

Estero Development Report

Volume 9, Number 2, Issued July 2009

Edited by the Estero Council of Community Leaders (ECCL)

For More Information about Estero

...see www.esterofl.org

This Report is available on the Estero Community website at:

<http://esterofl.org/eccl/EDR/>

July Opportunities for Citizen Participation In Protecting Estero's Quality of Life

| Date | Time | Event | Location |
|----------------------------------|-----------|--|---|
| Wednesday, July 8th | 5 p.m. | Estero Design Review Committee meeting. See the full agenda at http://esterofl.org/edrc/agenda.asp . | Estero Community Park |
| Tuesday, July 14th | 5 p.m. | Monthly Meeting of the Estero Fire Rescue District. For further information see http://esterofire.org/ | Estero Fire Rescue Headquarters... Three Oaks Parkway south of Corkscrew |
| Friday, July 17 th | 9 a.m. | Lee County Metropolitan Planning Organization (MPO) Meeting...For the agenda see http://www.mpo- swfl.org/agendas.shtml | Regional Planning Building, 1926 Victoria Street in downtown Ft. Myers |
| Monday, July 20th | 6 p.m. | Estero Community Planning Panel meeting. See the full agenda at http://esterofl.org/ecpp/ecpp_meetings.htm | Estero Community Park |
| Monday, July 27th | 8:30 a.m. | Final Lee County Local Planning Agency review of the proposed Comprehensive Plan Changes for the Density Reduction/ Groundwater Resource (DR/GR) area | Board Chambers, 2 nd Floor, 2110 Main Street in downtown Ft. Myers |

Index

| Page | Subject |
|------|--|
| 1 | Calendar |
| 1 | Estero Community Website |
| 2 | The Major Challenges Estero Is Facing Today |
| 4 | Lee County Receives Community Steward Award From 1000 Friends of Florida |
| 5 | The DR/GR Comprehensive Plan Update Begins |
| 7 | Resource Conservation Holdings (RCH) Mine Hearing |
| 9 | History and Development of the www.eco-voice.org Web-site |
| 10 | US 41 Funding Approved for 2010 Start |
| 11 | Estero's Housing Permits Continue Slow Pace |
| 11 | Permitted Commercial Building Values Continue Slow Increase |
| 12 | South Lee County Watershed Plan Hearing & Future Needs |

Estero Community Website

The community groups sponsoring the site are:

Estero Community Planning Panel (ECPP)

Estero Civic Association (ECA)

Estero Design Review Committee (EDRC)

Estero Council of Community Leaders (ECCL)

Greater Estero Cultural Arts Council (Arts Estero)

www.esterofl.org

The Major Challenges Estero Is Facing Today

During the last three years Estero has not had to cope with growth problems like it did in the first half of the decade, but other challenges have emerged to threaten the quality of our future. The ECCL and other community, growth management and environmental organizations are focusing our efforts on preventing flooding of our rivers, streams and communities; protecting the water supply for future generations of Esteroans while ensuring that the waters entering Estero Bay do not degrade it; concentrate Lee County's dirt and aggregate mining in the Alico Road industrial corridor which has the necessary roads and infrastructure and prevent it from expanding into the more residential Corkscrew Road corridor and control the traffic and transportation network so that we are not overwhelmed by commuter, shopping, construction and dump truck traffic from additional mines along eastern Corkscrew Road. The following sections expand upon these changes.

Estero 2000-05

Between 2000 to 2005 Estero was one of the fastest growing communities in the United States, if not the fastest. The 2000 census counted 9,503 full time residents in Estero. Using methodology developed by the University of Florida Estero's estimated population rose to about 23,800 full time residents at the end of 2005, an increase of 150 percent in just 5 years.

During this same period Estero became the retail center of southwest Florida as a result of its strategic location midway between Naples and Ft. Myers. At present Estero has about 4.5 million square feet of commercial space. A little more than half of this is located in our two big anchors, Coconut Point and Miromar Outlets Mall. Another 5 million square feet of commercial development will eventually be built here if current zoning is not changed.

During this period Estero's volunteer civic organizations...the Estero Community Planning Panel (ECPP), the Estero Design Review Committee (EDRC) and the Estero Council of Community Leaders (ECCL) focused most of their attention on developing and implementing high development standards for commercial development within the community and ensuring that our infrastructure, especially our road system kept pace with our residential and commercial development.

