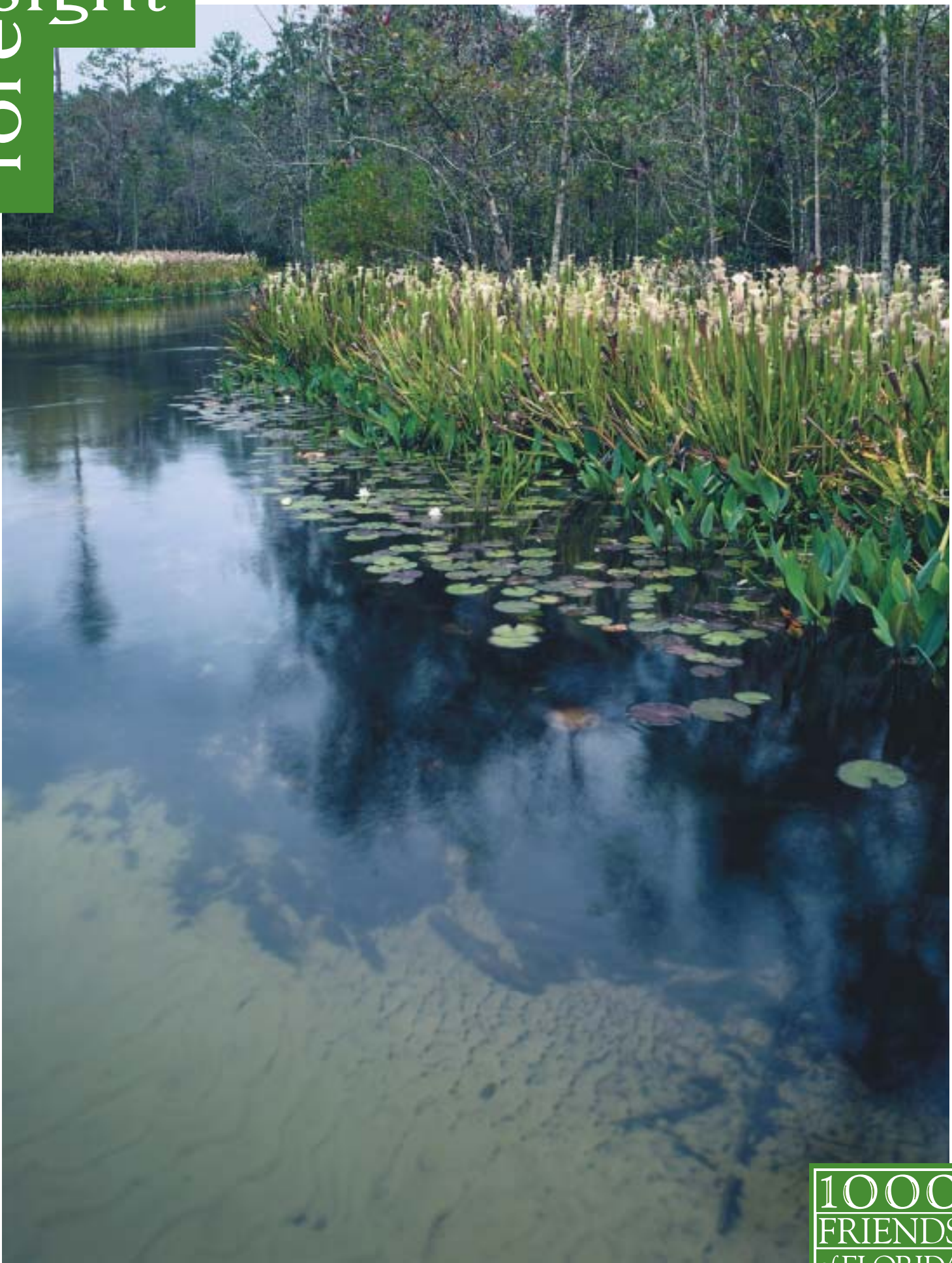


# foresight

THE NEWSLETTER OF 1000 FRIENDS OF FLORIDA



SUMMER 2006 VOLUME 19 NUMBER 2



SAVING SPECIAL PLACES. FIGHTING SPRAWL. BUILDING BETTER COMMUNITIES.

## From the Director



BETSY BARFIELD

**Charles G. Pattison, AICP**

I must begin by thanking Janet Bowman, our departing Legal Director, for the difficult and diligent work she so steadfastly performed for us during the past four years. A tireless smart growth advocate who always fought for citizen rights, fairness and equity, her contributions to us and all Florida citizens are sincerely appreciated. 1000 Friends truly has been blessed with some of the finest legal talent the growth management field provides. Names such as Al Hadeed, Steve Pfeiffer, Richard Grosso, and Terrell Arline have created the kind of integrity and high standards that Janet so ably carried forward. Florida owes her a great deal, and we will miss her.

