

1 DEPARTMENT OF THE INTERIOR
2 FISH AND WILDLIFE SERVICE
3 EASTERN COLLIER MULTIPLE SPECIES HABITAT
4 CONSERVATION PLAN
5 NAPLES, FLORIDA
6
7

8 IN RE: Draft Environmental Impact Statement
9 Eastern Collier Multi-Species Habitat
10 Conservation Plan

11 FWS-R4-ES-2016-N037
12 40120-1112-0000-F2
13

14 TRANSCRIPT OF PROCEEDINGS
15

16
17 Public Meeting, in the above-styled action, held
18 at the University of Florida/Institute of Food and
19 Agricultural Sciences Collier County Extension, 14700
20 Immokalee Road, Naples, Florida, at 5:30 p.m. on the
21 12th day of April, 2016.
22

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APPLICANTS:

ALICO, INC.

BARRON COLLIER INVESTMENTS, LTD.

COLLIER ENTERPRISES MANAGEMENT, INC.

CONSOLIDATED CITRUS LIMITED PARTNERSHIP

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A P P E A R A N C E S

ROXANNA HINZMAN, FIELD SUPERVISOR
U.S. Fish and wildlife Service
Ecological Field Office
Vero Beach, Florida

KEN McDONALD, PROJECT MANAGER
U.S. Fish and wildlife Service

KEN WARREN, PUBLIC AFFAIRS OFFICER
U.S. Fish and wildlife Service

ALSO PRESENT:

CONNIE CASSLER, Regulatory Chief
U.S. Fish and wildlife Service

KEVIN GODSEA, Refuge Manager
U.S. Fish and wildlife Service

DAVE SHINDLE, Panther Coordinator
U.S. Fish and wildlife Service

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1 APRIL 12, 2016 - EVENING SESSION

2 5:30 P.M.

3 (Thereupon, the following proceedings were had:)

4
5 MR. WARREN: Good afternoon, and welcome to our
6 Public Scoping meeting. We're glad you're here.

7 The meeting will start promptly at 5:30. Right
8 now is still a part of the open house portion of
9 the agenda; and we're glad to see everybody out and
10 about, talking and learning as much about the
11 project -- the project, excuse me, as you can.

12 But in about 15 -- actually, 13 minutes or so,
13 we'll begin to start.

14 Thanks again for coming.

15 (Thereupon, a brief recess was taken.)

16 MS. HINZMAN: Good evening, ladies and
17 gentlemen. All right. Can everybody hear me?

18 Okay. Good evening, and welcome. Thank you
19 for attending.

20 My name is Roxanna Hinzman. I'm with the U.S.
21 Fish and wildlife Service. I am the Field Office
22 Supervisor in the South Florida Ecological Services
23 Field Office in Vero Beach, Florida.

24 Before we begin, I'd like to take a brief
25 moment and do a little safety check.

1 I'm going to point out the emergency exits,
2 where you came in, and then out the door that way.
3 There's a set over here and one on each side,
4 right? Of the front of the building, should we
5 need them. The restrooms are out that door and
6 around the corner there.

7 Please take a moment to mute your cell phones.

8 Also, the limit in this room for capacity is
9 300 people. It looks like we're okay so far, but
10 that is the limit for this evening.

11 All statements tonight made from the podium or
12 during the public comment period later this evening
13 are being recorded by our court reporter, Andrea
14 Stefanick, and these will be made part of the
15 administrative record for the project this evening.
16 This meeting is also being presented in realtime
17 online.

18 We'd like to recognize any elected officials or
19 their representatives tonight. I know we have Luke
20 Killam, who is the Regional Director for Marco
21 Rubio's staff back in the back here.

22 Do we have anybody else? That's the only one I
23 have on the list, but if there are any others that
24 would like to be recognized? Local or tribal?
25 State? County? No? Okay. Then we do not.

1 At this time I'd like to introduce the key
2 members of the project.

3 Ken McDonald is sitting at the table here.
4 He'll be doing our presentation tonight. He's
5 serving as the U.S. Fish and wildlife service
6 project manager for the -- for the project.

7 Ken Warren is our Public Affairs Officer in the
8 back of the room here, so if you're with the press
9 and would like to speak with someone, please get
10 with Ken.

11 We also have Connie Cassler here in the front.
12 Connie is our Regulatory Chief for the southwest
13 portion of Southern Florida.

14 Dave Shindle is our panther coordinator, who is
15 somewhere. There he is in the back. He's our
16 recovery lead for the panther.

17 Kevin Godsea is also in the back here. He is
18 our refuge manager at Panther and Ten Thousand
19 Island National wildlife Refuge.

20 Security tonight is being provided by Angela
21 Ison. We appreciate her being here and looking out
22 for your safety.

23 So I'd like to go over the purpose of sort of
24 our process for this evening in the meeting.

25 The purpose of the meeting is to solicit public

1 input for the preparation of an environmental
2 impact statement, or EIS, related to an anticipated
3 permit application from nine Collier County,
4 Florida, landowners for the incidental take of
5 federally-listed species.

6 This meeting is being held in accordance with
7 the National Environmental Policy Act, also known
8 as NEPA.

9 The permit application will include an Eastern
10 Collier Multiple Species Habitat Conservation Plan
11 prepared in accordance with the Endangered Species
12 Act. The NEPA process will be used to evaluate
13 habitat conservation plans and identify reasonable
14 alternatives. NEPA is intended to be a public
15 process and your input is encouraged and
16 appreciated, and that's why we're having this
17 meeting this evening.

18 Additional details about the project are going
19 to be provided in an upcoming presentation.

20 An open comment period will follow the
21 presentation. If anyone would like to make an oral
22 statement related to the scope of the EIS, if you
23 have not already done so, please fill out a request
24 comment. I want to show you a card. Here it is.
25 One of these little cards, if you haven't already

1 seen them and filled them out, if you'd like to
2 come up and talk with us this evening, please fill
3 one of those out and give it to the folks at the
4 front table.

5 Also, you can -- whoops, sorry -- make written
6 comments on one of the comment cards, comment form
7 here. If you prefer not to come up to the -- to
8 the podium, you're welcome to do that, and we'll
9 take those any time this evening.

10 If you haven't already signed in and decide
11 later you'd like to sign in, we'll be taking the
12 requests to speak all through the evening.

13 Comments may also be submitted via e-mail.

14 All of the options for submitting comments are
15 provided in this brochure that you received in
16 the -- when you came in. The website is on the
17 front page. All the opportunities for how you can
18 comment are on the back page. So if you didn't
19 pick one of these up when you came in, please pick
20 one up. It would give you some good information
21 and links to the places where you need to -- to go.

22 The evening is divided into three parts. I'm
23 going to give you a short discussion of the ground
24 rules, then there will be a short presentation on
25 the proposed project, and then we're going to

1 launch into the major part of the -- tonight's
2 meeting, which is the public comment portion.

3 First, let me go over some ground rules.

4 When you come to the microphone, please state
5 your name clearly and spell it for Andrea. That
6 way, she can get it all down and into the record
7 correctly. You have to be registered to speak, as
8 I said.

9 If you don't fill out one of the cards, you
10 will not be allowed to speak. You can also not
11 give your speaking time to someone else.

12 We have already over 40 people asking to speak,
13 so time is short. We're going to give everybody an
14 equal opportunity to speak, so there's going to be
15 a limit of two minutes for the speaking allocation.

16 When there's 60 seconds remaining in your
17 speaking time, Tia is going to be sitting up front
18 and she'll give you a little sign that says
19 60 seconds, and then at 30 seconds she'll give you
20 another one, and then when your two minutes are up
21 she'll tell you to please wrap it up.

22 We don't expect you to stop in the middle of a
23 sentence when your time is up, but we do ask that
24 you wrap it up and don't continue on a dialogue.
25 So we mean wrap it up, please leave the microphone,

1 so everybody has an opportunity.

2 This is an opportunity for all of you to
3 register your thoughts and your comments on the
4 proposed federal action and to have those comments
5 entered into the official record for consideration.

6 Let me tell you what this is not. It is not a
7 court proceeding.

8 sir?

9 UNIDENTIFIED PARTICIPANT: I want to know if
10 giving the name and identifying ourselves is going
11 to count for the two minutes.

12 MS. HINZMAN: No. I'll make an executive
13 decision, no. Because if your name is like mine,
14 it takes a while to spell.

15 All right. So what this is not: This is not a
16 court proceeding, although it is a federal public
17 meeting and I expect that the demeanor will be the
18 same as a courtroom. There will be no testimony
19 under oath and there is no cross-examination. It's
20 also not a debate. It's not a debate between the
21 audience and the U.S. Fish and wildlife service,
22 nor between members of the audience. There is no
23 rebuttal and there is no second shot at the apple,
24 and it's not a question-and-answer session.

25 Tonight's meeting is simply designed to receive

1 your oral comments as a means for us to gain
2 information regarding your view of the proposed
3 action and what information and analyses should be
4 included in the EIS.

5 You can ask a question. The question may not
6 be answered here, but will be recorded by Andrea,
7 and we will review the transcript and the other
8 materials submitted during the comment period and
9 we'll take your concerns under consideration at
10 that time, and your questions, and do our best to
11 make sure they're answered in our document.

12 The only exception to this is if something
13 really goes to the essence of the meeting, for
14 example, your question, and then we'll provide a
15 short answer for you.

16 You do not have to speak even though you have
17 registered. If you find, before you have
18 adequately -- if you find that people before you
19 have adequately covered your comments or your
20 concerns and you don't feel the need to step up to
21 the microphone, you don't have to. When I call
22 your name, you can just pass.

23 Comments that -- will receive the same level of
24 review whether they're made once or twice or a
25 hundred times.

1 You can also submit written comments and
2 supporting information at any time up through
3 April 25th, 2016. The online and mailing addresses
4 for that purpose are available at the speaker
5 registration table and also in the brochure that
6 you've received.

7 All public comments and information received
8 during the open comment period, regardless of the
9 submission method, will be thoroughly reviewed and
10 given due consideration by the U.S. Fish and
11 wildlife Service as we reach our final decision.

12 We ask that you do not applaud, that you do not
13 make loud noises, and I direct you not to ridicule
14 any of the speakers. Civility and courtesy are the
15 watchwords for this evening.

16 We recognize that this is an emotional aspect
17 to some of the proposed action, but we remind you
18 that not all speakers are experienced. Some are
19 nervous, some are timid, some possibly would not
20 come forward and speak in a hostile atmosphere.
21 And we do not want anyone to be intimidated. We
22 want everyone to be able to come comfortably to the
23 microphone and give us their comments.

24 In addition, loud noises and the like use up
25 valuable time and the court reporter cannot hear

1 and make proper transcripts of the proceeding.

2 Placards and signs are not allowed in the
3 meeting room.

4 These ground rules are necessary to guarantee
5 everyone a fair and equal opportunity to be heard,
6 and we will enforce the ground rules.

7 Having said all of that, again, welcome. We're
8 glad you're here tonight. We appreciate your
9 interest in participating in the process.

10 Ken McDonald, U.S. Fish and wildlife Service,
11 and Bruce Johnson will stand --

12 (Interruption.)

13 MS. HINZMAN: Okay?

14 -- and will be giving the presentation.

15 Also, I want to recognize the staff of AECOM.
16 Tom Pride and his cast of ten have done a
17 magnificent job putting this together for us
18 tonight and we appreciate their help.

19 We hope you enjoy the next presentation.

20 MR. McDONALD: Good evening. I'm Kenneth
21 McDonald. I'm the project manager who has been
22 tasked with reviewing the Eastern Collier Multiple
23 Species Habitat Conservation Plan. We will be, of
24 course, reviewing it under two authorities, the
25 National Environmental Policy Act and through the

1 Endangered Species Act.

2 Tonight's meeting, as Roxanna has mentioned,
3 actually began at five with an open house. 5:30 we
4 began with these presentations. We are hoping to
5 move through this quickly and start at six o'clock
6 with the public comment, which is truly the heart
7 of this meeting.

8 UNIDENTIFIED PARTICIPANT: Could you turn your
9 microphone up a little bit?

10 MR. McDONALD: Can you hear me now? All right.

11 So the purpose of my presentation, not so much
12 the meeting, perhaps, is to explain in some
13 measured detail the proposed action, some of the
14 related regulations that -- the authorities that we
15 are reviewing this project under, and to begin the
16 process of scoping, which actually began with
17 publication of our intent to prepare a draft
18 environmental impact statement, and concludes on
19 April 25th, 2016, and which your comments will
20 ultimately be used to inform, not just how and what
21 we study when we review this project.

