

# INTRODUCTION

## Conservation Element

The Conservation Element provides the framework for the preservation, protection and wise use of the County's natural resources. The intent of this element is to provide a basis for effective decision-making regarding the appropriate use of natural resources when faced by increasing growth and urban development, in addition to the identification and preservation of important ecological systems.

Despite the rapid growth experienced in the County over the last three decades, there remains an abundance of natural resources. However, as growth pressures increase, so does the need for protection and management of these resources. This element undertakes a responsible approach to stewardship of natural resources by recognizing the contribution of these resources to Clay County's quality of life.

The goals, objectives, and policies concerning natural resources have been divided into the following areas: air quality, water resources, natural vegetative communities and wildlife, mineral resources and soils, wetlands and floodplains, and hazardous waste management.

Air quality is not considered to be a major problem at the present. However, measures are included to prevent substantial degradation of the County's air quality as growth continues.

Preventing further harm to the water quality of the County's lakes, rivers, and groundwater is high on the agenda of this element. A program to implement protection of County waters along with methods to ensure the continuing natural functions of water bodies, wetlands and floodplains.

Protection measures are proposed to conserve important areas of native vegetation through a range of techniques. Perhaps the best protective technique of all will be through the designation of land uses in the Future Land Use Element. The best examples of diverse ecological communities are found in undeveloped areas. Once such communities are identified, they can best be protected by directing urban growth away from them. A program of identification will be undertaken, and growth into those areas will be regulated. Wildlife protection is accomplished by preserving habitat necessary to the survival of wildlife species.

Future land use designation of areas appropriate for the extraction of mineral resources will serve to protect the economic value of these areas by preventing

encroachment of other types of development. At the same time, measures to minimize environmental degradation from the adverse impacts of mining activities.

The management of hazardous waste is a continuing concern statewide and nationally. Proposals are included to address the County's progressive role in ensuring proper management of these wastes.

The element also contains policies to identify and prioritize the options available for acquisition and protection of environmentally sensitive lands.

The statement of goals, objectives, and policies in this Conservation Element is one of the foundations for the revision, preparation, and adoption of land development regulations to. These policies are derived from an analysis of the existing conditions within the natural environment of the County, as well as an examination of the other elements of the Comprehensive Plan.

The following goals, objectives, and policies have been developed for the use of local policy makers in guiding and directing the decision-making process regarding the conservation of natural resources. For purposes of definition, the included goals are a generalized statement of a desired end state toward which objectives and policies are directed. The objectives provide the attainable and measurable ends toward which Clay County directs specific efforts. The policies provided are the specific recommended actions that the County will follow in order to achieve the identified objectives.

**CON GOAL 1** To preserve, conserve and appropriately manage the natural resources of Clay County and provide protection of environmentally sensitive lands, life and property from natural and man-made hazards.

**CON OBJ 1.1** The County shall protect ambient air quality such that it meets or exceeds minimum standards as defined by the United States Environmental Protection Agency.

**CON POLICY 1.1.1**

To reduce pollution generated from automobiles, the County shall:

- 1) Continue to support Traditional Neighborhood Development that reduces vehicle miles travelled.
- 2) Continue to enforce the provisions of the tree protection and landscaping ordinance requiring landscaping and vegetative buffers between arterial roadways and new residential developments.
- 3) Ensure that sidewalks, bicycle paths, and bicycle lanes are provided in new and infill development as required under the Transportation Element and the Future Land Use Element of this Plan.
- 4) Adopt a Greenways and Trails Master Plan to encourage non-motorized transportation and recreation on a County-wide basis.
- 5) Encourage efficient traffic flow by maintaining adequate levels of service on County roadways as required under the Transportation Element of this Plan.

**CON POLICY 1.1.2**

The County shall continue to enforce the Tree Protection and Landscaping Ordinance.

**CON OBJ 1.2** The County shall prevent further degradation of ambient water quality and conserve and protect the quantity of surface water resources.

