

December 12, 2023

Mayor Demings and Board of County Commissioners
Orange County Administration Building
201 S. Rosalind Avenue, 1st Floor
Orlando, Florida 32801

Subject: Wetland and Surface Protection Ordinance Public hearing 12 12 2023

On behalf of the Sierra Club Central Florida Group, I am submitting the following comments:

CLARIFY

- the process and timeline for the Special Protection Areas for Shingle Creek and the St. Johns River.

Sec. 15-388. Standard Permit; review standards

- Protection of natural resources will increase requiring the 100-foot upland buffer including incentive-based modifiers that go beyond the upland buffer requirement.
- Findings from the Orange County State of the Wetlands Report indicate that mitigation projects are not keeping pace with the loss of wetlands that is occurring due to urban development and other LULC changes. Therefore, the Sierra Club recommends increasing the raw score for deterrent modifiers associated with conservation easement impact and the wildlife corridor impact.
- Clarify that Affordable Housing will not qualify as development with a public benefit Incentive modifier.

The Sierra Club appreciates the opportunity to participate in Orange County EPD's stakeholder outreach as well as the website that shows Ordinance update information. We hope the County will continue development of new wetland policy and monitoring approaches as recommended in the *ORANGE COUNTY STATE OF THE WETLANDS*.

Thank you for opportunity to comment.

Marjorie Holt
Chair/Conservation Chair
P. O. Box 941692
Maitland, FL 32794



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CENTRAL FLORIDA GROUP

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Attachment: Sec. 15-388 Standard Permit; review standards – Incentive/Deterrent Modifier Graph

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<u>Modifier</u>	<u>Type (Incentive or Deterrent)</u>	<u>Raw Score Adjustment Factor</u>
<u>Invasive species management plan</u>	<u>Incentive</u>	<u>-0.3</u>
<u>Reduces fragmentation (bridge or urban infill)</u>	<u>Incentive</u>	<u>-0.2 to -0.4</u>
<u>Additional 25-75 feet upland buffer beyond requirements</u>	<u>Incentive</u>	<u>-0.3</u>
<u>Additional 75-150 feet upland buffer beyond requirements</u>	<u>Incentive</u>	<u>-0.5</u>
<u>Additional 150 feet or more upland buffer beyond requirements</u>	<u>Incentive</u>	<u>-0.7</u>
<u>Sufficiently-sized in-county mitigation</u>	<u>Incentive</u>	<u>-0.5</u>
<u>Development with a public benefit</u>	<u>Incentive</u>	<u>-0.5</u>
<u>Wetland enhancement (beyond mitigation requirements)</u>	<u>Incentive</u>	<u>-0.2</u>
<u>Stormwater treatment system – high nutrient reduction</u>	<u>Incentive</u>	<u>-0.5</u>
<u>OFW or surface water listed as impaired by FDEP (excluding metals) within 150 feet of development site construction footprint</u>	<u>Deterrent</u>	<u>+0.5</u>
<u>Impact within a special protection area</u>	<u>Deterrent</u>	<u>+0.5</u>
<u>Impact within a rural settlement</u>	<u>Deterrent</u>	<u>+0.3</u>
<u>Impact to a conservation easement (less than 3 acres)</u>	<u>Deterrent</u>	<u>+0.2</u>
<u>Impact to a conservation easement (greater than 3 acres)</u>	<u>Deterrent</u>	<u>+0.4</u>
<u>Wetland-dependent listed wildlife species nesting or listed plants on-site</u>	<u>Deterrent</u>	<u>+0.4</u>
<u>Wildlife corridor impact</u>	<u>Deterrent</u>	<u>+0.4</u>
<u>Impact to vulnerable habitat or important wetlands and surface waters (identified in adopted comprehensive plan)</u>	<u>Deterrent</u>	<u>+0.3</u>