

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 8K

From: Staff

Date: December 11, 2015 Council Meeting

Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the St. Lucie County Comprehensive Plan  
Amendment No. 15-3ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from St. Lucie County includes text changes to the Port Sub-element of the Transportation Element; the Potable Water Sub-element of the Infrastructure Element; and the Conservation Element of the comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

**Port Sub-Element**

The amendment package includes proposed text change updating the Port of Fort Pierce Master Plan, which is adopted in the Port Sub-element of the Transportation Element. The updates are a result of the county working in partnership with the Florida Department of Transportation and the City of Fort Pierce. The updated policies in the Port Sub-element are based on community consensus gathered during a planning charrette on March 14, 2013. This input was then refined by the Harbor Advisory Committee. The proposed policy language is intended to be a reflection of the community's vision for the Port of Ft. Pierce.

The new vision statement in the Port Sub-element indicates the vision is to maximize economic benefit to the region while minimizing impact on the Indian River Lagoon and Atlantic Ocean. The vision has shifted from an emphasis on cargo stated in the 1989 Port Master Plan to a mixed use vision that evolved from a non-binding public referendum and charrette process in 1996. A second public charrette conducted in 2013 unified market demand and public desire to update and more clearly define the community's vision. The vision for the Port of Ft. Pierce encourages economic redevelopment of the port under well-defined land use and planning guidelines and streamlined port governance, with sufficient flexibility to merge market demand with desired recreational uses as well as marine industrial, marine commercial, marine research, and maritime academic/vocational uses. The vision includes environmentally sound best management practices, as well as transitional buffers between various uses.

### **Potable Water Sub-Element**

The amendment package adds Policy 4a.1.5.2 to the Potable Water Sub-element of the Infrastructure Element. This policy adopts by reference the Ten-year Water Supply Facilities Work Plan, which was approved by the county on July 15, 2014. This change is being made to accommodate a request from the South Florida Water Management District that the county include a policy that clearly adopts the water supply plan by reference.

Also, the proposed amendment adds new Policy 6.1.5.7, which states that the county shall protect groundwater by prohibiting the use of any land within unincorporated county for "High-Intensity Petroleum Operations." High-intensity petroleum operations are commonly referred to as fracking and include: well stimulation treatments and secondary and enhanced recovery operations such as hydraulic fracturing, water or steam injection, and acid well stimulation treatments. The policy is being added to reduce the potential for impacts to water quality and quantity by fracking in the county. Martin County has provided the attached letter supporting the proposed amendment to add Policy 6.1.5.7 to the St. Lucie County Comprehensive Plan.

### **Conservation Element**

The amendment package modifies Policy 6.1.14.6 in the Conservation Element to clarify that all new development on lots containing a Category III wetland shall provide a minimum 25-foot buffer between the wetland jurisdictional line and the area of development. Category III wetlands are defined as isolated wetlands less than 5 acres. State and federal wetland regulations still apply for these wetlands.

### **Regional Impacts**

No adverse effects on regional resources or facilities have been identified.

### **Extrajurisdictional Impacts**

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on October 14, 2015. No extrajurisdictional impacts have

been identified. Martin County provided the attached letter supporting the proposed amendment to add Policy 6.1.5.7 to the St. Lucie County Comprehensive Plan.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

Recommendation

Council should approve this report and authorize its transmittal to St. Lucie County and the Florida Department of Economic Opportunity.

Attachments

## **List of Exhibits**

### **Exhibit**

- 1 General Location Map
- 2 Port of Fort Pierce Map
- 3 Text Changes in Underline and Strikethrough Format
- 4 Correspondence from Martin County

# Exhibit 1 General Location Map



# Exhibit 2 Port of Fort Pierce Map



# Exhibit 3

## Text Changes in Strikethrough and Underline Format

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### Exhibit "A" Text Amendments to the Comprehensive Plan in ~~strikethrough~~ and underline format.

#### Port Sub-element 2A

~~A revised vision for the Port of Fort Pierce was established in 1996 through a nonbinding public referendum and charrette process, which shifted the intended general uses from exclusively cargo as per the 1989 Port Master Plan to a matrix of recreational, commercial, and industrial uses. Since that time and through additional public workshops, this vision has been further refined to focus the industrial component of the mixed-use port on marine industries, specifically the mega-yacht industry, and for such uses to serve as the anchor tenant at the Port of Fort Pierce. The Port Master Plan more clearly defines this community vision, strengthens local control over the process, and provides flexibility to ensure intergovernmental coordination and the desired mix of uses.~~

The Port of Ft. Pierce vision is to maximize economic benefit to the region while minimizing impact on the Indian River Lagoon and Atlantic Ocean. The vision has shifted from an emphasis on cargo stated in the 1989 Port Master Plan to a mixed use vision that evolved from a non-binding public referendum and charrette process in 1996. A second public charrette conducted in 2013 unified market demand and public desire to update and more clearly define the community's vision. The vision for the Port of Ft. Pierce encourages economic redevelopment of the port under well-defined land use and planning guidelines and streamlined port governance, with sufficient flexibility to merge market demand with desired recreational uses as well as marine industrial, marine commercial, marine research, and maritime academic/vocational uses. The vision includes environmentally sound best management practices, as well as transitional buffers between various uses.