As Janet departs, significant change is also coming to state government. With coming elections for a new Governor and Cabinet, important House and Senate positions, and new legislative leadership, it is more critical than ever that we support the candidates that share the vision of protecting Florida's quality of life, environment, and economy. 1000 Friends is preparing a series of questions for these candidates to determine their views on key growth management issues facing Florida. Watch for the results on our website in late summer.

This edition of *Foresight* highlights the outcomes — for better and for worse — of the 2006 Florida Legislature; please go to our website for more detailed information. You will also get previews of our collaboration with nature photographer Jim Valentine for a 20th anniversary commemorative book, and the important *Florida in 50 Years* project headed by Tim Jackson, our vice-president. These efforts represent the best in people and talent that our great state offers.

We hope you will join us in continuing to speak out to ensure that we honor, protect and defend the principles of sound growth, environmental stewardship, and economic prosperity for all.

Eglin Air Force Base



COVER PHOTO COURTESY JAMES VALENTINE

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Foresight is published by 1000 Friends of Florida, a nonprofit membership organization founded in 1986. 1000 Friends of Florida works to save special places, fight sprawl, and build better communities.



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## Scripps: Litigation Update

After a series of cliff-hanging meetings and intense negotiations, the Palm Beach County campus of the Scripps Biomedical Research Institute is back on track to be located at the FAU/Abacoa/Briger site supported by smart growth advocates. In April, contract negotiations between the county and Scripps broke down over provisions related to job creation. The dispute became so intense there was talk of moving the campus back to the remote Mecca Farms site, or selecting a new site elsewhere in the state.

But late in the month a compromise was

reached, allowing planning to proceed. The county signed the 15-year contract and, in May, Governor Bush and the Florida Cabinet signed off on the project and the Scripps Board gave its approval.

Still to be determined is what if any development will be allowed to take place at Mecca Farms now that Scripps has relocated. Thus far, eight comprehensive plan amendments that were made to allow Scripps to proceed at that site remain in effect. 1000 Friends is watching closely as Palm Beach County continues to evaluate alternative scenarios for Mecca Farms.

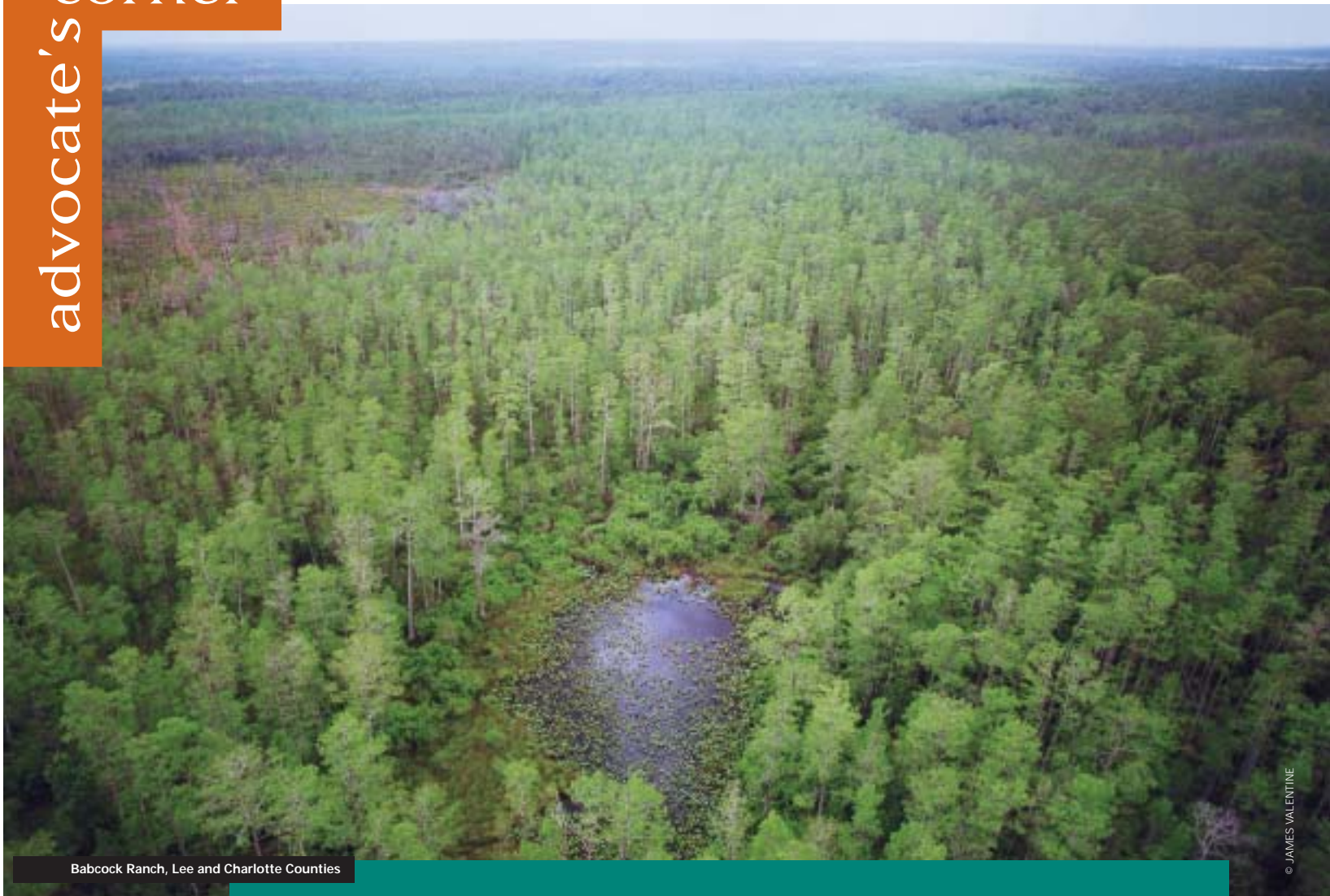
## Photographer in Focus: James Valentine

