



Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

October 8, 2018

SENT VIA MAIL AND EMAIL

Nancy Gundlach, AICP, Principal Planner, Zoning Services
Corby Schmidt, AICP, Principal Planner, Comprehensive Planning Section
Michael Bosi, AICP, Director Zoning Division
Collier County Growth Management Department
2800 North Horseshoe Drive
Naples, FL 34104

RE: Rural Lands West SRA Application #PL20150001335

Dear Ms. Gundlach, Mr. Schmidt, and Mr. Bosi:

On behalf of the Conservancy of Southwest Florida and our over 6,000 supporting families who are concerned about upholding the foundational principles and guiding policies of the Rural Lands Stewardship Area (RLSA) Overlay, we are writing to express our opposition to the proposed Town of Rural Lands West Stewardship Receiving Area (SRA). The original purpose of the RLSA was to protect environmental and agricultural resources on 195,000 acres in Eastern Collier County from over development. However, development plans for Rural Lands West (RLW) do not exemplify responsible environmental and rural land stewardship, and they contradict all goals of the RLSA Overlay and the Final Order¹. The goals of the RLSA Overlay and of the Final Order require that development in the RLSA accomplish the following:

- (1) Protect water quality and quantity as well as listed species habitat by directing incompatible uses away from wetlands and upland habitat;
- (2) Discourage sprawl by implementing innovative planning techniques; and
- (3) Prevent the premature conversion of agricultural land to non-agricultural uses.

However, if approved and built, the Town of RLW will result in the following:

- (1) RLW will jeopardize the survival of the endangered Florida panther, as the proposed site lies mostly within the Primary Zone Panther Habitat and Adult Breeding Habitat, which are recognized by scientists as essential the panther's recovery and survival²;

¹ State of Florida Administrative Commission Final Order No. AC-99-002 (1999, June 22).

² Kautz, et al. (2006) How much is enough? Landscape-scale conservation for the Florida panther. *Biological Conservation* 130, 118-133.

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

- (2) RLW will lead to sprawl, as the proposed plan for the 54-hole golf course community, bisected by 2 major roadways, is contrary to creative land use planning techniques that facilitate a compact form of development; and
- (3) RLW will prematurely convert thousands of acres of agricultural lands to developed lands, as 97% of the total SRA site will be converted from agricultural lands³.

The bottom line is RLW’s location is inappropriate, the project will have unacceptable impacts to natural resources, and it is not within the public interest. If approved, RLW will set a precedent for the County to approve projects that are inconsistent with Overlay policies and will encourage other sprawling golf course communities located within listed species habitat. We respectfully ask that you consider these issues during your review and evaluation of Rural Lands West SRA application. Below is our analysis as to why the project violates many of the provisions of Collier County Growth Management Plan RLSA Overlay and Final Order ACC-99-022 and why we believe this SRA application should be denied.

RLSA INCONSISTENCY #1: RLW’s DEVELOPMENT FOOTPRINT DIRECTS INCOMPATIBLE USES TOWARD LISTED SPECIES HABITAT & WETLANDS.

A. Rural Lands West Proposed Development Footprint will Adversely Impact Florida Panther Habitat

The Goal of the RLSA Overlay states that incompatible uses are to be directed “**away from wetlands and upland habitat**”⁴. While the Overlay predates the statutes, strategies contained in the Overlay are based on principles of Florida’s Rural Lands Stewardship Act⁵ (**Policy 1.2**), which states the following: “Criteria for the designation of receiving areas which shall, at a minimum, provide for the following: adequacy of suitable land to accommodate development **so as to avoid conflict with significant environmentally sensitive areas, resources, and habitats.**”⁶ These policies make it clear that participation in the program should not lead to intensification that is in conflict with protection of listed species and their habitat. However, this is exactly what Rural Lands West is proposing, as three-fourth of RLW’s

