



# SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

**Thursday, March 17, 2011**

**From 9:00 am to 11:30 a.m.**

**Southwest Florida Regional Planning Council  
1<sup>st</sup> 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.***

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#### INVOCATION

#### PLEDGE OF ALLEGIANCE

ROLL CALL – Mrs. Nichole Gwinnett

#### PUBLIC COMMENTS

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| 4. ADMINISTRATIVE ISSUES (Presentations from 9:15 to 10:00 am)                       |         |
| a) SWFRPC SRPP Update (LaBelle SRPP EAR Meeting) – Mr. David Crawford                | Page 75 |
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| 1. Budget & Finance Committee - Commissioner Carolyn Mason                           | Page 77 |
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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](mailto:dkooi@swfrpc.org).

5. **REGIONAL ISSUES (10:00 to 11:15 a.m.)**
  - a) Community Collaborative Initiative Issues – **Mr. Ken Heatherington** **Page 120**
  - b) Health Planning, Land Use and the Fit-Friendly Southwest Florida Initiative – **Dr. Judith Hartner, Lee County Health Department** **Page 156**
  - c) Legislative Summary Report – **Mr. Dave Hutchinson** **Page 159**
6. **DIRECTOR'S COMMENTS**
7. **STATE AGENCIES COMMENTS/REPORTS**
8. **COUNCIL ATTORNEY'S COMMENTS**
9. **COUNCIL MEMBERS' COMMENTS**
10. **ADJOURN**

**NEXT SWFRPC MEETING DATE: April 21, 2011**

**Note: The SWFRPC's Regional Watersheds Committee is scheduled to meet immediately following the SWFRPC Board Meeting.**

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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  
FEBRUARY 17, 2011**

The regular meeting of the **Southwest Florida Regional Planning Council** was held on **February 17, 2011** at the Southwest Florida Regional Planning Council - 1<sup>st</sup> Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Chuck Kiester** called the meeting to order at **9:00 a.m.** **Commissioner Carolyn Mason** led an invocation and the Pledge of Allegiance. Senior Administrative Staff Nichole Gwinnett conducted the roll call.

**MEMBERS PRESENT**

**Charlotte County:** Commissioner Tricia Duffy, Councilwoman Rachel Keesling, Mr. Michael Grant

**Collier County:** Councilman Charles Kiester, Commissioner Jim Coletta, Councilwoman Teresa Heitmann, Ms. Pat Carroll

**Glades County:** Ms. Shannon Hall

**Hendry County:** Commissioner Karson Turner, Commissioner Joseph Miller, Mr. Melvin Karau

**Lee County:** Commissioner Frank Mann, Councilman Mick Denham, Mayor John Sullivan, Commissioner Brian Bigelow, Councilman Tom Babcock

**Sarasota County:** Commissioner Carolyn Mason, Commissioner Christine Robinson, Commissioner Tom Jones, Councilman Kit McKeon, Mr. Felipe Colón

**Ex-Officio Members:** Mr. Lawrence Massey for Mr. Johnny Limbaugh - FDOT, Ms. Dianne Davies - SWFWMD, Mr. Phil Flood - SFWMD, Mr. Jon Iglehart - FDEP

**MEMBERS ABSENT**

**Charlotte County:** Commissioner Robert Skidmore, Ms. Andrea Messina

**Collier County:** Mr. Bob Mulhere

**Glades County:** Commissioner Paul Beck, Commissioner Kenneth "Butch" Jones, Councilwoman Pat Lucas

**Hendry County:** Commissioner Tristan Chapman, Commissioner Daniel Akin

**Lee County:** Councilman Forrest Banks, Councilwoman Martha Simons, Ms. Laura Holquist, Mr. Paul Pass

**Sarasota County:** Mr. George Mazzarantani

**Ex-Officio Membership:** Ms. Tammie Nemecek - EDC of Collier County

### **INTRODUCTION OF NEW MEMBERS**

Chair Kiester introduced the following new member:

- Commissioner Joseph Miller, City of Clewiston

### **PUBLIC COMMENTS**

No public comments were made at this time.

### **AGENDA ITEM #1 AGENDA**

The following changes were made to the agenda:

- Consent Agenda Item #3(d) SWFRPC 2011 Committee Structure was pulled from the consent agenda and placed under Administrative Issues as Agenda Item #4(a.a.) for discussion.
- Legal Counsel Donley requested that Agenda Item #4(a) Appointment to the Estero Bay ABM Committee be deferred until the April Council meeting.
- Moved Agenda Item #5(a) The Impact of Multiple Freezes on Agriculture up to become the new Agenda Item #4(a) under Administrative Issues.
- US Senator Nelson's Legislative Aide, Ms. Diana McGee, presented a video from Senator Nelson regarding the high speed rail issue.

**Ms. Carroll moved and Mayor Sullivan seconded to approve the agenda as amended. The motion carried unanimously.**

### **AGENDA ITEM #2 MINUTES OF JANUARY 20, 2011**

**Commissioner Turner moved and Commissioner Mason seconded to approve the minutes of January 20, 2011 as presented. The motion carried unanimously.**

### AGENDA ITEM #3 CONSENT AGENDA

Commissioner Turner moved and Commissioner Mason seconded to approve the balance of the consent agenda: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for January 31, 2011 & Grant Activity Status Sheet; and Agenda Item #3(c) Member Appointments and Certification for the Glades & Hendry County Joint Local Coordinating Board for the Transportation Disadvantaged. The motion carried unanimously.

### AGENDA ITEM #4 (a.a.) SWFRPC 2011 COMMITTEE STRUCTURE

Chair Kiester explained that he pulled this item from the consent agenda for discussion. He explained that after reviewing the Council's committees and rules he realized that there were some committees that were established in the 90's and haven't met in a number of years. He feels that the Council needs a Budget and Finance Committee which has the mission of overseeing the Council's finances. Also, he feels that the current treasurer of the Council should be the Chair of that committee. He then recommended that any committee that is formed under the Council has a balance of membership, such as having a representative from a county, city and governor appointee at a minimum. He explained that the committees are open to all members who wish to participate.

The Executive Committee consists of the officers of the Council (Chair, Vice Chair, Secretary and Treasurer). The Nominating Committee is set by the Council's Rule.

Chair Kiester then explained that the Legislative Affairs Committee was the second committee which he felt needed to be established. He thanked those members who have participated on committees in the past for their participation.

Memberships for the committees will be posted on the Council's website at [www.swfrpc.org](http://www.swfrpc.org).

Chair Kiester then opened it up for discussion and/or if the Council wished to re-established a committee that was dissolved.

Commissioner Bigelow questioned the Estero Bay Agency on Bay Management (ABM) membership and why there isn't a Lee County elected official representative on the ABM, while there are representatives from the City of Bonita Springs and Town of Fort Myers Beach. Mr. James Beever of staff explained that Lee County is a full member of the ABM, which county staff has been participating to represent the county. Mr. Paul O'Connor, Lee County's Planning Director has been elected the ABM's 2011 Chair. Several other county departments are also represented, including the 2020 Land Acquisition Program and recreation section. However, if an elected official would like to attend the ABM, they would be welcome.

Commissioner Bigelow asked if there is a requirement for the amount of members on the ABM. Mr. Beever explained that there isn't a requirement the number of members, the process for initial establishment was listed within the settlement agreement which listed the initial membership and then the ABM can add members after they request to participate. A member has to show that they have representation or jurisdiction within the Estero Bay watershed and then there is an attempt by the ABM to balance membership.

Councilwoman Heitmann expressed her concern of the dissolution of the Lower West Coast Watersheds Implementation Committee (LWCWIC) because the Committee was very productive and there were still some issues that need to be followed up on. Mr. Heatherington explained that he had asked staff to continue efforts through both the ABM and Legislative Affairs Committees which have some funding behind them. He noted that the LWCWIC was an unfunded mandate, so it was funded through the local assessments or other funds that were available.

Commissioner Mann asked for clarification that the mission of the LWCWIC will be met through either the ABM or the Legislative Affairs Committees. Mr. Heatherington replied yes. Mr. Beever explained that the materials that have been worked with in regards to these issues have been reported to the Legislative Affairs Committee and to the extent that if the issue affects the Estero Bay watershed it will also be brought before the ABM.

Chair Kiester stated that he feels comfortable that as long as the Council is kept up-to-date on what the ABM is doing and even not doing then he is ready to move forward and ask that the Council approve the Council's 2011 Committees (Budget & Finance, Legislative Affairs, Executive Offices, Nominating and ABM).

Commissioner Bigelow requested to hear from the former Chair of the LWCWIC, Councilman Mick Denham. Councilman Denham stated that if the Council deemed that the LWCWIC wasn't necessary anymore then he will accept it. But in his opinion, the water issues in the region cannot move forward without a committee to follow and track those issues, because he feels it will be very difficult. The LWCWIC had been very effective due to its membership and their support.

Commissioner Bigelow suggested not dissolving the LWCWIC, but to put the committee on a year hiatus until funding is found for the committee. Chair Kiester stated that if it is the consensus of the Council to keep the LWCWIC, then we are going to at least take a look at its representatives to see which members of the Council would still be willing to serve on the committee.

Commissioner Mann stated that there isn't any city within Southwest Florida that pays closer attention to what is going on to our coastal waters than the City of Sanibel. There is also the Sanibel-Captiva Conservation Foundation who also wants the water issues addressed. He also noted that all five Lee County Commissioners are very sensitive to area waters as is both FDEP and SFWMD.

Councilman Denham noted that over the past six years the LWCWIC put forth over five resolutions which then became ordinances to a number of communities which was the basis for a number of the fertilizer ordinances throughout the State of Florida. He noted that the Committee also had to do with the abandoning of the private sewage treatment facilities throughout Southwest

Florida. It was also very instrumental in the work towards septic system ordinances which are now at the state level. The committee was very active in the Stormwater Rule which is now a statewide issue. The continuing work to make from a legislative viewpoint is to make some of these things happen.

Commissioner Mann asked how the LWCWIC is an unfunded mandate. Mr. Heatherington explained that each staff member that is assigned to that committee has to have a funding supply to charge their time to and the local assessments are usually charged unless it is related to an ongoing grant or contract. Commissioner Mann asked how the LWCWIC has been funded for the past six years. Mr. Heatherington explained that it has been funded through local assessments. Commissioner Mann asked how much does it cost to run the committee.

Councilman McKeon noted that the City of Venice is currently doing the same thing by streamlining some of their committees, but they have also asked their staff to conduct an analysis of the cost versus benefit. Mr. Heatherington directed staff to conduct a cost analysis of the LWCWIC. Councilman McKeon recommended to the Council to reconsider dissolving the LWCWIC.

Commissioner Bigelow stated that since this seems to be linked to the ABM, why doesn't this issue be tabled until when the Council discusses the ABM issue in April so that staff will have the cost analysis done. Chair Kiester explained that the way he sees it, if and when the Council needs a committee is when it is established, that does not preclude sitting down in March or April and come up with another committee based on the consensus of the Council.

Chair Kiester explained that what he is currently requesting from the Council is to receive input on the committees and also approve the five committees as he has proposed with the principals such as having the Chair of the Budget and Finance Committee be the Treasurer and that the Council try to seek a balance of membership (county, city and governor appointee representatives) on all committees to the extent that we can.

**Mr. Grant moved and Commissioner Tom Jones seconded approve the five committees as proposed (Budget and Finance, Executive, Legislative Affairs, Nominating and ABM) with the principals such as having the Chair of the Budget and Finance Committee be the Treasurer and that the Council try to seek a balance of membership (county, city and governor appointee representatives) on all committees.**

Councilman McKeon asked if the motion included the dissolution of the LWCWIC and all of the other committees. Chair Kiester replied that in accordance to the Council's rules that happens automatically with the changeover of the officers.

Mr. Flood noted that the ABM doesn't address regional water quality issues. The ABM is very focused in its membership and its boundaries cover only the Estero Bay watershed.

Mr. Babcock explained that he sits on both the LWCWIC and also the ABM as the Council's representative. The LWCWIC had evolved beyond what the ABM does and there was strong participation from other agencies on the LWCWIC.

**Mr. Grant called to question. The question passed.**

**The motion carried with two opposed.**

Councilman McKeon stated that since the ABM is apparently funded at this point, is there a potential marriage of the two committees (ABM and LWCWIC). Mr. Heatherington explained that the ABM hasn't been funded in the past, Lee County, SFWMD and FGCU because of the settlement agreement had agreed only this year to pay towards the ABM. Staff had gone to each of the agencies and stated that either we are going to re-visit the settlement agreement and have it dissolved or think about funding part of the ABM. The ABM is tied specifically to the settlement agreement. He then stated that he agrees with the SFWMD that we do need a regional water quality/quantity committee.

**Councilwoman Heitmann moved and Councilman McKeon seconded to re-establish the Lower West Coast Watersheds Implementation Committee and also have the committee's structure, membership and Chair be determined between now and the Council's March meeting.**

Commissioner Mann noted that in accordance with the ABM's settlement agreement it is strictly a Lee County focus, so the two committees cannot be combined.

Ms. Davies stated that if the LWCWIC was re-established that she would be willing to serve on the committee.

Councilman McKeon stated that he would like to research funding sources for the LWCWIC such as through the Gulf Coast Community Foundation.

**The motion carried unanimously.**

**AGENDA ITEM #4(a) (formerly Agenda Item #5(a))  
The Impact of Multiple Freezes on Agriculture – Mr. Robert Halman, Collier County  
Agricultural Extension Services**

Mr. Robert Halman of the Collier County Agricultural Extension Services gave a PowerPoint presentation on the impact of multiple freezes on agriculture throughout the region.

Commissioner Coletta asked what the long-term effects with the citrus crops are. What are going to be the outcome and also is there any action that the Council can take to help. Mr. Halman explained that he had spoken to Dr. Fritz Roka at IFAS in Immokalee and in agriculture you have to deal with the weather and disease and things to that nature. The University is working on citrus greening and the other citrus diseases and many of the producers are adapting some of their growing practices to help with that.

Mr. Karau noted that there are many abandoned groves which are probably carrying diseases over to healthy groves. It was mentioned that the USDA has stated that they will come in and remove

the abandoned groves at no charge to the landowner and then they are pulverizing the material and removing it for ethanol production.

Mr. Halman stated that growers are being very careful about all of the diseases that are out there; however, if there is property adjacent that is not being compliant then citrus greening is carried by a vector and they can fly right over to a healthy grove.

Ms. Davies noted that in the northern portion of the region the growers use water to protect the crops from freezes and asked if the same method is used in the southern portion of the region. Mr. Halman replied that in some instances yes. Unfortunately it is really only used by the large growers because they have both the equipment and availability of the water; while the smaller growers have to go to other extremes to do that.

Mayor Sullivan asked with the freezes year after year and the weakened plants, does insect infestation follow with that. Mr. Halman replied yes, it actually happened this year. We found a lot of plants which got weakened during the January freeze and survived and even yielded some fruit. But those were the first ones to also drop their fruit during the last freeze. One researcher stated that they thought because of the January freeze they thought that the insect population would be less, but it was not. The insect population worked on them during the summer months and during that time a lot of the growers had to do more spraying for insects, so some of those plants were weakened and some either died or lost their fruit.

Commissioner Turner referred to Country of Origin Labeling “COOL” as something that our country is missing the mark on. Our federal representatives don’t understand that the people in this country don’t have a problem with walking into a food store and see a box that has the American flag and a box that has the Chili flag or Peru flag and then pay the higher price for the American produce. Whenever there is any kind of a scare with a food safety issue it is amazing how quickly the Agriculture Extension Services know exactly where it is. If that scare occurs in the Mid-West it didn’t come from a Floridian grower, it came from Mexico or a South Texas grower. If it happened in California, it probably came from a Mexico or California grower. They can look on the calendar and see where and when the produce was grown. It was noted that the Council needs to be one of the catalysts that sends it up to our State legislators and then to our federal legislators to let them know that Country of Origin Labeling needs to play a more prevalent role in America. Going into other growing seasons is not America competing with Mexico, Chili, or Peru. It is America competing against American gorillas that are down there and producing our produce that we are going to consume at a much cheaper cost and until they know that we want to level the playing field they are not going to do anything about it.

### **US Senator Nelson - High Speed Rail**

US Senator Nelson’s Aide Diana McGee showed the Council a video on YouTube from Senator Nelson regarding the potential impacts that it would have on Florida’s economy if Florida rejects the federal funds for the high speed rail project.

**AGENDA ITEM #4(c)**  
**SWFRPC Information Technology Update – Ms. Jennifer Pellechio**

Ms. Jennifer Pellechio of staff gave a PowerPoint presentation on the SWFRPC's information technology updates. She announced that the Council has re-designed its website and also has a Facebook and Tweeter accounts. The accounts are a one-way communication instead of a two-way communication for the Public Records Laws.

Commissioner Bigelow asked if someone uses the "Tweet" link to say or ask a question then nothing goes back to that person. Ms. Pellechio explained that with Tweeter, if it is a general information request then staff will respond. Executive Director explained that most "tweets" are usually one-way communications and aren't usually replied to, but Facebook isn't and is expected to be replied to. Commissioner Bigelow stated that there should be a statement placed on both stating that the Council's general policy is not to respond due to Florida's Public Records Laws.

Ms. Pellechio explained that the Council has joined services with the Lee County Clerk of Courts Office with a result in savings of over \$23,000 annually.

Mayor Sullivan asked with disaster recovery does the Council do real-time updates. Ms. Pellechio explained currently the Council has the policy where they take their tapes off-site. The Council's goal is to have it real-time, but that is where the costs become involved with the hardware.

Commissioner Bigelow stated that sometimes you need to put yourself in the user's shoes and know your audience, so if there is an item on the agenda which someone wants to make a comment on through the Council's website, how will that be handled. Ms. Pellechio explained that there are several different ways. The info email is one way; there is also WebEx where we can set up the Council meeting up to be live on WebEx for people to participate, which is done for the smaller committees.

Ms. Toni Bleiweiss from the Lee County Clerk of Courts gave a PowerPoint presentation on Lee County's Disaster Recovery Consortium.

Councilman McKeon asked if Sarasota County has any type of disaster consortium. Ms. Bleiweiss explained that Sarasota County sponsors the Florida Technology Disaster Recovery Consortium (FTRDC) and Lee County still partners with them. She then explained that she borrowed some of the work that the FTRDC and they are very active and meet bi-monthly and partnerships from Martin County and beyond.

**AGENDA ITEM #4(b)**  
**Estero Bay Agency on Bay Management Report – Mr. James Beaver**

Mr. James Beaver of staff presented this item.

**Commissioner Tom Jones moved and Councilman McKeon seconded to approve the ABM's Workplan. The motion carried unanimously.**

**AGENDA ITEM #4(d)**  
**SWFRPC SRPP Update - Mr. David Crawford**

Mr. David Crawford of staff presented this item.

Councilwoman Keesling asked how the attendance has been at the public meetings. Mr. Crawford explained that there were 10 attendees, but only one person was from the public.

**AGENDA ITEM #4(e)**  
**Community Collaborative Initiative Issues - Mr. Ken Heatherington**

Mr. Kenneth Heatherington presented this item.

**AGENDA ITEM #5(b)**  
**TABOR Report - Mr. Dave Hutchinson**

Mr. David Hutchinson of staff presented this item.

Councilwoman Heitmann stated that she feels that TABOR is “One Size Fits All” which places the cities and counties into one for funding and budgeting and that is dangerous.

**AGENDA ITEM #5(c)**  
**Health and the Integration of Planning - Mr. Ken Heatherington**

Mr. Kenneth Heatherington presented this item.

Councilman Denham asked how this effort is being funded. Mr. Heatherington explained that staff is writing a proposal with Police Chief Baker on Safety Issues Planning.

**AGENDA ITEM #5(d)**  
**Legislative Summary Report - Mr. David Hutchinson**

Mr. David Hutchinson of staff reviewed the item as contained within the agenda packet.

Chair Kiester asked Commissioner Turner who is Chair of the Council’s Legislative Affairs Committee if the Committee should meet before the Council’s March meeting to discuss some of the legislative issues which were brought up today. Commissioner Turner replied yes, to make sure that everyone is on the same page.

Commissioner Bigelow asked how much state funding does the Council currently receives and also how much does the Council anticipates receiving from the State for next year's budget. Ms. Yell of staff explained that the current grant is \$220,000 and the proposal for next year is zero. She also noted that the State has also stated that they are thinking about possibly reducing this year's last quarter.

Commissioner Turner explained that the Governor is very aggressive about this issue and the word is that there is "actually teeth in this one". There is a sect in Tallahassee that wants to completely abolish DCA and a sect that wants to completely abolish RPCs. He then said that this is where we, the elected officials, need to stand up and say what is our role and how do we want to make sure that our legislators know that it is essential that this Council exists. Mr. Hutchinson explained that there is a general misconception among the legislators who are generally in favor of the RPCs that the RPCs receive all types of funding and that they don't need the State's funding, but the State's funding is a very crucial part of the RPC's role.

Mr. Beaver reviewed HB457 and SB606 which are pre-emption of local fertilizer ordinances in the State of Florida. What is different from these from previous bills which grandfathered previously adopted ordinances, such as the City of Sanibel, Sarasota, and Lee County; there is language which preempts anything that regulates fertilizer and places all of the authority in Agriculture and Consumer Services.

#### **AGENDA ITEM #6 DIRECTOR'S COMMENTS**

The Executive Director noted that he was recently in Washington D.C. at the National Association of Regional Planning Councils (NARC) meeting and met with legislative staff of/and Congressman Tom Rooney, Congressman David Rivera, Congressman Mario Diaz-Balart, Congressman Connie Mack and Senator Bill Nelson.

#### **AGENDA ITEM #7 STATE AGENCIES COMMENTS/REPORTS**

There were no comments at this time.

#### **AGENDA ITEM #8 COUNCIL ATTORNEY'S COMMENTS**

Counsel Donley had no comments at this time.

**AGENDA ITEM #9  
COUNCILMEMBERS' COMMENTS**

Commissioner Turner announced that the Hendry County BOCC recently passed a Pill Mill Moratorium. There are many talks throughout the State of Florida with the disallowance of the electronic database to be created, but he would like to get on board with what this region has done. Hendry County followed what Palm Beach County did because they were very aggressive. Senator Dave Aronberg has been appointed by Pam Bondi to be the "Pill Mill Czar". When Hendry County started its efforts it had three pill mills that had opened. Both the Cities of LaBelle and Clewiston have adopted the moratorium. He requested to gather information from the other cities and counties around the region on what they are doing to stop pill mills and also place a letter in the Council's Legislative folder to the legislature.

Mr. Heatherington asked what the electronic database does. Commissioner Turner explained that the electronic database would stop those individuals that go to a doctor that does not actually assess patients but writes the patient a prescription for pain killers of the patient's choice and then the patient goes to another doctor that does the same thing and then goes to a pharmacist who is linked to those two doctors and gets the prescriptions filled. The patient doesn't usually consume the pills themselves they usually sell them on the black market. The electronic database will allow a patient's name to be entered into the database and linked to specific physician and pharmacy, so if that same patient goes to another pharmacy in another town or state that pharmacist will see that patient has already purchased those drugs on a specific date.

Councilman McKeon stated that there are two sides to the coin. There are people with legitimate reasons for needing those prescriptions and uses legitimate pain clinics. Councilwoman Heitmann noted that there was a misconception and that the electronic database was not for those patients with the legitimate reasons. She noted that approximately nine people die per day from overdose in the State of Florida.

Commissioner Tom Jones thanked staff for their efforts with the SRPP EAR process and the public hearing in the City of North Port.

Counsel Donley announced that Chair Kiester will close the business of the Council at this time; however, if any member wishes to participate on the Lower West Coast Watersheds Implementation Committee that he requests that they remain.

Commissioner Bigelow asked why it has to be done after the meeting. Counsel Donley stated that it doesn't if any member wishes to participate that they can email Ms. Gwinnett.

**AGENDA ITEM #10  
ADJOURN**

The meeting adjourned at 11:38 a.m.

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Councilwoman Teresa Heitmann, Secretary

The meeting was duly advertised in the February 4, 2011 issue of the **FLORIDA ADMINISTRATIVE WEEKLY**, Volume 37, Number 05.

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

3

Consent Agenda

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## CONSENT AGENDA

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

Approve the administrative action on the Clearinghouse Review items.

### **Agenda Item #3(b) – Financial Statement for February 28, 2011 & Grant Activity Sheet**

Approve the financial statement for February 28, 2011 and the grant activity sheet as presented.

### **Agenda Item #3 (c) – Collier County Comprehensive Plan Amendments (DCA 11-ER3)**

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

### **Agenda Item #3(d) – Collier County Comprehensive Plan Amendments (DCA 11D-1)**

Approve this item being withdrawn from the March 17<sup>th</sup> agenda in order for it to be presented at the April 21<sup>st</sup> SWFRPC Board Meeting due to its relation to a current DRI.

### **Agenda Item #3(e) – Fountains DRI – Sufficiency Response Request**

Staff recommends approval of this extension.

### **Agenda Item #3(f) – SWFRPC 2011 Committee Appointments**

Affirm the above appointments to both the Legislative Affairs and Regional Watersheds Committees.

**RECOMMENDED ACTION:** Approve consent agenda as presented.

\_\_\_\_\_ 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 February 1, 2011 and ending February 28, 2011.

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.