~~References to the "Port of Ft. Pierce" in the Goals, Objectives, and Policies shall be liberally interpreted to mean the appropriate local government entity charged with the responsibility for enforcing or completing the specific objective or policy statement. County Port Authority working in coordination with the City of Ft. Pierce to implement the Goals, Objectives and Policies of the Port Sub-element. An Interlocal Agreement between the County and the City of Ft. Pierce further defines the responsibilities of each entity.~~

**Goal 2A.1: Responsibility for the Port** - The overall responsibility for the management of the Port of Ft. Pierce is vested by law with the St. Lucie County Commission and should be managed in the public interest of all the citizens of St. Lucie County.

1

2 Objective 2A.1.1: St. Lucie County, working with the City of Ft. Pierce, interested agencies and  
3 private property owners and consistent with the Port enabling laws and the constitutional and  
4 statutory protections for the rights of existing private property owners should ensure that the  
5 public interest and quality of life is protected when exercising public control of port property.

6

7 Policy 2A.1.1.1: St. Lucie County shall explore and consider all options for the management and  
8 operations of the Port of Ft. Pierce in cooperation with the municipalities and local officials.  
9 These discussions shall take place ~~prior to December 2004~~ through either a task force or joint  
10 workshop of the elected officials.

11

12 Policy 2A.1.1.2: St. Lucie County shall maintain the necessary oversight of the Port of Ft. Pierce  
13 to ensure compliance with applicable state law governing deepwater ports and to guarantee the  
14 financial feasibility of any publicly funded infrastructure within the port.

15

16 Policy 2A.1.1.3: St. Lucie County shall determine whether to initiate actions necessary to  
17 acquire public ownership of those areas in the port determined to be in the public interest.

18

19 Policy 2A.1.1.4: St. Lucie County shall coordinate with the City of Fort Pierce, other affected  
20 local governments, the Treasure Coast Regional Planning council and the Florida Seaport  
21 Transportation and Economic Development Council (FSTED).

22

23 Policy 2A.1.1.5: St. Lucie County, operating through its existing and future legal authorities,  
24 shall initiate discussions with the City of Ft. Pierce, with other public agencies, and with the  
25 private business sector to create the legal agreements, memoranda of understanding, and joint  
26 planning agreements necessary to implement the goals, objectives, and policies of the Master  
27 Plan for the Port of Ft. Pierce.

28

29 **Goal 2A.2: Land Use Map for the Port of Ft. Pierce** - The Port of Ft. Pierce shall establish a  
30 general master development map for the Port that establishes a general Port Planning Area  
31 boundary and a Port Operations Area boundary to provide elected officials, prospective  
32 investors, port facility developers, and the public a clear understanding of the physical location  
33 of the activities that could be accommodated in the Port of Ft. Pierce. The general master  
34 development map for the Port of Ft. Pierce is not to be used alone but rather in conjunction with  
35 the other development policies found in this plan and the applicable Local Comprehensive Plans

1 for St. Lucie County and the City of Ft. Pierce.

2

3 Objective 2A.2.1: The general master development map for the Port of Ft. Pierce shall be as  
4 depicted in Figure 2A-1. The land use activities shown in this general plan of development shall  
5 comply with applicable State, County and Municipal laws including the applicable Local  
6 Comprehensive Plans for St. Lucie County and the City of Ft. Pierce, adopted pursuant to  
7 Chapter 163, Florida Statutes.

8

9 Policy 2A.2.1.1: The general land use classification is to be used to determine consistency  
10 between the General Master Development Map for the Port of Ft. Pierce and the applicable  
11 local government comprehensive plan. The Port of Ft. Pierce will coordinate with the City of Ft.  
12 Pierce and St. Lucie County to determine whether the Port General Master Development Plan is  
13 consistent with the City and the County Comprehensive Plan Future Land Use designations for  
14 the Port Planning Area. To the extent any inconsistencies between the General Master  
15 Development Plan for the Port and the City or County Comprehensive Plan are identified, the  
16 Port of Ft. Pierce will request that the City or the County amend their Comprehensive Plans to  
17 ensure consistency.

18

19 Policy 2A.2.1.2: The Port of Ft. Pierce shall support/seek development activities such as mega  
20 yacht construction and maintenance, maritime industrial and commercial uses, marine research  
21 facilities, maritime academic and vocational uses, potential cruise/ferry uses, intermodal  
22 transportation facilities and/or expansion of tourist/recreational uses, depending on market  
23 conditions.

24

25 St. Lucie County, the City of Ft. Pierce and Indian River State College shall identify a  
26 blue ribbon panel, as defined in AECOM's final report dated September 2013, to  
27 develop a path to establishing a maritime academy and intermodal academy at the Port  
28 of Ft. Pierce

29

30 Policy 2A.2.1.3: The Port of Ft. Pierce shall support development of tourist, commercial and  
31 recreational uses primarily in the northern third of the undeveloped property in the Port  
32 Operations Area as shown in Figure 2A-1. This development shall be consistent with the  
33 adopted Local Comprehensive Plans for St. Lucie County and the City of Ft. Pierce, including  
34 but not limited to the Future Land Use, Transportation and Coastal Management Elements. The  
35 City and County shall collaborate on consistency of land use and zoning designations that  
36 promote and encourage economic development within the Port Operations Area.

37

1 Policy 2A.2.1.4: All activities within the Port Planning Area shall comply with the applicable State  
2 and County laws and the applicable plans and regulations of the City of Ft. Pierce or St. Lucie  
3 County including but not limited to, the adopted Future Land Use Maps of the Local  
4 Comprehensive Plans for St. Lucie County and the City of Ft. Pierce, as depicted in the  
5 attached Figure 2A-2.