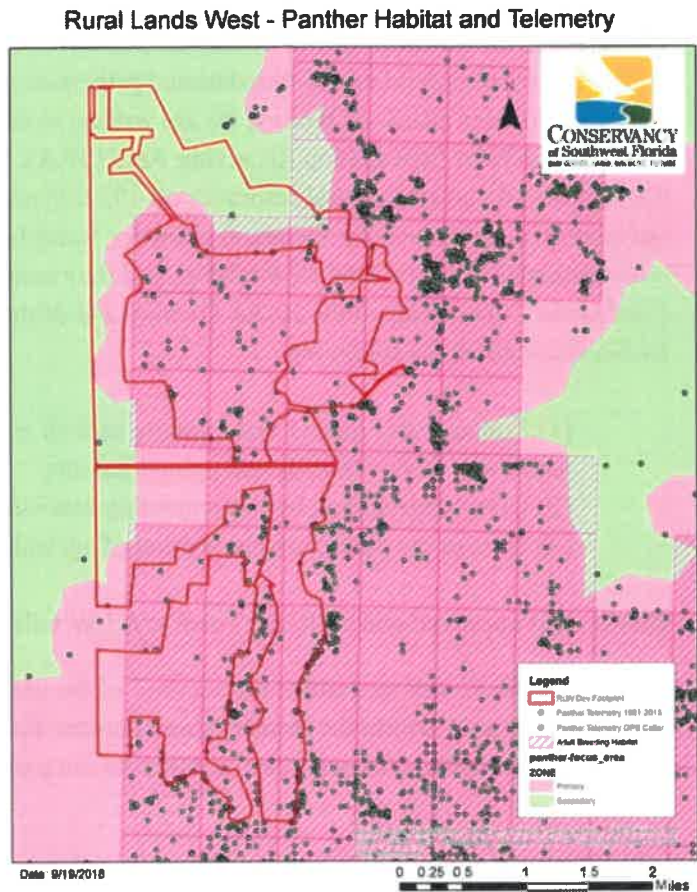


Figure 1 Panther habitat and telemetry in RLW.

³ Natural Resource Index Assessment for Rural Lands West, p. 5.
⁴ Collier County Future Land Use Element. RLSA Overlay Goal.
⁵ FLA STAT §163.3248(5)(a) (2018)
⁶ Collier County Future Land Use Element. Policy 1.2

site plan lies within Primary Zone habitat of the endangered Florida panther (**Figures 1 & 2**). Allowing 3,000 acres of residential neighborhoods, commercial town center, schools, and industrial uses to be built within primary panther habitat will directly threaten the species recovery and survival.

The applicant has other options – by shifting the site plan north of the proposed RLW site, impacts to panther habitat could be avoided. The **Conservancy’s Rural Lands West Alternative Footprint Map** provides an alternative footprint that would not impact primary panther habitat, contains less wetlands, and is within acreage owned by the applicant (**Figure 3**). **Figures 2 & 3** provide a comparison of RLW’s current footprint to the Conservancy’s alternative footprint.

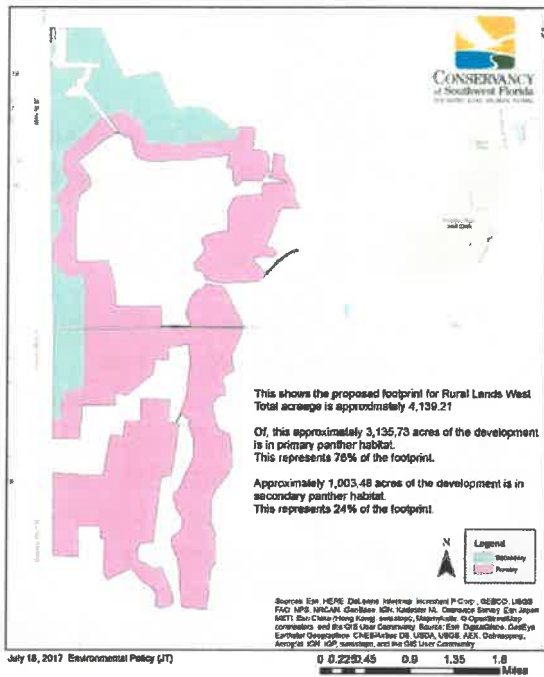


Figure 2 – Current RLW Footprint showing Panther habitat

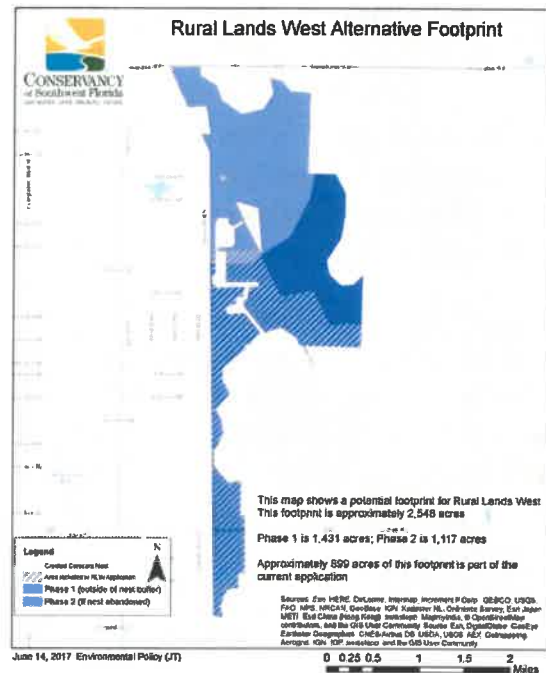


Figure 3 – Conservancy’s RLW Alternative Footprint

The following explains the importance of primary panther habitat and adult breeding habitat:

