

Gundlach Nancy

From: FryerEdwin
Sent: Tuesday, February 16, 2021 3:54 PM
To: JenkinsAnita
Subject: One of two

From: Gaylene Vasaturo <gaylenevasaturo@sbcglobal.net>
Sent: Wednesday, February 10, 2021 3:13 PM
To: FryerEdwin; KarlFry; HomiakKaren; SheaPaul; SchmittJoseph; VernonChristopher; KlucikRobert
Cc: Patricia Forkan
Subject: LWVCC Environmental Committee Letter re: Longwater/Bellmar

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Collier County Planning Commissioners:

Chairman Edwin Fryer, Paul Shea, Karen Homiak, Christopher Vernon, Karl Fry, Joseph Schmitt, Robert Klucik

Re: Feb. 18, 2020 hearing on Longwater and Bellmar Villages

Dear Planning Commissioners:

We recently learned that a proposed Town Agreement to add 515 acres to Longwater Village to create the Longwater Town Stewardship Receiving Area will be included in the CCPC agenda packet for Longwater and Bellmar—just for informational purposes. The CCPC is not being asked to make any recommendations on this proposal. Collier Enterprises plans to ask the Board of County Commissioners (BCC) to approve this Town Agreement on the same day the BCC considers the Longwater and Bellmar Village applications. This approach circumvents the normal public process.

By including the Town Agreement in the CCPC agenda packet, Collier Enterprises is, in effect, asking the Planning Commissioners to recommend approval of Longwater and Bellmar Villages with an assumption that Collier Enterprises will create a town. But Collier Enterprises has not submitted a town application nor provided supporting information and data, and there has

been no staff analysis of the Town proposal. What the Town Agreement proposes is extremely inconsistent with the RLSA Overlay. The Agreement also contains conditions, such as requiring the County to pay completely for a Community Park and restrictions such as what can be considered for the economic assessment and traffic impact analysis. This Agreement would shift many costs of the town to the County.

We expect that the Planning Commission will review Longwater and Bellmar Village applications on their own merit for consistency with RLSA Overlay. Collier Enterprises is hoping you will be influenced by the Town Agreement. Please do not be swayed. This Agreement makes no promises. The 515 acres added by the Town Agreement will be primarily a commercial area ("town core") spread out along Big Cypress Parkway and Oil Well Road. However, the Town Agreement states that "There shall be no timing conditions placed on the development of the Town Core which will be developed based on market conditions." Timing on building a commercial area is key to self-sufficiency, yet Collier Enterprises may not build the proposed town core for 50 years, or maybe market conditions will never support such a proposal.

Finally, if the Applicant and the County are to proceed with the Town Agreement, then the Applicant should first come forward with a formal Town SRA application, so that plans to aggregate the Villages into a town can be fully vetted and reviewed by the Planning Commission and the public.

Thank you for considering these matters.

Sincerely,

The League of Women Voters Collier County, Environmental Committee

Patricia Forkan
 Charlotte Nycklemoe
 Susan Calkins
 Judy Hushon
 Lynn Martin
 Lorelee LaBoeuf
 Bonnie Michaels
 Alison Wescott



February 15, 2020

To: Collier County Planning Commission
 Chairman Edwin Fryer
 Karl Fry
 Karen Homiak
 Paul Shea
 Christopher Vernon
 Joseph Schmitt
 Robert Klucik

Re: Longwater and Bellmar Villages

Dear Planning Commissioners:

The following comments on Longwater and Bellmar Villages are submitted on behalf of the League of Women Voters Collier County Environmental Committee:

1. **Don't be swayed by the proposed Town Agreement in your agenda packet. The Applicant has not submitted a town application along with the required supporting information and there is no staff analysis. The Town Agreement makes no promises, but if approved would set a damaging precedent for future applicants to ignore RLSA Program requirements and shift many costs of a Town to the County.**

The Applicant hopes to influence your decision on Longwater and Bellmar by including a proposed Town Agreement in the agenda packet.

