

CHAPTER 3 | CONSERVATION ELEMENT





**Chapter 3
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SUMMARY OF CONSERVATION ISSUES

Pasco County entered into a Settlement Agreement in August 2000 with various litigants that required modifications to the Comprehensive Plan, including the Conservation Element. As part of this agreement, Pasco County agreed to initiate a study to evaluate the establishment of wildlife corridors between major well fields and existing public lands within Pasco County and adjacent counties, including the identification of the most appropriate mechanism for establishing the corridor and protection measures for the corridor. Further, Pasco County agreed after the study was completed and approved to amend its comprehensive plan to adopt implementation measures for a wildlife corridor plan to connect well fields and public lands, taking into account feasibility.

In 2002, a wildlife study (*Assessment of Measures to Protect Wildlife Habitat in Pasco County, hereafter, Habitat Study*) commissioned by Pasco County was completed. The conclusions of this study encompassed various aspects of conservation from wetlands to unique habitats to wildlife protection. There were numerous recommendations included in the Habitat Study, many of which have been implemented, or are currently under review. These recommendations suggested a multi-faceted, regional approach to conservation and wildlife habitat protection that includes mechanisms associated with Comprehensive Planning, land acquisition, partnerships with other resource agencies, and developer/landowner incentives. Some of these recommendations included:

- Establish a committee to assess land acquisition options
- Consider a voter referendum for funding a land acquisition program
- Establish priorities for land acquisition
- Focus wetland and wildlife mitigation efforts into Critical Linkages and Ecological Planning Units (EPUs)
- Encourage the development of a mitigation bank within Critical Linkages and EPUs
- Establish frequent communication with partner resource agencies
- Establish a program for the protection of Critical Linkages and EPUs through Comprehensive Plan policies and Land Development Regulations
- Develop a program for the protection of wildlife habitats in well fields
- Require resource management plans for developments greater than 40 acres in size
- Sustain the agricultural land use in large contiguous blocks

Since the acceptance of the Habitat Study by the Pasco County Board of County Commissioners (BOCC) in March 2002, many of these recommendations have been implemented. Multi-agency efforts to implement these measures have included various aspects of the priorities identified by the Habitat Study. Overall, these resource protection measures are comprehensive and regional in nature, guided by a study based on scientific investigations, supported by input from the public and carefully reviewed by the BOCC.

The Conservation Element includes consideration of these recommendations, and creates a comprehensive regional strategy for the protection of natural resources. This includes aspects that are implemented through regulations, acquisition, coordination of mitigation activities, and through land use strategies and developer incentives. An introduction to set forth the intent and rationale for these various aspects is provided below.



Regulatory Framework

Critical Linkages

The Habitat Study commissioned by the BOCC required the identification of conservation areas that would connect existing tracts of public land throughout the County. The Habitat Study identified seven Critical Linkages between tracts of publicly owned parcels that are, to varying degrees, set aside for conservation purposes. The Critical Linkages varied in width depending on the distance between the tracts of public land that they connect, the extent of alteration of natural linkages, and the nature of the riparian corridor. In many instances, the Critical Linkages followed riverine systems such as Fivemile Creek, South Branch, or the headwaters of the Pithlachascotee River. In other instances, the Critical Linkages are comprised of an extensive network of wetlands such as those that dominate the landscape between the Crossbar Wellfield and the Connerton tract, and between the Connerton tract and the Cypress Creek Wellfield. The Critical Linkages provide connectivity of various habitat types between these tracts of land, and the Habitat Study recommended their conservation through acquisition, regulation, and partnership with other agencies. Since the completion of the Habitat Study, the following activities have been accomplished or are ongoing, including:

- The ELASC (Environmental Lands Acquisition Selection Committee) has reviewed the potential for land acquisition efforts within Critical Linkages;
- The ELASC has contacted land owners within or adjacent to Critical Linkages between North Pasco Wellfield, Connerton, Crossbar Wellfield, and Cypress Creek and public lands in central portion of Pasco County;
- The ELASC has identified priority acquisition zones that occur within or adjacent to Critical Linkages and/or existing public lands.
- The Southwest Florida Water Management District (SWFWMD) is encouraging mitigation banks in and adjacent to Critical Linkages; and
- The County has sought increased conservation from developers on tracts that include Critical Linkages.

Wetland Protection

Historically, Pasco County has protected environmentally sensitive lands (as defined in rule 9J-5.003(41) Florida Administrative Code). As part of this protection, Pasco County classified wetlands in three categories based on size and connectivity. Since the adoption of Chapter 62-340 Florida Statutes, the methodology for delineating the boundary of wetlands in the state has been standardized. Pasco County will continue to defer the delineation of wetland boundaries to the SWFWMD.

The County will review wetland impacts and mitigation strategies in the development approval process, but defer to the SWFWMD on the quantification of mitigation required. The SWFWMD will determine the functional units of mitigation required for specific impacts through the Unified Mitigation and Assessment Methodology (UMAM), and Pasco County will encourage mitigation to occur through incorporation of long-term conservation of upland habitats, restoration of altered upland habitats, wetland enhancement, and wetland protection. Pasco County will continue to coordinate with the SWFWMD and the US Army



Corps of Engineers on wetland conservation strategies and mitigation priorities within the County.

Ecological Planning Units

The Habitat Study identified eight unique areas in the County warranting special consideration because of their ecological significance that were classified as Ecological Planning Units (EPUs). The EPU's are as follows:

- Coastal Marshes Ecological Planning Unit (EPU)
- Hernando Sandhills EPU
- Pithlachascotee / Anclote Watershed EPU
- Starkey / Hillsborough Linkage EPU
- Crossbar Sandhills EPU
- Cypress Creek EPU
- Hillsborough River EPU
- Withlacoochee River EPU
- Agricultural Reserve Lands

These areas were determined to be representative of the historic biological diversity in the County. Methods for protection and conservation of ecologically significant natural resources within EPU's include acquisition, comprehensive plan restrictions, developer incentives, and partnerships with other resource agencies.