1. Importance of Protecting Primary Zone Panther Habitat

- Habitat of the Florida panther is extremely limited as the panther is restricted to less than 5% of its historic range⁷, all of which is located in south Florida. Primary Zone habitat is an essential part of the Florida panther’s range.
- Kautz et al. (2006) describes Primary Zone panther habitat as the minimum space needed to support a population that is barely viable as long the habitat base remains the same⁸.
- The U.S. Fish and Wildlife Service (FWS) states in their Florida Panther Recovery Plan, “to prevent further loss of population viability, habitat conservation efforts should focus on

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

⁸ Kautz, et al. (2006) How much is enough? Landscape-scale conservation for the Florida panther. *Biological Conservation* 130, p. 118-133

maintaining the total available area, quality, and spatial extent of habitat within the Primary Zone.”⁹

- During the five year review process of the RLSA, the Environmental Advisory Council (EAC) of Collier County stated that “It is the obligation of the County to protect primary panther habitat and to direct development away from this area”¹⁰. The EAC referenced Kautz et al. (2006) as best available science and that Primary Zone habitat should be protected.
- Because the Primary Zone habitat is so vital to the Florida panthers’ survival and because the Overlay requires protection of listed species habitat, all RLW lands within Primary Zone panther habitat should be conserved.

2. Importance of Protecting All Adult Breeding Habitat within RLW (Figure 1)

- The Florida panther has one breeding population in southern Florida¹¹.
- About 93.8% of adult breeding habitat is contained with Primary Zone¹².
- Frakes et al. (2015)¹³ recommends that ALL breeding habitat in south Florida is maintained.
- The majority of lands within the proposed Rural Lands West are within adult breeding habitat of the Florida panther (**Figure 1**).
- Development in RLW should be directed away from adult breeding habitat.

Even though the project’s SRA boundary is within the “Open” areas of the RLSA Overlay Map and not within the Habitat Stewardship Area (HSA) boundaries, this does not preclude the project from complying with the requirement of the Overlay and Final Order to direct development away from listed species habitat. Data collected in the year 2000 for Stage 1 Report of the Immokalee Area Study¹⁴ was used to determine the Natural Resource Index Map, Listed Species Habitat Indices and HSAs. The data and land cover maps used for the Report do not represent current best available science, and are therefore woefully outdated. It was the intent of the Overlay to be periodically modified to update new data and to incorporate findings from recent studies. The Report states that a “major effort was dedicated to producing up-to-date appropriately scaled, accurate land cover map of the area.”¹⁵ However, this data and land cover is nearly 20 years old. FWS recognizes Kautz et al. (2006) as the best available science in the conservation of the Florida panther. The Overlay must be updated so that future projects are reviewed using the current best available science for all listed species.

B. Applicant Proposes to Apply Stewardship Credits for Impacting Habitat in SSA17 (WRA)

Stewardship Sending Area (SSA) 17 is also a Water Retention Area (WRA) consisting of 2,716 acres of an ecologically important wetland system which provides habitat for 12 listed species.¹⁶ SSA 17 is 100%

⁹ U.S. Fish and Wildlife Service (2008) Florida Panther Recovery Plan. 3rd Revision. p.89

¹⁰ Collier County (2009, March 10). Comments of the Environmental Advisory Council (EAC) and RLSA Committee Responses. (Comments by the EAC related to their review of the January, 2009 report of the RLSA Advisory Committee and report entitled “Five Year Review of the Rural Lands Stewardship Program”), p. 2

¹¹ Frakes RA, Beldon RC, Wood BE, James FE. (2015). Landscape Analysis of Adult Florida Panther Habitat. *PLoS ONE*, 10(7).

¹² *Ibid.* p.15

¹³ *Ibid.* p. 15-16

¹⁴ WilsonMiller (2000, December) The Immokalee Area Study I Report

¹⁵ *Ibid.* p. 9

¹⁶ Passarella and Associates. Stewardship Sending Area 17 Application (January 2016).

primary panther habitat. The Applicant proposes to earn 4,707.6 Stewardship Credits for “protecting” SSA17, which would entitle them to 588.5 acres of SRA development. However, the applicant’s development plan surrounds SSA17 with intense and disruptive residential development, thereby reducing the habitat functionality of the sending area (**Figure 4**). Habitat for many of the listed species will be severely cut off as the Shaggy Cypress Swamp and other SSA17 wetlands will be encircled with neighborhoods, golf courses, and the town center. Also, a 16’ wide multi-use biking /walking path is planned to bisect the Shaggy Cypress Swamp, further fragmenting habitat. The Frakes et al. (2015) model shows that disturbances from the development such as light, noise, pets, and cars will render the Panther Habitat Value of SSA17 wetlands and Shaggy Cypress Swamp virtually useless (**Figure 4**)¹⁷.