But Collier Enterprises has not submitted a town application along with supporting information and data, and there has been no staff analysis of the Town Agreement. What the Town Agreement proposes is extremely inconsistent with the RLSA Overlay. The Agreement also contains conditions such as requiring the County to pay for the Community Park land at \$22,500 per acre, pay permit fees and mitigation, reduce impact fees, and includes restrictions on what can be considered for the Town economic assessment and traffic impact analysis. In effect, the Agreement shifts many costs of the Town to the County.

We expect that the Planning Commission will review Longwater and Bellmar Village applications on their own merit for consistency with RLSA Overlay. We ask that you not be

influenced by this Town Agreement which makes no promises. The 515 acres added by the Town Agreement will be primarily a commercial area (“town core”) spread out along Big Cypress Parkway and Oil Well Road. However, the Town Agreement states that “There shall be no timing conditions placed on the development of the Town Core which will be developed based on market conditions.” Timing on building a commercial area is key to self-sufficiency, yet Collier Enterprises may not build the proposed town core for 50 years, or maybe market conditions will never support such a proposal.

2. Longwater and Bellmar Villages, along with Rivergrass Village, are a town—the Villages of Big Cypress Stewardship District. The Longwater and Bellmar Applications should be reviewed for consistency with the RLSA Overlay as a town.

Longwater, Bellmar and Rivergrass Villages, neighboring villages owned by the same landowner and scheduled to be built in roughly the same time frame, are really a town and should be required to meet the requirements of a town. The goods and services, corporate offices, light industrial, school, community park shown in the Longwater Town Concept Map should have been provided within the Longwater and Bellmar Villages. By seeking approval of the villages individually, Collier Enterprises is trying to avoid infrastructure costs such as the roadway costs necessary to serve the three Villages, e.g. Big Cypress Parkway, and expanded roads and intersections to address the adverse impacts of the cumulative traffic from these villages.

The County can and should require Longwater and Bellmar to meet the RLSA town criteria. GMP 4.7.1 states that “Towns shall not be less than 1000 acres or more than 4000 acres and are comprised of several villages and/or neighborhoods. Allowing Collier Enterprises to avoid the infrastructure costs and RLSA requirements of a town through this Town Agreement maneuver is also unfair to the other RLSA landowner, Barron Collier, who followed the RLSA Overlay requirements for the Town of Ave Maria.

3. Longwater and Bellmar are not fiscally neutral because the Applicant does not mitigate the cumulative adverse traffic impacts of Rivergrass, Longwater and Bellmar to ten roadway segments.

In Collier County, new residential developments must fully account for the traffic impacts associated with proposed development to ensure that traffic congestion is not exacerbated by new growth. RLSA Overlay Policy 4.18 requires the project to be fiscally neutral to the County for public facilities and services, including transportation. Policy 4.14 states “No SRA shall be approved unless the capacity of County collector or arterial road(s) serving the SRA is demonstrated to be adequate in accordance with Collier county Concurrency Management System in effect at the time of SRA designation.” The cumulative impact of traffic from Rivergrass, Longwater and Bellmar will be severe, yet the County is not requiring the Applicant to mitigate the cumulative adverse impacts from these villages.

For Longwater and Bellmar, the Applicant seeks to have the traffic impact of each Village considered in a vacuum. The TIS for Longwater shows one roadway adversely impacted by

Longwater traffic. The TIS for Bellmar shows two additional roadways adversely impacted by Bellmar traffic. The County Staff persisted in asking Collier Enterprises to provide a discussion of the cumulative impacts of Longwater, Bellmar, Rivergrass and Hyde Park Villages. See April 15, 2020 Review Comment Letter at page 4. According to the County transportation reviewer “Given the close proximity of these four proposed developments and the relatively limited roadway network in the surrounding area, it seems very likely that the cumulative impact of all this traffic will result in level of service deficiencies for multiple roadway segments and intersections.”

When the Applicant finally provided an analysis of adverse roadway impacts of Rivergrass, Longwater and Bellmar, ten roadway segments in addition to the three roadway segments mentioned above were determined to be adversely impacted.¹ These roadway segments were on Oil Well Road, Randall Road, Vanderbilt Beach Road, Golden Gate Blvd., Immokalee Road and Desoto Blvd—all collector or arterial roads. The Applicant’s TIS for Longwater and Bellmar show that the capacity of these collector and arterial roadways will not be adequate when the cumulative village traffic is considered. These roadways will have to be improved because the combined traffic of these three villages will cause the roadways to exceed the LOS.