**CON POLICY 1.2.1**

The County shall regulate future waterfront development (excluding manmade water bodies or stormwater facilities). The following criteria shall apply:

- 1) All structures shall be set back a minimum of 50 feet landward from the Ordinary High-Water Line or Mean High Water Line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing

bulkheads permitted by the St. Johns River Water Management District or Florida Department of Environmental Protection.

These setbacks shall not apply to water dependent uses and recreational facilities, including boardwalks, docks, and boathouses, when constructed pursuant to permits or authorizations issued by the St Johns River Water Management District, the Florida Department of Environmental Protection, or the Board of Trustees of the Internal Improvement Trust Fund, or constructed pursuant to applicable statutory or rule exemptions. *Remedial Amendment, DOAH No. 07-0453GM, April 2007*

- 2) All Onsite Sewage Disposal Systems septic tanks and drain fields shall be set back a minimum of 100 feet landward from the appropriate high water line as permitted by state rule or allowed by the applicable permitting agency; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback shall be 150 feet.

All Onsite Sewage Treatment Systems shall be located on the landward side of the primary structure except that infill lots within existing development served by onsite sewage disposal systems shall be exempted when state requirements for the distance between wells and onsite sewage treatment systems cannot be obtained.

- 3) A 25-foot buffer zone of native vegetation shall be preserved landward of the Ordinary High Water Line or Mean High Water Line, whichever is applicable, or the historical high in the case of lakes without an established Ordinary High Water Line. Exceptions shall be made to trim vegetation within the buffer in order to maintain water views. Up to 25 linear feet or 20 percent of the buffer (whichever is greater) can be removed for the placement of water-dependent uses including dock walkways, boat ramps, etc. Where the length of shoreline exceeds 250 feet within areas of the county subject to the Manatee Protection Plan, no more than 50 linear feet of native shoreline vegetation shall be altered (trimmed, cut, removed, killed, or destroyed).

Waterfront lot widths shall be a minimum of one hundred (100) feet at the Ordinary High Water Line or the Mean High Water Line, whichever is applicable, or the historical high in the case of lakes without an established Ordinary High Water Line.

### **CON POLICY 1.2.2**

Develop a Master Stormwater Management Plan, including existing stormwater plans, that shall identify and prioritize specific stormwater problems and recommendations for eliminating these sources of pollution.

Such Master Stormwater Management Plan shall include strategies to meet any established Total Maximum Daily Loads and/or Pollutant Reduction Goals adopted pursuant to Chapter 62-303 F.A.C.

Such Master Stormwater Management Plan shall be completed in phases as funds are available. The phasing shall be determined by Public Works with a target date of completion no later than December 31, 2025.

### **CON POLICY 1.2.3**

The County shall continue to enforce adopted land development regulations which contain provisions in the site plan review process to prevent soil erosion and subsequent off-site siltation of surface water bodies.

### **CON POLICY 1.2.4**

Clay County shall continue to mark and enforce boating speed zones where appropriate (including Black Creek) to reduce shore erosion.

### **CON POLICY 1.2.5**

The County shall continue to enforce Land Development Regulations requiring identification of wetlands on all development plans.

### **CON POLICY 1.2.6**

Unless determined to be permissible by the State and Clay County Health Department, onsite sewage treatment and disposal systems shall be prohibited in floodways and the 10 year floodplain.

### **CON POLICY 1.2.7**

All septic tanks permitted shall meet or conform to State and Clay County Health Department requirements.

### **CON POLICY 1.2.8**

Permits for onsite sewage treatment and disposal systems shall not be issued for lots with less than one-half acre of net usable land exclusive of marsh, wetland, surficial water bodies, roads, etc.

### **CON POLICY 1.2.9**

Inspections of existing onsite sewage treatment and disposal systems shall be required when such system or related dwelling unit is altered, enlarged or

replaced, if the system has not been inspected within 3 years, as required by Chapter 64E-6 F.A.C.