Acquisition

Acquisition of natural lands began decades ago in Pasco County. The state (Division of Forestry, Department of Environmental Protection) and the Southwest Florida Water Management District (SWFWMD), along with entities that purchased land for well field protection, led these efforts. Approximately 22% of the county is currently in public ownership compatible with conservation of natural resources. Notably, these areas include the Withlacoochee State Forest; Crossbar, Albar Ranch, Cypress Creek, Starkey, and North and South Pasco well fields; the J.B. Starkey Wilderness Park; the recently purchased Connerton tract; extensive areas of conservation associated with coastal marshes; and lands associated with the Hillsborough River. Conservation lands are spread across the County, and, although some of these tracts are relatively large, they are being affected by rapid growth, particularly in the central portion of the County.

The BOCC appointed a task force (the Environmental Lands Acquisition Task Force, or ELATF) that assessed options for a land acquisition program to build on the legacy of natural land acquisition and conservation within the County. In March 2004, the ELATF recommended applying a portion of a proposed sales tax referendum, referred to as "Penny for Pasco," to fund natural lands acquisition. Pasco County voters approved the referendum, which will provide approximately \$40 million in revenue for acquisition of natural lands through 2015. The ELATF also developed a process for assessing parcels recommended for acquisition, and created a map that highlighted their recommendations for initial areas of focus. The BOCC transmitted this map to the Southwest Florida Water Management District (SWFWMD) with a request for inclusion of these lands in their 5-year acquisition program, and the SWFWMD has done so.



By Resolution No. 04-233, the BOCC established the Environmental Lands Acquisition and Management Program (ELAMP), appointed an Environmental Lands Acquisition Selection Committee (ELASC), and established procedures for acquiring natural lands. Lands nominated for acquisition and enrollment into the ELAMP program require nomination by interested parties and a willing seller. Nominated lands are reviewed by the ELASC for consistency with the goals, objectives, and policies of the ELAMP, ecological value based on site scoring criteria, and other factors such as endangerment potential, additional funding sources, and public interest. Lands recommended to be added to the Acquisition List by the ELASC are presented to the BOCC for final decisions. It is expected that partnerships with Florida Forever, Florida Communities Trust and the SWFWMD will result in a match of Pasco County's funding of at least 100%. Primary methods of land acquisition for the program consist of fee simple acquisition and/or the purchase of conservation easements subject to the approval of the BOCC. The County has recently hired an Environmental Lands Program Manager and an Environmental Lands Program Coordinator to work with the ELASC and oversee the acquisition and long-term management of lands acquired by the County and other resource partners. Long-term strategies for natural resource management on these parcels will be coordinated so that natural vegetative communities, wildlife populations, and linkages to other conservation areas will be protected or enhanced.

Coordinated Mitigation Initiatives

Through discussions with the County, the SWFWMD has recognized the regional significance of the Critical Linkages identified in the Habitat Study and is encouraging mitigation banks in and adjacent to Critical Linkages. The County has since begun requesting that developers protect all or portions of Critical Linkages that occur within proposed developments.



**CONSERVATION
GOALS, OBJECTIVES AND POLICIES**

GOAL 1: REGIONAL CONSERVATION STRATEGY

Protect, conserve, enhance, and manage the natural land and water resources of Pasco County through a regional conservation strategy that protects the most significant natural resources of the County through a combination of standards for specified "critical linkages," land acquisition, land use strategies, managing and preserving public lands, land use policies, wetlands and water resources.

OBJECTIVE CON 1.1 NATURAL RESOURCES PROTECTION

Protect natural communities including uplands and wetlands, connect natural linkages, conserve viable populations of native plants and animals, protect habitat for listed species, protect water resources and wetland systems, protect unique natural resources, enhance resource-based recreational opportunities, and expand environmental education opportunities.

Policy CON 1.1.1 Comprehensive Strategy for Conservation

Pasco County shall implement a regional strategy for the protection of environmentally sensitive lands that includes the following techniques:

- a. Regulations that protect listed species, Critical Linkages and wetlands;
- b. Acquisition through the County's Environmental Lands Acquisition and Management Program (ELAMP) and resource-based recreational opportunities and education programs in association therewith;
- c. Coordination of Mitigation Opportunities with the appropriate state and federal agencies; and
- d. Development Incentives for clustering and for preserving Critical Linkages and wetlands based on size, type/category, and quality.
- e. Conservation land use designations.

Policy CON 1.1.2 Impacts to Listed Species

Pasco County shall require the evaluation and management and/or mitigation of impact to animals listed as endangered, threatened, or species of special concern by requiring that proposed development sites be examined for the presence of plant and animal species listed as threatened, endangered, or of special concern by the Florida Fish and Wildlife Conservation Commission (FWCC), or the U.S. Fish and Wildlife Service (USFWS).



Confirmation of an adequate review of potential habitat for listed species shall be provided during the development review process. Pasco County shall be copied on correspondence with these agencies, and notified of the approval of management plans, if necessary, or permits for impacts to listed species or their habitats. A permit for any impacts to habitat occupied by animals listed as Threatened, Endangered, or Species of Special Concern by the FFWCC, or the USFWS must be obtained and submitted to the County prior to initiating construction.

Policy CON 1.1.3 Conservation Land Use Designations

Pasco County shall identify all lands acquired for conservation purposes on an annual basis and initiate an administrative amendment to the Future Land Use Map to designate such properties as Conservation Land Use during the next available plan amendment cycle.

Policy CON 1.1.4 Protect Existing Conservation Lands

Pasco County shall protect all existing lands designated as Conservation on the Future Land Use Map, all conservation lands listed in the Recreation and Open Space Element, and all properties acquired through the County's ELAMP program, that have not yet been designated as Conservation Land Use as required by Policy 1.1.3. Pasco County shall review proposed adjacent land developments for potential adverse impacts and shall ensure that:

- a. incompatible uses are directed away from wetlands,
- b. long-term management (particularly prescribed fire) is not precluded by such adjacent development through the use of setbacks and buffers,
- c. exotic and nuisance vegetation are not allowed to encroach on the conservation lands, and
- d. the quality of the habitat within the conservation lands is not permitted to degrade by the adjacent use.

