



# DESOTO COUNTY COMPREHENSIVE PLAN CONSERVATION ELEMENT GOALS, OBJECTIVES AND POLICIES

AUGUST 2007

INCLUDING CODIFICATION OF THE FOLLOWING ORDINANCES

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2016-15, May 28, 2016

IN ACCORDANCE WITH RESOLUTION 2020-86

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**GOAL 1: Protection and Conservation.** Through 2040, DeSoto County shall protect, maintain, restore, and enhance natural resources in order to maintain a living environment that supports a healthy, vibrant population and promotes the well being of all citizens and the natural environment.

**Objective 1.1: Air Quality.** DeSoto County shall prevent degradation of air quality in the County through development regulations and coordination with appropriate agencies and shall continue to meet acceptable ambient air quality standards set by the Florida Department of Environmental Protection.

Policy 1.1.1: DeSoto County shall continue to reduce the potential for automotive air pollution by requiring vegetative buffer strips between roadways and future multi-unit residential developments, and by assuring the continued operation of County roadways at established levels of service.

Policy 1.1.2: DeSoto County shall require new development that discharges gasses or particulates into the air to meet the minimum air quality standards as defined in Chapter 62-204, F.A.C., as amended from time to time.

Policy 1.1.3: DeSoto County shall cooperate with the FDEP in the establishment of air-quality monitoring station in the County, as necessary.

Policy 1.1.4: DeSoto County shall report suspected air-quality violations to FDEP.

Policy 1.1.5: DeSoto County shall defer to federal and state rules and standards for the protection of air quality.

Policy 1.1.6: DeSoto County shall encourage alternative forms of travel such as bicycle ways/paths and pedestrian sidewalks as long-term strategies to protect air quality.

**Objective 1.2: Groundwater Resources.** The quality of DeSoto County's groundwater resources shall not be degraded, either directly or indirectly, by human influences below the minimum criteria for groundwater provided in Chapter 62-520.400 F.A.C., and shall be maintained, or as necessary improved, in a responsible and sustainable manner, to ensure the availability and quality of this resource for present and future generations.

Policy 1.2.1: Except for bona fide agricultural operations and incidental domestic uses, land use activities which utilize, store, or generate hazardous



materials, or which involve the bulk storage or continuous transmission of petroleum products or other hazardous substances, shall be prohibited within recharge areas for the intermediate aquifer system, and or within cones of influence and watershed areas for public water supply wells. The agricultural and domestic exemptions shall not be construed to relieve these activities from compliance with applicable State and Federal regulations pertaining to the installation and use of above- or below-ground storage tanks, or other structures or improvements intended for the use, storage, or generation of petroleum products or other hazardous substances. These land use activities shall be required to design consistent with Chapter 3-5, Article XV, Surface Water and Wetland Protection.

- Policy 1.2.2: The construction of new canals which may result in saltwater intrusion is prohibited by the County if determined that such canals would not comply with the water quality standards provided in Chapter 62-302, F.A.C.
- Policy 1.2.3: DeSoto County shall work with the Southwest Florida Water Management District to have active free-flowing artesian wells plugged under the Quality Water Improvement Program or by methods approved by the Southwest Florida Water Management District or other appropriate regulatory agency, and the County.
- Policy 1.2.4: DeSoto County will review State and Federal agencies' monitoring of all closed or abandoned landfills in DeSoto County to determine whether such monitoring adequately assesses whether these sites pose a threat to the quality of groundwater resources. If the County determines that such agencies' monitoring does not provide reasonable assurance that such sites do not pose a threat to groundwater resources, DeSoto County will undertake monitoring as necessary to determine whether a threat exists and will take appropriate actions, including legal actions against known violators, to correct situations which pose a threat to the health, safety, and welfare of the general public.
- Policy 1.2.5: By 2010, the County shall create local programs for identification, conservation, management, protection, and restoration of environmentally sensitive areas, which shall include, but are not limited to, recharge areas and areas suitable for water withdrawal.
- Policy 1.2.6: The County shall, in cooperation with FDEP and SWFWMD continue to monitor groundwater quality and levels.