**CON POLICY 1.2.10**

The County shall continue to require, at the time of development or redevelopment, the provision of stormwater management facilities that prevent direct stormwater discharge to a receiving water body. Development of individual single family lots shall include the provision of a swale and berm landward of the Ordinary High Water Line or Mean High Water Line, or the historical high on lakes without an established Ordinary High Water Line, whichever is applicable, whenever a community stormwater facility is not associated with development of the lot.

**CON POLICY 1.2.11**

At such time as new statewide stormwater management requirements or water management district stormwater management requirements are adopted, the County shall update land development regulations to conform to the new standards.

**CON POLICY 1.2.12**

The County shall coordinate with the SRJWMD and FDEP to identify water quality problems and to propose solutions for resolving them. Priority shall be given to state-adopted impaired waters with established Total Maximum Daily Loads.

**CON POLICY 1.2.13**

The County shall maintain its capital and user-funded strategic road-paving program to pave roads in areas where water bodies have been determined to be significantly impacted by erosion and siltation from unpaved roads. The County shall continue to pursue all available funding mechanisms for this program.

**CON POLICY 1.2.14**

The County shall coordinate with the SJRWMD to develop strategies for maintaining adequate water levels and flows in water bodies with Minimum Flows and Levels established by Chapter 40C-8 F.A.C.

**CON POLICY 1.2.15**

The County shall encourage golf courses, agricultural, and silvicultural operations to follow applicable Best Management Practices and/or Interim Measures that include water quality protection or water conservation criteria. These may include but are not limited to Best Management

Practices and Interim Measures published by the USDA Natural Resources Conservation Service (NRCS), University of Florida Institute of Food and Agriculture Sciences (IFAS), the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, the Florida Department of Economic Opportunity, or the St. Johns River Water Management District, and those included in F.A.C. rules or the Code of Federal Regulations adopted by these same agencies.

**CON OBJ 1.3    The County shall prevent further degradation of ambient water quality and conserve and protect the quantity of groundwater resources.**

**CON POLICY 1.3.1**

Areas shown by the SJRWMD to potentially contribute 8 inches or more per year of recharge to the Floridan aquifer are designated as high recharge areas as shown on the Floridan *Aquifer Recharge Map*. An Aquifer Recharge Overlay Zone showing these high recharge areas shall be created in the land development regulations, and shall be protected from incompatible land uses to ensure adequate recharge rates and water quality maintenance. The County will coordinate with the St. Johns River Water Management District to review the recharge protection standards as new data becomes available. The requirements of Community Facilities Element Policy 1.6.1 shall apply.

**CON POLICY 1.3.2**

The County Economic and Development Services Department shall coordinate with the Clay County Health Department to protect groundwater quality near potable water supply wells. The County shall establish a primary wellhead protection zone having a radius of 500 feet around all potable water supply wells. Potable water supply wells shall be defined as all public and private potable water wells which serve a minimum of 15 service connections used by year round residents, or serving at least 25 year round residents. Within the wellhead protection zone, all facilities and activities shall comply with the Wellhead Protection Rule (Chapter 62-521 F.A.C.).

- 1) New domestic wastewater treatment facilities shall be provided with Class I reliability as described in Chapter 62-600, F.A.C., and flow equalization. New wastewater ponds, basins, and similar facilities shall be lined or sealed to prevent measurable seepage. Unlined reclaimed water storage systems are allowed for reuse projects permitted under Part III of Chapter 62-610, F.A.C.
- 2) New reuse and land application projects shall be prohibited except for new projects permitted under Part III of Chapter 62-610, F.A.C.