3/2011



# ICR Council - 2011

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2011-01	Mr. Kirk Zaremba	Sunrise Community of Southwest	Lee County	Sunrise Community of Southwest Florida, Inc. (Cape Coral) 5310 FDOT Grant Application 2010/2011 - Program Vehicle (replacement) purchase.	FDOT	\$41,300.00	Regionally Significant and Consistent
2011-02	Ms. Julie G. Smith	Easter Seals Southwest Florida, Inc.	Sarasota County	Easter Seals Southwest Florida, Inc. - Application for Federal Assistance Under Section 5310 - Purchase two vans and ten two-way radios to provide transportation services for persons with disabilities in Sarasota and Manatee Counties.	FTA	\$111,491.00	Regionally Significant and Consistent
2011-03	Mr. Gary Bryant	Good Wheels, Inc.	Glades & Hendry Counties	Good Wheels, Inc. - 2011 U.S.C. Section 5317 Grant	FTA	\$100,000.00	Regionally Significant and Consistent
2011-04	Mr. Gary Bryant	Good Wheels, Inc.	Region	Good Wheels, Inc. - 2011 U.S.C. Section 5310 Grant - Purchase two replacement vehicles for high level service to the elderly and persons with disabilities and other equipment for use in transportation business. Items include maintenance equipment, lighting, and computer/software in Lee, Glades and Hendry Counties.	FTA	\$497,818.00	Regionally Significant and Consistent
2011-05	Mr. Gary Bryant	Good Wheels, Inc.	Glades & Hendry Counties	Good Wheels, Inc. - 2011 U.S.C. 5311 Grant - Operating expenses for Dial-A-Ride transportation services for non-urbanized areas in Hendry and Glades Counties.	FTA	\$176,260.00	Regionally Significant and Consistent

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2011-07	Ms. Lauren Milligan	FDEP - Florida State Clearinghouse	Region	US Fish and Wildlife Service - Scoping Notice - Greater Everglades Partnership Initiative, Proposed Everglades Headwaters National Wildlife Refuge and Conservation Area - Central and Southwest Florida.			Regionally Significant and Consistent
2011-08	Mrs. Pearlie Lyons	Abundant Life Church	Lee County	Abundant Life Church - Section 5310 Application - Capital to purchase a van.	FTA/FDOT	\$70,000.00	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>
2011-09			Glades & Hendry Counties	USACOE, Jacksonville District Corps of Engineers - Environmental Assessment for the Herbert Hoover Dike Major Rehabilitation, Culvert Replacement and Removal - Okeechobee, Martin, Palm Beach, Hendry and Glades Counties, Florida.			Review in Progress

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

3b

Financial Statement

For February 28, 2011 and

Grant Activity Sheet

3b

**MONTHLY FINANCIAL CONTENTS**  
**For the month ending February 28, 2011**

	<b>Pages</b>	
<b>Financial Reports:</b>		
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.		
<b>Income statement - Comparison of current year vs. prior year</b>	4	
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.		
<b>Explanation of Council's Financial at current month end including:</b>	5	
- Percentage of Budget Spent for RPC, MPO, and NEP		
- Net income at current month end		
- Graphs showing the distribution of revenues and expenses		
- Any other notes felt needed at this time		
<b>Breakdown of actual expenses for the RPC, MPO, NEP including</b>		
- 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	10-11	
<b>Grant Activity</b>		
Net Income Statement with a breakdown of monthly recognized revenue	12	
Overall view of all Grants (RPC-MPO-NEP)	13	
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.		
There are three CDs through Iberia Bank. They are as follows:		
10 months	\$50,000	1.75%
15 months	\$100,000	2.00%
30 months	\$300,000	2.00%
Interest earned to date	\$4,429	

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
COMBINED BALANCE SHEET -  
GOVERNMENTAL FUND TYPES AND ACCOUNT GROUPS  
February-11**

	Governmental Fund Types		Account Groups		Totals
	General Fund	Special Revenue Fund	General Fixed Assets	General Long-Term Debt	(Memorandum Only)
<b>ASSETS AND OTHER DEBIT</b>					
Cash and cash equivalents	\$ 85,828	\$ -	\$ -	\$ -	\$ 85,828
Investments	527,294	-	-	-	527,294
Receivables - grants and contracts	-	559,519	-	-	559,519
Receivables - other	3,200	-	-	-	3,200
Due from other funds	-	(283,717)	-	-	(283,717)
Other assets	1,389	-	-	-	1,389
Property and equipment, net	-	-	1,588,012	-	1,588,012
Amount to be provided for retirement of general long-term debt	-	-	-	1,300,055	1,300,055
<b>TOTAL ASSETS AND OTHER DEBIT</b>	<b>\$ 617,711</b>	<b>\$ 275,802</b>	<b>\$ 1,588,012</b>	<b>\$ 1,300,055</b>	<b>\$ 3,781,579</b>
<b>LIABILITIES, FUND EQUITY AND OTHER CREDIT</b>					
<b>LIABILITIES</b>					
Accounts payable and accrued expenses	\$ 856	\$ -	\$ -	\$ -	\$ 856
Retainage payable	57,654	-	-	-	57,654
Due to other governments	-	-	-	-	-
Due to other funds	(283,717)	-	-	-	(283,717)
Deferred revenue - grants and contracts	-	275,802	-	-	275,802
Accrued compensated absences	-	-	-	107,458	107,458
Notes payable	-	-	-	1,192,597	1,192,597
<b>TOTAL LIABILITIES</b>	<b>(225,207)</b>	<b>275,802</b>	<b>-</b>	<b>1,300,055</b>	<b>1,350,650</b>
<b>FUND EQUITY AND OTHER CREDIT</b>					
Investment in general fixed assets	-	-	1,588,012	-	1,588,012
Fund balance					
Reserved, designated	644,000	-	-	-	644,000
Unreserved, undesignated	198,918	-	-	-	198,918
<b>TOTAL FUND EQUITY AND OTHER CREDIT</b>	<b>842,918</b>	<b>-</b>	<b>1,588,012</b>	<b>-</b>	<b>2,430,929</b>
<b>TOTAL LIABILITIES, FUND EQUITY AND OTHER CREDIT</b>	<b>\$ 617,711</b>	<b>\$ 275,802</b>	<b>\$ 1,588,012</b>	<b>\$ 1,300,055</b>	<b>\$ 3,781,579</b>

SWFRPC  
Balance Sheet  
February 28, 2011

ASSETS

Current Assets	
Cash - Bank of America Oper.	\$ 85,627.51
Cash - Iberia Checking	5,047.71
Cash - Iberia CDs	454,428.61
Cash - FL Local Gov't Pool	57,376.14
Cash - FL Gov't Pool-Fund B	10,441.34
Petty Cash	200.00
Accounts Receivable	421,249.69
Accounts Receivable-MPO	138,268.98
Bulk Mail Prepaid Postage	1,389.35
Amount t.b.p. for L.T.L.-Leave	79,125.53
FSA Deposit	3,200.00
Amt t.b.p. for L.T.Debt-OPEP	28,332.00
Amount t.b.p. for L.T.Debt	1,192,597.36
	<hr/>
Total Current Assets	2,477,284.22
Property and Equipment	
Property, Furniture & Equip	2,029,003.19
Accumulated Depreciation	(440,991.63)
	<hr/>
Total Property and Equipment	1,588,011.56
	<hr/>
Total Assets	\$ 4,065,295.78
	<hr/> <hr/>

LIABILITIES AND CAPITAL

Current Liabilities	
Retainage Payable	\$ 57,653.89
Deferred Income	275,801.92
United way Payable	550.55
Accrued Annual Leave	79,125.53
Long Term Debt - OPEB	28,332.00
Long Term Debt - Bank of Am.	1,192,597.36
LEPC Contingency Fund	305.25
	<hr/>
Total Current Liabilities	1,634,366.50
	<hr/>
Total Liabilities	1,634,366.50
Capital	
Fund Balance-Unrestricted	36,091.62
Fund Balance-Restricted	644,000.00
Fund Balance-Fixed Assets	1,588,011.56
Net Income	162,826.10
	<hr/>
Total Capital	2,430,929.28
	<hr/>
Total Liabilities & Capital	\$ 4,065,295.78
	<hr/> <hr/>

SWFRPC  
Income Statement  
Compared with Budget  
For the Five Months Ending February 28, 2011

	Current Month Actual	Current Month	Year to Date Actual	Year to Date Budget	% Spent
<b>Revenues</b>					
Total Revenues	498,825.90	354,641	1,490,331.06	4,255,690	35.02
<b>Expenses</b>					
Salaries Expense	131,845.42	142,167	643,736.01	1,706,000	37.73
FICA Expense	7,257.65	10,833	41,565.63	130,000	31.97
Retirement Expense	15,243.79	15,108	59,903.82	181,300	33.04
Health Insurance Expense	14,821.68	15,000	72,575.39	180,000	40.32
Unemployment Comp. Expense	0.00	417	2,926.65	5,000	58.53
Workers Comp. Expense	359.00	417	1,795.00	5,000	35.90
Grant/Consulting Expense	404.97	3,333	7,635.89	40,000	19.09
NEP-Contractual	61,733.61	14,500	78,473.84	174,000	45.10
MPO-Contractual	88,593.89	37,667	98,649.43	452,000	21.83
Audit Services Expense	2,400.00	3,917	41,400.00	47,000	88.09
Travel Expense	2,073.75	6,250	10,191.53	75,000	13.59
Telephone Expense	754.45	729	4,731.76	8,750	54.08
Postage / Shipping Expense	292.13	2,333	13,573.86	28,000	48.48
Equipment Rental Expense	3,152.88	2,683	15,901.98	32,200	49.39
Insurance Expense	0.00	2,767	17,868.84	33,200	53.82
Repair/Maint. Expense	2,387.03	2,083	8,831.45	25,000	35.33
Printing/Reproduction Expense	19,420.81	7,792	60,277.65	93,500	64.47
Utilities (Elec, Water, Gar)	1,691.73	2,333	9,399.26	28,000	33.57
Advertising/Legal Notices Exp	944.54	1,088	5,659.73	13,050	43.37
Other Misc. Expense	122.87	375	1,052.87	4,500	23.40
Office Supplies Expense	375.74	1,542	5,818.57	18,500	31.45
Computer Related Expense	16,916.68	3,250	23,196.87	39,000	59.48
Publication Expense	268.33	317	859.65	3,800	22.62
Prof. Develop./Dues Expense	110.00	2,833	24,414.50	34,000	71.81
Meetings/Events Expense	3,206.69	4,650	20,225.27	55,800	36.25
Capital Outlay Expense	3,609.91	2,083	3,609.91	25,000	14.44
Capital Outlay - Building	0.00	833	0.00	10,000	0.00
Long Term Debt	10,645.92	10,667	53,229.60	128,000	41.59
Reserve for Operations Expense	0.00	56,674	0.00	680,090	0.00
Total Expenses	388,633.47	354,641	1,327,504.96	4,255,690	31.19
Net Income	\$ 110,192.43	0	\$ 162,826.10	\$ 0	0.00

As stated when submitting Annual Budget:  
Both CHNEP and MPO are multi-year budgets - Therefore total budget may appear high  
For annual RPC Budget vs. Actual only - see page 9

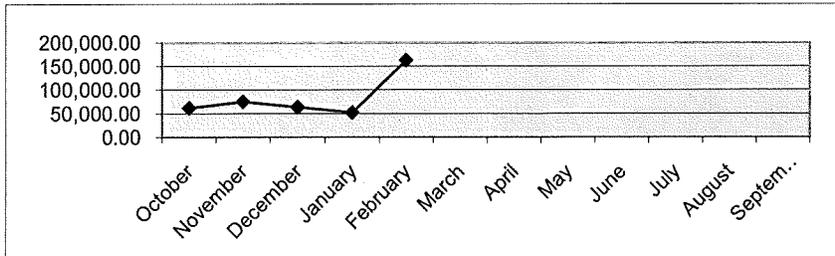
SWFRPC  
Income Statement - Two Years  
For the Five Months Ending February 28, 2011

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
<b>Revenues</b>				
Total Revenues	498,825.90	208,424.54	1,490,331.06	1,333,959.55
<b>Expenses</b>				
Salaries Expense	131,845.42	129,920.66	643,736.01	644,285.89
FICA Expense	7,257.65	9,657.10	41,565.63	46,981.06
Retirement Expense	15,243.79	13,538.46	59,903.82	53,787.79
Health Insurance Expense	14,821.68	408.08	72,575.39	70,114.72
Unemployment Comp. Expe	0.00	0.00	2,926.65	3,850.00
Workers Comp. Expense	359.00	424.00	1,795.00	2,120.00
Grant/Consulting Expense	404.97	0.00	7,635.89	2,100.60
NEP-Contractual	61,733.61	7,514.05	78,473.84	40,189.96
MPO-Contractual	88,593.89	1,175.00	98,649.43	79,922.34
Audit Services Expense	2,400.00	4,000.00	41,400.00	39,916.00
Travel Expense	2,073.75	1,277.02	10,191.53	16,209.03
Telephone Expense	754.45	320.87	4,731.76	3,285.04
Postage / Shipping Expense	292.13	807.42	13,573.86	8,930.71
Storage Unit Rental	0.00	0.00	0.00	224.00
Equipment Rental Expense	3,152.88	2,756.50	15,901.98	15,457.13
Insurance Expense	0.00	0.00	17,868.84	21,564.15
Repair/Maint. Expense	2,387.03	1,635.05	8,831.45	6,571.58
Printing/Reproduction Expen	19,420.81	21,142.95	60,277.65	43,481.59
Utilities (Elec, Water, Gar)	1,691.73	1,719.72	9,399.26	7,703.00
Advertising/Legal Notices Ex	944.54	2,080.72	5,659.73	4,872.34
Other Misc. Expense	122.87	611.39	1,052.87	945.43
Office Supplies Expense	375.74	1,541.07	5,818.57	7,452.70
Computer Related Expense	16,916.68	1,094.57	23,196.87	12,325.37
Publication Expense	268.33	22.50	859.65	343.40
Prof. Develop./Dues Expens	110.00	60.00	24,414.50	27,082.04
Meetings/Events Expense	3,206.69	546.78	20,225.27	14,815.89
Capital Outlay Expense	3,609.91	1,228.00	3,609.91	3,770.02
Long Term Debt	10,645.92	10,645.92	53,229.60	53,229.60
Total Expenses	388,633.47	214,127.83	1,327,504.96	1,231,531.38
Net Income	\$ 110,192.43	\$ (5,703.29)	\$ 162,826.10	\$ 102,428.17

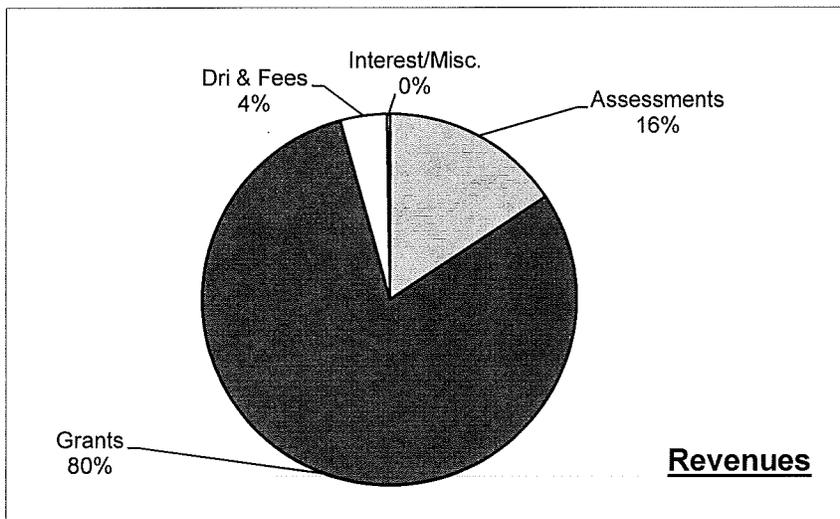
The next few pages are a breakdown of actual expenses for each project in Special Revenues as well as in general operations. Included in these pages, as requested, are percentages for each line item and an overall percentage spent by the RPC, NEP, and MPO.

The overall percentage of the Budget spent is 31.19%  
 The percentage of the RPC Budget spent is 31.76%  
 The percentage of the MPO Budget spent is 27.05%  
 The percentage of the NEP Budget spent is 35.25%

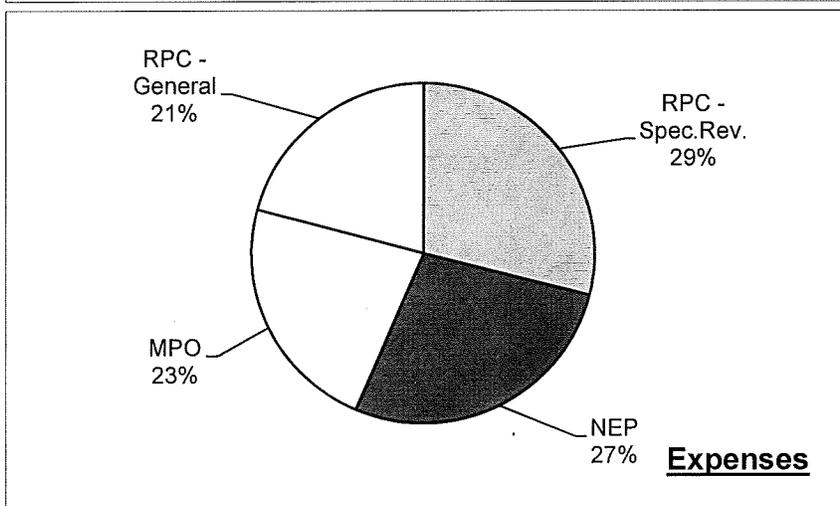
For the month ending February 28, 2011 **\$162,826** is our net income.



**Net Income (unaudited)**  
 As can be seen in this graph, the net income moves in quarterly cycles.  
 For the month ending February 28, 2011  
 Total Revenues 1,490,331  
 Total Expenses 1,327,505  
 Net Income 162,826



Assessments	233,334
Grants	1,192,962
Dri & Fees	59,735
Interest/Misc.	4,300
<b>Total</b>	<b>1,490,331</b>



RPC - Spec.Rev.	384,405
NEP	365,441
MPO	301,347
RPC - General	276,312
<b>Total</b>	<b>1,327,505</b>

RPC-MPO-NEP Combined  
Budget vs. Actual  
For the month ending February 28, 2011

	Combined Actual	Combined Adopted Budget	Combined Total YTD Amendments	Combined Amended Budget	Combined VARIABLE	41.67%
<b>Revenues</b>						
Membership Dues	233,334	466,669	0	466,669	233,335	50.00%
Federal/State/Local Grants	1,192,962	2,878,931	0	2,878,931	1,685,969	41.44%
Dri/Monitoring Fees	59,735	200,000	0	200,000	140,265	29.87%
Interest And Miscellaneous	4,300	30,000	0	30,000	25,700	14.33%
Carry Over Fund Balance		655,716	24,374	680,090		
<b>Total Income</b>	<b>1,490,331</b>	<b>4,231,316</b>	<b>24,374</b>	<b>4,255,690</b>	<b>2,085,269</b>	<b>35.02%</b>
<b>Expenditures</b>						
<u>Direct:</u>						
Salaries	643,736	1,706,000	0	1,706,000	1,062,264	37.73%
FICA	41,566	130,000	0	130,000	88,434	31.97%
Retirement	59,904	181,300	0	181,300	121,396	33.04%
Health Insurance	72,575	180,000	0	180,000	107,425	40.32%
Workers Compensation	4,722	10,000	0	10,000	5,278	47.22%
<b>Total Personnel</b>	<b>822,503</b>	<b>2,207,300</b>	<b>0</b>	<b>2,207,300</b>	<b>1,384,797</b>	<b>37.26%</b>
Consultant Fees	7,606	40,000	0	40,000	32,394	19.01%
NEP Contractual	78,504	174,000	0	174,000	95,496	45.12%
MPO Contractual	98,649	452,000	0	452,000	353,351	21.83%
Audit Fees	41,400	47,000	0	47,000	5,600	88.09%
Travel	10,192	75,000	0	75,000	64,808	13.59%
Telephone	4,732	8,750	0	8,750	4,018	54.08%
Postage	13,574	28,000	0	28,000	14,426	48.48%
Equipment Rental	15,902	32,200	0	32,200	16,298	49.39%
Insurance	17,869	33,200	0	33,200	15,331	53.82%
Repair/Maintenance	8,831	25,000	0	25,000	16,169	35.33%
Printing/Reproduction	60,278	93,500	0	93,500	33,222	64.47%
Utilities (Elec, Gas, Water)	9,399	28,000	0	28,000	18,601	33.57%
Advertising	5,660	13,050	0	13,050	7,390	43.37%
Other Miscellaneous	1,053	4,500	0	4,500	3,447	23.40%
Office Supplies	5,819	18,500	0	18,500	12,681	31.45%
Computer Related Expenses	23,197	39,000	0	39,000	15,803	59.48%
Publications	860	3,800	0	3,800	2,940	22.62%
Professional Development	24,415	34,000	0	34,000	9,586	71.81%
Meetings/Events	20,225	55,800	0	55,800	35,575	36.25%
Capital Outlay-Operations	3,610	25,000	0	25,000	21,390	14.44%
Capital Outlay-Building	0	10,000	0	10,000	10,000	0.00%
Long Term Debt	53,230	128,000	0	128,000	74,770	41.59%
Allocation of Fringe/Indirect		0	0	0	0	
Reserve for Operation Expense		655,716	24,374	680,090	680,090	
<b>Total Cash Outlays</b>	<b>1,327,505</b>	<b>4,231,316</b>	<b>24,374</b>	<b>4,255,690</b>	<b>2,928,185</b>	<b>31.19%</b>
<b>Net Income/(Loss)</b>	<b>162,826</b>	<b>0</b>	<b>0</b>	<b>0</b>		

**CHNEP**  
**Budget vs. Actual**  
For the month ending February 28, 2011

	CHNEP Actual	CHNEP Adopted Budget	CHNEP YTD Requested Amendments	CHNEP Amended Budget	CHNEP VARIABLE	41.67%
<b>Revenues</b>						
Membership Dues		0		0	0	
Federal/State/Local Grants	365,441	1,036,700		1,036,700	671,259	35.25%
Dri/Monitoring Fees		0		0	0	
Interest And Miscellaneous		0		0	0	
Carry Over Fund Balance		0		0	0	
<b>Total Income</b>	<b>365,441</b>	<b>1,036,700</b>	<b>0</b>	<b>1,036,700</b>	<b>671,259</b>	
<b>Expenditures</b>						
<u>Direct:</u>						
Salaries						
FICA						
Retirement						
Health Insurance						
Workers Compensation						
Total Personnel						
Consultant Fees	0			0	0	
NEP Contractual	78,504	174,000		174,000	95,496	45.12%
MPO Contractual	0			0	0	
Audit Fees	0			0	0	
Travel	3,531	21,000		21,000	17,469	16.81%
Telephone	247	650		650	403	38.00%
Postage	6,906	20,000		20,000	13,094	34.53%
Equipment Rental	0	200		200	200	0.00%
Insurance	0			0	0	
Repair/Maintenance	0			0	0	
Printing/Reproduction	58,999	85,000		85,000	26,001	69.41%
Utilities (Elec, Gas, Water)	0			0	0	
Advertising	0	550		550	550	0.00%
Other Miscellaneous	745	1,500		1,500	755	49.67%
Office Supplies	66	1,500		1,500	1,434	4.42%
Computer Related Expenses	0	6,000		6,000	6,000	0.00%
Publications	0	500		500	500	0.00%
Professional Development	140	7,000		7,000	6,860	2.00%
Meetings/Events	17,460	43,800		43,800	26,340	39.86%
Capital Outlay-Operations	1,763	4,000		4,000	2,237	44.08%
Capital Outlay-Building	0			0	0	
Long Term Debt				0	0	
Allocation of Fringe/Indirect	109,132	375,000		375,000	265,868	
Reserve for Operation Expense				0		
<b>Total Cash Outlays</b>	<b>365,441</b>	<b>1,036,700</b>	<b>0</b>	<b>1,036,700</b>	<b>671,259</b>	<b>35.25%</b>
Net Income/(Loss)						

MPO  
Budget vs. Actual  
For the month ending February 28, 2011

	MPO Actual	MPO Adopted Budget	MPO YTD Requested Amendments	MPO Amended Budget	MPO VARIABLE	41.67%
Revenues						
Membership Dues		0		0	0	
Federal/State/Local Grants	301,347	1,114,038		1,114,038	812,691	27.05%
Dri/Monitoring Fees		0		0	0	
Interest And Miscellaneous		0		0	0	
Carry Over Fund Balance		0		0	0	
<b>Total Income</b>	<b>301,347</b>	<b>1,114,038</b>	<b>0</b>	<b>1,114,038</b>	<b>812,691</b>	
Expenditures						
<b>Direct:</b>						
Salaries						
FICA						
Retirement						
Health Insurance						
Workers Compensation						
Total Personnel						
Consultant Fees	0			0	0	
NEP Contractual	0			0	0	
MPO Contractual	98,649	452,000		452,000	353,351	21.83%
Audit Fees	0			0	0	
Travel	1,191	6,000		6,000	4,809	19.84%
Telephone	474	1,000		1,000	526	47.44%
Postage	857	5,000		5,000	4,143	17.14%
Equipment Rental	125			0	-125	
Insurance	0			0	0	
Repair/Maintenance	0			0	0	
Printing/Reproduction	94	6,500		6,500	6,406	1.45%
Utilities (Elec, Gas, Water)	0			0	0	
Advertising	4,843	10,000		10,000	5,157	48.43%
Other Miscellaneous	288	500		500	212	57.57%
Office Supplies	508	2,000		2,000	1,492	25.41%
Computer Related Expenses	0	3,000		3,000	3,000	0.00%
Publications	0	1,500		1,500	1,500	0.00%
Professional Development	825	2,000		2,000	1,175	41.25%
Meetings/Events	1,484	2,000		2,000	516	74.21%
Capital Outlay-Operations	0	6,000		6,000	6,000	0.00%
Capital Outlay-Building	0			0	0	
Long Term Debt	0			0	0	
Allocation of Fringe/Indirect	106,580	336,538		336,538	229,958	
Reserve for Operation Expense				0		
<b>Total Cash Outlays</b>	<b>301,347</b>	<b>1,114,038</b>	<b>0</b>	<b>1,114,038</b>	<b>812,691</b>	<b>27.05%</b>
Net Income/(Loss)						

Regional Planning Council  
Budget vs. Actual  
For the month ending February 28, 2011

	Total RPC Actual	RPC Adopted Budget	RPC YTD Requested Amendments	RPC Amended Budget	RPC VARIABLE	41.67%
<b>Revenues</b>						
Membership Dues	233,334	466,669		466,669	233,335	50.00%
Federal/State/Local Grants	526,174	728,193		728,193	202,019	72.26%
Dri/Monitoring Fees	59,735	200,000		200,000	140,265	29.87%
Interest And Miscellaneous	4,300	30,000		30,000	25,700	14.33%
Carry Over Fund Balance		655,716		655,716	655,716	0.00%
<b>Total Income</b>	<b>823,543</b>	<b>2,080,578</b>	<b>0</b>	<b>2,080,578</b>	<b>1,257,035</b>	<b>39.58%</b>
<b>Expenditures</b>						
<u>Direct:</u>						
Salaries						
FICA						
Retirement						
Health Insurance						
Workers Compensation						
Total Personnel						
Consultant Fees	7,606	40,000		40,000	32,394	19.01%
NEP Contractual	0			0	0	
MPO Contractual	0			0	0	
Audit Fees	41,400	47,000		47,000	5,600	88.09%
Travel	5,470	48,000		48,000	42,530	11.40%
Telephone	4,010	7,100		7,100	3,090	56.49%
Postage	5,811	3,000		3,000	-2,811	193.71%
Equipment Rental	15,777	32,000		32,000	16,223	49.30%
Insurance	17,869	33,200		33,200	15,331	53.82%
Repair/Maintenance	8,831	25,000		25,000	16,169	35.33%
Printing/Reproduction	1,184	2,000		2,000	816	59.20%
Utilities (Elec, Gas, Water)	9,399	28,000		28,000	18,601	33.57%
Advertising	817	2,500		2,500	1,683	32.69%
Other Miscellaneous	20	2,500		2,500	2,480	0.80%
Office Supplies	5,244	15,000		15,000	9,756	34.96%
Computer Related Expenses	23,197	30,000		30,000	6,803	77.32%
Publications	860	1,800		1,800	940	47.76%
Professional Development	23,450	25,000		25,000	1,551	93.80%
Meetings/Events	1,281	10,000		10,000	8,719	12.81%
Capital Outlay-Operations	1,847	15,000		15,000	13,153	12.31%
Capital Outlay-Building	0	10,000		10,000	10,000	0.00%
Long Term Debt	53,230	128,000		128,000	74,770	41.59%
Allocation of Fringe/Indirect	-215,713	-711,538		-711,538	-495,825	30.32%
Reserve for Operation Expense		655,716		655,716	655,716	
<b>Total Cash Outlays</b>	<b>660,717</b>	<b>2,080,578</b>	<b>0</b>	<b>2,080,578</b>	<b>1,419,861</b>	<b>31.76%</b>
<b>Net Income/(Loss)</b>	<b>162,826</b>	<b>0</b>	<b>0</b>	<b>0</b>		

Regional Planning Council  
Budget vs. Actual  
For the month ending February 28, 2011

	DCA	HMEP/SQG EMERG	Economic Developmt.	Hurricane Evac/Coastal Depth Analysis	TDs	DRIs/ NOPCs	Other Contracts	Total RPC Special Rev.
<b>Revenues</b>								
Membership Dues								0
Federal/State/Local Grants	178,818	56,046	0	0	54,095		237,215	526,174
Dri/Monitoring Fees						59,735		59,735
Interest And Miscellaneous								0
Carry Over Fund Balance								0
<b>Total Income</b>	<b>178,818</b>	<b>56,046</b>	<b>0</b>	<b>0</b>	<b>54,095</b>	<b>59,735</b>	<b>237,215</b>	<b>585,909</b>
<b>Expenditures</b>								
<u>Direct:</u>								
Salaries								
FICA								
Retirement								
Health Insurance								
Workers Compensation								
<b>Total Personnel</b>								
Consultant Fees	0	456	0	0	0	0	1,300	1,756
NEP Contractual	0	0	0	0	0	0	0	0
MPO Contractual	0	0	0	0	0	0	0	0
Audit Fees	0	0	0	0	0	0	0	0
Travel	573	1,417	0	0	0	0	891	2,881
Telephone	0	0	0	0	0	0	0	0
Postage	20	15	0	39	33	6	0	113
Equipment Rental	0	0	0	0	0	0	0	0
Insurance	0	0	0	0	0	0	0	0
Repair/Maintenance	0	0	0	0	0	0	0	0
Printing/Reproduction	0	0	0	0	0	0	201	201
Utilities (Elec, Gas, Water)	0	0	0	0	0	0	0	0
Advertising	34	0	0	0	126	0	0	160
Other Miscellaneous	0	0	0	0	0	0	0	0
Office Supplies	0	0	0	250	0	0	0	250
Computer Related Expenses	0	0	0	0	0	0	0	0
Publications	0	0	0	0	0	0	498	498
Professional Development	335	0	2,000	0	0	0	0	2,335
Meetings/Events	0	0	13	0	0	0	243	256
Capital Outlay-Operations	0	0	0	0	0	0	0	0
Capital Outlay-Building	0	0	0	0	0	0	0	0
Long Term Debt							0	
Allocation of Fringe/Indirect	46,466	10,858	38,906	4,608	8,692	36,153	55,929	201,612
Reserve for Operation Expense								
<b>Total Cash Outlays</b>	<b>84,672</b>	<b>21,449</b>	<b>76,885</b>	<b>8,587</b>	<b>15,818</b>	<b>65,136</b>	<b>111,859</b>	<b>384,405</b>
<b>Net Income/(Loss)</b>								