- Policy 1.2.7: DeSoto County shall monitor groundwater testing information on an annual basis to ascertain changes in water quality and quantity in the aquifer.
- Policy 1.2.8: DeSoto County will cooperate with emergency water conservation measures of the SWFWMD.
- Policy 1.2.9: DeSoto County should consider investing with SWFWMD and DEP for the acquisition and protection of lands along the Peace River and its tributaries for long-term potable water protection.
- Policy 1.2.10: All requests for development shall be reviewed to ensure that potential impacts of the proposed development do not degrade the water quality and quantity of groundwater resources.
- Policy 1.2.11: To promote the conservation of groundwater, DeSoto County shall encourage the use of Best Management Techniques, which include landscaping that requires less irrigation, the use of solid waste compost, efficient irrigation systems, and the prohibition of exotic plant species.
- Policy 1.2.12: By 2014, DeSoto County shall encourage ultra-low volume fixtures for water conservation.
- Policy 1.2.13: When available, DeSoto County shall require connection of new development in the County to water reuse systems.
- Policy 1.2.14: DeSoto County shall require any new County waste water treatment facility to establish a program for the reuse of the wastewater generated.
- Policy 1.2.15: DeSoto County shall protect groundwater recharge areas throughout the County by requiring properly functioning stormwater management systems meeting drainage LOS standards and a minimum percentage of 15% pervious open space for all non-residential development projects and a minimum of 25% pervious surface open space for residential development projects. This may be further restricted in the LDR's through individual zoning districts and other development performance standards.

**Objective 1.3: Wellfield Protection.** DeSoto County shall enforce provisions in its land development regulations for the conservation and protection of the quality and quantity of current and projected water sources, high natural aquifer recharge areas and public supply potable water wells.



- Policy 1.3.1: DeSoto County shall continue to cooperate with the Southwest Florida Water Management District or other appropriate regulatory agency to identify cones of influence, water recharge areas and develop a comprehensive wellhead protection program by 2009. The program shall include provisions to further restrict incompatible uses and substances found on the Florida Substance list known to have adverse effects on water quality and quantity. DeSoto County shall request funding assistance from the Southwest Florida Water Management District to accomplish this.
- Policy 1.3.2: As an interim measure between program adoption and the Southwest Florida Water Management District's public water supply well cone of influence designation, DeSoto County shall establish a 400 foot radius from the base of a public supply potable water wellfield as a cone of influence and wellhead protection area. The first 200-foot radius shall be a zone of exclusion, where no development activities will be permitted.
- Policy 1.3.3: Within the outer 200 feet of the wellhead protection area, the following will be prohibited: landfills; facilities for bulk storage, handling or processing of materials on the Florida substance list; activities that require the storage, use, handling, production or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, or similar substances; feed lots or other commercial animal facilities; wastewater treatment plants, percolation ponds or similar facilities; mines; and excavation of waterways or drainage facilities which intersect the water table.
- Policy 1.3.4: In establishing an interim cone of influence for public supply potable water wellfields, DeSoto County recognizes that there exist public supply potable water wellfields which are located within 200 feet of their property boundaries and that implementation of the zone of exclusion may cause hardships to innocent neighboring landowners. Therefore, for those existing public supply potable water wellfields located at Live Oak Resort, Craig's RV Park, Heritage Plantation RV Park, Big Tree RV Park, Little Willie's RV Park, Arcadia Village Adult Mobile Home Park, and DeSoto Village Mobile Home Park, the zone of exclusion shall not extend beyond the property lines of these listed developments unless there is a change in use.
- Policy 1.3.5: No new public supply potable water wellfields shall be permitted to be closer than 400 feet to any property boundary line.

Policy 1.3.6: Establish a minimum 1,000-foot potable water wellhead protection zone to prohibit mining, animal facilities, wastewater facilities, storage of bulk hazardous, toxic, chemical, fuel or other wastes.

**Objective 1.4: Surface Water.** DeSoto County shall pursue identification, conservation, protection, and restoration of surface waters from known and identifiable pollution sources. The surface waters of DeSoto County shall be protected to ensure that their quality is maintained or improved to, at a minimum, meet the standards established by Chapter 62-302, F.A.C. and the Clean Water Act, 3 USC 1251.

Policy 1.4.1: Except for bona fide agricultural operations and incidental domestic uses, land use activities which utilize, store, or generate hazardous materials, or which involve the bulk storage or continuous transmission of petroleum products or other hazardous substances, shall be prohibited within any area included within the Special Surface Water Protection Overlay District or within any Conservation Overlay District. The agricultural and domestic exemptions, all which are reviewed prior to the issuance of the approved exemption, shall not be construed to relieve these activities from compliance with applicable State and Federal regulations pertaining to the installation and use of above- or below-ground storage tanks, or other structures or improvements intended for the use, storage, or generation of petroleum products or other hazardous substances.