- 3) New domestic wastewater residuals land application sites, as defined in Chapter 62-640, F.A.C., shall be prohibited.
- 4) New discharges to ground water of industrial wastewater, as regulated under Chapters 62-660, 62-670, 62-671, and 62-673, F.A.C., shall be prohibited except as provided below:
  - a) All non-contact cooling water discharges (without additives); and
  - b) Discharges specifically allowed within a wellhead protection area in Chapters 62-660, 62-670, 62-671, and 62-673, F.A.C.
- 5) New phosphogypsum stack systems, as regulated under Chapter 62-673, F.A.C., are prohibited.
- 6) New Class I and Class III underground injection control wells, as regulated in Chapter 62-528, F.A.C., are prohibited.
- 7) New Class V underground injection control wells, as regulated in Chapter 62-528, F.A.C., are prohibited except as provided below:
  - a) Thermal exchange process wells (closed-loop without additives) for use at single-family residences; and
  - b) Aquifer storage and recovery systems wells, where the injected fluid meets the applicable drinking water quality standards in Chapter 62-550, F.A.C.
- 8) New solid waste disposal facilities regulated under Chapter 62-701, F.A.C., are prohibited.
- 9) New generators of hazardous waste, as regulated under Chapter 62-730, F.A.C., which excludes household hazardous waste as defined in 40 C.F.R. Part 261.4(b)(1) (1994), hereby incorporated and adopted by reference, shall comply with the secondary containment requirements of 40 C.F.R. Part 264 Subpart I (1994), hereby incorporated and adopted by reference.
- 10) New hazardous waste treatment, storage, disposal, and transfer facilities requiring permits under Chapter 62-730, F.A.C., are prohibited.
- 11) New aboveground and underground tankage of hazardous wastes regulated under Chapter 62-730, F.A.C., is prohibited.
- 12) Underground storage tanks regulated under Chapter 62-761, F.A.C., shall not be installed 90 days after the effective date of this rule. Replacement of an existing underground storage tank system regulated under Chapter 62-761, F.A.C., within the same excavation, or addition of new underground storage tanks regulated under Chapter 62-761,

F.A.C., at a facility with other such underground storage tanks is exempt from this provision, provided that the replacement or new underground storage tank system is installed with secondary containment as required in Chapter 62-761, F.A.C.

- 13) Aboveground storage tanks regulated under Chapter 62-762, F.A.C., shall not be installed 90 days after the effective date of this rule. Replacement or upgrading of an existing aboveground storage tank or addition of new aboveground storage tanks which are regulated under Chapter 62-762, F.A.C., at a facility with other such aboveground storage tanks is exempt from this provision, provided that the replacement or new aboveground storage tank system meets the applicable provisions of Chapter 62-762, F.A.C.
- 14) Storage tanks which meet the auxiliary power provisions of Rule 62-555.320(6), F.A.C., for operation of a potable water well and storage tanks for substances used for the treatment of potable water are exempt from the provisions of this rule. Storage tanks regulated under Chapters 62-761 and 62-762, F.A.C., shall continue to meet the requirements of those chapters.

### **CON POLICY 1.3.3**

New wells shall meet the requirements stated in Policy 1.3.2 and shall additionally be located according to Rule 62-555.312(3) F.A.C. as follows:

New wells shall be located no closer than 100 feet from other sanitary hazards that pose a potentially high risk to ground water quality and public health and shall be located no closer than 50 feet from other sanitary hazards that pose a moderate risk to ground water quality and public health. The following are examples of other sanitary hazards that pose a potentially high risk: active or abandoned mines; airplane or train fueling or maintenance areas at airports and railroad yards; animal feeding operations other than those regulated under Rule 62-670.500, F.A.C.; concentrated aquatic animal production facilities; domestic wastewater collection/transmission systems; drainage or injection wells, oil or gas production wells, and improperly constructed or abandoned wells (i.e., wells not constructed or abandoned in accordance with Chapter 62-532, F.A.C.); fertilizer, herbicide, or pesticide storage areas at agricultural sites, golf courses, nurseries, and parks; graveyards; impoundments and tanks that process, store, or treat domestic wastewater, domestic wastewater residuals, or industrial fluids or waste and that are not regulated under Rule 62-670.500, F.A.C.; industrial waste land application areas other than those regulated under Rule 62-670.500, F.A.C.; junkyards and salvage or scrap yards; pastures with more than five grazing animals per acre; pipelines conveying petroleum products, chemicals, or