Regional Planning Council  
Budget vs. Actual  
e month ending February 28,

	General	Empl.Bene.	Total RPC General	Total RPC Actual
<b>Revenues</b>				
Membership Dues	233,334		233,334	233,334
Federal/State/Local Grants			0	526,174
Dri/Monitoring Fees			0	59,735
Interest And Miscellaneous	4,300		4,300	4,300
Carry Over Fund Balance			0	0
<b>Total Income</b>	<b>237,634</b>	<b>0</b>	<b>237,634</b>	<b>823,543</b>
<b>Expenditures</b>				
<u>Direct:</u>				
Salaries				
FICA				
Retirement				
Health Insurance				
Workers Compensation				
Total Personnel				
Consultant Fees	5,850	0	5,850	7,606
NEP Contractual	0	0	0	0
MPO Contractual	0	0	0	0
Audit Fees	41,400	0	41,400	41,400
Travel	2,590	0	2,590	5,470
Telephone	4,010	0	4,010	4,010
Postage	5,698	0	5,698	5,811
Equipment Rental	15,777	0	15,777	15,777
Insurance	17,869	0	17,869	17,869
Repair/Maintenance	8,831	0	8,831	8,831
Printing/Reproduction	983	0	983	1,184
Utilities (Elec, Gas, Water)	9,399	0	9,399	9,399
Advertising	657	0	657	817
Other Miscellaneous	20	0	20	20
Office Supplies	4,994	0	4,994	5,244
Computer Related Expenses	23,197	0	23,197	23,197
Publications	362	0	362	860
Professional Development	21,115	0	21,115	23,450
Meetings/Events	1,025	0	1,025	1,281
Capital Outlay-Operations	1,847	0	1,847	1,847
Capital Outlay-Building	0	0	0	0
Long Term Debt	53,230	0	53,230	53,230
Allocation of Fringe/Indirect	-417,325		-417,325	-215,713
Reserve for Operation Expense				
<b>Total Cash Outlays</b>	<b>-25,267</b>	<b>301,579</b>	<b>276,312</b>	<b>660,717</b>
<b>Net Income/(Loss)</b>				<b>162,826</b>

**Southwest Florida Regional Planning Council**  
**For the month ending February 28, 2011**

**Net Income/Loss Statement**

	Prior Period	Amended Budget	Current Period	Current Period as % of Rev/Exp	% Change from Prior Period	% of Budget
<b>Revenue</b>						
DCA - GENERAL	41,489		165,603			
DCA - TITLE III	13,215		13,215			
SALT MARSH LANDS	13,853		27,267			
WETLANDS	82,818		82,818			
ECONOMIC DEVELOP.	0		0			
HMEP-PLANNING and TRAINING	52,546		52,546			
SQG	3,500		3,500			
TD GLADES/HENDRY	29,016		29,016			
TD LEE	25,079		25,079			
COASTAL DEPTH ANALYSIS	0		0			
NEFRC POs: FIN-MARC / I/O / EDWARDS / RTIC / TEP	14,457		87,979			
RESILIENCY	6,651		13,921			
PG EAR	20,229		20,229			
<b>TOTAL FEDERAL/STATE/LOCAL GRANTS (RPC)</b>	<b>302,853</b>	<b>728,193</b>	<b>521,174</b>	<b>35.0%</b>	<b>72.1%</b>	<b>71.6%</b>
DRIs/NOPCs - DRI MON.	39,153	200,000	59,735	4.0%	52.6%	29.9%
ASSESSMENTS & MISC INC. (Includes ABM)	242,229	496,669	242,634	16.3%	0.2%	48.9%
CHNEP	236,820	1,036,700	365,441	24.5%	54.3%	35.3%
MPO	170,475	1,114,038	301,347	20.2%	76.8%	27.0%
<b>Total Revenue</b>	<b>991,530</b>	<b>3,575,600</b>	<b>1,490,331</b>	<b>100.0%</b>	<b>50.3%</b>	<b>41.7%</b>

**Operating Expenses (all 3 entities-RPC,MPO,NEP)**

Salaries and Fringe (all personnel)	652,975	2,207,300	822,503	62.0%	26.0%	37.3%
Consultant Fees	7,231	40,000	7,606	0.6%	5.2%	19.0%
NEP Contractual	16,740	174,000	78,504	5.9%	369.0%	45.1%
MPO Contractual	10,056	452,000	98,649	7.4%	881.0%	21.8%
Audit Fees	39,000	47,000	41,400	3.1%	6.2%	88.1%
Travel	8,118	75,000	10,192	0.8%	25.5%	13.6%
Telephone	3,977	8,750	4,732	0.4%	19.0%	54.1%
Postage	13,282	28,000	13,574	1.0%	2.2%	48.5%
Equipment Rental	12,749	32,200	15,902	1.2%	24.7%	49.4%
Insurance	17,869	33,200	17,869	1.3%	0.0%	53.8%
Repair/Maintenance	6,444	25,000	8,831	0.7%	37.0%	35.3%
Printing/Reproduction	40,857	93,500	60,278	4.5%	47.5%	64.5%
Utilities (Gas,Water, Garb.)	7,708	28,000	9,399	0.7%	21.9%	33.6%
Advertising	4,715	13,050	5,660	0.4%	20.0%	43.4%
Other Miscellaneous	930	4,500	1,053	0.1%	13.2%	23.4%
Office Supplies	5,443	18,500	5,819	0.4%	6.9%	31.5%
Computer Related Exps.	6,280	39,000	23,197	1.7%	269.4%	59.5%
Publications	591	3,800	860	0.1%	45.4%	22.6%
Professional Development	24,305	34,000	24,415	1.8%	0.5%	71.8%
Meetings/Events	17,019	55,800	20,225	1.5%	18.8%	36.2%
Capital Outlay-Operations	0	25,000	3,610	0.3%	#DIV/0!	14.4%
Capital Outlay-Building	0	10,000	0	0.0%	-	-
Long Term Debt	42,584	128,000	53,230	4.0%	25.0%	41.6%
<b>Total Operating Expenses</b>	<b>938,872</b>	<b>3,575,600</b>	<b>1,327,505</b>	<b>100.0%</b>	<b>41.4%</b>	<b>37.1%</b>

<b>Net Income or (loss)</b>	<b>52,658</b>	<b>0</b>	<b>162,826</b>			
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OVERALL VIEW OF ESTABLISHED ACTIVE GRANTS INCLUDING MPO AND CHNEP

Agency / Contract #	PROJECT NAME	CDFA/ CSFA	GRANT PERIOD	FEDERAL	STATE	OTHER or MATCH	TOTAL	TOTAL SPENT	BALANCE
DCA 11-DR-CC-13-00-21-009	DCA - GENERAL	52-006	7/1/10 - 6/30/11		221,341		221,341	125,381	95,960
DCA 11-CP-03-13-00-21-087	DCA - TITLE III	52-006	7/1/10 - 6/30/11		40,909		40,909	42,722	-1,813
EPA CD95450310	SALT MARSH LANDS	66-456	10/1/09 - 6/30/12	299,725			299,725	82,463	217,262
EPA CD96484907	WETLANDS	66-456	10/1/07 - 12/31/10	470,494			470,494	452,801	17,693
EDA Pending (w/match)	ECONOMIC DEVELOP.	11-300					0	0	0
DEM 11-DT-83-13-00-21-210	HMEP-PLANNING	20-703	10/1/10 - 09/30/11	18,000			18,000	15,707	2,293
DEM 11-DT-83-13-00-21-210	HMEP-TRAINING	20-703	10/1/10 - 09/30/11	34,546			34,546	5,742	28,804
GLADES HW440	SQG	N/A	10/1/10 - 09/30/11			3,500	3,500	0	3,500
TD AQ064	TD GLADES/HENDRY	55-002	7/1/10 - 6/30/11		35,137		35,137	14,096	21,041
TD AQ055	TD LEE	55-002	7/1/10 - 6/30/11		29,702		29,702	12,466	17,236
PO Pending	COASTAL DEPTH ANALYSIS	97-039	3/07 - 12/10	22,500			22,500	3,033	19,467
NERPC PO # 332/410	RTIC REVIEW & TEP	97-067	NEFPC Grant			31,713	31,713	23,327	8,386
NERPC PO # 420/334/397	FIN-MARC / I/O / EDWARDS	97-055	NEFPC Grant			142,162	142,162	832	141,330
LEE PO # 204716	CLIMATE RESILIENCY	N/A	NEFPC Grant			30,000	30,000	22,919	7,081
PO # 42845	PG EAR	N/A	01/10 - 12/10			28,000	28,000	17,563	10,437
Sponsors	ABM	N/A	N/A			5,000	5,000	968	4,032
EPA CE96457406-4	CHNEP	66-456	10/1/06 - 9/30/11	518,350		518,350	1,036,700	365,441	671,259
FHA/US DOT THRU FDOT 420869-1-14-01-0261 (47)	MPO	20-205	7/1/10 - 6/30/11	824,304		179,488	1,003,792	475,186	528,606
FEE BASED	DRIs/NOPCs - DRI MON.	N/A	Fiscal Year			59,735	59,735	65,136	-5,400

SWFRPC  
Account Reconciliation

As of Jan 31, 2011

101000 - Cash - Bank of America Oper.

Bank Statement Date: January 31, 2011

Filter Criteria includes: Report is printed in Detail Format.

Beginning GL Balance		54,399.85
Add: Cash Receipts		311,783.49
Less: Cash Disbursements		(223,619.09)
Add (Less) Other		(55,217.98)
Ending GL Balance		87,346.27
Ending Bank Balance		92,940.19
Add back deposits in transit		
Total deposits in transit		
(Less) outstanding checks		
	Nov 1, 2010    42330	(51.62)
	Jan 3, 2011    42507	(39.16)
	Jan 3, 2011    42510	(302.67)
	Jan 3, 2011    42518	(18.69)
	Jan 3, 2011    42519	(42.72)
	Jan 3, 2011    42520	(28.48)
	Jan 20, 2011   42524	(500.68)
	Jan 20, 2011   42525	(30.00)
	Jan 20, 2011   42528	(189.50)
	Jan 20, 2011   42538	(360.45)
	Jan 20, 2011   42543	(145.40)
	Jan 20, 2011   42545	(3,884.55)
Total outstanding checks		(5,593.92)
Add (Less) Other		
Total other		
Unreconciled difference		0.00
Ending GL Balance		87,346.27

SWFRPC  
General Ledger

For the Period From Feb 1, 2011 to Feb 28, 2011

Filter Criteria includes: 1) IDs from 101001 to 101006B. 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
101001 Cash - Iberia Checking	2/1/11	Beginning Balance			
		Current Period Change	188,179.77	183,132.06	5,047.71
	2/28/11	Ending Balance			5,047.71
101002 Cash - Iberia CDs	2/1/11	Beginning Balance			454,428.61
	2/28/11	Ending Balance			454,428.61
101006 Cash - FL Local Gov't Pool	2/1/11	Beginning Balance			57,197.64
		Current Period Change	178.50		178.50
	2/28/11	Ending Balance			57,376.14
101006B Cash - FL Gov't Pool-Fund	2/1/11	Beginning Balance			10,190.45
		Current Period Change	416.52	165.63	250.89
	2/28/11	Ending Balance			10,441.34

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
Pine Island Commercial Marina Seagrass Restoration	CHNEP	FDEP/TNC	unknown				in pre-proposal stage		TNC
EPA 2011 WPDG	CHNEP	EPA Region 4					in pre-proposal stage	3 years	Liz/Jim
EPA 2011 CARE	CHNEP	EPA Headquarters					Due March 22	2years	Lee County/Liz
EPA Technical Assistance to Build More Sustainable Communities	SWFRPC/CHNEP	EPA Headquarters	\$100,000	\$100,000	no	\$100,000	Due March 31, 2011	1 year with potential to up to 4 additional years	Liz/Nikki

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
SWF Brownfields Program	SWFRPC	EPA		\$200,000	\$200,000	\$200,000	10/15/2010	3 yrs.	John Gibbons
Charlotte Harbor: Peer to Peer Experiential Learning through Social Media and Technology	CHNEP	NOAA	\$9,310	\$91,810	\$233,000	\$324,810	10/14/2010	3 yrs.	Maran
NOAA/GOMP/SeaGrant - Broad Area Funding Opportunity Gulf of Mexico Region Funding for 2012 and 2013	SWFRPC, CHNEP	NOAA/EPA		\$100,000	not required	\$100,000	pre-proposal due Feb. 25	2 YRS	Jim B.
EPA 5 STAR	CHNEP	National Fish and Wildlife Foundation		up to \$40,000	100%		in pre-proposal stage		Lee County/Liz

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

3c

Collier County Comprehensive  
Plan Amendments (DCA 11-ER3)

3c

3c

**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS  
COLLIER COUNTY**

The Council staff has reviewed proposed Evaluation and Appraisal Report (EAR) changes to the Collier County Growth Management Plan (DCA EAR3). These changes 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 can be reviewed 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>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DCA EAR3	yes	yes	yes	(1) regionally significant; and (2) consistent with SRPP

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

03/11



**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:**

Collier County

**2. Amendment Number:**

DCA EAR3

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

No

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

February 18, 2011

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

March 16, 2011

**6. Date the Review was Transmitted to DCA:**

March 9, 2011

**7. Description of the Amendment:**

Collier County has submitted an Evaluation and Appraisal Report (EAR) that was adopted by Collier County Board of County Commissioners with Resolution 2011-24. Florida Statutes require all local governments within the State to maintain comprehensive planning programs based upon an adopted local government comprehensive plan. Collier County has such a plan known as the Growth Management Plan (GMP) that was adopted originally in 1989.

Local comprehensive plans go through the EAR process once every seven years. The EAR evaluates the performance of the various elements found in the plan since the previous EAR-based amendments. It assesses the successes and shortcomings of the various Goals, Objectives, and Policies included in the GMP and identify any of the plan's Objectives and Policies that may require revisions, modifications or deletion. In addition, the EAR is the primary means by which the local plan can respond to changes in federal, state, and regional planning requirements. Collier County has noted in their EAR that for the 2004 and 2010 evaluation period for the 2011 EAR, there have been 57 GMP amendments processed by the County through the Southwest Florida Regional Planning Council and the Florida Department of Community Affairs.

The submitted document is the third EAR that has been prepared as required by Section 163.3191, F.S. on the Collier County GMP. The County went through an 18-month EAR

process and provided a substantial examination of the issues that are impacting the citizens of the Collier County community. Council staff agrees with the County that all the issues identified by Florida Department of Community Affairs in their December 10, 2009 Letter of Understanding and their October 15, 2010 courtesy review have been substantially addressed.

The submitted EAR has addressed the County's areas of primary concern, which included environmental protection, concurrency management, discouragement of urban sprawl, water resource protection, storm water management, energy efficiency, and greenhouse gas reduction. The adopted EAR amendments has provided for the strengthening of the Objectives and Policies in the GMP. Council staff agrees with the County that the EAR review and analysis provided that while there were a number of subject areas in the GMP that required modification or minor revisions, there were no major holes within the regulatory framework of the plan.

**8. Are the Amendments consistent with the Strategic Regional Policy Plan:**

Council staff has reviewed the proposed changes to the Collier County Growth Management Plan and finds that the proposed changes are consistent with the Strategic Regional Policy Plan. Specifically, the EAR assessment completed by the BoCC, CCPC, commenting agencies, public and County staff has provided the following improvements to the County's Comprehensive Plan:

- 1) The Goals, Objectives and Policies in the Comprehensive Plan have been revised to reflect proper formatting. Goals were more clearly defined to reflect what the plan will ultimately achieve; the Objectives have been changed to provide more specific statements; and the Policies have been amended to provide clearer directives on the achievement of the related Objectives and Goals.
- 2) The Capital Improvement Element has been changed to provide increased flexibility, consistency, clarity, and timing of the Objectives and Policies in the element.
- 3) The Transportation Element has been changed better provide Polices that address the technical aspects of the County's roadway network and provision of a multi-modal transportation system.
- 4) The Public Facilities Element – Sanitary Sewer Sub-Element has been changed to provide minor revisions to the Objectives and Policies in the element to provide more accurate statements concerning the provision of the service to the community.
- 5) The Public Facilities Element – Potable Water Sub-Element has also been changed to provide minor revisions to the Objectives and Policies in the element to provide more accurate statements concerning the provision of the service to the community.
- 6) The Public Facilities Element – Drainage Sub-Element has also been changed to provide minor revisions to the Goals, Objectives and Policies in the element to provide more accurate statements concerning all the actions the storm water management entails and identifies its interdependence with the other plan elements and sub-elements.
- 7) The Public Facilities Element – Solid Waste Sub-Element has also been changed to provide minor revisions to the Goal, Objectives and Policies in the element to provide more accurate statements concerning the provision of the service to the community.
- 8) The Public Facilities Element – Natural Groundwater Aquifer Recharge Sub-Element has also been changed to provide minor revisions to the Goal, Objectives and Policies

in the element to provide increase resource protection, monitoring actions in Golden Gate Estates and potable water well field locations in Immokalee.

- 9) The Housing Element had various Objectives and has been revised to provide for affordable-workforce housing via interlocal agreements with the City of Naples and City of Marco Island. Additionally, the element was changed to reflect the removal of the HDC reference and amend their stated mission to add the phrase “for-profit and not-for-profit providers of affordable-workforce housing” and delete the references to fifteen percent and 1,000 units and replace the terms with a new annual yearly affordable-workforce unit production rate. The Plan changes also address Coastal High Hazard issues and Greenhouse Gas issues.
- 10) The Recreation and Open Space Element provided minor changes to the element related to clarifications of Objectives and Policies due to numbering changes and the elimination of a list of recreational facilities providers.
- 11) The Conservation and Coastal Management Element was changed to revise the more accurately describe the implementation actions that are on-going and update the element per the CCPC and EAC. A variety of changes dealing with the various coast issues such as beach access, marine wetlands, and hurricane evacuation and shelters.
- 12) The Intergovernmental Coordination Element received minor revisions to the element’s text to increase its accuracy.
- 13) The Future Land Use element text was revised to provide for more clarity and accuracy. Furthermore, the Density Rating System – Residential Infill was revised to eliminate the TDR requirement; the Density Rating System – Traffic Congest Area was deleted and replace with a Coastal High Hazard Area density reduction factor; the Mixed Use Activity Center Subdistrict was revised to reduce allowable density for residential-only projects within the CHHA; and the Rural Fringe Mixed Use District was revised to clarify the District as it applies to A-zoned lands. Additionally, the Future Land Use Map (FLUM) was revised to reflect the CHHA boundary; the Planning Horizon Issue was revised for GMP consistency and Map FLUE-14 Existing Zoning Consistent with the FLUE by Policy, Immokalee Area was deleted because it will be replaced with the Immokalee Area Master Plan.
- 14) The Public Schools Element Goals, Objectives and Policies received minor changes to improve the Plan’s accuracy.
- 15) The Golden Gate Area Master Plan was changed due to reformatting, deferring considerations on a variety of issues to other areas of the Plan, and minor revisions to eliminate duplication.
- 16) The Economic Element received minor text revisions to provide clarity, expand focus of particular Objectives and Policies, and to replace existing policies to one which calls for the County to monitor the County’s unemployment rate.

Council staff finds that the changes as presented are consistent with the Collier County GMP and that the regional issues identified by the Strategic Regional Policy Plan have been adequately addressed.

**9. Applicable Strategic Regional Policy Plan Goals, Strategies and Actions:**  
**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 1:** Assist local governments in identifying the housing needs of very low, low and moderate-income households in the Region.
- Action 2:** Review housing elements of local comprehensive plans to ensure those needs are identified and considered when funding choices are made.
- Action 3:** Assist local governments and non-profit organizations in identifying and adopting innovative funding sources and programs for the development of affordable housing.
- 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 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.

## **Emergency Preparedness Natural Hazards**

**Goal 1: The general public and its governmental agencies become aware of the extent of flooding that can be induced from the Gulf of Mexico and Lake Okeechobee by tropical storm or hurricane.**

**Strategy: Make easily understood information available with timely updates.**

**Action 1:** Maps depicting areas subject to storm surge flooding will be regularly updated and circulated to affected populations.

**Goal 2: An organized recovery response to the effects of freezes, droughts, or floods on food and fiber production.**

**Strategy: Coordinated local, sub-state, and state short-term emergency response plans for relief and assistance for areas with catastrophic job losses due to freezes, droughts or floods.**

**Action 1:** Petition Congress, the President, and FEMA to identify drought as a natural disaster deserving emergency relief.

**Action 2:** Promote with the Water Management agencies, drought, freeze, and flood management programs that promote increased natural system storage to reduce impacts of fire, water shortages, and flooding.

**Action 3:** Assist public agencies in identifying and keeping up-to-date disaster relief sites.

**Action 4:** Public agencies should maintain lists that identify teams of short-term relief workers.

**Goal 3: Safe evacuation or protection for the most threatened populations.**

**Strategy: Develop programs that assess risk and are capable of giving priority to those who have the greatest threat, when time or resources provide constraints on total evacuation.**

**Action 1:** Each hurricane study update shall update the numbers and locations of the most exposed populations.

**Action 2:** Each hurricane study update shall update the evacuation times of the exposed zones, and recommend for prioritization for road improvements those zones with greater than 18 hour evacuation times.

- Action 3:** Each hurricane study update shall update estimates and concentrations of housing types more subject to hurricane force wind damage, and prioritize these populations for sheltering.
- Action 4:** Continue requiring all deeds to property located within a Development of Regional Impact located within the Southwest Florida Special Hurricane Preparedness District as required by Rule 9J-2.0257(4) shall be accompanied by a disclosure statement in the form of a covenant stating that the property is located in a hurricane vulnerability zone, that the hurricane evacuation clearance time for City/County or the Southwest Florida Region is high, and hurricane shelter spaces are limited.
- Action 5:** Work with all local governments in the region to require all deeds to hurricane vulnerable property located within their jurisdiction be accompanied by a disclosure statement in the form of a covenant stating that the property is located in a hurricane vulnerability zone, that the hurricane evacuation clearance time for City/County or the Southwest Florida Region is high, and hurricane shelter spaces are limited.

### **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 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 CARL, SOR, Florida Communities Trust, Lee County CLASAC, CREW, WRDA and other efforts in the Region.
- Action 7:** Create a map depicting regionally significant lands that private landowners agree will be voluntarily managed to maintain their environmental their environmental value, yet still provide them with economic benefits, without the need for public acquisition consideration (such lands would be candidates for future conservation easements).
- 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 this plan.

**Action 12:** Working with the various entities, encourage the establishment of management funding at the time of acquisition and refine existing Management Strategies to insure that the lands acquired are maintained in the natural condition that led to their preservation status. Management strategies should include provisions for fire management.

### **Water Resource Management**

**Goal 3: Water Management Districts and local governments must have programs based on scientific modeling to protect surface water, potable wells, wellfields and contributing areas from contamination.**

**Strategy: To resolve this land planning and water management disjunct, all entities need a common, readily accessible, understandable water resource modeling tool.**

**Action 2:** Work with the WMDs and local governments to insure that the resource condition evaluation addresses surface and groundwater, quality and quantity, flow, volume, direction and the hydro period cycle.

**Action 3:** Work with the WMDs and local governments to insure a better provide land use/water linkage and provide for consideration that the land use scenarios recognize the land use patterns of urban, agricultural, and natural system coverage, and the social/economic factors that guide change to land use.

**Action 4:** The different communities and agencies in a given natural basin area need a common forum and coordinated planning framework to pursue a shared response to the selected management system needed for the basin. In lieu of another entity serving that function, the Regional Planning Council should serve that function.

### **Livable Communities**

**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.

**Action 2:** Working in cooperation with agencies and local governments insure that beaches and inlets that have been damaged by human activity are replaced/renourished and/or managed in order to have the total system function naturally.

**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.

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

**Action 2:** In cooperation with transit providers and other governmental and private entities, seek long term, dedicated funding sources for use for improving and expanding the transit system.

### **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 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.

**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.

**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.

### **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.

**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.

**Action 5:** Review proposed public facilities and services to ensure that costs are allocated on the basis of benefits received by existing and future residents.

**Action 6:** Review proposed development to require the developer to install or finance the necessary infrastructure and to provide land for the needed support services.

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

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

The Collier County EAR assessments and proposed changes to the Comprehensive Plans significantly impact numerous regional resources. These impacts deal with the regional transportation network such as Interstate 75, US 41, and other major roadways in the County. In additions, the proposed plan changes impact the natural systems such as the Gulf of Mexico, the bays and inlets in the County and the drainage patterns and stormwater conservation efforts that affect the wetland systems and groundwater recharge throughout the County. Additionally, the County's potable water, sewer, drainage, solid waste infrastructure will impact other jurisdictions and regional roadway networks. Finally, the changes proposed in the EAR will impact affordable-workforce housing in the region.

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

Council staff has reviewed the various changes proposed for the Collier County Comprehensive Plan and finds no example of changes that would be inconsistent with the affected local government. In fact, the EAR process has amended or removed any Goal, Objective or Policy in the Plan that could have has such an impact. Council staff believes the commenting agencies, the County's CCPC, and the public's input has provided for the elimination of this situation.

**12. 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:**

Council staff has reviewed the proposed changes to the County's Plan that resulted from the EAR process and believes that the subject changes are consistent with the relevant Strategic Regional Policy Plan's Goals, Strategies, and Actions relative to Transportation, Economic Development, Emergency Management, Natural Resources and Affordable Housing.

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

The EAR process produced changes in the County's Plan that increased land use compatibility by bring the plan up to date and providing for future development patterns in the urbanized and

rural areas of the County. Council staff supports the changes approved by the Collier County Board of County Commissions as proposed in the submitted EAR documents. The region does not have a military base that would cause compatibility issues in Collier County.

**14. 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:**

The Collier County Comprehensive Plan EAR provided numerous changes to the Plan's Goals, Objectives and Policies that update the Plan relative to groundwater recharge and the availability of groundwater conservation to insure a future supply of potable and non-potable water. Council staff agrees with the County and the SFWMD relative the changes proposed in the Plan that deal with the future use of water in the County.

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

The EAR resulted in a variety of minor changes to the affordable-workforce housing issues being faced by Collier County. The County has made several changes that recognize the problem with affordable-workforce housing in the area and have made changes to increase the number of units available to the workforce and the location of the units relative to where the workforce needs to be located in order to minimize travel times, roadway capacity and fuel use. Council staff believes that the proposed changes are consistent with the Strategic Regional Policy Plan Affordable House Element.

**16. 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:**

The EAR process provided a variety of minor changes with respect to the protection of groundwater resources and potential recharge areas in the County. Council staff has reviewed the changes and believe that they strengthen the plan and increase the protections of the resources and clarify the various actions related to protection of recharge areas of the County. The County does not have significant springs that require protection.

**17. 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 EAR suggested a variety of minor text changes to the Transportation Element in the Comprehensive Plan. These changes continued to provide protection of existing roadway corridors and facilities. In addition, the changes support the continued increases in multi-modal transportation facilities. The proposed plans did not address high speed rail. To date there is not proposals for high speed rail to be extended to the Collier County at this time. The County does not have any port facilities and will not have facilities of that type in the future. Therefore, port facilities in the Collier Comprehensive Plan are not substantially addressed.