6  
7 Policy 2A.2.1.5: The Port of Ft. Pierce shall continue to support ~~limited~~ cargo operations in the  
8 Port Operations Area, as described in Policy 2A.3.1.3.

9  
10 Policy 2A.2.1.6: By March 1<sup>st</sup> of each year, the Port of Ft. Pierce shall submit to the County  
11 Administrator or their designee an updated five (5) year capital budget/improvement plan for the  
12 Port. To the extent that local funds are required to address a capital improvement need, the  
13 Board of County Commissioners shall be requested to provide the necessary funding to meet  
14 that need. Nothing in this policy shall be construed as to prohibit the Board of County  
15 Commissioners from requesting that the City of Ft. Pierce, the Ft. Pierce Community  
16 Redevelopment Agency, or any other appropriate agency or entity assist in funding one or more  
17 capital improvement project(s) within the Port Area since the port planning area within the City  
18 Limits of Ft. Pierce lies entirely within the Ft. Pierce Community Redevelopment Area.

19  
20 Policy 2A.2.1.7: Recognizing that the majority of the lands, excluding water and roadways, in  
21 the Port Planning Area, including the Port Operations Area, are not in public ownership, should  
22 the County acquire additional lands in the Port Operations Area, the Master Plan for the Port of  
23 Ft. Pierce will be amended to reflect a revised capital improvements plan and the Port of Ft.  
24 Pierce will request that the Board of County Commissioners make any necessary amendments  
25 to the St. Lucie County Comprehensive Plan and, if necessary, that the Ft. Pierce City  
26 Commission make any necessary amendments to the Ft. Pierce Comprehensive Plan to  
27 address all identified capital needs. Nothing in this policy shall be constructed as to prohibit the  
28 Board of County Commissioners from requesting that the City of Ft. Pierce, the Ft. Pierce  
29 Community Redevelopment Agency, or any other appropriate agency or entity assist in funding  
30 one or more capital improvement project(s) within the Port Area since the Port Planning Area  
31 within the City Limits of Ft. Pierce lies entirely within the Ft. Pierce Community Redevelopment  
32 Area.

33  
34 **Goal 2A.3: Port Activities** - The quality of life for St. Lucie County residents will be  
35 strengthened and maintained by enhancing the economic viability, attractiveness, environmental  
36 quality, and social benefits associated with activities at the Port of Ft. Pierce.

37

1 Objective 2A.3.1: The Port of Ft. Pierce should strengthen the economic development activities  
2 in the Port Operations Area by working with federal, state and local government, the private  
3 sector, and other interested parties to formulate an economic development plan ~~by 2004~~ that  
4 will foster new jobs that exceed the County's average annual wage and enhance the  
5 community's prosperity.

6  
7 Policy 2A.3.1.1: The Port of Ft. Pierce shall support County and City efforts to purchase and  
8 lease property within the Port Operations Area that will support economic development of the  
9 Port through added revenue streams while allowing for increased opportunities for Federal and  
10 State grants.

11  
12 Policy 2A.3.1.2: The Port of Ft. Pierce shall encourage the development, renovation and  
13 improvement of port facilities to maximize current potential, including rehabilitation and  
14 modernization of existing buildings consistent with the goals of the City of Ft. Pierce downtown  
15 redevelopment plan. The City of Ft. Pierce downtown redevelopment plan should identify buffer  
16 and transitional uses between port uses and the downtown. Local plans should also reflect  
17 market absorption studies of hotel, commercial and recreational uses. ~~Multiple redevelopment~~  
18 plans including such uses which exceed projected demand will not attract development and will  
19 have a negative impact to existing uses.

20  
21 Policy 2A.3.1.3: The Port of Ft. Pierce will continue as a deepwater port that will accommodate  
22 limited cargo operations. ~~Gentrification of cargo areas shall be emphasized and flexibility shall~~  
23 ~~be retained in the Berth 1 area to allow either limited cargo operations or marine industries or a~~  
24 ~~combination of both. All such uses shall be consistent with the general mix of uses described~~  
25 ~~herein and compatible with adjacent land uses and natural resources.~~ New and reconstructed  
26 infrastructure should be implemented to attract development consistent with community goals  
27 including berthing and seawalls, efficient intermodal connections, ship to rail transfer facilities  
28 and roadway and drainage infrastructure. Current cargo and marine industrial areas may be  
29 retained.

30  
31 Policy 2A.3.1.4: Future public infrastructure improvements in the Port Planning Area will be  
32 made consistent with the Port Master Plan, to include the following projects: Harbor Pointe  
33 shoreline protection, refurbish and/or improve City marina bulkheads, and Fisherman's Wharf,  
34 improve Terminal Drive, improve Harbor Street, improve Port Avenue, construct a connecting  
35 road between 2<sup>nd</sup> Street to the Harbor Pointe property, re-establish the railroad spur into Indian  
36 River Terminal, construct an additional spur parallel to Harbor Street, construct additional  
37 bulkheads at the City Marina, construct pedestrian linkage along 2<sup>nd</sup> Street to downtown,  
38 construct pedestrian linkage to Old Dixie Highway/US 1, develop park infrastructure, develop  
39 engineering master stormwater management system for port property including offsite

1 alternatives, and coordinate and install improvements along with corresponding infrastructure  
2 element.

