

Minutes

Agricultural & Natural Resources Advisory Committee
Thursday, August 20, 2009 – 9:00 A.M
Charlotte County Administrative Center
18500 Murdock Circle, Room #119
Port Charlotte, FL 33948-1094

MEMBERS PRESENT

Alton Cheatham, Chairman
Mike Jones, Vice-Chairman
Andy Dodd, Secretary
Dan Ryals
Arnie Sarlo
Matthew Sullivan, Jr.

STAFF PRESENT

Commissioner Richard Loftus
Inga Williams, Principal Planner
Matt Trepal, Planner III
Ralph Mitchell, Env. & Ext. Services
Derek Rooney, Asst. County Attorney
Jane Starr, Recording Secretary

MEMBERS EXCUSED

Chris Hencher
Orrin Webb
Fred Walters

GUESTS

Bill Orendorff, FARMS Program
Suzanne Chwala-Grant, PWR
Richard Woodruff, WilsonMiller
H. M. Ridgely, Evans Properties
Ron Mahan, OrangeCo
Nigel Morris

- I. CALL TO ORDER/ROLL CALL/DETERMINATION OF QUORUM**
The **August 20, 2009** meeting of the **Agricultural and Natural Resources Advisory Committee** was called to order at 9:04 am by **Chair Alton Cheatham** noting a quorum was present.
- II. ADDITIONS/DELETIONS TO AGENDA**
Vice Chair Jones advised that Bill Orendorff would be making the presentation today on behalf of SWFWMD in place of Eric DeHaven.
- III. APPROVAL OF MINUTES**
Chair Cheatham entertained a motion to approve the May 21, 2009 minutes of the **Agricultural and Natural Resources Advisory Committee** as written. Moved by **Matt Sullivan** and seconded by **Mike Jones**, the vote passed unanimously.
- IV. COMMISSIONER COMMENTS** - *None*

V. **NEW BUSINESS**

Inga Williams introduced **Matt Trepal** and announced he will be the Committee's Staff Liaison going forward.

Smart Charlotte 2050 Update

Ms. Williams reported a public hearing was held for the Parks and Recreation Element and announced the Coastal Management Element will be heard next week. She advised the Natural Resources and Future Land Use Elements are scheduled to be heard in September and added that these revised elements will incorporate and respond to comments that have been received thus far. The deadline for accepting public comments, as far as changing the Elements, is October 1, 2009, after which the drafts will be finalized. A public hearing for transmittal will be held before the Planning and Zoning Board in November and a transmittal hearing before the BCC will take place in December. **Ms. Williams** added that, at that point, public comments will still be accepted, but changes will not be made unless directed by the Planning and Zoning Board or the Board of County Commissioners. It will then be transmitted to DCA for their review and comments.

Andy Dodd advised he has additional comments he would like to submit regarding the Natural Resources Element. **Ms. Williams** responded that she will be working on this next week but after that time, all comments submitted will need to wait for the next redraft.

Mike Jones voiced concerns regarding some of the language in the environmental objectives saying the present wording makes it appear that additional regulations are going to be instituted by the County. He stated this goes back to issues ANRAC has been tracking, particularly the Excavation Ordinance Revision and what the County wants to do to protect resources. **Ms. Williams** advised Charlotte County has been far behind many of the other counties in their protection of natural resources and this is only a small step towards what other counties are already doing. **Andy Dodd** commented on regulations and habitats for protected species.

Mr. Dodd provided members with a map of the Potable Water Overlay and discussed restrictions to use that are being proposed by Charlotte County. He felt this is an incremental devaluation of those properties being affected in the overlay. **Inga Williams** commented on the map and stated the Potable Water Overlay already exists as the special surface water protection overlay district and restrictions already exist on those lands. **Chair Cheatham** asked **Ms. Williams** to confirm if an approval of that type of overlay could prohibit some form of use by the landowner on that property. **Ms. Williams** responded that there are restrictions concerning hazardous waste production as well as some other types of use, but stated these restrictions already exist and have not been expanded. **Chair Cheatham** offered additional comments and encouraged members to carefully review the provisions and provide comments to both staff and their

representatives. **Vice-Chair Jones** also encouraged members to look closely at the language available on the website and to make comments before November 15, 2009. He asked **Ms. Williams** if she felt it was incumbent on Charlotte County to actually have a regulatory program in place to affect the policy and inquired what DCA has mandated in the Growth Management Act. **Ms. Williams** confirmed DCA does give requirements that must be put in their policies but said the level achieved is left up to the County. Charlotte County is proposing additional regulations for the protection of natural resources and if those policies pass, then Land Development regulations will be drafted accordingly. She went on to discuss a recent meeting with SWFWMD she attended with Andy Stevens regarding wetlands and reported they were very supportive of Charlotte County placing some strict regulations in the Comp Plan.