Policy 1.4.2: DeSoto County shall protect its surface waters through implementation of the following standards and guidelines:

- On-site sewage disposal systems, including their associated drainfields, will be located as far landward as feasible on waterfront properties so as to reduce or prevent unnecessary nutrient and pathogen loading into surface waters.
- The discharge of run off, wastewater, or other potential sources of contamination into surface waters resulting in the degradation of the quality of the receiving body below the standards set forth in, but not limited to, Chapters 62-3, 62-4, 62-302, 62-520, 62-522 and 62-550, F.A.C., (including and antidegradation provisions of section 62-4.242 (1)(a) and (b), 62-4.242(2) and (3) and 62-302.300, F.A.C.), and any special standards for Outstanding Florida Waters and Outstanding Natural Resources Waters set forth in Sections 62-4.242(2) and (3), F.A.C. (as required for environmental resources permitting process) will be prohibited.



- The most current best management practices identified in the Handbook, Urban Runoff Pollution Prevention and Control Planning, EPA/625/R-93/004, September 1993 which control erosion and limit the amount of sediment reaching surface waters shall be used during all development activities.
- Removal or control of submerged, emergent, or floating vegetation shall be limited to that necessary to provide reasonable access to aquatic weed control and conducted according to the guidelines provided in Chapter 62C-20, F.A.C., as permitted by the Florida Department Environmental Protection and in compliance with control standards outlined in Environmental Control, F.S. 403 and 369. This policy shall not apply to the removal of nuisance species such as hydrilla, water hyacinth, or water lettuce.
- DeSoto County will continue to provide treatment for the control of aquatic weeds and mosquitoes as governed by Chapter 388 F.S. and where feasible, use non-chemical means and best management practices as alternatives to insecticides and herbicides.
- Withdrawals from, or discharges to, surface waters which alter hydroperiods shall require the appropriate permits through the Florida Department of Environmental Protection, Southwest Florida Water Management District, or the U.S. Army Corp of Engineers, and shall not reduce the quality or productive capability of water dependent ecosystems.
- Development proposals must demonstrate that post development discharges into surface waters, or diversion of freshwater inflow into surface waters, will not lower the quality or productive capability of the receiving water body. All development proposals which require Environmental Resource Permits as provided by Chapter 40D-4 and 62-330, F.A.C., will be reviewed for consistency with the other Elements of the Comprehensive Plan.
- All development proposals must demonstrate post development discharges into marine and estuarine systems, or waters which flow into estuarine systems will not adversely affect the aquatic system in questions. Such discharge must not exceed the legal limit for established surface water quality parameters to including, but not limited to, biological oxygen demand, dissolved oxygen, nutrients, bacteriological quality and turbidity, for the appropriate class water, as outlined in 62-302, F.A.C.



- Policy 1.4.3: The County shall identify and require the creation of upland buffer zones, in accordance with the regulations of the water management districts, between development and surface water, environmentally sensitive areas, and wetlands in order to protect these natural resources from the activities and impacts of development.
- Policy 1.4.4: DeSoto County shall protect water quality and quantity by implementing criteria and performance standards for alteration activities in buffer zones adjacent to surface waters and wetlands.
- Policy 1.4.5: Buffer zones shall serve as protection to surface water from intrusive activities and impacts of development.
- Policy 1.4.6: DeSoto County shall coordinate with State and Federal agencies to ensure proper approval is given for any alteration activities along surface waters.
- Policy 1.4.7: DeSoto County shall require all new development within the County to conform to the drainage level of service standards and design criteria of Southwest Florida Water Management District.
- Policy 1.4.8: DeSoto County shall strive to restore degraded wetlands and floodplains adjacent to surface waters in order to improve the quality of runoff into these surface waters.

**Objective 1.5: Wetland Protection.** Wetlands and the natural functions of wetlands shall be conserved, protected, and restored from activities which alter their physical and hydrological nature to ensure the filtration of water to enhance water quality, provide flood control, maintain wildlife habitat, and offer recreational opportunities, which enhance the quality of life in DeSoto County.

- Policy 1.5.1: The County, as part of its development review process, shall require the coordination of development plans with the Florida Department of Environmental Protection, the Southwest Florida Water Management District or other appropriate regulatory agency, to assist in monitoring land uses which may impact potential wetlands as shown on the National Wetlands Inventory (shown as part of the Conservation Overlay Area on the FLUM).
- Policy 1.5.2: The County shall require that all development proposals be accompanied by evidence that an inventory of wetlands; soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; has been conducted.

Policy 1.5.3: Wetlands identified in the County and as shown as part of the Conservation Overlay District on the Future Land Use Map and shown in Map IX-1, are general designations and actual wetland boundaries are subject to field verification at the time of Southwest Florida Water Management District or other appropriate regulatory agency permitting. Once verified as being wetlands, such lands shall be designated Conservation on the Future Land Use Map and development of such wetlands shall be restricted as stated herein.

