these amendments.

As proposed, the TDR program would seem to allow significant development in the future that would meet a much greater demand than is actually available in the County at this time. The proposed amendments are based on the 2008 EAR, which projected substantial development need in the County. These projections resulted in the West Hendry Area Plan that provided more development in the County than was actually available due to demand. The DCA commented on this problem and the projections of need for development in the County have been more of a desire to provide incentives to development activity that actual need for housing for increases in population.

The County staff in response to the DCA comments reduced the planning area and down scaled the proposed development request in their next rounds of requests. The DCA in there review of the proposed development stated that the densities proposed development did not meet the predictability standards and promoted sprawl. Based on these comments, the County staff withdrew the requested amendments and retooled the request.

These proposed amendments provides for a new TDR program and a Rural Lands Overlay program that will allow densities to be moved from the rural sending areas to urban receiving areas. Council staff agrees with the program approach and the County staff effort to provide a reasonable and predictable program for future development activities. Council staff however is unsure of the need for the scale of development that may result from the program in the future. Given that the City of LaBelle has significant development plans in South LaBelle Village, large portions of the platted lands areas of the County are still available for development, and projects along SR 80 are available but have not been developed and given that the regional economy has slowed demand for new housing significantly (and may be slowed for years), Council staff believes the program while well thought out could be used in a piecemeal manner for future developments that will not be needed in the foreseeable future and could result in a undesirable sprawl land use pattern.

Council staff agrees with the comments made by the Conservancy of Southwest Florida concerning the future dwelling units needed by the County. Based on their estimates, the TDR program currently proposed in these amendments would generate enough density to provided in excess of 700,000 dwelling units if fully implemented. Because there is no data or analyses in these amendments to provide an exact number of dwelling units available, this

estimate is the best available given the density and multipliers found in the proposed amendments.

The County's Future Land Use Element (FLUE) presents the high end population estimate for the County in 2040 to be 86,423 people, which is the high end population estimates. If the population grows to that estimated size and there is an average of 3 persons per household in the County, the County will have an estimated total need of 28,808 dwelling units to provide housing for all the people living in the County in 2040. According to the County, there are approximately 14,000 dwelling units in the County at the present time, so by 2040 the future need will be an additional 14,808 dwelling units. If you factor in a 25% additional units to allow for market flexibility, the total maximum need by 2040 will be 18,510 dwelling units in the County. This amount of dwelling units represents approximately 26.4 percent of the total number of dwelling units available under the proposed TDR program.

The County's FLUE states that the County should be planning for low to moderate growth in the future. If the Bureau of Economic and Business Research (BEBR) medium population growth for the County is attained (54,300 people) in the future, then 18,100 dwelling units will be needed to house the County's population over thirty years, or an additional need of 4,100 dwelling units. Factoring in 25% for market flexibility, the County can reasonably expect to build 5,125 dwelling units over the next 30 years, or 171 homes per year. This represents less than 1% of the possible units provided under the proposed TDR program requested in these plan amendments.

Council staff is sympathetic to the County's effort to provide incentives for future development to locate within the County due to the existing problem of a diminishing tax base, but Council staff is not convinced that the proposed amendments to the FLUE and the new Sub-Rural Lands Element realistically address a future development scenario in this portion of the region. Additionally, Council staff does not believe that the TDR amendments adequately data and analyses that address the location of the allowed development or the type of future development that would result.

Due to these problems, the proposed amendments dealing with the future land use issues related to the TDR program cannot be found consistent with the SRPP. Council staff believes the TDR program should provide specific locations for receiving areas and should provide priorities and incentives for preservation of larger natural resource systems to improve the Plan and provide more predictability to the Plan with respect to providing and coordinating needed infrastructure to serve the future growth areas.

Element II – Traffic

Council staff agrees with the County related to the provision of Objectives and Policies related to the provision that requires bicycle paths and sidewalks or trails on major arterials, minor arterials, and rural major collectors that are built to FDOT design standards. However, Council staff does not find a multi-modal approach in the proposed amendments. Because

the plan does not clearly provide the location or types of future development in the County due to the previously discussed limitations of the proposed TDR program, it is impossible to provide communities located in a way that a true multi-modal transportation network could be established and implemented in the future.

Provision of a multi-modal network is not an easy task in a rural County and Council staff would suggest that if future County development can be located near to the existing developed core areas of the County, then a system promoting multimodal elements that benefit the County and adjacent jurisdictions could be achieved. The existing amendments as proposed cannot establish a plan for the various citizen with respect to their transport needs; therefore Council staff cannot find the proposed changes to Transportation Element consistent with the SRPP.

Element VI – Conservation

Objective 2.22 provides text changes that will provide consideration for the establishment of an Urban Growth Boundary. Council staff believes that the County should establish a strong program to identify the future areas for development in the County and also should identify the natural resources in the County that needs to be placed in a Conservation/Preservation land use designation to assure the health of the County's ecosystem and thereby assure the health and welfare of the citizens living in the County. Once these areas and resources are formally identified in a unified program, an Urban Growth Boundary line to protect these resources can be provided. In addition, by identifying natural resources areas that are to be preserved, assurances can be provided that larger significant systems can be identified and lands that are needed to hook up these larger systems can be eventually obtained through a variety of procedures from the outright purchase of the lands to conservation easements from the private land owners in coordination with the Plan's TDR program.

At the present time, Council staff does not find that the County has adequate policies and maps in the County's Comprehensive Plan that allows the identification of the relevant conservation/preservation areas that can be used to provide for the future preservation of important natural resources currently found in the County and the future establishment of an Urban Growth Boundary.

Because Council staff is concerned with the natural resource conservation/preservation in the region and since the County has not provided data and analyses for the identification of resource Conservation/Preservation areas on the FLUM and the establishment of an Urban Growth Boundary line, Council staff does not believe that the Conservation Element is consistent with the SRPP.

9. Applicable Strategic Regional Policy Plan Goals, Strategies and Actions:

Economic Development Element Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Maintain the physical infrastructure to meet growth demands.

- Action 1:** Review plan amendments, development proposal, and clearinghouse items for public facility deficits and encourage mitigation of those deficits.
- Action 2:** Assist local governments and state agencies in planning for future support service facilities, before the need arises.
- Action 3:** Review proposed public facilities to ensure their location in urban areas that have in place, or are covered by binding agreements to provide, the resources and facilities for desired growth in an environmentally acceptable manner.
- Action 4:** Study alternative and assist other entities to study alternatives to encourage land development that maximizes the use, rehabilitation, and re-use of existing facilities, structures, and buildings as an alternative to new construction and development.

Strategy: Ensure adequate infrastructure for rural areas.

- Action 2:** Evaluate locally undesirable land uses as part of rural economic development.

Economic Development Element Livable Communities

Goal 3: A stable economy based on a continuing excellent quality of life.

Strategy: Maintain and improve the natural, historic, cultural, and tourist-related resources as primary regional economic assets.

- Action 1:** Assist in the identification and acquisition of potential park and recreational sites and other resources in future growth areas.
- Action 2:** Participate in studies, plans, and programs for public access to beaches and other resources.
- Action 3:** Review proposed development to require that natural and other resources of regional significance are maintained, enhanced, restored, or re-created, as appropriate.

Strategy: Ensure sustainable volumes of natural resources for economic productivity.

- Action 1:** Promote and assist resource planning programs to incorporate local government population projections and assessments of land consumption.

Strategy: Promote agriculture in the face of growing competition for land and water.

- Action 1:** Cooperate with public and private entities to protect lands with high, sustainable production capability.
- Actions 2:** Participate in economic analyses of agricultural uses.

Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.

Strategy: Promote through the Council's review roles community design and development principles that protect the Regions natural resources and provide for an improve quality of life.

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Regional Transportation Element Balanced Intermodal/Multimodal System

Goal 1: Construct an interconnected multimodal transportation system that supports community goals, increases mobility and enhances Southwest Florida's economic competitiveness.

Strategy: Identify the general transportation system composed of connected corridors, facilities, and services for the effective movement of freight and visitors.

Action 1: By 2003, identify sites that lack connectivity including ground access to airports, public transportation, waterways, and non-motorized vehicle modes.

Strategy: Ensure that a network of interconnected roads exist that provide the timely, cost effective movement of people and goods within, through and out of the Region.

Action 2: By 2003, identify unconnected and/or under connected components of the regional transportation network.

Strategy: Promote Smart Growth where residential communities are linked with job centers through transit, carpooling, or other high occupancy vehicle transportation.

Action 3: Report on the overall effect of regional land use policies and pricing policies on urban sustainability.

Regional Transportation Element Livable Communities

Goal 2: Livable communities designed to affect behavior, improve quality of life and responsive to community needs.

Strategy: Promote through the Council's review function a good environment for driving, walking, bicycling, and public transit using a highly connected network of public streets, green space, and community centers.

Action 1: By 2003, in cooperation with local government establish project selection criteria reflective of Smart Growth and Livable Communities initiatives.