While the focus of the applicant’s Listed Species Management Plan is to preserve and maintain habitat within Shaggy Cypress Swamp, the applicant also intends to restrict large mammals from accessing portions of SSA17 that are south of Oil Well Road. The applicant’s plan to discourage large mammals, such as the Florida panther, from accessing portions of SSA17 is through the use of small wildlife crossings that are only four feet high by six feet wide. Their consultant admits the following in their human-wildlife co-existence plan:

“Where road crossings are proposed through internal conservation areas, three wildlife crossings will be constructed to maintain connectivity of the internal preserves. The wildlife crossings for the internal preserves will be four feet high by six feet wide box culverts to discourage use by large mammals, while accommodating the passage of small mammals as well as amphibians and reptiles between conservation areas.”¹⁸

The applicant proposes, in the areas of SSA17, to restrict access to large mammals include Conservation Areas 11, 12, 14/24, and 25¹⁹. Their plan to restrict mammals from these conservation areas would result in a direct loss of habitat, including Primary Zone panther habitat of 597.21 acres²⁰. These are the same areas that the applicant proposes to receive Stewardship Credits for “protecting” and are also used as wetland mitigation for the SFWMD permit.

The County should require the applicant to modify the footprint so that development that surrounds SSA17 is removed. The RLSA Overlay clearly defines the purpose of Stewardship Sending Areas as areas that are to be protected. Stewardship Credits are the currency given to landowners for protecting

¹⁷ Figure 4 demonstrates how the Rural Lands West project will adversely change Adult Breeding Habitat if the project were to be permitted. The left side shows the current panther habitat value, and the right side shows the Frakes et al model re-run with the Rural Lands West project in place. The warmer the color, as depicted with reds, oranges, and yellows, the higher the value to adult breeding panthers. Gray and white colors depict lower value habitat for adult breeding panthers. Frakes model shows that there will be a significant decrease in the value of lands within the Shaggy Cypress and the Camp Keais Strand (which is one of only two existing south-to-north panther corridors) post-development of RLW.

¹⁸ Passarella & Associates. (2017, October). Rural Lands West Listed Species Management and Human-Wildlife Coexistence Plan. P. 7 (or 10 of 63 of Exhibit No 3.14)

¹⁹ Passarella & Associates. Exhibit 3.14. Rural Lands West Listed Species Management and Human-Wildlife Coexistence Plan, p. 4-5 (or 10 & 11 of 63) and corresponding Map - Rural Lands West – Aerial with Proposed Wildlife Crossings, Lake Buffers, and Fencing. p. 33 of 63

²⁰ Passarella & Associates. Stewardship Sending Area 17 Application – Map with acreage of tracts within SSA17.

those areas. **Policy 1.4** states that, “It is the intent of the Overlay that a property owner will be compensated for the voluntary stewardship and protection of important agricultural and natural resources.” **Policy 1.21** elaborates this point further when it states: “The incentive based Stewardship Credit system relies on the projected demand for Credits as the primary basis for permanent protection of flowways, habitats and water retention areas.” It would logically follow that the applicant should not be allowed to redeem Stewardship Credits towards SRA acreage if the development from the SRA impacts habitat within the very sending area for which credits were earned, such as in the case with RLW.