22 We will have a little more detail in a moment
23 about the proposed action, but generally the
24 applicants have sought or are intending to seek an
25 incidental take permit. The habitat conservation

1 plan, which is required by law to accompany that
2 application, will seek to determine the effects to
3 ten federally-listed species and six state-listed
4 species, but also proposes conservation measures TO
5 the benefit of all.

6 And it covers a large area, approximately
7 152,124 acres of privately-owned lands in Eastern
8 Collier County, Florida. This is not the largest
9 habitat conservation plan ever undertaken; and in
10 these United States are many states which have
11 pursued incidental take permits and filed abstract
12 conservation plans with the Service, which were
13 obviously much larger in scope, duration, and area.

14 The duration of this proposed incidental take
15 permit would be 50 years.

16 The applicants are: Alico, Incorporated;
17 Barron Collier Investments, Ltd; Collier
18 Enterprises Management, Incorporated; Consolidated
19 Citrus Limited Partnership; English Brothers
20 Partnership; Heller Brothers Packing Corporation;
21 John E. Price, Jr., Trust; Pacific Land, Ltd.; and
22 Sunniland Family Limited Partnership.

23 As mentioned previously, the incidental take
24 permit application is being pursued under the
25 provisions that have been identified in Section 10

1 of the Endangered Species Act. Section 10 of the
2 Endangered Species Act provides a number of permits
3 to private entities. These include the collection
4 permits that are held by state biologists whenever
5 they capture and -- and tag and monitor Florida
6 panthers, or even by your local zoo when they hold
7 federally threatened listed -- federally threatened
8 or endangered species in their collections for
9 scientific education or conservation work that they
10 pursue.

11 And Section 10 permits are "the" mechanism by
12 which nonfederal entities would seek permission to
13 engage in incidental takes while pursuing an
14 otherwise lawful activity.

15 Key definitions that are found in the
16 Endangered Species Act.

17 Take. What is this word? We use it a lot.
18 Lawyers came up with this word. And a lot of the
19 words that are in it don't use the intuitive
20 meaning that the layperson would understand.
21 "Take" means to harass, to harm, pursue, hunt,
22 shoot, wound, kill, trap, capture, or collect any
23 threatened or endangered species.

24 The applicants in this case are seeking an
25 incidental take permit for harassment and harm, not

1 for injury or killing.

2 "Harm" may include significant habitat
3 modification that could lead indirectly to the
4 death of an animal or lead to its injury through
5 the impairment of essential behavior, such as
6 foraging, breeding, or sheltering.

7 In order to qualify for an incidental take
8 permit, the take has to be incidental. It cannot
9 be the intended purpose of the action. It has to
10 be a byproduct, an unintended byproduct of the
11 action.

12 And when an applicant applies for an incidental
13 take permit, they have to demonstrate inside this
14 document that's required, the habitat conservation
15 plan, the steps that they will do to the maximum
16 extent practicable; what they will do to minimize
17 and mitigate the effects of their actions on
18 federally-listed species.

19 In addition to that, the taking cannot
20 appreciably reduce the likelihood of the survival
21 and recovery of the species in the wild, or, in
22 Endangered Species Act jargon, it cannot jeopardize
23 the continuance of the species or adversely modify
24 designated critical habitat.

25 And it may also require other measures that we

1 would require of the applicant to further mitigate
2 and minimize the effects of their actions if
3 they're reasonable, if they're practical, and if
4 they're effective.

5 our role with the habitat conservation plan
6 directly is we're providing technical assistance to
7 the applicants to ensure that the habitat
8 conservation plan that they're proposing will not
9 jeopardize the continued existence of any species,
10 adversely modify any designated critical habitat,
11 or lead to the listing of other species that are
12 not currently protected by the Endangered Species
13 Act but could if some applicant anywhere acted in
14 such a way that it causes decline and we would
15 consider it for listing.

16 Broadly, if you guys have ever seen the actual
17 matrix that dictates this process, it actually
18 looks like kudzu. We have distilled it here to
19 something that's a little more sane and
20 comprehensible.

21 This began when the Eastern Collier property
22 owners developed a draft HCP and submitted it to us
23 last April. We provided some additional comments,
24 we had several meetings, and we agreed to push
25 forward and initiate this process.

1 The Service then at that time decided that we
2 had enough information to justify preparing a draft
3 environmental impact statement.

4 The way this part will work, and we'll get more
5 into this in a little bit, tonight your comments
6 will be used to develop alternatives that we will
7 study and will inform the studies that we've
8 performed while preparing the draft environmental
9 impact statement.

10 When we have completed that draft environmental
11 impact statement, we will publish it in the public
12 eye, in the Federal Register, and make it available
13 to the public on our website and through many other
14 means; and the public will be able to review what
15 we study and how we study. And we will solicit
16 from you comments, again, 45-day comment period.
17 And you will have the opportunity to tell us: Did
18 you -- did the Service -- did you study everything
19 that we asked you to study? And did you use the
20 best scientific methods available? And did you use
21 the best scientific and commercially available
22 information when you did that study?

23 At that point, after that comment period has
24 closed, we will review those comments; we will
25 improve that draft; we will submit a final

1 environmental impact statement and record a record
2 of decision, which alternatively ultimately shows.

3 After that time the Service itself has its own
4 internal obligation under Section 7 of the
5 Endangered Species Act. At that time we will
6 review in full the effects of the listed species
7 and we will issue a biological opinion of what the
8 effect of our action would be on them at that time.
9 And that would be the final steps prior to the
10 issuance of an incidental take permit if it is so
11 selected to be so.

12 So, what is a habitat conservation plan?

13 Generally, it could be very confusing for folks
14 not familiar with the process. Habitat
15 conservation plans are required documents under
16 Section 10 of the Endangered Species Act whenever
17 any party, any member of the public, goes and
18 applies for an incidental take permit. And it
19 describes how the action may affect a listed
20 species, how it -- how it might result in
21 incidental take; what manner of that effects will
22 be, and what the applicant will do to minimize,
23 mitigate, or avoid that effect.

24 HCPs, unlike what we would pursue under
25 Section 7 if this were a federal action, which is

1 the process through which the federal agencies
2 would -- would seek authorization for take, HCPs
3 extend or include nonlisted species as well. They
4 include state-listed species that are being covered
5 in this application. Were this a federal process
6 where a federal agency came to us, we would not be
7 discussing state listed species and how to manage
8 the impacts and how to conserve them. Section 10
9 gives us a much broader authority for addressing
10 those kinds of impacts and concerns.

11 Throughout this process, all documents will be
12 made available through our website that are
13 documents that we would use for reviewing this HCP,
14 but also any documents that are actually a product
15 of any decision-making process will also be
16 available there, as well.

17 At this time I would like to introduce Bruce
18 Johnson from Stantec. He is the consultant who has
19 been hired by the applicants to help prepare the
20 habitat conservation plan and he is going to
21 describe the project in a little more detail at
22 this time.

23 Bruce?

24 MR. JOHNSON: Thank you.

25 Good evening, everyone. Can everybody hear me

1 okay? Okay.

2 Yeah, as Ken noted, I'm going to just try to go
3 through the basic elements of the plan. We're not
4 going to obviously in this time frame get into any
5 great detail, but we'll start with this, this map
6 that some of you have seen on websites and perhaps
7 in the media, just to make sure that everybody is
8 well-acquainted with the area that we're talking
9 about. Whoops, we will go to the laser pointer.

10 This is the City of Naples here in the lower
11 left. The Town of Immokalee is in the center of
12 the urban area. We have the outlines of the county
13 boundary here; and most of what is filled in is
14 part of what is known within Collier County as the
15 rural land stewardship area, approximately
16 196,000 acres total.

17 We do have in light green many of the public
18 conservation lands in existence: Picayune and
19 Fakahatchee Strand State Preserve, the Florida
20 Panther National Wildlife Refuge, Big Cypress
21 National Preserve, Dinner Island, Okaloacoochee
22 Slough, and the Corkscrew Regional Watershed.

23 Just to help guide everybody through this, I'd
24 like to just go down through this map legend
25 because some of these categories may not be

1 intuitive for folks who are first looking at this
2 thing, and I'd like to define those a little bit
3 for you.

4 So the first element on the map is -- in dark
5 green, is what is called the Preservation and
6 Plan-wide Activities category; and that, as you can
7 see, running up the Camp Key Strand, the
8 Okaloacoochee Slough and down near the Panther
9 Refuge.

10 Under the plan as it's been proposed in the
11 first draft, about 107,000 acres of this will be
12 preserved permanently. I've seen some -- some
13 notes in various places about the issues of scale.
14 And just to give you a sense of what 107,000 acres
15 means, that's 167 square miles. Okay? It's a lot
16 of land. This is a big area.

17 The Panther Refuge is a good -- good sort of
18 reckoning point. That conservation action occurred
19 30 years ago, I believe in 1986, and that -- the
20 refuge is 26,400 acres. This area that would be
21 put in preservation is four times that amount of
22 land area.

23 Okay. So what happens in these -- in these
24 preservation areas?

25 well, first of all, in terms of function, they

1 provide extensive habitat for the panther and the
2 other listed species that are covered under this
3 plan. Just as importantly, they provide regional
4 linkages that allow large mammals like the panther
5 and the Florida black bear to move up and down
6 through these areas; and it actually links these
7 public lands, you'll notice, by design in a way
8 that allows the panthers to disperse and to
9 disperse up into the -- what is known as the
10 dispersal zone south of the Caloosahatchee River.

11 The other notable thing about this map is that
12 the preservation areas conserve the regional
13 quality, the Camp Key Strand and the Okaloacoochee
14 Slough, that run down through here.

15 These regional flow-ways are -- are important.
16 Everything in Florida is driven by hydrology, and
17 these have had -- been impacted in the past by
18 historical events. And it provides an opportunity
19 to actually preserve and improve the flow-way
20 function.

21 Okay. So what -- what goes on here now and
22 what -- what will be allowed to go on under the
23 plan?

24 Well, for just about a century the activities
25 out here have consisted of typical rural

1 activities; row crop cultivation, citrus, ranching,
2 forestry and silviculture. Largely unknown to the
3 public, the property owners do a very, very good
4 job of maintaining their land and beating back the
5 Brazilian pepper and melaleuca and other exotic
6 plant species that can degrade the value of the
7 land ecologically. Also out in this area there is
8 oil and gas exploration and production, which has
9 been occurring more or less on an ongoing basis
10 since the 1940s.

11 Moving down to the next item on the legend in
12 orange, the "covered activities," these are the
13 areas that the incidental take permit would cover.
14 Okay? Geographically they're the areas, and the
15 permit covers various activities under that. So
16 these areas are largely within the areas that have
17 already been historically cleared. A lot of them
18 are existing agricultural fields right now or
19 citrus groves or pastures or other disturbed land
20 uses. The majority of the land cover in these are
21 not native land cover. There may be remnants of
22 cypress domes and other things. But by and large,
23 it is a man -- human-altered landscape.

24 Under the plan, the covered activities will be
25 limited to a total area of 45,000 acres. Now, I've

1 seen some things out there that indicate a little
2 bit of confusion, and I understand why.

3 what you see in that color, in that dark
4 yellowish-orange color, is actually 49,848 acres
5 delineated. Okay? It's delineated as an envelope
6 within which we can tell the Fish and wildlife
7 Service the activities are going to occur somewhere
8 within this envelope. The activities themselves
9 will be limited under the authorization to a total
10 of 45,000 acres, so what will end up -- happen at
11 the end of the plan is, wherever these activities
12 end up occurring there will only be 45,000 acres of
13 them, and the remaining 4,848 acres will go back
14 into preservation. Okay? So that will be added
15 back in.

16 It provides property owners some flexibility.
17 It's difficult to say in 2016 where exactly you
18 might want to place something in 2062. And it is a
19 50-year time frame that we're talking about.

20 The ITP would cover activities generally
21 associated with residential and commercial
22 development and earth mining. I'll actually have
23 another slide here in a moment that we'll go
24 through. But basically the activities occurring at
25 Ave Maria in terms of mixed use development, having

1 a mix of residential, commercial, institutional
2 facilities and whatnot, storm water management,
3 that's the sort of thing we're talking about.