Richard Woodruff, Wilson Miller, advised that his firm represents a lot of the agricultural landowners who have come together to give constructive input regarding this process and as an example, discussed a property owner on Bermont Road. It was his feeling this area would be ideal for a rural community, but these regulations would prevent this area from being developed because of the intensification. He also pointed out that these farmers and landowners have been good Stewarts and we want to encourage them to stay in business. He did not feel establishing another layer of government in Charlotte County was necessary as the water management districts already have all the regulatory power that is needed to protect these wetland areas. **Matt Sullivan** added additional comments and stated he, too, felt it unnecessary.

ACTION: Andy Dodd made a motion that ANRAC draft a recommendation to the BCC that opposes any additional environmental regulations on wetlands or habitat beyond that which is already required. The motion was seconded by Matt Sullivan and a vote was taken. The motion carried unanimously.

ACTION: Andy Dodd made a motion opposing the half mile wide buffers on creeks and tributaries in the absence of any scientific data that indicates there is a need to regulate within that broad of an area. Discussion followed. The motion was 2nd by Matt Sullivan and a vote was taken. The motion carried unanimously.

East County Plan Update

Inga Williams reported the East County Plan has been modified since its inception and advised that Gladding Jackson has taken a much stronger role than first envisioned and has incorporated this into their draft. The East County Plan is presently being reviewed but is now only a guide without any regulations in it.

VI. OLD BUSINESS

On-going Excavation Concerns

Chair Cheatham advised that the Commission approved a request this past week for an operation on Bermont Road. **Inga Williams** provided additional

information and confirmed this is a large scale plan amendment and is the transmittal for the new mineral resource extraction. It has been forwarded to DCA for approval and still needs to go before the Board for adoption. If adopted, it would first be rezoned and would then go through the excavation permitting process.

Update on FARMS Program and Shell Creek Watershed Management Plan

Vice-Chair Jones advised there have been several updates to the County's FARM Program and Shell Creek Watershed Management Plan and introduced **Bill Orendorff**.

Bill Orendorff presented members with a PowerPoint presentation regarding the Water Quality Management Effort and the FARMS Program:

- Rainfall Graphs
- Performance Monitoring – WQ Networks and Data Sources
- Data Sonde Results – TMDL Key Monitoring Locations
- Prairie Creek @ SR 31 (Ft. Ogden)
- Prairie Creek @ Washington Loop Road
- Myrtle Slough @ SR 31
- Shell Creek @ SR 31
- Shell Creek @ Washington Loop Road
- Shell Creek Reservoir
- US Drought Monitor
- NOAA Forecast – Sept. – Oct. – Nov.
- SPJC RA Plan Status Update
- Available Management Actions
- Well Back – Plugging Plan
- Quality of Water Improvement Program
- FARMS Program
- What does FARMS Fund?
- Alternative Irrigation Source
- Innovative Irrigation Management
- FARMS Program Status
- Board Approved and Potential FARMS Projects
- Current Issues: Excavation Ordinances; Long Term Funding; Food Safety
- Charlotte County SWFWMD M.O.A.
- Long Term Funding
- Food Safety

A question and answered period followed.

VII. CORRESPONDENCE AND COMMUNICATIONS - None

VIII. PUBLIC COMMENTS

H. M. Ridgley, Evans Properties, thanked the Committee for sending a letter to the Board of County Commissioners supporting the Agricultural Landowners' Perspective/Smart Charlotte 2050 Group as stated in the motion presented at the last meeting. He also thanked them for the actions they voted on today and commented further on the Smart Charlotte 2050 and East County Plan Updates.

Nigel Morris commended the Committee for the motions presented today. He went on to say that he feels the level of protection for natural resources provided in the existing regulations is adequate and he does not want to see money spent that will ultimately increase taxes.

Ron Mahan, OrangeCo, stated his appreciation and support of the motions and actions that were taken today and stated he hopes the Commission takes to heart these recommendations.

IX. STAFF COMMENTS

Ralph Mitchell updated members on upcoming programs and training events. He also discussed a homeowner handout that will soon be available on Laurel Wilt Disease that is affecting Avocado trees.

Matt Trepal introduced himself as the new Staff Liaison for ANRAC and provided members with his background and contact information. **Chair Cheatham** welcomed **Mr. Trepal** on behalf of the Committee.

X. MEMBER COMMENTS - None

XI. FUTURE MEETING TOPICS

- Comprehensive Plan Updates

XII. NEXT MEETING

The next meeting is scheduled for **September 17, 2009**, at 9:00 a.m., in Room #119.

XIII. ADJOURNMENT

The meeting was adjourned at 10:26a.m.

Respectfully submitted,

Jane Starr

Jane Starr
Recording Secretary