



*'The Role of VCARD' ... Column by VCARD Chair Sans Lassiter ... cont. from page 1...*

We must also be opposed to initiatives that we believe will ultimately do harm to the stated goals of responsible development.

So, as members of a respected organization with a strong, positive reputation of supporting good growth principles, we have, and we will continue to, endorse issues of sound growth management. To do anything less would be unfaithful to our stated goal – promoting responsible development. *Sans*

**Numeric Nutrient Standards** – A recent federal mandate to decrease pollution levels in Florida waterways will be stirring debate throughout the next year among local governments, business and development professionals, and environmental regulators.

... Officials with the federal EPA have given Florida regulators a short time frame (1 – 2 years) to craft standards to reduce runoff of nutrients (especially phosphorous and nitrogen) into all natural waterways (lakes, streams, rivers and estuaries, and coastal waters).

... The mandate at least partly stems from a recent negotiated agreement between EPA and several environmental groups that had sued the agency to force stricter nutrient runoff rules.

... Some local government and private professionals question the benefit of the stricter standards. They also charge that the numbers are not science-based and will greatly increase public and private development and utility costs, including water / sewage rates.

... **Charlie Faulkner** (Faulkner & Associates) is leading an effort to monitor this process and use the expertise of VCARD environmental professionals to provide input as needed. Call VCARD for more information on this topic and to become involved.

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The Florida Department of Environmental Protection (FDEP) is revising standards for determining the **classification of all water bodies** within the state. These classifications identify the best use of the water body, based on its quality and natural features (i.e. drinking water supply, shellfish harvesting, swimming and recreation, aquatic habitat for fish and wildlife, or agriculture). Future activities within surrounding areas must follow standards particular to the waterway's designated use.

... As part of this effort, DEP proposes to expand the classification system to better account for the differences between human and aquatic life uses and their individual protection needs. "The expanded classification system will allow DEP to protect pristine waters and establish more realistic goals for artificial waters," according to a recent DEP memo on this project.

... The revisions only will address the classification system, and not actually re-classify the designated use of specific waterways. Each of those waterways' changes would require separate rulemaking. More information about this FDEP project is available through [www.dep.state.fl.us/secretary/designateduse.htm](http://www.dep.state.fl.us/secretary/designateduse.htm).

**... WATER SUPPLY PLANNING ... in the forefront of growth management issues ...**

Several Volusia governments are negotiating a settlement with the St. Johns River Water District as part of a series of ongoing events in planning for future water supplies.

... **DeLand, New Smyrna Beach and Volusia County** had filed suit against the water district's quest to have them participate and help fund a facility to **extract water from the Ocklawaha River** for potable use. *... continued on page 3 ...*

*... Ocklawaha River surface water plant ... continued from page 2 ...*

The Ocklawaha River plant is part of the St. Johns River Water District's longrange water supply plan that strives to limit future aquifer withdrawals by using alternative sources, especially surface water. The district has been trying to force compliance from local governments by threatening to severely limit or deny future consumptive use permits for groundwater withdrawals. Protests from environmental groups and some local governments (especially in Volusia) have prompted water district officials to reconsider the mandates.

- A **study is underway to better determine the impacts** to river levels and wildlife from surface water withdrawals, especially from the Ocklawaha River plant and another planned by Seminole County along the St. Johns River near Sanford. Development of both plants are pending completion of that study; and water district officials have delayed funding an engineering study for a third St. Johns River water plant proposed by Deltona, Casselberry, Maitland, Oviedo, Sanford and Winter Springs. It would be built near SR46 in East Seminole.
- Based on the Volusia governments' lawsuit, the water district is allowing some municipalities more **time and flexibility to plan for future facilities** and alternative sources.
- The water district also is **updating population growth projections** by which agency officials determine the amount of water that will be needed for future water supplies within the district's 18 counties. With a slowdown in Florida's population growth (see related news item on page 5), it is anticipated the revised figures will enable agency officials to ease some groundwater withdrawal prohibitions and alternative water supply mandates.
- Coincidentally, the water district is in the midst of a periodic update of the agency's longrange water supply plan for the district's counties. The ongoing community debates and environmental / demographic studies likely will impact provisions of the updated plan.