HCP includes Rural Lands West

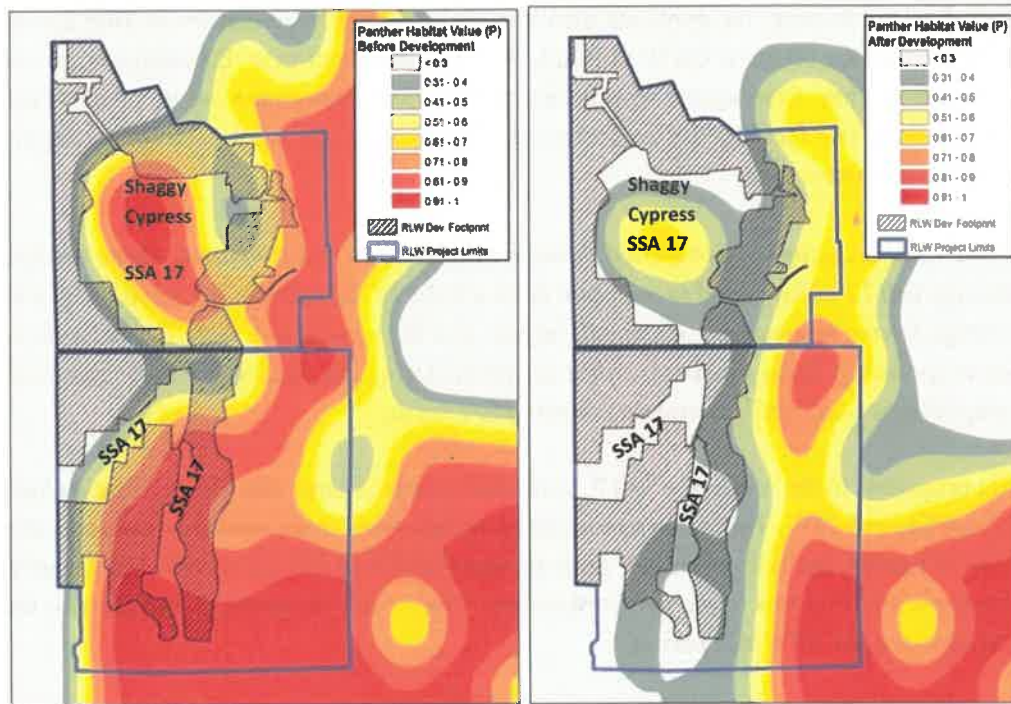


Figure 4: Panther Habitat Value Before and After RLW Development

Even though the applicant received 4,707.6 Stewardship credits for designating the lands for restoration, no restoration activities are scheduled to be completed by the applicant²¹. The following provides a summary of the important environmental attributes of SSA17.

Total Acres of SSA17	2,716 Acres
Acres of Shaggy Cypress Portion	1,158,32
Stewardship Credits to be Earned	4,707.6 Stewardship Credits (All for “Restoration Potential”)
Acres entitled for development from SSA credits	588.5 acres
Water Retention Area (WRA)	All of SSA17 serves as a WRA
Restoration Potential for SSA 17 lands	Large Mammal Corridor Restoration – 622.7 acres Wading Bird Restoration – 114.5 acres

²¹ Email from Valerie Pike, Project Manager, Collier Enterprises, September 25, 2018.

Acres of Restoration that will be completed for SSA17	NONE (Applicant Received Credits for designating the lands but no restoration activities will be completed by Applicant)
Listed Species	Florida panther, Big Cypress fox squirrel, Crested caracara, wood stork, white ibis, little blue heron, snowy egret, Roseate spoonbill, tri-colored heron, Florida sandhill crane, limpkin, American alligator, and (not listed) Florida Black Bear
Natural Resource Index Value of SSA 17 lands	Between 1.7 and 2.6 ²²
% of SSA 17 within Primary Zone panther habitat	100%
SSA within Adult Breeding Habitat for Florida panther	Majority of SSA17 lands are within adult breeding habitat of Florida panther
Shaggy Cypress FLUCFCS	Majority is Cypress (0-24% exotics)
Land Use layers removed	6 layers removed – Down to AG 2

Figure 5: Passarella and Associates. Stewardship Sending Area 17 Application. (January 2016).

The following Collier County RLSA Overlay policies confirm that the applicant’s proposal is inconsistent with the Overlay pertaining to protections of SSAs and WRAs:

Policy 3.3: *Further protection for surface water quality and quantity shall be through the establishment of Water Retention Areas (WRAs), as SSAs within the RLSA Overlay. WRAs are delineated on the Overlay Map and contain approximately 18,200 acres. WRAs are privately owned lands that have been permitted by the South Florida Water Management District to function as agricultural water retention areas. In many instances, these WRAs consist of native wetland or upland vegetation; in other cases they are excavated water bodies or may contain exotic vegetation. The Overlay provides an incentive to permanently protect WRAs by the creation and transfer of Credits, elimination of incompatible uses, and establishment of protection measures described in Group 1 Policies. Not all lands within the delineated WRAs are comparable in terms of their natural resource value; therefore the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that WRA lands score within a range of 0.6 to 2.4; approximately 74% score greater than 1.2 while 26% score 1.2 or less. The average Index score of WRA land is 1.5.*

Note: Lands within SSA 17 (WRA) consist of high quality Cypress strands with a high natural resource value ranging between 1.7 and 2.6. It is unclear whether the applicant’s proposal is consistent with Policy 3.3 as the plan proposes to discharge stormwater from surrounding lakes into the wetland system. Furthermore, it is unclear as the extent of impacts to the hydroperiods within the wetlands.