Estero 2006-09

Since 2005 Estero's growth has slowed to a trickle, but our community challenges have not diminished, but have changed. During this period the Estero community has faced and continues to face the following major challenges:

- Flood Prevention
- Protecting our Water Supply
- Curtailing Mining on Corkscrew Road
- Controlling Truck and other Traffic.

Flood Prevention

In early 2008 the South Florida Water Management District (SFWMD) pushed the Florida Department of Transportation (FDOT) to add 5 large, new culverts under I-75 just east of The Brooks as a condition of their permit so that FDOT would finance their installation. The Brooks Concerned Citizens, the ECCL and the Conservancy of Southwest Florida opposed this proposal out of concern for the flooding that it could cause for the developments along Halfway Creek, including The Brooks, Rapallo, Coconut Point, Marsh Landing, Fountain Lakes and the West Bay Club. In addition the proposal would result in more water being routed to the south branch of the Estero River. Without some downstream improvements this recommendation would flood communities along that stream, especially The Villages of Country Creek where some bridges will need to be raised. As you will see below these issues are still not resolved.

Protecting our Water Supply

About 80% of the fresh water consumed by all the residents of Lee County is provided by three well-fields located in the Density Reduction/Groundwater Resource (DR/GR) area just east of I-75 in Bonita Springs and Estero. These wells rely for their supply on the area's aquifers that are recharged by rainwater retained by the area's extensive wetlands.

Your Estero community organizations, along with several regional environmental and growth management groups, have been working with the Board of County Commissioners (BOCC) to replan the DR/GR area so that future generations of Esteroans will have the water they need to live here in comfort. Much has been done but much remains to be done this year and next to complete this process.

Curtailing Mining on Corkscrew Road

For the last 25 years limerock mines in the Alico Road corridor within the DR/GR have provided 80% of the total construction aggregate demanded by development in all seven southwest Florida counties from Sarasota to Collier. This material is essential for building and road construction as well as for the production of cement and asphalt. Finally the area has been a major supplier of fill dirt for all kinds of construction in the region.

In recent years zoning for one mine has been approved along Corkscrew Road while two others have been denied by the County because of strong opposition by the rural residents of the area. At present 8 large landowners along Corkscrew Road have filed

applications for their land to be rezoned to permit mining because they believe the property contains a supply of construction grade limerock and because this business is so lucrative.

Throughout the last 25 years about 4,000 acres have been mined in the DR/GR. Another 3,500 acres in the Alico Road corridor has been zoned for mining, thus assuring 20 more years of aggregate for the region. On the other hand the pending Corkscrew Road mine applications contain about 17,000 acres, enough rock for another 100 years of development like the region has seen in recent decades...a highly unlikely need.

With the support of Estero's community groups and their growth management and environmental allies the County recently adopted new rock mining regulations. The County is now considering concentrating mining between now and 2030 in a limited area along Alico road with provisions for expanding the area every 7 years, if needed. Much has been done but much remains to be done to contain the negative impact that these mines could cause to our water supply, ecology and our community.

Controlling Truck and Other Traffic

Estero has benefited greatly from some farsighted transportation planning by the Lee County Metropolitan Planning Organization (MPO), Lee DOT and FDOT. As a result our roadway system has kept up with our rapid residential and commercial growth. That development produced large increases in road impact fees that have been used to finance hundreds of millions of dollars of local road projects.

Since 2005 funds for road improvements have fallen as rapidly as the number of new homes being built in Estero, about 90%. Future funding of our unmet transportation needs is problematic until economic growth returns to our area.

Although our traffic situation is much improved today, our roads will soon become more congested for the following reasons:

- Our unique location midway between Naples and Cape Coral and Lehigh means that the thousands of workers living to our north must travel through our community to their jobs in and around Naples twice each day,
- As Estero has developed into the retail center of Southwest Florida many thousands of additional vehicles come into our community each day to shop. As anyone can see there are still thousands of acres zoned for commercial use along our major thoroughfares, US 41 and Corkscrew Road, that will be adding to our traffic,
- As our population boomed in the early part of the decade traffic on our local roads increased dramatically. In a couple of years when our residential build-out resumes our roads will get more and more congested, and
- Truck traffic on our roads is way down during the construction slump. That will change dramatically once the economy starts to improve. Add to that the dump truck traffic that will be generated if the eight proposed mines are approved along Corkscrew Road. The RCH mine, now under consideration by the County, has proposed a limit of 2,400 round trip trucks per day. Without that limit the traffic

study for the mine showed over 3,000 truck trips per day. Many of the land owners seeking to mine their property are much larger than the proposed RCH mine. This challenge continues to threaten the welfare of the Estero community.