4 It may be difficult to see here, but you can
5 refer to your handouts. There are four small areas
6 in total comprising 1,961 acres that are listed as
7 very low density use. These are areas that the
8 applicants own where they're talking about putting
9 in things like a low density residence or a hunting
10 camp or a fish -- fish camp or a lodge. The
11 maximum density allowed under this would be one
12 dwelling unit per 50 acres. That's the maximum
13 density.

14 So at the end of the day, the intensity of use
15 is so low that listed species, the panther and
16 other species out there, wildlife can still utilize
17 the property.

18 One category that's a little hard to follow is
19 up here in the northeast corner of the area.
20 That's what's called "base zoning" on the map.
21 That is the Half Circle L Ranch, the portion of the
22 ranch that's in the open, rural land stewardship
23 category. That means it is potentially
24 developable.

25 The owners are applicants under the ITP. It is

1 2,431 acres and the current zoning on it, as
2 elsewhere within the entire rural land stewardship
3 area, is one dwelling unit per five acres, the
4 same, as I recall, that exists in Golden Gate.

5 At the end of the day, in the first draft of
6 the HCP, we designated this area, but we neither
7 called it covered activities nor preservation,
8 because the ranch is currently on the market for
9 sale and its status going into the future is
10 somewhat uncertain. However, we do expect that
11 that will be resolved by the time we get through
12 the HCP and ITP process, so we will deal with it at
13 that point.

14 If that were to be developed, it would count
15 towards the 45,000-acre total. And if not, it
16 would count towards the preservation.

17 There are two areas on the map, one here and
18 one here. This is the Hogan Island Quarry and this
19 is the Immokalee sand mine. These two areas are
20 not part of the HCP. They are projects that
21 were -- they were -- their federal permitting
22 process was initiated prior to the HCP, so they
23 were already entered into the federal permitting
24 process and had already initiated Section 7
25 consultation under the Endangered Species Act.

1 Therefore, they're not part of the HCP in any way,
2 other than that they are geographically collocated.

3 And one last category here is eligible for
4 inclusion in the HCP. This is private property
5 that is not owned by the applicants. The
6 applicants could only submit their own property
7 into the HCP. They can't grab somebody else's
8 property to do it. But, similar to some HCPs out
9 west, the property owners are including a mechanism
10 that we've entitled "certificates of inclusion"
11 that we -- you know, the applicants do not want to
12 preclude the possibility that some property owners
13 who are not currently part of the HCP, they didn't
14 want to preclude them from joining in at has later
15 date. So if a property owner within this area
16 would like to join into the HCP, they have that
17 mechanism in place.

18 we'd like to be clear. Adding any lands into
19 the HCP from other property owners, it would not
20 change the 45,000-acre limit, nor would it result
21 in any increased take or increased request for
22 take. It's just that we would have more land
23 within the HCP.

24 Okay. So in terms of federally-listed species,
25 most of you are familiar with the species that are

1 covered. You'll notice that most of these are
2 threatened species -- well, actually, it's about an
3 even mix.

4 I would like to say that when we first came up
5 with the list of species to be covered, it was done
6 in a very conservative way. We looked at anything
7 that could occur within this area that's federally
8 listed.

9 A good example of that is the red-cockaded
10 woodpecker. The nearest known clusters are seven
11 miles from this area. So we don't have any record
12 that there are RCWs within the land -- within these
13 lands right now. But the property owners wanted to
14 be careful to make sure that they would be covered
15 for take if some dispersal events occurred and
16 there were areas recolonized by RCW, that they
17 would be covered.

18 You'll notice at the bottom the gopher tortoise
19 is there, which is a candidate species for listing,
20 meaning sufficient information has been found to
21 list it. It is just not beneficially listed yet.

22 And the eastern diamondback rattlesnake is
23 currently under review by the Service; but, again,
24 if it has the potential to be listed, the property
25 owners, the applicants, wanted to seek incidental

1 take coverage for it.

2 The HCP also covers six state-listed species.

3 We're very fortunate. The FWC in the last few
4 years has made a shift from individual species to
5 more landscape scale conservation. They did
6 biological status reviews for I think 60 species
7 within the state. And their -- their current
8 efforts with their imperiled species management
9 plans are very similar in essence to what an HCP
10 does. So seeing as the property owners were
11 covering -- protecting so much area and because
12 these species exist there and there is a slight
13 potential that they could be up-listed in the
14 future, they're also covered under the plan.

15 The actions covered by the ITP -- again, this
16 occurs -- this relates to those orange areas in the
17 map. We're looking at development, again, typical
18 mix of uses within these developments that would
19 occur; earth mining, whether it's a standalone
20 activity or a precursor to a later mixed use
21 development. Those are the activities that the
22 applicants are seeking incidental take coverage
23 for.

24 And, finally, just to review the major
25 elements. It will preserve 107,000 acres out of

1 the 152,000 acres of contiguous land. The
2 preservation and plan-wide activities that have
3 occurred in the past and are occurring right now
4 will continue into the future, but there will be
5 permanent protection for these areas.

6 There will be management plans in place. The
7 property owners are already managing the lands
8 well. There are going to be binding agreements on
9 how the lands need to be managed in terms of
10 success criteria.

11 There will be mitigation and monitoring
12 activities to make sure the plan is being carried
13 out in accordance with the conditions in the
14 incidental take permit.

15 The preservation of the existing panther
16 movement corridors, as I showed you in the map,
17 will be there.

18 And there will be close coordination between
19 the HCP and the Florida Panther Protection Plan,
20 which is a coalition of property owners and
21 nongovernmental organizations.

22 There are two basic funding mechanisms
23 associated with the HCP. The first is just a
24 standard generation of revenues from things like
25 developer's fees and other mechanisms that will

1 help fund the HCP activities themselves; but aside
2 from that, the Florida Panther Protection Plan will
3 establish what is known as the Marinelli Fund, and
4 that money will be generated by the generation and
5 transfer of panther habitat units. If you're not
6 familiar with that, I'm not going to go into detail
7 tonight; but they can be measured and we can
8 associate a cost with them. And those -- the
9 Marinelli Fund will cover any number of activities
10 related to panther conservation, which may include
11 habitat acquisition, management, restoration,
12 provision of wildlife crossings at key locations
13 where there's preserved land on either side, and
14 all the sorts of things we'd like to see for
15 overall panther conservation.

16 Thank you.

17 MR. McDONALD: So to kind of run into a little
18 more detail with what an environmental impact
19 statement is, before we wrap this up and get you
20 guys up here to speak, it is a document that is
21 produced by all federal agencies to comply with the
22 National Environmental Policy Act. Even the
23 Department of Defense does them.

24 An EIS is prepared to analyze and disclose the
25 effects of any proposed action to the public, so

1 that there's no surprises about what we're doing
2 and the effect it will have on you. It will
3 consider short-term, medium-term, long-term
4 effects, direct and indirect and cumulative effects
5 as well. And we will look at this all from the
6 perspective of each individual alternative that we
7 ultimately select to study. And it incorporates
8 agency and public comments regarding the scope of
9 the alternatives that we study.

10 Now, the analysis itself is -- is pretty
11 exhausting. We don't just focus on the effect to
12 the listed species when we are preparing an
13 environmental impact statement. We -- we look
14 rather globally. We -- we ask what are the effects
15 on geology and soils, what are the effects of
16 implementing any alternative; HCP, no HCP, HCP
17 modifications on water resources. You know, what
18 would the effect on the aquifer be if you added
19 this number of people to the area.

20 Air quality, from increased traffic or
21 construction activities. Cultural resources,
22 archeological sites, visual resources. We even
23 analyze the effect that this will have on your
24 view. Socioeconomics and environmental justice,
25 how does it change the labor market and how this

1 will affect the incomes of the people in the
2 affected area.

3 Transportation, we will look at how it -- the
4 roads may evolve over time to accommodate this
5 development that's proposed, as well as how
6 ecological communities will respond to all of these
7 changes.

8 General wildlife, including game species.
9 We'll also look at wildlife habitat linkages and
10 corridors, listed species, candidate species,
11 migratory birds even, under NEPA. And, finally, we
12 will look at how this area will be affected by
13 climate change and how each of the different
14 alternatives may change that response to climate
15 change over time.

16 So the environmental impact statement process
17 is actually quite exhausting. As you can see, we
18 are only at the beginning. We are nowhere near a
19 decision yet.

20 After this comment period is closed, we will
21 incorporate your comments. We will form
22 alternatives to study. As I mentioned before, we
23 will develop and publish a draft environmental
24 impact statement. We will have another public
25 hearing, we'll all be back here together again, and

1 I very much look forward to hearing what you guys
2 have to say after we've studied what you're going
3 to say tonight and if we did well.

4 We will incorporate those comments, again, just
5 like we're going to incorporate your comments
6 tonight, develop and publish a final EIS. There
7 will be a notice period. We'll let you know it's
8 coming. And then the Fish and Wildlife Service
9 will record a decision.

10 So tonight, what is it that we're really after?
11 Why did we ask you to be here?

12 Well, what we're looking for is the breadth,
13 the scope. We're asking you, basically, what do
14 you want us to study? And could you provide us
15 with information that would aid in that study?
16 And, importantly, what we study has to be
17 concentrated on the issues that are truly
18 significant to the action, okay, in question,
19 rather than amassing needless detail; which goes to
20 the heart of: How will your comments be used in
21 what will we consider a useful comment that
22 contributes to our ability to conduct this study?

23 They raise significant issues, issues that are
24 important to everyone in this room, everyone that's
25 in the affected area, people nationally. It could

1 be an issue of disagreement/debate with the data
2 that we have in our -- at our disposal and methods
3 that we have used in the past.

4 Significant issues are those issues related to
5 potentially significant effects. But how will your
6 comments be useful in analyzing it? We will really
7 focus on the comments that have a cause-and-effect
8 relationship, that describe how implementation of
9 this HCP or the adoption of the incidental take
10 permit might change any of those factors that we're
11 studying.

12 And the comments have to be relative --
13 relative to what it is we're studying. We're
14 studying a habitat conservation plan, and the
15 comments really need to be directed toward it.
16 Other issues, not so much.

17 And issues that have not already been decided
18 by law or decided, you know, through the various
19 courts, regulation, or any previous decisions. In
20 other words, we're not going to relitigate anything
21 through this study. We're studying. Where, if you
22 have an issue to bring up with -- with the law,
23 we're -- we're not lawyers. Okay?

24 And the comments that you submit that we will
25 consider the most useful will be those that we can

1 incorporate into a scientific study. Okay? which
2 is going to be empirically done. And it's not
3 going to be a process of opinion. It's not going
4 to be a process of gathering opinion and
5 understanding opinion.

6 what we really need to know concretely is how
7 this action will affect the environment, and then,
8 after we have done that analysis, we can all have
9 an opinion about it at that time.

10 We will use this scoping period to develop
11 alternatives.

12 We have three generalized alternatives here.
13 One would be to reject the HCP and no action. One
14 could be adopt the HCP as it is written. And one
15 that could give rise to many other alternatives is
16 adopt the HCP with some modifications. And we can
17 use the information you provide tonight to identify
18 what those modifications might be.

19 We have already identified two preliminary
20 issues that are obviously something of high public
21 visibility and interest.

22 One, of course, we will be looking at how the
23 impact of habitat loss and fragmentation will
24 affect the survival or recovery of the Florida
25 panther. We will broad -- give it a broad brush

1 here in the EIS, but we will also revisit it again
2 when we prepare the biological opinion. And the
3 impact of changing traffic patterns on the Florida
4 panther's survivorship.

5 But to understand that in detail, we can have
6 some more conversations, but understand the
7 applicants would not be the ones widening the
8 roads. That would be a county decision. Right?
9 So we can forecast what that might be in the
10 future, what the county might do in the future, but
11 we really are going to be focusing more on the
12 consequences of the applicants' decisions and
13 actions with the implementation of this HCP.

14 And I've gone backwards when I should go
15 forwards.

16 So, submitting -- comment submittal options.
17 Right? The fax number, please check our website
18 for the correct number. We are updating it. The
19 fax number is incorrect. If you have the means of
20 writing it down tonight, 772-562-4288 is the
21 correct number. Just had an oopsie with that.

22 UNIDENTIFIED PARTICIPANT: Can you repeat that
23 one more time?

24 MR. JOHNSON: Yes, 772-562-4288.

25 If you're also like me and you like to use a

1 typewriter and send it by fax, we will receive it
2 that way.