James Valentine is an environmental filmmaker, consultant, writer, poet, speaker and scuba diver. He is president of the Quest Foundation, which works toward nature preservation and environmental education through the arts and sciences. Valentine coordinates his work with leading environmental groups and cultural organizations throughout the world.

Valentine's latest book, *Florida Magnificent Wilderness*, is a recipient of a Governor's Environmental Education Award and is his ninth major book depicting Southern areas. The photographs showcased in this issue of *Foresight* will be featured in 1000 Friends' 20<sup>th</sup> anniversary edition of this publication.

To order your own copy of this special edition, see page 9. For more information on Valentine and his work, visit [www.quest-foundation.org](http://www.quest-foundation.org).





Babcock Ranch, Lee and Charlotte Counties

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## Ups and Downs of 2006 Session

Growth management had its highs and lows during the 2006 legislative session. On the bright side, the legislature approved an expanded environmental permitting program for the Florida Panhandle, and, in the largest single land conservation acquisition in Florida history, authorized funding to purchase 74,000 acres of Babcock Ranch. It also tempered several potentially damaging bills, including one on the Florida Keys' de-designation as an Area of Critical State Concern.

Definitely in the negative column, the

legislature passed sweeping legislation to increase development in coastal areas (HB 1359) and on agricultural lands (HB 1015). 1000 Friends called on Gov. Bush to veto these damaging bills – see pages 5 and 6 for more information. On another front, despite the critical shortage of affordable housing, the Legislature inexplicably failed to allocate more than half of the funding available in state and local affordable housing trust funds.

To learn more, see the following articles or visit [www.1000friendsofflorida.org](http://www.1000friendsofflorida.org).

## Environmental Resource Permitting Comes to the Panhandle

When the Environmental Resource Permitting (ERP) program was implemented in 1995, Northwest Florida was exempted. This was corrected when the legislature passed **HB 7163**. The program, which establishes a state process to regulate stormwater and wetland permitting, provides better protection for natural resources.

1000 Friends played a key role in the legislation's passage. Although the less favorable House version of the bill ultimately won approval, potentially damaging provisions were removed. These would have prevented local governments across Florida from adopting more stringent wetland protections than those allowed under the ERP program. Said Executive Director Charles Pattison, "This represents a major step forward in protecting the environment in Northwest Florida."

For more information on the 2006 legislative session, please visit [www.1000friendsofflorida.org](http://www.1000friendsofflorida.org).