Meanwhile, officials with Flagler County governments are leading the charge to develop a **DESALINATION FACILITY to treat sea water** for potable use. Feasibility studies already are being conducted on this project that includes a consortium of participating governments from Flagler, Lake, Volusia, Marion and St. Johns counties. This 'Coquina Coast' group recently conducted a public workshop to introduce plans for the desalination facility to the public, answer questions and gain input. Call VCARD if you would like to be added to the distribution list for updates on this major project.



The **WATER AUTHORITY OF VOLUSIA (WAV)** has been disbanded and is being replaced with two separate East and West Volusia water agencies to discuss water issues within their respective areas. WAV was organized about six years ago after voters supported creation of a countywide agency to oversee and manage the production and distribution of Volusia's entire water supply. The consortium of Volusia's local governments even developed a master plan for carrying out the objective and future projects. However, during the past several years some local governments have objected to WAV's structure, financing and operations; and many have dropped membership. By the time WAV dissolved, only about half of Volusia's local governments were still on board. The Volusia Council of Governments (VCOG) will oversee management of the two new entities, although their responsibilities likely won't be near as encompassing as originally envisioned for WAV.

*... Central Florida water issues ... continued from page 3 ...*

Central Florida's [MYREGION.ORG](http://MYREGION.ORG) longrange planning agency has initiated an 18-month project to draft a Central Florida [REGIONAL WATER STRATEGY](#). Agency planners hope this strategy will help coordinate water supply planning between state agencies and local governments within the seven-county region – and avoid disputes such as those within Volusia and other areas. A series of “stakeholders” meetings are being conducted to identify key issues surrounding water supply, demand, conservation and governance in each county. Using input from these meetings, the Steering Committee will make recommendations on what would be required to reach a regional solution to Central Florida’s needs. The Steering Committee includes a range of public / private professionals in planning, the environment, local government, development and utilities. VCARD was invited to participate and our association is represented on this panel by Past VCARD Chair **Joel Ivey** (Ivey Planning Group) and VCARD Vice Chair **Shannon Julien** (Environmental Sciences).

... As structured, this project will have two components: 1.) An examination of water supply alternatives; future water demand; and water conservation options. 2.) A study and recommendations of best practices on regional partnerships, incentives and cooperative approaches to achieve multi-jurisdictional utility arrangements.

... More information about this major initiative can be accessed through the Web site of [myregion.org](http://myregion.org) – a consortium of local governments, and business and planning leaders from Brevard, Lake, Orange, Osceola, Polk, Seminole and Volusia counties.

*... Thanks to VCARD Vice Chair Shannon Julien* (Environmental Services) for updating VCARD about the following **environmental current events**. Members and local government representatives who deal with environmental topics will want to take note.

- The **US Fish & Wildlife Service** is conducting a “status review” of the eastern US **GOPHER TORTOISE** population (including those in Florida) to determine if the tortoise should be protected as a “**threatened species**” under federal guidelines. As part of the review, the agency is accepting comments through November 9 (call VCARD for details).

... This status review was prompted by a petition from environmental groups calling for greater protection of gopher tortoise populations in eastern states. In Florida, the tortoise already has **threatened status**. Within the past year, the state toughened tortoise protection regulations, and **Volusia County** officials are adopting a county gopher tortoise management plan that implements (on a local level) the statewide rules for protecting and permitting the relocation of tortoises on development sites.

... If adopted, the new **federal status could supersede state rules** and transfer permitting to federal regulators.

- The Florida Fish & Wildlife Conservation Commission (FWC) is planning major changes to methods for **listing “imperiled species”**. As currently proposed, “threatened” will be state government’s only protected species category. Existing “species of special concern” will be re-evaluated and either dropped from protected status or elevated to the threatened category. And the FWC will follow the federal government’s lists for endangered species (as well as federally-listed threatened species).

... FWC officials hope to gradually develop **management plans** for all listed species, similar to one implemented for gopher tortoises during the past year.

**... Environmental News Update ... continued from page 4**

● The national **WETLAND PLANT LIST** (NWPL) is being updated by the U.S. Army Corps of Engineers. This NWPL includes the wetland ratings for plant species found throughout the U.S. and is used in determining wetland boundaries, restoring wetlands, and conducting ecological research. NWPL is a combined effort of the Corps, U.S. Environmental Protection Agency, Fish & Wildlife Service, and Natural Resources Conservation Service.