3 You can also mail. If you're even more old
4 school and you enjoy putting stamps on things, you
5 can mail it to us and we will receive it that way
6 as well.

7 My little box is already starting to fill and
8 I'm genuinely excited and looking forward to
9 reading all those.

10 And you can also e-mail comments to this e-mail
11 address: Comments@eastcollierhcp@fws.gov. I will
12 leave this slide here just for a moment in case
13 someone did not get a flier and is furiously trying
14 to write that down before they leave.

15 Strategic pause, and moving on.

16 Okay. So, timeline. How long is this process
17 going to take while folks are asking it? Broadly,
18 we're kind of building in a plan for about two
19 years to do these studies and to make a decision.
20 We're two years away from making a decision, in
21 other words.

22 The scoping period and alternative generation,
23 and the scoping period ends April 25th. Between
24 April and June we will be looking at your comments,
25 we will be coming up with alternatives to the

1 proposed action for the purpose of the studies that
2 we're going to perform.

3 we're looking at about a year from that time to
4 actually publish a draft EIS for your review and
5 comment, and then we're hoping that by July of next
6 year we can all get back together again and maybe
7 next time we'll bring food, coffee. Yes,
8 beverages. That would be really good. In July
9 we're going to need it. It's going to be pretty
10 hot out.

11 we will have that final EIS back out by
12 December of 2017, and we will have a record
13 decision hopefully by -- ambitiously, by
14 January 2018.

15 All dates are tentative, they can change as we
16 bounce chapters back and forth and argue amongst
17 ourselves about what we're doing, because that's
18 what scientists do best.

19 And at that time, if everything has aligned and
20 the stars are in the right place in the sky, the
21 Fish and wildlife Service may issue permits for an
22 incidental take of endangered and threatened
23 wildlife species. And, again, I emphasize an
24 incidental take as defined by the ESA is a take
25 that's incidental to; not the purpose of the

1 carrying out of an otherwise lawful activity.

2 And they -- the incidental take permit will
3 protect an applicant who receives it, as long as
4 they are following all other laws. Okay?

5 So, as we've mentioned previously, we put --
6 threw this up here as a reminder. Two minutes per
7 speaker. No yielding the floor to the next person
8 or your friends. Please be quiet and respectful
9 while others are speaking. And all comments are
10 being recorded, and actually they're live on the
11 Internet right now, so, you know, folks in Wichita
12 are listening to this. So keep that in mind. Your
13 family is going to hear what you say, so speak well
14 and enunciate.

15 With that said, I will stop talking and thank
16 you all for patiently sitting through this, and we
17 will get you guys up here to speak.

18 MS. HINZMAN: They're being kind and not making
19 me stand for the entire time.

20 So the process is going to be we're going to
21 call two names, so we'll have one person at the
22 microphone and then the second person will be on
23 deck.

24 Is this breaking in and out?

25 UNIDENTIFIED PARTICIPANT: Yes.

1 MS. HINZMAN: Do I need to -- maybe that's it.
2 What's it doing?

3 MR. McDONALD: Just some interference.

4 MS. HINZMAN: So the first -- this is not
5 working well.

6 The first name is Amber Crooks, and on deck
7 will be Elise Bennett.

8 When you come to the microphone, please
9 remember to state and spell your name. And if you
10 are part of an organization and representing the
11 organization, you can please state the
12 organization. If you'd like to adjust the
13 microphone, there's a little thumb screw on the
14 right-hand side that you can lift it up and down
15 quickly so you don't have to -- all right.

16 So -- and as a reminder, Tia will hold up a
17 card for you at 60 seconds and 30 seconds, and I do
18 have a hook back here. We will pull you off at two
19 minutes. And we have a little bell.

20 MS. CROOKS: Thank you. Thank you so much.
21 I'm Amber Crooks, and that's spelled A-M-B-E-R,
22 C-R-O-O-K-S. Here tonight on behalf of the
23 Conservancy of Southwest Florida and our over 6,000
24 supporters.

25 The Conservancy objects to the current draft

1 HCP since, as proposed, it does not minimize
2 impacts to habitats that have been deemed essential
3 to the survival of the Florida panther in the wild
4 called the primary zone. This is in direct
5 conflict with the Florida Panther Recovery Plan and
6 best available science, which advocate no further
7 loss.

8 We ask that you consider an alternative,
9 avoiding the primary zone, locating development in
10 the less sensitive secondary zone instead. This is
11 supported by top panther biologists and would allow
12 nearly the same amount of development with far less
13 impact to wildlife.

14 Other factors that must be reviewed in the
15 environmental impact statement include: Loss of
16 panther prey base, and lands currently in
17 agriculture support a substantial number of deer
18 per acre. Reduced fire management on existing
19 neighboring public lands; increased human/wildlife
20 conflicts; impacts to other listed species but for
21 which the HCP lacks necessary information;
22 reduction in productive agricultural lands and its
23 impact not just on the economy and those who rely
24 on agricultural jobs for their livelihood, but, of
25 course, on wildlife that can thrive on those

1 landscapes; negative impacts for water quality in
2 an area where many waters are already polluted;
3 impacts to aquifer recharge, water supply and
4 hydrology; existing local protections already
5 applicable to large swaths of the proposed
6 preserve, and effects of plan-wide activities on
7 the value of the preserves; and quite possibly the
8 largest factor, the roads.

9 As a direct result of the proposed HCP, there
10 will be a need for over 100 miles of new or
11 expanded roadways, and it would generate tens of
12 thousands of additional daily trips in an area that
13 is one of the most deadly for the Florida panther.

14 There are many areas that require further
15 attention, review to the EIS, and we plan to submit
16 a detailed comment letter.

17 Thank you for considering our comments tonight,
18 and thank you all for being here tonight. Thanks
19 so much.

20 MS. HINZMAN: I remind you, please, please, no
21 applause. We want to keep everybody moving so that
22 we're able to get everybody through.

23 UNIDENTIFIED PARTICIPANT: The mikes aren't
24 working.

25 UNIDENTIFIED PARTICIPANT: As soon as you turn

1 that one on, that one, they all sort of go wonky.

2 MS. HINZMAN: Okay. Cheerleader voice is
3 coming. Are you ready?

4 All right. Next on deck is Dr. John Dwyer.

5 MS. BENNETT: My name is Elise Bennett, and I'm
6 here on behalf of the Center for Biological
7 Diversity.

8 MS. HINZMAN: Maybe she should turn this off.

9 UNIDENTIFIED PARTICIPANT: Can't hear.

10 MR. McDONALD: Try now.

11 MS. BENNETT: Hello. My name is Elise Bennett,
12 and I'm here on behalf of the Center for Biological
13 Diversity and our over 900,000 members.

14 I'm here mostly to express concern over the
15 fact that the HPC fails to identify and address all
16 of the impacts to the Florida panther and other
17 covered species, which have received less attention
18 than the panther.

19 First, we ask that when you review the
20 environmental impacts of the HCP, that you
21 carefully determine each proposed action within the
22 entire plan and study the unique impacts of each.

23 As the HCP is now, it lumps together actions
24 and makes generalized conclusions about the impacts
25 that are oversimplified and incorrect; and a

1 detailed review of each action would rectify these
2 issues.

3 Additionally, we request that you consider
4 alternatives that avoid destroying the most
5 exceptional habitat for both the panthers and the
6 other listed species, and that that be based on
7 scientific information of the species' need and
8 presence rather than more subjective opinions of
9 whether the land has been disturbed or used for
10 agricultural purposes or whatnot.

11 we also ask that you closely reexamine the
12 actual conservation value of the lands that are
13 designated for preservation in light of the
14 activities that are permitted on these lands. As
15 described in the plan right now, these activities
16 are too vague to properly assess them.

17 For instance, the term "recreation" could
18 include hiking all the way to the use of off-road
19 vehicles. Hard to compare those impacts. So we
20 hope that you would look into more detail of those
21 uses, as well as looking at how those might be
22 harmful to species, particularly those covered that
23 are not the panther, because they have not received
24 as much attention.

25 we also ask that you consider the impacts of

1 the expanded network of roads and increasing
2 traffic, particularly with regard to road
3 mortality, habitat fragmentation, and genetic
4 isolation, specifically for snakes and the gopher
5 tortoise.

6 And lastly, we ask that you consider the
7 impacts of the increased interface between urban
8 and natural areas that will result because of this
9 plan, specifically the feasibility of prescribed
10 burns, increased human/wildlife contact, increased
11 human persecution of species that are deemed a
12 nuisance species, and increased pollution from
13 storm water pesticides and fertilizers.

14 Thank you very much for your time.

15 MS. HINZMAN: Next on deck, Dr. Karen Dwyer.

16 DR. JOHN DWYER: My name is Dr. John Dwyer.
17 I'm with the Stone Crab Alliance. The spelling is
18 J-O-H-N, D-W-Y-E-R.

19 So, the panther is critically endangered, with
20 only about 180 still living, probably fewer, since
21 16 have already died on our roads since January.

22 How much is a panther worth? According to Fish
23 and wildlife, they're becoming a nuisance to
24 Floridians who live around them. Are they worse
25 than worthless or too unique, wild and sacred to

1 take even more of their habitat with this 50-year
2 plan?

3 Panther populations are straining and currently
4 exceeding the tolerance of landowners, according to
5 the rancher, Mrs. Priddy, after having lost ten
6 calves over several years.

7 How much is a calf worth? Easier to determine.
8 Lean slaughter cows are going for seventy-four
9 bucks.

10 The plan's goal is to avoid endless litigation
11 by giving the landowners permission to use their
12 property to make money, even though it will impact
13 the panthers, the wood storks, red-cockaded
14 woodpeckers, Florida scrub jays, crested caracaras,
15 Everglades snail kites, the little blue herons, the
16 bonneted bats, the diamondbacks and indigos and the
17 fox squirrels and the gopher tortoises and the
18 burrowing owls and the sandhill cranes, kestrels
19 and tricolored herons.

20 The word "impact" worries me because it has
21 some secret consequences in store for the flora and
22 fauna we are all concerned about. It means to
23 destroy their habitat and cull them. It means more
24 roads, houses, ruined water, poisonous industry,
25 Coney Island-like beaches.

1 Owners of large properties that have wild and
2 sacred places within them have a commensurately
3 large responsibility to good stewardship.

4 Reject the plan.

5 MS. HINZMAN: Next on deck -- please, no
6 clapping and loud noises. Thank you.

7 Megan Sorlo -- or Sorbo, sorry.

8 The little thumb screw on the right-hand side
9 will help you. There you go.

10 DR. KAREN DWYER: Karen Dwyer, K-A-R-E-N.
11 Dwyer, D-W-Y-E-R.

12 The plan would do more harm than good.

13 Reject it, because it would authorize a take
14 permit for eight federally-listed species on
15 45,000 acres of development, including land where
16 the Florida panther is making its last stand.

17 Reject it, because it would create new roads
18 leading to more road kills and habitat
19 fragmentation.

20 Reject it, because it would put additional
21 strains on local water supplies.

22 Reject it, because it would replace farm fields
23 with mining and urban development, thereby taking
24 away jobs from Immokalee farm workers.

25 Reject it, because it would continue or

1 intensify oil operations, including fracking, on
2 the 107,000-acre preserve. This would deplete and
3 contaminate water supplies and undermine
4 mitigation.

5 Reject it, because the 50-year duration would
6 lock in terms with a no-surprise clause.

7 Reject it, because the panther corridors are
8 not wide enough or reforested enough to make them
9 usable, and the underpasses will not sufficiently
10 offset road kills.

11 Reject it, because it does not preserve
12 107,000 acres. These lands are already protected
13 by the local Rural Lands Stewardship Program. No
14 additional preservation is being offered.

15 The alternative is simple. Choose avoidance
16 and minimization, which means don't build in
17 primary panther habitat. Instead, develop the
18 secondary zone, eliminate no-build roadways,
19 improve corridors, minimize oil operations.

20 To conclude, we don't want a city the size of
21 New York rising to the east of us, depleting our
22 water supplies, crowding our roads, jeopardizing
23 our wildlife, and paving on our paradise. Don't
24 green light a 50-year super permit to exploit land
25 and harm wildlife. Choose the no action

1 alternative.