## Shortsighted Bill Opens Coastal High Hazard Areas to Increased Development

At the start of a new hurricane season, it is sad to note that our legislators passed and the Governor signed into law a bill that could jeopardize the lives of Floridians and cost taxpayers millions of dollars in the event of a major storm. Previously, state law required that state and local regulations discourage development in coastal high hazard areas. Now, under **HB 1359**, a developer can proceed after demonstrating that residents would be able to evacuate the high hazard area within 12 to 16 hours. If evacuation is not possible within that specified time, the developer still can go ahead by paying the local government for the right to develop. Making matters worse, this payment need not be allocated to road improvements, shelters, or other measures to help with hurricane evacuation. The payment can go toward anything that the local government decides is "appropriate mitigation." This shortsighted provision could put lives at risk in the event of a major storm.

Because much of the Panhandle remains relatively undeveloped, developers there

will probably be able to meet the 12- to 16-hour evacuation requirement. The taxpayers will be the losers, having to subsidize the insurance payouts on damaged condos and pay for repairs to the roads, bridges, and other infrastructure needed to support the new development. In more highly developed parts of the state, the taxpayers get a double whammy from this new legislation: paying rebuilding costs plus possible lost lives resulting from increased traffic and congestion during evacuations.

1000 Friends called on Governor Bush to veto this harmful legislation. Ironically, he signed it into law the day he signed other major legislation to better prepare the state for the impacts of hurricanes.

To help lessen the damaging ramifications of this new law, 1000 Friends is now developing a series of recommended policies for governments to incorporate into their local comprehensive plans. Foremost will be a life-saving requirement that evacuation roads and shelters be built concurrent to any new development, not at some later, indefinite date.

## Mixed Results for Affordable Housing

The legislative response to Florida's deepening affordable housing crisis was mixed. First, the positive news: **HB 1363**, the omnibus housing bill, sponsored by Representative Mike Davis (R-Naples), contains numerous housing initiatives. Included are a pilot program to provide workforce housing for "essential services personnel" such as police and teachers, and important statutory changes to ensure the development of apartments for the working poor.

On the negative side, the House and Senate agreed to allocate only \$433 million of the available state and local housing trust funds, leaving a balance of \$507 million. Members of the Sadowski Act Coalition, including 1000 Friends, had anticipated that the available housing trust funds would be fully appropriated.

"It's inexplicable," said 1000 Friends Affordable Housing Director Jaimie Ross. "We have an unprecedented affordable housing crisis in Florida, and yet more than half of the money in the state and local housing trust funds was not allocated." Full allocation of the trust funds will be a top legislative priority for 2007.

## Babcock Ranch Land Acquisition Approved

Funding for the largest conservation land acquisition in Florida history won approval by the legislature. The 74,000 acres of Babcock Ranch, in Charlotte and Lee counties will cost the state \$310 million. Support for the bill (**HB 1347**) was led by 1000 Friends and others in the conservation community, who also headed off last minute efforts that would have allowed cypress harvesting on these sensitive lands. Governor Bush has also included the allocation in his budget.

On the planning front, the Lee County Commission has pledged \$41.5 million to preserve 5,600 acres of the ranch within its borders. Both Lee and Charlotte counties are negotiating for mitigation to offset the project's roadway and land use impacts. Development of Regional Impact (DRI) review was to take place this summer, but likely will be delayed due to a legal challenge filed by the Sierra Club.

## 1000 Friends Calls for Veto of Damaging "Ag Enclave" Bill

While 1000 Friends called on Gov. Bush to veto the damaging **HB 1015**, the Agricultural Economic Development Act, he signed it into law on June 20. This controversial legislation allows the conversion to urban uses of 'agricultural enclaves,' defined as agricultural parcels under single ownership whose perimeters are at least 75 percent surrounded by existing or designated industrial, commercial, or residential uses.

Similar legislation failed in 2005, thanks to the leadership of 1000 Friends,

noted Executive Director Charles Pattison. In 2004 Governor Bush vetoed a comparable bill, explaining in his veto message that the legislation could provide an incentive for farmers to "cash out," and encourage "the premature conversion of agricultural lands to development." The governor also said that the bill did not look at growth management comprehensively.

"We could not have put it better ourselves," said Pattison. 1000 Friends is particularly concerned that this bill

overrides state rules limiting urban sprawl, and preempts the ability of local governments to decide whether land should be agricultural or urban in use.

"It is also deeply disturbing that this bill was intended primarily to benefit special interests," Pattison added. "By providing a "safety net" for a few major developers, the legislature has opened up thousands of acres of agricultural lands across the state for premature, sprawling development."



City Place, Orlando

## Disaster Averted in Florida Keys...For Now

The Florida Keys Area of Critical State Concern legislation (**HB 1299**) ended up buying a little time for this sensitive area. The designation means the area receives additional state planning oversight. The initial version of the bill called for ending the designation for the Keys as of October 1, 2007, unless the Governor and Cabinet found that substantial progress had not been achieved in meeting the required work program to address environmental problems.