**18. 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:**

The EAR process provided several minor changes to the emergency preparedness plans and local mitigation strategies in the County's Plan. The EAR process proposed minor changes for Objectives and Policies clarification and minor changes to the existing County hurricane shelters, clearance times, and hazard mitigation to bring the Plan up to date and to address future local mitigation needs. Council staff believes the proposed changes are consistent with the Goals, Strategies and Actions found in the Emergency Management Element of the Strategic Regional Policy Plan.

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

The EAR process has identified numerous changes to the Collier County GMP. Council staff has reviewed these proposed changes and find no change that will substantially create extra-jurisdictional impacts. The Council staff finds that the changes proposed will improve the accuracy, updates, and strengthens the County's GMP. Council staff believes the subject changes addresses growth issues such as environmental protection, concurrency management, discouragement of urban sprawl, protection of water resource, improves stormwater management, provides increased energy efficiency, and reduces greenhouse gases. The Strategic Regional Policy Plan supports local governmental efforts to address these issues through the improvement of the Comprehensive Plans over time.

**Attachment III**

# **Maps**

**Collier County  
DCA EAR3**

**Growth Management Plan  
Future Land Use Map**



\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

3d

Collier County Comprehensive  
Plan Amendments (DCA 11D-1)

3d

3d

## **Collier County Comprehensive Plan Amendments (DCA 11D-1)**

Due to its relation with a current DRI, staff has pulled this item from this month's agenda and it will be presented at the April 21<sup>st</sup> SWFRPC Board Meeting along with the DRI.

03/2011

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# Agenda

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# Item

3e

Fountains DRI - Sufficiency  
Response Extension Request

3e

3e

## Agenda Item

**THE FOUNTAINS REQUEST FOR SUFFICIENCY RESPONSE EXTENSION**

The applicant's agent for the Fountains Development of Regional Impact Application for Development Approval (ADA) has submitted a letter, dated March 1, 2011, requesting a 153-day extension to the sufficiency response period (please see Attachment I). The extension is necessary to deal with a Comprehensive Plan Chapter 120 F.S. administrative challenge. The Florida Administrative Code's DRI Rule 29I-4.001(5) allows the Executive Director of the Regional Planning Council to administratively grant an initial 45-day time extension to any sufficiency response period. The Executive Director granted a 45-day extension to the sufficiency response period on August 02, 2007. The initial extension set the new deadline for sufficiency responses to September 23, 2007. Subsequent to the granting of the 45-day extension, the applicant's agent submitted an incomplete sufficiency response to the Southwest Florida Regional Planning Council (SWFRPC) in September of 2007. SWFRPC staff had been awaiting a complete submittal from the applicant until the applicant's attorney submitted a formal letter requesting an extension on August 04, 2009. Subsequent sufficiency response extensions are shown below.

<u>Request Received</u>	<u>Prior Deadline</u>	<u>New Deadline</u>	<u>Meeting Date</u>	<u>Council Action</u>
August 04, 2009	Incomplete Submittal	December 03, 2009	October 21, 2009	Approved
November 10, 2009	December 03, 2009	March 10, 2010	November 19, 2009	Approved
January 29, 2010	March 10, 2010	June 08, 2010	February 18, 2010	Approved
April 23, 2010	June 08, 2010	September 26, 2010	May 20, 2010	Approved
July 1, 2010	September 26, 2010	December 15, 2010	September 16, 2010	Approved
November 30, 2010	December 15, 2010	April 15, 2011	December 16, 2010	Approved

The new proposed deadline for sufficiency responses would be September 15, 2011. The Florida Administrative Code's DRI Rule 29I-4.001(5) states "Any further time extension, beyond the discretionary 45 day time extension, must be formally requested by the applicant and approved by the SWFRPC board at its regular monthly meeting, prior to expiration of the discretionary 45 day extension."

Staff recommends approval of this extension.



# PAVESE LAW FIRM

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March 1, 2011

Mr. Tony Palermo, Senior Planner  
Lee County Development Services  
1500 Monroe Street  
Fort Myers, FL 33901

VIA E-MAIL & U.S. MAIL

Mr. Jason Utley, Regional Planner/Asst. DRI Coord'r  
Southwest Florida Regional Planning Council  
1926 Victoria Ave.  
Fort Myers, FL 33901

VIA E-MAIL & U.S. MAIL

RE: The Fountains - DCI 2006-00029 (Major PD) & DRI2006-00001, CPA2006-0001

Dear Mr. Palermo and Mr. Utley:

On behalf of the owner/applicant for the above project, we hereby request an extension to September 15, 2011, to resubmit the requested additional information. The Chapter 120 administrative challenge which is now pending has been scheduled for hearing by DOAH at the end of April, 2011, so at this time it makes sense to postpone further action until after the hearing has been concluded and there is some idea of what will be happening in the DR/GR.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Steven C. Hartsell

SCH:llg

cc: Donna Marie Collins, Lee County Attorney's Office  
Matt Noble, Lee County Planning  
Dan Trescott, SWFRPC  
William Keyes, Esquire,  
Ed Mace, Trustee

F:\WPDATA\SCH1-- CLIENTS\Bennett TR, Richard K 82464.001\DRI 2006-00001\Utley ltr requesting continuance to September 2011.wpd

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

3f

SWFRPC 2011 Committee  
Appointments

3f

3f

## SWFRPC 2011 Committee Appointments

At its February 17, 2011 meeting the Council reviewed the proposed 2011 Committees. The Council approved the following committees as proposed:

- Budget & Finance Committee
- Estero Bay Agency on Bay Management (ABM)
- Executive
- Legislative Affairs
- Nominating

However, after a lengthy discussion the Council decided to re-establish the Council's Lower West Coast Watersheds Implementation Committee, but it would now be known as the Regional Watersheds Committee. Chair Kiester requested that the members who were interested in participating on any of the Council's committees, including the Regional Watersheds Committee, to send their request to staff.

In addition to the current membership, the following members have requested to be appointed to the Legislative Affairs Committee:

1. Councilman Mick Denham, City of Sanibel
2. Mr. Michael Grant, Charlotte County Governor Appointee

The following members have requested to be appointed to the Regional Watersheds Committee:

1. Councilman Mick Denham, City of Sanibel (Chair)
2. Councilman Kit McKeon, City of Venice
3. Councilwoman Teresa Heitmann, City of Naples
4. Mr. Mel Karau, Hendry County Governor Appointee
5. Ms. Dianne Davies, SWFWMD – Ex-Officio Member
6. Mr. Phil Flood, SFWMD – Ex-Officio Member
7. Mr. Jon Iglehart, FDEP – Ex-Officio Member

**RECOMMENDED ACTION:** Affirm the above appointments to both the Legislative Affairs and Regional Watersheds Committees.

03/2011

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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ADMINISTRATIVE  
ISSUES

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\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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SWFRPC SRPP Update (LaBelle  
SRPP EAR Meeting)

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4a

## **Strategic Regional Policy Plan Evaluation of Appraisal Report Public Meetings**

On March 3, 2011, Council staff held its second Public Meeting concerning the Strategic regional Policy Plan (SRPP) Evaluation and Appraisal Report (EAR). The meeting was held in the City of LaBelle at the Civic Center. Although the meeting was advertised, the meeting was not well attended by the public. Twelve (12) persons attended the meeting, most of which were local public officials or past Council members. Those that attended provided quality input concerning the issues being experienced by the rural areas of the region and provided excellent suggestions related to the on-going evaluation of the SRPP.

The next public meeting for the SRPP EAR will be held on March 29, 2011 from 6:00 pm to 8:00 pm at the Estero Community Center located just south of Corkscrew Road between River Ranch Road and US 41.

**Recommended Action:** This report is for Council informational purposes only.

03/2011

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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SWFRPC Committee Reports

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\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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Budget & Finance Committee

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\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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Estero Bay Agency on Bay  
Management (ABM)

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4b2

## **Estero Bay Agency on Bay Management**

The last regular meeting of the Estero Bay Agency on Bay Management was held on February 14, 2011 at FGCU's Margaret S. Sugden Welcome Center in Fort Myers, Florida. Minutes of the meeting are attached.

Elections for officers for 2011 occurred at this meeting. Current officers of the EBABM are Mr. Paul O'Connor: Chair, Mr. Tom Babcock: Vice Chair and Ms. Sarah Larsen: Recording Secretary. Membership of the EBABM is listed in the attached membership list. The 2011 budget outline was also approved.

There was a presentation on the Estero Community "Village with a Vision/2011" – by Mr. Don Eslick, with the Estero Council Community Leaders. He reviewed what the organization has done in the last 10 years and the challenges the community faces. He explained that they are in the process of updating the community plan. The plan focuses on US 41 and Corkscrew Road and how to manage the commercial corridors. The ECCL is trying to coordinate outside the gate activities. The Community Planning Panel which is the Planning & Zoning Board and the Design Review Committee, both of which are made up of landscape architects, engineers and planners who interface at the Development Order level. He addressed the issues of roads, parks, amphitheatre, mining and the DR/GR.

There was a discussion of the CPE Presentation on new groins and beach filling at the Pelican Landing beach site. Seven new rock groins are still proposed. The sand fill will go out from the beach across the inlet mouth and back to the beach.

The EBABM authorized a letter in support of staffing for the Estero Bay Preserve State Park and the Estero Bay Aquatic Preserve. The EBABM authorized letters to comment on the proposals by FWC to de-list the Florida black bear, Florida mouse, brown pelican, limpkin, snowy egret, white ibis, gopher frog, mangrove rivulus, and the Florida tree snail.

Planning continued for the third Cela Tega (Calusa/Carib for "A view from a high place") meeting at FGCU in November 2011 with the topic of the economic benefits of preserved and conservation lands for southwest Florida.

Emerging issues include the FGCU Master Plan which will be drafted on March 8<sup>th</sup>. The first public meeting will be on the 15<sup>th</sup> of April. The tributaries of the Estero Bay watersheds are not listed for minimum flows and levels by the South Florida Water Management District.

The next meeting of the full EBABM was March 14<sup>th</sup> at 9:30 a.m. at the SWFRPC offices.

Information on the EBABM can be found at <http://www.swfrpc.org/abm.html>

**RECOMMENDED ACTION:** Information only.

3/2011





## MINUTES OF THE ESTERO BAY AGENCY ON BAY MANAGEMENT

Held on February 14, 2011

The regular meeting of the Estero Bay Agency on Bay Management was held on February 14, 2011 at FGCU's Margaret S. Sugden Welcome Center in Fort Myers, Florida.

NAME	ORGANIZATION
Nora Demers	RGMC
Harry Gottlieb	FMBCA
Win Everham	FGCU
Lisa Beever	Charlotte Harbor NEP
Pete Quasius	Audubon of SWF / Snook Foundation
Jim Beever	SWFRPC
Ellen Peterson	Citizen Founder
Erin Rasnake	FDEP – South District
Ellen Peterson	Citizen Founder
Erin Rasnake	FDEP – South District
Sarah Larsen	FGCU
Tom Babcock	SWFRPC
John Curtis	Johnson Engineering
Martha Simons	City of Bonita Springs
Brad Cornell	Audubon of Florida
Laura Miller	League of Women Voters of Lee County
Heather Stafford	FDEP Aquatic Preserves
Jane McNear	ECCL

### **Agenda Item #1 – Call to Order**

Meeting called to order at 9:30 a.m.

### **Agenda Item #2 – Attendance**

Attendance taken through the sign-in sheet.

**Agenda Item # 3- FGCU Welcome**

Participants were welcomed by Dr. Nora Demers.

**Agenda Item #4 – Additions, Deletions or Corrections**

None.

**Agenda Item #6 – Presentation “Village with a Vision/2011” – Don Eslick, Estero Council Community Leaders**

Mr. Eslick presented this item. He reviewed what the organization has done in the last 10 years and the challenges the community faces. He explained that they are in the process of updating the community plan. The plan focuses on US 41 and Corkscrew Road and how to manage the commercial corridors. The ECCL is trying to coordinate outside the gate activities. The Community Planning Panel which is the Planning & Zoning Board and the Design Review Committee, both of which are made up of landscape architects, engineers and planners who interface at the Development Order level.

He addressed the issues of roads, parks, amphitheatre, mining and the DR/GR.

The ECCL had 85 people who testified against the mine. Each mine generates 3,000 round truck trips per day. The Port of Tampa could handle the limestone supply to the counties. Lee County is the second largest lime rock and aggregate supplier in the state. The ECCL has an attorney with three or four groups and the Conservancy trying to back up the state and county as relates to the legitimacy of the DRGR plan. The ECCL’s goal is to preserve the opportunity for the people to decide how they want to be governed

Discussion continued on the two mile buffer as it relates to incorporation.

Councilman McIntosh attends the meetings of the ECCL. Discussion ensued on having a member of ECCL on the ABM. Mr. Eslick stated that he might have someone who would be interested in serving on the board.

Dr. Demers said mentioned the university and we are talking about financial revenues for definition of the university community. What kind of progress is being made?Mr. Eslick stated that Councilman McIntosh serves on the foundation board and they are working to try to join Bonita, Estero and the university. The President is going to designate someone to work with us. A good working relationship is needed by the university with the community. It is important to have the DR/GR done right.

Dr. Everham asked about the northern boundary of Estero and its history.

Mr. Eslick explained the history.

Discussion ensued on landscaping developments and medians.

Mr. Eslick stated that the roadway landscape is governed by the county. They have an approved plant list and suggested contacting Pat Moore of the County transportation department.

Dr. Everham asked what kind of feedback he obtained.

Mr. Eslick said that they are getting educated and asked them to sign up for the Estero Development report. Approximately 100 people wanted to be informed. Reception has been good with a fair number of questions so they know who they are and what they do.

There was a discussion on authority of the ECCL.

There was a discussion on the feasibility study.

There was a discussion on the 951 extension and Mr. Eslick shared letter why they were opposed to it. The 2035 plan adopted by the MPO excludes the segment from Collier County line to Corkscrew Road in Lee County. A lot of it has expensive mitigation costs associated with it. The demographic and development projections indicated with 10 to 12 lanes on I-75 carried 30,000 to 80,000 vehicle trips per day. Without six laning of I-75, Three Oaks/Imperial would have 19,000 vehicles per day without tolls. On I-75 the two additional lanes which would be toll lanes were at about half capacity. CR 951 extension was clearly not needed.

Councilwoman Simons said there would be a documentary piece on CREW in April. You will be able to see how important it is to preserve this land. This would be an excellent tool for Mr. Eslick to use.

Mr. Beever announced that a quorum was now present.

#### **Agenda Item #5 – Minutes of January 10, 2011**

**MOTION BY MR. QUASIUS AND SECONDED BY MR. GOTTLIEB TO APPROVE THE MINUTES OF JANUARY 10, 2011.**

Discussion ensued regarding the April, September, October and December minutes. April and December minutes were approved in January and should be reflected and included with the January minutes in the February minutes mail out..

#### **Agenda Item #7 – Officer elections**

Mr. Beever reported that the slate of officers was as follows: Paul O'Connor as Chair, Tom Babcock as Vice Chair and Sarah Larsen as Recording Secretary.

**MOTION BY DR. BEEVER AND SECONDED BY COUNCILWOMAN SIMONS TO APPROVE THE SLATE.**

Councilman Babcock said he would encourage his successor to be a member of the ABM Committee.

**MOTION PASSED UNANIMOUSLY.**

**Agenda Item #8 – Pelican Landing/CPE Presentation**

Dr. Demers discussion on CPE Presentation which will be on two separate days. She stated it would not be possible to do this on a regular ABM meeting day. The opportunities for this would be tomorrow and next Tuesday (15<sup>th</sup> and 22<sup>nd</sup>). Mr. Beever said notice had been sent to every ABM member via e-mail.

Mr. Beever said that the project had been reduced and that seven rock groins are still proposed. The fill will go out from the beach across the inlet mouth and back to the beach. It is more likely the sand will get pushed downflow by the current.

Discussion ensued on the property line and the building and control line.

Mr. Beever reviewed a case that occurred in the Panhandle. Property boundary is your metes and bounds. Discussion continued.

Ms. Larsen said the Pelican Landing field trip response consisted of 9 for tomorrow and four for next Tuesday per the survey she had sent out.

**Agenda Item #9 – ABM Budget**

Mr. Beever presented this item. We have pledges for \$7,500 from three parties and have received \$5,000 in total. At this time, the WMD is proposing \$22,000 for the ABM, but we do not know if this is going to survive the budgeting process. The majority of the budget was placed into the Cela Tega activity. The Cela Tega and charette will take about 70% of the budget.

**MOTION BY COUNCILWOMAN SIMONS AND SECONDED BY MS. STAFFORD TO ACCEPT THE OUTLINE FOR THE ABM BUDGET. MOTION CARRIED WITH DR. BEEVER ABSTAINING.**

**Agenda Item #10 – Possible State Parks Closures: Estero Bay Preserve State Park & Estero Bay Aquatic Preserve**

Mr. Beever presented this item with input from Ms. Stafford on the proposed closures.

**MOTION BY DR. EVERHAM AND SECONDED BY COUNCILWOMAN SIMONS TO DRAFT A LETTER IN SUPPORT FOR STAFFING OF THE WATERSHED AND AQUATIC PRESERVES WITH COPY TO TRUDI WILLIAMS.**

Mr. Beaver said this letter would go the IAS for approval and then back to the ABM.

Discussion continued.

**MOTION AMENDED TO ADD THAT WE FINALIZE LETTER AT THE IAS MEETING NEXT WEEK. SECONDER AGREES.**

Discussion on obtaining data ensued.

**MS. STAFFORD AND MS. RASNAKE ABSTAINED. MOTION CARRIED.**

**Agenda Item #11: Alico Road Widening East of I-75**

Ms. Larsen said it is an informational item.

**Agenda Item #12: Committee Reports and Scheduling**

- Cela Tega Planning – Dr. Everham gave brief report and stated that the topic would be the economic benefits of preserved lands. It was suggested to perhaps coordinate with the Chamber of Commerce to bring everyone together.

Dr. Demers said coordination among chambers might not be easy and that we should try to find a date in the fall at FGCU to host this meeting.

The Cela Tega meeting will be scheduled at the offices of SWFRPC on February 28<sup>th</sup> at 1:00 p.m.

- Issues & Agenda Subcommittee – this meeting will be scheduled at the offices of SWFRPC on February 28<sup>th</sup> at 2:00 p.m.

Dr. Everham asked for any input on speakers for the Cela Tega to talk about ties between economic benefits and preserved lands.

Mr. Beaver said last meeting talking about changing list of listed species in the state. He provided an updated report stating that the Lake Eustis pup fish, mangrove rivulus and the Florida tree snail would be removed as well as the Gopher frog in the amphibian list and the pine barrens treefrog.

Discussion ensued on reasons for removing these from the list.

**MOTION BY COUNCILWOMAN SIMONS AND SECONDED BY MS. PETERSON TO DRAFT A LETTER.**

Mr. Beaver continued his report by stating that the alligator snapping turtle, Florida pine snake, Lower Keys Florida ribbon snake, Lower Keys red rat snake, the Lower Keys striped mud turtle and the Suwannee cooter, the brown pelican, the limpkin, snowy

egret and the white ibis as well as the eastern chipmunk, Florida back blear, Florida mouse and the Homosassa shrew would be removed. Mr. Beaver said he would draft a letter and bring back to the ABM after it goes through the IAS.

Dr. Everham said would like letter to also focus on the flaws in the process.

Discussion continued

### **MOTION CARRIED UNANIMOUSLY.**

Dr. Demers said that with respect to the library databases that the FGCU librarian stated that the grant was for just one time and not a continuing effort. Additional funding would have to be obtained to continue this effort.

Mr. Beaver said he had started the process of letter effectiveness. He asked if any board members had any copies of final letters so that the list would be complete. Effectiveness is about 53% to back in 2007.

#### **Agenda Item #13 – Emerging Issues**

Dr. Everham reviewed the FGCU Master Plan which will be drafted on March 8<sup>th</sup>. The first public meeting will be on the 15<sup>th</sup> of April. This should be able to be discussed at next IAS meeting. Dr. Everham will provide an update at the April ABM meeting.

Ms. Rasnake stated that the SFWMD is going to have environmental report out by March 1<sup>st</sup> and it doesn't have Estero Bay tributaries shown on it. She would forward the link to Ms. Larsen.

#### **Agenda Item #14 – Announcements**

Ms. Larsen announced that the new member is John Curtis of Johnson Engineering.

Councilman Babcock said that he Green Resources Task Force had brochures on seagrasses and trying to distribute to those that it would be helpful to.

Ms. Stafford said she would like some for the Estero Bay Buddies. We have a Estero Bay Buddies annual meeting on March 26<sup>th</sup> at Koreshan from 10 to 1 p.m. Bonita Springs Environmental Workshop is on March 24<sup>th</sup>.

Dr. Beaver stated the Watershed Summit is March 30-31 at CHEC and the State of Phosphate Mining workshop is on March 28-29 at CHEC in Punta Gorda. The Shellfish Restoration Workshop is on February 23<sup>rd</sup> at Ding Darling.

#### **Agenda Item #15 – Public Comments on Items Not on the Agenda**

None.

**Agenda Item #16 – Next Meeting, Time, Place, Agenda Items**

March 14<sup>th</sup> at 9:30 a.m. at the SWFRPC offices.

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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4b3

Legislative Affairs Committee

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\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

4b4

4b4

Regional Watersheds Committee

4b4

4b4

## **REGIONAL WATERSHED COMMITTEE**

At the February 17, 2011 Southwest Florida Regional Planning Council Meeting the Council voted to establish a new water quality committee and named it the “Regional Watersheds Committee.” In addition, the Council identified the new membership for the committee and requested that Vice-Mayor Mick Denham chair the new Committee.

The Regional Watersheds Committee will act as a technical advisory committee to the Planning Council concerning water quality issues in the region and will hold its first meeting on March 17, 2011 directly after the Council meeting. At the meeting, the Committee will adopt a new mission statement and hold discussions pertaining to the State’s Fertilizer Preemption proposals, the status of the State’s Stormwater Rule, and the status of the Federal Numeric Nutrient Standards.

**RECOMMENDED ACTION:** Approve the attached letter of opposition to HB 457 and SB 606. The subject bills would provide for a State fertilizer preemption rule that would eliminate local fertilizer ordinances and replace them with a weaker standard State fertilizer rule.

03/2011



March XX, 2011

Tallahassee, Florida 32399

Re: Opposition to State fertilizer rule preemption of local ordinances by HB 457 and SB 606

Dear Legislative Delegation:

In 2009, a statewide Fertilizer Rule was adopted that provides a baseline for the regulation of residential use of fertilizer with a primary objective of reducing the water quality impacts associated with fertilizer. Unfortunately, this adopted rule was not stringent enough to protect water quality in South Florida, particularly in Aquatic Preserves, National Estuaries, coastal estuarine waters and natural wetlands and waterbodies that have naturally low levels of nutrients. The existing rule provided opportunities to local governments to adopt stricter standards and grandfathered existing local government ordinances that provided better protections for the waters and economy of southwest Florida

The Southwest Florida Regional Planning Council (SWFRPC) has been made aware of proposals in HB 457 and SB 606 to preempt local governments' authority to protect these valuable resources and the thousands of jobs associated with the tourism, fisheries, and development industries associated with excellent water quality for clean beaches and a healthy environment. These proposals raise barriers to local governments' ability to adopt fertilizer rules stricter than the State's standard based on the scientifically established needs for protected waterbodies. These proposals come without funding to implement the weaker statewide standards. These proposals create financial burdens on the essential implementation of the Impaired Waters Rule, businesses and utilities that depend upon clean waters and local governments that are prepared to enforce their own standards but who cannot enforce. Also, the proposed changes violate state standards deferring to home rule and, do not grandfather prior adopted local government fertilizer rules.

Within the SWFRPC region, local governments consider the regulation of residential fertilizer to be one of the important tools available to them to meet water quality standards in water bodies that have Total Maximum Daily Loads (TMDLs) imposed. Fertilizer regulations should acknowledge the impacts on water quality from excess nutrients due to the misapplication of fertilizer. Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) are excellent sources for solid scientific information on these issues. Moreover, any improvements to the existing fertilizer regulations should be consistent with the Southwest Florida Regional Planning Council Fertilizer Resolution, which has gone through an extensive scientific vetting process by the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, the University of Florida and the Institute of Food and Agricultural Services Cooperative

Extension, and many local and statewide representatives of fertilizer businesses ([http://www.swfrpc.org/content/LWCW/Final\\_Fertilizer\\_Resolution\\_031507.pdf](http://www.swfrpc.org/content/LWCW/Final_Fertilizer_Resolution_031507.pdf))

For the State of Florida to even consider preempting local communities from establishing their own standards borders on infringement of local home rule. One statewide standard for fertilizer control will not work because every locality has its own unique water quality needs. Florida's own TMDL rules develop stormwater permitting requirements that are very specific, focusing area by area, watershed by watershed, stream by stream and estuary by estuary to determine precise regulatory requirements to bring water quality levels, including nutrients, to an acceptable standard. The cost to *prevent* fertilizer pollution is far less than the funds that will be required to clean up our waters *after* the fact.

**The Southwest Florida Regional Planning Council has unanimously voted to oppose any amendments to the existing fertilizer regulations that would preempt local governments' oversight and regulation of fertilizer and thus impair the implementation of adopted local government fertilizer regulations and ordinances.**

We live in a State surrounded by and dependent on water, where pristine beaches and estuaries are among our greatest assets. The health and economy of southwest Florida depends upon the quality of the waters where our citizens fish, recreate and live. Now is the time to address water quality as our priority, not to weaken the protections we have undertaken. Our environment, tourism, economy and our very way of life are at stake.

We are looking to your office for the leadership required to protect and support fertilizer regulations that improve, not impair, water quality and truly protect Florida.

Sincerely,

Chair, Southwest Florida Regional Planning Council

Cc: Governor's office  
Attorney General's Office  
DACS Director  
FDEP Director  
Chari SFWMD  
Chair SWFWMD

HB 457

2011

1                                   A bill to be entitled  
 2           An act relating to fertilizer; amending s. 403.9336, F.S.;  
 3           deleting legislative findings relating to the  
 4           implementation by local governments of certain fertilizer  
 5           management practices; amending s. 403.9337, F.S.; deleting  
 6           authority for certain counties and municipalities to adopt  
 7           fertilizer management practices more stringent than  
 8           standards of a specified model ordinance; amending ss.  
 9           570.07 and 576.181, F.S.; requiring the Department of  
 10          Agricultural and Consumer Services to regulate the sale of  
 11          fertilizer, including the composition, formulation,  
 12          packaging, use, application, and distribution of  
 13          fertilizer; preempting such regulation of fertilizer to  
 14          the state and the department; specifying that such  
 15          regulation of fertilizer by counties, municipalities, and  
 16          other political subdivisions is void; providing an  
 17          effective date.

18  
 19   Be It Enacted by the Legislature of the State of Florida:

20  
 21           Section 1.   Section 403.9336, Florida Statutes, is amended  
 22           to read:

23           403.9336   Legislative findings.—The Legislature finds that  
 24           the implementation of the Model Ordinance for Florida-Friendly  
 25           Fertilizer Use on Urban Landscapes (2008), which was developed  
 26           by the department in conjunction with the Consumer Fertilizer  
 27           Task Force, the Department of Agriculture and Consumer Services,  
 28           and the University of Florida Institute of Food and Agricultural

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29 Sciences, will assist in protecting the quality of Florida's  
 30 surface water and groundwater resources. ~~The Legislature further~~  
 31 ~~finds that local conditions, including variations in the types~~  
 32 ~~and quality of water bodies, site specific soils and geology,~~  
 33 ~~and urban or rural densities and characteristics, may~~  
 34 ~~necessitate the implementation of additional or more stringent~~  
 35 ~~fertilizer management practices at the local government level.~~

36 Section 2. Section 403.9337, Florida Statutes, is amended  
 37 to read:

38 403.9337 Model Ordinance for Florida-Friendly Fertilizer  
 39 Use on Urban Landscapes.—Except as otherwise provided in ss.  
 40 570.07(41) and 576.181(5):

41 (1) All county and municipal governments are encouraged to  
 42 adopt and enforce the Model Ordinance for Florida-Friendly  
 43 Fertilizer Use on Urban Landscapes or an equivalent requirement  
 44 as a mechanism for protecting local surface and groundwater  
 45 quality.