Lee County Receives Community Steward Award From 1000 Friends of Florida

On June 9th Charles Pattison, President of 1000 Friends of Florida, participated in a ceremony at the Board Of County Commissioners meeting in order to present the Board with their 2009 Community Steward Award in recognition of the Board's effort to create a new plan for the Density Reduction/Groundwater Resource (DR/GR) area. Don Eslick, the Chairman of the ECCL, was asked by the County to participate in the ceremony because the ECCL nominated the County for the award.

Mr. Pattison made the following comments in presenting the Award: "We are pleased to be honoring the Lee County Commission for its accomplishments in protecting the Density Reduction/Groundwater Resource area in southeastern Lee County. The Commission is to be commended for its proactive efforts to protect this important regional water source."

Mr. Eslick followed up with this statement: "At the urging of many community and environmental groups and the threat of several large mine applications the current Board of County Commissioners allocated about \$1.4 million to replan the DR/GR and to commission many studies and an advanced water model all of which will protect the critical resources in the area so that they will be available to serve the future needs of the citizens of Lee County. We nominated the BOCC because we believe this objective, professional initiative is unprecedented in the history of Florida local governments".

The DR/GR Comprehensive Plan Update Begins Background

On May 20th Lee County released the "Proposed Lee Plan Amendments for Southeast Lee County...Planning for the Density Reduction/ Groundwater Resource Area (DR/GR)" and posted it on their website at http://www3.leegov.com/dcd/CommunityPlans/SELCDRGR/CPA2008-06/Proposed-Lee-Plan-Amendments-for-Southeast-Lee-County_May2009.pdf . This 72 page document details Dover Kohl & Partners, the County DR/GR planning consultants, recommendations for updating the County's Comprehensive Plan for the DR/GR. This extensive document, if approved by the BOCC and the Florida Department of Community Affairs (DCA), would provide the legal framework for concentrating mining in the Alico Road industrial corridor; DR/GR locations where residential development should be clustered; locations where agriculture should be encouraged and where and how the natural resources and ecology of the DR/GR should be preserved.

June 3rd Land Planning Agency (LPA) Meeting

On June 3rd the Lee County Land Planning Agency heard a presentation by Dover Kohl on its recommendations for updating the Comprehensive Plan for the County's Density Reduction/Groundwater Resource (DR/GR) area. To view Dover Kohl's power point presentation click

http://www3.leegov.com/dcd/CommunityPlans/SELC_DRGR/CPA2008-06/DR-GR_LPA_presentationJune3-2009.pdf

The presentation was followed by public comment, primarily from professional representatives of DR/GR landowners and mining interests. All of these representatives spoke in opposition to some of the Dover Kohl recommendations and many called for delaying approval of the Comp Plan changes,

The Conservancy of Southwest Florida was the only organization presenting testimony in support of the Dover Kohl recommendations and urging timely action on this important work. To compensate for this shortfall The Conservancy, the ECCL, The Brooks Concerned Citizens, the Corkscrew Rural Community and other organizations sent a follow-up letter to the members of the LPA. The letter includes the following comments:

“While our organizations have specific comments on the draft language, we are supportive of the general framework provided in the Dover Kohl proposed DR/GR Comprehensive Plan amendments report. Moreover, these amendments are proceeding based upon the BOCC-required timeframe for transmittal within this year’s growth management plan amendment cycle. Our organizations also support transmittal of these amendments in September, and ask that you preserve this timeline.

Our organizations disagree with any assertion that delay is appropriate or that there has been insufficient opportunity to be part of the DR/GR planning process. The hallmark of the DR/GR study effort has, from the beginning, been an open, public process with ample opportunity for all stakeholders to provide data and input every step of the way. We believe a reminder of the significant public participation surrounding the DR/GR planning efforts is warranted.