industrial fluids or wastes; and underground storage tanks that are not regulated under Chapter 62-761, F.A.C., but are used for bulk storage of a liquid pollutant or hazardous substance (as defined in Chapter 62-761, F.A.C.) other than sodium hypochlorite solution. The following are examples of other sanitary hazards that pose a moderate risk: aboveground storage tanks that are not regulated under Chapter 62-761, F.A.C., but are used for bulk storage of a liquid pollutant or hazardous substance (as defined in Chapter 62-761, F.A.C.) other than sodium hypochlorite solution; fertilizer, herbicide, or pesticide application areas that are not under the ownership or control of the supplier of water at agricultural sites, golf courses, nurseries, and parks; railroad tracks; stormwater detention or retention basins; and surface water.

The Clay County Economic and Development Services Department shall coordinate with the County Health Department, Florida Department of Environmental Protection, and other applicable agencies to prohibit construction of the above named sanitary hazards within the buffer zone during the entire useful life of the well.

#### **CON POLICY 1.3.4**

Adequate water supplies and potable water facilities shall be in place and available to serve new development no later than the issuance by the County of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the County shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent.

#### **CON POLICY 1.3.5**

All new water wells shall be cased to SJRWMD and/or other applicable state standards to ensure that they do not provide a means of groundwater contamination.

#### **CON POLICY 1.3.6**

The County shall encourage golf courses, agricultural, and silvicultural operations to follow applicable Best Management Practices and/or Interim Measures that include water quality protection or water conservation criteria. These may include but are not limited to Best Management Practices and Interim Measures published by the USDA Natural Resources Conservation Service (NRCS), University of Florida Institute of Food and Agriculture Sciences (IFAS), the Florida Department of Environmental

Protection, the Florida Department of Agriculture and Consumer Services, the Florida Department of Economic Opportunity, or the St. Johns River Water Management District, and those included in F.A.C. rules or the Code of Federal Regulations adopted by these same agencies.

**CON POLICY 1.3.7**

The County shall coordinate on a regular basis with the Clay County Utility Authority (CCUA) and the St. Johns River Water Management District (SJRWMD) to analyze current and projected sustainable water sources for at least a 10-year period. The demands for industrial, agricultural and potable water use and the quality and quantity of water available to meet the current demands. This analysis shall be conducted pursuant to Section 163.3177(6)(d)3 of the Florida Statutes.

**CON OBJ 1.4    The County shall conserve potable water resources.**

**CON POLICY 1.4.1**

The County shall continue its water conservation programs which require the use of water-saving devices and xeriscaping, and promote water conservation through public education and awareness.

**CON POLICY 1.4.2**

Clay County will continue to adhere to the St. Johns River Water Management District's emergency water shortage plan as set forth in Chapter 40C-21, F.A.C.

**CON POLICY 1.4.3**

The County shall prohibit new water-to-air heat pumps except for those that utilize a closed-loop water circulation system.

**CON POLICY 1.4.4**

The County shall encourage the use of reclaimed water for residential irrigation and other beneficial uses based on availability.

**CON POLICY 1.4.5**

The County shall encourage new development, including golf courses, to seek independent conservation certifications that include water conservation criteria, such as but not limited to the Audubon International Signature Program for golf courses, Florida Yards and Neighborhoods, Florida Water Star<sup>SM</sup>, or Leadership in Energy and Environmental Design (LEED) Green Building Rating System<sup>TM</sup>.

#### **CON POLICY 1.4.6**

The County shall investigate the feasibility and potential benefit of implementing additional conservation strategies such as an irrigation ordinance and encouraging Low Impact Development Design concepts that utilize stormwater for irrigation as well as reducing the overall need for landscape irrigation.