Policy 1.5.4: The County shall prohibit all development within wetlands that upon completion of construction, including mitigation and/or reclamation, and within an acceptable time frame, as designated within an approved permit, does not maintain or improve the function of biological systems at the site. Functions that may be considered include, but are not limited to:

- a Provision of wildlife and fisheries habitat;
- b Maintenance of in-stream flows and lake levels during periods of high and/or low rainfall;
- c Erosion control;
- d Water quality enhancement; and
- e Natural vegetative communities

Policy 1.5.5: Development within wetlands shall conform to the following criteria:

- a All permits from an agency with jurisdiction shall be approved prior to issuance of a final development order
- b All new development or redevelopment shall be designed to avoid impacts to wetlands. Where impacts cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement. Wetland impacts, where unavoidable and where properly mitigated, as determined by state or federal agencies having jurisdiction, shall be permitted for:
  - 1) Access to the site.
  - 2) Internal traffic circulation, where other alternatives do not exist, or for purposes of public safety.



- 3) Utility transmission and collection lines
- 4) Pre-treated stormwater management
- 5) Preventing all beneficial use of the property from being precluded. If a site is such that all beneficial use of the property will be precluded due to wetland restrictions, the property shall be developed at a density of one dwelling unit per 20 acres.
- 6) If buildable uplands are available, residential development shall be clustered away from wetlands such that wetlands and their functions are protected.
- 7) If buildable uplands are available on site, but the proposed development will cause or result in a disturbance of wetlands, residential development shall be transferred from the wetland portions of the site to the non-wetland portions at a density of one dwelling unit per 10 acres, unless otherwise listed within this Plan, and unavoidable impact to wetlands be mitigated.
- 8) Development activities subject to state or federal mining reclamation requirements that ensure the maintenance or improvement of biological systems at the site.

Policy 1.5.6: Mitigation activities for impacting wetland areas will be permitted when the mitigation activities are intended and designed to restore wetland areas to their natural conditions, including water flows, hydroperiods, and native vegetative communities. Mitigation of wetland impacts will be allowed when permits authorizing the mitigation have been obtained from the South Florida Water Management District, the Florida Department of Environmental Protection, and/or the U.S. Army Corps. Of Engineers, as applicable. The rate of mitigation shall be one-to-one, or as specified by the permitting authorities, whichever is more restrictive. However, if approved by the permitting authorities, it shall be acceptable to reclaim wetlands impacted by phosphate mining with smaller higher quality wetland systems or to remove isolated wetlands if the mitigation plan improves the overall wetland system.

Policy 1.5.7: The minimum setback shall be feet and the average of all setbacks from the resource shall be 25 feet, or as permitted by an authorized agency. Areas designated as buffers shall preserve all natural vegetative cover, except where drainage-ways and access ways are

approved to cross the buffer. Buffers may be supplemented only with native trees, shrubs and ground covers.

- Policy 1.5.8: All subdivision of land shall contain adequate uplands for the permitted use.
- Policy 1.5.9: Phosphate mining shall be prohibited in those portions of the Peace River, Horse Creek, Joshua Creek and Prairie Creek, which are shown on Map I-7
- Policy 1.5.10: Phosphate mining-related activity, such as dragline and pipeline crossings and vehicle access, may be allowed under DRI or County mining permit conditions, if also approved by the permitting authority.
- Policy 1.5.11: The use or storage of hazardous materials or wastes on the Florida Substance List shall be prohibited within wetland and wetland buffer areas. The landowner/developer shall be given an opportunity to define the jurisdictional wetland boundary and where it relates to the storage of substances.
- Policy 1.5.12: The County shall consider developing a program to acquire critical wetlands for protection, flood storage, and implementation of a future stormwater master plan and restore them, if necessary.
- Policy 1.5.13: Existing isolated wetlands may be incorporated into development projects in conjunction with SWFWMD criteria and any future County development regulations.
- No net loss of wetlands and functions shall be allowed. On-site design of a development shall: Comply with the wetland protection standards of federal, state, regional, and local agencies.
  - Minimize impacts through innovative design layouts.
  - Compensate for impact by enhancing or restoring other degraded wetlands on-site, restore natural functions of other wetlands on-site, create new wetlands on-site, preserve significant upland areas, or off-site mitigation.
  - Mitigation through restoration of degraded wetlands on-site or preservation or restoration, if needed, of significant upland areas on-site will be encouraged rather than new wetland creation.