Policy CON 1.1.5 Manatee Protection

Pasco County will coordinate with the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, the Florida Fish and Wildlife Conservation Commission, and other state and federal agencies as appropriate to protect the endangered West Indian Manatee by requiring all development within its range to adhere to established guidelines for protection of this species. These guidelines will be specified in development order conditions.

Policy CON 1.1.6 Monitor Land Use Cover and Distribution Trends



Pasco County shall use the land cover maps prepared every five years by the Southwest Florida Water Management District to assess trends in land cover distribution with respect to the acreage and distribution of natural lands suitable for native species of wildlife.

Policy CON 1.1.7 Hazardous Waste Management Plan

Pasco County shall implement the Pasco County Hazardous Waste Management Plan in coordination with the Florida Department of Environmental Protection.

Policy CON 1.1.8 Public Education: Hazardous Waste

Pasco County shall disseminate educational brochures to inform citizens of effective methods for storing and disposing of household and commercial hazardous material in accordance with the County's Hazardous Waste Management Plan.

Policy CON 1.1.9 Coordinated Conservation Strategy

Pasco County shall coordinate with other resource agencies to evaluate mitigation opportunities that can support and reinforce the County's regional conservation strategy.

OBJECTIVE CON 1.2 CRITICAL LINKAGES

To identify and protect corridors or linkages that maintain a contiguous network of wildlife habitat between existing public lands as identified in the 2002 Habitat Study "Assessment of Measures to Protect Wildlife Habitat in Pasco County," as Critical Linkages and depicted in *Map 3-4: Critical Linkages Map*.

Policy CON 1.2.1 Definition of Critical Linkages

Pasco County has identified Critical Linkages, as shown on *Map 3-4: Critical Linkages Map*, which shall serve as connecting corridors for lands that are currently in public ownership to protect and conserve native vegetative communities, endangered and threatened species, and natural functions of wildlife habitats, including wetlands.

Policy CON 1.2.2 Permitted Uses/Development Standards

Pasco County shall enforce the following use limitations and development standards within defined Critical Linkages through the Comprehensive Plan and shall amend the Land Development Code by December 2007 to include these standards:

- a. Prohibit the increase in land use density or intensity through amendments to the future land use map or re-zoning actions



within the Critical Linkages except for master planned unit developments or conservation subdivisions where the density or intensity may be increased consistent with the comprehensive plan if transferred to the upland portion outside of the critical linkage on the same site.

- b. Prohibit encroachment into all wetlands and/or the 100 year AE floodplain as defined by FEMA, with the exception of unavoidable and minimized roadway crossings that meet the requirements of Policies CON 1.2.2 and CON 1.2.3. Require that wetlands and/or floodplain be put into a conservation easement unless dedicated to and accepted by Pasco County, except for Development sites which consist solely of wetlands and/or the 100 year AE floodplain and where the owner does not have ownership interest in any adjacent property that may be developed at one residential unit per 20 acres.
- c. Avoid impacts to habitat that is occupied by plants and/or animals that are listed as threatened or endangered or species of special concern within designated Critical Linkages where practicable. Where impact is permitted, mitigation shall occur within the Critical Linkage, where possible.
- d. Prohibit local roadway crossings of all designated Critical Linkages unless this crossing is necessary and required as the only reasonable means of access to the uplands on a site. Any such crossing that is permitted for local roadways shall be required to provide a wildlife under crossing that is designed to accommodate the expected species of wildlife and the ecological conditions in the vicinity of the road and address the following issues:
 - 1. Size and location
 - 2. Type of crossing, including landscaping techniques (such as funneling)
 - 3. Appropriate structural design
 - 4. Lighting
 - 5. Signage
 - 6. Fencing
- e. Prohibit dredging activities for floodplain compensation, wetland creation or stormwater ponds within Critical Linkages.
- f. Require developments to meet the Outstanding Florida Water (OFW) standard for stormwater prior to discharge into the Critical Linkage, where the Critical Linkage connects to an OFW.



- g. During the development review and approval process, Pasco County will review opportunities to maintain and enhance the Critical Linkage within existing developed areas.
- h. The width of critical linkage for purposes of application of the use limitations and development standards may be reduced by Pasco County where a significant portion of the Critical Linkage is dedicated to and accepted by Pasco County for conservation.
- i. Development and re-development projects adjacent to critical linkages must demonstrate site planning and orientation which maximizes the preservation and function of the critical linkage.

Policy CON 1.2.3

Public Infrastructure in Critical Linkages

Pasco County shall protect and enhance as feasible any existing wildlife crossings when future improvements to the facilities are made. Any crossings of any designated critical linkages for collector or arterial roadways or for utilities must be unavoidable and be minimized and shall be required to provide a wildlife under crossing that is designed consistent with Policy CON 1.2.2 d.

As used in this plan, the term unavoidable is not construed as including the alternative of not implementing the system in some form, nor shall it be construed as requiring a project that is significantly different in type or function.

Policy CON 1.2.4

Public Property

Pasco County shall insure that future uses on county owned land within designated Critical Linkages preserve the natural resource value of the land. These uses may include ecological restoration and management, environmental education, and passive recreation.

Policy CON 1.2.5

Coordination with Acquisition/Land Management

Pasco County shall evaluate opportunities to purchase lands or conservation easements within Critical Linkages under the County's Environmental Lands Acquisition and Management Program.



Policy CON 1.2.6

Environmental Management Plans in Critical Linkages

Pasco County shall require an Environmental Management Plan (EMP) for lands proposed for or placed under conservation easement within Critical Linkages. An EMP, a sketch and legal description of the conservation parcel(s), and conservation easement language shall be submitted as a part of the development approval process. Compliance with said plan and recordation of the conservation easement over the proposed parcels shall become a condition of the development order for the rezoning, where applicable, and a condition of the preliminary plan or preliminary site plan approval. The EMP shall address the following:

- a. Ownership;
- b. Baseline environmental assessment;
- c. Land management activities;
- d. Restoration or enhancement activities, if applicable;
- e. Short-term and long-term maintenance activities;
- f. Operation and maintenance shall be the responsibility of the homeowners associations, merchant's association, or a CDD (Community Development District).
- g. Management and maintenance schedules; and
- h. Long-term funding of management.