- Action 3:** By 2003, in cooperation with local government, complete a regional bicycle and pedestrian inventory of existing and needed facilities.
- Action 4:** Review comprehensive plans and land development regulations for incentives to develop and redevelop using mixed uses, higher densities, shared parking; and improved vehicular, mass transit, pedestrian and bicycle access and travel, as well as providing a variety of affordable residential densities and types.
- Action 5:** Coordinate with local governments in the construction of bicycle paths and pedestrian ways that cross jurisdictional boundaries.
- Action 6:** Assist local government and private sector in the design and location of shared parking to enhance the character and attractiveness of the community and to encourage the use of alternate modes of transportation.

Regional Transportation Element Regional Cooperation

Goal 5: Develop a cost-effective and financially feasible transportation system that adequately maintains all elements of the transportation system to better preserve and manage the Region's urban and non-urban investment.

Strategy: Develop land use plans and policies that assess the potential for adverse impacts to transportation facilities and protect investment in transportation infrastructure.

- Action 2:** In cooperation with FDOT, local government, and MPOs, collaboratively test coordinated land use and transportation plans.
- Action 3:** Assist FDOT, local government, and the MPOs in designing plans that connect and serve urban communities with an efficient, transit oriented, and multi-modal transportation system.
- Action 4:** Review local government transportation concurrency management systems and planning agreements for mediation provisions addressing transportation impacts to neighboring jurisdictions when requested by the affected local government.
- Action 5:** Ensure local governments and metropolitan planning organization, through their planning programs and future road networks, accommodate travel demand across jurisdictional and neighborhood boundaries.
- Action 7:** Identify residential, employment, and transportation patterns of low income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.
- Action 8:** In conjunction with FDOT, local government, and the MPOs, the capacities and operations of major regional roadways should be protected through coordinated land use, careful site plan review, driveway access management, coordinated signal spacing and timing, paralleling roads, and connection permit policies and other

Transportation System Management (TSM) alternatives among all levels of government.

- Action 9:** In cooperation with FDOT, local government, and the MPOs, review transportation plans and projects to direct development in areas where adequate transportation facilities exist or are planned.
- Action 10:** In conjunction with FDOT, local government, and the MPOs, direct transportation investments in such a way so that it contributes to efficient urban and non-urban development throughout the region.
- Action 11:** Enhance economic prosperity and competitiveness through development of a transportation system composed of corridors, facilities, and services for the effective movement of freight and visitors throughout the region

Natural Resources Element Natural Resource Protection

Goal 2: The diversity and extent of the Region's protected natural systems will increase consistently beyond that existing in 2001.

Strategy: To identify and include within a land conservation or acquisition program, those lands identified as being necessary for the sustainability of Southwest Florida, utilizing all land preservation tools available.

- Action 2:** Support continued acquisition of lands targeted for conservation and recreation by Public Land Acquisition Programs including DARL, SOR, Florida Communities Trust, Lee County CLASAC, CREW, WRDA, and other efforts in the Region.
- Action 5:** Facilitate and assist in the coordination of all land acquisition programs in the Southwest Florida Region by sponsoring periodic meetings of all public and private initiatives.
- Action 9:** Working with the various acquisitions programs identified in the Plan and working with Local Governments and private landowners, develop a strategy to protect gaps lands identified in the above action, using the Tools outlined in the plan.

Natural Resources Element Livable Communities

Goal 4: Livable communities designed to improve quality of life and to provide for the sustainability of our natural resources.

Strategy: Promote through the Council's review roles community design and development principles that protect the Region's natural resources and provide for an improved quality of life.

- Action 1:** Working with agencies and local governments provide for the disposal of man's liquid and solid wastes in a manner that will not lead to long-term degradation of air, ground, and water resources.

- Action 5:** Working in cooperation with agencies and local governments insure that agricultural operations are compatible with our identified natural resource protection areas.
- Action 6:** Working in cooperation with agencies and local governments insure that new public facilities, facility expansions and additions avoid designated natural resource protection areas.
- Action 8:** Working with all levels of government within Southwest Florida actively plan for lands that have been acquired for natural resource purposes to be maintained and managed to preserve their environmental integrity.
- Action 9:** Insure that opportunities for governmental partnerships and public/private partnerships in preserving wildlife habitats are maximized.

Natural Resources Element Regional Cooperation

Goal 5: Effective resource management is maintained across the borders of sovereign public agencies.

Strategy: All plans concerning the same resource shall have as objectives the same effective results.

- Action 4:** The SWFRPC will promote state, regional and local agencies to consider lands identified as priority one habitat south of the Caloosahatchee River and areas formally designated as critical habitat for the Florida Panther to be incorporated in the agency's natural resource management programs and provide intergovernmental coordination for the implementation of management practices that, based on existing data, would be expected to result in maintaining habitat conditions for the panther.

10. The effects of the Proposed Amendment on Regional Resources or Facilities Identified in the Strategic Regional Policy Plan:

The proposed amendments as it relates to land use changes that result from the County's TDR program, Urban Growth Line, preservation of natural resources, and future transportation network have significant impacts to regional resources depending on where and how much of the growth allowed under the proposed amendments takes place. Given the historic growth rates of the County, minimal impacts will occur unless those impacts are placed within areas of the County where minimal regional resources are located. Council staff believes the County can provide additional development to increase the tax base of the County if it is done in a more comprehensively planned manner. Given that the location of future development in the County is not identified and data and analyses concerning these issues are not provided, it is not possible for Council staff to provide an adequate assessment of the future regional impacts of the proposed amendments.

11. Extra-Jurisdictional Impacts that would be Inconsistent with the Comprehensive Plan of the Affected Local Government:

If the maximum buildout allowed under the proposed TDR program in these amendments were to occur within the timeframes set forth in the amendments, significant regional impacts to regional resources could result in adjacent jurisdictions. Regional impacts could occur from increased stormwater flows amounts, water quality degradation, transportation network impacts, infrastructure demands, and wildlife habitat impacts. Council staff is concerned that the proposed amendments do not provide adequate data and analyses to specifically address the amount and locations of these impacts.

Analysis of the effects on the proposed amendments on the following issues to the extent they are addressed in the Strategic Regional Policy Plan on:

12. Compatibility among local plans including, but not limited to, land use and compatibility with military bases:

The proposed plan amendments may not be compatible with the adjacent local government plans with respect to the proposed land use changes requested in these amendments. Because the amendments do not specifically identify where and to what amount of future development, Council staff cannot assess the supporting facilities and services that will be needed in the future and how these facilities and services will be blended with adjacent governmental entities. Council staff would support the County's significant efforts to provide TDRs that minimize development onto farmlands and places development in areas of the County where existing urbanization has already occurred. Council staff supports the County's planning effort to provide growth management concepts such as an Urban Growth Boundary in their plan. An Urban Growth Boundary could provide an important Growth Management Tool for the County decision makers to direct future growth that minimizes urban types of land uses in the farming and natural resource areas of the County.

Council staff also supports County staff's efforts to increased potential economic development in a portion of the region that is in severe need of that type of activity. These concepts were shown in the Hendry County Rural & Agriculture Lands Study information submitted with this request. However, the specific amount, location, timing of future development proposed in these amendments did not provide enough information in order to allow the Council staff to assess local plan compatibility.

There are no military bases affected by any of the County's proposed amendments.

13. Impacts to significant regional resources and facilities identified in the Strategic Regional Policy Plan, including, but not limited to, impacts on groundwater recharge and the availability of water supply:

Depending on the amount and location of future development as identified in the proposed amendments, impacts to regionally significant resources is difficult to accurately assess. The County has identified significant regional resources, but not maps were provided in the amendments as to the preservation and conservation of these resources. As proposed, the County's Future Land Use Map (FLUM) does not show a Conservation land use designation and therefore, does not provide adequate information related to future development area locations. The proposed Sub-Element for the Rural lands does provide for the transfer of densities from regionally significant lands, which will aide in the minimization of impacts to those areas of the County. Under any development scenario, the County will have significant open space areas. The impacts of these amendments will help increase groundwater recharge in the County due to the existing and future conservation areas and farmland preservation. These recharge areas will provide a water supply to future developments, especially, if the future development scenario reflects a slower grow pattern that historic growth rates seem to imply.

14. Affordable housing issues and designation of adequate sites for affordable housing:

These amendments will not significantly impact the issues associated with affordable housing availability in the County. Hendry County currently has significant supplies of affordable housing units and sites that will provide affordable housing opportunities in the future.

15. Protection of natural resources of regionally significance identified in the Strategic Regional Policy Plan including, but limited to, protection of spring and groundwater resources, and recharge potential:

Based on the Council staff review of the requested amendments, Council staff believes that improvements to the proposed TDR program will allow for increased opportunities for the preservation of groundwater resources and recharge potential in the County. Council staff however questions the location, amount and timing of the proposed future development in order to provide for plan Polices to address the adequate preservation of regionally significant natural resources.

The proposed amendments address the protection of springs and groundwater by providing a mechanism to move densities from farmlands and conservation areas. The rate of these actions however is not clear to Council staff at this time.