The three Villages have been planned together in close proximity to one another; they have about the same build out date, and have gone thru the SRA application process in short succession of one after the other. Their traffic combined results in these adverse roadway impacts. To be considered fiscally neutral, the Applicant must address the adverse impacts of their project. However, the County Staff is not requiring the Applicant to mitigate the ten additional adversely impacted road segments that result from the cumulative impact of traffic.

4. **Longwater and Bellmar do not provide a transportation network adequate to support the proposed development. Big Cypress Parkway is a required facility for Longwater, Bellmar and Rivergrass, but Collier Enterprises is shifting the entire cost of this major roadway to the County.**

Under the RLSA Overlay Policy 4.14, an Applicant’s SRA application cannot be approved unless the capacity of County collector or arterial roads serving the SRA is demonstrated to be adequate in accordance with the County’s Concurrency Management System.

Big Cypress Parkway is a necessary collector road for the Villages of Big Cypress. For Rural Lands West (RLW), the County stated “[t]he SRA is responsible for providing roadways that connect and serve the various development pods. Your own traffic study identifies a significant amount of internal capture within the SRA. In basic terms, the Big Cypress Parkway is a required facility

¹ These ten roadway segments are: Oil Well Rd from Immokalee Rod to Everglades Blvd., Golden Gate Blvd. from Collier Blvd. to Wilson Blvd., Immokalee Road from Logan Blvd. to Collier Blvd., Immokalee Road from Collier Blvd. to Wilson Blvd., Desoto Blvd. from Randall Blvd. to 18th Ave NE, Vanderbilt Beach Rd from Wilson Blvd. to Logan Blvd., Golden Gate Blvd. from Wilson Blvd. To 16th St NE, Golden Gate Blvd from 16th St NE to Everglades Blvd., Golden Gate Blvd. from Everglades Blvd. to Desoto Blvd., Vanderbilt Beach Road from Wilson Blvd. to Collier Blvd. Longwater May 29, 2020 TIS Section 2 page 13; Bellmar Aug. 2020 TIS Section 2 pg. 13-14.

for RLW.” Nov. 1, 2018 Letter from Deputy County Manager to Collier Enterprises. Splitting RLW into three Villages does not change the reality that Big Cypress Parkway is a required facility for Rivergrass, Longwater and Bellmar.

Without Big Cypress Parkway, Longwater, which is a peninsula surrounded by a water retention area and farmland, has only one access and exit to a collector road, Oil Well Road. The Applicant’s representative stated that its villages do not need Big Cypress Parkway—that’s why they argue they don’t have to pay anything towards its construction. With over 19,000 new residents² in Rivergrass, Longwater and Bellmar combined plus Ave Maria’s growing number of residents, Oil Well road is clearly going to be jam packed during rush hours. Plus, Oil Well Road is a freight distribution route. Oil Well Road alone does not provide adequate collector road capacity for the traffic from these three Villages.

In other actions, the Applicant relies on Big Cypress Parkway. For example, in the Longwater Village Traffic Impact Statement the Applicant argues that internal capture of traffic will be increased and trip length shortened because of four new mixed use communities proposed in close proximity to each other. “Based on extensive shopping, employment and social recreation opportunities provided by these developments, it is anticipated that many of the external trips generated by Longwater SRA will be absorbed within these projects.” Big Cypress Parkway will be the connector road for these Villages. Without Big Cypress Parkway, travel between these villages would be a traffic nightmare.

The Applicant also treats the three Villages as one project in the Rivergrass Developer Agreement. This Agreement conditions the sale of the Right of Way (ROW) for Big Cypress Parkway on approval of all three villages.

Instead of paying anything for Big Cypress Parkway, the Applicant will receive a substantial amount of impact fee credits for providing the Right of Way (ROW) for Big Cypress Parkway to the County.