Lands dedicated to and accepted by the County within Critical Linkages will not require EMP's to be provided by the entity dedicating said land. The County will develop an EMP for said land in accordance with Policy CON 1.4.3.

Policy CON 1.2.7

Regional Significance of Critical Linkages

Pasco County recognizes Critical Linkages as having regionally significant value, consistent with 40D-4, FAC. The value of Critical Linkages is vital to sustenance of the regional landscape, and their protection will yield long-term, sustainable benefits. Application of the Unified Mitigation and Assessment Methodology (UMAM) to critical linkages should result in values reflective of their regional significance. Pasco County shall coordinate with the SWFMD to insure that these resources are recognized as such for the purposes of determining mitigation value.



Policy CON 1.2.8

Coordination of Critical Linkages and Implementation

Pasco County shall coordinate Critical Linkages planning and implementation activities with the Southwest Florida Water Management District, Florida Department of Environmental Protection, Army Corps of Engineers and adjacent counties and municipalities.

OBJECTIVE CON 1.3 WETLANDS PROTECTION

Pasco County shall protect wetlands and the natural function of wetlands by implementing the following policies:

Policy CON 1.3.1

Identification and Categorization of Wetlands

Pasco County shall require that presence of wetlands and their type (i.e. Category I, II, or III) be identified within the review processes of Developments of Regional Impact, Land Use Amendments, and Rezoning applications and preliminary plan/preliminary site plans. The wetlands designation on the Wetland/Lake Overlay on the Future Land Use Map (*Map 2-5: Wetlands (SWFWMD)*) shall be a conceptual indicator of wetlands and their categorization. The precise categorization of these areas shall be determined through site specific studies and field determinations.

Policy CON 1.3.2

Wetland Delineation

The Wetlands designation on the Land Cover and Classification Maps published by the SWFWMD and the Wetland/Lake Overlay on the Future Land Use Map (*Map 2-5: Wetlands (SWFWMD)*) shall serve as a conceptual indicator of rivers, bays, lakes, wetlands and estuarine marshes. The precise delineation of these areas shall be determined through site-specific studies and field determinations during the development review process. Pasco County will defer the delineation of wetland boundaries to the Southwest Florida Water Management District. The delineation of wetlands on any proposed development shall be determined prior to the issuance of development orders which permit site alteration.

Policy CON 1.3.3

Category I Wetlands Definition

Category I wetlands shall mean those wetlands which meet at least one of the following criteria:

- a. Any wetland of any size that has a hydrological connection (not man made or by flood plains) to natural surface water bodies, such as natural lakes, rivers, and springs.
- b. Any wetland of any size that has a direct connection to the Floridian aquifer by way of an open sinkhole or spring.



- c. Any wetland of any size that is within a lake littoral zone.
- d. Any isolated uninterrupted wetlands 100 acres or larger.
- e. Any wetland of any size that provides critical habitat for Federal and/or State-listed threatened or endangered species.

Policy CON 1.3.4

Category II Wetlands: Definition

Category II wetlands shall mean those wetlands which meet any of the following criteria:

- a. Consists of isolated wetlands or formerly isolated wetlands which by way of man's activities have been directly connected to other surface water drainage and are greater to five acres.
- b. Are less than 100 acres and do not otherwise qualify as a Category I conservation area.

Policy CON 1.3.5

Category III Wetlands: Definition

Category III wetlands shall mean those wetlands which meet both of the following criteria:

- a. Isolated wetlands less than five acres.
- b. Do not otherwise qualify as a Category I or Category II wetlands.

Policy CON 1.3.6

Wetland Impacts

Pasco County shall limit the removal, alteration, encroachment, dredging, filling, or changes to the natural hydro period or water quality (hereinafter collectively referred to as "impacts") within Category I wetlands to cases where no other feasible and practicable alternative exists that will permit a reasonable use of the land. The protection, preservation, and continuing viability of Category I wetlands shall be the prime objective of the basis for review of all proposed impacts within these areas.

Impacts within Category II wetlands should be presumed to be allowed unless removal, encroachment, or alteration is contrary to the public interest.

Impacts may be allowed in Category III wetlands.



- Policy CON 1.3.7 Development Incentives**
Pasco County shall provide density/intensity credits for preserving wetlands based on size, type/category and quality.
- Policy CON 1.3.8 Wetland Mitigation**
Where the requirements of Policy 1.3.6 are met, Category I wetlands may be impacted if mitigation for the impacts consists of the preservation, enhancement, and/or restoration of uplands and wetlands located within or immediately adjacent to Critical Linkages immediately adjacent to existing public conservation lands, immediately adjacent to rivers and named tributaries, occur within the seasonal high waterline of natural lake systems in which the open water portions of the lakes are greater than 10 acres in size, or are contiguous with coastal marsh systems.
- Where the requirements of Policy 1.3.6 are met, Category II wetlands may be impacted if mitigated, where possible, within or immediately adjacent to Critical Linkages or parcels immediately adjacent to existing public conservation lands or within ecological planning units in areas that are adjacent to conservation lands.
- Policy CON 1.3.9 Deminimus Use of Property**
Development sites, which consist solely of wetlands and where the owner does not have an ownership interest in any adjacent property, may develop at one residential unit per 20 acres.
- Policy CON 1.3.10 Assess SWFWMD and ACOE effectiveness**
Pasco County shall periodically review the adequacy of the FDEP, the SWFWMD, and ACOE permitting, monitoring and compliance procedures and, if necessary, formulate an appropriate alternative wetland protection strategy.
- Policy CON 1.3.11 Permitted and Mitigation of Wetland Encroachments**
Pasco County shall require that all wetland encroachments be permitted and mitigated according to Chapters 62 and 40D-4 and Section 404, Clean Water Act, and monitored by the FDEP, SWFWMD, and the ACOE.
- Policy CON 1.3.12 Incompatible Uses**
Industrial land uses shall not be designated adjacently to Category I wetlands. Where industrial land use designations have already been shown adjacently to Category I wetlands on the Future Land Use Map and have been relied on for development or zoning decisions, the designation may remain. However, any development which occurs in these locations must demonstrate that no significant adverse impact to the wetlands will result or that adequate mitigation/compensation will be provided to protect function and replace type for type.