**CON OBJ 1.5    The County shall regulate new development to ensure the preservation and protection of floodplains, wetlands, upland native vegetation communities, wildlife and fisheries.**

#### **CON POLICY 1.5.1**

The Clay County Planning and Zoning Division shall develop and maintain an inventory of environmentally sensitive areas which shall include 100-year floodplains as designated by FEMA; wetlands; Outstanding Florida Waters as designated by DEP; listed wildlife species populations; habitats supporting wildlife species listed as endangered, threatened, or species of special concern by the USFWS or the FFWCC; sandhill, scrub, or other natural biological communities identified by Florida Natural Areas Inventory as imperiled or critically imperiled; existing public and private conservation areas (such as wildlife preserves and fish or wildlife management areas, state parks, water management district conservation areas, resource-based parks and recreation areas, state forests, lands in the National Park system, National Forest system, or National Wildlife Refuge system, and lands owned and managed for other conservation purposes by public agencies or private conservation organizations) and areas identified by the SJRWMD as having 8 inches or more annual recharge to the Floridan Aquifer.

#### **CON POLICY 1.5.2**

Adopt or amend land development regulations to regulate development which impacts upon environmentally sensitive areas, as defined in Policy 1.5.1, and which address, at a minimum:

- 1) Proper siting of development structures and infrastructure, including clustering of dwelling units away from sensitive areas.
- 2) Restrictions on the uses allowed in listed species habitats to those found to be compatible with the requirements of wildlife species which are threatened, endangered, or of special concern as identified by the USFWS or FFWCC.

- 3) Buffer zones of native vegetation adjacent to surface water bodies to prevent erosion, retard runoff, and provide habitat, including setback requirements for buildings and other structures.
- 4) Management plans which protect listed wildlife.
- 5) Providing incentives, where applicable, to encourage minimizing the environmental impacts of development.

#### **CON POLICY 1.5.3**

The County shall utilize other techniques to protect environmentally sensitive lands, including tax incentives, cluster development; TDRs, conservation easements and fee-simple acquisition.

#### **CON POLICY 1.5.4**

New residential development of 50 acres or more located outside the Urban Service Area and all development within the Mining land use category as depicted on the *Future Land Use Map* shall be required to provide:

- 1) A vegetation map of the site using the *Florida Cooperative Land Cover Map*.
- 2) A wildlife survey using Florida Fish and Wildlife Conservation Commission approved methodologies.

#### **CON POLICY 1.5.5**

The presence of listed wildlife species, found as a result of Policy 1.5.4, shall require the developer to submit a habitat management plan to preserve such wildlife. Minimum habitat requirements as established by the Florida Fish and Wildlife Conservation Commission, for each species present, shall be preserved on site. Where sites are too small for on-site preservation, the developer shall apply for necessary wildlife permits and arrange for relocation and/or mitigation as required by the appropriate state and/or federal regulatory agencies. The County will adopt a Listed Species Habitat Protection ordinance which will address requirements of the "Habitat Management Plan."

#### **CON POLICY 1.5.6**

The County shall adopt or amend land development regulations which require maintenance of flood storage capacity in FEMA-designated floodways and other portions of the 100-year floodplain as required by applicable federal regulations, elevation of structures, and flood-resistant construction methods.

**CON POLICY 1.5.7**

The County shall coordinate with appropriate governmental entities to protect environmentally sensitive lands and native vegetative communities which extend into adjacent counties and municipalities.

**CON POLICY 1.5.8**

The County shall support and coordinate with the appropriate agencies in identifying and preserving known viable wildlife corridors which link public lands.

**CON POLICY 1.5.9**

To acquire and permanently protect exceptional natural areas, the Clay County Parks and Recreation Division shall coordinate County resources with existing state programs such as the Florida Forever Program, Florida Communities Trust, and with groups such as the Nature Conservancy and the Trust for Public Land.

**CON POLICY 1.5.10**

Clay County shall coordinate in the identification of hydrologically sensitive areas which require public ownership for adequate water resource protection.