16. Compatibility with regional transportation corridors and facilities including, but not limited to, roadways, seaports, airports, public transportation systems, high speed rail facilities, and intermodal facilities:

The amendments do not address seaports, airports, public transportation systems, high speed rail facilities, or intermodal facilities. It is unclear at this time as to amount and timing these issues will impact the proposed development. The proposed TDR program could lead to sprawl in the County if more specific areas of development are not provided

and thereby significantly negatively impact the future development of a multimodal transportation network in a rural County. The SR 80 corridor will in the future be a major crossing corridor in the State and interconnect the cities of Ft. Myers, LaBelle, Clewiston, Moore Haven, Okeechobee and the cities on the east coast of Florida. Council staff believes this corridor is important to the regional roadway network and should be addressed in more detailed in the County's plan relative to intermodal transportation alternative development.

17. Adequacy and compatibility with emergency preparedness plans and local mitigation strategies including, but not limited to, the impacts on and availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation:

Council staff believes that these amendments as proposed could result in significant impacts availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation if the TDR program is built out without constrains. Because this program could provide substantial numbers of dwelling units to be constructed in the County, major increases in the need for local hurricane shelters would result and significant clearance time's increases would be added to the system. This situation would also impact adjacent coastal Counties in that SR 80 is a major evacuation route from the coastal areas and the evacuation would eventually be hindered if the potential scale of development in the County was built as allowed by the TDR program found in the County's FLUE. The County plan would have to provide a roadway network to deal with this situation and at the present time that is not addressed in the proposed amendments. Council staff believes that because of the slower growth rates present in the County, this scenario is a worst case, but over time if growth in Florida increases and the County reaches the full growth scenario as allowed in these amendments, serious hurricane shelter and evacuation problems could result.

18. Analysis of the effects of extra-jurisdiction impacts which may be created by the amendment:

Council staff believes supports most of the amendments proposed by County staff in these amendments, but believes that the suggested TDR program with its associated Urban Services Boundary should be refined by adding the specific timing and location where future development is likely to occur. Council staff has supported other amendments for reasonable growth in the northwest portion of the County, the westerly end of SR 80 and areas around Clewiston. Council staff believes that the proposed amendments will allow growth in unidentified areas of the County that could have impacts on the infrastructure, and natural systems of Lee and Collier Counties.

Attachment III

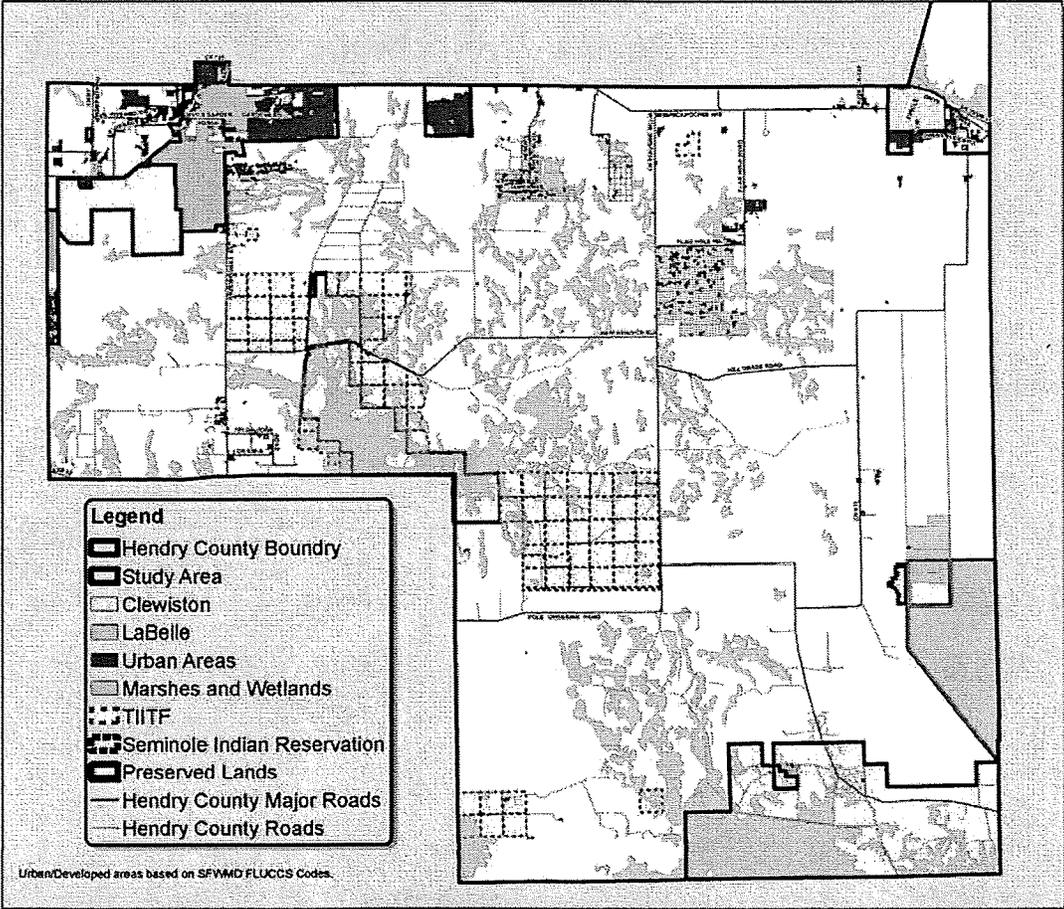
Maps

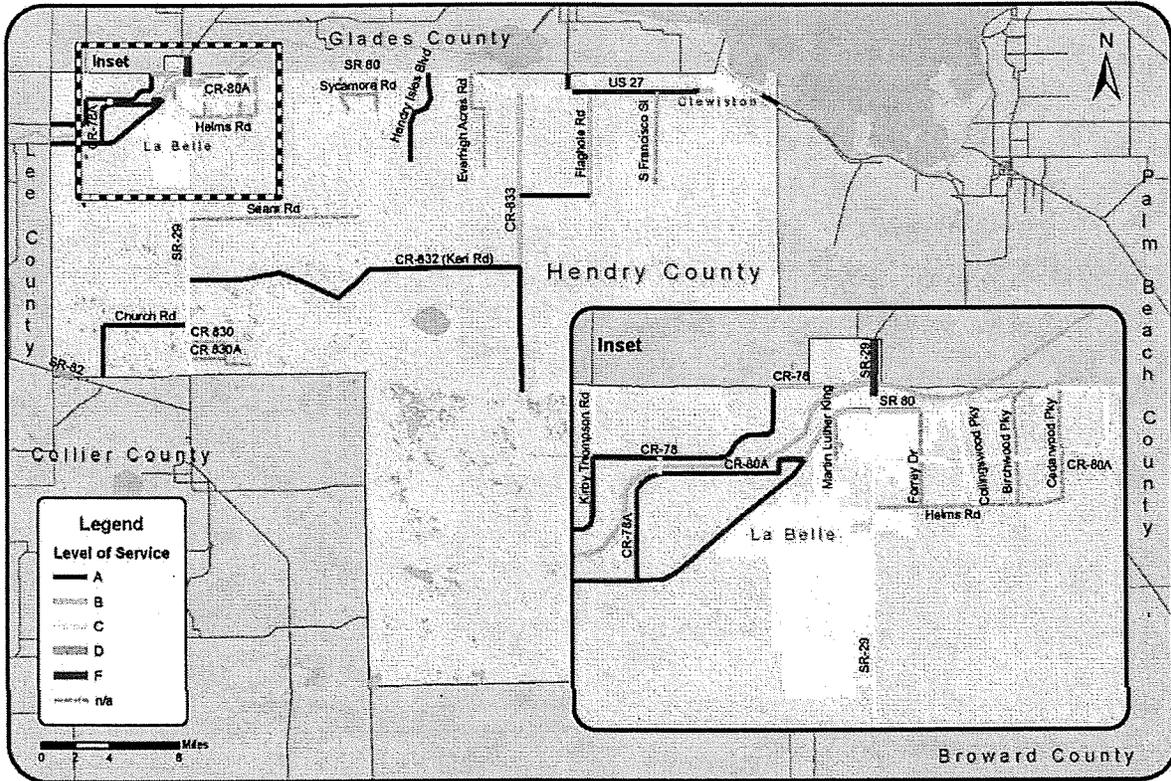
**Hendry County
DCA 10-2ER**

**Proposed Comprehensive Plan
Amendment Locations**

URBAN OR DEVELOPING AREAS	ACRES	% OF COUNTY
City of Clewiston	2,963.5	0.39%
City of LaBelle	9,171.6	1.20%
County Urban/Developing Areas	16,312.0	2.14%
TOTAL	28,447.1	3.74%