- Policy 1.5.14: In cases of inclusion of wetlands into the surface water management systems, the stormwater shall be pretreated per the Water Management District's water quality standards prior to discharge into any wetland.
- Policy 1.5.15: The County shall study and develop criteria and standards for identification of wetlands, evaluating the significance of wetlands and for the proper use and activities allowed in wetlands, in conjunction with other authorized agencies.
- Policy 1.5.16: The County shall require the developer to have a qualified professional to identify and certify the limits of all wetlands on the development plans.

**Objective 1.6: Floodplains and Floodways.** DeSoto County shall ensure long-range protection and restoration of functions of the remaining floodplains.

- Policy 1.6.1: The County, as part of its development review process, shall require the coordination of development plans with the Florida Department of Environmental Protection and the Southwest Florida Water Management District to assist in monitoring land uses which may impact potential floodplains as shown on FEMA Flood Insurance Rate Maps (FIRM) (shown as part of the Conservation Overlay Area on the FLUM).
- Policy 1.6.2: The County shall require that all development proposals be accompanied by evidence that an inventory of soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; and areas prone to periodic flooding (areas within the 100 year floodplain) has been conducted.
- Policy 1.6.3: DeSoto County shall require that the extent to which any development or redevelopment is proposed to be placed in/on, to disturb, or to alter the natural functions of any of these resources be identified. Such identification shall occur at a phase in the development review process that provides the opportunity for DeSoto County to review the proposed project so that direct and irreversible impacts on the identified resources are avoided. Development other than phosphate mining shall be located away from the 100 year floodplain on the upland portion of the site. Where no upland exists, development may occur so long as all applicable environmental permitting requirements can be satisfied. All future

subdivision of land shall contain adequate uplands for the permitted use.

- Policy 1.6.4: Phosphate mining shall be prohibited in those portions of the 100 year flood plain of the Peace River, Horse Creek, Joshua Creek and Prairie Creek, which are shown on Map I-7.
- Policy 1.6.5: Phosphate mining-related activity such as dragline and pipeline crossings and vehicle access may be allowed under DRI or County mining permit conditions. The use or storage of hazardous materials or wastes on the Florida Substance List shall be restricted in the 100-year floodplain or within wetland buffer areas. The landowner - developer shall be given an opportunity to define the exact location of the 100yr floodplain or wetland boundary, where it relates to the storage of substances. Where such substances are otherwise regulated.
- Policy 1.6.6: DeSoto County shall maintain rules and standards in its Land Development Regulations to further address the protection, restoration, and acquisition, of the natural and hydraulic functions of the 100-year floodplain in general and to address any specific problem areas which may already exist.
- Policy 1.6.7: The County shall require the developer to have a qualified professional identify and certify the limits of the 100-year floodplain on the development plans.
- Policy 1.6.8: DeSoto County shall continue to participate in the National Flood Insurance Program administered by the Federal Emergency Management Administration (FEMA).
- Policy 1.6.9: The County shall consider the acquisition or establishing a conservation easement of floodplains adjacent to surface waters.
- Policy 1.6.10: DeSoto County shall continue to encourage flood control through non-structural means for surface water management.
- Policy 1.6.11: DeSoto County shall identify and recommend floodplains that warrant acquisition and restoration under public and private land acquisition programs to FEMA and the Water Management District.

**Objective 1.7: Mining/Excavation.** The County shall establish, as a provision of its land development regulations, procedures to appropriately protect the quality of air, water, land, and wildlife resources from mining/excavation activities.



- Policy 1.7.1: Phosphate mining operations, like all other development, shall be subject to the development review process. The following minimum standards shall apply to all phosphate mining in DeSoto County:
- a) Revegetation proposals for reclamation shall be based on the requirements of Chapter 62C-16 F.A.C., as amended from time to time.
    1. Finished slopes for reclaimed areas shall not be greater than one foot vertical to four feet horizontal. Where high surface flow velocities can be expected, suitable erosion protection shall be proposed.
    2. Provision shall be made to protect watercourses and wetlands in or near reclamation areas against siltation until vegetation is well established.
- Policy 1.7.2: Reclamation proposals for mines shall provide for the perpetuation and accessibility of monitoring stations.
- Policy 1.7.3: Reductions or increases in the flow of water courses leaving the mine property shall not adversely affect downstream property owners or the environment.
- Policy 1.7.4: Applications for mining developments shall include effective plans for spill emergencies. Such plans shall consist of a Spill Notification, Containment and Safety Plan for the clay settling areas, water recirculation systems, and reagent storage areas addressing such issues as inspection schedules, spill notification procedures, maintenance of warning systems and clean-up responsibilities.
- Policy 1.7.5: The County shall continue to consider active and permitted mining operations and areas of mineral deposits in future land use decisions in order to avoid incompatible land use activities.
- Policy 1.7.6: DeSoto County shall require surface mines and excavation pits to be reclaimed in an environmentally sound fashion following the cessation of mining/excavation activities.
- Policy 1.7.7: Mined/Excavation areas converted to pond or lake areas should be designed to resemble a natural pond with littoral zone shelves and contours; a deep open-water limnetic zone (open water where photosynthesis can occur) free of rooted emergent and submersed vegetation; and, where feasible, a buffer of upland vegetation.