3  
4 Policy 2A.3.1.5: St. Lucie County, working with federal, state and local governments, the private  
5 sector, and other interested parties, may provide incentives for jobs that exceed the County's  
6 average annual wage. St. Lucie County, the City of Ft. Pierce, private property owners, and  
7 local economic development groups should establish a proactive campaign to market the Port of  
8 Ft. Pierce.

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10 Policy 2A.3.1.6: The Port of Ft. Pierce, working with federal, state and local governments, the  
11 private sector, and other interested parties, will encourage port industries to develop job training  
12 programs and use the local workforce to the fullest extent possible.

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14 Objective 2A.3.2: The Port of Ft. Pierce in cooperation with the City of Ft. Pierce and other  
15 governmental bodies shall assist in the development of high quality design standards to ensure  
16 that port facilities in the Port Operations Area are compatible with the use of the surrounding  
17 area in the City of Ft. Pierce as downtown waterfront development.

18  
19 Policy 2A.3.2.1: The Port of Ft. Pierce, in cooperation with other governmental bodies, the  
20 private sector, and other interested parties, should develop and maintain ~~aesthetically pleasing~~  
21 public port facilities and landscaping that are designed in such a way to encourage new and  
22 expanded business development. Transitions from marine industrial to local commercial or other  
23 public uses should be sensitively considered.

24  
25 Policy 2A.3.2.2: The Port of Ft. Pierce, in cooperation with other governmental bodies, should  
26 ensure that port facilities are aesthetically compatible to the extent feasible with ~~all newly~~  
27 ~~renovated areas of~~ downtown Ft. Pierce and other adjacent neighborhood areas in conjunction  
28 with the City of Ft. Pierce regulations.

29  
30 Policy 2A.3.2.3: Existing activities within the Port of Ft. Pierce Operations Area that are  
31 determined to be inconsistent with future uses of the Port should be identified and removed  
32 through the negotiated purchase of property or business, code enforcement activities,  
33 private/public partnerships, grants, other mechanisms by the appropriate unit of government, or  
34 eminent domain.

35

1 Objective 2A.3.3: The Port of Ft. Pierce, working with federal, state and local governments, the  
2 private sector, and other interested parties, shall maintain, increase, and promote marine  
3 industry and related scientific and commercial activities at the Port of Ft. Pierce so there is no  
4 net loss of marine industry.

5  
6 ~~Policy 2A.3.3.1: The Port of Ft. Pierce, in cooperation with other governmental bodies, the~~  
7 ~~private sector, and other interested parties, shall accommodate water-related marine activities~~  
8 ~~such as mega yachts, restaurants, hotels, tall sailing vessels, boat service and repair yards,~~  
9 ~~marina facilities, and related service activities within the Port Planning Area for the benefit of~~  
10 ~~residents and visitors to the community.~~

11  
12 Policy 2A.3.3.2<sup>1</sup>: The Port of Ft. Pierce, in cooperation with other governmental bodies, the  
13 private sector, and other interested parties, shall accommodate water-related marine activities  
14 such as mega yachts, marine research vessels, tall sailing vessels, restaurants, hotels, and  
15 related service activities within the Port Planning Area for the benefit of the residents and  
16 visitors to the community.

17  
18 Policy 2A.3.3.3<sup>2</sup>: The Port of Ft. Pierce, in cooperation with other governmental bodies, the  
19 private sector, and other interested parties, shall protect, maintain, and promote marine industry  
20 activity from encroachment or displacement by incompatible land uses.

21  
22 Policy 2A.3.3.4<sup>3</sup>: The Port of Ft. Pierce, working with federal, state and local governmental  
23 bodies, the private sector, and other interested parties, shall encourage the location of  
24 additional marine science facilities in the Port Planning Area that are compatible with the  
25 Smithsonian, the Harbor Branch Oceanographic Institution, and the Ocean Research and  
26 Conservation Association (ORCA).

27  
28 ~~Policy 2A.3.3.5: The Port of Ft. Pierce, working with federal, state and local governmental~~  
29 ~~bodies, the private sector, and other interested parties, shall encourage the location and~~  
30 ~~development of a mega yacht facility that serves as the anchor tenant in the Port Operations~~  
31 ~~Area.~~

32  
33 Objective 2A.3.4: The Port of Ft. Pierce shall allow and support extension of water-dependent  
34 recreational and ecotourism uses in the Port Planning Area.

35

1 ~~Policy 2A.3.4.1: The Port of Ft. Pierce, working with federal, state and local governmental~~  
2 ~~bodies, the private sector, and other interested parties, shall encourage recreational uses within~~  
3 ~~the Port Planning Area.~~

4  
5 Policy 2A.3.4.2<sup>1</sup>: The Port of Ft. Pierce, working with federal, state and local governmental  
6 bodies, the private sector, and other interested parties, shall maintain a public education and  
7 information program for the commercial and recreational boating activities on and adjacent to  
8 the Port Planning Area to alert and advise those users of the environmentally sensitive  
9 resources in the area.

10  
11 Objective 2A.3.5: The Port of Ft. Pierce, in compliance with federal, state, and local laws, shall  
12 work with appropriate public safety entities to revise the port security management plan for the  
13 Port Operations Area by ~~December 2003~~.

14  
15 Policy 2A.3.5.1: The Port of Ft. Pierce shall use its best efforts to ensure that port security will  
16 protect port users and citizens from crime or terrorism concerns and prevent any increase in  
17 criminal activity or enterprises.