SOURCE: FLUCCS Provided by SFWMD, 2000



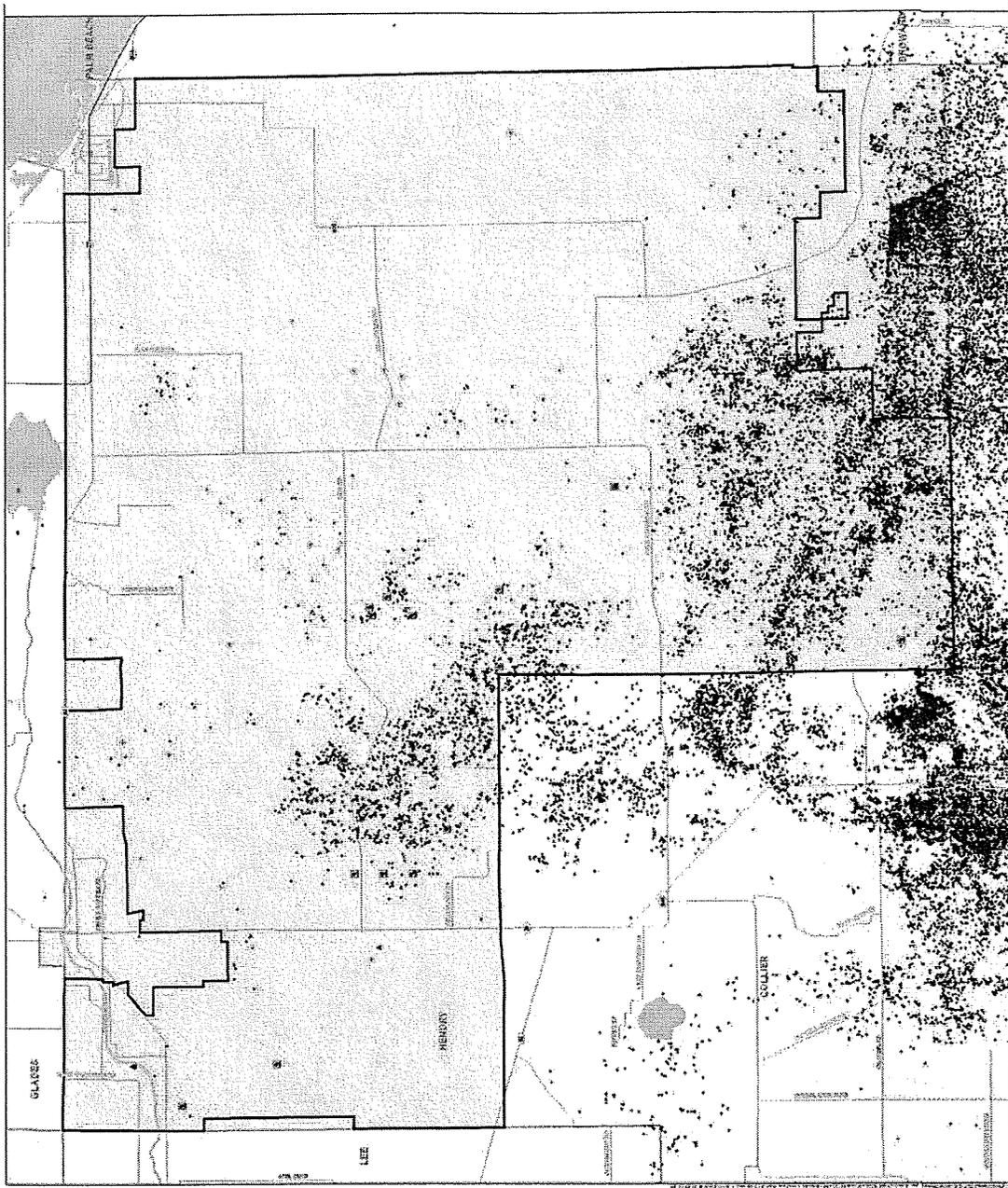


Existing Conditions Level of Service
Hendry County



Existing Conditions

Location of Listed Species



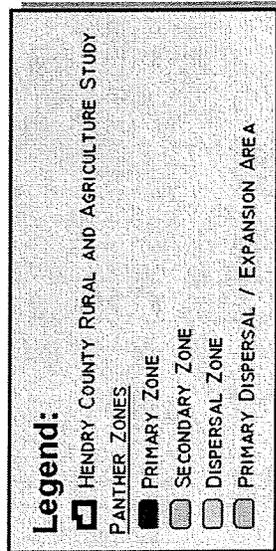
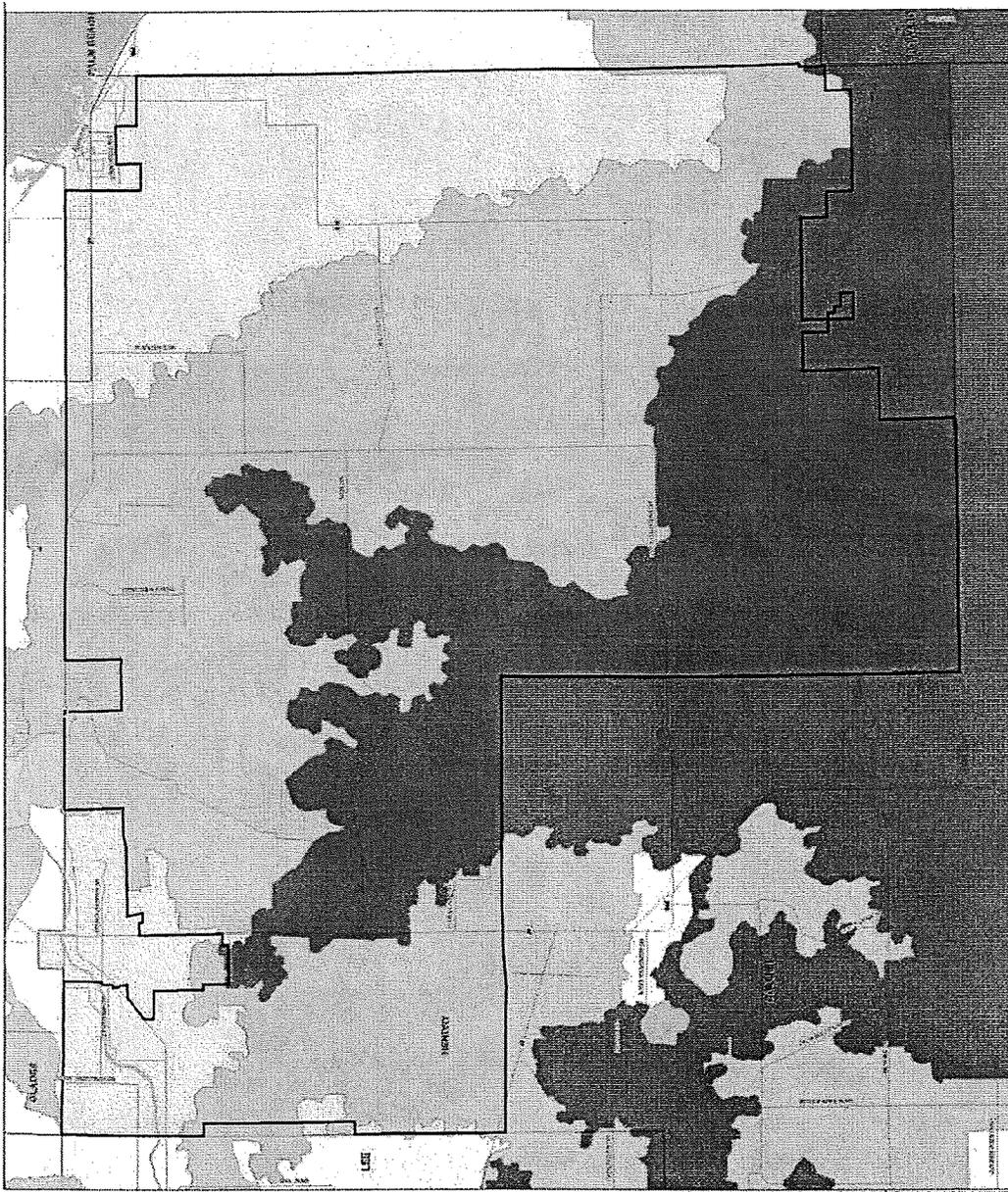
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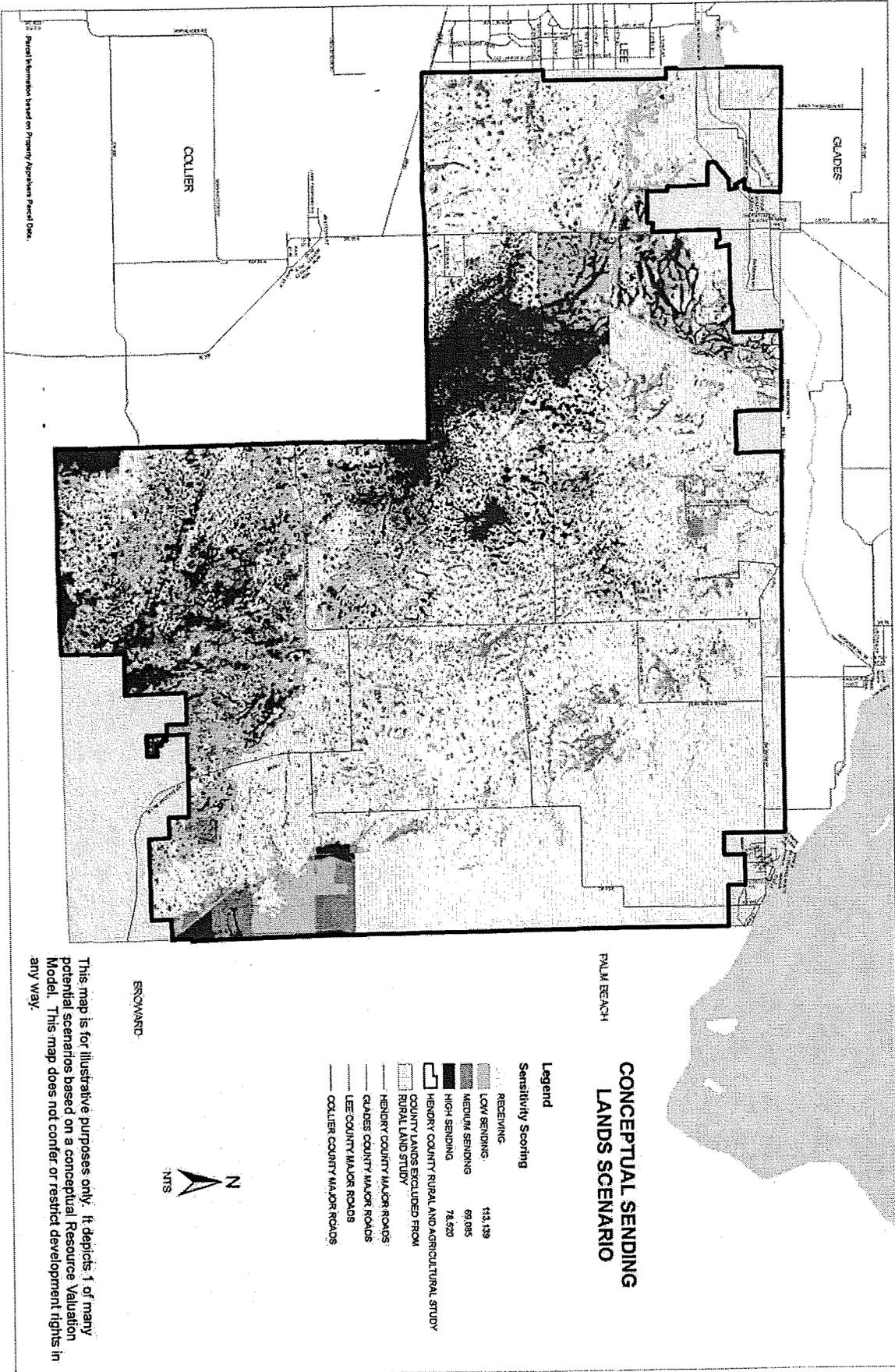
-  HENDRY COUNTY RURAL AND AGRICULTURE STUDY
-  BALD EAGLE NEST
-  CRESTED CARACARA LOCATIONS
-  FLORIDA PANTHER TELEMETRY
-  FWCC BLACK BEAR LOCATIONS
-  FWCC WADING BIRD LOCATIONS