In addition to the 23 meetings of the DR/GR advisory committee, all of which were publically noticed and received substantial public input, the following represent workshops and meetings that provided more opportunities for public comment:

June 11, 2007 – McLane Study was presented to the Lee BCC

July 25, 2007 – DR/GR Stakeholders meeting

August 9, 2007 – Lee BCC DR/GR Workshop

September 11, 2007 – DR/GR Action Plan reviewed

September 18, 2007 –Rezone and comp plan amendment moratorium considered

December 4, 2007 – Ordinances approving rezone and comp plan amendment moratoriums approved

February 4, 2008 – Public meeting to discuss the document, “Review and Summary of Mining Regulations of Florida Counties: For the Lee County DR/GR Action Plan.”

April 16-24, 2008 – DR/GR Dover Kohl Collaborative Workshop

August 1, 2008 – Final document presentation by Dover Kohl to Lee BCC

This list of public meetings illustrates that the currently proposed DR/GR amendments are the product of two years of public participation, data collection and collaborative planning efforts.”

June 22nd Land Planning Agency (LPA) Meeting

On June 15th Lee County staff released their “Staff Analysis and Recommendation” in response to the Dover Kohl Comprehensive Plan recommendations. This analysis was presented to the LPA at their June 22nd meeting. To review the Staff Analysis please

click the following link... <http://www3.lee.gov/dcd/PlanAmendments/PA2008-2009/CPA200806.pdf> .

This presentation was followed by about 4 hours of public input nearly equally divided between landowner and mining representatives and comments from Lee County residents, civic groups and environmental and growth management organizations. Sixteen persons testified in support of the Dover Kohl/staff recommendations. Once again The Conservancy, the Brooks Concerned Citizens, the ECCL, the Corkscrew Rural Community and other groups prepared detailed analysis and recommendations generally in support of the Dover Kohl and County staff recommended Plan Changes. You may review this analysis by clicking the following link ...

<http://esterofl.org/images/DRGR%20Joint%20Position%20Statement%20for%206-22-09%20LPA.pdf> .

Because of the complexity of this issue and the controversy surrounding some of its recommendations the LPA has scheduled a third meeting at which they will vote on the matter. That meeting has been scheduled for 8:30 a.m. on July 27th in the Board of County Commission Chambers. We hope you will plan to attend this most important meeting.

Resource Conservation Holdings (RCH) Mine Hearing Background

A recent court decision has ordered Lee County to schedule a public hearing to consider rezoning and mining permits for the proposed Resource Conservation Holdings Mine. The request is to rezone 1,365 acres on Corkscrew Road to mine lime rock to a depth of 110 feet with blasting. Because of the court order, the application must be reviewed under the old mining rules rather than the more stringent Chapter 12 rules adopted by the County last September.

The site is located on Corkscrew Road east of Flint Pen Strand and is immediately adjacent to the Southwest Florida International Airport Mitigation Park, the South Florida Water Management District Corkscrew mitigation bank, and an established rural residential cluster on Burgundy Farms Road. The recent County initiated DR/GR planning study identified the project site as environmentally sensitive and categorized it as a Priority 1 and Priority 2 Restoration area. The site is outside of the Primary and Secondary Preferred Mining Area as identified by the Dover Kohl and the DR/GR Steering Committee.

If this latest attempt to industrialize Corkscrew Road is approved, the decision would:

- establish a new development pattern and set a precedent for seven other rock mine applications pending on Corkscrew Road
- result in permanent adverse impacts to hydrology, surface water flow, and natural systems function of wetland and aquatic resources of regional importance
- adversely impact endangered and threatened species including the Florida Panther and Woodstork
- result in unacceptable impacts to community character and public safety by potentially adding as many as 2,000 dump truck trips per day to Corkscrew Road

Lee County staff recommended that this rezoning application be DENIED.

In a parallel but separate action, the County has begun a legal challenge of the proposed mine's consumptive water use permit on grounds that it would adversely affect the recent Corkscrew municipal well field expansion. This wellfield, along with the others in the DR/GR, supplies about 80% of the County's water supply. Several wells installed as part of that expansion last year are immediately adjacent to the RCH Mine project site.