Collier Enterprises is not paying for any part of Big Cypress Parkway—instead it is selling the ROW for the road to the County. The amendment to the 2040 LRTP that included the three segments of Big Cypress Parkway estimated the total cost of building just the 5.1 miles of the Rivergrass segment as \$73,151,150. Collier enterprises will receive about \$15 million in road impact fee credits just for the Rivergrass 5.1 mile-segment of Big Cypress Parkway. These impact fee credits will reduce the amount of impact fees paid by the Applicant that otherwise would be used for major road projects that are needed to serve development in this area such as Randall Boulevard widening and the Vanderbilt beach extension.

² Longwater will have 2600 homes, Rivergrass 2500 homes and Bellmar 2750 homes for a total 7850 homes. Using BEBR medium range population growth for Collier County, there is 2.5 pers per household or 19,625 new residents. This is conservative. In 2045 LRTP, Jacobs Engineering projected 3 to 3.75 person per household for this specific areas of the RLSA. Note that the Applicant’s analysis for Longwater is based on just 1.67 PPH.

The developer should be paying for ROW and construction for at least a portion of Big Cypress Parkway—as Big Cypress Parkway is necessary to support its three Villages.

- 5. Longwater and Bellmar Villages will not be fiscally neutral because their impact fees will reimburse the County for only a portion of the New North East Water and Wastewater facility which must be built to serve the three new villages.**

According to the RLSA Overlay, growth must pay for growth. The Comprehensive Planning Staff asked “that County staff involved in the review of the Economic Assessment give consideration to the cumulative effects or demands of these SRAs rather than considering each only individually.” See, Staff Consistency Review Memo for Longwater Feb. 11, 2020 at pg. 13. The Developer should be paying for the infrastructure to support the cumulative demand from Longwater, Bellmar and Rivergrass Villages. However, the County Staff involved in review of the Economic Assessment did not address this matter. The addition of approximately 19,000 new residents in this area of the RLSA will require a new North East Water and Wastewater facility. The impact fees paid by the developers will reimburse the County for only a portion of the cost. The remainder will be satisfied by reducing the level of service for water and wastewater countywide, which reduces the water flow to your home, and increasing fees approximately \$500 per household.

- 6. The Applicant has not demonstrated that its proposed mitigation for Longwater’s adverse traffic impact on a segment of Randall Road will restore or maintain the Level of Service (LOS) on this adversely impacted roadway.**

According to 8-4-2020 TIS section 1 for Longwater, the project’s traffic will adversely impact the Randall Blvd. segment from Everglades Blvd. to DeSoto Blvd. Pg. 24. Under Transportation Policy 5.1 and the Capital Improvement Policy 1.2(B) the applicant developer must stipulate to specific mitigation measures to restore or maintain the LOS on identified deficient road segments. The applicant must show that its proposed traffic mitigation will offset the actual impacts created by the development. Here, for mitigation, Collier Enterprises only proposes “to pay the appropriate Collier County Road impact fees as building permits are issued for the project.” TIS Section pg 26 (8-4-20).

Collier Enterprises has not provided specific mitigation measures for this deficient roadway segment nor demonstrated that impact fees will go towards mitigating any of the significant impacts to this deficient roadway segment. In fact, impact fees are not “specific mitigation.” While road impact fee do vary by the type of residential unit being built (i.e. single family home v. condos), the fees are exactly the same for all locations within the County. Impact fees are assessed the same no matter if the project has significant or no impacts to the transportation network. There is no requirement that road impact fees collected from a development go

towards mitigating the impacts created by the relevant development. Collier Enterprises must provide specific mitigation for the deficient Randall Road segment.³

7. County Staff did not consider Longwater consistent with the RLSA Overlay and the Land Development Code (LDC) in many respects, but withdrew its comments without obtaining changes to address the objections it raised.

County Staff raised issues with Longwater Village in its February 11, 2020 Consistency Review Memorandum.