18  
19 Policy 2A.3.5.2: The Port of Ft. Pierce, working with federal, state and local governmental  
20 bodies, the private sector, and other interested parties, shall develop a public education  
21 program for the port security management plan to ensure that the owners, users, other  
22 responsible parties, and members of the public understand port security.

23  
24 **Goal 2A.4: Environmental Protection** - The Indian River Lagoon is recognized as the most  
25 biodiverse estuary in North America and as an important component of the local economic base  
26 and the overall quality of life in the community. As such, the integrity of the Indian River Lagoon  
27 shall be protected by correcting any detrimental effects caused by current operations and  
28 ensuring long-term development and improvement activities are consistent with all local, state  
29 and federal environmental laws and regulations.

30  
31 Objective 2A.4.1: The Port of Ft. Pierce, working with federal, state, and local governmental  
32 bodies, the private sector, and other interested parties, shall ensure the protection and  
33 restoration of the Indian River Lagoon and avoid future degradation of the Lagoon's ecological  
34 health due to port activities.

35

1 Policy 2A.4.1.1: The Port of Ft. Pierce, working with federal, state and local governmental  
2 bodies, the private sector, and other interested parties, will regulate discharges coming from  
3 port activities into the Indian River Lagoon to prevent air and water pollution in violation of any  
4 adopted federal, state, or local laws or regulations. Berthing, seawall and drainage  
5 infrastructure will actively be pursued to eliminate or reduce and treat existing runoff. Existing  
6 port businesses should be retrofitted to reduce pollution in the Indian River Lagoon.

7

8 Policy 2A.4.1.2: The Port of Ft. Pierce, working through the Comprehensive Plans and Land  
9 Development Regulations of the appropriate local general purpose government, shall address  
10 excessive freshwater inflows originating from the Port Planning Area to minimize their impacts  
11 on estuarine salinity, consistent with guidelines being developed by the U.S. Army Corp of  
12 Engineers and the South Florida Water Management District. ~~in the Indian River Lagoon—~~  
13 ~~South Feasibility Study Draft (2001).~~

14

15 Policy 2A.4.1.3: The Port of Ft. Pierce, working with other governmental bodies, private  
16 interests, and other interested parties, shall limit inputs of suspended materials, nutrient inflows,  
17 and toxic substances from the Port Planning Area into the Indian River Lagoon to state and  
18 federal approved limits.

19

20 Policy 2A.4.1.4: The Port of Ft. Pierce shall work with other governmental bodies, private  
21 interests, and other interested parties to enforce existing laws and prevent exotic invasive  
22 species from entering the Indian River Lagoon via ship's ballast and bilge water or cargo or any  
23 other method including detrimental impacts of mega-yacht, marine industries and recreational  
24 boating uses.

25

26 Policy 2A.4.1.5: The Port of Ft. Pierce will develop a port area maintenance program to ensure  
27 environmental compliance by the Port and for any activities occurring within the Port Planning  
28 Area.

29

30 Objective 2A.4.2: The Port of Ft. Pierce with work with other governmental bodies, private  
31 interests, and other interested parties, to prevent detrimental effects on the Indian River Lagoon  
32 caused by port activities by supporting estuarine diversity and the protection, maintenance, and  
33 enhancement of the population of endangered and threatened species.

34

35 Policy 2A.4.2.1: The Port of Ft. Pierce shall work with other governmental bodies, private  
36 interests, and other interested parties to preserve and restore seagrass beds and mitigate any

1 permitted losses to existing seagrass beds caused by port activities to the maximum extent  
2 possible.

3

4 Policy 2A.4.2.2: The Port of Ft. Pierce, working with other governmental bodies, private  
5 interests, and other interested parties, shall protect endangered and threatened mammals, fish,  
6 reptiles, amphibians, and invertebrates from port activities in the Indian River Lagoon.

7

8 Policy 2A.4.2.3: The Port of Ft. Pierce, working with other governmental bodies, private  
9 interests, and other interested parties, shall take appropriate actions to protect and conserve fin  
10 and shellfish resources in the Indian River Lagoon from damage due to port activities.

11

12 Objective 2A.4.3: The Port of Ft. Pierce, working with other governmental bodies, private  
13 interests, and other interested parties, shall protect and maintain the existing natural coastal  
14 areas and resources within the Port Planning Area.

15

16 Policy 2A.4.3.1: The Port of Ft. Pierce, working with the Comprehensive Plan and Land  
17 Development Regulations of the appropriate local general purpose government, shall address  
18 maintenance and reduction of existing air quality emissions from port activities to ensure that  
19 new emissions from the Port meet applicable air quality standards.

20

21 Policy 2A.4.3.2: The Port of Ft. Pierce, working with other governmental bodies, private  
22 interests, and other interested parties, shall create a scientific advisory committee, composed of  
23 researchers and managers from the Smithsonian Institute, Harbor Branch Oceanographic  
24 Institution, Ocean Research and Conservation Association (ORCA) and other regional marine  
25 research institutions, to provide scientific advice on port operations and activities (commercial,  
26 industrial and recreational) that may impact the Indian River Lagoon.

27

28 Policy 2A.4.3.3: The Port of Ft. Pierce, working with other governmental bodies, private  
29 interests, and other interested parties, will develop a list of best management practices for  
30 environmental protection which have been used successfully by other Ports to ensure efficient  
31 and effective management of port operation activities while providing environmental protection.