Existing Conditions

Florida Panther Zones

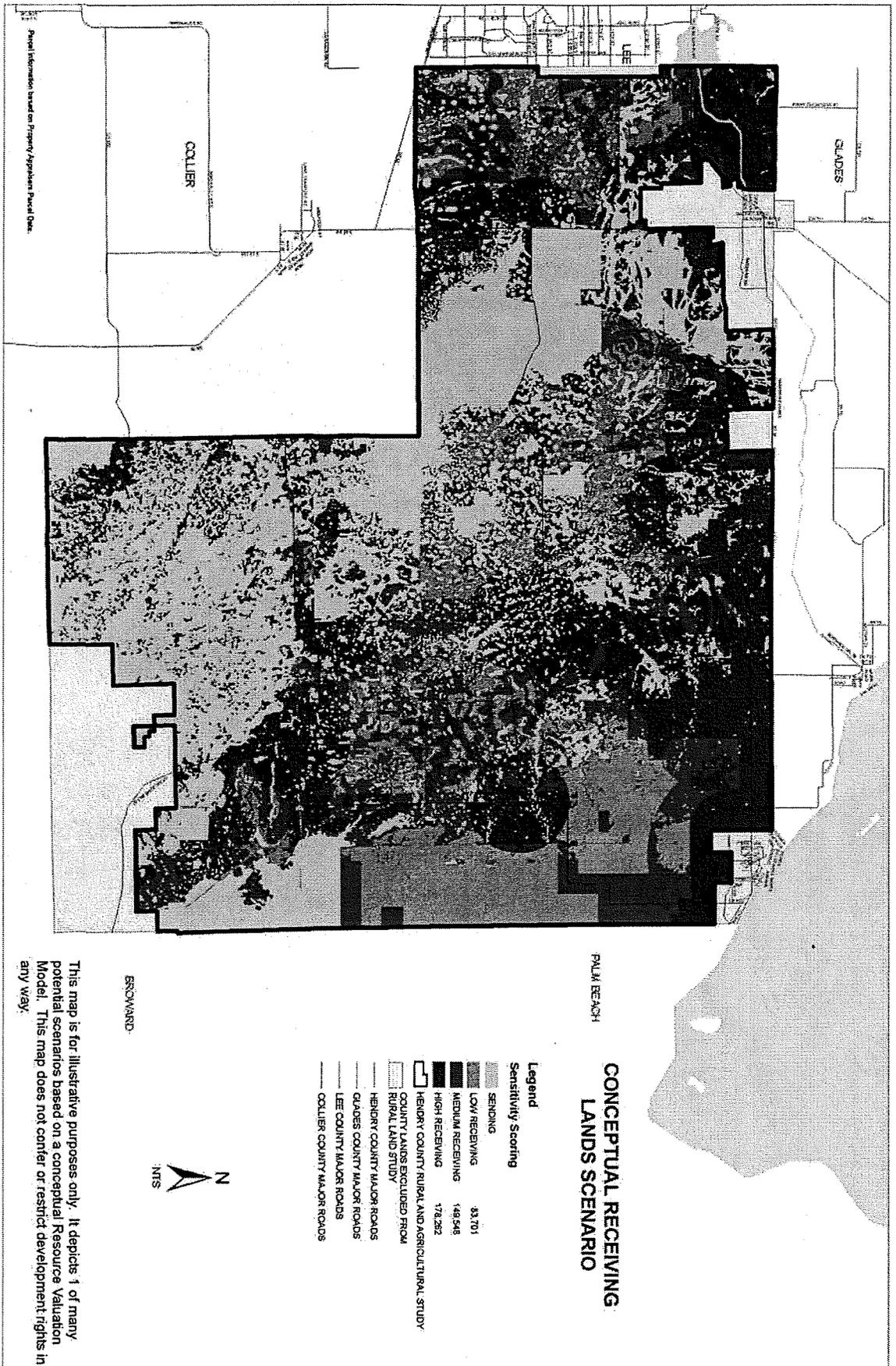
The Florida panther primary, secondary, and dispersal zones are located within the study area. The primary zone covers the southern portion of the study area and incorporates most of the central area. The primary zone is where the majority of the documented occurrences of Florida panther and other listed species are located. The secondary zone covers a bulk of the study area with few documented occurrences of listed species. The dispersal zone is located in the northern portion of the Hendry County study area. The dispersal zone has been identified by the U.S. Fish and Wildlife Service as a critical link for dispersing panthers from the South Florida cove population area to lands north of the Caloosahatchee River. Map 1.12 shows the County's Panther Zones, and Map 1.13 provides telemetry data of Hendry County's listed species.





This map is for illustrative purposes only. It depicts 1 of many potential scenarios based on a conceptual Resource Valuation Model. This map does not confer or restrict development rights in any way.

Partial Information based on Priority Appraisal Parcel Data.



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Sarasota Care Center East
DRI - Abandonment

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**SARASOTA CARE CENTER EAST
DRI # 01-9091-111
APPLICATION FOR ABANDONMENT**

Background:

The Sarasota County Board of County Commissioners originally approved the Sarasota Memorial Hospital Care Center East (aka Sarasota County Public Hospital Board Care Center East Campus) by Ordinance 92-048 which was adopted on June 16, 1992. The DRI is located on 80 acres south of Clark Road (SR 72), about ½ mile west of I-75 (see Attachment I). The original project description included over 1.1 million square feet of hospital and associated health care uses. The centerpiece/primary component of the project was a hospital which was never built. Subsequent to the approval of this DRI, legislative changes to chapter 380 of the Florida Statutes exempted hospitals from DRI review.