- Policy 1.7.8: Mined/Excavation areas shall be returned to a natural configuration through the replanting of native trees, shrubs, and understory vegetation.
- Policy 1.7.9: Mine/Excavation operators shall be required to demonstrate a workable reclamation plan and proof of financial responsibility before mining/excavation permits are issued.
- Policy 1.7.10: Resource extraction which will result in a reduction of ecological value of the area subject to such resource extraction, which cannot be mitigated, reclaimed or restored to environmentally sound condition, shall be prohibited. For phosphate mining, a permit authorizing mitigation, reclamation or restoration of environmentally sensitive areas obtained from the Southwest Florida Water Management District, the Florida Department of Environmental Protection and/or the U.S. Army Corp of Engineers, as applicable, and is consistent with standards and criteria of the Generalized Phosphate Mining Overlay Designation of the Comprehensive Plan (Objective 1.12b and its related policies), shall evidence that the resource extraction will not result in a reduction of ecological value of the area subject to such resource extraction.
- Policy 1.7.11: Wetlands, rivers, streams, floodplains, habitat of threatened or endangered species and species of special concern, prime agricultural lands, prime groundwater recharge areas, historically significant sites or other environmentally sensitive areas which cannot be restored, mitigated, or reclaimed shall be identified and protected by a prohibition on mining activities within those areas and the establishment of buffer zones around them. Technological limitations and economic considerations must be recognized in the consideration of appropriate restoration, mitigation, or reclamation activities.
- Policy 1.7.12: Mineral extraction reclamation plans shall provide for restoration of pre-mining/pre-excavation pit drainage retention and detention in each affected drainage basin.
- Policy 1.7.13: Reductions or increases in the flow of water courses leaving the mine/excavation pit property shall not adversely affect downstream property owners or the environment.
- Policy 1.7.14: Applications for mining developments shall include effective plans for spill Notification, Containment and Safety Plan for the clay settling areas, water re-circulation systems, and reagent storage areas addressing such issues as inspection schedules, spill notification



procedures, maintenance of warning systems and clean-up responsibilities.

**Objective 1.8: Soil Management.** The County shall appropriately manage soil data and protect against soil erosion and uses inconsistent with soils.

- Policy 1.8.1: The County's Land Development Regulations shall continue to require that all site developments properly install and maintain erosion and sedimentation control devices, and that developers submit an erosion and sediment control plan before start of construction.
- Policy 1.8.2: All disturbed soil areas shall be permanently stabilized upon completion of development activities, in order to reduce soil erosion.
- Policy 1.8.3: Whenever possible, native trees, shrubs and ground cover shall be maintained on development sites to prevent soil erosion.
- Policy 1.8.4: The County shall notify the local office of the U.S. Soil Conservation Service of any major soil erosion problems that may occur within the County's jurisdiction.
- Policy 1.8.5: The County shall maintain soils records to be used in determining appropriate development usage.
- Policy 1.8.6: The County shall not allow septic tanks in soils that do not adequately percolate.

**Objective 1.9: Vegetative and Wildlife Communities.** DeSoto County shall promote the protection, conservation, restoration, and appropriate use of wildlife and ecological communities.

- Policy 1.9.1: The County shall work closely with the Florida Fish and Wildlife Conservation Commission (FFWCC) and private landowners to increase the public's knowledge of habitat protection and best management practices to protect endangered and threatened species, as well as species of special concern.
- Policy 1.9.2: The County shall notify the Florida Fish and Wildlife Conservation Commission of the presence of any roosting, nesting, or frequented habitat areas for endangered or threatened wildlife occurring within its jurisdiction.
- Policy 1.9.3: DeSoto County shall work with the Florida Fish and Wildlife Conservation Commission and the Soil and Water Conservation District to develop Best Management Practices for the protection of

topographic, hydrologic, soil characteristics and vegetative cover factors in the site plan review process of proposed developments. Best Management Practices will be implemented through the County's land development regulations and are intended to provide for: erosion control on construction sites; retention and detention of stormwater runoff; and proper land use and buffering standards.