Policy 3.14: *During permitting to serve new uses, additions and modifications to WRAs may be required or desired, including but not limited to changes to control elevations, discharge rates, storm water pre-treatment, grading, excavation or fill. Such additions and modifications shall be allowed subject to review and approval by the SFWMD in accordance with best management practices. Such additions and modifications to WRAs shall be designed to ensure that there is no net loss of habitat function within the WRAs unless there is compensating mitigation or restoration in other areas of the Overlay that will provide comparable habitat function. Compensating mitigation or restoration for an impact to a WRA contiguous to the Camp Keais Strand or Okaloacoochee Slough shall be provided within or contiguous to that Strand or Slough.*

Note: The applicant does not provide sufficient compensating mitigation for loss of habitat function in other areas of the Overlay as the policy requires. RLW is part of a larger Habitat Conservation Plan. The applicant is using mitigation for impacting primary panther habitat and

other listed species habitat in other areas of the RLSA, but is not proposing to mitigate for loss of habitat within SSA17. Figure 4 demonstrates how the Rural Lands West project will adversely change Adult Breeding Habitat if the project were to be permitted. The left side shows the current panther habitat value, and the right side shows the Frakes et al. (2015) model re-run with the Rural Lands West project in place. The warmer the color, as depicted with reds, oranges, and yellows, the higher the value to adult breeding panthers. Gray and white colors depict lower value habitat for adult breeding panthers. Frakes et al. (2015) model shows that there will be a significant decrease in the value of lands within the Shaggy Cypress and the Camp Keais Strand (which is one of only two existing south-to-north panther corridors) post-development of RLW.

Policy 4.9: *A SRA must contain sufficient suitable land to accommodate the planned development in an environmentally acceptable manner. The primary means of directing development away from wetlands and critical habitat is the prohibition of locating SRAs in FSAs, HSAs, and WRAs. To further direct development away from wetlands and critical habitat, residential; commercial, manufacturing/light industrial, group housing, and transient housing, institutional, civic and community service uses within a SRA shall not be sited on lands that receive a Natural Resource Index value of greater than 1.2. In addition, conditional use essential services and governmental essential services, with the exception of those necessary to serve permitted uses and for public safety, shall not be sited on lands that receive a Natural Resource Index value of greater than 1.2. The Index value of greater than 1.2 represents those areas that have a high natural resource value as measured pursuant to Policy 1.8. Less than 2% of potential SRA land achieves an Index score of greater than 1.2.*

Note: The fact that the SRA will reduce habitat functionality (Figure 4) in the WRA is contrary to Policy 4.9, which requires that the planned development must be accommodated in an environmentally acceptable manner.

Policy 4.12: *Where a SRA adjoins a FSA, HSA, WRA or existing public or private conservation land delineated on the Overlay Map, best management and planning practices shall be applied to minimize adverse impacts to such lands. SRA design shall demonstrate that ground water table draw down or diversion will not adversely impact the adjacent FSA, HSA, WRA or conservation land. Detention and control elevations shall be established to protect such natural areas and be consistent with surrounding land and project control elevations and water tables.*

Note: RLW is inconsistent with Policy 4.12, because the SRA does not minimize adverse impacts to the adjacent WRA.

C. Applicant Uses SSA17 Lands to Offset Wetland Mitigation While Impacting Habitat

As stated previously, RLW's development that surrounds SSA17 will impact listed species habitat. Not only does the applicant propose to receive 4,707 Stewardship Credits for "protecting" SSA17, but the applicant is using SSA17 lands as wetlands mitigation. South Florida Water Management District (SFWMD) Permit # 11-03949-P allows Collier Enterprises to directly and indirectly impact 479.48²³ acres of wetlands on RLW's site. Stewardship Sending Area 17 (SSA17) includes several "conservation

²³ Passarella & Associates. (2018, January 4). Rural Lands West SFWMD Wetland Impact Map. P. 1 of 52. Exhibit No. 3.7. (282.33 acres of direct wetland impacts + 143.69 acres of PFFW impacts + 35.72 acres of secondary impacts + 2.09 acres secondary PFFW impacts + 15.65 impacts to other surface waters)

areas” that are to be used to offset the loss of wetland functions due to construction activities of Rural Lands West. Conservation Areas 3, 4A, 4B, 11, 12, 14, 24, 25, and 26 total 1,699+²⁴ acres and are located within SSA17. It is troubling that Collier Enterprises intends to use SSA17 as mitigation for wetland impacts while also earning Stewardship credits. In reality the development will not protect the sending area, as development will reduce habitat functionality and restrict large mammal access to the sending area.