One of the general conclusions was that “The Longwater Village does not fully meet other requirements of, and does not reflect the innovative planning tools applied by the RLSAO pertaining to design, compactness, housing diversity, walkability, mix of uses, use density/intensity, continuum or gradient, etc. In staff’s view this SRA is, with some exceptions, a suburban development plan typical of that in the coastal urban area placed in the RLSA and is contrary to what is intended in the RLSAO.” The comment continues: “there are no known natural resource constraints that preclude a more compact form of development, designed with a majority of dwelling units proximate to the Village Center, the Village Center located in the interior rather than on the edge, commitment to provide some number of residential units in the Village Center, a grid street system, commitment to provide some amount of affordable housing, etc.” At Pg. 19. This comment as well as the other general conclusions were removed from a later version of the Staff Consistency Review document. See, 4-13-20 Consistency Review Memorandum.

Specific comments from the Feb. 11th 2020 review are as follows:

- A. Longwater’s design is inconsistent with the Overlay’s direction for SRAs to be compact, mixed-use, walkable. If Longwater was “redesigned in a more compact manner, centrally relocating the Village Center, placing more residential development closer to the relocated Village Center, then walkability could be significantly increased.” Pg. 15.
- B. Longwater does not provide a Village Center to serve as a focal point for the community. As County Staff noted: While the “so-called” Village Center allows a mix of uses, “Due to its location (at the frontage abutting future Big Cypress Parkway), the proposed location of commercial uses cannot be considered as a Village Center.” Pg. 7
- C. Longwater does not provide any parks or green spaces within the neighborhoods contrary to the requirement of Policy 4.7.2 and LDC....“no parks or public green spaces are provided within neighborhoods.” Consistency Memorandum Pg. 7.
- D. Longwater’s designation of certain “open areas” are questionable—the open areas include road right of ways and land designated as “open” that is not used within the Longwater project. According to County staff “These adjacent ‘open’ areas are predisposed to development as road rights-of-way for interconnection between the two areas of the SRA

³ See the depositions of Mr. Trebilcock and M. Sawyer and the affidavit Mr. Daniel filed in the ongoing Conservancy of SW Florida v. Collier County and Collier Enterprises on 11/25/2020.

and between neighboring SRAs (including one agreed upon with the Rivergrass SRA since this SRA's initial submittal.)" Pg. 9.

- E. Longwater does not meet the requirement for an appropriate mix of retail, office, civic, governmental and institutional uses to serve daily needs and community wide needs of residents contrary to GMP 4.15.1. According to County staff "No provisions are in place to ensure the minimum neighborhood scaled goods and services are provided in the "Village Center.... 'Thresholds,' or triggers, are needed to ensure the minimum amount of neighborhood scale goods and services is being/is developed before another phase... may be developed. Nor are provisions in place to ensure the minimum civic/institutional services are provided." Pg. 11
- F. "The SRA Master Plan needs to be revised to show an interconnected sidewalk and pathway system as well as an interconnected system of collector and local roads reflecting its continuum or gradient of density and intensity." Pg 19 GMP 4.11 and LDC 4.08.07.J.3.a.v.
- 8. Longwater and Bellmar will be built on 2000 acres of habitat essential to the long-term survival of the Florida Panther. Bellmar in particular will be very damaging for Florida Panthers because it will be situated near the Florida Panther National Wildlife Refuge. This results from the Applicant's incorrect Natural Resource Index (NRI) scoring for panthers.**

The County has a responsibility to protect the Florida panther which makes its home in Collier County. The recent delegation of the Clean Water Act 404 permitting program to Florida DEP jeopardizes Endangered Species Act protections for panthers. The Eastern Collier Property Owners could decide to withdraw from the USFWS process on its Habitat Conservation Plan for the RLSA, and instead seek a wetlands destruction permit from FL DEP, whose program will not protect panthers from development projects. The County should make sure Applicants meet the intent of the RLSA Program to direct development away from listed species and their habitat.