32 Policy 2A.4.3.4: The Port of Ft. Pierce, working with other governmental bodies, private  
33 interests, and other interested parties, should encourage the use of an absorbing type system of  
34 bulkheading where possible to protect the natural coastline in the port and surrounding areas.

35

1 Policy 2A.4.3.5: The Port of Ft. Pierce, working with other governmental bodies, private  
2 interests, and other interested parties, ~~will, by January 2006, identify, acquire (if necessary) and~~  
3 will continue to operate, maintain and improve a permanent spoil disposal site for materials  
4 dredged from the port planning area.

5  
6 Objective 2A.4.4: In keeping with the St. Lucie County Manatee Protection Plan (MPP), the Port  
7 of Ft. Pierce will work with other governmental agencies and private interests to improve  
8 protection of the manatees and enforcement of existing related laws within the Port Planning  
9 Area.

10  
11 Policy 2A.4.4.1: The Port of Ft. Pierce, working with other governmental bodies, private  
12 interests, and other interested parties, will adjust future and proposed dock design and  
13 construction to be consistent with manatee protection measures.

14  
15 Policy 2A.4.4.2: The Port of Ft. Pierce, working with other governmental bodies, private  
16 interests, and other interested parties, will conduct maintenance dredging in the Port Planning  
17 Area in a manner that is consistent with manatee protection measures.

18  
19 Policy 2A.4.4.3: The Port of Ft. Pierce, working with other governmental bodies, private  
20 interests, and other interested parties, will conduct activities involving expansion of ship berths  
21 and maintenance of channels in a manner that is consistent with manatee protection measures  
22 in the Port Planning Area.

23  
24 Policy 2A.4.4.4: The Port of Ft. Pierce, working with other governmental bodies, private  
25 interests, and other interested parties, will conduct activities involving explosives in a manner  
26 that is consistent with manatee protection measures in the Port Planning Area.

27  
28 Policy 2A.4.4.5: The Port of Ft. Pierce, working with other governmental bodies, private  
29 interests, and other interested parties, will conduct activities involving sediment removal and  
30 disposal in a manner that is consistent with manatee protection in the Port Planning Area.

31  
32 Policy 2A.4.4.6: The Port of Ft. Pierce, working with other governmental bodies, private  
33 interests, and other interested parties, will protect and/or mitigate seagrass beds and  
34 submerged aquatic vegetation that serve as manatee habitat in the Port Planning Area.

1

2 Policy 2A.4.4.7: The Port of Ft. Pierce, working with other governmental bodies, private  
3 interests, and other interested parties, will help to develop guidelines and establish an education  
4 program for crew procedures regarding observing and avoiding manatees when arriving and  
5 departing from docks in the Port Planning Area.

6

7 **Goal 2A.5: Public Access** - The Port of Ft. Pierce, working with other governmental bodies,  
8 private interests, and other interested parties, shall enhance public access to the Port Planning  
9 Area.

10

11 Objective 2A.5.1: The Port of Ft. Pierce, working with other governmental bodies, private  
12 interests, and other interested parties, shall develop an integrated open space system to  
13 provide public access between those portions in the Port Planning Area that are open to the  
14 public and the surrounding community.

15

16 Policy 2A.5.1.1: The Port of Ft. Pierce, working with other governmental bodies, private  
17 interests, and other interested parties, shall facilitate public access to short-term parking.

18

19 Policy 2A.5.1.2: The Port of Ft. Pierce shall encourage unobstructed public access to  
20 designated public fishing areas.

21

22 Policy 2A.5.1.3: The Port of Ft. Pierce shall cooperate with and support efforts of other  
23 interested governmental bodies in providing access to unobstructed scenic views of the Indian  
24 River Lagoon.

25

26 Policy 2A.5.1.4: The Port of Ft. Pierce shall encourage the City, County, and State to improve  
27 and maintain an orderly network of streets and entrances to access port facilities.

28

29 Policy 2A.5.1.5: The Port of Ft. Pierce shall develop an integrated open space system along the  
30 waterfront of the Port Operations Area, with the exception of areas where such access would  
31 pose a safety or security concern or where it would interfere with approved port activities.

32

1 Policy 2A.5.1.6: The Port of Ft. Pierce shall encourage multi-use marine recreational activities,  
2 walkways, and multiuse path within the open space system in the Port Planning Area and  
3 provide linkages with the network in Fort Pierce.

4

5 **Goal 2A.6: Emergency Management** - The public will be protected in various emergency  
6 situations through cooperation between the Port of Ft. Pierce and other governmental bodies to  
7 achieve maximum levels of safety and to restrict commerce of hazardous materials in the Port  
8 of Ft. Pierce.

9

10 Objective 2A.6.1: The Port of Ft. Pierce, working with regional and state emergency  
11 management agencies, private interests, and other interested parties, shall identify new and  
12 existing procedures to ensure public safety in the event of a hurricane or other natural disaster.

13

14 Policy 2A.6.1.1: The Port of Ft. Pierce shall comply with the comprehensive emergency  
15 management plans of appropriate local general purpose government to ensure safe evacuation  
16 of the Port during times of a hurricane or other disasters.

17

18 Policy 2A.6.1.2: The Port of Ft. Pierce shall work with the City of Ft. Pierce and St. Lucie County  
19 to ensure that all development activities within the Port Planning Area, including the Port  
20 Operations Area, are consistent with State of Florida's policies on development within areas  
21 identified as Coastal High Hazard Areas. New residential uses within areas designated as  
22 Coastal High Hazard as defined in ~~Rule 9J-5, FAC,~~ the St. Lucie County Land Development  
23 Code, shall be discouraged.