Ownership of the RCH Mine project includes Ascot Development which is also developing Midtown Estero, as well as Youngquist Brothers Excavating which operates an active rock mine on Alico Road.

June Hearings

During June the Hearing Examiner presided over five days of Hearings on the RCH mine application. All five days were devoted to presentations by the applicant and their numerous attorneys and consultants. The thoroughness of their presentation suggests that they are laying the groundwork for a lawsuit should the zoning request be denied by the County.

Bill Moore, the applicant's high priced attorney, employed a strategy that attempts to show that staff and Hearing Examiner reports on earlier mine zoning applications, most of them approved by the county, did not reject those mines because of their potential impact on residents living nearby and those affected by the truck traffic created by the mine. They cited numerous statements in those reports that seemed to downplay the negative impact that blasting, noise, truck traffic etc would have on residents living near the mines or along the roads that are traveled by large numbers of trucks. Next they tried to demonstrate that there were many policies and actions that the County could have taken over the years in order to separate mining and housing in this area or protect residents from the impact of mining, but had failed to do so over the last decade or two since the compatibility issue was called to their attention at numerous mine zoning hearings.

In addition the applicant's team introduced a new set of conditions that they said they would be willing to accept if the mine is approved. These proposals include the following:

- A limit of 2,400 round trip truck trips per day (instead of the 3,000 round trips included in their traffic study)
- Three site related road improvements at the intersection of Alico and Corkscrew; at the intersection of Burgundy Farms Lane and Corkscrew Road and at the entrance to the mine, all at the applicants expense
- Pay for 20 hours per week of supplemental traffic enforcement by the Lee County Sheriff.

The Hearing Examiner opened the Hearing for Public testimony every afternoon about 4 o'clock. In the course of the five days a total of 42 Estero residents spoke in opposition to the mine. The fifth day of the Hearing was largely devoted to cross-examination of the applicant's witnesses.

Our attorney Tom Hart questioned David Depew, the applicants planner, about many aspects of the proposed mine that related to compatibility:

- Structure heights are proposed for up to 50 feet, but equipment like crushers and draglines will be higher.
- How many batch plants / asphalt plants? Total of four – concrete batch, block plant, asphalt and block/pavers.
- Hours of operation: if a contract to deliver materials for a “public” project is active, the mine & trucks will run 24/7. Otherwise, 5 a.m. for trucks and 7 a.m. for excavation and crushing.
- Condition 5 protects public water supply wells. Does this condition protect private wells in the area? Answer was “no”.
- Condition limiting trucks to 2,400 per day plus up to 10% (or 2,640 trips per day). What happens if this condition is violated? Answer “don’t know”.
- Truck drivers could be permanently banned from mine for repeated violations of speeding. How would this be enforced? Answer “don’t know”.
- Pollution Prevention Program – oversight by state Dept. of Environmental Protection (DEP)
- Depth control – reviewed and monitored by DEP.
- Can the county enforce any aspect of blasting related to this operation? Answer “don’t know”.
- Noise – all we can rely on is the Lee Count Noise Ordinance. Depew stated attempts will be made to reduce noise on the site.
- When DR/GR was created in 1991, were homes in the area? Yes.

The Hearing Examiner also cross-examined Mr. Depew. Unfortunately, he seemed to use this opportunity to give the applicant suggestions about how to modify conditions to improve compatibility issues and satisfy some of the objections of County staff. The HEX requested that the applicant submit some further suggested conditions by August 7th, and invited County staff to submit proposed conditions (if any) by that same date. He ordered written comments on these proposed conditions by August 14th from the applicant, County Staff, and our attorney Tom Hart.

The hearing has been continued until August 19th. An additional six days have been scheduled:

August 19
August 20
August 21
August 26 (if needed)
August 27 (if needed)
August 28 (if needed)

History and Development of the www.eco-voice.org Web-site

The Environmental Voice of Southwest Florida started out as a messaging service and communication web site for environmental activists. The service is open to anyone (called “members”) who wishes to sign up to post messages or to receive environmental messages. We encourage you to review the site and sign up for its daily emails.

Its members share a common interest: encouraging public policies that will protect and save the environment of southwest Florida. The members typically belong to many different organizations, each with its own rules, objectives and methods of communication.