2 Thank you.

3 MS. HINZMAN: Next on deck, Katrina Shadix.
4 Megan? You're up, hon.

5 MS. SORBO: Sorry.

6 MS. HINZMAN: That's all right.

7 Dr. Dwyer had a strong grip.

8 Spell your name for us.

9 MS. SORBO: Hi. My name is Megan Sorbo,
10 M-E-G-A-N, S-O-R-B-O.

11 I'll start my speech now.

12 Hi. I'm here to speak on behalf of native
13 imperiled species that cannot speak for themselves,
14 which is snail kites, wood storks, indigo snakes,
15 scrub jays, Florida panthers and more.

16 It is irresponsible and cruel to continue to
17 take away habitats that panthers desperately need
18 when we know more and more humans are going to be
19 infringing on their territory in coming years.

20 If some landowners in this area already think
21 that panthers are a nuisance, how exactly will
22 taking even more land help? It seems to me it will
23 just lead to an increased desire of incidental
24 takes.

25 Furthermore, approving a policy for 50 years is

1 absolutely outrageous. It is unfair to all future
2 Floridians to inherit a plan for the benefit of a
3 very select few in our state today.

4 I deserve, and my generation deserves, the
5 opportunity to make policy decisions for ourselves
6 in coming years and not inherit today's
7 controversial plan without recourse.

8 If we are truly thinking 50 years into the
9 future, it should be to start saving every possible
10 acre of undeveloped land.

11 We all know how limited the remaining habitat
12 is for our Florida panthers. If for now nine
13 people are allowed to start to ultimately kill
14 animals like panthers on their land, it will not
15 take long for another panther to move in to claim
16 that territory. When will the killing stop once it
17 is started?

18 I implore you to focus on completely
19 protecting, not destroying, as much habitat for our
20 panthers as possible.

21 Thank you very much.

22 MS. HINZMAN: Next on deck is Ruth McGregor.

23 MS. SHADIX: Katrina Shadix. Katrina like the
24 hurricane, S-H-A-D-I-X.

25 Thank you for letting me speak tonight in

1 defense of our state icon, the nearly extinct
2 Florida panther.

3 Tonight you will hear from many people in
4 opposition to allowing the incidental taking of
5 panthers because nearly 20 million Floridians are
6 against it. And, by the way, incidental taking is
7 more commonly referred to as killing.

8 Rules, regulations, and protections are put
9 into place for a reason and should not be modified
10 nor compromised for nine people wanting to further
11 decimate our endangered wildlife and conservation
12 areas. It is absolutely unconscionable to even
13 entertain the thought of it, let alone allow their
14 corrupt, self-conserving deadly agenda even to
15 progress to the stage in which we find ourselves
16 tonight.

17 Many are here to represent the panthers with
18 scientific data, inarguable facts, analytical minds
19 and compassionate hearts, but I am here to
20 represent the cattle ranchers, the ethical cattle
21 ranchers of Florida. And yes, they do exist.

22 My cousin is a cattle rancher that has never
23 killed an animal for killing any of his cattle,
24 because he has never lost any cattle. He has
25 doggies and -- guard dogs on guard at all times.

1 He adamantly opposes killing panthers, bears,
2 wolves, and any other animal that preys on cattle
3 because he knows there are billions of cows in the
4 world, but only 180 Florida panthers left in
5 existence.

6 He makes \$1,500 for each calf he sells and
7 thinks very little of the ranchers that demand to
8 be reimbursed by the state. He says that's the
9 cost of doing cattle business, and for no one to be
10 fooled into thinking panther kills affect rancher
11 profits, because, as he so eloquently puts it,
12 business is booming.

13 I'd like to close with a favorite quote. "I've
14 learned that you shouldn't go through life with
15 catcher's mitts on both hands. You need to be able
16 to throw something back."

17 These nine people wanting to kill panthers need
18 to learn this as well, because extinction is
19 forever.

20 Please reject the HCP.

21 MS. HINZMAN: Please refrain. Thank you.

22 Tamara Paquette is on next.

23 MS. MCGREGOR: Good evening. Ruth McGregor,
24 R-U-T-H, M-C-G-R-E-G-O-R. Ruth McGregor, with the
25 Sierra Club, Calusa Group. We cover Collier,

1 Glades, Hendry and Lee Counties. Speaking on
2 behalf of 1,900 plus members.

3 I can't believe we're discussing a plan that
4 would develop 45,000 acres of land into urban areas
5 roughly the size of Washington, D.C. --

6 THE COURT REPORTER: I'm sorry, could you just
7 slow down a little bit?

8 MS. MCGREGOR: -- into urban areas roughly the
9 size of Washington, D.C., while devastating the
10 Florida panther and seven other protected species;
11 the scrub jay, caracara, wood stork, red-cockaded
12 woodpecker, snail kite, indigo snake, and bonneted
13 bat.

14 Increasing traffic rates on Corkscrew Road by
15 23.5 times should scare the heck out of everyone.
16 It's already a congested mess due to rampant
17 overdevelopment. Traffic-related Panther deaths
18 and hurricane evacuation times are going to rise,
19 both huge concerns.

20 Some public officials -- you know who you
21 are -- seem happy to declare war on defenseless
22 wildlife, panthers, bears, you name it. We really
23 just have an overall anti-wildlife agenda being
24 forced on our state.

25 Florida's wildlife attracts people from around

1 the world, fueling our tourism industry, economy.
2 The creatures are just trying to survive as they
3 have for thousands of years before we came along.

4 The impacts reach far beyond wildlife.
5 Residential runoff, degradation of water resources
6 and loss of public and agricultural lands are grave
7 concerns as well. Also, oil and gas drilling and
8 exploration and/or fracking allowed in preserves.
9 seriously?

10 why must development be inevitable? Instead of
11 proposing development that will detrimentally
12 affect wildlife, natural resources and quality of
13 life in the area, how about a moratorium on new
14 development and of environmentally sensitive lands?
15 Someone said checkerboards and preserves means
16 death for the panther. Let's be honest.
17 Development is what means death for the panther.
18 Let's not sugarcoat this ridiculous plan.

19 The lustful desire to develop 45,000 acres in
20 prime Florida panther habitat is absurd. Instead,
21 consider what is good for our state and do
22 something different. Dedicate the 45,000 acres of
23 conservation land. That would be something to
24 apply, not consent to building, on how to further
25 destroy our environment and wildlife.

1 It has been said we don't have the facts yet.
2 Well, that may be true. The facts we do have are
3 scary and disturbing.

4 I urge you to deny application -- application
5 for permitting under this plan. We should find
6 ways to conserve and preserve Florida's natural
7 beauty, not permit more waste to destroy it.

8 would you like this?

9 MS. HINZMAN: Next is Nancy Koerner. Thank you
10 for putting the pronunciation on.

11 MS. PAQUETTE: And I've got to follow that?

12 My name is Tamara Paquette, T-A-M-A-R-A,
13 P-A-Q-U-E-T-T-E.

14 Bruce from Stantec said that he's not going to
15 go into any great detail, but isn't the devil in
16 the details when it comes to stuff like this?

17 He'd also said that the activities would afford
18 the property owners flexibility in the future, such
19 as earth mining. That means fracking, ladies and
20 gentlemen, fracking.

21 I also dispute that this land has been
22 historically cleared to do what they want to do.
23 It really hasn't. And I just want to make sure
24 that everybody knows that killing is not
25 conservation. So, I love pictures. It's all about

1 show and tell, and I have -- I can even give you
2 copies of this if you like.

3 MS. HINZMAN: You can leave that outside, if
4 you'd like.

5 MS. PAQUETTE: Okay.

6 MS. HINZMAN: I've asked that we don't have
7 signs, placards, et cetera, please.

8 MS. PAQUETTE: Then can I just tell you what it
9 says?

10 MS. HINZMAN: Absolutely.

11 MS. PAQUETTE: So the map that they have up
12 there on display is not accurate. And I'll be
13 happy to provide it to you. Because Wilson Miller
14 made a map which was designed to show where all the
15 property owners were. And every little property
16 owner wants to have their own little city there.

17 So I'm telling you, you're going to turn our
18 water into Flint, Michigan, our land into east
19 coast, and the air is going to become Las Vegas,
20 Los Angeles. And we just don't want that in
21 Collier County. Because I've been here since 1978,
22 and I think my grandkids deserve to have a
23 beautiful place to live just like I did.

24 Thank you.

25 MS. HINZMAN: Next is Gaylene Vasturo.

1 Vasaturo. Sorry I butchered your name. Sorry
2 about that.

3 MS. KOERNER: Nancy Koerner, N-A-N-C-Y,
4 K-O-E-R-N-E-R.

5 Take a walk through the Everglades and the
6 birds go silent. This is already impact. The
7 rapid loss of species we are seeing today is
8 estimated by experts to be a thousand to ten
9 thousand times higher than the natural extinction
10 rate. These experts calculate that between .01 and
11 point -- and one percent of all species will become
12 extinct each year. The mean estimate puts that at
13 about 55,000 extinctions each year.

14 So, what is a scrub jay here and a word stork
15 there and a couple of panthers and a few snail
16 kites? No big deal? Really? There's no replacing
17 our bio-diversity, because when it's gone, it's
18 gone.

19 There is no such thing as incidental take. It
20 is called collateral damage. whoops, I killed it,
21 sorry. Animal casualties, while engaging in lawful
22 but immoral destruction in an urban/industrial war
23 zone, that's what we're talking about.

24 And, once again, we cautiously speak about
25 preservation, and it's a sure indication that, once

1 again, it's all about oil and gas, isn't it?

2 Until about 120 years ago humans lived on the
3 light and power generated by the cycle of the sun.
4 Our lives were dawn to dusk and our energy needs
5 were self-regulating, but when we started raping
6 the earth for coal, gas and oil, we started
7 borrowing from the stores of the ancient sunlight
8 underground and undermining that delicate balance.

9 Our energy -- our energy needs are no longer
10 self-sustaining and we begin to mortgage our own
11 future. More development, more drilling, the
12 unthinkable practice of fracking to squeeze the
13 last drop out of every fractured nook and cranny.
14 This insane thievery, this plundering of resources,
15 continues to compromise and skew the balance.

16 Fifty years? By then we'll be under water by
17 the abuses levied against our planet.

18 U.S. Fish and wildlife service is supposed to
19 be protecting our fish and wildlife, not seeking
20 permission to make further inroads into the
21 destruction of our sensitive ecosystem; or should I
22 say ego system?

23 Mankind thinks that somehow we are apart from
24 nature, above and other than; and this is not the
25 case.

1 Big Cypress National Preserve should remain a
2 preserve, and the Florida Panther National wildlife
3 Refuge should remain a refuge. These animals are
4 dying to be left alone. They are dying to be left
5 alone.

6 I object to the proposed eastern habitat plan.
7 This is not a conservation plan. It's an excuse
8 for destruction. Reject the HCP.

9 Thank you.

10 MS. HINZMAN: Emily Ruff.

11 MS. VASATURO: Can you hear me? Gaylene
12 Vasaturo, G-A-Y-L-E-N-E, V-A-S-A-T-U-R-O.

13 I'm a Collier County resident.

14 The Eastern Collier Habitat Conservation Plan
15 fails to avoid, minimize, and mitigate the impact
16 of the proposed development on the panther and
17 covered species, and the plan threatens both the
18 survival and the recovery of the panther.

19 I'm submitting written comments, so I'm just
20 going to highlight a few points today.

21 First, the habitat conservation plan proposes
22 residential and commercial development of 22,000 to
23 24,000 acres of primary panther zone. Panther
24 experts have identified the primary panther zone as
25 land essential to the long-term viability of the

1 panther.

2 The U.S. Fish and wildlife service in its 2008
3 panther recovery plan said that conservation
4 efforts need to focus on maintaining the primary
5 zone.

6 Please require revision of the habitat
7 conservation plan to direct development away from
8 the panther primary zone.

9 The -- second, the habitat conservation plan
10 fails to provide adequate wildlife corridors for
11 panthers to move among the public lands and, thus,
12 reduces the likelihood of the survival and recovery
13 of the panther.

14 The rural lands stewardship area is located
15 between several public lands. Panthers and other
16 wildlife can now move -- have the ability to move
17 between these areas. According to panther experts,
18 maintaining connectivity within and among these
19 areas is essential to the long-term viability of
20 the panther.

21 Please require revision of the habitat
22 conservation plan to provide adequate wildlife
23 corridors.

24 And, finally, the landowners have proposed over
25 a hundred miles of new and expanded roads as

1 necessary to support their proposed development of
2 45,000 acres. The habitat conservation plan should
3 consider the effects of the road network in its
4 analysis, and the U.S. Fish and wildlife service
5 must consider the indirect effects of the road
6 network in its jeopardy analysis.