D. Development will Needlessly Convert Primary Zone Habitat to Golf Courses

The applicant requests an allowance for, not 18 or even 36 holes, but a 54-hole golf course! The application documents do not provide a specific number of acres needed to accommodate 54-holes of golf. However, based on an industry average of 150 acres for each 18-hole golf course,²⁵ we can assume that RLW’s 54-hole course will cover approximately 450 acres. Since 76% of the total RLW site consists of Primary Zone panther habitat, most of the golf course would be converted from panther habitat. This is an unnecessary conversion of agricultural lands and habitat. It is also unfair, as some of the golf course acreage can be built without the use of Stewardship credits, if developer exceeds 35% open space requirement.

RLSA INCONSISTENCY #2: RURAL LANDS WEST WILL CREATE SPRAWL

A. RLW’s Proposes a Low-Density, Auto-Centric, Sprawling Golf Course Community

Not only does RLW fail to protect listed species habitat, the project does little to curb sprawl. One of the main objectives of the RLSA program is to condense density onto a smaller footprint by creating mixed-use, compact, walkable communities (**Group 4 Policies**). **Policy 1.2** of the RLSA Overlay states, “The Overlay protects natural resources and retains viable agriculture by promoting compact rural mixed-use development as an alternative to low-density single use development.” Collier’s Land Development Code states that towns shall be “compact, pedestrian-friendly and mixed use” and “shall create an interconnected street system designed to disperse and reduce the length of automobile trips”²⁶. However, the very size and nature of RLW’s site plan makes it virtually impossible to attain these objectives. RLW’s site plan is six miles long by two miles wide and has the option for a massive 54-hole golf course. The applicant is requesting far more holes of golf than virtually every development in Collier County. Not only will RLW’s six mile long site plan with a 54-hole golf course make it nearly impossible for the applicant to create a walkable compact community, the golf course will fragment wildlife habitat, prematurely convert significant acres of agricultural lands and panther habitat to developed lands, and it will create auto-dependency.

Furthermore, the applicant’s mobility plan fails to demonstrate how the project will integrate an interconnected street network within pedestrian-friendly neighborhoods, while surrounding a 54-hole golf

²⁴ Passarella & Associates. (2017, September 25) Rural Lands West Conservation Areas Map Sheet E-37(Exhibit 3.7).

²⁵ Golf Course Superintendents Association of America, 2007). Golf Course Environmental Profile: Property Profile and Environmental Stewardship of Golf Courses Volume I Summary.

²⁶ Collier County Land Development Code 4.08.07.J(1)(a)(i-ii) Town Design Criteria

course. The project’s mobility plan for a 4,000 acre town consists of only a one and a half page narrative. And only a small inset drawing to the Master Concept Plan of the conceptual street network is provided for the town core/center. No visual plans of the street networks are provided for the neighborhoods. Staff’s comments in the Consistency Review Memorandums seem to share our concerns that the applicant’s plans do not provide a compact, walkable and interconnected street system:

“The SRA master plan is inherently limited by the scale and complexity of developing the Town of Rural Lands West to effectively demonstrate compliance with applicable policies of the Overlay and the LDC Stewardship District.”²⁷

And: “An interconnected road system is provided; however, it does not reflect the design characteristics intended by the RLSA Overlay.”²⁸

And: “The Rural Lands West Town Plan incorporates general residential neighborhoods and mixed-use Town Centers, parks and public green spaces along with sidewalks and pathway systems; however, as with the road system, the sidewalk and pathway systems may not reflect the design characteristics intended by the RLSA Overlay, and the applicable [design-based] policies of the Rural Land Stewardship Area Overlay District (also referred to as the LDC Stewardship District). The proposal may be rendered inconsistent with the RLSA where it lacks conformity with the LDC Stewardship District²⁹.

RLW averages 2.44 dwelling units (DU) per buildable acre.³⁰ Although, RLW’s density is allowed per the Overlay, it is a far lower gross density than many planned unit developments, such as the Vineyards at 3.02 DU, Lely Resort at 3.10 DU and Pelican Bay at 3.89 DU³¹, which were built without the stringent requirements of the RLSA for building a compact form of development. The RLSA Overlay allows up to 4 DU per acre for Stewardship Receiving Areas (SRA) for towns and villages. In order to truly build compact communities that save agricultural lands and natural resources, RLW should maximize the allowable density per RLSA zoning and reduce the footprint. The fact that the Overlay requires a minimum of 1 residential unit (DU) per gross acre for towns and villages is a fundamental flaw of the program. If this policy is not amended, the RLSA will continue to see many more projects, like RLW, that offer a small walkable town core surrounded by low-density sprawling golf course neighborhoods.