24

25 Objective 2A.6.2: The Port of Ft. Pierce, working with other governmental bodies, shall comply  
26 and cooperate to ensure that adequate procedures are in place to respond to a hazardous  
27 material spill.

28

29 Policy 2A.6.2.1: The Port of Ft. Pierce shall comply with the processes of federal, state, and  
30 local governments for safe and expedient cleanup of hazardous spills.

31

32 Policy 2A.6.2.2: The Port of Ft. Pierce shall cooperate with governmental bodies to provide  
33 complete and timely information to the public in the event of a hazardous materials accident.

34

1

2 **Goal 7: Landside Infrastructure** - Landside and waterside infrastructure serving the Port of Ft.  
3 Pierce should meet the Port's future requirements in a manner consistent with the abilities of the  
4 appropriate agencies to provide the services needed to support approved port activities.

5

6 Objective 2A.7.1: The Port of Ft. Pierce shall work with other governmental agencies to improve  
7 linkages between the Port Facilities and intermodal transportation routes.

8

9 Policy 2A.7.1.1: The Port of Ft. Pierce, working with other governmental bodies, private  
10 interests, and other interested parties, should limit increased traffic congestion in the Port  
11 Planning Area and on roadways adjacent to the Port Planning Area consistent with the adopted  
12 levels of service in the Comprehensive Plan of the appropriate local general purpose  
13 government.

14

15 Policy 2A.7.1.2: The Port of Ft. Pierce should enhance and expand activities that tie the Port to  
16 the St. Lucie County Airport and coordinate with the Florida Department of ~~Community Affairs~~  
17 ~~(DCA), the Governor's Office of Tourism, Trade and Economic Development (OTTED),~~  
18 Economic Opportunity, Florida Department of Transportation (FDOT) and the Florida East  
19 Coast (FEC) Railroad, Tri-rail and other possible rail services, in order to encourage multimodal  
20 development, maximize intermodal transportation connections, and facilitate the continued  
21 economic growth, development, and vitality of St. Lucie County. Beginning in December 2003  
22 and continuing annually thereafter, the Port of Ft. Pierce shall prepare a State of the Ports  
23 Report to demonstrate to the public how activities of both facilities are furthering the quality of  
24 life of St. Lucie County residents.

25

26 Policy 2A.7.1.3: The Port of Ft. Pierce, working with other governmental bodies, should facilitate  
27 expansion of public transit to and from the Port Planning Area.

28

29 **Goal 2A.8: Navigation Channels** - Navigation channels serving the port's maritime and  
30 recreational activities shall meet existing and limited future needs as outlined in this plan.

31

32 Objective 2A.8.1: The Port of Ft. Pierce shall maintain the maximum channel depth at 28 feet  
33 with its current width as identified on the Army Corps of Engineer's Project Condition Survey  
34 ~~dated August 2004.~~

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Policy 2A.8.1.1: The Port of Ft. Pierce shall coordinate with the U.S. Army Corps of Engineers and the Florida Inland Navigation District to provide for the maintenance of the navigation channels, including location of spoil disposal sites.

Policy 2A.8.1.2: The Port of Ft. Pierce shall coordinate with the U.S. Coast Guard in the placement and maintenance of the navigational aids within the port area.

Policy 2A.8.1.3: The Port of Ft. Pierce, working with other governmental bodies, the private sector, and other interested parties, ~~will, by January 2006,~~ shall continue to operate, maintain and improve ~~identify, acquire (if necessary) and permit~~ a permanent spoil disposal site for materials dredged from the Port Planning Area.

Objective 2A.8.2: The Port of Ft. Pierce shall seek to improve the condition of Taylor Creek from the S-50 Spillway to the Intracoastal Waterway through maintenance dredging and water quality improvement projects.

~~Policy 2A.8.2.1: The Port of Ft. Pierce shall request that St. Lucie County include as part of its Capital Improvements Programs, funding for the restoration and improvement of Taylor Creek through maintenance dredging and water quality improvement projects to supplement funds received from other agencies.~~

**Potable Water Sub-element 4a**

Policy 4a.1.5.2: St. Lucie County hereby adopts by reference the Water Supply Facilities Work Plan (Work Plan) approved by resolution on July 15, 2014, for a planning period of not less than 10 years. The Work Plan addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the St. Lucie County water service area. The County shall review and update the Work Plan at lease every five (5) years within 18 months after the governing board of water management district approves an updated regional water supply plan. Any changes affecting the Work Plan shall be included in the annual Capital Improvements Element.

## Conservation Element 6

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3  
4 Policy 6.1.14.6 - All new development on lots ~~less than five acres and not~~ containing a  
5 Category ~~I or II~~ III wetland shall provide a minimum 25-foot buffer between the wetland  
6 jurisdictional line and the area of development. The buffer, as measured landward from  
7 the approved jurisdictional line, shall be maintained in a natural vegetative state and be  
8 free of exotic and nuisance species as defined by the Florida Pest Council. No  
9 development shall occur within the wetland buffer except as identified in 6.1.14.2.