1000 Friends and others succeeded in getting an amendment requiring two more years of state oversight before de-designation. Another critical amendment we supported will make the process to legally challenge the de-designation more favorable to citizens and conservation groups. These changes provide critical safeguards to ensure that any effort to remove the designation meets all planning, infrastructure, and regulatory standards established by the Governor and Cabinet.

## Other Growth Management Legislation

During this 2006 session, 1000 Friends helped shape a number of bills related to growth management. Thanks to the leadership of Representative Trey Traviesa (R-Brandon) and Senator Mike Bennett (R-Bradenton), 1000 Friends of Florida was allowed to provide substantial input into legislation related to Developments of Regional Impact (**HB 683**). It was a give and take process. We successfully inserted language requiring the inclusion of workforce housing in DRIs, and removed provisions that would have exempted major attractions from the DRI process and promoted "new towns" in rural areas. Unfortunately, marinas were eliminated from the DRI process, and local comprehensive plans now are encouraged to include policies related to siting of marinas.

Some problematic provisions were removed from the Interlocal Services Boundary Agreement Act (**SB 1194**), which provides a process for cities and counties to address service delivery arrangements and annexations. We supported amending the bill to include procedures and minimum standards on enacting impact fees.

1000 Friends also helped "water down" two potentially damaging bills. Originally, **SB 980** would have allowed power

substations to be situated in any use, but we succeeded in gaining an exemption for conservation and preservation lands. We also supported new siting standards that will automatically apply if the local government has not adopted its own.

**HB 749** requires that local governments now conduct a series of studies to evaluate the use of septic tanks prior to extending water and sewer services. That bill initially eliminated the requirement that new development hook up to existing water and sewer.

1000 Friends played a leading role in defeating the controversial Charter Amendment legislation. This would have undermined the ability of charter counties to continue applying land use regulations that would promote better coordinated growth management and environmental protection within municipalities. We were pleased in the end when several "Glitch Bills" we initially supported went down. While we helped remove language from the Senate version that would have prevented local governments from having stricter roadway concurrency standards, later added language weakened water and school concurrency provisions and the ability of citizens to participate in the growth management process.

## Protecting Toho's Wetlands

The southern bald eagle, sandhill crane, Florida kite, crested caracara, and many other bird species that call the wetlands surrounding Lake Tohopekaliga home will have to make room for a lot of new neighbors.

Seven Developments of Regional Impact (DRIs) are being planned for the shores of this Osceola County lake. Known locally as "Toho," it is one of a dwindling number of large, still-undeveloped lakes in Central Florida.

To promote better coordination among these DRIs, the East Central Florida Regional Planning Council has been conducting a series of plan-

ning meetings. The goal is to create a coordinated band of conservation lands and open space around the lake. Besides protecting important wildlife habitat and wetlands, this would assist with water management.

According to Community Planner Dan Pennington, 1000 Friends' representative during this process, the multiple DRIs already have impacted the area. Osceola County recently updated its comprehensive plan to extend its urban service area to

incorporate this region. Additionally, planning has been accelerated for roads in the area, including an interchange on the Florida Turnpike and a proposed expansion of the Orlando metropolitan beltway (Highway 417) south around Lake Toho. "These meetings provide an important opportunity to protect the area's sensitive resources in the face of major development," says Pennington.

## Development Pressures in Rural Palm Beach County

Two Developments of Regional Impact (DRIs) recently were filed for properties in the rural western-central area of Palm Beach County near Mecca Farms, the site originally proposed for the Scripps Biomedical Research Institute. The owners of Callery Judge, a former orange grove of about 4,000 acres, are seeking permission for 10,000 homes and 4 million square feet of commercial uses. Under current rules, 400 homes are allowed.

The other site, Vavrus Ranch, encompasses about 4,700 acres. The Vavrus DRI requests around 10,000 homes, plus 1 million square feet for commercial uses and nearly 3 million square feet for research and development, a hotel,

schools and clinics, and a university. Here, too, the current allowance is 400 homes.

Callery Judge is within the 50,000 acres covered under the county's Sector Plan. This controversial plan would allow about 3,200 homes on this property. While far fewer than what developers are requesting, these are more than enough to substantially impact roads and public services. Callery Judge is also the impetus behind this legislative session's controversial "Ag Enclave" bill (see page 6), opposed by 1000 Friends and others.