7 Thank you.

8 MS. HINZMAN: Up on deck is Kay Herring.

9 MS. RUFF: Emily Ruff, E-M-I-L-Y, R-U-F-F.

10 I am a resident of Winter Park, Florida, about
11 four hours to the north. Lifelong Floridian. I've
12 been studying Florida ecology for the last three
13 decades. And I also represent tonight the Florida
14 School of Holistic Living, a nongovernmental
15 organization, with a statewide network of about
16 20,000 members.

17 The bottom line of my comments tonight is I
18 believe that the HCP should be rejected in its
19 current form; that it fails to meet multiple facets
20 of the Section 10-A criteria, especially for a
21 permit within the State of Florida of such
22 geographic size and chronological scope. It
23 neither minimizes nor mitigates the impact of its
24 incidental take to the maximum extent practicable,
25 nor does it protect the likelihood that -- or,

1 rather, does it reduce the likelihood of the
2 survival -- it does reduce the likelihood, excuse
3 me, of the survival and recovery of the fragile
4 species listed within.

5 The panther review team, the six expert panther
6 biologists that were hired by the Florida
7 Protection Program, reported in 2009 a
8 recommendation to move development out of the
9 sensitive primary zones and into secondary habitat.
10 That does not currently exist in the HCP and would
11 be a real mandate in order to protect that species.

12 The currently listed corridors are far too
13 narrow to be functional for panthers; and
14 especially to note in the north and south parts of
15 that map, there are virtually no corridors in
16 existence.

17 Much of the hundred thousand acres that is
18 prepared to be set aside for conservation, as many
19 speakers have already mentioned, is currently
20 protected by state and local measurements, so
21 effectively allows double-dipping of these
22 mitigation credits and panther habitat units.

23 The allowance of crop cultivation and oil
24 drilling, among other activities, on the said
25 preserved lands devalues it ecologically, making it

1 unusable for panther and other protected species
2 habitat.

3 Fifty years is far too long to adequately
4 respond to any issues in the first few years of
5 development should threatened species decline in
6 their population or fail to meet recovery goals.

7 As stated, the network of new roads to be added
8 or expanded will certainly threaten the panther,
9 but also will cost local taxpayers, recent
10 estimates showing up to \$2 billion for this network
11 of roads that will bring 60,000 visits daily to
12 some of these areas.

13 In addition, I want to point out that the
14 Florida wild -- or the Florida Fish and wildlife
15 Commission panther policy that was recently revised
16 as of the fall of 2015 talks a lot about reducing
17 extended panther habitat recovery area, which is in
18 direct contradiction to this, so I want to bring
19 that up, that Fish and wildlife should definitely
20 be re-reviewing that new panther policy, as it
21 concurrently reduces the HCP.

22 Thank you.

23 MS. HINZMAN: Janine Jain.

24 Ma'am, you're up next. Janine Jain is on deck.
25 And I did not mention that if you don't want to

1 stand in the aisle and wait, we do have a chair
2 reserved here for anyone who would like to sit.

3 MS. HERRING: Hi. My name is Kay Herring, and
4 I'm Native American. And I find the development of
5 the land in question to be quite appalling.

6 I think as a Native American who -- whose
7 people were once called savages, I believe they did
8 understand and they practiced the law of the land,
9 which is living in harmony with nature.

10 I believe the nine rich landowners are with
11 total lack of respect of the land. They want to
12 destroy anything and everything that gets in their
13 way, just as they did the Native Americans.

14 Incidental killing of an already endangered
15 creature I believe is vile and evil.

16 And greed. Greed is an addiction where you
17 lose your very soul, and greed is the pursuit of
18 things one already has an excess of and not wanting
19 to use the excess to help mankind or its creatures
20 in any way other than benefiting or bettering
21 themselves.

22 Our wilderness is a vast region of land
23 considered valuable as a get-away by humans. It is
24 valuable as an ecotourism use and profits. It is a
25 place largely ruled by nonhumans, the animals, a

1 place without human development, but a place that
2 humans can visit.

3 For those that cry over their lost livestock,
4 if you take a look at the state's hunting list,
5 almost every woodland creature is on the kill list.
6 And many killed animals are never placed on
7 anyone's table. This is food needed for the
8 panther, the bear, and every other creature of the
9 wilderness.

10 We need -- instead of bowing down to the greed
11 of these nine landowners, we need to separate
12 ourselves and conserve the land that belongs to the
13 citizens. That's it.

14 MS. HINZMAN: Next in line is Nicole Anastos.

15 MS. JAIN: I'm Jeanne Jain, J-E-A-N-N-E,
16 J-A-I-N, Southwest Florida Animal Advocacy.

17 Good evening. Thank you for the opportunity to
18 speak.

19 "The wildlife and its habitat cannot speak, so
20 we must and we will." Theodore Roosevelt.

21 We are their voice and we want to be heard.

22 A new town in the middle of prime panther
23 habitat? Ten thousand homes? No more habitat
24 destruction. Not 45,000 acres, not one acre.

25 A scientific study, landscape analysis of adult

1 panther habitat published July 29, 2015, contends
2 that panthers have already lost more habitat than
3 federal and state officials think. The authors
4 wrote, quote, "Because there is less panther
5 habitat remaining than previously thought, we
6 recommend that all remaining breeding habitat in
7 South Florida should be maintained," unquote.

8 Panther Position Statement, 9-3-15, quote, "FWC
9 will focus management efforts on maintaining the
10 Southwest Florida Panther population at a
11 sustainable level as supported by available
12 habitat," unquote.

13 If all the remaining breeding habitat is
14 essential and should be maintained, how can you
15 even consider allowing landowners to remove
16 45,000 acres of that habitat?

17 A 50-years incidental take permit? That is
18 simply preposterous.

19 There are other listed species to consider in
20 addition to the panther, such as the threatened
21 gopher tortoise. Last month WESH News reported
22 that Corey Clark, a Melbourne developer, spent
23 \$20,000 of his own money to find and relocate quite
24 possibly 200 threatened gopher tortoises, even
25 though he was not legally bound to do so, because

1 his company was grandfathered into an incidental
2 take permit that was issued for his property prior
3 to 2007.

4 If gopher tortoises are buried, it can take six
5 months to a year for them to slowly die of
6 starvation or suffocation.

7 We can only wonder if the nine applicants named
8 here would be willing to do the same to save rather
9 than take our endangered and threatened species.

10 We, the Southwest Florida Animal Advocates,
11 oppose approval of the Eastern Collier HCP.

12 MS. HINZMAN: On deck is Judy Dempsey.

13 MS. ANASTOS: Good evening. My name is Nicole
14 Anastos, N-I-C-O-L-E, A-N-A-S-T-O-S. And I can't
15 say any more than these people have spoke.

16 Greed, it's wrong. These -- this just cannot
17 happen.

18 I had a big thing to say, but I can't say
19 anything. I'm heartbroken. I hope you guys
20 realize that these guys said it all. They said it
21 all.

22 That's all.

23 MS. HINZMAN: Bonnie Michaels.

24 MS. DEMPSEY: Hi. My name is Judy Dempsey,
25 J-U-D-Y, D-E-M-P-S-E-Y.

1 It took over a hundred years for the developed
2 area of Naples to grow into the residential area it
3 is today. Why would we need to develop an area the
4 size of New York to plan for growth in the next
5 50 years?

6 We are smarter now, aren't we? Can't we grow
7 in a different manner? We don't need to take any
8 more panther territory. We are supposed to develop
9 in a manner that conserves water, protects and
10 prevents climate change, protects endangered and
11 threatened species.

12 This development does none of that.

13 People would be willing to live closer together
14 if it means we won't kill off another species.

15 We need to change the way that we grow. Why
16 are we still doing the same thing that we've done a
17 hundred years ago? We're smarter now.

18 I have seen on -- in many occasions that people
19 living in areas, expanding their homes out into
20 areas where animals are already living, are unable
21 to live with the animals there, and they're just
22 killing them off, and that's what we'll continue to
23 do.

24 We don't need to have -- I know that when you
25 were talking about what the development would look

1 like, that the areas on the outer edges would be
2 people living on many acres. That does not help
3 the animals that are living there. They cannot
4 live in the same place that people are living.

5 So take those people, move them back, give that
6 area to the animals, and move the people way back
7 so we're not living so far apart. We don't need to
8 live in the big house that we're living in today.

9 We need to change the way that we live. This
10 is what we need to start thinking about. No more
11 big houses, no more golf courses, no more places
12 where we frack.

13 Thank you.

14 MS. HINZMAN: Michael Sief (Phonetic).

15 MS. MICHAELS: Bonnie Michaels, B-O-N-N-I-E;
16 Michaels, M-I-C-H-A-E-L-S, representing Collier
17 Citizens for Sustainability.

18 Landowners have rights, but so do the wildlife.
19 They depend on us to exist.

20 The current plan doesn't give enough space in
21 the primary panther territory. As mentioned, this
22 year alone, 16 panthers have died. We can't
23 imagine what will happen as more roads open up,
24 traffic and people increase.

25 We only get one shot at this to do the right

1 thing and to modify the plan, so that future
2 development is much closer to the current urban
3 area where there is more infrastructure and will
4 allow more land for the panthers.

5 There have been so many good ideas tonight, and
6 I hope that all these good ideas will be used to
7 really strategize.

8 We know that the land is probably going to be
9 developed. But I believe, as so many here tonight,
10 that there are so many creative ways to make sure
11 that we can ensure some of the land is left for the
12 panthers and all of the wildlife.

13 Thank you.

14 MS. HINZMAN: Michael Sief.

15 MR. SIEF: I pass.

16 MS. HINZMAN: Okay. Thank you.

17 Russell Van Riper (phonetic).

18 MR. VAN RYPER: I pass.

19 MS. HINZMAN: Thank you.

20 Nancy Payton. And then after her, Clayton
21 Walker.

22 MS. PAYTON: Nancy Payton, representing the
23 Florida Wildlife Federation. N-A-N-C-Y,
24 P-A-Y-T-O-N. You also have my card.

25 Thank you.

1 I'm with the Florida wildlife Federation, and
2 the Florida wildlife Federation is also a member or
3 a partner in the Florida Panther Protection
4 Program. We're supported -- supportive of the HCP,
5 but with modifications.

6 Some of the issues that are keen to us are
7 habitat related, I'll discuss tonight.

8 Frankly, we'd like you to think beyond primary
9 and secondary zones. We'd like you to look at the
10 entire area, the 150,000 acres, and choose what is
11 the best habitat, what is the best configuration
12 for not only panthers, but all the wildlife that's
13 covered under this. Let's get beyond those rigid
14 boundaries of primary and secondary zone and look
15 holistically at what's best for all those species
16 of wildlife.

17 we look for robust habitat linkages, and we
18 prefer to say linkages rather than corridors,
19 because people think of corridors and they think of
20 hallways. We want functioning habitats.

21 And particularly the northwest connection,
22 which is through secondary habitat, and it's a very
23 important re-creation of a regional habitat
24 corridor which will connect Lee County through
25 Collier County, up through Hendry County, through

1 some private conservation lands that exist in
2 Hendry County. So the connections need to be
3 looked at regionally, particularly in that
4 northwest corner.

5 we also have issues with the area that is west
6 of the intersection of Oil Well Road and State
7 Road 29. We think that area is very important for
8 wildlife movement and wildlife should get first
9 consideration over rooftops and houses.

10 Generous buffers between development and the
11 conservation areas to deal with noise, light and
12 sound, and other impositions on wildlife.

13 we also want good buffers for the wetlands.

14 And time is up, and I'll just say the Paul
15 Marinelli Fund needs to be looked at closely to
16 make sure it has enough money in there to do the
17 long-term care that's necessary.

18 Thank you.

19 MS. HINZMAN: Next is Jillian Dempsey.

20 MR. WALKER: Clayton Walker, C-L-A-Y-T-O-N,
21 W-A-L-K-E-R.

22 Something that hasn't really been addressed
23 here is the fact that there already was a plan for
24 this. The county more than a dozen years ago
25 entered into a program called the RLSA, and all of

1 these landowners entered into this plan. And at
2 the end of this plan, the engineering firm, or some
3 portion of it that is working on this now, came up
4 with a development figure of approximately
5 16,000 acres. Now this turns out to be so
6 complicated in the manner in which it's figured
7 that now they claim that this is instead a figure
8 greater than 45,000 acres that they're allowed to
9 develop. So if you merely brought them back down
10 to the 16,000 that they themselves agreed to years
11 ago, you already would solve a lot of the problem.