Policy CON 1.3.13 Wetland Buffers

Pasco County shall require a minimum 25 foot buffer, not inclusive of any lots, around all post development Category I wetlands. Wetland buffers around Category II and Category III wetlands shall be as required by SWFWMD or regulatory agencies and shall not be inclusive of any lots.

Policy CON 1.3.14 Public Infrastructure

Pasco County shall, where feasible and practicable, locate and design roadway improvements to minimize the acreage of adversely altered, jurisdictional wetland areas, minimize direct and indirect impacts on rivers, lakes, and streams, and minimize impacts on endangered and threatened species and species of special concern.

OBJECTIVE CON 1.4 ENVIRONMENTAL LANDS ACQUISITION AND MANAGEMENT PROGRAM

Pasco County shall seek to permanently protect environmentally sensitive lands through the County's Environmental Lands Acquisition and Management Program (ELAMP).

Policy CON 1.4.1 Purchase of Environmentally Sensitive Lands

Pasco County shall continue to purchase environmentally sensitive lands through the Environmental Lands Acquisition and Management Program (ELAMP) which is designed to:

- a. Protect natural communities including uplands and wetlands, connect natural linkages, conserve viable populations of native plants and animals, protect habitat for listed species, protect water resources and wetland systems, protect unique natural resources, enhance resource-based recreational opportunities, and expand environmental education opportunities.
- b. Provide opportunities for both existing residents and future generations to enjoy these lands for resource-based recreation and educational uses.
- c. Maximize the effectiveness of local tax dollars by using them to match funds available from federal, state, municipal, private non-profit, and Water Management District land acquisition funding sources.
- d. Recognize that sensitive conservation goals can be achieved by alternatives to traditional fee simple acquisition. The acquisition of conservation easements is encouraged by the ELAMP, and can result in maximizing environmentally sensitive lands acquisition and rewarding good private stewardship of the lands, while keeping property on the tax rolls.



Policy CON 1.4.2 Environmental Lands Staff

Pasco County shall support the ELAMP through the efforts of an Environmental Lands Program Manager and Coordinator, whose responsibilities include: attending meetings of the Environmental Lands Acquisition Selection Committee (ELASC), providing data to the ELASC for the assessment of nominated parcels of lands, recommending parcels for the consideration of the BOCC, soliciting matching funds from state and federal partnership agencies to maximize the acquisition revenue in Pasco County, and the coordination of resource management plans for acquired lands.

Policy CON 1.4.3 Environmental Management Plans

Pasco County shall ensure the protection and proper use of environmentally sensitive lands acquired by the County through ELAMP or dedicated to and accepted by County within a Critical Linkage by developing environmental management plans. These plans should provide at a minimum:

- a. Maintaining hydrological characteristics.
- b. Removal or control of nuisance, exotic, plant and animal species.
- c. Preservation of native vegetation.
- d. Ecological processes, particularly fire, if applicable.
- e. Implementation mechanisms.

Policy CON 1.4.4 Intergovernmental Partnerships

Pasco County shall actively seek matching funds for the ELAMP from other state and federal programs, such as the Florida Department of Environmental Protection's (FDEP) Florida Forever Program.

Policy CON 1.4.5 Intergovernmental Coordination: Management Plans

Pasco County shall continue to work with local, regional, state and federal entities that own land in the county to establish a cohesive plan for the ongoing management of these lands. Best Management Practices shall be used for control of fire, smoke and flooding.

Policy CON 1.4.6 Coordinated Conservation Strategy

Pasco County shall coordinate with other resource agencies, to evaluate mitigation opportunities that can support and reinforce the County's regional conservation strategy.



Policy CON 1.4.7 Public Education
Pasco County shall encourage the development of educational programs to inform the public of the actions and results of the County's ELAMP.

Policy CON 1.4.8 Multiple Use Opportunities
Provide multiple use opportunities on County-owned environmentally sensitive lands that are consistent with natural resource protection and conservation goals, to provide for passive recreation, wildlife habitat, watershed protection, erosion control, maintenance or enhancement of water quality, aquifer recharge protection, and other such natural functions.

OBJECTIVE CON 1.5 ECOLOGICAL PLANNING UNITS

To identify, protect, and conserve the natural resources with particular ecological significance within areas identified as Ecological Planning Units (EPU's) in the 2002 Habitat Study "Assessment of Measures to Protect Wildlife Habitat in Pasco County" and depicted in *Map 3-3: Ecological Planning Units*.

Policy CON 1.5.1 Coordination with Acquisition/Land Management
Pasco County shall evaluate opportunities to purchase lands or conservation easements within ecological planning units under the County's Environmental Lands Acquisition and Management Program.

Policy CON 1.5.2 Development Incentives
Pasco County shall provide development incentives for clustering and shall provide density/intensity credits for preserving wetlands based on size, type, and quality within ecological planning units.

Policy CON 1.5.3 Protection of Wetlands
Pasco County shall protect wetlands within ecological planning units in accordance with Conservation Objective CON 1.3.

Policy CON 1.5.4 Mitigation Opportunities
Pasco County shall coordinate with other resource agencies to prioritize mitigation for impacts to Category II and III wetlands within ecological planning units in areas that are adjacent to conservation lands.



Policy CON 1.5.5 Impacts to Listed Species

Pasco County shall require the evaluation and management and/or mitigation of impact to animals listed as endangered, threatened, or species of special concern within ecological planning units in accordance with Policy CON 1.1.2.

OBJECTIVE CON 1.6 GROUNDWATER AND SURFACE WATER PROTECTION

Maintain and enhance the quality and quantity of groundwaters and surface waters through the:

- Utilization of natural resource and land use programs to meet or exceed Chapter 62-3, Florida Administrative Code, Water Quality Standards, as amended;
- Reduction or elimination of potential adverse impacts to groundwater from adjacent land uses which could lower the quality or quantity of existing groundwater resources beneath domestic water-supply well fields by restricting activities and land uses known to adversely affect groundwater sources; and
- Actions that ensure an adequate present and future supply of potable and nonpotable water for Pasco County.