**CON POLICY 1.5.11**

Clay County shall coordinate with the USFWS and FWC in protecting manatees and their habitats through implementing the Manatee Protection Plan dated January 2006 and approved by FWC June 28, 2006, as subsequently amended.

- 1) The Clay County Economic and Development Services Department shall coordinate with the USFWS and FWC in administering the boat facilities siting criteria and specific requirements of the Manatee Protection Plan. All new or expanding boat facilities, including marinas with three (3) or more wet and/or dry slips, multi-family residential docks, and all boat ramps shall adhere to the boat facilities siting criteria and specific requirements of the Manatee Protection Plan. These requirements do not apply to individual single-family docks with two (2) or fewer wet and/or dry slips.
- 2) The Clay County Parks and Recreation Division shall maintain signage identifying manatee habitat and County boating speed zones, and shall provide educational materials concerning manatees and their

protection at boat launch and marina facilities within the three (3) Boat Facility Siting Areas identified in the Manatee Protection Plan.

**CON POLICY 1.5.12**

The Clay County Economic and Development Services Department shall continue to regulate the excavation and reclamation of borrow pits, in conformance with relevant state regulations.

**CON POLICY 1.5.13**

All development plans for non-residential, multi-family and residential development shall identify the location of all jurisdictional wetlands as identified by the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection or the St. Johns River Water Management District. Identified wetlands shall be subject to the criteria established for the Conservation designation of the *Future Land Use Map*.

**CON POLICY 1.5.14**

In County-owned conservation areas and preserves with degraded and altered features, the County will restore natural hydrology and other features and remove exotic vegetation.

**CON POLICY 1.5.15**

In County-owned parks, conservation areas and preserves, undeveloped areas shall be managed for the protection, preservation and restoration of native ecological communities. Priority shall be given to existing populations of imperiled or rare wildlife species and imperiled or rare plant species.

This policy shall not be construed to prohibit the development and use of such areas for compatible recreation activities such as hiking or fishing. Nor shall it be construed to preclude the use of timber management or wildfire mitigation techniques as part of an overall land management program.

**CON POLICY 1.5.16**

The County shall seek ways to encourage development patterns and practices compatible with wildfire mitigation and prescribed fire management on public conservation lands.

**CON POLICY 1.5.17**

The County shall review and update external coordination practices as needed to ensure all other necessary agency permits are provided before approving development projects in 100-year floodplains.

**CON OBJ 1.6**    **The County shall have identified and designated areas suitable for the extraction of minerals as a primary use while also adequately protecting air quality, water, soil and wildlife resources from any adverse impacts of mining.**

**CON POLICY 1.6.1**

The County shall adopt and maintain land development regulations that incorporate DEP standards related to mining for the protection of adjacent natural resources. Such standards shall include, at a minimum:

- 1) Establishing buffer zones to protect shorelines, stream banks, wetlands, and adjacent land uses from off-site degradation caused by mining.
- 2) Implementation of a mine reclamation plan within one year of closure of the site to mining activities. The reclamation plan shall include standards for contouring the site to minimize stormwater velocity and ponding of trapped stormwater and revegetation of all disturbed areas of the site using native vegetation. Open water areas shall be reclaimed to ensure suitable fish and wildlife habitat.
- 3) A water use plan for all mining activities, where applicable.

**CON POLICY 1.6.2**

Mining for peat shall be prohibited in freshwater swamp and marsh habitats.

**CON POLICY 1.6.3**

The County shall adopt and maintain land reclamation regulations requiring mine operators to guarantee reclamation plans by securing long term performance bonding, establishing a reclamation escrow account or by other means deemed suitable to ensure the land reclamation plan.

**CON POLICY 1.6.4**

The County shall require mine operators to file a notice of intent with the County to mine before beginning mining operations. The notice shall include mine locations, mine size, method of extraction, reclamation plan, and type of material to be mined.