As originally planned for Phase I buildout (1995) the project was proposed to include: a) a 120 bed adult congregate living facility; b) a 7,500 square foot day care facility; c) 190 beds of acute care/mental health facility; d) 14,000 gross square feet of ambulatory care; e) 2,500 gross square feet of educational center; f) a 180-bed nursing home and; g) 30,900 gross square feet of medical office development. At buildout of Phase II (2010) the project was proposed to cumulatively include: a) 120-bed adult congregate living facility; b) a 15,000 gross square foot day care facility; c) 494 beds for acute care/mental health facility; d) 135,000 gross square feet of ambulatory care; e) 5,000 gross square feet of educational center; f) a 180-bed nursing home; g) 103,000 gross square feet of medical office development; h) 15,000 gross square feet of fitness/recreation space and ; i) a 100-room patient family transient accommodation (hotel). The project also included open space, lakes, roadways, parking and landscape buffer areas which were depicted on the Master Development Plan adopted as part of Ordinance 92-048.

Ordinance 2005-041 adopted July 27, 2005, amended the development order and modified project entitlements and phasing. At buildout of Phase I (2004) the project included: a) a 12-bed adult congregate living facility; b) 14,000 gross square feet of clinic/ambulatory care; c) a 120-bed nursing home and; d) 44,470 gross square feet of medical/dental office use. The amended development order (Ordinance 2005-041) resulting from the Notice of Proposed Change (NOPC) increased medical/dental office by 20,000 square feet, increased clinic/ambulatory by 22,112 square feet and increased health fitness club use by 40,338 square feet. The proposed cumulative buildout of Phase II (2010) included: a) 12-bed adult congregate living facility; b) 36,112 gross square feet of ambulatory care; c) a 120-bed nursing home; d) 64,470 gross square feet of medical office development; and e) 40,338 gross square feet of health fitness/recreation space. The project also included open space, lakes, roadways, parking and landscape buffer areas as depicted on the Master Development Plan (see Attachment II).

According to the Application for Abandonment, the cumulative development entitlements for the Sarasota Care Center East have been constructed. The DRI build-out date is December 31, 2010.

The following table details the project's approved and completed vertical development:

APPROVED AND COMPLETED VERTICAL DEVELOPMENT				
ITE	DRI THRESHOLDS	PHASE I COMPLETED DEVELOPMENT (1987-2004)	PHASE II COMPLETED DEVELOPMENT (2004-2010)	TOTAL PHASE I & II
Hospital	Beds	0	0	0
Nursing Home	Beds	120	0	120
Congregate Care Facility/ACLF	Beds	12	0	12
Medical/Dental Offices	GSF	44,470	20,000	64,470
Clinic/Ambulatory	GSF	14,000	22,112	36,112
Day Care Facility	GSF	0	0	0
Library/Education	GSF	0	0	0
Patient/Family Hotel	Rooms	0	0	0
Health/Fitness Club	GSF	0	40,338	40,338

Past Amendments to the Development Order

Following the approval of the Sarasota Care Center East Development of Regional Impact there were two amendments to the Sarasota Care Center East Development Order that were adopted by the Sarasota County Board of County Commissioners. These changes were as follows:

Amendments Adopted by the Sarasota County Board of County Commissioners

<u>Ordinance Number</u>	<u>Date of Adoption</u>	<u>Change to Development Order</u>
(1) Ordinance 94-097	December 13, 1994	First Amendment to the Development Order. The changes included revisions to the Conceptual Master Development Plan Map (Map H) and addition of conditions to clarify permitted land uses within the project.
(2) Ordinance 2005-041	July 27, 2005	Second Amendment to the Development Order. The changes included revisions to the Conceptual Master Development Plan Map (Map H) and modifications to the project's entitlements and phasing schedule.

Proposed Abandonment

The applicant for the proposed abandonment is the Sarasota County Public Hospital Board. The applicant's agent is Charles D. Bailey, III with the firm of Williams, Parker, Harrison, Dietz & Getzen. The Application for Abandonment was submitted to the Southwest Florida Regional Planning Council, Sarasota County and the Florida Department of Community Affairs on March 03, 2010. The abandonment process is governed by the rules contained in Section 9J-2.0251, Florida Administrative Code. Of the four criteria for abandonment, this application meets the first criteria which states the following: "An approved DRI which is proposed after abandonment to be below 100 percent (100%) of any applicable guidelines and standards identified in Section 380.0651, Florida Statutes, or Chapter 28-24, Florida Administrative Code, is eligible to abandon an approved DRI".

The following table compares the project's existing and proposed land use entitlements to applicable thresholds established in section 380.0651 of the Florida Statutes:

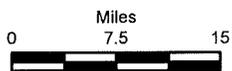
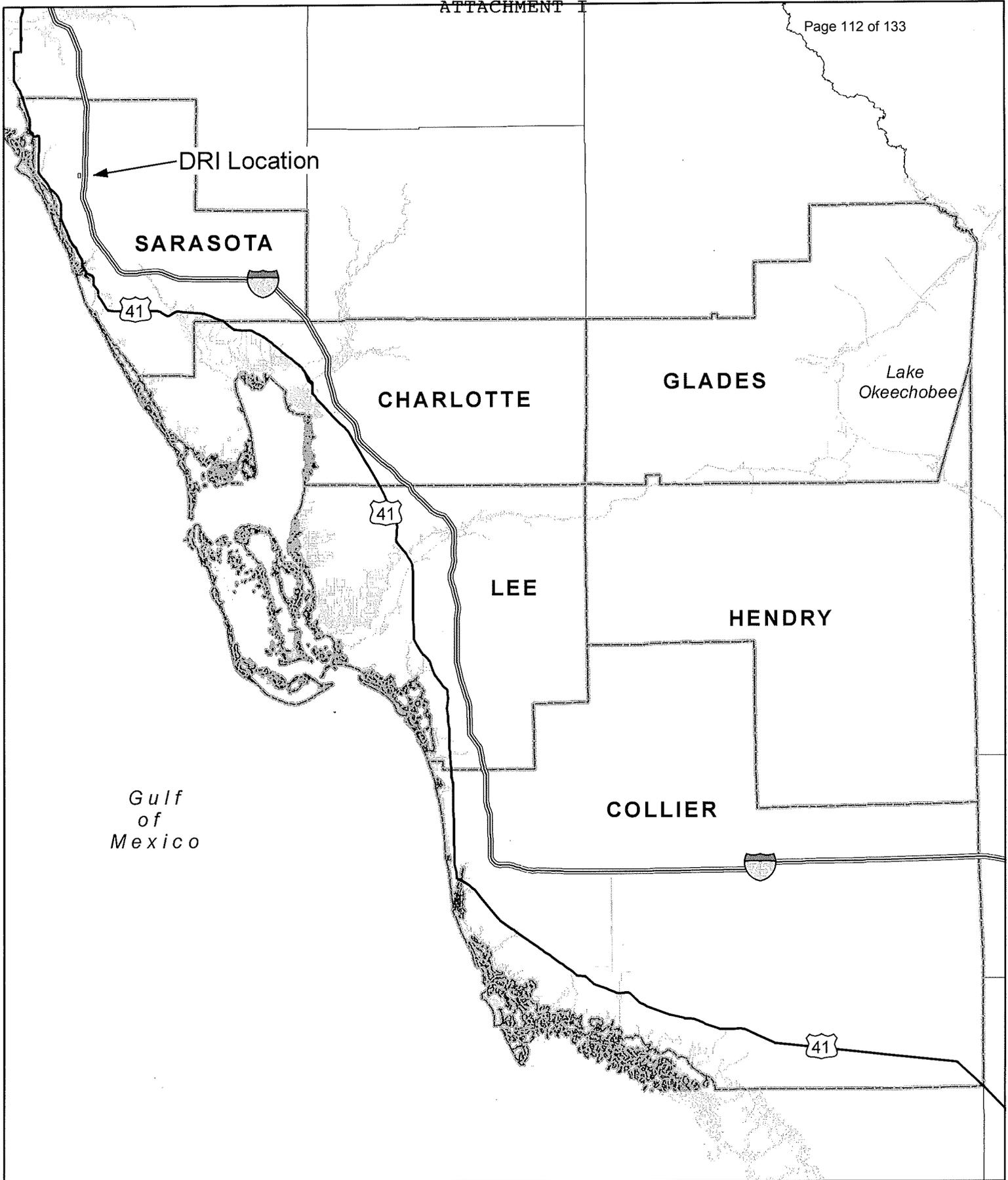
Existing Land Use	Unit of Measure	DRI Threshold (1)	Percentage
Nursing Home	120 Beds	None	N/A
ALF	12 Beds	None	N/A
Medical/Dental Office and Clinic/Ambulatory Uses	100,582 Sq. Feet	300,000 Sq. Feet	34%
Retail or Service/ Health Fitness Club (3)	40,338 Sq. Feet	400,000 Sq. Feet	10%
<i>Existing DRI Mixed-Use Cumulative Threshold: 145% (2)</i>			<i>44%</i>
Future Land Use			
Medical/Dental Office	120,000 Sq. Feet	300,000 Sq. Feet	40%
<i>Existing and Future Mixed-Use Cumulative Threshold: 145% (2)</i>			<i>84%</i>

Regional Staff Analysis

The Sarasota Care Center East DRI is eligible to abandon its development order. The applicant has provided evidence that the project's entitlements after abandonment will be below 100 percent (100%) of any applicable guidelines and standards identified in Section 380.0651, Florida Statutes. The applicant has also asserted the project is in compliance with all development order conditions. The applicant's proposed development of an additional 120,000 square feet of medical/dental office uses will be consistent with all appropriate adopted Sarasota County ordinances, development codes and the development agreement (County Contract No. 2009-052) which addresses traffic concurrency. As of the writing of this staff report, no objections to the proposed abandonment have been submitted to the Southwest Florida Regional Planning Council from Sarasota County or the Florida Department of Community Affairs.