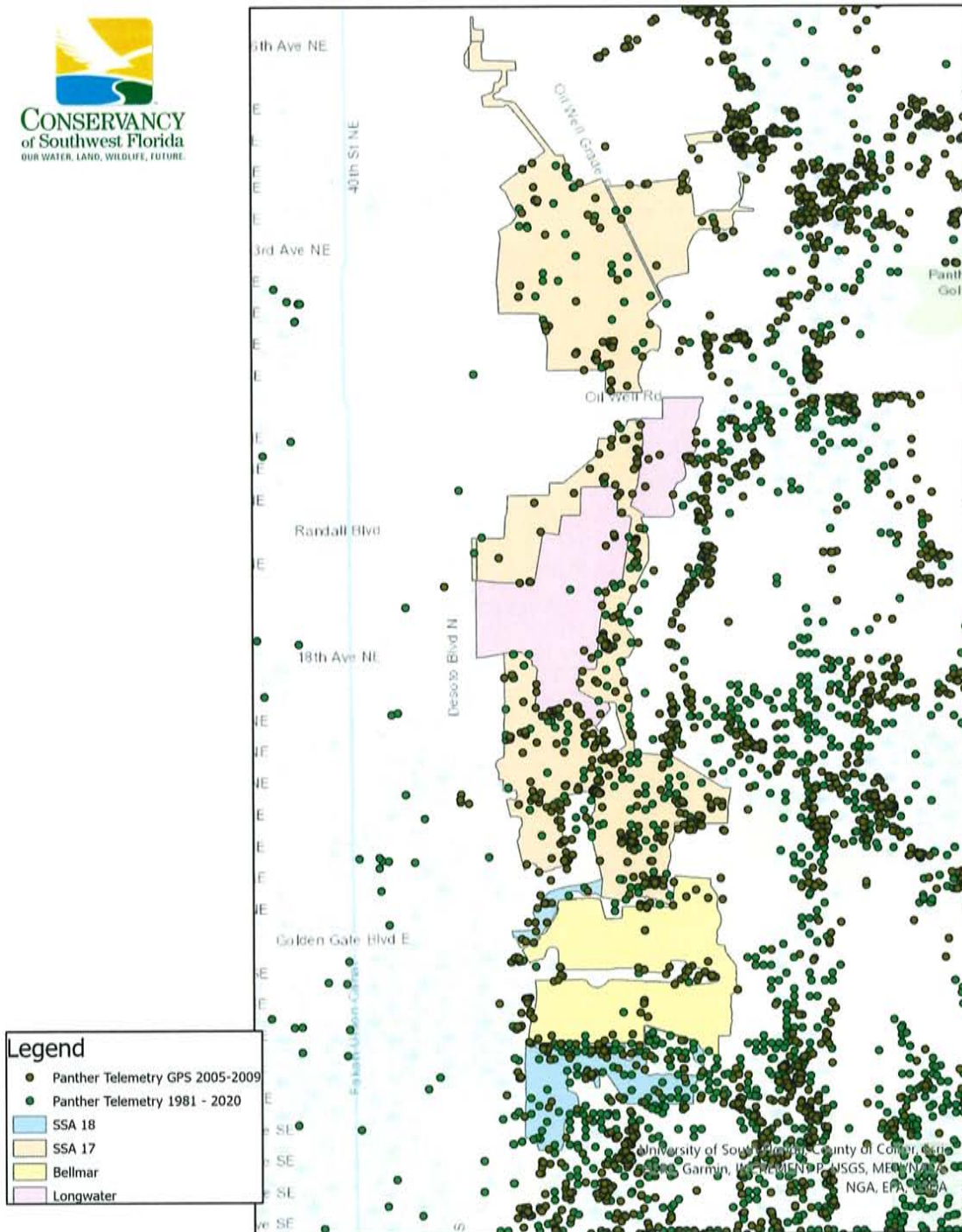
Studies by Florida panther experts have been completed since the 2002 adoption of the RLSA Overlay and implementing Land Development Code (LDC). These studies clearly identify the area on which Longwater and Bellmar will be built as primary panther zone, an area essential to the long-term survival of the panther. See Scientific Panther Review Team (PRT) 2009 Report at 37, and R. Kautz, "How Much is enough? Landscape-scale Conservation for the Florida Panther" (2006), and USFWS 2008 Panther Recovery Plan (conservation effort should focus on maintaining the total area of the primary zone "to prevent further loss of population viability"). Pg. 89. Recent studies by Dr. Frakes have identified much of the proposed sites for these villages as panther breeding areas.⁴

⁴ Frakes, RA., Belden RC, Wood, BE, James FE (2015) Landscape Analysis of Adult Florida Panther Habitat. *PLoS ONE*10(7): e0133044.