Martin/Palm Beach County Line

© JAMES VALENTINE

As reported in the last issue of *Foresight*, 1000 Friends has joined in a challenge against the Sector Plan, which has been found by the state to be not in compliance with Palm Beach County's local comprehensive plan. We continue to advocate for an improved Sector Plan which incorporates sound planning principles, lower densities and intensities, and compact development form prior to approval of any DRIs within this area.

*FLORIDA*  
Magnificent Wilderness



Florida  
Magnificent Wilderness



*State Lands, Parks, and Natural Areas*

James Valentine

Text by D. Bruce Means

To commemorate its 20<sup>th</sup> anniversary, 1000 Friends of Florida has commissioned a special edition of *Florida Magnificent Wilderness*, highlighting the acclaimed nature photography of James Valentine. His photos depict "the unspoiled beauty that still remains in the back country, trails, natural areas and parks of the Sunshine State." Valentine's photographs in this issue of *Foresight* are but a few of the many beautiful images featured in this book.

This 160-page, full-color, hardcover book includes a 16-page special

section highlighting the work of 1000 Friends. *Florida Magnificent Wilderness* will make a handsome addition to your collection (and a thoughtful holiday gift).

**Order now!** Books will be shipped in late October.  
The cost is \$35 per copy (includes shipping and handling).

Please send \_\_\_\_ copy(ies) of *Florida Magnificent Wilderness* to:

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# "Florida IN 50 Years" Looks AT THE Future

What will Florida look like in 50 years if current growth and development patterns continue? This question intrigued the 1000 Friends' board of directors as they contemplated different ways to celebrate the organization's 20<sup>th</sup> anniversary. The idea to pursue a project that would imagine this scenario took root, and *Florida in 50 Years* was born.

Tim Jackson, president of 1000 Friends when the project was launched, took the lead. *Florida in 50 Years* will help citizens, including elected officials at the local, state and national levels, understand the very long-term consequences of today's decisions, he said. "We believe that with this information, Floridians will decide there is an urgent need to do things differently."

Under the direction of University of Florida professors Dr. Paul Zwick and Peggy Carr, graduate students in urban and regional planning and landscape architecture are developing a series of illustrations. They will begin by depicting current conditions, including urban land, permanently protected land, large private landholdings, and major ecosystems. Successive layers will incorporate

current plans for future development and future preservation. Then, using population and land consumption projections, they will create graphics to show what the state might look like in the years 2030 and 2060, assuming current trends in population growth, development forms, infrastructure investment and other factors remain constant.

To complement the illustrations, Georgia Tech's Center for Quality Growth and Regional Development is producing a companion text. The paper will identify significant policy issues, and recommend actions the state to accommodate the projected

growth in a more responsible manner. "We hope this project provides valuable guidance to state leaders and citizens alike as they help shape the Florida of the future," said Jackson.

The results will be shared with the Century Commission and others when the project is completed this fall. *Florida in 50 Years* is being funded by The St. Joe Company, The Nature Conservancy, and A. Duda & Sons, as well as Glatting Jackson, Fishkind & Associates, WilsonMiller, and Robert L. Parks. To find out more, contact Vivian Young at [vyoung@1000fof.org](mailto:vyoung@1000fof.org).



Corbett Wildlife Management Area, Palm Beach County

© JAMES VALENTINE

NEW AND IMPROVED

## Disaster Planning Manual for Historic Resources!

Just in time for the 2006 hurricane season, an updated version of the award-winning *Disaster*



*Planning for Florida's Historic Resources* is now available. The 2006 edition also includes four case studies that showcase how the City of Apalachicola, and Nassau, Palm Beach, and Sarasota counties are implementing the manual's recommendations.

Over the last two years, each community developed short- and long-term goals to improve coordination between historic preservation and emergency management issues. Short-term goals range from removing dead trees from historic properties to developing post-disaster

assessment teams with historic expertise. In addition, each community has begun incorporating historic preservation into their community's emergency management Local Mitigation Strategy (LMS) process, and is working to include historic preservation representation within the LMS committee structure.

*Disaster Planning for Florida's Historic Resources* is a joint project of 1000 Friends of Florida, the Division of Historical Resources of the Florida Department of State, and the Division of Emergency Management of the Florida Department of Community Affairs.

The new manual can be downloaded at  
[www.1000fof.org/PUBS/disaster/manual2.pdf](http://www.1000fof.org/PUBS/disaster/manual2.pdf).

## Pirates of the Loxahatchee

Pirates have captured the Loxahatchee River – on film, that is. The pirates, a group of students from Jupiter Environmental Research and Field Studies Academy (JERFSA) at Jupiter High School, have spent the last two years preparing a series of videos on the Loxahatchee. The group also will create a 30-minute documentary to air on Palm Beach County's Channel 20.