46 (2) Each county and municipal government located within  
 47 the watershed of a water body or water segment that is listed as  
 48 impaired by nutrients pursuant to s. 403.067, shall, ~~at a~~  
 49 ~~minimum,~~ adopt the department's Model Ordinance for Florida-  
 50 Friendly Fertilizer Use on Urban Landscapes. ~~A local government~~  
 51 ~~may adopt additional or more stringent standards than the model~~  
 52 ~~ordinance if the following criteria are met:~~

53 ~~(a) The local government has demonstrated, as part of a~~  
 54 ~~comprehensive program to address nonpoint sources of nutrient~~  
 55 ~~pollution which is science-based, and economically and~~  
 56 ~~technically feasible, that additional or more stringent~~

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2011

57 ~~standards than the model ordinance are necessary in order to~~  
 58 ~~adequately address urban fertilizer contributions to nonpoint~~  
 59 ~~source nutrient loading to a water body.~~

60 ~~(b) The local government documents that it has considered~~  
 61 ~~all relevant scientific information, including input from the~~  
 62 ~~department, the institute, the Department of Agriculture and~~  
 63 ~~Consumer Services, and the University of Florida Institute of~~  
 64 ~~Food and Agricultural Sciences, if provided, on the need for~~  
 65 ~~additional or more stringent provisions to address fertilizer~~  
 66 ~~use as a contributor to water quality degradation. All~~  
 67 ~~documentation must become part of the public record before~~  
 68 ~~adoption of the additional or more stringent criteria.~~

69 (3) Any county or municipal government that adopted its  
 70 own fertilizer use ordinance before January 1, 2009, is exempt  
 71 from this section. Ordinances adopted or amended on or after  
 72 January 1, 2009, must substantively conform to the most recent  
 73 version of the model fertilizer ordinance and are subject to  
 74 subsections (1) and (2), as applicable.

75 (4) This section does not apply to the use of fertilizer  
 76 on farm operations as defined in s. 823.14 or on lands  
 77 classified as agricultural lands pursuant to s. 193.461.

78 Section 3. Subsection (16) of section 570.07, Florida  
 79 Statutes, is amended, present subsection (41) is renumbered as  
 80 subsection (42), and a new subsection (41) is added to that  
 81 section, to read:

82 570.07 Department of Agriculture and Consumer Services;  
 83 functions, powers, and duties.—The department shall have and  
 84 exercise the following functions, powers, and duties:

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2011

- 85           (16) To enforce the state laws and rules relating to:
- 86           (a) Fruit and vegetable inspection and grading.~~†~~
- 87           (b) Pesticide spray, residue inspection, and removal.~~†~~
- 88           (c) Registration, labeling, inspection, and analysis of
- 89 commercial stock feeds and commercial fertilizers.~~†~~
- 90           (d) Classification, inspection, and sale of poultry and
- 91 eggs.~~†~~
- 92           (e) Registration, inspection, and analysis of gasolines
- 93 and oils.~~†~~
- 94           (f) Registration, labeling, inspection, and analysis of
- 95 pesticides.~~†~~
- 96           (g) Registration, labeling, inspection, germination
- 97 testing, and sale of seeds, both common and certified.~~†~~
- 98           (h) Weights, measures, and standards.~~†~~
- 99           (i) Foods, as set forth in the Florida Food Safety Act.~~†~~
- 100          (j) Inspection and certification of honey.~~†~~
- 101          (k) Sale of liquid fuels.~~†~~
- 102          (l) Licensing of dealers in agricultural products.~~†~~
- 103          (m) Administration and enforcement of all regulatory
- 104 legislation applying to milk and milk products, ice cream, and
- 105 frozen desserts.~~†~~
- 106          (n) Recordation and inspection of marks and brands of
- 107 livestock.~~†~~ ~~and~~
- 108          (o) Regulation of the sale of fertilizer, including the
- 109 composition, formulation, packaging, use, application, and
- 110 distribution of fertilizer.
- 111          (p) ~~(o)~~ All other regulatory laws relating to agriculture.
- 112

HB 457

2011

113 In order to ensure uniform health and safety standards, the  
 114 adoption of standards and fines in the subject areas of  
 115 paragraphs (a)-(o) ~~(a)-(n)~~ is expressly preempted to the state  
 116 and the department. Any local government enforcing the subject  
 117 areas of paragraphs (a)-(o) ~~(a)-(n)~~ must use the standards and  
 118 fines set forth in the pertinent statutes or any rules adopted  
 119 by the department pursuant to those statutes.

120 (41) The department has exclusive authority to regulate  
 121 the sale of fertilizer, including the composition, formulation,  
 122 packaging, use, application, and distribution of fertilizer  
 123 under chapter 576. This subsection expressly preempts such  
 124 regulation of fertilizer to the state and the department. Such  
 125 regulation of fertilizer by a county, municipality, or other  
 126 political subdivision is void, regardless of when adopted.

127 Section 4. Subsection (5) is added to section 576.181,  
 128 Florida Statutes, to read:

129 576.181 Administration; rules; procedure; preemption.—

130 (5) The department has exclusive authority to regulate the  
 131 sale of fertilizer, including the composition, formulation,  
 132 packaging, use, application, and distribution of fertilizer.  
 133 This subsection expressly preempts such regulation of fertilizer  
 134 to the state and the department. Such regulation of fertilizer  
 135 by a county, municipality, or other political subdivision is  
 136 void, regardless of when adopted.

137 Section 5. This act shall take effect July 1, 2011.

By Senator Evers

2-00657-11

2011606

1                   A bill to be entitled  
2           An act relating to fertilizer; amending s. 403.9336,  
3           F.S.; deleting legislative findings relating to the  
4           implementation by local governments of certain  
5           fertilizer management practices; amending s. 403.9337,  
6           F.S.; deleting authority for certain counties and  
7           municipalities to adopt fertilizer management  
8           practices more stringent than standards of a specified  
9           model ordinance; amending ss. 570.07 and 576.181,  
10          F.S.; requiring the Department of Agricultural and  
11          Consumer Services to regulate the sale of fertilizer,  
12          including the composition, formulation, packaging,  
13          use, application, and distribution of fertilizer;  
14          preempting such regulation of fertilizer to the state  
15          and the department; specifying that such regulation of  
16          fertilizer by counties, municipalities, and other  
17          political subdivisions is void; providing an effective  
18          date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22           Section 1. Section 403.9336, Florida Statutes, is amended  
23           to read:

24           403.9336 Legislative findings.—The Legislature finds that  
25           the implementation of the Model Ordinance for Florida-Friendly  
26           Fertilizer Use on Urban Landscapes (2008), which was developed  
27           by the department in conjunction with the Consumer Fertilizer  
28           Task Force, the Department of Agriculture and Consumer Services,  
29           and the University of Florida Institute of Food and Agricultural

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30 Sciences, will assist in protecting the quality of Florida's  
31 surface water and groundwater resources. ~~The Legislature further~~  
32 ~~finds that local conditions, including variations in the types~~  
33 ~~and quality of water bodies, site specific soils and geology,~~  
34 ~~and urban or rural densities and characteristics, may~~  
35 ~~necessitate the implementation of additional or more stringent~~  
36 ~~fertilizer management practices at the local government level.~~

37 Section 2. Section 403.9337, Florida Statutes, is amended  
38 to read:

39 403.9337 Model Ordinance for Florida-Friendly Fertilizer  
40 Use on Urban Landscapes. Except as otherwise provided in ss.  
41 570.07(41) and 576.181(5):

42 (1) All county and municipal governments are encouraged to  
43 adopt and enforce the Model Ordinance for Florida-Friendly  
44 Fertilizer Use on Urban Landscapes or an equivalent requirement  
45 as a mechanism for protecting local surface and groundwater  
46 quality.

47 (2) Each county and municipal government located within the  
48 watershed of a water body or water segment that is listed as  
49 impaired by nutrients pursuant to s. 403.067, shall, ~~at a~~  
50 ~~minimum,~~ adopt the department's Model Ordinance for Florida-  
51 Friendly Fertilizer Use on Urban Landscapes. ~~A local government~~  
52 ~~may adopt additional or more stringent standards than the model~~  
53 ~~ordinance if the following criteria are met:~~

54 ~~(a) The local government has demonstrated, as part of a~~  
55 ~~comprehensive program to address nonpoint sources of nutrient~~  
56 ~~pollution which is science-based, and economically and~~  
57 ~~technically feasible, that additional or more stringent~~  
58 ~~standards than the model ordinance are necessary in order to~~

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59 ~~adequately address urban fertilizer contributions to nonpoint~~  
60 ~~source nutrient loading to a water body.~~

61 ~~(b) The local government documents that it has considered~~  
62 ~~all relevant scientific information, including input from the~~  
63 ~~department, the institute, the Department of Agriculture and~~  
64 ~~Consumer Services, and the University of Florida Institute of~~  
65 ~~Food and Agricultural Sciences, if provided, on the need for~~  
66 ~~additional or more stringent provisions to address fertilizer~~  
67 ~~use as a contributor to water quality degradation. All~~  
68 ~~documentation must become part of the public record before~~  
69 ~~adoption of the additional or more stringent criteria.~~

70 (3) Any county or municipal government that adopted its own  
71 fertilizer use ordinance before January 1, 2009, is exempt from  
72 this section. Ordinances adopted or amended on or after January  
73 1, 2009, must substantively conform to the most recent version  
74 of the model fertilizer ordinance and are subject to subsections  
75 (1) and (2), as applicable.

76 (4) This section does not apply to the use of fertilizer on  
77 farm operations as defined in s. 823.14 or on lands classified  
78 as agricultural lands pursuant to s. 193.461.

79 Section 3. Subsection (16) of section 570.07, Florida  
80 Statutes, is amended, present subsection (41) is renumbered as  
81 subsection (42), and a new subsection (41) is added to that  
82 section, to read:

83 570.07 Department of Agriculture and Consumer Services;  
84 functions, powers, and duties.—The department shall have and  
85 exercise the following functions, powers, and duties:

86 (16) To enforce the state laws and rules relating to:

87 (a) Fruit and vegetable inspection and grading.†

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- 88 (b) Pesticide spray, residue inspection, and removal.†
- 89 (c) Registration, labeling, inspection, and analysis of
- 90 commercial stock feeds and commercial fertilizers.†
- 91 (d) Classification, inspection, and sale of poultry and
- 92 eggs.†
- 93 (e) Registration, inspection, and analysis of gasolines and
- 94 oils.†
- 95 (f) Registration, labeling, inspection, and analysis of
- 96 pesticides.†
- 97 (g) Registration, labeling, inspection, germination
- 98 testing, and sale of seeds, both common and certified.†
- 99 (h) Weights, measures, and standards.†
- 100 (i) Foods, as set forth in the Florida Food Safety Act.†
- 101 (j) Inspection and certification of honey.†
- 102 (k) Sale of liquid fuels.†
- 103 (l) Licensing of dealers in agricultural products.†
- 104 (m) Administration and enforcement of all regulatory
- 105 legislation applying to milk and milk products, ice cream, and
- 106 frozen desserts.†
- 107 (n) Recordation and inspection of marks and brands of
- 108 livestock.† ~~and~~
- 109 (o) Regulation of the sale of fertilizer, including the
- 110 composition, formulation, packaging, use, application, and
- 111 distribution of fertilizer.
- 112 (p) ~~(o)~~ All other regulatory laws relating to agriculture.

113  
 114 In order to ensure uniform health and safety standards, the  
 115 adoption of standards and fines in the subject areas of  
 116 paragraphs (a)-(o) ~~(a)-(n)~~ is expressly preempted to the state

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117 and the department. Any local government enforcing the subject  
118 areas of paragraphs (a)-(o) ~~(a)-(n)~~ must use the standards and  
119 fines set forth in the pertinent statutes or any rules adopted  
120 by the department pursuant to those statutes.

121 (41) The department has exclusive authority to regulate the  
122 sale of fertilizer, including the composition, formulation,  
123 packaging, use, application, and distribution of fertilizer  
124 under chapter 576. This subsection expressly preempts such  
125 regulation of fertilizer to the state and the department. Such  
126 regulation of fertilizer by a county, municipality, or other  
127 political subdivision is void, regardless of when adopted.

128 Section 4. Subsection (5) is added to section 576.181,  
129 Florida Statutes, to read:

130 576.181 Administration; rules; procedure; preemption.-

131 (5) The department has exclusive authority to regulate the  
132 sale of fertilizer, including the composition, formulation,  
133 packaging, use, application, and distribution of fertilizer.  
134 This subsection expressly preempts such regulation of fertilizer  
135 to the state and the department. Such regulation of fertilizer  
136 by a county, municipality, or other political subdivision is  
137 void, regardless of when adopted.

138 Section 5. This act shall take effect July 1, 2011.

## **Regional Watersheds Committee Meeting**

**SWFRPC**

### **AGENDA**

**03-17-2011**

1. Call To Order
2. Approve Minutes from Last Meeting
3. Review of Committee Activities
4. Adopt Mission Statement
5. Fertilizer Preemption
6. Status of State Stormwater Rule
7. Status of Federal Numeric Nutrient Standards
8. Public Input
9. Identify and Approve a Date for the Next Meeting
10. Adjournment



## Benefits of Local Government Fertilizer Ordinances

On March 15, 2007 the South Florida Regional Planning Council in coordination with member local governments, the Florida Department of Environmental Protection, (FDEP), the Florida Department of Agriculture and Consumer Services, the University of Florida and the Institute of Food and Agricultural Services Cooperative Extension, and many local and statewide representatives of fertilizer businesses developed and adopted a Resolution supporting the regulated use of fertilizers containing nitrogen and/or phosphorus within Southwest Florida. The resolution provided specific recommendations and guidelines to be considered by local government jurisdictions for the regulation and control of fertilizer application. To date in southwest Florida, three counties and ten municipalities have adopted strict fertilizer ordinances. One other county and two other municipalities are considering and reviewing draft fertilizer ordinances in our region. Statewide approximately 50 local government jurisdictions (cities and counties) have adopted a local government fertilizer ordinance at least as protective as the state model ordinance developed by the FDEP. Seven other Florida jurisdictions are currently considering fertilizer ordinances

The SWFRPC in coordination with many other public and private participants assisted the Florida Department of Environmental Protection in developing the Statewide Model Fertilizer Ordinance and the associated documents for use by local governments. Members of the SWFRPC participated on the committee that developed the initial document and have commented on each set of revisions. The SWFRPC supports and has always supported continued efforts by the state to have all local governments adopt fertilizer ordinances to protect water quality and our regional economy.

We are writing this letter to encourage you to consider, develop and adopt a local government fertilizer ordinance at least as protective as the 2010 state model ordinance developed by the FDEP.

### **There are many beneficial reasons to adopt a fertilizer ordinance for your community.**

#### ✓ Cost Savings

- It is much less expensive to prevent fertilizers from entering the surface waters of southwest Florida than to remove excess nutrients after they get into natural waterbodies. Basically a dollar of prevention is worth \$294 of clean-up of phosphorous nutrient pollution alone (see the attached example provided by Lee County \*).
- Reduced use of man-made fertilizers is less expensive to the homeowner from reduced spending on the fertilizers and costs of application.
- Reduced use of man-made fertilizers reduces water use for lawn irrigation reducing water bills.

#### ✓ Job Creation

- New jobs and businesses have been created in the formulation and sale of fertilizers that meet the improved standards including organic and slow-release fertilizer. See article from the Fort Myers News Press \*\*

- Education and training have improved the skills of the applicators workforce increasing their market skills
- Enforcement costs are reduced for pollution spill events improving conditions for natural resources of interests to tourism including beaches free of drift algae and waters without harmful algae blooms increasing tourism and the jobs the support tourist industry
- Clean waters with healthy fisheries provide jobs for harvesters, processors and sales of Florida seafood in the State and around the world.

✓ Better Lawns and Yards

- Reduced use of man-made fertilizers reduces the prevalence of lawn “burning” from excess nutrients and the associated pest species that take advantage of the damaged lawn.
- Less-fertilized plants are hardier to water stress, such as drought.
- ✓ Non-fertilized and less fertilized areas do not have chemical soil imbalances that can damage broad-leaved shrubs and trees.

✓ Improvement of Property Values

- Using proper landscaping techniques with less fertilizer can effectively increase the value of a property while benefiting the environment. Attractive, water-efficient, low maintenance landscapes can increase property values between 7 to 14 percent, according to USEPA (1993).

✓ Reduced Energy Use and Cost

- Reduced use of man-made fertilizers decreases energy use for irrigation, mowing, fertilizer manufacturing, and less fossil fuels used in transport to site, powered equipment use on-site, and disposal of yard waste.

✓ Improved Water Quality

- Reduced fertilizer use has been shown to improve water quality in receiving waters by reducing dissolved ammonia, nitrate, and nitrite concentrations. This is now documented in the Venice Area of Sarasota County.
- Reduced fertilizer use has been shown to improve water quality in receiving waters by reducing dissolved phosphate concentrations.
- Reduced fertilizer use has been shown to reduce leaching of dissolved phosphate, dissolved ammonia, nitrate, and nitrite into shallow and surficial aquifers.
- Reduced fertilizer use has been shown to reduce eutrophication of natural and man-made lakes and ponds.

✓ Better Fishing

- Reduced fertilizer use has improved fisheries in receiving fresh, estuarine and marine waters by reducing harmful algae bloom growth
- Reduced fertilizer use has improved water-based tourism and recreational fishing by reducing harmful algae bloom growth, filamentous green algae growth, drift algae growth, and blue green algae growth.

- Reduced fertilizer use has improved fisheries habitat by reducing dissolved chlorophyll, which improves water clarity over seagrass beds.
- ✓ *Better for Us, Our Pets, and Wildlife*
- Reduced safe fertilizer use has reduced the probability of toxic reactions to fertilizer for domestic dogs, domestic cats, and wildlife.
- Reduced safe fertilizer use has reduced the incidence of rashes, skin reactions and respiratory problems in susceptible humans.

**Please consider developing and adopting a local government fertilizer ordinance that is at least as protective as the 2010 state model ordinance developed by the FDEP, in order to protect the valuable natural, economic, and human resources of your jurisdiction and of southwest Florida.**

### \*Cost Comparison of Prevention versus Post Pollution Removal

The following is an example of the estimated cost to remove non-point source phosphate nutrient pollution in one county. This data was provided by Lee County Department of Natural Resources.

Based on the *Estimated cost for phosphorus removal in Lake Okeechobee and the Everglades* (2003) for the Comprehensive Everglades Restoration Program (CERP) the median values of the unit cost estimate and treatment goal are \$1,800 /lb of phosphorous. The South Florida Water Management District's Water Management Model for CERP calculated the annual average phosphorus loading for Lee County to be 146,000 lbs/yr. The estimated cost to remove phosphorus by using traditional land based nutrient removal systems including land acquisition and construction is \$167,000,000. If bonded over the years this value may double the original investment not including operation and maintenance. If this cost were amortized over 50 years assuming a 7% interest rate, we would be paying \$9,075,000 per year. This estimate provides the rough order of magnitude costs involved in phosphorus pollution removal and should not be considered an assessment of actual costs to obtain compliance with future TMDLs.

In contrast the cost of the Lee County Landscape and Fertilizer Best Management Practices Ordinance is roughly \$245,000 for the first year and \$81,000 for the next four years to cover salary, equipment and operating expenses for two new IFAS Program Assistants. This averages to \$113,800/year in the 5 year period for the fertilizer ordinance as compared to \$33,400,000. Basically a dollar of prevention is worth \$294.00 of after the fact clean-up of just phosphorous nutrient pollution.

# Organic fertilizer flourishes in face of regulations

**MARK S. KRZOS**  
mkrzos@news-press.com

8:34 PM, Feb. 17, 2011|

**1:10 A.M.** — From Cape Coral through Collier County, local governments have enacted laws preventing people from using fertilizer during the summer months.

The reason for the ban, officials maintain, is to protect local waterways from excess nutrients that can lead to algae blooms, decreased oxygen levels and fish kills. But two new Bonita Springs companies have found a way around it: organic fertilizers. Pat Wallrich opened Shawano Organics at 24555 Kingfish Road in Bonita Springs two months ago.

“By using organic fertilizer, you’re eliminating phosphorus and nitrogen from the waterways,” said Wallrich, who had previously been supplying Chris Ramsey with organic fertilizers and pesticides for nearly eight months.

Ramsey is the owner of Bonita’s Ramsey Pest Management. He opened his business at 4738 Pinfish Court in March.

“Up until about six months ago, I was using chemicals,” Ramsey said. “Instead of injecting chemicals into plants, we’re using living matter.”

Years ago, organic fertilizers and pesticides were often extremely pricey or else ineffective, Ramsey said.

“The technology of it has improved so much over the past few years,” he said. Ramsey charges residential accounts \$100 for the initial startup and an additional \$50 to \$80 for applications every other month.

“The initial application is more expensive, but that’s because we’re taking turf and really putting it through a detox,” he said.

Lou Ciancaglini, the property manager at Naples’ Timberwood condominium complex, is one of Ramsey’s 90-plus accounts.

“I’ve been here for nine years and we made the switch to all organic about four months ago,” Ciancaglini said.

The organic fertilizers and pesticides have “It saved a lot of plants from having to be removed. This time of year, everything is usually turning brown, but with this it’s stayed

green,” he said. “It’s been a big plus.”

The pesticides, which are made with garlic, fennel seed oil, cedar oil and castor oil, have also been successful in eliminating worm and caterpillar infestations in the community, Ciancaglini said.

The organic products Wallrich and co-owner Bill Katsis sell at Shawano also kill weeds, bedbugs and fungi.

“All our products are also human and pet friendly,” said Wallrich, adding that Shawano has distribution sites at Naples Fertilizer, 3930 14th Street North in Naples, and the Coastal Landscape Supply, 24300 S Tamiami Trail in Bonita Springs.

Martha Simons, a Bonita Springs city councilwoman who has been spearheading drives to keep Bonita’s creeks leading into the Imperial River clean, said it was nice knowing that a green business is flourishing.

“I use organic fertilizer at my home,” she said. “I think as more and more people find out about it, it will catch on.”

## **More info**

- For information about Shawano Organics, go to [shawanoorganics.com](http://shawanoorganics.com) or call 992-8629.

For item 6:

<p><b>62-347 Stormwater Treatment Rule (07-0552)</b></p>	<p>Develop statewide standards regarding stormwater treatment to address nutrient levels.</p>	<p>Eric Livingston, Michael Bateman, Betsy Hewitt, Meredith Fields</p> <p><a href="#">Draft Rule Information</a></p>	<p>Published NDR 5/25/07. Presented preliminary draft Applicant's Handbook at the first Technical Advisory Committee meeting on 3/5/08. TAC meetings held throughout 2008 and 2009. Public workshops held May 11, 18, 19, 26, 2010. Next workshops expected to be held in April 2011.</p> <p><b>Last Updated: 12/28/10</b></p>
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## Statewide Stormwater Treatment Rule Development



To address growing concerns about over-enrichment of Florida's surface waters, ground waters, and springs by nutrients, the Department and the Water Management Districts are developing a statewide stormwater treatment rule. This rule represents a significant step forward in the control of nutrient loadings from stormwater discharges.

A [Technical Advisory Committee](#) was established to assist the Department and Water Management District staffs in developing the first versions of the draft rule and Applicant's Handbook. The TAC met 10 times between March 2008 and September 2009 and provided invaluable assistance in evolving the first drafts. We will be using this web site and a

mailing list to distribute information about the development of the stormwater rule and keep the public informed.

### Rule Development Schedule - Revised September 27, 2010

TAC meetings March – November 2008  
 Develop revised Applicant's Handbook - December 2008 - June 2009  
 TAC meetings - July - September 2009  
 Develop revised Applicant's Handbook and draft rule – October 2009 – March 2010  
 Post revised AH and draft review on web site – Mid March 2010

### Rule workshops – May 2010 [Schedule / Locations / Recordings](#)

Comments due by June 18, 2010  
 Identify underdrain filtration and dry detention systems for nutrient removal effectiveness monitoring – July – August 2010  
 Obtain permission to monitor sites – September 2010  
 Conduct monitoring of sites – October 2010 to October 2011  
 Develop revised Applicant's Handbook and draft rule – January - March 2011 (tentative)  
 Post revised Applicant's Handbook and draft rule - April 2011  
 Conduct public workshops – May 2011  
 Comments due - June 2011

Rule adoption - no sooner than July 1, 2011, but more likely in Fall 2011

## Revised Draft Rule and Applicant's Handbook (March 2010)

[Draft Rule](#) Word (84 kb)

[Draft Applicant's Handbook](#) PDF (16 MB)

[PowerPoint Slides for Public Workshops](#) PDF (804 kb)

Comments on the March draft rule and Applicant's Handbook will be due by June 18.

Please submit comments via email to:

- Draft Rule: [doug.fry@dep.state.fl.us](mailto:doug.fry@dep.state.fl.us)
- Draft Applicant's Handbook: [eric.livingston@dep.state.fl.us](mailto:eric.livingston@dep.state.fl.us)
- [Comments received on March Draft Applicant's Handbook](#)

We are also seeking data and information on other stormwater treatment BMPs that are effective in reducing nutrient loads, especially in HSG C or D soils. Please submit to [eric.livingston@dep.state.fl.us](mailto:eric.livingston@dep.state.fl.us).

## Technical Papers and Background Materials

[Background](#)

[Statewide Stormwater Treatment Rule Interested Parties Mailing List Sign-up](#)

[TAC Meetings: agendas, minutes and presentations](#)

## [Issue Work Groups](#)

### Links

[Evaluation of Current Stormwater Design Criteria Within the State of Florida - Final Report 2007](#) (PDF 4.6 mb)

[Urban Stormwater Research Reports](#)

[Urban Stormwater Program Overview](#)

[University of Central Florida Stormwater Management Academy](#)

[Devo Engineering](#)

[Low Impact Development Center](#)

## For Item 7:

### Federal Water Quality Standards for the State of Florida

You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more.

Pursuant to a January 2009 Clean Water Act determination and a consent decree with Florida Wildlife Federation to settle a 2008 lawsuit, EPA proposed numeric nutrient water quality standards for lakes and flowing waters in Florida in January 2010, and established final standards in November 2010. EPA also committed to propose numeric nutrient water quality standards for Florida's estuarine coastal, and southern inland flowing waters by November 14, 2011, and establish final standards by August 15, 2012.

On January 26, 2010, EPA published [Proposed "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" \(75 FR 4173\)](#). EPA conducted [13 public hearing sessions](#) in six cities in Florida and held a 90-day public comment period following publication of the proposed rule. EPA received over 22,000 public comments on the proposal.

On August 3, 2010, EPA published a notice [supplementing the January 26, 2010 proposed numeric nutrient water quality standards for lakes and flowing waters](#) in the State of Florida. EPA received 71 public comments on the supplemental notice.

More information on the [consent decree](#)

More information on the [rulemaking for Florida's estuarine, coastal and southern inland flowing waters](#).

On November 14, 2010, EPA Administrator Lisa P. Jackson signed Final "Water Quality Standards for the State of Florida's Lakes and Flowing Waters." The final standards set numeric limits, or criteria, on the amount of nutrient pollution allowed in Florida's lakes, rivers, streams and springs. This final action seeks to improve water quality, protect public health, aquatic life and the long term recreational uses of Florida's waters which are a critical part of the State's economy. The rule will take effect on March 6, 2012 except for the site-specific alternative criteria (SSAC) provision, which is effective February 4, 2011. EPA extended the effective date for the rule for 15 months to allow cities, towns, businesses and other stakeholders as well as the State of Florida a full opportunity to review the standards and develop flexible strategies for implementation.