A. The Applicant's NRI scores for panthers are inaccurate because the Applicant only considers one year out of many years of panther telemetry data and discards telemetry reports of panthers on Longwater and Bellmar from the one year of data it did use.

A SRA Applicant must update the NRI scores in its application for a SRA. To score for panthers the Applicant looked at two things: whether (1) panthers were observed on the land, and (2) the land is "preferred or tolerated" habitat for the panther based on the FLUCFCS (land cover) codes in LDC 4.08.01Q. According to LDC 4.08.01Q "Listed Species Habitat Index", "Index values are based on documentation of occupied habitat as established by the intersect of documented and verifiable observations of listed species with land cover identified as preferred or tolerated habitat for that species. Land mapped, using FLUCFCS, as 310, 321, 411, 425, 428, 434, 617, 6172, 621, 6218, 6219, 624 and 630 is deemed to be preferred or tolerated habitat for panther for purpose of assigning a value for these indices."

For Bellmar and Longwater the Applicant's consultant conducted surveys for observations of panthers on its property. These surveys were performed during daylight hours. The Applicant also used one year (2019) of Florida Fish and Wildlife Commission (FWC) VHF telemetry data. All VHF telemetry data, including the 2019 data, are also recorded during daylight hours by aerial tracking of panthers. However, panthers are active mostly at night. There are also GPS telemetry data recorded 2005-2009 of radio-collared panthers that includes nocturnal recordings of panthers. Most of these collared panthers transmit data during the nighttime. See the figure below showing FWC telemetry data 1981 – 2020 for Longwater, Bellmar, SSA 17 and SSA 18. Note the brown dots show the GPS telemetry data.



2/10/2021

Attachment: Attachment H-Letters of Objection 2-22-21 (15115 : PL20190001836, Longwater Village SRA)

You can see the entire area where Longwater and Bellmar will be built is heavily used by panthers. Since Bellmar and Longwater are sited on what are currently fields of row crops, one would not expect panthers to be roaming row crop fields during the day, which accounts for less reported telemetry occurrences within the SRA boundaries.

The Applicant did not consider any of the many other years of panther telemetry data above—which show many additional occurrences of panthers on Bellmar and Longwater. Further, of the 2019 telemetry data used, the Applicant discarded all data showing panthers along the perimeter of Longwater and Bellmar as “not within the SRA boundaries.” The Applicant also did not include panther telemetry occurrences based on the 2019 FWC data within both Longwater and Bellmar because the particular acre(s) were not identified by a FLUCFCS code in the LDC provision discussed below.

The Applicant should have included all telemetry data in its NRI assessment, particularly the GPS telemetry data to obtain a correct NRI score for panthers.

A. But even if the Applicant had used all the telemetry data, it’s NRI scoring for panthers would have been inaccurate because the Applicant did not use the best available data in determining preferred habitat of panthers.

In updating the NRI scores for Longwater and Bellmar, the applicant did not correctly identify the preferred habitat for panthers. Even if panthers are observed or reported within the boundaries of the SRA, if the FLUCFCS code is not specified in LDC 4.08.01Q, the Applicant discarded the panther sighting. In its NRI assessments, although there were panthers reported on Bellmar, the Applicant scored zero acres for panthers on Bellmar because the land within this SRA does not contain the FLUCFCS codes above. For Longwater, the Applicant scored two small areas for panthers (approx. 4 acres total) based on FLUCFCS codes, and carved out these two small areas in the middle of the residential areas of the Village.

While LDC 4.08.01Q “deems” the land codes listed above to be preferred panther habitat, it does not limit or require the use of only those FLUCFCS codes. Further, this provision is 20 years old; it includes land cover types that were believed to be the preferred and tolerated panther habitat in 2002. Scientists now deem additional land cover types as habitats utilized by the Florida panther (See the panther studies referenced above.) We now know that agricultural lands are important areas for panthers; they support panther home ranges, breeding, dispersal and large prey.