RECOMMENDED ACTIONS:

1. Accept the Sarasota Care Center East Application for Abandonment as submitted and find that the development is eligible for abandonment.
2. Notify Sarasota County, the Florida Department of Community Affairs and the applicant that the Council has determined the eligibility for abandonment and that no objections were raised to the proposed abandonment at the regional level.
3. Request Sarasota County to provide a copy of the official recorded document abandoning the Development Order for Sarasota Care Center East DRI.



Sarasota Care Center East DRI Location Map



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Administrative Issues

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Lower West Coast Watershed
Implementation Committee

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LOWER WEST COAST WATERSHED IMPLEMENTATION COMMITTEE

The Lower West Coast Watershed Implementation Committee, which acts as a technical advisory committee to the Southwest Florida Regional Planning Council concerning water quality issues in the region, met on April 1, 2010 to provide final review of two letters and incorporate final committee comments. The SWFRPC had approved the draft letters at their March 18, 2010 meeting. Based on the final input at the Committee meeting and final comments from Committee participants, as well as staff reviews, each letter was finalized and sent to the appropriate officials.

These letters were sent to the Florida Department of Environmental Protection (FDEP) and U.S. Environmental Protection Agency (EPA). The DEP letter presented proposed revisions to F.A.C. 62-302.400 Designated Use and Surface Water Classification System, which dealt with the classification of surface water, usage, reclassification, and classified waters rule and the technical support document entitled "Draft Process for Reclassifying the Designated Uses of Florida Surface Waters." The EPA letter presented proposed revisions to the proposed numeric nutrient criteria for the Charlotte Harbor National Estuary Program waters.

Both letters are attached for the Council's information.

RECOMMENDED ACTION: Review for the Council information the attached water quality related letters that provided proposed revisions to DEP Designated Use and Surface Waters Classification System and revisions to EPA proposed Numeric Nutrient Criteria for the Charlotte Harbor National Estuary Program Waters.



Southwest Florida Regional Planning Council

Serving Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties

1926 Victoria Ave, Fort Myers, Florida 33901-3414 (239) 338-2550 FAX (239) 338-2560 www.swfrpc.org

April 6, 2010

Mr. Eric Shaw
 Standards and Assessments Section
 Florida Department of Environmental Protection
 2600 Blair Stone Road, MS 6511
 Tallahassee, FL 32399-2400
 Via email: eric.shaw@dep.state.fl.us

Re: Proposed Revisions to F.A.C. 62-302.400 Designated Use and Surface Water Classification System

Dear Mr. Shaw:

The Southwest Florida Regional Planning Council (SWFRPC) has reviewed the proposed revisions to 62-302.400 F.A.C. Classification of Surface Waters, Usage, Reclassification, Classified Waters (Rule) and the technical support document "Draft Process for Reclassifying the Designated Uses of Florida Surface Waters" (Technical Support Document).

The SWFRPC supports the significantly revised proposed Rule and commends the Department's efforts to incorporate comments from interested stakeholders into the subsequent proposed revisions to 62-302.400 F.A.C. and Technical Support Document. However, we find there are several problems with the Technical Support Document related to inconsistency with the revised proposed Rule.

The SWFRPC requests that the Department revise the Technical Support Document so that it is consistent with 62-302.400 F.A.C. Presented below are the suggested revisions in strikethrough/underline format for ease of incorporation into the Technical Support Document:

A. Glossary of the TSD:

1. **Attainable use:** ~~The present and future most beneficial use that can reasonably be attained in a waterbody.~~ At a minimum, the uses (as defined in the State's system of water use classification) that can be achieved when effluent limits under section 301(b) and 306 of the Federal Clean Water Act are imposed on point source dischargers and cost-effective and reasonable best management practices are imposed on non-point source dischargers. In this document, the attainable use

TO: Mr. Eric Shaw
 DATE: April 6, 2010
 PAGE: 2
 RE: Proposed Revisions to F.A.C. 62-302.400 Designated Use and Surface Water Classification System

is determined by conducting the reclassification process described in this document, which evaluates whether the use is established and whether protective criteria can practicably be met.

2. **Biological Integrity Criteria:** As defined in 62-302.530 F.A.C. as the percent reduction of the Shannon-Weaver Diversity Index.
 3. **Habitat and Physical Conditions:** Indicators of aquatic life uses as described in Section 4.3.2. of this document.
 4. **Natural Surface Waters:** Surface waters of the state in their undisturbed state, including, but are not limited to, rivers, lakes, streams, springs, wetlands, and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface waterbodies (402.031(13) F.S.). ~~Waterbodies that, in their undisturbed state, originally were all or part of the Atlantic Ocean, Gulf of Mexico; a bay, bayou, sound estuary, or lagoon, including natural channels and natural tributary thereto; a river, stream, or natural tributary thereto; a natural lake; and any natural wetland connected to any of the above waters.~~
 5. **Water Quality Standard:** The standards composed of designated present and future most beneficial uses (classification of waters), the numerical and narrative criteria applied to the specific water uses or classification, the Florida antidegradation policy (62-302.200(31) F.A.C.).
 6. **Wholly Artificial Waterbody:** Includes all artificial structures, including, but not limited to, ditches, canals, conduits, channels, culverts, pipes, and other construction that connects to, draws water from, drains water into, or is placed in or across the waters in the state (373.403(5) F.S.). In this document, wholly artificial waterbodies are excavated waterbodies, but do not include those portions of a natural surface water that have been dredged or filled.
- B. Chapter 3 Reclassification to a Lower Class:
1. **Section 3.2.1 Focus of a UAA:** Consistent with 62-302.400(9), all designated uses must be fully protected, even if they are not existing or attainable uses, unless they are *formally* removed from the water quality standards through a UAA process.
 2. **Section 3.7 Grouping Multiple Waterbodies in One UAA:** The Department does not ~~support~~ allow categorical reclassifications (reclassifications of waters based solely on waterbody type....
- C. Chapter 4 Waterbody Assessment Relevant to Reclassification to class III-Limited:
1. **Section 4.3.2.4 Hydrologic Indicators:** This gradient rating is for human disturbances, not natural events (e.g., hurricanes, extreme droughts). This score, while giving a general indication of hydrological disturbance, must be used in conjunction with other factors to determine if a change of use is substantiated.
 2. **Section 4.3.3.4 Canals:** Most canals are artificial waterbodies; including those that are actively managed for flood control, those created for residential uses and land development, and those that are simple unmanaged drainage features. ~~And-It~~

TO: Mr. Eric Shaw
 DATE: April 6, 2010
 PAGE: 3
 RE: Proposed Revisions to F.A.C. 62-302.400 Designated Use and Surface Water Classification System

is difficult to establish a biological expectation for a “healthy” canal since their design does not consider, and may purposefully be contrary to biological health, and, Like other waterbodies, canals cannot be downgraded without adequate technical documentation and merit.

- D. Chapter 5 Economic Analyses for UAAs:
1. **Section 5.2 Ownership of Pollution Source:** ~~The choice of~~ Methods used to evaluate economic impacts associated with meeting water quality standards should follow those described in EPA’s Interim Economic Guidance for Water Quality Standards Workbook (1995). The choice of methods used depends, in part on whether pollution control is the responsibility of a privately or publicly owned entity. Regardless of the economic evaluation methods used, the responsibility for pollution control will remain with the source that generates the pollution and as close to the source a possible, without being deferred to downstream users.
 2. **Section 5.4 Widespread Impacts:** The analysis should also consider the affect of decreased tax revenues associated with loss of tourism or recreation, or if the private sector entity were to go out of business, income losses of income to the community if workers lose their jobs, and associated indirect effects on other businesses, as well as pollution control expenditures for downstream waters.
- E. Similar to the March 2010 Draft Environmental Resource Permit Stormwater Quality Applicant’s Handbook, please add references and links to additional technical and regulatory information for each section of this Technical Support Document.
- F. The Environmental Resource Permit Stormwater Quality Applicant’s Handbook needs to describe the process that will be followed when FDEP initiates a new designation of a waterbody including public participation, inclusion of affected stakeholders, and what entity will independently review the proposal so as to avoid a conflict of interest.

Thank you for consideration of these comments. If you have any questions regarding the above concerns, please contact Mr. Jim Beever at the SWFRPC office a (239) 338-2550 x 2224 or via e-mail at jbeever@swfrpc.org.