... As part of the update process, a **new web site has been created** to allow experts and interested parties to submit information and participate in the process. The new site also includes vast **information on nearly 10,000 U.S. plants**, including distribution maps and photographs. Search capabilities for geographic, habitat, and other attributes allow users to follow their interests locally, regionally, or nationally for information on plant families, genera and species. The web site can be accessed through:

<https://rsgis.crrel.usace.army.mil/apex/f?p=703> The site will be easiest to access and browse once the NWPL update is complete and all of the new information has been added.

**... Florida Growth ...** For the first time since World War II (more than 60 years ago), **Florida's population has decreased** during the past year, according to recent growth estimates by the University of Florida's Bureau of Economic and Business Research (BEBR). The estimates aren't based on actual population counts, but data from residential electrical hookups, building permits and homestead exemptions.

... Economic and demographic officials cite various factors for the decline: a national economic and housing downturn (leading to fewer relocations to Florida) – and fewer jobs (leading to more migrations out of Florida.) Economists also point to Florida's recent increased costs for taxes, insurance and overall costs of living as reasons for the decline.

**\*\* Thanks to VCARD Chair Sans Lassiter (Lassiter Transportation Group) and VCARD Transportation Committee Chair Chris Walsh (Kimley-Horn & Associates) for their expertise in preparing the following report on [transportation mobility fees](#).**

... A statewide team of public and private planners is studying various alternatives for implementing this new mobility fee concept. Generally, the program will establish formulas for imposing fees on new developments, the fee rates **based on estimated vehicle miles** that residents and users of the development will travel and the amount of impact they will have on the transportation network. The program is intended to promote more urbanized development as sprawl communities most likely would have higher vehicle miles traveled (VMT) and thus higher mobility fee rates.

... The fee proceeds would help fund new transportation projects but could not be used to fund existing over-capacity (or backlogged) facilities without revisions to state statutes. These backlogged facilities would have to rely on existing funding sources such as impact fees and gas taxes. The mobility fee would be subject to cyclical economic conditions and therefore would not be stable enough to fund multi-modal and transit-related projects. Additional revenue sources will be needed in urban areas (a transportation utility fee has been suggested) to operate and maintain an efficient multimodal system.

*... continued on page 6 ...*

... **Transportation Mobility Fee** ... continued from page 5 ...

... This mobility fee **concept is promoted in a growth management law** passed by the legislature earlier this year (*Florida's Community Renewal Act, Senate Bill 360*). State leaders anticipate that this fee will **replace the current concurrency management system** which has been criticized for promoting urban sprawl.

... There are **many issues yet to be addressed** including: how the mobility fee would affect currently enacted impact fees; what steady source of revenues could be used to fund transit improvements (including operations and maintenance); and how the mobility fee would impact the proportionate fair-share program.

... The technical team is to complete its report by the end of this year and preliminary reports already are being distributed, analyzing alternatives and numerous issues that must be addressed. VCARD Member **Clif Tate** (Kimley-Horn & Associates) is a member of the team. Call VCARD for reports about this proposed mobility fee and updates on progress in developing the program.



VCARD's Transportation Committee is working with county and Volusia MPO planners to develop a **Concurrency Data Management Tool (CDMT)**. This tool is part of the Volusia Metropolitan Planning Organization's **uniform traffic impact analysis (TIA)** program for all of Volusia's local governments to use in determining transportation concurrency requirements for new developments. The CDMT is geared to streamline the TIA process by assuring that all governments rely on the same data and have consistent results.

... MPO and county planners recently conducted a workshop with interested VCARD members to explain the project. VCARD members now are testing the tool on several developments already underway to determine how it would have worked for them – and also to help alleviate any potential glitches before the tool is formally adopted.

Leaders of Flagler County's local governments are weighing the best alternatives for future **TRANSPORTATION PLANNING** as a metropolitan area. Increased population counts from the upcoming 2010 census likely will gain Flagler County metropolitan status – thus giving it the ability to create a **Metropolitan Planning Organization (MPO)** that works with state officials in planning and funding transportation projects. Or, Flagler officials could join forces with either **Jacksonville or Volusia County** metro-planning agencies. Both agencies have approached Flagler officials on the potential merger into their jurisdiction. (Note: Flagler County's coastal cities of Flagler Beach and Beverly Beach already are represented on Volusia's MPO, having been designated as an extension of Volusia's transportation network from the 2000 census.)



Increased **billboard restrictions** are being discussed by Flagler County government. A pending ordinance would eliminate them on all major thoroughfares except I-95; require more spacing between the signs; and increase construction and maintenance standards. It also would require nonconforming billboards to be eliminated or come into compliance over time.