In 2008 Collier County Environmental Staff pointed this out to the 5-year review Committee saying “What is considered to be habitat utilized by the Florida Panther has changed since 2002...The USFWS habitat types include marsh, pasture, row crops, orchards, and exotic plants that are not included in the current RLSA description. Utilization of the descriptive habitat types for listed species solves the issues of incomplete FLUCFCS lists and minor interpretation differences.” The Applicant should follow County environmental staff’s recommendation to update the NRI scoring for panthers based on descriptive habitat types as described by USFWS.

The LDC provision on listed species preferred habitat must be applied in accordance with the goals of the RLSA Overlay to direct development away from listed species and their habitat. That means in updating NRI scores 17 years after adoption of LDC 4.08.01Q, Applicants must apply the best available data in determining preferred panther habitat.

ECPO's consultant, Al Reynolds of Stantec, acknowledged to County Staff in 2011 the Applicant's duty to update NRI scores with the best available data at the time of application for a SRA. More specifically he said: "One of the basic principles of the RLSA is that there will always be more recent and more site-specific data available as the program is implemented, and this is best addressed at the time a property owner and the county evaluated a specific application for a SSA or SRA, or when a property owner uses their baseline uses. This is all spelled out in detail in the GMP and LDC. As such there is no need to continuously amend the GMP Overlay Map. Similarly, panther information is always in a state of flux, as new telemetry is generated and new studies are performed."⁵

The Applicant's failure to consider all the telemetry data and the panther studies, which represent the best available science, resulted in an inaccurate scoring for panthers.

The Applicant is building a panther fence around parts of both villages and a moat or lake around other parts to keep panthers away from residents. This certainly shows that the Applicant knows something about panthers traveling in and through this area, even if the Applicant doesn't acknowledge this in its application documents. Do you think it makes sense to put people and their pets in the middle of critically important panther habitat and near the panther refuge?

9. Longwater will result in the degradation of a high-quality Water Retention Area (WRA). It will also destroy over 100 acres of this WRA to construct its storm water management system and lake tracts.

Longwater will be situated in the middle of a high value WRA, which is Stewardship Sending Area #17. Together with Rivergrass Village, the two villages will mostly surround the WRA with development. Further, a new road will be constructed through this WRA to serve Longwater Village, fragmenting the WRA into two sections. Surrounding and fragmenting the WRA is contrary to the goal of the RLSA to direct incompatible uses away from listed species and their habitat.

This particular WRA contains an ecologically important wetland system, called Shaggy Cypress, which is habitat for 12 listed species, including the panther. The figure above shows the importance of this WRA for panthers. A substantial majority of the NRI scores for this WRA are above 2.0. GMP 1.8 makes clear that the NRI scoring is for the purpose of directing

⁵ Email between Al Reynolds, Stantec and Michelle Mosca, Collier County, Nov. 30, 2011. "Data and Analysis requirements for the RLSA 5-year Review."

development away from important natural resources. Longwater will cut off panthers completely from the northern section of SSA #17 and the roads, houses, lights and noise from Longwater and Bellmar will drive panthers away from the area. Longwater and Bellmar Villages will greatly diminish the value of this WRA for other wildlife. The fragmentation and isolation of SSA #17 from adjoining habitat will cause a steady degradation in diversity of species over time. Scientific studies show that species diversity spirals downward over time as less and less species will be able to survive being isolated from adjoining habitat.⁶ Yet, the Applicant will obtain Stewardship credits for this area while greatly diminishing its value.

Applicants should not be permitted to surround or fragment the high value WRA. Otherwise, the County is ignoring the RLSA goals and the NRI assessed values for this WRA.

Sincerely,

League of Women Voters Collier County Environmental Committee
 Patricia Forkan
 Charlotte Nycklemoe
 Susan Calkins
 Judy Hushon
 Lynn Martin
 Bonnie Michaels
 Lorelee LeBoeuf
 Alison Wescott
 Gaylene Vasaturo

⁶ See The Sixth Extinction Chapter IX "Island on Dry land" by Elizabeth Kolbert.