12 Furthermore, at least part of the problem is
13 being caused by the fact that they have scattered
14 to the furthest corners of all their individual
15 tracts of land instead of pushing themselves into
16 more of a combined area somewhere so that the
17 impact would not be near as great because of the
18 huge amount of travel. And then on top of that,
19 the impact financially wouldn't be near as great to
20 the taxpayers in the community who are going to
21 wind up funding the road networks, the school
22 systems, and all the other services, because none
23 of these are going to be built by these developers.

24 So at some point the premise that you even
25 operated on of them having forty-five plus thousand

1 acres of developed land actually isn't part of the
2 county standard that these people signed and was
3 adopted going on five plus years ago.

4 MS. HINZMAN: Pass? Okay.

5 Bobbie Lee Davenport, and then Ralph Giunta.

6 MS. DAVENPORT: Hello. Bobbie Lee Davenport;
7 and that's B-O-B-B-I-E, L-E-E, D-A-V-E-N-P-O-R-T.

8 And I'm here today to represent Cypress Cove
9 Conservancy. It's a newly formed organization that
10 just started and we're specifically targeting land
11 purchased for listed and endangered species
12 habitat. You can find us on the web if you haven't
13 heard of us.

14 I'm also a board member of the Responsible
15 Growth Management Coalition and I'm here as a
16 member of the Environmental Confederation of
17 Southwest Florida.

18 So first I want to address the incidental take
19 permit, and there's nothing incidental about the
20 incidental take permit. Once that land is paved
21 over and all the habitat is gone -- you know, you
22 said that you weren't going to be looking to kill
23 in the permit, that it would just be other things.
24 But what happens when everything is bulldozed down?
25 Of course, there's going to be plenty of kills.

1 The roads is a major issue with this because
2 the roads haven't been addressed. So there's going
3 to be roadways going through this development
4 out -- it'll be a speedway. I live on Golden Gate
5 Boulevard and it's a speedway. That's what's going
6 to happen right through priority one panther
7 habitat.

8 This is referred to as a conservation plan.
9 There's nothing about it that's a conservation
10 plan. This is just destruction and devastation.

11 So we are asking you to reject this plan. This
12 is a very bad plan. It's absolutely ludicrous.

13 And I heard you mention hunting. So, you know,
14 we have conservation lands, but you said something
15 about hunting camps, too, so we're going to have
16 roads, we're going to have hunting, we're going to
17 have oil exploration going on, and this is just a
18 travesty.

19 You asked what do we want you to study when you
20 were up there talking. I think we should study the
21 Endangered Species Act, because if it allows for
22 all of this, it's a flawed plan. We have a serious
23 problem here.

24 So I think that's about it. Everybody else
25 pretty well covered everything. But please reject

1 the plan. It's a really bad plan.

2 Thank you.

3 MS. HINZMAN: Michele -- yes. Thank you.

4 MR. JIUNTA: Ralph Jiunta, R-A-L-P-H,
5 J-I-U-N-T-A.

6 The HCP does not adequately address the unique
7 habitat needs of the 15 other protected species
8 besides the panther, such as the caracara and
9 gopher tortoise. The HCP does not reflect the
10 threat of extension to endangered plant species
11 located within development zones.

12 I would also like to point out what may be
13 seemingly obvious in the fact that we have to come
14 together to decide if we should protect or destroy
15 the planet that we have left after so much
16 destruction has already passed in the years of
17 industrial sprawl.

18 To me, it is indicative of a certain form of
19 erroneous world view, that we have completely
20 severed the roots of connection to what sustains us
21 every single day.

22 Much like the language nature speaks, I'd like
23 to give the rest of my time to the obvious truth
24 that lies still in silence, because we all need to
25 know what is right and harmonious.

1 (Pause for silence.)

2 Thank you.

3 MS. HINZMAN: Shirley Harner.

4 MS. BUMBIER: Hello. I'm Michele Bumbier,
5 M-I-C-H-E-L-E, B-U-M-B-I-E-R. And I'm also
6 representing the Florida School of --

7 THE COURT REPORTER: I'm sorry, the Florida?

8 MS. BUMBIER: Florida School of Holistic
9 Living.

10 Fellow Floridians, we all call the state home
11 for many reasons. To me, the enormous
12 bio-diversity has kept me calling this state home
13 for 20 plus years.

14 Florida consists of complex ecosystems that
15 have been compromised since urban sprawl began
16 many, many years ago. If the potential land
17 development of 150,000 plus acres in Collier County
18 passes, we would experience devastating effects
19 forever.

20 Collier County has a precious ecosystem where
21 most of the state's Florida panthers inhabit.
22 Among them are the other threatened and endangered
23 species like the caracara, bonneted bat, scrub jay,
24 indigo snake, gopher tortoise, et cetera.

25 How could we allow such devastation to occur to

1 such an amazing state?

2 Can you measure pain?

3 If the panthers' territory is limited with this
4 proposed plan, they will begin to compete with each
5 other and ultimately become extinct with the aid of
6 the -- the take permit.

7 The nine landowners and land developers want to
8 encroach on the primary habitat of these animals,
9 but can't they use the tertiary areas?

10 This means that more cars, homes and human
11 activities will slowly but surely suffocate the
12 native habitat.

13 The land that would be set aside for
14 conservation, the hundred thousand acres, could
15 still be used for crop cultivation, drilling and
16 oil exploration. This is not conservation.

17 We need to learn from the past.

18 We see how damaging fracking and oil drilling
19 is. Is it worth losing the lives and the
20 ecosystems of our precious Florida?

21 Thank you.

22 MS. HINZMAN: Shirley Harner?

23 Pam Brown; and then after her, Patty Whitehead.

24 MS. BROWN: Good evening. Pam Brown, P-A-M,
25 B-R-O-W-N.

1 First of all, I'm a citizen of Collier County.
2 I'm a lifelong resident.

3 We only found out about this last Friday, and I
4 really think this has been an unfair time to
5 respond to this.

6 As Clayton said earlier, we actually had
7 16,000 acres in a RLSA plan that was developed by
8 Wilson Miller Stantec with the county; and now with
9 Wilson Miller Stantec has now developed a plan to
10 say, oh no, we were wrong about the 16,000, it's
11 really 45,000 acres we need to develop.

12 I really believe that we need to have more time
13 to address this.

14 There was a study that started this, I think
15 last year, I was told, but nobody knew about this.
16 And now we're going to be -- have this shoved down
17 our throat now? Yeah, we have two years, but
18 you're here. And do we really have a voice here to
19 be able to say we don't want this sprawl, we want
20 this done in a smart manner to live in harmony with
21 nature?

22 And Please reject the HFCP plan as proposed and
23 do something a little different here. We need to
24 have smart growth.

25 Thank you.

1 MS. HINZMAN: Aaron Knott.

2 MS. WHITEHEAD: Good evening, Fish and wildlife
3 Service. Patty Whitehead for the record. My name
4 is spelled P-A-T-T-Y, W-H-I-T-E-H-E-A-D. I'm here
5 representing the Responsible Growth Management
6 Coalition of Southwest Florida, a long-standing,
7 venerable organization looking out for our
8 environment, our quality of life and proper growth
9 parameters. It was started by Ellen Peterson and
10 Gene and Ellie Boyd of Lee County.

11 This HCP is a complete misnomer.

12 Number one, under the National Environmental
13 Policy Act you're required to create an EIS -- I
14 understand that -- and, as stated, prepare an EIS
15 for any federal action that significantly affects
16 the quality of the human environment.

17 well, this will affect the quality of the human
18 environment, because not only are you wiping out
19 listed and endangered species habitat, but you're
20 wiping out our agricultural lands. What kind of
21 food security will we have in the future when you
22 replace all of those row crops and all of those
23 tomato fields and all of those citrus lands with
24 people? How are you going to feed these people?

25 You know, a time will come where there's so

1 much unrest in the world, we're going to have
2 import bans. And yet, where are we going to find
3 the resources to feed the people we're putting in
4 our agricultural zones?

5 So for -- on that basis alone, there's a direct
6 and significant impact to the quality of the human
7 environment, without even considering impacts to
8 the listed and endangered species.

9 Furthermore, when you add \$45,000 --
10 45,000 acres of development, you're going to have
11 accretion of other development ringing around that
12 development. So development doesn't stand by
13 strict lines, nor do panthers stand by strict
14 lines. Panthers don't know boundaries, all right?
15 A male panther needs 200 square miles to disperse.
16 And we've already had significant panther deaths
17 this year; last year, record numbers.

18 Please reject this plan. It is completely
19 uncalled for and unnecessary.

20 Thank you.

21 MS. HINZMAN: Pamela Duran.

22 MR. KNOTT: My name is Aaron Knott, A-A-R-O-N,
23 K-N-O-T-T.

24 I also speak in opposition to the plan.

25 It is called a habitat conservation plan, and

1 yet there are many conservation groups in Florida
2 and in South Florida who were never even consulted
3 on the plan, so who's -- who is deciding that it's
4 habitat conservation?

5 I support the comments of the Conservancy of
6 Southwest Florida and the other conservation
7 groups. The plan should -- should concentrate on
8 saving the wildlife, not saving development plans.

9 Thank you.

10 MS. HINZMAN: James Duran.

11 MS. DURAN: Pamela Duran, P-A-M-E-L-A,
12 D-U-R-A-N.

13 Water. Water, water, water. Residents depend
14 on well water in Naples and the surrounding HCP.
15 Overdevelopment depletes the aquifers. And now we
16 have salt water intrusion. And to top it off,
17 you're adding 11 acres of oil and gas development
18 and production, which consumes a vast amount of
19 water.

20 This reminds me of the time one of the
21 landowners represented to -- went on TV and told
22 everyone there would be no fracking. It was on TV.
23 And then they fracked the Collier Hogan well.

24 It took 18 months to drill a thousand-foot
25 water well. And they tested the water for no

1 fracking chemicals. Swept it under the rug, just
2 like the Phoenix land deal.

3 The past history of these landowners predicts
4 their future destruction.

5 Don't forget, Florida has droughts.

6 MS. HINZMAN: Kevin Doss.

7 MR. DOSS: Pass.

8 MS. HINZMAN: Brad Cornell.

9 MR. DURAN: I'm Jaime Duran. I'm from Golden
10 Gate Estates, and I rushed in here.

11 MS. HINZMAN: Spell your name, please.

12 MR. DURAN: J-A-I-M-E, D-U-R-A-N.

13 MS. HINZMAN: Thank you.

14 MR. DURAN: A 50-year carte blanche permit is a
15 disaster. No turning back after that, after it is
16 issued.

17 You only need to look at the precedents, the
18 violations of corporations that claim to be
19 stewards of the environment and wildlife. Do not
20 believe their smoke and mirrors rhetoric. They are
21 only guided by greed and the obscene profits that
22 they want to obtain.

23 Water is a limited resource, especially in
24 Florida where we are at the end of the line. Salt
25 water intrusion is evident in many places in the

1 state, caused by overuse in agriculture, and its
2 permitted activities such as cattle ranching,
3 mining and oil drilling.

4 So many wild animals are further endangered by
5 overdevelopment. Mining, inefficient food crops
6 and oil exploration take away from critical habitat
7 needed by wildlife.

8 Human survival is dependent on the healthy --
9 on a healthy, natural environment. This project
10 has at its prime an ultimate objective that profits
11 its sponsors.

12 The HPC -- HCP is an insult to the good
13 citizens of South Florida. It creates more urban
14 sprawl, while it leaves many developed areas
15 vacant. Surely there are better options available.

16 Just as an update, there are nesting
17 woodpeckers in our property, just feet from the
18 area in -- in question.

19 Thank you.

20 MS. HINZMAN: Jennifer Christiansen.

21 MR. CORNELL: Good evening. I'm Brad Cornell,
22 and my name is B-R-A-D, C-O-R-N-E-L-L.

23 I'm here on behalf of Audubon of the Western
24 Everglades, Audubon, Florida, and we support a
25 modified habitat conservation plan as the landscape

1 scale permits.

2 These are not new activities. This is a
3 federal permit on much of an existing 14-year-old
4 local Rural Land Stewardship Program here in
5 Collier County.

6 We, in Audubon, Florida, both participants in
7 the Florida Panther Protection Program. We
8 strongly believe a combination of regulation,
9 incentives, and collaboration with private
10 landowners and rural communities is essential to
11 having any hope of recovering the Florida panther.