Paul Holmes started Eco-voice in March 2008, as a free service independent of any organization to create a place where those involved in environmental issues could communicate with and learn from each other, freely and without restriction. Today any member of Eco-Voice can send an e-mail message to the moderator and the information in that e-mail will be delivered to over 3,750 southwest Florida environmentalists. That is what Eco-Voice does and does well enough for the membership to continuously expand.

In this way Eco- Voice allows all its members to speak with a very strong voice. Public officials making environmental policy can ignore one voice or even the voice of one organization, but the more voices they hear the harder it is for them to ignore the messages, and when a large number of organizations and individuals speaks together with one voice, it is almost impossible to ignore that voice. Used properly, Eco-voice provides each of its members with that power, and in the fight to save the environment of southwest Florida; it can become a powerful communication tool.

During the spring of 2008 Don Eslick, Chairman of the Estero Council of Community Leaders (ECCL), and Nick Batos, Chairman of the Brooks Concerned Citizens (BCC), joined Eco-Voice and began to receive the daily Eco-Voice e-mails. The BCC had developed and successfully used an urgent action function into their website and found it to be very useful in stimulating large numbers of interested citizens to encourage public officials to adopt good environmental policies affecting their communities and southwest Florida. They saw that Eco-Voice had the potential to further enhance that capability because of its large and growing membership.

As a result they contacted Paul Holmes to see if he would have an interest in developing his Eco-Voice system into a more sophisticated website that would look more professional and add an action alert system to the existing messaging system. Mr. Holmes agreed and the group was expanded to include Peter Quasius, Audubon of Florida, and Kim Dailey, a professional website developer with Papyrus Document and Design, and Bill Peterica, who supplied further technical support.

The group discussed ways in which a new and expand version of Eco-Voice website could be built so that anyone interested in environmental issues in South West Florida could post information and events, learn about a wide variety of environmental issues, discuss issues with other interested members, send e-mails to public officials, send out alerts and other features.

The ECCL and the BCC each committed \$500 to begin the development of the web site to be developed by Kim Daily of the Papyrus Document and Design and the development effort began in October 2008. Over the next 6 months additional funding was received from a Charlotte Harbor National Estuary Program Micro-Grant, The Watershed Council of Southwest Florida, the Sanibel Captiva Conservation Foundation and Audubon of Southwest Florida. At present the website is still in the development phase but its full capacity is expected to become available by year end.

US 41 Funding Approved for 2010 Start

On June 19th the Lee County Metropolitan Planning Organization (MPO) approved its 2010 to 2014 Transportation Improvement Plan (TIP) including \$26 million for widening US 41 from Corkscrew Road to San Carlos Boulevard starting in the fall of 2010.

Unfortunately this plan was prepared prior to the Florida legislature diverting another \$140 million from the State Highway Trust Fund. The other threat to the timely funding of this vital road improvement is the bankruptcy of the Federal Highway Trust Fund that has been in trouble for years because of the decline in gas tax revenue due to the impact that high gas prices and more economical vehicles have had on the Federal tax on fuel, the major source of revenue for that Fund.

On a more optimistic note the cost of road construction continues to fall rapidly as was indicated by the bids on the Metro Parkway project being funded from Federal economic stimulus monies. Eleven road builders bid on the project with the low bidder, Posen Construction, bidding about \$29.5 million, less than half the \$60 FDOT estimated cost.

Estero's Housing Permits Continue Slow Pace

During May only 7 single family homes with a building value of \$2 million and two duplex units were permitted in Estero. This slowdown in construction of new homes should continue to help reduce the inventory of unsold new homes constructed in Estero during 2005 when 2,833 units were permitted.