- [Press Release](#) (November 15, 2010)
- [Fact Sheet: Final Water Quality Standards for the State of Florida's Lakes and Flowing Waters \(PDF\)](#) (2 pp, 27K)
- [Federal Register Notice](#) | [Print Version \(PDF\)](#) (47 pp, 392K)
- [Frequently Asked Questions \(PDF\)](#) (8 pp, 39K; August 2, 2010)
- [Frequently Asked Questions \(PDF\)](#) (2 pp, 19K; December 15, 2010)
- [Frequently Asked Questions \(PDF\)](#) (3 pp, 53K; January 20, 2011)
- [Letter from EPA to Florida Department Environmental Protection \(PDF\)](#) (2 pp, 520K)
- Technical Support Documents

- EPA has created a technical support document that provides detailed information regarding the derivation of the final criteria. This document is entitled ["Technical Support Document for EPA's Final Rule for Numeric Criteria for Nitrogen/Phosphorus Pollution in Florida's Inland Surface Fresh Waters" \(PDF\)](#) (156 pp, 9MB)
  - [Appendix A \(PDF\)](#) (861 pp, 7.8MB)
  - [Appendix B \(PDF\)](#) (3 pp, 202K)
- To provide information on the potential incremental costs that may result from the implementation of actions related to this rule, EPA conducted an analysis that is fully described in the document entitled: ["Economic Analysis of Final Water Quality Standards for Nutrients for Lakes and Flowing Waters in Florida" \(PDF\)](#) (194 pp, 2.43MB)
- NOTE: Other Supporting documents for this final rule are available to the public at [www.regulations.gov](http://www.regulations.gov), EPA Docket No. EPA-HQ-OW-2009-0596

### **EPA's Webinars on Florida Nutrient Final Rule**

Note: This section is intended to provide you with access to the presentations and audio captured from the webinars. We will be updating this page with the files as soon as they become available.

AUDIO DISCLAIMER: By downloading the following audio files you are agreeing to the terms of its usage. Due to the significant interest in obtaining the audio portion of the webinars, EPA is providing these audio files in order to further extend the outreach opportunities to all interested parties. As explained during the webinars, the webinars were intended to provide the opportunity to learn more about EPA's Final Numeric Nutrient Criteria Rule for the State of Florida as well as an opportunity to ask questions of EPA staff and management regarding EPA's Final Rule. This audio does not represent final Agency action, guidance, policy, or rule.

The audio files are divided into two files for each webinar, one for the presentation portion and one for the questions and answer (Q&A) portion. Given the significant interest in the responses to the Q&As, EPA will be providing formal written Q&A responses to ensure that the answers reflect the complete response required to fully answer the question. The audio responses do not represent the complete or full response and are not, nor do they represent, final Agency action, guidance, policy, or rule.

[Region 4 Florida Nutrient Ruling: Clarifying Points/Rule Development \(PDF\)](#) (15 pp, 1.6MB)

Tue, Nov 30, 2010 9:00 AM – 11:00 AM EST

[Clarifying Points/Rule Development – Presentation Transcript \(PDF\)](#) (18 pp, 104K)

[Clarifying Points/Rule Development – Presentation](#) (mp3, 40 minutes)

[Clarifying Points/Rule Development – Q&A](#) (mp3, 78 minutes)

[Region 4 Florida Nutrient Ruling: Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria \(PDF\)](#)

(31 pp, 200K)

Thu, Dec 2, 2010 1:00 PM – 3:00 PM EST

[Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria – Presentation Transcript \(PDF\)](#) (13 pp, 105K)

[Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria – Presentation](#) (mp3, 28 minutes)

[Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria – Q&A](#) (mp3, 67 minutes)

[Region 4 Florida Nutrient Ruling: Focus on POTWs and Stormwater \(PDF\)](#) (21 pp, 194K)

Tue, Dec 7, 2010 9:00 AM – 11:00 AM EST

[Focus on POTWs and Stormwater – Presentation Transcript \(PDF\)](#) (10 pp, 85K)

[Focus on POTWs and Stormwater – Presentation](#) (mp3, 22 minutes)

[Focus on POTWs and Stormwater – Q&A](#) (mp3, 78 minutes)

[Region 4 Florida Nutrient Ruling: Focus on Agriculture \(PDF\)](#) (29 pp, 255K)

Tue, Dec 7, 2010 1:00 PM – 3:00 PM EST

[Focus on Agriculture – Presentation](#) (mp3, 35 minutes)

[Focus on Agriculture – Presentation Transcript \(PDF\)](#) (15 pp, 109K)

[Focus on Agriculture – Webinar Q&A \(PDF\)](#) (3 pp, 56K)

[Focus on Agriculture – Q&A](#) (mp3, 78 minutes)

### **Water Quality Standards for the State of Florida's Lakes and Flowing Waters; Supplemental Notice of Data Availability and Request for Comment**

EPA published a supplemental notice of data availability and a request for comment related to EPA's January 26, 2010 notice of proposed rulemaking, "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" ([75 FR 4173](#)). This notice reflects a review of comments and new information received by EPA as part of the public comment process after the January 2010 proposed rule. EPA requested further comment on possible revisions and new information related to specific approaches and issues identified in the January 26, 2010 proposal. EPA published this supplemental notice to ensure that the public has full access to the information the Agency is considering as it prepares the final rule for signature.

- [Fact sheet | Print Version \(PDF\)](#) (2 pp, 40K) (July 2010)
- [Federal Register Notice | Print Version \(PDF\)](#) (5 pp, 69K) (August 3, 2010)

### **Proposed Water Quality Standards for the State of Florida's Lakes and Flowing Waters**

#### **Overview**

EPA proposed numeric nutrient water quality standards for lakes and flowing waters, including canals, within the State of Florida and proposed regulations to establish a framework for Florida to develop "restoration standards" for impaired waters. EPA issued this proposed rule pursuant to a determination that EPA made on January 14, 2009, under section 303(c)(4)(B) of the Clean Water Act. The determination states that numeric nutrient water quality standards for lakes and flowing waters and for estuaries and coastal waters are necessary for the State of Florida to meet the requirements of Clean Water Act section 303(c). EPA signed the proposed rule addressing lakes and flowing waters on January 14, 2010, per the terms of a consent decree. This proposed rule was published in the Federal Register on January 26, 2010.

- [Press Release](#) (January 15, 2010)
- [Fact sheet](#) (January 2010)
- [Federal Register Notice | Print Version \(PDF\)](#) (54 pp, 541K)
- [Docket Folder containing Technical Support Documents](#)

If you have questions about the proposed rule contact [Danielle Salvaterra](mailto:salvaterra.danielle@epa.gov) (salvaterra.danielle@epa.gov) at 202-564-1649.

### Public Input on the Proposed Rulemaking

EPA extended the public comment period for the proposed rule for an additional 30 days. The extended public comment period closed on April 28, 2010.

- [Federal Register Notice](#) | [Print Version \(PDF\)](#) (2 pp, 52K) (March 10, 2010)
- [Press Release](#) (March 4, 2010)

### Public Hearings

EPA's public hearings in Florida afforded an opportunity for the public to provide oral and/or written comments on EPA's proposed rule. EPA held public hearings in Tallahassee, Orlando and West Palm Beach on February 16, 17 and 18, 2010, respectively. EPA held additional public hearings in Fort Myers, Tampa and Jacksonville on April 13, 14, and 15, 2010, respectively. Below are the transcripts and attendee lists for each of the sessions held in those cities.

Public Hearings Held in April 2010		
HEARING DATE	TRANSCRIPT	ATTENDEES LIST
April 13 in Fort Myers	<a href="#">FL Hearing Afternoon (PDF)</a> (83 pp, 185K) <a href="#">FL Hearing Evening (PDF)</a> (51 pp, 115K)	<a href="#">Attendee List Afternoon (PDF)</a> (11 pp, 152K) <a href="#">Attendee List Evening (PDF)</a> (5 pp, 140K)
April 14 in Tampa	<a href="#">FL Hearing Afternoon (PDF)</a> (104 pp, 210K) <a href="#">FL Hearing Evening (PDF)</a> (62 pp, 128K)	<a href="#">Attendee List Afternoon (PDF)</a> (16 pp, 171K) <a href="#">Attendee List Evening (PDF)</a> (3 pp, 133K)
April 15 in Jacksonville	<a href="#">FL Hearing Afternoon (PDF)</a> (82 pp, 170K) <a href="#">FL Hearing Evening (PDF)</a> (19 pp, 41K)	<a href="#">Attendee List Afternoon (PDF)</a> (9 pp, 152K) <a href="#">Attendee List Evening (PDF)</a> (2 pp, 119K)

Public Hearings Held in February 2010		
HEARING DATE	TRANSCRIPT	ATTENDEES LIST
February 16 in Tallahassee	<a href="#">FL Hearing Morning (TXT)</a> (144K) <a href="#">FL Hearing Afternoon (TXT)</a> (264K) <a href="#">FL Hearing Evening (TXT)</a> (135K)	<a href="#">Attendee List Morning (PDF)</a> (10 pp, 159K) <a href="#">Attendee List Afternoon (PDF)</a> (11 pp, 169K) <a href="#">Attendee List Evening (PDF)</a> (4 pp, 148K)
February 17 in Orlando	<a href="#">FL Hearing Afternoon (TXT)</a> (233K) Volume 1 <a href="#">FL Hearing Afternoon (TXT)</a> (232K) Volume 2 <a href="#">FL Hearing Evening (TXT)</a> (230K)	<a href="#">Attendee List Afternoon (PDF)</a> (26 pp, 203K) <a href="#">Attendee List Evening (PDF)</a> (7 pp, 157K)

Public Hearings Held in February 2010		
HEARING DATE	TRANSCRIPT	ATTENDEES LIST
February 18 in West Palm Beach	<a href="#">FL Hearing Afternoon (TXT)</a> (35K) <a href="#">FL Hearing Evening (TXT)</a> (200K)	<a href="#">Attendee List Afternoon (PDF)</a> (18 pp, 185K) <a href="#">Attendee List Evening (PDF)</a> (4 pp, 146K)

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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**REGIONAL ISSUES**

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\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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Community Collaborative  
Initiative Issues

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# QUALITY OF LIFE SURVEY

## QUALITY OF LIFE SUREVY

This item has been placed on the agenda to provide the Council with an opportunity of review and amend the Southwest Florida Quality of Life Survey.

According to Wikipedia, the term *quality of life* is used to evaluate the general well-being of individuals and societies. The term is used in a wide range of contexts, including the field's politics, development, healthcare, and sustainability. Quality of life should not be confused with the concept of standard of living, which is based primarily on income.

The financial crisis in 2008 and though now is one of the largest issues that impacts business and peoples quality of life. The financial crisis led to an economic slowdown in the region and, in fact, the world. Not only did it lead to significant changes in the banking and business sector, the financial meltdown of our economy also changed the way that many perceive their quality of life that currently exists and the way that they receive government services.

With governments having been forced to revise their business activities, we expect to see limited improvement in certain quality-of-living factors, such as public services. However, additional factors had a role on the impact of how one perceives their quality of life. Some of the standard indicators of the quality of life include not only income, and employment, but also the built environment, physical and mental health, education, recreation and leisure time, and social belonging.

The financial crisis has not had a uniform impact on all people of the region and reactions personally and by local government have also been varied. In addition, many construction and developmental activities initiated in previous years have been slow to recover and have impacted the daily lives of people in the region.

**Considering these factors and issues, it is not surprising that we can expect a mix of increases and decreases in quality of living and a mix to local government's delivery of services.**

*The information and data obtained through the Southwest Florida Regional Planning Council (SWFRPC) Quality of Life Survey are for information purposes only and are intended for use by local organizations and government agencies that have a concern for employees and people. The information is not designed or intended to be used as the basis for investment or tourism. The information gathered is intended to be used by local governments in how they respond to changing priorities and the financial means to carry out community changes.*

*In no event will the SWFRPC be liable for any decision made or action taken in reliance of the results obtained through the use of, or the information and/or data contained in or provided by, the survey. While the survey has been prepared based upon questions and information relevant*

*to the region, the responses will be provided on an “as-is” basis, and the SWFRPC accepts no responsibility/liability for the validity/accuracy (or otherwise) of the resources/data used to compile the survey reports. The SWFRPC makes no representations or warranties with respect to the survey or future reports, and disclaim all express, implied and statutory warranties of any kind, including, but not limited to, representations and implied warranties of quality, accuracy, timeliness, completeness, merchantability, and fitness for a particular purpose*

**RECOMMENDED ACTION:** Information purposes only

### QUALITY OF LIFE SURVEY

Please choose any that apply:

- I am a member of the Southwest Florida Regional Planning Council
- I am an elected official
- I serve on an appointed local advisory board to local, state or regional government
- I am a citizen

In which County/Town do you live?

If you live in an unincorporated area, do you consider it to be

- Rural
- Suburban
- Other

I would define the size of my neighborhood as the area within the following distance from my home

- 1/2 mile (an eight to ten minute walk)
- 1 mile (a fifteen to eighteen minute walk)
- 1 1/2 miles (a twenty to thirty minute walk)
- more than 2 miles

The best thing about my neighborhood is

The worst thing about my neighborhood is



Do you own or rent your residence?

- Own
- Rent

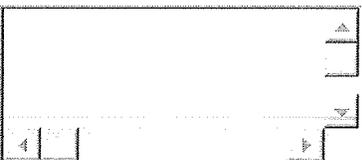
Are you male or female?

- Male
- Female

What year were you born?



In what Country were you born?



Do you speak a language other than English at home?

- Yes
- No
- No Response

Comments.



What is your employment status?

- Employed
- Unemployed
- Retired
- Not in labor force

If you are employed, in what County or City do you work?

What is your occupation?

What mode of transit do you use to and from work?

- Car
- Bus
- Carpool
- Bike
- Taxi
- Walk

How far is your work from home?

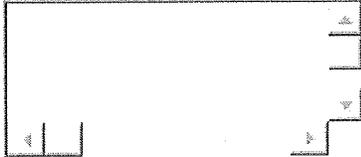
- Less than 5 miles
- Between 5 and 10 miles
- Between 10 and 15 miles
- Between 20 and 25 miles
- 30 miles or more

What is the most important issue facing Southwest Florida today?

- Transportation

- Population and Growth
- Conservation of Natural Resources/Environment
- Economy and Jobs
- Affordable Housing
- Other

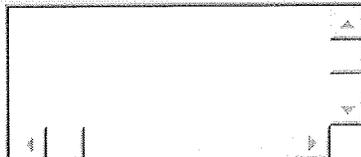
Comments.



With which regional activity or amenity are you most satisfied?

- Outdoor Leisure Activities
- Public Colleges and Universities
- Housing Choices and Cost
- Job Opportunities
- The Arts/Cultural Opportunities
- Other

Comments.



Do you think that current trends, such as in government and development, in Southwest Florida are generally going in the right direction?

- Yes
- No
- No Response

Overall, how would you rate the performance of your local city or county government?

- Excellent/Good

- Fair
- Poor
- No opinion

Overall, how would you rate the performance of your regional government?

- Excellent/Good
- Fair
- Poor
- No Opinion

Overall, how would you rate the performance of your State government?

- Excellent/Good
- Fair
- Poor
- No Opinion

Comments.

Overall, how would you rate the performance of your local City or County government?

- Excellent/Good
- Fair
- Poor
- No Opinion

If the State budget is a road map of priorities, what should this year's budget address related to growth?

1	▲▼	▲▼	State Land Use Planning
2	▲▼	▲▼	State and Local Government Revenue Sharing

3	▲	▼	Transportation Funding
4	▲	▼	Property Tax Limitation
5	▲	▼	Trust Fund Protection

Which infrastructure projects should have top priority for public funding?

1	▲	▼	Transportation
2	▲	▼	Schools
3	▲	▼	Hospitals
4	▲	▼	Water/Sewer/Stormwater Treatment Systems
5	▲	▼	Housing
6	▲	▼	Other

Comments.

Which of the following types of transportation projects do you think should have top priority for public funding in Southwest Florida?

- Freeways and State Highways
- Local Streets and Roads
- Public Bus System
- High Occupancy/Carpool Lanes
- Variable Toll Lanes
- High Speed Rail
- Other
- No Opinion

Which level of government do you think should be most responsible for growth and development policy in Southwest Florida?

- Local County and City Government
- Regional Government
- State Government

- Federal Government
- Other
- No Opinion

Which of the following statements is closest to your view?

- Each individual City/County government should decide land use and growth management policy
- Local governments should get together on a regional basis to cooperatively determine land use and growth policies.
- The Florida Constitution should be amended to include new language that would make local land use policy subject to a vote or referendum of the citizens.
- None of the above statements reflect my opinion.

How important is it to have a nonpartisan, nonprofit organization bring together government entities, businesses, and citizens' groups to discuss issues facing Southwest Florida and the regions at its borders?

- Very Important
- Somewhat Important
- Not Important
- No Opinion

How would you rate the economy and business environment of Southwest Florida?

- Excellent/Good
- Fair
- Poor
- No Opinion

Are you and your family financially better off, worse off, or just about the same as you were one year ago?

- Better Off
- Worse Off

- About the Same
- No Opinion

Are you and your family financially better off, worse off, or just about the same as you were *five* years ago?

- Better Off
- Worse Off
- About the Same
- No Opinion

Are you concerned that you or someone in your household could lose their job in the next year?

- Yes, Very Concerned
- Yes, Somewhat Concerned
- No
- No Opinion

How do you feel about the quality of housing that you can afford in Southwest Florida?

- Very Satisfied
- Somewhat Satisfied
- Not Satisfied
- No Opinion

How do you feel about the availability of housing that you can afford in Southwest Florida?

- Very Satisfied
- Somewhat Satisfied
- Not Satisfied
- No Opinion

A new university campus and town called Ave Maria are being built in eastern Collier County. How important are the town and university to the

improvement of the economy and quality of life in Southwest Florida?

- Very Important
- Somewhat Important
- Not Important
- No Opinion

Which of the following should be the most important priority for water policy in making plans for the future?

- Agriculture
- Homes and Residents
- Protection of the Environment
- Equitable Supply for All of the Above
- Other
- No Opinion

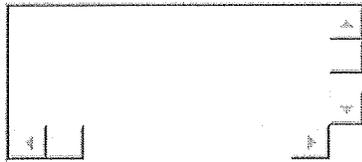
Which smart growth strategies would you *most* like to see implemented in your community?

- Transit Oriented Design
- Infill and Higher Density in Urban Areas
- Urban Growth Boundaries
- Walkable Villages
- Conservation Subdivisions
- Master-Planned Communities
- Historic/Current Development Trends

Twenty years from now, do you think Southwest Florida will be a place you want to live?

- Yes
- No
- No Response

Comments.



## Your Information

\*Indicates a Required Field

First Name :

Last Name :

Address :

City :

State/Province :

ZIP/Postal Code : \*

Country :

Phone :

Fax :

E-mail : \*

Nationality :

May we contact you?  Yes  No

May we publish your comments?  Yes  No



**Southwest Florida Regional Visioning Process**  
**Local Visioning Effort Survey**

**Contact Information:**

Please provide a preferred person to be the point of contact for this project.

Name:

Title:

Address:

Phone:

Fax:

E-mail:

**Visioning Process:**

Has your community engaged in a visioning process? If yes, when was it completed? If no, is one planned for the future?

**Vision Plan:**

Has your community adopted a vision plan? If yes, when was it adopted? If no, is one planned for the future?

**Comprehensive Plan Visioning Components:**

Does your comprehensive plan have a visioning component? If yes, please explain what the component is (i.e.: EAR issues of local concern; visioning element; goals, objectives, and policies included as part of the plan; etc...)

**Neighborhood Visioning:**

Do any of the local neighborhoods or community centers have a neighborhood visioning plan? If yes, please provide details about the plans. If no, are any being organized?

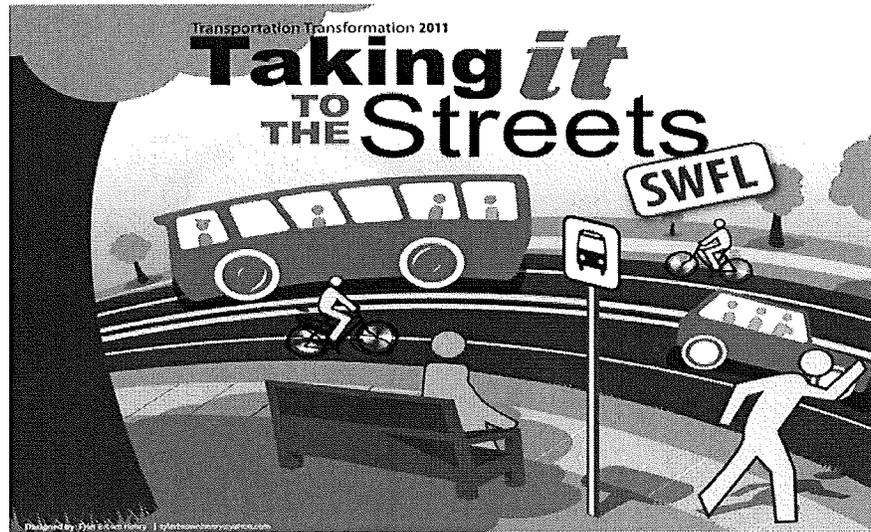
**Other Visioning Efforts:**

Please provide any additional information about your community's visioning efforts.

# Taking It To The Streets

## “Taking it to the Streets”

### Transportation Transformation for Southwest Florida



#### *Mark the Dates & Join Us!*

For most, Friday, April 15, may only bring thoughts of tax deadlines, but in Southwest Florida it begins a nine-day, regional exploration of a full range of transportation choices - a ‘Transportation Transformation’ campaign. Transportation events and activities will span Earth Week and culminate on Saturday, April 23, 2011.

Across five counties, numerous organizations will be partnering to encourage Southwest Floridians to take steps in altering their commuting and driving habits. Whether you Walk or Bike, Bus or Share-a-Ride, making conscious decisions to change the way you commute and get from one place to another is the goal of this campaign.

Changing our approach to transportation is rapidly becoming a pressing national imperative and transit oriented communities, those which provide safe travel for all modes of transport are not only healthier communities, but ones that enjoy higher property values and more job options. “Complete Streets”, a national policy initiative, plays an important role in creating livable communities, where all people—regardless of age, ability or mode of transportation—feel safe and welcome on the roadways.

Health and environmental reasons abound but the single most compelling reason to get out of that car, may be simple economics. Owning and operating an individual car turns out to be quite an expensive way to travel, currently estimated to cost over \$7,000/year.....and no one expects gas prices to go down! So, hop on a bus or bike, or walk to that next errand or appointment and pocket the \$600+/month savings!

The Transportation Transformation coalition is looking for individuals to step forward and exhibit leadership by setting an example for residents and visitors alike. For nine days in April, community, business, health and education leaders are urged to join with public officials in publicizing and promoting the full range of transportation choices. Greater utilization of alternatives will increase mobility, mitigate traffic, improve pedestrian and cyclist safety and engender a healthier lifestyle for all.

Participating organizations include groups such as UGottaGoGreen.com, Collier County’s Naples Pathways Coalition, Bike/Walk Lee, Florida Department of Health, Florida Department of Transportation’s Commuter Services, Lee County, the City of Fort Myers, regional transit authorities, area businesses, resorts, neighborhoods, schools, universities, religious communities and many municipal governments.

Every business and organization in the area is encouraged to select or create its own transportation related activity/event, as illustrated below:

- Free ride matching for carpools/vanpools with Commuter Service's 'Meet Your Match'
- Initiate "Car Free, Care Free" days of biking, walking, bus or Share-a-Ride contests
- "Mass-Pass", mass distribution of special bus passes
- Sponsor a Bike Safety Training Program
- Organize a Biking Club
- Install rain proof bike racks for bicycle parking
- Offer flex time for those utilizing alternative transit
- Establish a Pedometer program/challenge
- Institute preferred parking for carpools, hybrids or electric cars
- Hold a Lunch and Learn Event - arrange a brown bag presentation on a relevant transportation topic
- Host a health fair presentation of 'Fit Friendly' by Health Department or local hospital

All participants are asked to document their success by logging onto the Commuter Service's website 'Trip Track' to calculate and record Vehicle Miles Reduced (VMR) at <http://www.commuterservicesfl.com> . Those recording the greatest number of miles reduced will be eligible for prizes, and all can receive final calculations for carbon emissions avoided during the campaign period.

With an onsite visit at no cost, Commuter Services personnel can assist with ideas and overcoming obstacles. They can perform a needs assessment, host workshops or transportation events, provide educational materials, and work with designated staff members to increase participation. They can be reached at 1-866-585-RIDE.

By transforming transportation we will ultimately strengthen our local economy, reduce traffic congestion and carbon emissions, improve the quality of our air and water, and forge better and healthier communities – all serving to preserve our region as a highly sought out destination in which to live, work and thrive.

For more ideas and to learn about regional events, please visit <http://UGottaGoGreen.com>. To register transportation action/activities and sign up for tracking tools go to <http://CommuterSevicesFl.com>.

Together, we will create a "Sustainable Southwest Florida".

# “Taking it to the Streets”

## Transportation Transformation 2011

**WHO?** We are a regional partnership of individuals, businesses, colleges, advocacy groups and governmental agencies leading a multi-modal transportation awareness-to-action campaign.

**WHAT?** “Taking it to the Streets” is a nine day promotion for Transportation Transformation among neighboring counties in Southwest Florida, to move people beyond talking and into doing, or actually.....walking, biking, busing, vanpooling, carpooling and, of course,.....having Fun!

**WHEN?** The campaign begins April 15 continues through Earth Week and culminates on Saturday April 23.

**WHERE?** All over Southwest Florida. At individual worksites, campuses, transits companies and public venues. This is a regional action project including numbers of counties and municipalities, businesses, civic and community organizations.

**HOW?** Simply choose action items from our list of suggestions or create your own activity. Schedule and complete your activities leading up to or during the campaign period of April 15-23, 2011. Participate: as an employer, as a community leader, as an individual, as a student or as a team. Whatever you are planning, let us know so we can promote you!

- ✓ Do something that involves or supports alternative modes of transportation: biking, walking, carpooling, vanpooling, or public transportation. If you'd like to participate, but need help getting started or have comments or concerns, don't be afraid to speak up. We can come to your site, at no cost to help. Call us 1.866.585.RIDE
- ✓ Prove it - Track your trips made by using alternative modes of transportation using Trip Track. Promote and log all those trips you don't take in your auto using Trip Track, a program that will help us calculate Vehicle Miles Reduced (VMR) and other statistics at [www.CommuterServicesFL.com](http://www.CommuterServicesFL.com)
- Get out there and go for a ride...on a bike, in a carpool, on the bus
- Learn about your local transit system and explain it to someone you know
- Organize or join a biking club or sponsor or host a Biking/Walking Safety Presentation
- Organize worksite team competitions or neighborhood “Street Party” challenges
- Lunch and Learn: Get creative with your team! What can you do to be part of the campaign?
- Try it Day: As a group, plan to walk, bike, bus or share a ride. Track your trips and send us photos!
- Meet your Match: in a group (and with a map) find your nearest neighbor and arrange a “trial” carpool
- Multi-Modal-Athlon: how many modes can you use in one day (i.e., walk, bike, bus)?
- Bicycle Parade-Charade: coordinate a day when everyone brings a bike; parade during a break
- Giveaways: purchase bus passes and giveaway as an incentive to employees or gift to guests
- Awards: recognize and award those who try or regularly use an alternative mode of transportation
- Pedometers: initiate a group challenge or mark out walking routes in your neighborhood or worksite
- Flextime: allow schedule flexibility for carpoolers, transit riders and cyclists
- Better Biking: Install rain proof bike racks or set up Bike Buddy program or Bike Share program
- Preferred Parking: for carpools, vanpools, hybrid or electric cars

We're quickly updating everything, so stay tuned!  
Event updates and networking: [www.UGottaGoGreen.com](http://www.UGottaGoGreen.com)

# “Taking it to the Streets”

## Transportation Transformation 2011

This is an opportunity to participate with hundreds of others to promote healthier and less costly transportation alternatives while bringing focus to the improvement of mobility choices and creating a “Sustainable Southwest Florida”. With your participation, we can move forward together as a region.

We’re quickly updating everything, so stay tuned!  
Event updates and networking: [www.UGottaGoGreen.com](http://www.UGottaGoGreen.com)

# **Health Built Environment**

## **HEALTH, PLANNING AND THE BUILT ENVIRONMET**

This item has been placed on the agenda to inform members of the Council that there will be a workshop on Health, Planning and the Built Environment April 1<sup>st</sup> from 8:00 a.m. to Noon.

