

The DR/GR - A Challenge for Lee County

The Density Reduction Groundwater Resource area is a planning and socioeconomic challenge for Lee County. It is a matter of great and immediate importance and should be handled with diplomacy and intelligence as well as a deep respect for Lee County's natural resources.

As Lee County employees, citizens and politicians, we are the caretakers of our future. We are responsible for making sure that we always have drinking water, and that the quality of life for our children and their children is guaranteed by our efforts to protect nature and water in perpetuity. We also have a responsibility to protect the rights of people to own and profit from their land. In forming a workable plan for the DRGR, we need to be innovative in our solutions and strict in the implementation of the long-term plan.

Lee County was the 22nd fastest growing county in the United States in 2004-2005, and along with the City of Bonita Springs, Lee County governs a 96,000 acre swath of upland, wetlands, and environmentally sensitive areas that are designated DRGR. This swath was designated in 1989 at the direction of state regulators. Development within the DRGR is currently limited to 1 to 10 housing units per acre and agricultural and mining operations.

This special land use category, while intended to protect groundwater resources for the region, created a de facto mining district in Lee County similar to the Lake Belt area in Miami-Dade County, but without a comprehensive plan to provide for wetland mitigation.

Then, in 2004, a federal court judge revoked a permit for a 6,000 acre mine site in Lee's DRGR. The

case was similar to the Lake Belt decision, as the judge ruled that the U.S. Army Corps of Engineers had not adequately considered habitat issues related to the Florida panther.

So, in an effort to come up with a planning tool for the DRGR that will try and protect all of the resources and interests there, the county has placed a temporary moratorium on mining and major development in the DRGR. The moratorium will give the county time to build a management tool for everything from managing truck traffic on rural two-lane roads to evaluating and managing the water resource. The South Florida Water Management District itself does not presently have a management tool to analyze the cumulative impact of mining.

The ultimate goal in planning for the DRGR is to balance the needs of the present while preserving the resource for the future. The solution will take cooperation, patience and good will from all interested sectors.

The subcommittee for the DRGR hasn't yet been formed nor have they met. The Lee County Department of Community Development under Director Mary Gibbs still is bringing ideas to our Board to consider, so this process is in its infancy. However, some ideas have been brought forward for discussion by the Smart Growth Committee and its Director Wayne Daltry as well as from the public both at recent board meetings and at a stakeholders meeting held this summer.

One of those points was to allow already permitted mines, to continue in the DRGR, but to prohibit permitting new mines. The extraction of the mined materials is of some value to the Florida Department of Transportation for road projects.

Further, applications for mining that are deemed sufficient for review will finish the rezoning process according to County rules, and will be approved, denied, or modified by that process.

Some independent reports state that except for the Alico Road, Rinker Mining Complex, other Lee County mines do not produce certified aggregates for FDOT but instead produce lime rock and commercial aggregates. The reports state that the Rinker mine extracts its material from an area of unusually hard rock, and that Tamiami Limestone - which is primarily what is found in Lee and Collier Counties - is soft throughout its range and is only good for lime rock and fill. If these statements prove true, Lee and Collier counties are not the answer to FDOT's problems, if the Lake Belt mines remain closed.

Mining does change the topography and the hydrology of the land by taking what was once sheet flow over a flat surface and turning into an altered, man-made lake or holding pond. These man-made water bodies are bereft of native vegetation and could contain some contaminants.

To mitigate for this, newly created and unnatural lakes should be planted with large amounts of native grasses, shrubs and trees to mimic a natural system. This new ecosystem will never again be natural and native, but great strides can be made to create a second-best solution for the environment, our water and future. Pollutants must be cleaned up by the mining company and soil and water remediation should take place before the companies abandon the site.

When extraction of the resource is complete, instead of turning it into "lakefront" commercial and residential property, extractors should

complete mitigation. To give residential and commercial developers the punch they need to profit from the land, densities need to be raised along the outskirts of the DRGR, creating an eventual blue and green belt in the center, and housing on the edges. A caveat to this plan is that Mr. Daltry reports that Lee County already has enough housing to sustain the 1.5 million people we will have at build-out. Still, development is an allowable land use in the DRGR and in an effort to reach a fair solution, a solution can be reached.

Developers who plan housing in DRGR also could take a land trade for other sites in Lee and could be given incentives such as allowing greater densities for developing infill or non-environmentally sensitive areas.

There are agricultural interests in the DRGR too, and incentives could be given to farmers who choose to grow organic or implement other green farming practices so that the pesticides and herbicides don't impact the water table. If organic can't be done, then other protections for water and the water table should be mandated in this sensitive area.

The many interests of and for the DRGR can be met and protections can be mandated for the future with teamwork, compromise, a willingness to be innovative and follow through and with much hard work. This is an exciting challenge for Lee County's planners; let's leave a sustainable legacy that we can be proud of.

Bob Janes

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