- Policy 1.9.4: The County shall cooperate with adjacent local governments, as well as regional, state and federal agencies in the identification and management of natural resources. DeSoto County will incorporate comments from adjacent local governments in order to develop a consistent set of criteria for the protection of unique vegetative communities located within more than one local jurisdiction.
- Policy 1.9.5: The County shall request the assistance of the U.S. Soil Conservation Service to verify the County's inventory of unique vegetative communities.
- Policy 1.9.6: The County shall coordinate during the development review process with the appropriate state and federal agencies for technical assistance in environmental issues regarding wildlife and native wildlife habitat.
- Policy 1.9.7: DeSoto County shall continue to regulate and/or prohibit the following activities in areas identified as being environmentally sensitive and in areas containing endangered and/or threatened wildlife, to ensure that such areas are preserved:
- The removal, excavation, or dredging of soil, sand, gravel, minerals, organic matter, or materials of any kind; except for phosphate mining within the Generalized Phosphate Mining Overlay Designation, which shall be regulated to ensure that such areas are preserved, mitigated, reclaimed, or restored.
  - The changing of existing drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics;
  - The disturbance of the environmentally sensitive area's water level or water table by drainage, impoundment, or other means;
  - The dumping or discharging of material, or the filling of an environmentally sensitive area with material;



- The placing of fill or the grading or removal of material that would alter topography;
- The destruction or removal of plant life that would alter the character of an environmentally sensitive area or wildlife habitat; and
- The conduct of an activity that results in a significant change of water temperature, a significant change of physical or chemical characteristics of environmentally sensitive area water sources, or the introduction of pollutants.

Policy 1.9.8: Native vegetation protection regulations shall mandate fair and equitable restoration and/or compensatory mitigation measures in order to compensate for loss of vegetation and to enhance stabilization of fragile slopes and/or shorelines.

Policy 1.9.9: The County shall encourage new development to protect existing native vegetation in common areas and buffer zones by granting credit for the existing vegetation during the development review process.

Policy 1.9.10: The County shall encourage additional planting of native plant species to enhance sparse vegetation in common areas and buffer zones by requiring inclusion of native species in the landscaping plans.

Policy 1.9.11: The County shall cooperate with and assist Federal and State environmental and wildlife preservation agencies in their efforts to protect fish populations within the County's water bodies and to promote environmental management activities, which enhance fish propagation through natural processes or by managed fish restocking.

Policy 1.9.12: Through zoning, site plan and other local regulations, fisheries, marine habitat, native wildlife and wildlife habitat, including state and federally protected plant and animal species (endangered, threatened and species of special concern), shall be appropriately protected from new development by creating preservation/conservation areas within developments areas and referring such issues to the appropriate jurisdiction for further assistance is the protection of this environmental resource.

Policy 1.9.13: The County shall request the assistance of the Florida Fish and Wildlife Conservation Commission to conduct inventories of State and federally protected plant and animal species in DeSoto County.

- Policy 1.9.14: The County shall continue to regulate new development adjacent to the County's surface waters to ensure that such development does not degrade marine habitat such as mangrove and manatee habitat.
- Policy 1.9.15: The County shall protect plant and animal species, including marine habitats and fisheries. The Land Development Regulations shall provide for clustering, open space, conservation easements, the use of best management practices and mitigation of, or prohibit, the disturbance of said plant and animal species to accomplish their protection.
- Policy 1.9.16: Developers shall be required to identify wildlife habitat, and endangered and threatened species as part of the development review process, and shall be required to submit mitigation measures for review as part of the County's development review process.
- Policy 1.9.17: Annually, the County shall maintain updated maps from FFWCC showing the locations of habitat for endangered and threatened species and species of special concern, and unique natural areas.
- Policy 1.9.18: The County shall coordinate with the City of Arcadia to ensure the protection of environmentally sensitive areas that cross jurisdictional boundaries.
- Policy 1.9.19: DeSoto County shall require that an ecological survey be performed by a qualified environmental consultant prior to the approval of site clearing activities to determine if populations of endangered, threatened, or plant or animal species of special concern occur.
- Policy 1.9.20: DeSoto County shall require that, for private development, in which alteration is unavoidable, the developer shall be responsible for establishing a mitigation plan for critical habitat.
- Policy 1.9.21: DeSoto County shall recognize and allow pastures, groves, and other agricultural uses in the development of a wildlife management system, provided the uses referenced above do not threaten or endanger the survival of the wildlife species.