Policy CON 1.6.1 Mandatory River Setback Requirements

Pasco County shall continue to require mandatory setbacks around the Anclote, Hillsborough, Pithlachascotee, and Withlacoochee Rivers; Outstanding Florida Waters; Classified Shellfish Harvesting Areas; and post-development wetlands (i.e., wetland mitigation and natural wetlands). The mandatory setbacks, as defined below, shall generally remain in native vegetation and prohibit the location of impervious surfaces, except to permit consideration of, where appropriate, bona fide agricultural activities, storm management facilities, water access facilities, seawalls and docks, or other activities which do not require the usage of impervious surfaces unless compatible with the Recreation and Open Space or Transportation Elements. The mandatory setbacks are as follows, as set forth in the Pasco County Land Development Code:

- a. A 50-foot setback from the mean annual flood line, as established by the Southwest Florida Water Management District of the Anclote, Hillsborough, Pithlachascotee, and Withlacoochee Rivers.
- b. A 50-foot setback from the landward most wetland jurisdictional line or the ordinary high water, or mean high water of all areas identified in Section 62-3.041, Florida Administrative Code (Outstanding Florida Waters), and Classified Shellfish Harvesting Areas (Class II) as determined by the FDEP.



- c. Setbacks from the landward most post-development wetland jurisdictional line associated with any natural water body or wetland not cited in a. or b. above which are required by appropriate State regulatory agencies.

Policy CON 1.6.2 Protection of Flood Plains

Pasco County shall protect the 100-year flood plain and other natural areas which have beneficial hydrological characteristics through the Flood Damage Prevention section of the Land Development Code. Such protection shall include, but not be limited to, prohibiting new development which would have adverse impacts upon the 100-year flood plain without mitigation, other than for roadways providing access across the 100-year flood plain.

Policy CON 1.6.3 Use of Wetlands for Water Quality Improvement

Pasco County shall only allow the appropriate use of wetlands for water quality improvement with adequate environmental and design controls through implementation of Chapter 40D-4, Florida Administrative Code, as amended, by the Southwest Florida Water Management District.

Policy CON 1.6.4 Water Quality and Drainage Control

Pasco County shall continue to require water quality and drainage control for all new subdivisions and site plans adjacent to water bodies to prevent unnecessary shoreline disruption and maintain water quality through existing Land Development Code provisions which requires, at a minimum:

- a. Approvals for all water quality and drainage control activities in waters and wetlands; and
- b. The protection of Category I wetlands.

Policy CON 1.6.5 Protect Lake Quality

Pasco County shall strive to sustain or enhance water quality in natural lakes and water bodies by encouraging the maintenance of native plants around lake shorelines, and requiring erosion control measures on construction projects. The County will also coordinate with the SWFMWD, and other resource agencies on education programs aimed at informing property owners of the effects of erosion and high nutrient runoff on lake water quality.

Policy CON 1.6.6 Establishment of Wellfield Protection Areas

Pasco County shall, in coordination with the SWFWMD, maintain and update public water-supply, wellhead protection areas, for all public water supply wells that have a permitted pumping capacity of over 100,000 gallons per day (gpd), (hereinafter these wells are referred to as "major supply wells"). The wellhead protection areas shall be reviewed by the Board of County Commissioners every five years.



Wellhead protection areas may be modified at any time by the Board of County Commissioners upon notice of an advertised public hearing for changes including, but not limited to changes in technical knowledge, such as transmissivity, or porosity; changes in pumping rates; reconfiguration of well fields; abandonment or relocation of wells; the installation of new wells or well fields; establishment of minimum flows or levels pursuant to Chapter 373, Florida Statutes; changes in maximum contaminant levels; changes in laws or regulations that may impact the Groundwater Protection Ordinance as identified in Policy CON 1.6.7 or to accommodate changes in topography, such as newly approved mining areas, in a manner consistent with the methodology and standards established in the Pasco Groundwater Study.

Policy CON 1.6.7

Groundwater Protection Ordinance - Creation

To achieve the implementation of a science-based wellhead protection program the County shall continue to enforce its Groundwater Protection Ordinance that shall include wellhead protection areas for major supply wells based on the five-year and ten-year travel times, and wellhead protection areas with a 500-foot fixed radius for public supply wells that have a permitted pumping capacity of less than 100,000 gpd (hereinafter referred to as "small wells").

Policy CON 1.6.8

Groundwater Protection Ordinance - Provisions

The County shall continue to enforce its Groundwater Protection Ordinance, which includes the following land use restrictions:

- a. The activities listed below shall be prohibited in wellhead protection areas designated for the five-year travel time:
 1. Solid waste disposal.
 2. Discharges from commercial and industrial wastewater treatment plants and industrial septic systems and commercial and industrial wastewater effluent disposal.
 3. Wastewater treatment plants. Expansion of existing domestic wastewater treatment plants will be allowed upon demonstration of compliance with the FDEP regulations. Public access reuse of reclaimed water and land application of domestic wastewater effluent may be allowed upon demonstration of compliance with Rule 62-610, F.A.C.
 4. Any use which is a potential source of pollution requiring the issuance of a permit from the FDEP, other than residential collection systems for central wastewater systems.
 5. Any commercial or industrial activity that handles, utilizes, generates, or disposes of regulated substances including, but not limited to, hazardous waste treatment, storage or disposal facilities as defined in Section 403.703(22), Florida Statutes, or