This year's first production, *History of the Loxahatchee*, begins with the Native Americans who used the river and its watershed. It also focuses on "Trapper Nelson," who lived along the river, trapping, fishing, and finally keeping a small zoo for tourists. *Our Loxahatchee River*, the year's second video, showcases the river's beautiful features, its economic, recreational and wildlife values, and the perils to the quality – and quantity – of its water.

The students' love of the river is evident in the videos, as is their knowledge of the subject. They speak with conviction and confidence, and have provided a view from their generation's perspective. Videos from the project can be viewed at [www.1000friendsofflorida.org](http://www.1000friendsofflorida.org). 1000 Friends thanks the Community Foundation for Palm Beach and Martin Counties, WCI Communities, GL homes, and members of 1000 Friends for making this project possible.



Hobe Sound, Martin County

## Calling All Florida Smart Growth Advocates!

1000 Friends of Florida is compiling a list of smart growth advocacy groups around the state. It's posted at [www.1000friendsofflorida.org/advocacy](http://www.1000friendsofflorida.org/advocacy). If you'd like your group listed, please email us at

[friends@1000fof.org](mailto:friends@1000fof.org) with information. Include your group's name, a contact person, web address (if available), region covered, types of issues addressed, and other useful information.



## Volusia Citizens Alliance for Responsible Growth

After an overwhelming 72 percent of Volusia County voters approved a 2004 amendment to institute urban growth boundaries to protect sensitive areas, the amendment was nullified. The county charter amendment was the work of the Volusia Citizens Alliance for Responsible Growth (VCARG). The Volusia Home Builders Association opposed the amendment by filing a lawsuit, and a judge found the ballot language to be unclear and deemed the amendment illegal. The group is now collecting signatures again to place the revised language on the 2006 ballot. To learn more about VCARG, visit [www.responsiblegrowth.net](http://www.responsiblegrowth.net).

## Smart Growth Coalition of North Central Florida

After a 2001 *USA Today* article cited Ocala as having the worst sprawl of any city its size in the United States, a group of concerned citizens took action by forming the non-partisan, grassroots Smart Growth Coalition (SGC) of North Central Florida. The group covers issues in Marion, Lake, Levy, Alachua, Putnam, Sumter, Citrus and Gilchrist counties.

To educate its members, the public, and elected officials on the problems of sprawl and “bad” growth in the region, the SGC has held a series of forums, workshops, and county commissioner candidate forums on growth-related issues. In Marion County, the SGC helped get the number of annual land use amendment cycles reduced from two to one and is now requesting an “every other year” cycle. To learn more, contact John Dunn at [Dunn4@mfi.net](mailto:Dunn4@mfi.net).

## The Responsible Growth Management Coalition

Though it focuses primarily on Lee County, the Responsible Growth Management Coalition is having an impact in neighboring Charlotte, Hendry, Glades and Collier counties. The coalition incorporated as a 501(c)(3) in 1988 over the siting of Florida Gulf Coast University on 760 acres of primary panther habitat.

Over the years, the group has monitored proposed amendments to Lee County’s comprehensive plan, ordinances, applications for development permits, and requests for zoning variances. The coalition also has assisted in efforts to retain some Outstanding Florida Waterways on the impaired waters lists, acquire sensitive lands for the public, and reduce negative environmental impacts of developments in sensitive areas. For more information, visit [www.rgmcswf.org](http://www.rgmcswf.org).

## Bowman Joins Florida Supreme Court Staff

Janet Bowman, 1000 Friends' legal director since July 2002, has accepted a position with the Office of State Court Improvement with the Florida Supreme Court. She will also be teaching a property rights course at Florida State University, as an adjunct professor in the Department of Urban and Regional Planning.

During her tenure with 1000

Friends, Bowman was responsible for the organization's litigation and lobbying efforts. She played a key role in the legal challenges over the location of the Scripps campus in Palm Beach County; lobbied before the Florida Legislature on myriad growth management issues; and was instrumental in shaping model legislation, including the 2004 Wekiva Parkway

and Protection Act and 2005 Growth Management Act.

"Janet will be sorely missed," said Executive Director Charles Pattison.

"Thanks to her efforts, a number of damaging bills did not pass the legislature over the last four years, and other bills were rendered less detrimental." 1000 Friends has begun a search for a new legal director.