**CON OBJ 1.7**    **The County shall establish procedures to monitor the collection, storage and disposal of hazardous waste generated in Clay County.**

**CON POLICY 1.7.1**

The County shall maintain at least one collection site for household hazardous waste.

**CON POLICY 1.7.2**

The County shall hold at least annual household hazardous waste collection days at outlying locations to ensure proper disposal is available to residents at a distance from the central collection facility.

**CON POLICY 1.7.3**

Clay County solid waste management operations shall monitor incoming refuse to prevent the improper disposal of hazardous wastes.

**CON POLICY 1.7.4**

Clay County, in conjunction with private and public institutions, will promote an educational/assistance program which will assist industrial and commercial concerns which generate hazardous wastes in reducing, recycling, and/or properly disposing of their hazardous waste.

**CON OBJ 1.8    The County shall protect the natural environment from development to ensure the most desirable habitat for existing vegetation and wildlife.**

**CON POLICY 1.8.1**

The County shall develop a wide range of programs for the conservation of native vegetative communities such as: acquisition, easements, and incentive programs and shall encourage the application of native or xerophytic vegetation in landscaping for new development.

**CON POLICY 1.8.2**

The County shall create landscaping regulations which address the preservation of existing native vegetative communities and the use of native vegetative materials.

**CON POLICY 1.8.3**

The County shall create lot clearing regulations to preserve native communities and conserve wildlife habitats.

**CON POLICY 1.8.4**

The County shall adopt minimum open space requirements for new development in the land development regulations. The land development regulations shall specify that a set portion of the open space requirement be met with preserved upland native vegetative communities and wildlife habitat, shall prioritize land characteristics for preservation, and shall encourage connectivity of preserved areas with each other and with existing conservation lands as identified in Policy 1.5.1.

**CON POLICY 1.8.5**

The County shall investigate the benefit and feasibility of establishing a County-level acquisition program for environmentally sensitive lands, including an evaluation of potential dedicated funding sources.

**CON OBJ 1.9     The County shall conserve, appropriately use and protect soils.**

**CON POLICY 1.9.1**

The County shall maintain, enforce, and monitor compliance with existing land development regulations requiring soil erosion control measures on construction sites.

**CON POLICY 1.9.2**

At such time as new statewide and/or water management district stormwater regulations are adopted, the County shall update related land development regulations to ensure they conform with the new state requirements, including provisions for soil erosion control.

**CON OBJ 1.10    The County shall work toward achieving energy conservation and reduction of greenhouse gas emissions.**

**CON POLICY 1.10.1**

The County shall investigate methods to improve energy efficiency in building construction and development site design, such as but not limited to: encouraging independent certifications of energy efficiency in new development beyond the minimum required in the effective building code, supporting creative patterns of site design and orientation, and revising minimum dwelling size requirements in land development regulations.

- 1) By 2019, Clay County shall determine a threshold and criteria for requiring LEED standards/certification in development and redevelopment projects, and implement through update to the land development code. In addition, consider pilot incentive programs to encourage green building and development.

**CON POLICY 1.10.2**

The County shall consider adopting clustering provisions based on proximity to energy distribution facilities.

**CON POLICY 1.10.3**

The County shall consider encouraging development with site-produced renewable energy sources such as solar or wind power.

**CON POLICY 1.10.4**

To help offset carbon emissions from the use of fossil fuels and other carbon-based fuels, the County shall preserve native vegetative communities by adhering to the policies of Objective 1.8 of this element.

## Definitions

***Conservation*** – Activities or conditions designated for the purpose of conserving or protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, commercially or recreationally valuable fish and shellfish, or protection of vegetative communities or wildlife habitats.

***Mean High Water Line*** –The intersection of the tidal plane of mean high water with the shore.

***Natural Resources*** – Include a variety of ecological resources, including beaches, shores, shorelines, dune, estuary systems, rivers, harbors, floodplains, aquifer recharge areas, wetlands, minerals, wildlife habitat, marine habitat, vegetation, and fisheries.

***Ordinary High-Water Line*** – Line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.