- 40 Code of Federal Regulations 260.10 or Chapter 62-730 Florida Administrative Code, including transfer facilities, such facilities ancillary to recycling facilities and facilities which burn such hazardous waste for fuel; hazardous waste generators, including conditionally exempt small quantity generators and small quantity generators; facilities regulated by the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. §§ 11001-11050; vehicle or equipment service and repair facilities; dry cleaning or Laundromat operations; commercial car wash operations; and maintenance yards and pesticide/fertilizer mixing and handling facilities.
6. New industrial land use zoning. New commercial/light manufacturing (C-3) zoning shall only be allowed upon the condition that no land use that meets the definition of "Industrial" shall be permitted within such zoning area.
 7. Concentrated animal feeding operations.
 8. Land application of wastewater residuals (sludge) or septage.
 9. Discharges of any regulated substance or untreated stormwater into karst solution features, sinkholes, or drainage wells. Stormwater facilities that treat stormwater to Chapters 62-25 and 40D-4, F.A.C., standards shall be presumed to be allowable under this section.
 10. Underground storage tanks for regulated substances; however, this does not prohibit the replacement of tanks associated with an existing nonconforming use where such replacement is required to comply with State or Federal regulations.
 11. Mining and borrow pits; however, retention or detention ponds required for allowable uses shall not be prohibited, unless the ponds would be prohibited by Paragraphs 17 or 18 below.
 12. Residential subdivisions with more than one (1) unit per two (2) acres that do not provide for a central sanitary sewer facility and wastewater treatment plant outside WPA 2.
 13. Junkyards.
 14. Land farming of soil contaminated with regulated substances.
 15. Stormwater retention or detention ponds that will receive stormwater from land-uses prohibited in WPA 1, WPA 2, or SPA.
 16. The siting of underground product lines including, but not limited to, pipelines designed for the transportation of gasoline, oil, or other regulated substances. This prohibition does not include sewer or reclaimed water lines serving uses allowed within these protection areas.
 17. Excavation of waterways or drainage facilities that intersect the Floridian aquifer.
 18. Excavation that removes or disturbs the confining unit located above the Floridian aquifer.
 19. Land application of animal waste.



20. Dairy farms or egg production facilities as defined in Chapter 62- 670.200, F.A.C.
- b. The following activities shall be prohibited in wellhead protection areas designated for the ten-year travel time:
1. Hazardous waste treatment, storage or disposal facilities as defined in Section 403.703(22), Florida Statutes, or title 40 Code of Federal Regulations, Section 260.10 or Chapter 62-730, Florida Administrative Code, including transfer facilities, such facilities ancillary to recycling facilities and facilities which burn such hazardous waste for fuel.
 2. Solid waste disposal.
 3. Discharges from commercial and industrial wastewater treatment plants and industrial septic systems and commercial and industrial wastewater effluent disposal.
 4. Discharges of any regulated substance or untreated stormwater into karst-solution features, sinkholes, or drainage wells, stormwater facilities that treat stormwater to Chapters 62-25 and 40D-4, F.A.C., standards shall be presumed to be allowable under this section.
 5. Land farming of soil contaminated with regulated substances.
 6. The siting of underground product lines including, but not limited to, pipelines designed for the transportation of gasoline, oil, or other regulated substances. This prohibition does not include sewer or reclaimed water lines serving uses allowed within this zone.
 7. Underground storage tanks for regulated substances; however, this does not prohibit the replacement of tanks associated with an existing nonconforming use where such replacement is required to comply with State or Federal regulations.
 8. Residential subdivisions, with more than one (1) unit per acre, that do not provide for a central sanitary sewer facility and wastewater treatment plant outside WPA 2.
 9. Wastewater treatment plants. Expansion of existing domestic wastewater treatment plants will be allowed upon demonstration of compliance with the FDEP requirements. Public-access reuse of reclaimed water and land application of domestic wastewater effluent may be allowed upon demonstration of compliance with Rule 62-610, F.A.C.
 10. Hazardous waste generators, including conditionally exempt small quantity generators and small quantity generators.
 11. Excavation of waterways or drainage facilities that intersect the Floridian aquifer.
 12. Excavation that removes or disturbs the confining unit located above the Floridian aquifer.



- Policy CON 1.6.9 Groundwater Protection / Soil Suitability**
Those developments which include septic tanks, buildings, and/or public utilities in or on soils that are unsuitable for such uses shall be designed in accordance with State and Federal regulations to prevent water contamination.
- Policy CON 1.6.10 Groundwater Protection / Waste Disposal & Discharge**
Monitor permit compliance for waste disposal and/or discharge facilities and activities, and take appropriate action when necessary. Appropriate action shall include notification of the permitting agency, intervention in agency proceedings, or legal action by the County.
- Policy CON 1.6.11 Groundwater Protection / Public, Industrial, Agricultural Uses**
Monitor permit compliance for public, industrial, or agricultural water uses, and take appropriate action when necessary. Appropriate action shall include notification of the permitting agency, intervention in agency proceedings, or legal action by the County.
- Policy CON 1.6.12 Commercial Agriculture BMPs**
Encourage all commercial agricultural activities within the County to implement the agricultural Best Management Practices as defined by the Natural Resources Conservation Service and the Pasco Soil and Water Conservation District. Upon recommendation of the Pasco Soil and Water Conservation District, Pasco County may require identified commercial agricultural activities to develop a conservation plan in conjunction with the Natural Resources Conservation Service and approved by the Pasco Soil and Water Conservation District. Such conservation plans shall require, at a minimum, reduction of agriculturally based pollutants in surface waters, groundwater, and sediment and minimization of soil erosion through the appropriate Best Management Practices.
- Policy CON 1.6.13 Prohibit Development Activities Causing Erosion, BMP**
Prohibit development activities which would cause the erosion of shoreline areas and encourage the implementation of the Best Management Practices whose aim is to prevent the loss of surface water shoreline areas from erosive activities as set forth in the Pasco County Land Development Code.
- Policy CON 1.6.14 Inter-agency Coordination to Ensure Compliance**
Pasco County shall coordinate with the Tampa Bay Regional Planning Council, the Southwest Florida Water Management District, and other appropriate agencies to ensure compliance with regional plan policies addressing potable water standards and monitoring.
- Policy CON 1.6.15 Compliance Regarding Groundwater Pumping**
Pasco County shall ensure compliance with those provisions of the Tampa Bay Water Supply Governance Agreement regarding groundwater pumping reduction by continuously monitoring the



actions of all parties to the Agreement and utilizing all legally available processes necessary to enforce the Agreement.