**Objective 1.10: Agriculture.** DeSoto County shall promote agricultural practices that produce a minimal disturbance to the County's natural resources.

- Policy 1.10.1: Agricultural activities shall be conducted in accordance with Best Management Practices, and in a manner compatible with the need to protect, conserve and appropriately use wetlands, uplands and



natural resources adjacent to lakes and streams and to ensure the protection of water quality within water bodies.

Policy 1.10.2: DeSoto County shall promote viable agriculture in the County's ranchlands and citrus groves.

Policy 1.10.3: The County shall adopt land clearing and land alteration regulations that include criteria for the protection and/or conservation of threatened or endangered habitats or species and shall, at the same time, minimize adverse impacts to the economic viability of agricultural lands on which most of these habitats and species do occur.

**Objective 1.11: Public Education.** DeSoto County shall promote the education and environmental awareness of its citizens and visitors on issues relating to protection, conservation, restoration, and appropriate use of natural resources.

Policy 1.11.1: The County shall endeavor to educate through the use of signage, brochures, press releases, and community meetings in order to educate the public on conservation issues.

Policy 1.11.2: DeSoto County shall cooperate with SWFWMD and the U.S. Soil Conservation Service to implement water conservation programs and to provide citizen education.

**Objective 1.12: Historical, Archeological and Cultural.** The County shall conserve significant sites and protect existing historical structures.

Policy 1.12.1: The County shall coordinate with the State Division of Historic Resources in continuing to identify, protect, analyze, and explain the County's historical, archaeological, and cultural resources, (such efforts shall include determination of their worth and vulnerability, as well as determination of specific applicable preservation management policies).

Policy 1.12.2: The County shall prohibit development activities in or adjacent to historic archaeological sites that depreciate or eliminate their historical value.

Policy 1.12.3: The County shall encourage registration of historically significant sites under Federal and State certified historical master files.

**Objective 1.13: Sustainable Development.** The County shall offer incentives to encourage sustainable development to protect its natural resources and enhance the quality of life.

Policy 1.13.1: DeSoto County shall encourage the use of Florida Green Building Standards for homes, commercial buildings, developments, and communities.

Policy 1.13.2: The County shall develop appropriate procedures for effective communication and for coordination of the planning, design, and construction processes, which include or affect vegetation growing within or to be planted in public rights of way.

**Objective 1.14: Nature-Based Tourism.** DeSoto County shall promote nature, historic, and cultural tourism practices that produce a minimal disturbance to the County's natural, historic, and cultural resources.

Policy 1.14.1: Tourism activities are to be conducted in accordance with Best Management Practices, and in a manner compatible with the need to protect, conserve and appropriately use resources

Policy 1.14.2: DeSoto County shall promote viable tourism throughout the County.

**GOAL 2: Conservation of Potable Water Resources.** Through 2040, DeSoto County shall take steps to reduce potable water consumption and to conserve this natural resource by providing efficient supply and delivery.

**Objective 2.1: Reduce consumption.** DeSoto County shall reduce the per capita water usage from current 118 GPD identified in SWFWMD Regional Water Supply Plan to 95 GPD, by 2015.

Policy 2.1.1: The County shall evaluate and implement strategies to achieve a reduction in water consumption through various water conservation measures, consumer education, and development of programs to identify and repair leaking pipes and plumbing fixtures.

Policy 2.1.2: DeSoto County shall amend the Land Development Regulations to require a water conservation plan for new residential and non-residential subdivisions and planned unit developments. Each plan shall include at least one of the following: reuse of storm water for irrigation or other non-potable water use, installation of low flow fixtures, conversion of existing on-site well water for irrigation use and supplementation, use of water-wise vegetation, annual water audits



performed by a certified water auditor, or similar measures approved by the County.

Policy 2.1.3: DeSoto County Utilities shall coordinate with public entities, such as the Conserve Florida Water Clearinghouse (University of Florida), to obtain technical assistance in the collection of measurable baseline data that can be used to establish a set of benchmarks from which the effectiveness of the water conservation measures will be evaluated in the future.

Policy 2.1.4: DeSoto County shall encourage conservation of water resources by the enforcement of watering restrictions of customers, monitoring excessive water use and other active measures until non-compliance is corrected.

**Objective 2.2: Reuse Water.** The County shall continue to evaluate the feasibility of providing a public accessible reuse water supply.

Policy 2.2.1 As a part of future WSFWP updates, DeSoto County shall evaluate the cost-benefit of providing reuse supply to high volume water users, such as agricultural and golf courses. Additional evaluation will include demand from large potable water irrigation users, such as residential developments.