[Housing units permitted](http://www.lee-county.com/dcd/Reports/EsteroReports.htm) during the first five months of 2009 are slightly higher than 2008 but far lower than all other years during the 10 years that the County has tracked Estero permits. The number of housing units permitted in Estero remains at rock bottom. The County permit information used in this report may be found at <http://www.lee-county.com/dcd/Reports/EsteroReports.htm>

The following table shows how the first five months of 2009 compares with the same period of the prior nine years:

| Year | Annual Total Housing Units | Building Value of Units | Average Building Value Per Unit | Percentage of Single Family Units |
|------|----------------------------|-------------------------|---------------------------------|-----------------------------------|
| 2000 | 858 | \$116,877,412 | \$136,221 | 38% |
| 2001 | 1035 | 155,925,738 | 150,653 | 40 |
| 2002 | 599 | 99,942,722 | 166,849 | 52 |
| 2003 | 872 | 127,480,453 | 146,193 | 33 |
| 2004 | 631 | 126,747,869 | 200,868 | 72 |
| 2005 | 1275 | 253,271,426 | 198,644 | 45 |
| 2006 | 702 | 164,942,772 | 234,961 | 24 |
| 2007 | 286 | 78,418,241 | 274,190 | 36 |
| 2008 | 56 | 19,730,130 | 352,324 | 86 |
| 2009 | 60 | 22,082,017 | 368,034 | 80 |

Not only are the 2009 total housing units far below all prior years except 2008, they equal only 10% of the quantity during 2002, the season immediately following the tragedy of 9/11/2001.

On the other hand the average building value, excluding the land beneath it, continues to increase, up dramatically from all prior years and nearly triple (170% above) the average in 2000. Some of this increase is due to the increase in the single family share of the permitted units.

Permitted Commercial Building Values Continue Slow Increase

The first five months of Estero building permits of all types continued at a very slow pace. The value of [commercial buildings](#) permitted in Estero during these five months totaled \$7.4 million.

| Year | Year to Date | Annual Total |
|------|--------------|--------------|
| 2000 | \$68,297,657 | \$77,250,835 |
| 2001 | 16,911,976 | 44,116,526 |
| 2002 | 5,968,501 | 23,135,139 |
| 2003 | 8,176,174 | 23,234,725 |
| 2004 | 8,661,787 | 60,859,820 |
| 2005 | 34,119,981 | 111,037,977 |
| 2006 | 74,470,848 | 184,709,240 |
| 2007 | 70,938,231 | 157,614,045 |
| 2008 | 21,989,153 | 39,261,677 |
| 2009 | 7,439,170 | ? |

As the above table indicates Estero commercial development started to expand rapidly in 2004 and peaked in 2006 with a total of \$184.7 million. (All figures are exclusive of the underlying land). Nonetheless, 2007 was still Estero's second highest commercial development year, far ahead of the third place year, 2005, with \$111 million.

From January through May the major projects that contributed to the 2009 year to date total are:

- \$2.38 million in the [Coconut Point Town Center](#);
- \$1,200,000 for improvements to the Lee County Corkscrew Road Wellfield
- \$1,033,950 for [Miromar Outlets](#) expansion
- \$800,000 for a new bank in the Coconut Trace Center
- \$619,000 for Villages of Country Creek Water Storage System
- \$104,800 for Estero Park Commons

REMINDER: The building values understate the cost of each residence or commercial building because it excludes the value of the underlying land.

South Lee County Watershed Plan Hearing & Future Needs

On June 11th the South Florida Water Management District (SFWMD) met in Naples to discuss how to proceed with the South Lee County Watershed Study Update. The Board was not in a position to approve any recommendations inasmuch as the Study was only 90% complete and the one-hundred plus public comments had not been reviewed by district staff and their consultants and the peer review of the study was not complete. Nonetheless 16 southwest Florida residents, organizations and public officials

addressed the Board concerning the study. The Board agreed to extend the study indefinitely without taking a vote.

The following letter from The Conservancy to the SFWMD best characterizes the status of the study and the position of the Estero community organizations as well:

June 23, 2009



Governing Board
South Florida Water Management District
P.O. Box 24680
West Palm Beach, FL 33416-4680

CONSERVANCY
Of Southwest Florida

*Preserving Southwest Florida's
natural environment and
quality of life ... now and forever.*

Dear Governing Board Members:

The Conservancy of Southwest Florida, on behalf of our over 6,000 members, is writing to express our comments on the progress to date of the South Lee County Watershed Plan Update Study. Due to the time constraints for submitting our public comments at the June Governing Board meeting, we offer the following comments pertaining to the #34 agenda item discussed in light that the item was continued to a future Governing Board meeting.