*... Flagler / Volusia report ... continued from page 6 ...*

Flagler County government's previously –separate Long Range Planning Board and Planning Board have been combined into a single **Planning and Development Board** with designated functions and responsibilities, and newly-appointed members. The panel's **organizational meeting will be October 13**, 5 p.m. in the county services building, 1769 East Moody Boulevard. Call VCARD for a list of the new board's members and responsibilities.

**PALM COAST** is the most recent Volusia / Flagler city to adopt a **Green Building/ Development Ordinance**, offering incentives for structures and master planned communities that use standards approved by 'green' certification agencies, such as the Florida Green Building Council. The incentives include reduced building permit and site plan fees, fast-track review, and promotion on the city's web site as being a certified green community or building. ... Similar programs have been implemented by **Port Orange, South Daytona, DeLand and Deltona**. Call VCARD for copies of any of these ordinances.

Separate VCARD / FCARD committees are working with **Palm Coast and Deltona** planners as they update their **LAND DEVELOPMENT CODES**. Palm Coast planners are mainly fixing "glitches" in a new updated land code that was adopted last year, while Deltona planners are adopting an entirely new unified code. Call VCARD if you would like to participate in either of these projects, or like copies of the land code drafts or VCARD / FCARD committee reports. ... **Volusia County** government planners also hope to craft a new unified land development code within the next year.

Local governments in East Volusia's Halifax Area are funding a **DRAINAGE STUDY** to identify projects that would help prevent flooding such as what occurred during last spring's heavy rains. The study will examine the entire East Volusia basin, including ways to improve drainage through the various canal systems and methods to boost pumping capacities during heavy rains. Participating governments include Volusia, Ormond Beach, Holly Hill, Daytona Beach, South Daytona and Port Orange.

Changes to **ORMOND BEACH's transportation management and wetlands protection** standards are moving through the review process, and VCARD committees have been active participants. The transportation rule changes incorporate policies of recent state growth management legislation (Senate Bill 360) that facilitate infill development within urban areas and promote multi-modal and transit / pedestrian-friendly transportation networks. ... The proposed wetland changes are part of Ormond's effort to forward permitting responsibilities to the St. Johns River Water District. Call VCARD for copies of draft amendments regarding either of these topics.

An **ENTERPRISE COMMUNITY overlay zone** is being incorporated into Volusia County's zoning code, setting standards for future development within this historic West Volusia community. The standards will carry out policies of an Enterprise land plan that has been crafted in recent years to protect the area's cultural and aesthetic character. Similar plans have been adopted for the communities of Samsula, Cassadaga and Osteen.

... **Flagler / Volusia report ... continued from page 6 ...**

Longterm management and development plans for about 59,000 rural acres straddling Southeast / Central Volusia and northern Brevard counties gained backing from both counties during the past month. Known as the **FARMTON**, the tract's 50-year plan calls for preserving about 75 percent of the acreage and developing the remaining land into clustered, mixed-use 'green' communities that eventually could include about 20,000 homes. Other than a planned corridor near Edgewater, most of the development wouldn't occur until after 2025 when roads, utilities and school plans are finalized.

... The land has been owned by **Miami Corp.** (a VCARD member firm) for the past 80 years. All but about 11,500 acres are within Volusia whose county council will consider the growth plan in October. It already has been endorsed by Volusia's Planning & Land Development Regulation Commission (PLDRC) as well as Brevard's Planning Board and County Commission. An overview of the Farnton Plan can be accessed through the volusia.org Web site or by calling VCARD.

Congratulations to **DeLand Mayor Robert Apgar** who has been honored with the 'E. Harris Drew Municipal Official **Lifetime Achievement Award**' from the Florida League of Cities. Mayor Apgar is the 32<sup>nd</sup> recipient of this annual award, and the fourth municipal official from Volusia County to receive the honor.

... The award is in memory of former Florida Supreme Court Justice E. Harris Drew who authored the Florida League of Cities' motto: "*Local Self-government, Keystone of American Democracy.*" Founded in 1922, the league is a primary representative of Florida local government interests, particularly on state government issues. More than 400 local governments are Florida League members.