12 I spent almost two years working on a Collier
13 County Rural Land Stewardship Program five-year
14 review committee of the land use program, and this
15 is the report that we issued after those two years.

16 Our committee identified some important
17 improvements to that program, which I recommend you
18 consider. The mapping, data, and analysis are
19 robust and form the basis of both rural and
20 stewardship program improvements and this HCP.

21 One improvement we recommended is incentives
22 for protecting 40,000 acres of agricultural
23 operations and lands which are compatible with
24 Florida panther habitat as it's seen today.

25 This big plan is not perfect, but this

1 collaborative approach represented in this plan to
2 privately held panther habitat is absolutely
3 critical.

4 Audubon will be submitting our own constructive
5 comments in writing, so thank you very much.

6 MS. HINZMAN: Sally Woliver. Woliver? Sorry.

7 MS. WOLIVER: You got it.

8 MS. CHRISTIANSEN: Hi, my name is Jennifer
9 Christiansen, J-E-N-N-I-F-E-R,
10 C-H-R-I-S-T-I-A-N-S-E-N.

11 I am an educator, I'm a former college
12 professor and a local business owner, and I'm here
13 tonight to express my 100 percent disapproval of
14 the Eastern Collier Habitat Conservation Plan. I
15 refuse to sit by idly while those that value money
16 over life and beauty, including people appointed to
17 protect our wildlife, are attempting to erase these
18 endangered species. There is no McMansion or state
19 dinner more important than the imperiled species
20 that need this space to survive.

21 This area is the last stand of the Florida
22 panther. Take a look around. It is time to stop
23 and call a moratorium on further development.

24 No matter what measures are included to try to
25 appease us concerned citizens, it is not worth

1 giving away any more critical panther land.

2 The plan's additional protections are nowhere
3 near enough to make the plan acceptable. The
4 offered panther corridor is not wide enough or
5 reforested enough to make it useable by panthers,
6 and the underpasses will not offset the road kills
7 due to new traffic.

8 Any wildlife lucky enough to survive the
9 devastation of their home would then be attracted
10 to human food sources, which will result in more
11 killing from homeowners or the FWC and police who
12 are called for so-called nuisance animals.

13 This is not to mention the ridiculous and
14 unconscionable incidental take section of the plan.
15 The HCP gives landowners too much power over our
16 jeopardized wildlife.

17 The public trust doctrine states that wildlife
18 belongs to me as well, and I say "no" to further
19 jeopardizing these endangered creatures for the
20 sake of more development that our state lands
21 cannot handle.

22 Move it out of the primary panther zone
23 habitat. Reject the HCP.

24 Thank you.

25 MS. HINZMAN: Danny Gonzalez.

1 MR. GONZALEZ: Pass.

2 MS. HINZMAN: John Psaras.

3 MS. WOLIVER: Thank you for pronouncing my name
4 right. It's Sally, S-A-L-L-Y; Woliver,
5 W-O-L-I-V-E-R.

6 And as a thank you, a courtesy and respect that
7 everybody, including all of you that gave up your
8 dinner hour tonight, this is going to be short, but
9 not sweet.

10 I want to bring your attention to a very
11 important study that was just published two weeks
12 ago. And since you're basing a lot of your science
13 on current science, you may not be aware of this.
14 This one is to do with sea level rise. It came out
15 two weeks ago in the journal Nature. This sounds
16 familiar. It was published. Co-authors from
17 University of Pennsylvania and the University of
18 Massachusetts.

19 And the latest studies are showing a six-foot
20 rise by the end of this century. So right now,
21 when we have this discussion, we're looking at
22 rearranging the chairs on the Titanic, because the
23 area that you're talking about, our area, is going
24 to be more than likely under water.

25 So please take this into account. And I will

1 send you the links that I have on the study so you
2 can look into this further, because this is not --
3 we're back to what we did 50, 60 years ago, selling
4 swamp land in Florida.

5 Thank you.

6 MS. HINZMAN: And then after -- it was Andy,
7 wasn't it? And then Dona Knapp.

8 DR. PSARAS: Good evening. My name is Dr. John
9 Psaras, P-S-A-R-A-S.

10 I am a concerned citizen of Collier County.
11 I've lived in this area on and off since 1980, and
12 I have seen a tremendous amount of development.

13 I believe that everything that was supposed to
14 be said has already been said, so I'll limit myself
15 to a couple of technical issues.

16 The first one is: why do we need an EIS?
17 Nobody asked that question.

18 The need for an EIS is mandated by NEPA if a
19 tract of land is disturbed; any kind of
20 disturbance. There are two documents that NEPA
21 prescribes. One is an EIS, which is an
22 environmental impact statement; and the other one
23 is an EA, which is an environmental assessment.

24 The tougher of the two, because of greater
25 impact, is the environmental impact statement, so

1 we need to make sure that everybody understands why
2 we need to have that.

3 Now, I believe that this particular HCP
4 proposes conversion of natural and rural lands into
5 an urban area equivalent in size, I estimated
6 roughly about Washington, D.C., not New York.

7 There will be many impacts; beyond those, the
8 wildlife that we have basically talked about today,
9 including water resources, sensitive public lands,
10 including archeological sites and also Native
11 Indian sacred sites, as well as loss of prime
12 agricultural land. So we need to consider all
13 these in developing any future EIS.

14 Also, another issue is the fact that we have a
15 50-year HCP. Now, what I'd like to consider over
16 here is that I hope that in the future changes in
17 legislation, which are going to be effected for
18 land conservation and management, are being
19 considered. Because, as we all know, in the last
20 50 years an awful lot of changes have been made,
21 and in the next 50 years there will be more
22 changes, primarily driven by global warming.

23 Thank you very much.

24 MS. HINZMAN: The last card I have is for
25 Carmen Flesher.

1 If you thought you turned in a card or wanted
2 to speak and didn't -- I didn't call your name,
3 then please fill out a card and we'll be happy to
4 let you speak at the end.

5 MS. PSARAS: May I say one thing? I think my
6 husband and I both had cards back to back.

7 MS. HINZMAN: Oh, I'm sorry. Okay.

8 MS. PSARAS: That's okay.

9 MS. HINZMAN: We'll let you go right after.

10 MS. PSARAS: All right. Thank you.

11 MS. KNAPP: Good evening. Good evening. Dona
12 Knapp, D-O-N-A, K-N-A-P-P.

13 I'm a resident of North Naples, lived here
14 since 1979, and I've seen many, many changes here.

15 You know, this whole idea stinks of money. A
16 lot of money. And I don't see this as a
17 conservation for wildlife. I just see it as a way
18 of making more money for the rich that really don't
19 need to get any richer.

20 I mean, how many trees are proposed to be cut
21 down? How many animals, birds, reptiles and
22 insects, et cetera, are we destroying? Everything
23 depends on everything else. You take a food source
24 away from one animal and it affects another.
25 It's -- and we're included in that. Humans are

1 included in that -- in that universal law.

2 Everything depends on everything else.

3 I -- I just -- I just want to tell you, please
4 reject this idea. It's -- it's -- I don't know.

5 where will all the water come from? we're
6 already getting salt water into our aquifers.
7 where's all that water going to come from to
8 support people in the future? In ten years they
9 say that our population here will have doubled.
10 where's all the water going to come from? where's
11 all the food going to come from? How are we going
12 to support all the people that are moving here?
13 And now you're proposing to destroy more wild
14 lands. More wild lands. And once it's gone, it's
15 gone.

16 It's paving over paradise just so a few rich
17 people can get richer. They sacrifice the
18 Creator's creation for their money that they can't
19 eat. And we can't eat money and we can't drink
20 oil, and I just wish people would wake up and
21 realize these things before it's too late.

22 Because we truly are in a time of survival. We
23 truly are in a time of survival, and we see it all
24 over the world. And if we think that we're going
25 to survive Mother Earth's power, we've got another

1 thing coming. we'll all be gone.

2 what are we going to tell our grandchildren? I
3 mean, I hope to have grandchildren. I've got
4 children. I want them to have a good future here.

5 Thank you very much. And I hope you -- I hope
6 you deny these permits before it's too late and
7 we're all gone. It affects every one of us, even
8 the rich.

9 MS. PSARAS: My name is Andie Psaras,
10 A-N-D-I-E, P-S-A-R-A-S.

11 I don't have a whole lot to say because an
12 awful lot has already been said very eloquently,
13 and I'm no eloquent speaker. But as a concerned
14 citizen who has had a presence in Lee and Collier
15 Counties both since 1965, I understand the issues
16 of growth in this area.

17 Despite the proposed population growth
18 estimates over the next 50 years, I believe there's
19 another answer to this sort of development.

20 Development stresses the environment, it
21 stresses the animals and the water.

22 Water is the issue for me. The panthers and
23 all of the animals are the issue, but water for me
24 is particularly the crux of the problem.

25 I'm concerned, in addition to the -- of the

1 greed that's behind the plan, and to that end, I
2 would like to read this statement.

3 The necessary transportation system, which is
4 just -- that's going to be needed to serve this
5 level of development is protected to -- is
6 projected to increase the vehicle trips on nonrural
7 roads from -- by six to eight times their current
8 rate.

9 In addition, there is no comment in any of the
10 plan about the type of material made for the roads,
11 so there's no permeable road material discussed,
12 there's no sloughs that have, you know, slow, slow
13 penetrating water from the rain. I mean there's
14 just nothing considering the water with the road
15 development.

16 There's already been a record number of Florida
17 panther deaths on the roadway, and these deaths are
18 likely to increase from the several new towns and
19 developments proposed by the HCP.

20 State Road 29, a road that already claims a ton
21 of accidents, in addition to panther road kill,
22 will be the new main artery for this area of the
23 county due to high level of development proposed by
24 the HCP, and that would be just so tragic.

25 I would ask that you please reject this

1 proposal.

2 Thank you.

3 MS. HINZMAN: Carmen?

4 MS. FLESHER: Hi. My name is Carmen Flesher,
5 C-A-R-M-E-N, F-L-E-S-H-E-R. And, actually, I am
6 for the actually proposed -- I do believe that the
7 moratorium -- we've all had a chance.

8 I've lived here my whole life. Ninety percent
9 of these people have moved here from somewhere
10 else. I truly believe more people should be able
11 to move here.

12 The land should be able to be developed with
13 good conscience of landowners. I believe it will
14 provide more jobs in our area that are needed.

15 I believe that -- concerning panthers, I do not
16 believe we, honest to God, have a true count on
17 panthers. I believe that we have -- people have
18 said anywhere from 140 to 180. I cannot believe
19 that I've seen pictures, or myself, seen 20 percent
20 of that count in the hundred areas that I live --
21 within the hundred-acre limit of the people in --
22 where we've had our game camera.

23 I truly believe that it should happen.

24 We do need to be careful with our water systems
25 and stuff like that. I do believe that. And I

1 believe that FWC is responsible, and they also
2 should be -- they'll be able to, you know, maybe
3 maintain and watch all that.

4 MS. HINZMAN: Ma'am? Ma'am. Please be
5 respectful.

6 Thank you.

7 UNIDENTIFIED PARTICIPANT: You're welcome.

8 MS. FLESHER: Most of the people that have
9 objected to it, other people are for it. I mean,
10 like I said, prior. Did they really have -- you
11 know, they moved here. And if they're concerned
12 with everything and us moving out and having more
13 property and -- and all of that, let them give up
14 their homes. Let them -- that could be more
15 panther habitat. You know?

16 I truly believe that we're over -- putting
17 animals over our humans. Humans should come first.

18 Thank you.

19 MS. HINZMAN: Was there anyone else that wanted
20 to speak that had a card that I didn't call your
21 name?

22 All right. With that, I want to thank you all
23 very much for coming. We appreciate your time. We
24 appreciate your passion and your participation, and
25 we look forward to hearing from you again.

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Good night. Drive safely.
(Thereupon, at 7:35 p.m. the proceedings were
concluded.)

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C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF LEE)

I, ANDREA J. STEFANICK, Registered Professional Reporter, Registered Merit Reporter, Certified Realtime Reporter and Florida Professional Reporter for the 20th Judicial Circuit of Florida, do certify that I was authorized to and did stenographically record the foregoing proceedings and that the typewritten transcript of proceedings is a true record.

Dated this 28th day of April, 2016.



ANDREA J. STEFANICK, RMR, CRR, FPR
Court Reporter