First, we would like to commend the South Florida Water Management District in extending the study. The South Lee County Watershed Plan Update Study was initiated to ensure scientific modeling was used as the basis in determining whether culverts should be installed under I-75 at Halfway Creek. Since then, the study has not only provided us the scientific information necessary to address that issue, but has been expanded to address how to reduce flooding in the Imperial Basin watershed as well. As it turns out, these two issues are not related as once thought, with the scientific modeling demonstrating that the installation of additional culverts at Halfway Creek will not reduce flooding in the Imperial Basin watershed.

The conclusion of the scientific modeling is that the I-75 Culverts at Halfway Creek are not necessary to reduce impoundment of water on the Edison Farms property to the east of I-75 because the science shows those wetlands have been partially drained and are at lower stages that they historically were. They are not needed to reduce flooding in the Imperial River watershed and Bonita Springs because the science showed that the water flooding Bonita Springs is coming from the east (the Corkscrew Swamp and Lake Trafford) and that additional culverts at Halfway Creek would not reduce flooding in Bonita Springs. The culverts at Halfway Creek are not needed to restore flows to Halfway Creek, as the science shows that Halfway Creek is already receiving more water than it historically did. The draft study concludes that "Reducing the number of culverts from 5 to 1 or 5 to 0 does not significantly decrease the flow under I-75" and "This analysis indicated that the additional culverts are not necessary for conveying the additional flows under I-75, as long as the existing culverts remain free of sediment accumulations" (pg 5-28).

However, the same draft report recommended they be installed anyways for speculative unsubstantiated benefits such as to "provide a safety factor to protect against maintenance issues and any unforeseen conditions", (2) "provide capacity to account for potential additional flows resulting from using more accurate topography which is now available", and (3) to "provide reserve conveyance capacity." Simply maintaining the existing culverts and running the model with updated topographic data addresses these needs and we thank the Governing Board for expanding the study to do so.

The report also alludes that these culverts are needed to protect I-75 from flooding. Since all of I-75 is designed to a 100-year storm event, it would be illogical to upsize just the culverts at Halfway Creek to a 500 or 1,000 year event in order to alleviate the potential flooding of I-75 in a catastrophic event - as there would be failures at all the other areas I-75 crosses waterbodies in such a rare situation. Those precious financial resources should be used to address other pressing water infrastructure improvement needs - such as purchasing land east of I-75 in the Southern Critical CREW project area for additional retention, giving Bonita Springs critically needed flood protection as well as additional protection of our water quality and water supply for all Lee County Residents.

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Therefore, we respectfully request that:

1. The SFWMD not support the installation of additional culverts at Halfway Creek, as they have been demonstrated to be unnecessary to reduce flooding in Bonita Springs or for restoring flows.
2. The SFWMD only support downstream improvements to Halfway Creek that are necessary to optimize existing culverts for conveying flows consistent with pre-development conditions and likewise, not support the channelization or diversion of flows inconsistent with pre-development conditions.
3. The SFWMD support further analysis of how to implement direct restoration of additional flows to the South Branch of the Estero River consistent with pre-development flows to the River, while maintaining the current level of flood protection for existing communities.
4. The SFWMD support further analysis of how to implement direct restoration of additional flows to Spring Creek consistent with pre-development flows to the River, while maintaining the current level of flood protection for existing communities.
5. The SFWMD support further analysis of potential installation of weirs or other water control structures around existing I-75 culverts to address the existing drainage impacts of their operation on the wetlands east of I-75 (on the Edison Farms property), while maintaining base flows necessary to support downstream wetland systems.
6. The SFWMD support additional modeling to determine if developments currently being permitted within the Cocohatchee slough would further restrict flow to the south - and whether additional flows directed south without channelization would be consistent with the natural target stages and hydroperiods of the Cocohatchee Slough wetlands, the target flows in the cocohatchee river downstream, as well as the target flood protection stages necessary to protect existing downstream communities.
7. The SFWMD support continuing active acquisition of the entire Southern Critical CREW project area, as modeling has reinforced the necessity of these lands for water retention in alleviating flooding in the Imperial River watershed and Bonita Springs.

Implementing these recommendations will ensure science-based water management decisions for water infrastructure improvements which sustainably balance flood protection, water quality, water supply, and protection of our natural resources. Thank you for your time and consideration of our comments.

Sincerely,



Jennifer Hecker
Natural Resource Policy Manager

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