The workshop is being brought to Southwest Florida by Florida Gulf Coast University (FGCU) and features Dr. Richard Jackson of UCLA. He is the author of Urban Sprawl and Public Health and will be the keynote speaker at the workshop.

The workshop is being held at the Realtor Association of Greater Fort Myers and the Beach at the Education Center, 4081 Center Pointe Drive, Fort Myers, Fl. 33916.

The cost is expected to be approximately \$25. AIA & AICP CEU credits are pending approval.

Please contact Dr. Margaret Banyan at 239-590-7819 for further information.

**RECOMMENDED ACTION:** Information purposes only





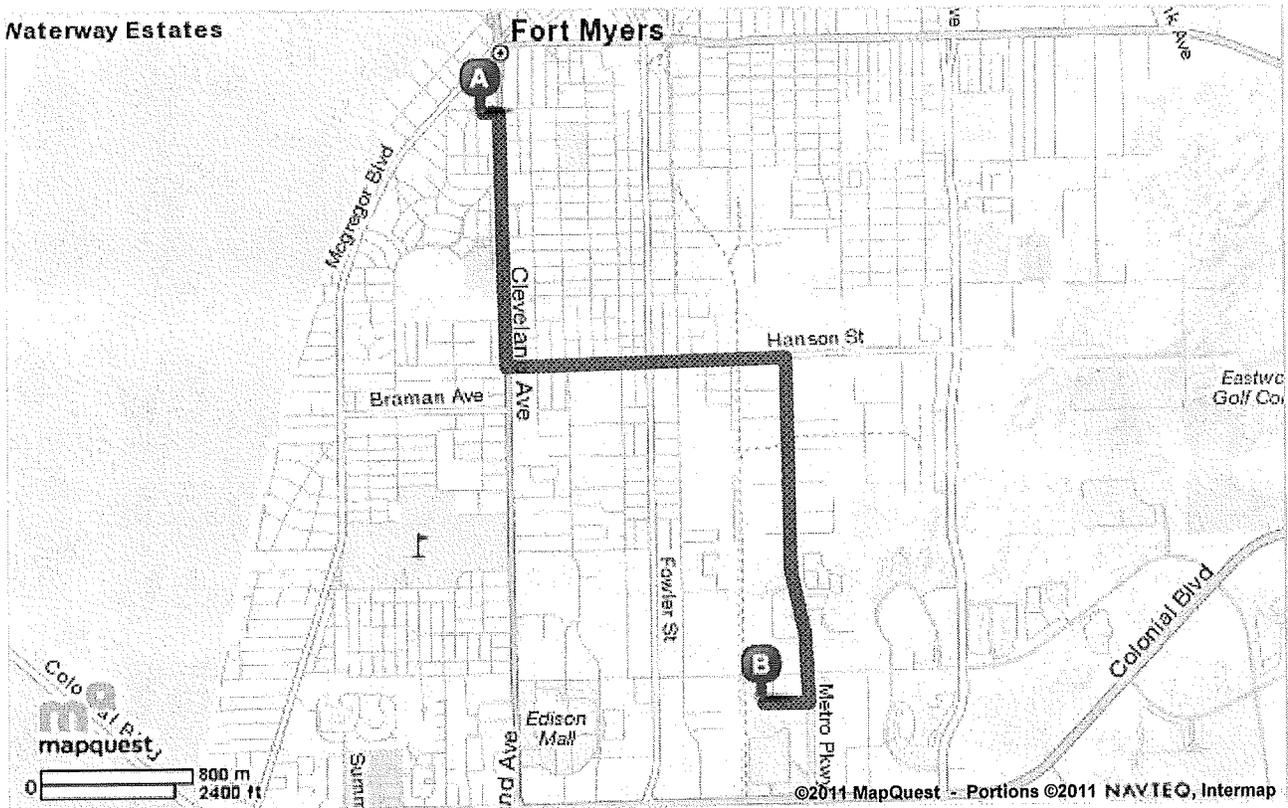


Notes

**Trip to:**  
 4081 Center Pointe Dr  
 Fort Myers, FL 33916-9429  
**3.92 miles**  
**10 minutes**

	<b>1926 Victoria Ave</b> Fort Myers, FL 33901-3414	<b>Miles Per Section</b>	<b>Miles Driven</b>
	1. Start out going EAST on VICTORIA AVE toward TOURNAMENT ST.	<b>Go 0.07 Mi</b>	0.07 mi
	 2. Take the 1st RIGHT onto CLEVELAND AVE / US-41 / SR-45. <i>If you reach HEITMAN ST you've gone a little too far</i>	<b>Go 1.0 Mi</b>	1.1 mi
	3. Turn LEFT onto HANSON ST. <i>HANSON ST is 0.1 miles past LINHART AVE</i>	<b>Go 1.3 Mi</b>	2.3 mi
	 4. Turn RIGHT onto METRO PKWY / SR-739 S. <i>METRO PKWY is 0.2 miles past PALM AVE</i>	<b>Go 1.4 Mi</b>	3.7 mi
	5. Turn RIGHT onto CENTER POINTE DR. <i>CENTER POINTE DR is 0.1 miles past WINKLER AVE</i>	<b>Go 0.2 Mi</b>	3.9 mi
	6. 4081 CENTER POINTE DR is on the RIGHT. <i>Your destination is just past CENTER POINTE DR</i>		3.9 mi
	<b>4081 Center Pointe Dr</b> Fort Myers, FL 33916-9429	<b>3.9 mi</b>	<b>3.9 mi</b>

Total Travel Estimate: **3.92 miles - about 10 minutes**



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# SAVE THE DATE - APRIL 1, 2011

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## HEALTH, PLANNING, AND THE BUILT ENVIRONMENT

**WHO:** Dr. Richard Jackson, UCLA, Author of Urban Sprawl and Public Health • Sandra Whitehead State Department of Health • Active Living Design Professionals Vignettes

**WHERE:** Realtor Association of Greater Fort Myers and the Beach – REALTOR® Association Education Center, 4081 Center Pointe Drive, Fort Myers, FL 33916

**CONTACT:** Dr. Margaret Banyan 239.590.7819



Approximately 8am-12pm - No More than \$25.00 - AIA & AICP CEU Credits Pending

# Health Systems

# **Health Systems and the Integration of Planning**

**Thursday March 17, 2011**

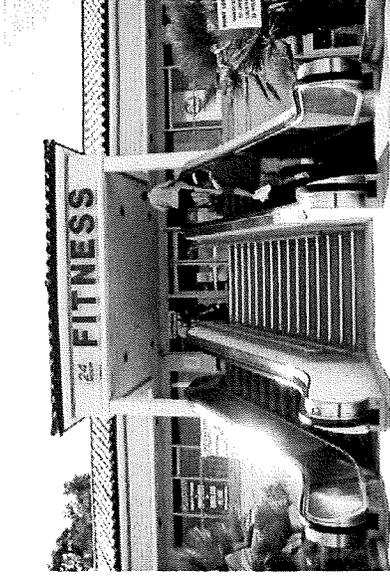
**Southwest Florida Regional Planning Council**

# Planning for the Physically Active

Is there a problem of lack of physical activity in our communities?

Consider this:

- Autos account for 90% of all trips;
- Bicycling and walking account for only 6%;
- 70% of adults do not achieve the recommended amount of physical activity each week;
- Sedentary lifestyle is the primary factor in up to 200,000 deaths annually;
- 64% of all Americans are overweight; and
- 1 in 3 are considered obese.



## Why is there a debate over physical activity?

- Debate about the factors that lead to sedentary lifestyle;
- The fact that we incorporate auto-dependent community design may play a role.

## What we do know...

- Health impacts of auto-dependent design go beyond lifestyle;
- Mounting evidence that moderate physical activity can improve health and prevent disease;
- Changing travel behavior can have a favorable public health outcome.

Is this a new direction of the public health movement?

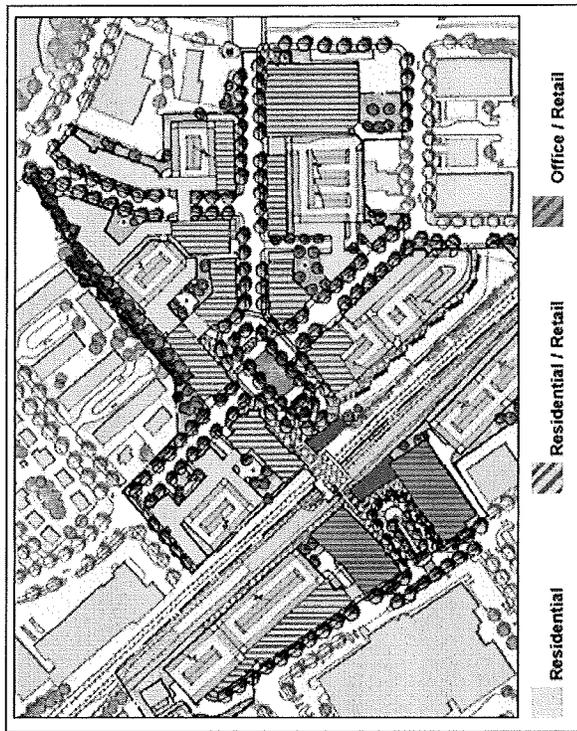
No, while we have changed faces over the decades, public health has historically been concerned with recreation, exercise and healthy eating.

Public health and city planning have a long, rich history of working together. The environment in which most people spend their time is the city that has been the dominate form of development.

Professional planners and health workers understand the role of collaboration and building synergy within our professions.

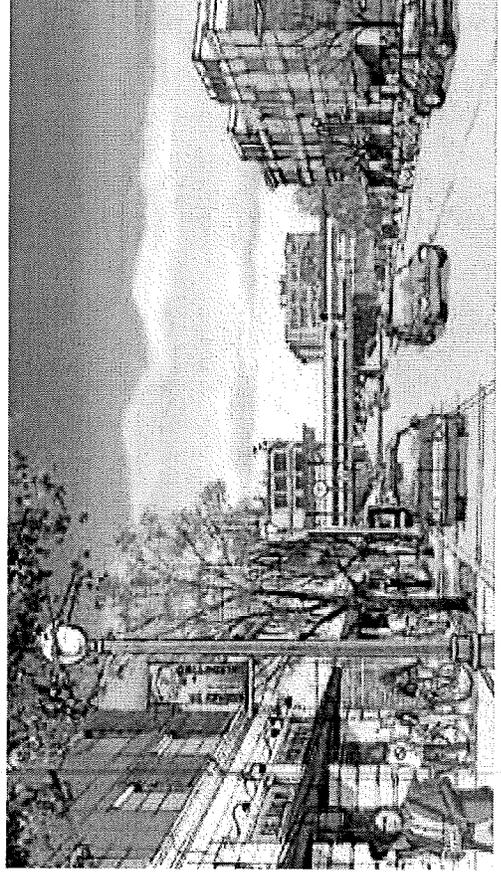
## How has contemporary planning provided an opportunity for healthy communities?

- Mixed- use and mixed income;
- Compact communities;
- Higher density and less sprawl
- Roadway connectivity;
- More sidewalks;
- Bike paths;
- Transportation alternatives;
- School siting;
- Street environments that are perceived to be safe to pedestrians and residents.



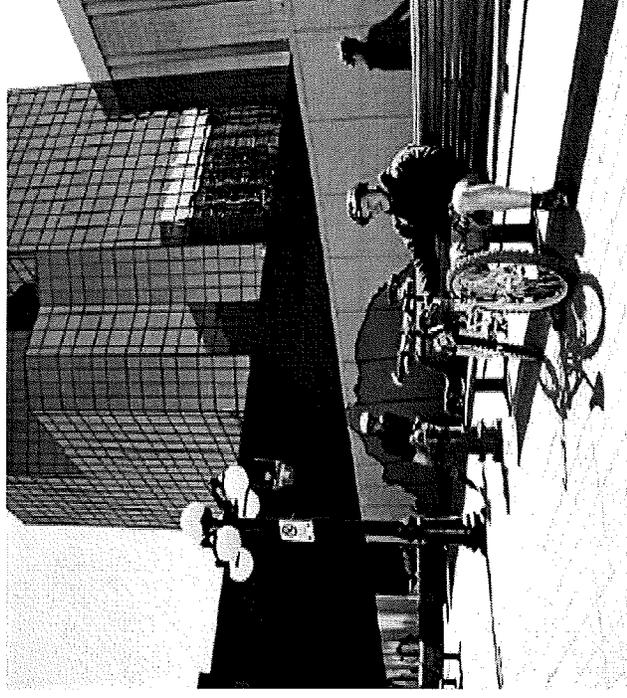
## What planning attributes contribute to walking?

- Buildings and sites at a human scale;
- Buildings that are built closer to the street;
- Smaller parcel sizes,
- Destinations within the community;
- Creating town centers and neighborhood planning;
- Landscaping, green spaces and public places; and
- Enough people for business to flourish and transit to work.



## What is the consequence of an integration of planning and public health?

- The integration of planning focuses physical activity and healthy eating as part of our everyday life; and
- Recognition that the built environment can be one of the contributors to increased physical activity.



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Health Planning, Land Use and  
the Fit-Friendly Southwest  
Florida Initiative

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## Health Planning, Land Use and the Fit-Friendly Southwest Florida Initiative

Discussing health systems after the Council has spent months discussing agriculture and food systems is logical and promotes an interdisciplinary approach to the integration of all aspects of planning. As the Council discussed the sustainability of agriculture and food in terms of creating incentives for farm jobs and protecting natural resources, the integration of health can be tied to the sustainable concept of meeting the regional health needs by addressing food and nutritional needs without compromising the ability to meet the needs of future generations. Through the Council's discussion and action, the Council has displayed knowledge of integration by supporting economically, socially and environmentally sustainable food systems that promote the current and future **health** of individuals, communities and the natural environment.

A **healthy**, sustainable food/non-food system emphasizes the interdependent and inseparable relationship between all sectors and characteristics of integrated planning. A **healthy** sustainable community also links land-use planning, community design, public health and all sectors and characteristics of integrated planning.

The integration of **health and planning** has significant implications for the many multi-disciplinary urban, rural and regional planners that collaborate with outside partners and health professionals. Why the integration of planning? Planners are often considered as the professional group that elected and appointed officials turn to, to solve community problems. The Southwest Florida Regional Planning Council is considered a multi-purpose regional entity that plans for and coordinates intergovernmental solutions on greater-than-local issues. In addition, planners have a skill set particularly useful for analyzing problems and opportunities and for developing strategies that address these issues. The issues to be analyzed are many; a few of the health and planning related interests beyond food systems are:

- ✓ The built environment (transportation and land use)
- ✓ Aging in place
- ✓ Climate change
- ✓ Water quality and availability
- ✓ Air quality
- ✓ Environmental preservation
- ✓ Housing choice
- ✓ Access to healthy choices
- ✓ Etc.

The American Planning Association (APA) has created the Planning and Community Health Research Center. The work of the Center advances communities that reduce the impact of the built environment on peoples' **health**.

APA states on their Center web site that the way a community is planned – its land development patterns, transportation options, or community design- bears heavily on the **health** of those living

there. By working closely with outside partners, policy makers, experts and other community members, planners work to create healthier communities, eliminating adverse conditions and building better places for everyone to live, work and play.

Food system planning and planning for healthy communities are integrated through the identification and elimination of food deserts, childhood obesity and access to healthy choices and the protection of the natural environment.

Policymakers, collaborative partners and planners – tasked with discussing sustainability – are integral to addressing social, economic and environmental issues throughout the region. Through discussion, education, development review and job creation the Council has an opportunity to help create livable communities and to help people have an improved quality of life by evaluating the built and natural environment.

**RECOMMENDED ACTION: For Information Purposes Only.**

3/2011

\_\_\_\_\_ Agenda  
\_\_\_\_\_ Item

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Legislative Summary  
Report

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## Legislative Summary Report

The following and attached items of interest were available at the time of packet preparation. An update will be provided by staff at the Council meeting.

### **3-7-11 (Eliminate RPCs)**

SB 1910 sponsored by Senator Miguel Diaz de la Portilla (R-Miami) was filed. This eliminates all references to RPCs throughout Florida Statutes. The Senate bill has not been referenced. There is no house companion at this time.

### **3-7-11 (Substantial Revisions to Chapters 163 and 380)**

PRELIMINARY HOUSE STAFF WORKING DRAFTs of major revisions to Florida's growth management statutes continue to circulate. Elimination of transportation concurrency and substantial elimination of a state role in comprehensive planning are among the substantive elements being considered.

### **(TABOR)**

SENATE SPECIAL ORDER: Bills available for a vote by full Senate on the floor include SJR 958, a proposed constitutional amendment that would ask voters to change the way the state calculates its cap on state revenue collection. Currently, the state is prohibited by the constitution from collecting more revenue than would be allowed under a formula tied to personal income growth in the state. Under the new proposal, the state's revenue collection would be tied to the rate of inflation, plus population growth.

### **3-2-11 PERMITTING BILLS FILED**

A pair of Panhandle Republicans have filed measures they say will streamline the state's permitting process and make it more difficult for parties to challenge development decisions. The bills, SB 1404 by Sen. Greg Evers, R- Crestview and HB 991 by Rep. Jimmy Patronis, R- Panama City, make a number of changes including provisions that shift the burden of proof in some cases and prevent local governments from denying permits to projects simply because they have yet to be approved by the state. Introduced by various members over the past few years, backers say the measures are needed to reduce barriers for development while environmental groups are wary the changes will make it difficult for stop undesirable development.

03/2011

# ASHTO JOURNAL

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March 4, 2011

## President's Signature Extends Highway & Transit Programs for 7 Months

President Barack Obama signed into law a measure today that extends until Sept. 30 federal highway and transit programs that had been slated to expire tonight. The seven-month extension averts a suspension of reimbursements from the U.S. Department of Transportation to the states for their ongoing surface transportation improvement projects, as occurred last March when a similar extension was delayed, and allows states to continue to commit projects just in time for the construction season to begin in earnest.

The Senate approved the legislation, [HR 662](#), by voice vote late Thursday afternoon. The Senate's vote came without debate in the midst of consideration of an unrelated measure to reform U.S. patent laws. The House of Representatives had voted [421-4](#) Wednesday afternoon to pass the bill.

"We're pleased that Congress and President Obama acted this week to extend federal highway and transit programs by seven months, allowing thousands of construction projects state departments of transportation have planned or under construction to move forward, uninterrupted," said John Horsley, executive director of the American Association of State Highway and Transportation Officials. "Now we set about the hard work of getting a multiyear reauthorization in place later this year. This essential legislation will allow states to continue to preserve and modernize the surface transportation systems that individuals, families, and businesses depend on everyday. We must get this done."

Senate Environment and Public Works Committee Chairwoman Barbara Boxer, D-California, said in a statement that the seven-month extension of Fiscal Year 2009 funding levels for highways and mass transit will save and create jobs in the construction industry and help get the economy back on track.

"With the construction season upon us, this extension is especially important because it will give states the certainty they need to award contracts and get projects underway," she said. "This will help ensure that jobs are saved and created in California and across the country. I am continuing to work with my colleagues from both sides of the aisle on a new surface transportation bill for the 21st century. Our goal is to get this legislation enacted by the end of this year."

In a statement issued Thursday evening after Senate passage of the bill, House Transportation and Infrastructure Committee Chairman John Mica, R-Florida, said the extension will provide some stability for state transportation departments to continue planning and constructing transportation projects through the summer construction season.

"This extension of transportation programs will allow more time for the Transportation and Infrastructure Committee to develop a fiscally responsible, long-term reauthorization of transportation programs to create jobs and build our nation's infrastructure," Mica said.

The new law extends until the end of this federal fiscal year the 2005 highway and transit authorization law -- the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users, commonly known as "SAFETEA-LU." Expenditure authority for the Highway Trust Fund would also continue through Sept. 30. This is the seventh short-term extension of SAFETEA-LU, which expired Sept. 30, 2009.

During less than an hour of debate on the House floor Wednesday, no representatives spoke against the extension. Several members of the House Transportation and Infrastructure Committee urged action on moving forward a long-term reauthorization.

Rep. Peter DeFazio, D-Oregon and ranking minority member of the House Highways and Transit Subcommittee, said the United States is falling behind many other nations when it comes to investing in transportation infrastructure.

"We have the worst infrastructure of any modern nation on Earth," DeFazio said. "It's not right. It doesn't serve our businesses or communities well."

DeFazio noted the Senate earlier Wednesday had passed and sent to the president a two-week continuing resolution ([House Joint Resolution 44](#)) extending government funding from Friday to March 18, a measure that includes nearly \$1 billion in cuts to transportation programs including a \$650 million reduction in highway spending for this fiscal year compared to Fiscal Year 2010, rescission of \$293 million in unspent transportation earmarks from previous years, and a \$25 million reduction in the Rail Line Relocation and Improvement program. ([see related story](#))

"Rebuilding our infrastructure -- this is the last place we should cut," he said. "Unfortunately, some cuts have already been proposed and made in transportation. That's not where we should be cutting. Those who would advocate further cuts are wrong."

Obama last month proposed a \$556 billion six-year surface transportation reauthorization as part of his FY 2012 budget request. ([see Feb. 18 AASHTO Journal story](#)) It did not issue recommendations on how to pay for the bill, however.

### ***LaHood, Mica Address Reauthorization Goals at AASHTO Legislative Conference***

State transportation department leaders, gathered in Washington for AASHTO's Washington Briefing, spread out across Capitol Hill on Wednesday afternoon to meet with representatives and senators to urge their support for extending federal highway and transit programs immediately, and completing work on a multiyear surface transportation reauthorization bill in the next few months.

Wednesday morning, U.S. Transportation Secretary Ray LaHood told AASHTO's Washington Briefing that the administration is still working on specific legislative language for the reauthorization bill. LaHood said he hopes Congress and the White House can finish such a bill by this summer, or he fears action will be delayed indefinitely as the 2012 presidential campaign season begins to heat up this fall.

"By August, there will be a transportation bill on the president's desk that he will sign," LaHood answered when asked about his goal for reauthorization. "If we don't get something significant done this year, I think it will be difficult beyond this year because next year is election year. This is the time to do it."

LaHood said that while the president continues to oppose increasing the federal gasoline and diesel taxes to greatly increase the money available in the Highway Trust Fund to pay for additional state highway and transportation projects, the administration supports easing federal restrictions on states placing tolls on existing roads to help finance for new construction. But he signaled the administration does not favor a complete repeal of the federal prohibition on tolling interstate highways built after 1956.

"If states come to us with good plans for tolling, we will look at them very carefully," LaHood said. "Tolling has to be part of the mix. You can raise a lot of money with tolls if states decide that's what we want. As long as you are building more capacity, that is what we are going to look at."

A video of LaHood's remarks is available at [bit.ly/LaHoodAASHTO0302](http://bit.ly/LaHoodAASHTO0302). LaHood also posted a [blog entry](#) Wednesday on his remarks at the Washington Briefing.

Mica told the Washington Briefing on Wednesday morning that his first priority for a long-term reauthorization bill is to stabilize the Highway Trust Fund to avoid any more transfers of general government revenue, as have occurred in each of the past three fiscal years. The Congressional Budget Office estimates the fund's Highway Account could run dry in Fiscal Year 2012. ([see Jan. 28 AASHTO Journal story](#))

"The second thing is we need to look at every dollar that's sitting anywhere, that hasn't been expended, that has been authorized but not used. Any program that doesn't work -- we need to get that money elsewhere in

the system," Mica said. "The third part of the plan, of course, is you have to do some creative financing and leveraging. Look at every program we have that works well, and make it better." Page 16 of 19

Mica stressed the need to speed up project delivery.

"We've got to figure out a way to deliver these projects faster," he said. "Nobody is talking about running over any environmental rule or regulation. We are not talking about eliminating people's rights for redress in the judicial process. But we can do things concurrently rather than consecutively."

A video of Mica's remarks is available at [bit.ly/MicaAASHTO0302](http://bit.ly/MicaAASHTO0302).

### ***Effort to Strike Alaska Bridge Earmarks Defeated***

On the House floor, the minority was allowed to offer one motion to send the bill back to committee for modification. Rep. Jared Polis, D-Colorado, offered a motion to return the bill to the House T&I Committee with instructions to add language rescinding \$183 million in unspent earmarks for the state of Alaska to construct a bridge connecting Ketchikan with Gravina Island plus another bridge across Knik Arm linking Anchorage with mostly undeveloped land across the water. Polis said the state has not moved ahead with these two projects and argued in favor of canceling the earmarks so the funds can be officially wiped off the government's books.

Mica spoke briefly against the motion, calling it nothing but "smoke and mirrors." The motion failed by a vote of [246-181](#).

Justin Harclerode, a spokesman for Mica, said in an e-mail Thursday that the bridge earmarks were already eliminated in a Fiscal Year 2006 appropriations bill.

"The motion would have taken away funding for other Alaska transportation projects," Harclerode said.

*Questions regarding this article may be directed to [editor@ashtojournal.org](mailto:editor@ashtojournal.org).*

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# **APA FLORIDA BILL TRACKING REPORT**

**From:** APA Florida [APA\_Florida@mail.vresp.com]  
**Sent:** Friday, March 04, 2011 1:56 PM  
**To:** Ken Heatherington  
**Subject:** Legislative Reporter March 4, 2011



[APA Florida Bill Tracking Report >>](#)

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March 4, 2011

## Legislative Reporter

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### APA Florida Bill Tracking Report

APA Florida's latest Bill Tracking Report is dated March 4, 2011 and is posted to [www.floridaplanning.org/legislative/index.asp](http://www.floridaplanning.org/legislative/index.asp). These reports are updated and posted every week. You may also check the status of a bill or review bill text and amendments on the Florida Legislature's website at [www.leg.state.fl.us](http://www.leg.state.fl.us) as things can change quickly. Finally APA Florida's Legislative Program and Policies are always at your disposal on APA Florida's Legislative Website at [www.floridaplanning.org/legislative/11docs/Approved\\_Legislative\\_Platform9.16.10.pdf](http://www.floridaplanning.org/legislative/11docs/Approved_Legislative_Platform9.16.10.pdf). Please bookmark these sites for continued access throughout the 2011 Legislative Session.

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### Legislative Updates

#### **High Speed Rail:**

The last couple of weeks have been a bit of a roller coaster relative to high speed rail. The culmination was that a suit was filed by two legislators against Governor Scott, seeking to overturn his decision to turn down the federal money slated for this project. Arguments were made before the Florida Supreme Court yesterday, March 3rd.

Earlier today, the Supreme Court ruled in favor of Governor Scott. In it's ruling, the Court stated "Based on the limited record before the Court and a review of the federal and state law relied on by the parties, the Court has determined that the petitioners have not clearly demonstrated entitlement to ...relief. Accordingly, the emergency petition is hereby denied." Learn more at [www.tampabay.com/news/localgovernment/article1155233.ece](http://www.tampabay.com/news/localgovernment/article1155233.ece).

#### **Growth Management:**

In the last two weeks before the beginning of the 2011 session (March 8th), additional bills related to growth management issues have been filed. (To see a summary of all the bills that APA Florida is following, click on the bill tracking report in the section above.)

**SB 1416** (Senator Benacquisto, R-District 27) creates a new definition for a municipality of special financial concern under Chapter 163.3164, F.S. It defines them as a municipality with a per capital taxable value of assessed property of \$58,000 or less, or a municipality with a population under 20,000 with a per capita taxable value of assessed property of \$46,000 or less. This bill provides that under certain circumstances, these municipalities can apply for a

waiver for updating the capital improvements element and schedule, a waiver of the requirements for an update the regional water supply plan, and a waiver from the requirements for the EAR scoping meeting and other requirements of section 163.3191. Page 166 of 181

**SB 1440** (Senator Hays, R-District 20) makes a number of changes to the Rural Land Stewardship process. It removes the Department of Community Affairs as the designated entity to provide assistance to local governments under the Rural Land Stewardship program and designates the Department of Agriculture and Consumer Services as the lead. Water Management districts are also removed from the list of participating agencies and replaced with the Fish and Wildlife Conservation Commission. The above appears to apply when a landowner or local government is not required to demonstrate need, although this portion of the bill is confusing. Under these circumstances, this bill would allow landowners to directly petition the local government to designate the rural land stewardship area.