... Mayor Apgar has been **DeLand's elected leader since 2001** and has lived there for 50 years. He also is an active VCARD Member through his position as **senior counsel and vice president of Consolidated-Tomoka Land Co.**

... **VCARD / FCARD Welcomes New Members ...**

- **Environmental Resource Marketing**, an environmental asset sales company at 614 East Highway 50, #323, Clermont, FL 34711 Phone: 352-394-1125 FAX: 352-394-0072 Web site: [www.erm-consultingservices.com](http://www.erm-consultingservices.com) VCARD Representative is **Sheri Lewin** ([sheri@erm-consultingservices.com](mailto:sheri@erm-consultingservices.com))
- **Halifax Health**, P.O. Box 9718, Daytona Beach, FL 32120-9718 Phone: 386-254-4111 VCARD Representative is **Joe Petrock** ([joe.petrock@halifax.org](mailto:joe.petrock@halifax.org))
- **Nieto-Whittaker Surveying LLC**, a surveying and mapping firm at 562 W. Springtree Way, Lake Mary, FL 32746. Phone: 407-484-0103 VCARD Representatives are **Ralph Nieto** ([r.nieto6025@bellsouth.net](mailto:r.nieto6025@bellsouth.net)) and **Dan Whittaker**. Special thanks to VCARD Vice Chair **Shannon Julien** (Environmental Services) for recruiting this new member firm.

... **VCARD / FCARD member news ... continued from page 8 ...**

- **Bobbie Cheh**, CIT, office manager for **Peck & Associates Construction**, is chair for the annual planning conference of the Region 3 **Association of Women In Construction**. The event will be Oct. 23-24 in the Daytona Beach Resort and Conference Center, Daytona Beach. For registration / sponsorship information, contact [bobbie@peckcompanies.com](mailto:bobbie@peckcompanies.com)
  - **PBS&J** Senior Landscape Architect **Robert Farley** is a graduate of the inaugural class of accredited **green roof professionals** (GRPs), being one of only several accredited GRPs in Florida. The accreditation is designated by 'Green Roofs for Healthy Cities,' a not-for-profit industry association of green roof experts in North America.
- ... The **PBS&J Foundation has donated \$10,000** to a Seminole Community College program to promote **women's science studies**. The grant will help fund scholarships, domestic travel / field trips, and special career awareness workshops.
- **Mitigation Marketing President Dennis Benbow recently raised \$2,200** for the **Muscular Dystrophy Association**, helping to fund programs for the Central Florida Chapter.
  - **Fay Sarshory** is the new broker / owner of Property Experts, Inc. in downtown Daytona Beach (107 Ivy Lane) with two additional locations in Orlando and Cocoa Beach. Fay specializes in residential and international sales; marketing; and builder and developer representation. Phone: 386-527-2325.

... **UPCOMING VCARD EVENTS ... MAKE YOUR RESERVATION!**

- **'The Different Perspectives of Amendment 4,' October 16** educational program being sponsored by VCARD in conjunction with the Volusia League of Cities and the Daytona Beach Area Chamber of Commerce. (see page 1 Sans Lassiter column) 9:30 a.m. to noon, Indigo Lakes Banquet Center, 312 Indigo Drive, Daytona Beach. Cost: \$30 (includes lunch).
- VCARD's third annual **PICNIC ON THE FORD FAMILY FARM**, a relaxed evening of VCARD / local government fellowship, barbecue and refreshments in the pasture of Lisa, Frank and Alex Ford's beautiful West Volusia property. Wednesday, **October 28**, 4 – 7 p.m. Cost: \$20 for VCARD members and **free for local government representatives**.
- VCARD's annual **HOLIDAY MEMBERSHIP LUNCH**, Friday, **December 4**, in the El Caribe Oceanfront Resort, 2125 S. Atlantic Ave., Daytona Beach.

**The VCARD Exchange** is a new program to **facilitate networking** between professionals exploring potential employment with VCARD member companies – as well as companies that are seeking qualified employees. Interested professionals and member companies are encouraged to contact VCARD for details about submitting their resumes and corporate employment opportunities to VCARD for electronic distribution.

... This program was recently **endorsed by VCARD's Executive Council**. Thanks to **Carl Miller** (Miller & Morris) for proposing this program to VCARD's leadership; and **Robin Travers** (Melrose-Sovereign) for helping to coordinate the process.

**Special thanks** to **HALIFAX HEALTH** (Presenting Sponsor); **LASSITER TRANSPORTATION GROUP** (Supporting Sponsor); and all the other VCARD firms and attendees who helped make our association's 23<sup>rd</sup> annual Icebreaker reception **another great success**.