Collier Enterprises could condense their development footprint to 2,500 acres and increase the number of dwelling units per acre to 4 DU (**Figure 3**). By condensing the development footprint to 2,500 acres, agricultural lands, wetlands and listed species habitat will be saved; thereby better achieving the goals of the RLSA program. The alternative footprint would still allow a Town Center for commercial and other non-residential uses located on Oil Well Road. The applicant could maximize building height in the

²⁷ Collier County. (2018, September 19) Consistency Review Memorandum. Subject: Future Land Use Element Consistency Review of Proposed Stewardship Receiving Area.

²⁸ Collier County (2018, August 3) Consistency Review Memorandum. Subject: Future Land Use Element Consistency Review of Proposed Stewardship Receiving Area.

²⁹ Collier County. (2018, September 19) Consistency Review Memorandum. Subject: Future Land Use Element Consistency Review of Proposed Stewardship Receiving Area.

³⁰ Collier County Growth Management Department, Zoning Division. Consistency Review Memorandum, dated August 3, 2018.

³¹ Retrieved from <https://www.colliercountyfl.gov/home/showdocument?id=73654> on 9/1/2018

Town Center to increase the number of dwelling units, remove deviations that seek to eliminate minimum average building to street width ratio, and abolish plans for a 54-hole golf course.

B. RLW's Proposed Deviations Contradict Overlay Policies

The applicant requests 51 deviations from the land development code in their application.³² If they are approved, many of those deviations would allow the applicant to digress even further from creating a compact, walkable town by increasing block size, lowering the building heights, and increasing auto-dependence. The proposed deviations also reduce the minimum requirements for providing native vegetative, landscape buffers, and the number and size of trees. These deviations are inconsistent with the principles of the RLSA and should be denied.

Comments provided by Collier County staff on their latest review document appear similar to our assessment that Rural Lands West does not fulfill the requirements of the Overlay. The Consistency Review Memorandum from August 3, 2018, states:

“The proposal is rendered inconsistent with the RLSA by the nature and number of deviations requested, while opportunities for meeting or enhancing consistency with the RLSA are not pursued /proposed.”

The report also states: *“Development standards (and deviations) do not further enhance the tools, techniques and strategies based on principles of innovative planning and development strategies.”*

RLSA INCONSISTENCY # 3: RLW PREMATURELY AND UNNECESSARILY CONVERTS AGRICULTURAL LANDS TO OTHER USES.

America loses 175 acres of farmlands each hour³³. Farmlands are an important natural resource, but once they are converted to homes, business, and roads they are gone forever. Rural Lands West's site consists almost entirely of agricultural lands. The applicant's Natural Resource Assessment states that 3,958 of 4,092³⁴ acres will be converted from agricultural lands to other uses. The fact that 97% of RLW's town will be built on converted farm fields is completely contrary to the Goal of the RLSA which states:

“To address the long-term needs of residents and property owners within the Immokalee Area Study boundary of the Collier County Rural and Agricultural Area Assessment by protecting agricultural activities, preventing the premature conversion of agricultural land to non-agricultural uses . . .”

³² Rural Lands West Appendix X Deviations and Justifications, uploaded to Collier County website September 19, 2018.

³³ American Farmland Trust. <https://www.farmland.org/our-work/areas-of-focus/farmland>

³⁴ Natural Resource Index Assessment for Rural Lands West, p. 5.

And the Final Order which states that the Assessment must identify means to accomplish the following:

“Identify and propose measures to protect prime agricultural areas. Such measures should prevent the premature conversion of agricultural lands to other uses.”

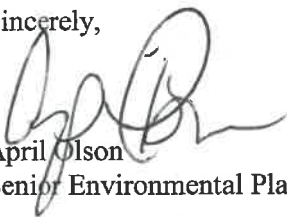
Nearly 1,500 acres of agricultural lands could be saved from premature intensification if the applicant condenses the development footprint to approximately 2,500 acres (**Figure 3**). The Conservancy’s recommended alternative development footprint is more appropriate for intensification as it converts far less agricultural lands.

Conclusion

The Conservancy of Southwest Florida urges you to recommend denial of the SRA Application for Rural Lands West, as the project contradicts the very the Goals of the RLSA and the mandate of the Final Order. The Rural Lands Stewardship Area was created to protect listed species habitat, wetlands, and prevent the premature conversion of agricultural lands. The project does not achieve any of these goals. If approved, the project will set a precedent that low-density sprawling golf course communities located within listed species habitat are business-as-usual in the RLSA.

We urge you to require the applicant modify the development footprint in order to uphold the principles of the Overlay. If you have any questions or if you would like to discuss these matters further, you may reach me at (239) 262-0304, ext. 250 or AprilO@Conservancy.org.

Sincerely,



April Olson
Senior Environmental Planning Specialist