Additionally the bill amends where rural land stewardship areas can be located – the requirement that they be outside urban growth boundaries is amended to be outside urban service areas or planned future urban service areas. A number of other changes to the process are proposed and the bill would also repeal Rules 9J-5.026 and Rule 9J-11. The bill also specifically states that rulemaking to implement the provisions of 163.3177(11)(d) is not authorized.

**SB 1512** (Senator Bennett, R- District 21) deals with a number of issues. It adds definitions of mobility plan and transit-oriented development to Chapter 163.3164, F.S. It also amends the definition of financial feasibility to include committed or planned funding sources of a local government for years 4-10 of a 10 year capital improvement schedule. The bill would require that amendments to address military base compatibility to be submitted by June 30, 2011.

The bill also changes the use of population with respect to future growth, stating that “The amount of land required to accommodate anticipated growth may not be limited solely by the projected population. At a minimum, the future land use plan must provide at least the amount of land needed for each land use category in order to accommodate anticipated growth using medium population projections for a 25-year planning period from the Bureau of Economic and Business Research (BEBR) of the University of Florida and incorporating a minimum 25 percent market factor based upon the total population of the jurisdiction...” It would require that population projections be reconciled on a county basis, and that counties and the municipalities within enter into an allocation agreement by December 1, 2011.

The bill also changes the transportation backlog concept to a transportation deficiency concept which includes both existing deficiencies and deficiencies projected to occur with 10 years. It changes the formula for calculating transportation proportionate share for DRIS, making it a two step process where any road projected to be deficient without any DRI project traffic is eliminated from the calculation. It would require each local government to adopt by ordinance a methodology for assessing proportionate fair-share mitigation options by December 1, 2011.

The bill also exempts transit-oriented developments from being reviewed for transportation impacts in the DRI process.

In order to eliminate concerns about constitutional validity being raised by litigation, **SB 7021** (Representative Hooper, R- District 50) reenacts Chapter 163.31801(5) which states that in any action involving an impact fee, the government has the burden of proving by a preponderance of evidence that the imposition or amount of the fee meets the law. The bill indicates that it would take effect upon becoming a law and would be applied retroactively back to July 1, 2009.

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## Legislative Newsclips

### **Business Bills to Watch**

Jay Brady, Government Editor, Gulf Coast Business Review, March 4, 2011

[www.review.net/section/detail/business-bills-to-watch/](http://www.review.net/section/detail/business-bills-to-watch/)

### **How term limits reshaped Florida Politics – for better or for worse**

Mcclatchy News Service, St. Augustine Record, March 3, 2011

<http://staugustine.com/news/local-news/2011-03-03/how-term-limits-reshaped-florida-politics-%E2%80%94-better-or-worse>

### **State budget shortfalls may prompt legislators to make sweeping changes**

Jonathan Mattise, TC Palm, March 4, 2011

<http://www.tcpalm.com/news/2011/mar/04/state-budget-shortfalls-may-prompt-legislators/>

### **An environmental disaster**

**Only the electorate stands in the way of Tallahassee's agenda**

Opinion, Orlando Sentinel, March 4, 2011

[http://www.orlandosentinel.com/news/opinion/os-ed-environment-030411-20110303.0.3303090\\_story](http://www.orlandosentinel.com/news/opinion/os-ed-environment-030411-20110303.0.3303090_story)

**Port Manatee readies to expand as Florida exports escalate**

Jennifer Rich, Bradenton Herald, March 4, 2011

<http://www.bradenton.com/2011/03/04/3006114/state-exporting-escalating-port.html>

**Florida Sen. John Thrasher discusses lawmaker's unenviable to-do list**

Matt Dixon, Florida Times-Union, March 4, 2011

<http://jacksonville.com/news/florida/2011-03-04/story/florida-sen-john-thrasher-discusses-lawmakers-unenviable-do-list>

**Gov. Scott Puts Fees on Public Records Requests**

The Lakeland Ledger, March 3, 2011

<http://www.theledger.com/article/20110303/NEWS/110309879/1003/NEWS00?Title=Gov-Scott-Puts-Fees-on-Public-Records-Requests>

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# Florida Legislature To Consider New Real Estate Laws

Posted on Mon, Mar. 07, 2011

## Florida legislature to consider new real estate laws

BY TOLUSE OLORUNNIPA  
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The many woes of Florida's housing market are well-known: hundreds of thousands of foreclosures, millions of underwater mortgages and a four-year trail of depreciating property values.

Florida lawmakers, handicapped by a \$3.6 billion budget shortfall, will take their best shot at solving some of the most pressing housing problems during this year's legislative session, which kicks off on Tuesday in Tallahassee.

In a session likely to be dominated by budget battles, public employee pensions and education reform, housing legislation isn't at the top of most lawmakers' minds, said Arden Shank, president of Neighborhood Housing Services of South Florida.

"Housing as a public policy issue is a real face-the-music issue for many homeowners and has been an issue for many years now, and folks tend to forget about it," he said. "Foreclosure prevention, at least for South Florida, is still a major issue."

A few lawmakers—many of them from South Florida—are pitching housing bills this year. The proposed laws generally fall into three categories: help for condo associations, property tax reform and changes to the foreclosure process.

### ASSOCIATIONS

Last year, the Legislature passed the Distressed Condo Relief Act, which gave condominium associations the authority to collect rent directly from the tenants of delinquent unit owners, and bar any non-paying condo owners from using common amenities like pools.

A couple of bills up for consideration this year seek to expand on those powers, appealing to the growing number of condo boards frustrated by their defaulting neighbors.

Woodie Neiss, president of the condo board at The Bamboo House Condominium in Miami Beach, says his association needs every tool it can get to deal with delinquent homeowners. One unit owner, he says, is \$14,000 behind on maintenance fees and has been openly defiant towards anyone trying to collect.

"He's completely milking the system. He knows that it's so hard for people to kick him out and his goal is just to stay in there rent free," he said. "We pay for the water, we pay for the insurance, we pay for the cable. It's completely ridiculous."

Since the condo building only has 12 units, each non-paying owner leaves a large burden on the other owners, said Neiss, who became president when nine of the unit owners were paying their fees.

One bill, backed by Sen. Gen Margolis, D-Aventura, would give condo associations the power to cut off cable and Internet access to unit owners who are more than 90 days behind on their maintenance fees.

The Bamboo House condo has a bulk cable agreement, Neiss said, so owners in good standing have been

subsidizing the cable costs of the delinquent owner for four years. A law that would allow the condo to cut off cable in the delinquent units would be helpful, he said.

“Why do these people need cable television?” he asked. “So they can sit there and make their lives even more comfortable, while they’re making life miserable for the rest of us?”

Critics say the bill is an overreach, and will not help a situation caused mostly by stubbornly high unemployment.

Sen. Jeremy Ring, D-Margate, is against the idea of cutting off unit owners’ cable, but is sponsoring legislation that he believes will help associations and clean up some of the foreclosure process at the same time.

His bill provides protections for condo associations that file foreclosure against delinquent unit owners, so that they are not held liable for that owner’s past due assessments when they take title. Banks have been accused of delaying foreclosures on condos, waiting for condo associations to foreclose so that the associations would be stuck holding the bill for past past-due assessments.

“We have to do two things—we have to be able force the banks to foreclose quicker,” Ring said. “Then we try to make sure the banks remain liable for what their statutory obligation is.”

Another provision in Sen. Ring’s bill would allow associations to continue collecting 100 percent of the rent payments from tenants of delinquent owners until those units are brought current, clearing up some of the confusion left behind by last year’s bill.

## PROPERTY TAXES

After a head-scratching property tax season in which many homeowners saw their market values slump and their assessed values increase, a number of lawmakers have their sights set on the “recapture rule” tucked within Florida’s Save Our Homes law. There are a number of bills circulating the Legislature this year seeking to eliminate the rule, which mandates that while a property’s assessed value can only increase by a maximum of three percent each year, it must continue increasing until it matches up with market value. For homeowners who purchased long before the housing boom, their homes’ assessed values—which determine property taxes—have not yet caught up with market values, meaning continued tax increases in a slumping market.

Sen. Anitere Flores, a Democrat representing Southwest Miami-Dade County, is one of a handful of lawmakers pitching a bill that would scrap the recapture rule.

Sen. Flores’s bill is likely to have a lot of popular appeal in South Florida, where more than 300,000 homes were hit by the recapture rule this year. In Miami-Dade County, a tax rate increase in 2010 combined with the recapture rule to cause property tax jumps for a number of homeowners, even as their values fell an average of 13 percent. Mayor Carlos Alvarez and County Commissioner Natacha Seijas, who signed off on the millage rate increase, are now both facing recall elections as voters signed petitions to have them removed from office.

But even with the popular support from struggling long-homesteaded property owners, the bill faces its share of criticism. As cities and counties stare at gaping budget holes, an elimination of the recapture rule could mean less property tax revenue for local governments, or possibly millage rate increases to make up the balance. When a similar bill was considered last year, the Revenue Estimating Conference estimated that eliminating the recapture rule would result in a revenue reduction of at least \$135 million a year.

The bill would also mean boom-era homebuyers could face an even more disproportionately large property

Another property tax-focused bill being pitched by Rep. Chris Dorworth, R-Lake Mary, would lower property tax assessments for new homeowners and investors. People who buy a home after Jan. 1, 2012, would receive an additional homestead exemption of 50 percent of the property's value. For non-homesteaded homeowners, Dorworth's bill, and other similar ones, would cap the increase in assessments at 3 percent per year. That cap is currently 10 percent.

## FORECLOSURES

While Congress is considering eliminating a handful of the federal government's foreclosure prevention programs, state lawmakers have not come up with many plans for solving Florida's nation-leading foreclosure problem, said Shank.

"In Miami-Dade, Broward and Palm Beach counties, this is still a big deal," he said.

A couple bills circulating Tallahassee this year address the foreclosure problem, and some of its side effects.

Senate Bill 912 seeks to expand the availability of affordable housing and low-income rentals in the state. The bill also takes on the overloaded supply of housing, a problem that has been particularly acute in foreclosure-ridden South Florida, where more than 60,000 homes are on the market.

In order to make sure that affordable housing money does not go towards projects that would add to an already bloated housing inventory, the bill would prohibit certain state programs from funding the construction of new homes and apartment communities. The funds could be used to rehabilitate vacant and abandoned homes and rental apartments, instead.

Another foreclosure-related bill provides protections for renters who live in homes being repossessed by a bank. Those tenants would be guaranteed at least 90 days notice before they have to move out, under the bill.

One of the more controversial laws moving through the House and Senate would provide banks and mortgage lenders the option of conducting foreclosure on commercial properties outside of the courtroom. Florida, one of 23 judicial foreclosure states, currently requires lenders to go to court in order to repossess properties that are delinquent on payments. This bill would allow lenders to reclaim a property through a trustee foreclosure, potentially freeing up room in the courts for residential foreclosure cases, which have been moving at a snail's pace since banks discovered errors in their documents last fall.

In South Florida, there are nearly 100,000 foreclosure cases stuck somewhere in the court system.

# **FRCA – Regional Planning Council Functions & Programs**



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## Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

# **NADO NEWS**



★ A Timely and Trusted News Source for the Nation's Regional Planning and Development Organizations

## NADO NEWS: March 4, 2011

### A Publication of the National Association of Development Organizations

#### 2011 NADO Washington Policy Conference: March 21-23

##### USDA Secretary Vilsack Confirmed; EDA Assistant Secretary Fernandez Confirmed

NADO is excited to announce that the Honorable Tom Vilsack, Secretary of the U.S. Department of Agriculture, will be one of our featured guest speakers on Tuesday, March 22 at 9:30 a.m. Also confirmed is the Honorable John Fernandez, Assistant Secretary for the Department of Commerce's Economic Development Administration.

##### Federal Roundtable Networking Session

As part of the policy conference, NADO and the Development District Association of Appalachia are hosting the 2011 Federal Roundtable Networking Session held on Monday, March 21 from 4:00 to 6:00 p.m. NADO has already confirmed representatives from the U.S. Department of Transportation, the U.S. Department of Agriculture, the U.S. Environmental Protection Agency, the Small Business Administration, the U.S. Department of Housing and Urban Development, the U.S. Department of Labor, the Economic Development Administration and others. *Do not miss this great opportunity to network with federal agencies!*

The 2011 policy conference will feature expert panels on federal budget and appropriations issues, key administration and congressional priorities, and insights into the association's regional development policy agenda. Participants will receive an updated congressional directory, talking points and issue briefs to assist with congressional visits, and other materials and training needed to communicate effectively with federal lawmakers and policymakers.

In addition, the conference will feature pre-conference peer learning sessions for executive directors, policy board officials and senior program staff. These include NADO's executive director training and EDA's Know Your Region curriculum for regional innovation strategies and development. Participants will also have the opportunity to attend an updated training on effective federal grassroots advocacy. Learn how to build new relationships with your members of Congress and effectively nurture the relationships you currently have!

[Click here](http://www.nado.org/conferences/washington.php) to register online today and visit <http://www.nado.org/conferences/washington.php> for regular conference updates.

#### LEGISLATIVE NEWS

##### Congress Passes Another Short-Term Extension; Avoids Government Shutdown

On March 2, the President signed a two-week extension of government funding and avoided a shutdown of the federal government. The bill (HJ Res 44) cuts \$4 billion in discretionary spending while generally extending funding authority for the government through March 18. The spending cuts came from programs that President Obama proposed to terminate and from funding that previously had been earmarked.

The White House and congressional leaders must now continue negotiation efforts to fund the government for the remainder of fiscal year 2011. President Obama has called for direct negotiations and has sent Vice President Joseph Biden, White House Chief of Staff William Daley and OMB Director Jacob Lew to negotiate with congressional leaders.

Republicans have not immediately embraced the concept of direct negotiations, calling instead for Senate Democrats to take up either the House-passed spending cut bill (HR 1) or their own Democratic plan.

### **Congress Passes Surface Transportation Extension Act**

On March 2, the House passed the "Surface Transportation Extension Act of 2011" (HR 662). The House voted to extend federal surface transportation spending programs at current levels through the FY2011 budget year that ends September 30, 2011. This extension to spend out of the Highway Trust Fund covers highway, transit and related programs under SAFETEA-LU (PL 109-59) that were set to expire March 4 after several short-term funding extensions and program authorizations.

The measure was sponsored by the Chairman of the House Transportation and Infrastructure Committee, John Mica (R-FL), who said that the measure will give his panel time to craft a new long-term reauthorization bill.

On March 3, the Senate passed the measure by voice vote, clearing the bill for the President. This additional extension is intended to give states and the nation's construction industry some certainty about funding flow over the next several months.

## **FEDERAL NEWS AND NOTES**

### **EDA Seeks Public Comment on Regulations**

The U.S. Economic Development Administration (EDA) published a notice requesting that stakeholders help the agency update its regulations so it can more effectively partner with communities and organizations to create jobs and economic growth. The agency encourages the public to share thoughts and ideas about EDA's regulations on its website, [www.eda.gov](http://www.eda.gov), where the ideas others have submitted can also be viewed.

EDA's regulations are an important tool for the agency's economic development assistance programs as they provide the framework through

which the agency selects, awards and administers its investments. The agency is particularly interested in learning of any perceived impediments to contemporary economic development practices that are produced as a cause or consequence of a particular regulation. Although EDA welcomes comments on all of its regulations, the agency requests particular input on how the regulations impact the creation and growth of Regional Innovation Clusters and property management issues.

Complete details are available in the Federal Register at <http://www.gpo.gov/fdsys/pkg/FR-2011-02-01/pdf/2011-1937.pdf>. To share your comments, recommendations, ideas and feedback regarding EDA's regulations, go to [www.edaregulations.ideascale.com](http://www.edaregulations.ideascale.com). Please send a copy of your comments to NADO Associate Legislative Director Deborah Cox at [dcox@nado.org](mailto:dcox@nado.org).

### **EDA, U.S. Commercial Service and Invest in America Lead U.S. Trade and Investment Program**

The U.S. Department of Commerce's Economic Development Administration (EDA), U.S. Commercial Service (USCS), and Invest In America (IIA) have partnered to lead a U.S. Trade and Investment Program to HANNOVER MESSE 2011, the world's largest industrial technology showcase, April 3-8, 2011 in Hannover, Germany. The purpose of EDA/ITA Trade and Investment Programs is to promote the administration's National Export Initiative as well as to attract Foreign Direct Investment in the U.S. HANNOVER MESSE 2011 is an excellent opportunity to promote your community as an attractive place to do business. If you are interested in participating in the event, please visit <http://www.eda.gov/tradeandinvestmentprograms/upcomingevents.xml> for more details. Please note that there is a significant registration fee to attend.

### **FCC Unveils National Broadband Map**

The Federal Communications Commission (FCC) has just unveiled The National Broadband Map, the first public, searchable nationwide map of broadband Internet availability which is now available at <http://www.broadbandmap.gov>.

The U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) created the National Broadband Map in collaboration with the FCC, using data that each state, territory and the District of Columbia (or their designees) collected from broadband providers or other data sources. The data will support efforts to expand broadband access and adoption in communities at risk of being left behind in the 21st century economy and help businesses and consumers seeking information on their high-speed Internet options.

#### **USDA Funding Opportunity through REDLG Program**

On February 15, the U.S. Department of Agriculture (USDA) announced that it is accepting applications for loans and grants to create jobs and spur economic development through the Rural Economic Development Loan and Grant (REDLG) program. The REDLG program provides loan and grant funding for rural projects through local utility cooperatives. Under the program, USDA provides zero-interest loans and limited grant support to utilities. The funds are then re-loaned to local businesses (ultimate recipients) for projects that will create and retain employment in rural areas. For more information on this program, visit [http://www.rurdev.usda.gov/BCP\\_redlg.html](http://www.rurdev.usda.gov/BCP_redlg.html).

Applications for third quarter funding must be submitted by March 31, and fourth quarter applications are due to USDA Rural Development state offices by June 30. Complete details are available in the February 14, 2011 issue of the Federal Register, page 8334 or online at: <http://edocket.access.gpo.gov/2011/2011-3198.htm>.

#### **EPA Announces New Opportunity to Apply for the National Award for Smart Growth Achievement**

The Environmental Protection Agency (EPA) has just announced that the application period for the 10th annual National Award for Smart Growth Achievement is now open. This competition is open to public- and private-sector entities that have successfully used smart growth principles to improve communities environmentally, socially and economically. The deadline for submission is April 6,

2011, and winners will be recognized at a ceremony in Washington, DC in December 2011.

This competition is open to public and private sector groups (all entries must have a private sector stakeholder) that have implemented Smart Growth strategies effectively to improve communities holistically. Eligible projects will demonstrate significant planning activity between April 6, 2006, and April 6, 2011. Award categories include ***Programs, Policies, and Regulations, Smart Growth and Green Building, Civic Places and Rural Smart Growth***. **An additional award will be given for "Overall Excellence."** Applicants can apply to one category only.

If you have questions concerning the National Award for Smart Growth Achievement program, contact Ted Cochin at [cochin.ted@epa.gov](mailto:cochin.ted@epa.gov) or 202.566.2181. For more information on this program, award categories, and the entry form, visit <http://www.epa.gov/smartgrowth/awards.htm>. Information on 2010 Smart Growth award winners can be found at [http://www.epa.gov/smartgrowth/pdf/sg\\_awards\\_2010.pdf](http://www.epa.gov/smartgrowth/pdf/sg_awards_2010.pdf).

## **NADO NEWS AND NOTES**

#### **NADO Holds FY2012 Budget Briefing**

On February 17, NADO held the webinar "An Analysis of the President's FY2012 Federal Budget." During the webinar, NADO staff highlighted how the new budget is expected to impact regional planning and development organizations and the federal programs in which they participate. The slides from the presentation are available to NADO members at <http://www.nado.org/nadonews/2012budgetslides.pdf>.

#### **New Know Your Region Webinar on March 10: Regional Boundary-Spanning Growth Strategies**

On Thursday, March 10, at 2:00 p.m. EST, the NADO Research Foundation will host its fifth installment of the Know Your Region Webinar Series: Regional Boundary-Spanning Growth Strategies.

Exploring outward-facing trade strategies is an integral part of regional economic development. This webinar will focus on two distinct types of expanding traded wealth outside a region: developing international export capacity and assisting businesses to identify and exploit emerging market opportunities.

U.S. Assistant Secretary for the Department of Commerce's Economic Development Administration, John Fernandez, will deliver opening remarks prior to introducing Dr. Brad Kramer, Director of the Advanced Manufacturing Institute (AMI) and Tina Taylor, International Trade Program Manager for the Southern Alleghenies Planning and Development Commission. Reserve your Webinar seat now at: <https://www2.gotomeeting.com/register/413337970>.

**Information Needed: NADO Research Project on Transportation and Economic Development**

Under contract to the Federal Highway Administration, the National Association of Development Organizations (NADO) Research Foundation is conducting research on regional transportation planning practices. As part of this research, we are seeking responses to an online scan from all regional development organizations and rural transportation planning organizations. Please share information about your work by responding to the questions posted at [www.zoomerang.com/Survey/WEB22BUDR5NYF9](http://www.zoomerang.com/Survey/WEB22BUDR5NYF9).

This information will assist with NADO's ongoing efforts to document the significance of transportation to regional economic development, as well as to understand the centrality of the Comprehensive Economic Development Strategy (CEDS) as a valuable process for working with stakeholders and identifying a vision for regional planning efforts and how the CEDS can be linked with other efforts. Your responses will also assist us in understanding how regional development organizations are engaged in measuring their efforts in planning, which is an issue area of interest to federal agencies and may be a significant issue in the future of the nation's surface transportation programs.

Please respond by March 11. Access the online scan at [www.zoomerang.com/Survey/WEB22BUDR5NYF9](http://www.zoomerang.com/Survey/WEB22BUDR5NYF9). It should take under 30 minutes to complete. To learn more about the research project or to share additional information, including regional planning documents, email [transportation@nado.org](mailto:transportation@nado.org) or call NADO Senior Program Manager Carrie Kissel at 202.624.8829.

**National Rural Transportation Conference Call for Presentations**

Submit your presentation ideas now for the 2011 National Rural Transportation Peer Learning Conference, to occur August 24 – 26 in Washington, DC. Regional transportation practitioners are encouraged to submit presentations on any aspect of rural or small metropolitan transportation planning, programming and service delivery. To submit your presentation idea or learn more about the conference, visit [www.RuralTransportation.org](http://www.RuralTransportation.org).

The conference is typically attended by regional transportation planning practitioners, state DOT representatives, local officials involved in RPOs or small MPOs, or other stakeholders. The conference is three days of peer networking and training on several topics related to multimodal transportation planning, including issues related to highways, bridges, bicycle/pedestrian transportation, freight movement and regional public or human services transportation.

The National Rural Transportation Conference is sponsored by the Development District Association of Appalachia, Federal Highway Administration, Federal Transit Administration, National Association of Development Organizations and RPO America, and other planning partners.

Learn more about this year's conference or view prior conference agendas at [www.RuralTransportation.org/pages/page.asp?page\\_id=130341](http://www.RuralTransportation.org/pages/page.asp?page_id=130341). For more information, contact NADO Program Managers Carrie Kissel, at 202.624.8829 or [ckissel@nado.org](mailto:ckissel@nado.org), or Kathy Nothstine, at 202.624.5256 or [knothstine@nado.org](mailto:knothstine@nado.org).

### **NADO to Hold Social Media Webinar**

The NADO Research Foundation and RPO America will hold the webinar “Social Media and Electronic Participation in Regional Planning and Economic Development” on Wednesday, March 30 from 2 – 3:30 p.m. Eastern. Through an overview and two case studies, this webinar will provide an overview of social media use and how such tools can be used in transportation, economic development, and communications efforts of regional planning and development organization.

Register for the free webinar at <https://www2.gotomeeting.com/register/887145003>. This webinar is supported in part by the Federal Highway Administration through the NADO Research Foundation’s Center for Transportation Advancement and Regional Development. AICP CM credits will be available. For more information, contact NADO Senior Program Manager Carrie Kissel at 202.624.8829 or [ckissel@nado.org](mailto:ckissel@nado.org).

### **New on RuralTransportation.org**

New resources have been posted to NADO’s [www.RuralTransportation.org](http://www.RuralTransportation.org) website this week:

- New NADO Report: [National Symposium for RPOs and MPOs: Assessing the Structure and Benefits of Collaboration Proceedings Report](#)
- [Visualizing Data in Planning](#)
- [Transportation Project Economic Impact Tool Released by TRB](#)
- [Updates to the Rural Transportation Training Calendar](#)

Visit [www.RuralTransportation.org](http://www.RuralTransportation.org) to access these and other resources. For more information on NADO’s transportation programs, contact NADO Program Managers Carrie Kissel, at 202.624.8829 or [ckissel@nado.org](mailto:ckissel@nado.org), or Kathy Nothstine, at 202.624.5256 or [knothstine@nado.org](mailto:knothstine@nado.org).

### **2011 EDFS Conference Set for August in Washington, DC**

The 2011 EDFS Conference will be held August 22 – 25 at the Marriott Metro Center in Washington, DC. The hotel is offering a rate of \$170 single or double. Details about the conference agenda will be

available in the coming months at [www.nado.org/edfs](http://www.nado.org/edfs). Send thoughts or suggestions about possible conference topics to NADO Deputy Executive Director Laurie Thompson at [lthompson@nado.org](mailto:lthompson@nado.org) or 202.624.5948. Visit [www.marriott.com/hotels/travel/wasmc-washington-marriott-at-metro-center](http://www.marriott.com/hotels/travel/wasmc-washington-marriott-at-metro-center) for details about the hotel.

### **Apply Now for NADO’s Awards Programs**

Online applications are now being accepted from NADO members for the 2011 NADO Innovation Award and the Excellence in Regional Transportation Award!

NADO’s Innovation Award honors projects in a variety of regional development program areas. The Excellence in Regional Transportation Award, a program of NADO’s RPO America and the NADO Research Foundation’s Center for Transportation Advancement and Regional Development, recognizes noteworthy projects and practices in rural and small metropolitan transportation planning, programming and service delivery. Recipients of the Innovation Award will be honored at NADO’s 2011 Annual Training Conference in Miami Beach, FL, and recipients of the Excellence in Regional Transportation Award will be honored at the 2011 National Rural Transportation Peer Learning Conference in Washington, DC. Both awards provide an excellent opportunity for members to promote their successes to a national audience and with their regional and local partners. Submit your application online at <http://www.zoomerang.com/Survey/WEB22BTQ5P9S9V>.

This year, NADO is especially seeking projects that show creative funding or partnerships; long-term viability or long-ranging impacts; and significant, demonstrated value to their regions. Support for regional innovation strategies, post-disaster economic recovery, best practices in regional transportation, planning efforts that integrate economic development with other issues such as workforce or transportation, effective small business outreach and finance, use of social media, and other innovative regional planning and development

practices. For more information, visit <http://nado.org/rf/award.php> or contact NADO Program Manager Kathy Nothstine, at 202.624.5256 or [knothstine@nado.org](mailto:knothstine@nado.org).

## NADO CALENDAR OF EVENTS

- [2011 Know Your Region Webinar Series](#)  
Bi-weekly Series occurring every other Thursday until April  
KYR Webinar Series Part 5: Regional Boundary-Spanning Growth Strategies  
Thursday, March 10, from 2 – 3 p.m. EST  
<https://www2.gotomeeting.com/register/413337970>
- [2011 Washington Policy Conference](#)  
March 20 – 23, 2011, Marriott Crystal Gateway, Arlington, VA
- [Webinar: Social Media and Electronic Participation in Regional Planning and Economic Development](#)  
March 30, 2011, 2 – 3:00 p.m.  
<https://www2.gotomeeting.com/register/887145003>
- [NADO Board of Directors Summer Board Meeting](#)  
June 4 – 6, 2011, Pinehurst Resort, Pinehurst, NC
- [2011 EDFS Training Conference](#)  
August 22 – 25, 2011, Marriott Metro Center, Washington, DC
- [2011 National Rural Transportation Peer Learning Conference](#)  
August 24 – 26, 2011, Marriott Metro Center, Washington, DC
- [2011 Annual Training Conference](#)  
October 8 – 11, Miami Beach, FL