The Florida Keys

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Over the years, many foundations and corporations have supported our work. We appreciate their current and generous support. Recent grants have been provided by:

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A gift has been given in memory of Gil Bergquist from Kristin Mixell

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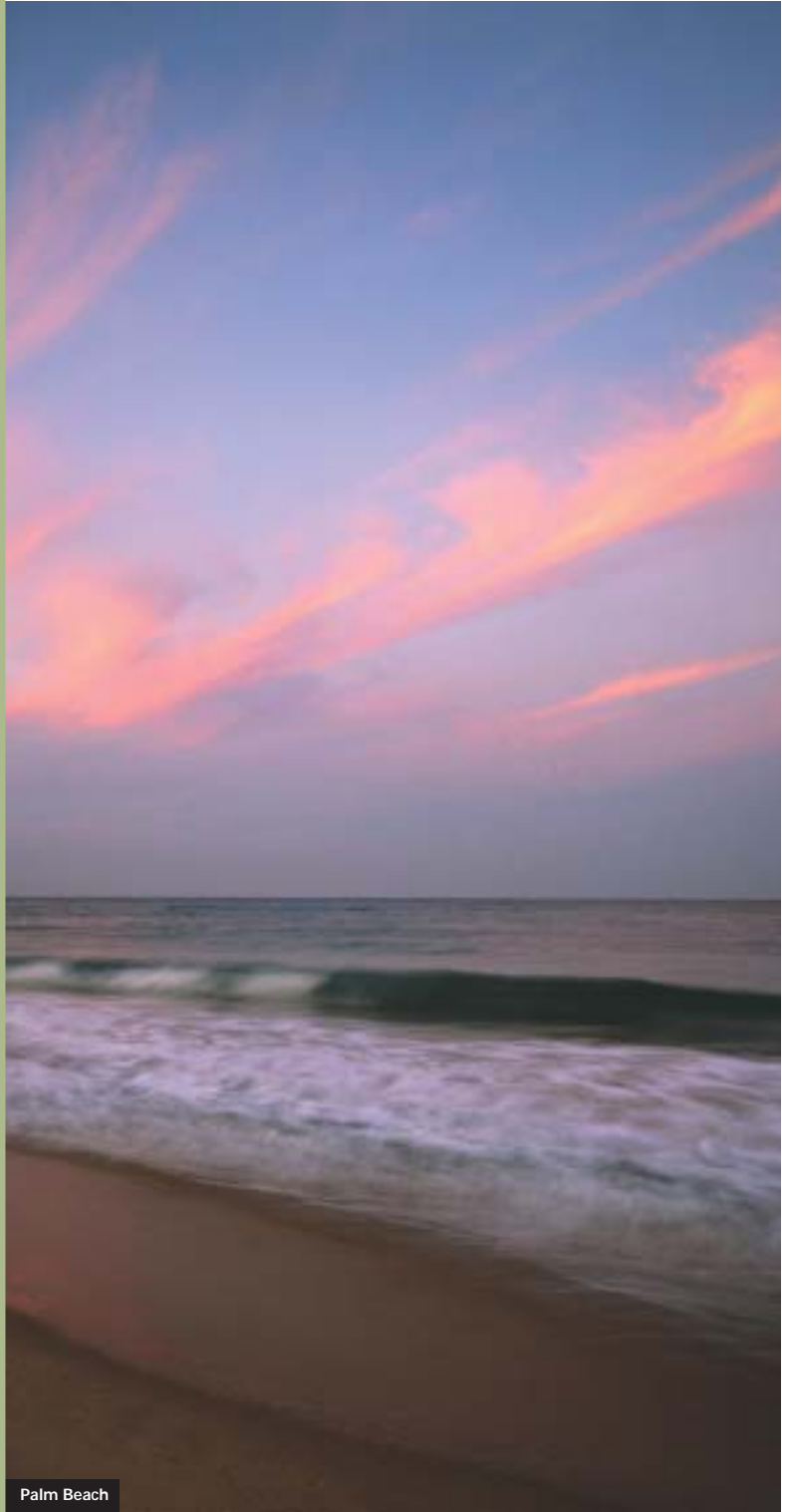
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Over the last two decades, many members and supporters have joined with **1000 Friends of Florida** to save special places, fight sprawl, and build better communities across our fine state. We have been tireless advocates for comprehensive solutions to the many growth challenges that face Florida. We can all be very proud of our accomplishments, but much more remains to be done.

1000 Friends needs your support so it can continue to serve as the citizen's voice for smarter growth in Florida. You may use the enclosed envelope to mail in your contribution, or visit **1000friendsofflorida.org** and join on-line. Please take this opportunity to help!

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