10  
11  
12 Policy 6.1.5.7 - The County shall protect groundwater by prohibiting the use of any land  
13 within unincorporated County for "High-Intensity Petroleum Operations," (such as  
14 hydraulic fracturing, also known as fracking, and acid well stimulation treatments) and  
15 enhanced recovery wells (such as cyclic steam injection). High-Intensity Petroleum  
16 Operations include, well stimulation treatments and secondary and enhanced recovery  
17 operations such as hydraulic fracturing, cyclic steam injection, waterflood or steamflood  
18 injection and acid well stimulation treatments.

19  
20

**Exhibit 4**  
**Correspondence from Martin County**



**MARTIN COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
2401 S.E. MONTEREY ROAD • STUART, FL 34996

RECEIVED

OCT 22 2015

TREASURE COAST  
REGIONAL PLANNING COUNCIL

Telephone: 772-288-5495  
Fax: 772-288-5764  
Email: nikkiv@martin.fl.us

**DOUG SMITH**  
Commissioner, District 1

**ED FIELDING**  
Commissioner, District 2

**ANNE SCOTT**  
Commissioner, District 3

**SARAH HEARD**  
Commissioner, District 4

**JOHN HADDOX**  
Commissioner, District 5

**TARYN KRYZDA, CPM**  
County Administrator

**MICHAEL D. DURHAM**  
County Attorney

October 14, 2015

Michael Busha, AICP  
Executive Director  
Treasure Coast Regional Planning Council  
421 S.W. Camden Avenue  
Stuart, Florida 34994

Re: St. Lucie County Amendment 15-3.

Dear Mr. Busha,

The Martin County Growth Management Department has reviewed the proposed change to the Conservation Element of the St. Lucie County Comprehensive Plan. The protection of ground water is a high priority for Martin County and we wish to support the proposed amendment to Policy 6.1.5.7 of the St. Lucie Comprehensive Plan.

Attached is a resolution adopted by the Martin County Board of County Commissioners on this subject.

Sincerely,

Nicki van Vonno, AICP  
Growth Management Director

NvV:cd

cc: Martin County Board of County Commissioners  
Taryn Kryzda, Martin County Administrator  
Michael Durham, Martin County Attorney  
Howard Tipton, St. Lucie County Administrator  
File

TELEPHONE  
772-288-5400

WEB ADDRESS  
<http://www.martin.fl.us>

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

**RESOLUTION NUMBER 15-9.24**

**A RESOLUTION SUPPORTING A STATEWIDE BAN ON HORIZONTAL  
OIL DRILLING AND HYDRAULIC FRACTURING, ACID FRACTURING,  
AND WELL STIMULATION PERFORMED FOR THE PURPOSES OF  
EXPLORATION OR PRODUCTION OF OIL OR NATURAL GAS IN THE  
STATE OF FLORIDA**

WHEREAS, the Martin County Board of County Commissioners is charged generally with safeguarding the health, safety and welfare of the residents of the County; and

WHEREAS, the Martin County Board of County Commissioners is dedicated to protecting and improving our most precious natural resources; and

WHEREAS, hydraulic fracturing is the process of pumping a fluid into or under the surface of the ground in order to create fractures in existing rock for the purpose of producing or recovering oil or gas; and

WHEREAS, hydraulic fracturing, also known as well stimulation, may involve the use of hundreds of chemicals, some of which are known to be carcinogenic or could otherwise be harmful to human beings; and

WHEREAS, exposure to the chemicals used in well stimulation treatments may pose a widespread and significant risk to public health and safety and the environment; and

WHEREAS, according to the Florida Department of Environmental Protection, the state's surface and ground water resources are intimately connected and support drinking water supplies, agriculture, industry, wildlife habitat and a thriving recreation based economy; and

WHEREAS, there have been more than a 1,000 documented cases of water contamination near fracking sites; and

WHEREAS, the pollution of water caused by well stimulation and fracking threatens the long term economic well-being of communities, as businesses and consumers depend on clean drinking water; and

WHEREAS, the oil and gas industry is not required by federal law to publicly disclose chemical formulas of well stimulation and fracturing fluids so that this information is publicly unavailable for health and safety purposes; and

WHEREAS, hydraulic fracturing may involve the use of substantial amount of freshwater at a time when many Florida local governments are struggling with the impacts that water scarcity may have in the state in the near future; and

WHEREAS, hydraulic fracturing poses potential risks for contaminating the Floridan Aquifer, the source of drinking water for nearly 10 million Floridians; and

WHEREAS, the wise stewardship of our natural resources involves protection of Florida's water supplies and water resources for generations to come; and

WHEREAS, protection of Florida's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact;

WHEREAS, the prohibition of such practices will help protect the public health, safety and welfare of the state.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

1. The Martin County Board of County Commissioners does hereby support a statewide ban on the use of horizontal oil drilling, hydraulic fracturing, acid fracturing and well stimulation treatments performed for the purposes of exploration or production of oil or natural gas in the State of Florida due to the potential harmful impacts on the environment and natural resources of Martin County.

2. The County Administrator is directed to send to the Governor of the State of Florida and each member of the County's legislative delegation a certified copy of this resolution to show the Board's support for a statewide ban on horizontal oil drilling, hydraulic fracturing, acid fracturing and well stimulation performed for the purposes of exploration and production of oil and natural gas in the State of Florida.

**DULY PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

ATTEST:



CAROLYN TIMMANN, CLERK OF  
CIRCUIT COURT & COMPTROLLER

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA



ED FIELDING, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:



MICHAEL D. DURHAM  
COUNTY ATTORNEY