- Policy CON 1.6.16 Consideration of Groundwater Infiltration, BMP**
Pasco County shall require, during the site plan review process, where feasible, consideration of the maintenance of groundwater infiltration through the use of site Best Management Practices.
- Policy CON 1.6.17 Establishment of Aquifer Recharge Provisions**
Pasco County will protect high aquifer recharge areas within the Northeast Pasco Rural Area through the development policies of the Future Land Use Element as provided in Objective FLU 2.1. In addition, Pasco County shall protect high aquifer recharge areas in other portions of the County through an amendment to the Land Development Code by 2007 to create site design based standards that help to protect the function of the natural ground water Aquifer Recharge Areas through the limitation of impervious surfaces, the appropriate management of stormwater runoff, and regulation of septic tank uses.
- Policy CON 1.6.18 Reduce Consumption of Treated Potable Water, Per Capita**
Pasco County shall reduce the per capita consumption of treated potable water including provisions for periods of drought pursuant to Chapter 40D-21, Florida Administrative Code, as amended, through the implementation of the Pasco County Utilities Department Water Conservation Plan.
- Policy CON 1.6.19 Reduce Consumption of Treated Potable Water, Development Construction**
Pasco County shall reduce the per capita consumption of treated potable water for development construction practices through the implementation of the Pasco County Utilities Department Water Conservation Plan.
- Policy CON 1.6.20 Appropriate Water Quality Usage**
Pasco County shall encourage water users to use the lowest quality water reasonably available and suitable to a given purpose, whenever facilities are available, for nonpotable applications (see Chapter 10, Potable Water and Wastewater Subelements, for additional policies) through development order conditions.



OBJECTIVE CON 1.7 MINERAL RESOURCES

Promote the practices of efficient utilization and extraction of mineral resources which are designed to protect the natural environment from adverse impacts according to the Pasco County Land Development Code.

Policy CON 1.7.1 Adequate Reclamation Plans

Pasco County shall require the development of adequate reclamation plans which accurately describe the impacts and mitigations offered to protect habitats, ensure water quality, and ensure hydraulic integrity of aquifers.

Policy CON 1.7.2 Prohibiting Mining Activities that promote Saltwater Intrusion

Pasco County shall prohibit mining activities which will promote saltwater intrusion in or near the coastal zone and in other areas where groundwater levels are stressed.

Policy CON 1.7.3 Redevelopment of Inactive Lands

Pasco County shall encourage the redevelopment of inactive lands upon conclusion of extractive activities, consistent with Future Land Use Element policies through the enforcement of the Pasco County Land Development Code and development order conditions which require reclamation of mined lands.

OBJECTIVE 1.8 ELIMINATION OF EXOTIC NUISANCE PLANT SPECIES

Prohibit the spread of exotic nuisance plant species and incorporate such programs into the management plans for newly acquired environmentally sensitive lands and development projects.

Policy CON 1.8.1 Eliminating Exotic Nuisance Plant Species

Pasco County will coordinate with the Florida Department of Agriculture and Consumer Services, the SWFWMD, and the FDEP in eliminating exotic nuisance plant species.

Policy CON 1.8.2 Landscaping with Native Plant Species

Pasco County shall continue to require the use of native plant species or non-native species proven to be non-invasive in the landscaping of new development projects and additions to existing projects.

Policy CON 1.8.3 Public Education

Pasco County shall maintain and distribute a recommended native plant listing and other educational materials to increase public awareness of the need to utilize native plant species in the developed landscape.

Policy CON 1.8.6 Exotic Nuisance Plant Elimination Program

Pasco County shall develop programs on County-owned or -leased lands to eliminate exotic nuisance plant species and incorporate these programs into the management plans for newly acquired, environmentally sensitive lands.



- Policy CON 1.8.7 Definition of “Native Plants”**
Pasco County shall utilize the University of South Florida Institute of Systematic Botany definition of "native plants" to include only those species present in Florida prior to European influences (including the earliest explorers such as Ponce de Leon).
- Policy CON 1.8.8 List of Exotic Nuisance Plant Species**
Pasco County shall utilize the Florida Exotic Pest Plant Council's list of exotic nuisance plant species, as amended, that are likely to occur in Pasco County.



COMPREHENSIVE PLAN - 2025 PASCO COUNTY, FLORIDA

GOAL 2: PROTECT AND MONITOR THE AMBIENT AIR QUALITY OF PASCO COUNTY THROUGH APPROPRIATE MANAGEMENT AND LAND USE TECHNIQUES.

OBJECTIVE CON 2.1 AIR QUALITY

Maintenance of ambient air quality within Pasco County equal to or more stringent than the State and Federal National Ambient Air Quality Standards established in 40, Code of Federal Regulations, Part 58, and adopted within Section 17, Florida Administrative Code.

Policy CON 2.1.1 Assessment of Air Quality

Pasco County shall continue to assess the quality of the County's air resources through adherence to National Ambient Air Quality Standards as stipulated in Chapter 62-4, Florida Administrative Code, and as monitored by the FDEP

Policy CON 2.1.2 Implement Control Strategies

Pasco County shall continue to implement, within six months of notification of nonattainment status for any National Ambient Air Quality Standards' parameter, control strategies to reduce concentration(s) of subject parameter to achieve attainment level(s).

Policy CON 2.1.3 Reduce/Stabilize Vehicular Emission Levels

Pasco County shall continue to reduce or stabilize vehicular emission levels by requiring the implementation of traffic mitigation techniques, such as level of service standards, light synchronization, and public transportation.

Policy CON 2.1.4 Implement BMPs

Pasco County shall continue to condition all appropriate land development approvals to implement the Best Management Practices for reduction of erosion, fugitive dust, and air emissions related to the construction of the development consistent with the Pasco County Land Development Code.

Policy CON 2.1.5 Permits with Regard to Adverse Impacts

Pasco County shall continue to evaluate all land development activities which will require a permit under Chapter 62, Florida Administrative Code, as amended, with regard to adverse impacts upon surrounding land uses. Chapter 6A, Florida Administrative Code, requires a permit to construct and operate a stationary air-pollution source.