Sincerely,

Southwest Florida Regional Planning Council

Kem Featherington, Executive Director

for Mayor Mick Denham
 Chair



Southwest Florida Regional Planning Council

Serving Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties

1926 Victoria Ave, Fort Myers, Florida 33901-3414 (239) 338-2550 FAX (239) 338-2560 www.swfrpc.org

April 6, 2010

Water Docket, U.S. Environmental Protection Agency
Attention: Docket ID No. EPA-HQ-OW-2009-0596
Mail Code: 2822T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Docket ID No. EPA-HW-OW-2009-0596
EPAs Proposed Numeric Nutrient Criteria for the Charlotte Harbor National Estuary
Program Waters

To Whom It May Concern:

Thank you for the opportunity to provide comments regarding the Proposed Water Quality Standards for the State of Florida's Lakes and Flowing Waters (Docket ID No. EPA-HW-OW-2009-0596).

This letter contains the official comments of the Southwest Florida Regional Planning Council (SWFRPC).

The SWFRPC and SWFRPC staff and partners reviewed EPAs Proposed Water Quality Standards for the State of Florida's Lakes and Flowing Waters and reviewed the materials presented at and generated from the February 17, 2010 public workshop in Orlando. In addition, the Southwest Florida Regional Watershed Implementation Committee (SWFRWIC) met on March 4, 2010 and April 1, 2010 to discuss the proposed Numeric Nutrient Criteria for freshwaters and estuaries with the Southwest Florida region.

The proposed Numeric Nutrient Criteria are needed to protect human and environmental health and safety. There is indisputable scientific evidence that excess nutrients are linked to increased severity and frequency of harmful algal blooms. Those blooms occur routinely throughout Florida, in some cases causing serious human health effects including rashes, eye irritation, asthma attacks, or liver damage. The proposed Numeric Nutrient Criteria are imperative for maintaining our tourism-based economy and for a sustainable economic recovery. Harmful algal blooms triggering unsightly water and beach debris, health advisories and fish kills have cost Florida billions in lost fishery, real estate and tourism revenues. Creating enforceable standards will incentivize cost-effective preventive measures, and ultimately save millions in avoiding additional clean-up costs.

TO: Water Docket, U.S. Environmental Protection Agency
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DATE: April 6, 2010
RE: EPAs Proposed Numeric Nutrient Criteria for the Charlotte Harbor National Estuary Program Waters

The comments below represent consensus of the extensive SWFRPC.

1. SWFRPC endorses the development of appropriate Numeric Nutrient Criteria to restore and protect water quality within Southwest Florida. Quantitative nitrogen and phosphorus criteria would augment the current chlorophyll *a* criteria to enhance the ability to identify critical water bodies not meeting their designated uses and allow the development and implementation of effective corrective management actions. It will also enhance the opportunities for developing effective Basin Management Action Plans (BMAP) and allow the setting of attainable goals to improve regional water quality.
2. We do not believe the currently proposed EPA freshwater numeric nutrient criteria and downstream protective values (DPVs) are accurate for the natural conditions of the southwest Florida climate, landscape, geomorphology, and hydrologic cycle. Therefore we request that the adoption of the proposed freshwater numeric nutrient criteria be delayed until the estuarine criteria have been developed so that the downstream protective values (DPVs) for the freshwater criteria, as well as the freshwater criteria themselves, can be adjusted to adequately support the estuarine criteria that truly protect natural conditions for southwest Florida estuaries.
3. If the Proposed freshwater numeric nutrient criteria adoption cannot be delayed, SWFRPC requests that the DPVs for Sarasota Bay, Charlotte Harbor, Caloosahatchee, and Estero Bay are listed as "TBD."
4. If the Proposed freshwater numeric nutrient criteria adoption cannot be delayed, the proposed Numeric Nutrient Criteria for streams should be applied to the South Florida Region as well, not just the canals criteria as currently proposed. There are numerous natural freshwater streams and rivers in South Florida (Caloosahatchee River, Hendry Creek, Mullock Creek, Estero River, Halfway Creek, Spring Creek, Imperial River, Cocohatchee River, Gordon River, Henderson Creek, and the Turner River just to name a few). The FL Dept. of Environmental Protection classifies those streams and rivers as fresh up to their tidal portions and therefore, the streams criteria – not the canal criteria – should apply to those fresh waterbodies.
5. The watershed boundaries utilized in the draft rule contain errors that do not include several tributaries that contribute to watersheds, such as the Peace River and the Caloosahatchee River. The SWFRPC recommends the utilization of the NEP and WMD watershed boundaries to define watershed for the purposes of setting numeric nutrient criteria in the State of Florida.

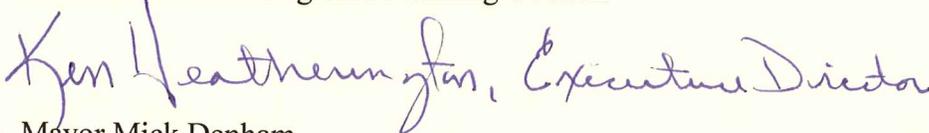
TO: Water Docket, U.S. Environmental Protection Agency
PAGE: 3
DATE: April 6, 2010
RE: EPAs Proposed Numeric Nutrient Criteria for the Charlotte Harbor National Estuary Program Waters

6. The Charlotte Harbor National Estuary Program (CHNEP) and Sarasota Bay National Estuary Program (SBNEP) are developing site specific Numeric Nutrient Criteria for the estuaries within the CHNEP and SBNEP Study Areas and that the information is scheduled to be available June 2010. The SWFRPC supports the development of site specific numeric nutrient criteria for the estuaries within the CHNEP and SBNEP Study Areas and support the utilization of these numeric nutrient criteria for southwest Florida

We look forward to working with you and your staff on this important issue. If the SWFRPC can be of further assistance, or if you have any questions regarding the above information, please contact Mr. Jim Beaver at the SWFRPC office a (239) 338-2550 x 224 or via e-mail at jbeever@swfrpc.org

Sincerely,

Southwest Florida Regional Planning Council

Ken Heathington, Executive Director

 Mayor Mick Denham
Chair

Cc: Mr. Peter Silva, Assistant Administrator for Water, U.S. EPA

_____ Agenda
_____ Item

4b

SWFRPC Budget Committee
Report

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SWFRPC Resolution #2010-03

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SWFRPC RESOLUTION #2010-03**RESOLUTION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL REQUESTING LINERS IN CLASS III AND C&D LANDFILLS OF THE STATE**

WHEREAS, Florida's Regional Planning Councils (RPCs) are government agencies recognized by Florida Statutes and created by Interlocal Agreements between local governments. RPCs are available to assist in the planning and implementation of State, Federal, and Local Government programs; and

WHEREAS, the Southwest Florida Regional Planning Council (Council) voted, March 18, 2010, to request that the Florida Legislature impose a requirement that all C&D and Class III Landfills within the Region and State of Florida be equipped with natural or synthetic liners; and

WHEREAS, "Class III waste means yard trash, construction and demolition debris, processed tires, asbestos, carpet, cardboard, paper, glass, plastic, furniture other than appliances, or other materials that are not expected to produce leachate. Construction Demolition Debris facilities, otherwise known as C&D facilities, generally with discarded materials considered to be not water soluble and non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt materials, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure, including such debris from construction of a structure at a site remote from the construction or demolition project site;"and

WHEREAS, it is in the best interest of the citizens of the State of Florida to ensure that appropriate measures are in place to protect groundwater, beaches, and other resources of the State of Florida. Therefore, the water resources of the State of Florida are an asset to the health, agricultural, business and communities of the State; and

WHEREAS, all landfills should be sited, designed, operated, and reclaimed in a manner which prevents the possibility of ground or surface water pollution and the offsite migration of either gases or leachate; and

WHEREAS, the water subject to possible contamination is used by local governments, businesses, industry, federal government conservation programs, agricultural, and contamination would render relevant waters, harmful, detrimental or injurious to public health, safety or welfare; and

WHEREAS, waste can be generally classified as anything that someone no longer has a use for or does not want. As such, it is important to make better use of resources, putting materials to better use and reducing the impact on the environment through options of reducing, reusing, and recycling waste; and

WHEREAS, facilities such as waste to energy plants and green technology is advancing to the degree that landfills should be discouraged, and mining operations should be instituted where it is practical at existing facilities; and

WHEREAS, salvaging and recycling solid waste reduces demand for virgin resources and associated environmental impacts. A constructive waste management plan should ideally recognize project waste as an integral part of an overall waste management initiative. The premise being that a sound trash management approach is part of a comprehensive materials process, facilitate efficient and effective waste management; and

WHEREAS, the legislation, if passed, will provide greater health and safety to the citizens of the Region and State of Florida; and

NOW, THEREFORE, BE IT RESOLVED: that the Southwest Florida Regional Planning Council respectfully requests that the Florida Department of Environmental Protection and the Florida Legislature implement policies requiring liners on all C&D and Class III Landfills of the State.

PASSED AND ADOPTED by the Council this 15th day of April, 2010.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Mick Denham, Chair

ATTEST:

Kenneth Heatherington, Executive Director

_____ Agenda
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5

REGIONAL ISSUES

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2011-2015 SWFWMD
Strategic Plan

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2010 SFWMD Environmental
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Water Harvesting & Reuse
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