

Curious about Pasco's Proposed Wildlife Ordinance?

Several articles have appeared in the local papers describing the often contentious public hearings on the proposed Pasco Wildlife Protection Ordinance. If you've wondered what the fuss is about, here are ten frequently asked questions that might help you understand why developers are upset and complaining loudly. Sadly, it appears that, once again, "Pass-Go" county's Board of County Commissioners lacks the will to oppose development. Seizing on some imagined sense of "property rights," the BOCC has inserted language that in effect negates a well-written ordinance that would have made Pasco County among the leaders in state-wide in wildlife protection.

The ordinance is still in draft. If you care about wildlife protection, the BOCC needs to hear from you and remove the language inserted by Commissioner's Mulieri and Cox allowing the BOCC to change the size and alignment of the corridors to accommodate their "friends" (this is a direct quote from Commissioner Mulieri.)

FAQ about Pasco Wildlife Ordinance

1. Why is Pasco County just now drafting a wildlife ordinance?

Pasco County was required to develop the ordinance as a result of a lawsuit settlement in 2000 – nine years ago. Conditions in the settlement required the establishment of wildlife corridors connecting remaining natural areas – mainly well fields - so that wildlife could freely migrate. The ordinance was supposed to be completed by December 2007, but the County Commissioners have not been able to agree on language so the proposed ordinance has undergone several drafts.

3. Just what is a wildlife corridor and how does it function?

Wildlife corridors are relatively narrow strips of land that connect larger un-fragmented areas of habitat called "Patches" which offer better survival prospects for wildlife, and regularly meet living prerequisites that include food, cover, water, living space, and limits on disturbances. In Pasco County, these are generally well-fields. Corridors aid in the movement of wildlife between disconnected patches of their natural habitat, and typically include areas that provide food, breeding ground, shelter, and other functions necessary to thrive.

4. What is the scientific consensus on wildlife corridor design?

- The corridor should be as wide as possible. The corridor width may vary with habitat type or target species but a rule of thumb is wider and larger areal extent is better.
- The longer the corridor the wider it may have to be.
- Maximize land uses adjacent to the corridor that reduce human impacts to the corridor. Essentially, corridors surrounded by intensive land uses should be wider than those surrounded by low intensity uses.
- To lessen the impact of roads, maintain as much natural open space as possible next to any culverts and bridge under/overpasses to encourage their use.
- Do not allow housing or other impacts to project into the corridor or form impediments to movement and increase harmful edge effects.
- If buildings or housing are to be permitted next to the corridor, establish a buffer and place a conservation easement over this area.
- Where the hydrology supports it, place the development's stormwater retention/detention facilities between the managed land and conservation land as an added buffer.

- Develop strict lighting restrictions for the houses adjacent to the corridor to prevent light pollution into the corridor. Lights must be directed downward and inward toward the home. (This may involve adopting local “Dark Skies” lighting ordinances).
- The essential element of corridor size is that it be adequate for the largest species that will use it. In Pasco County, these are generally the Florida Black Bear and the Whitetail Deer.

The principles were adapted from Monica Bond, Center for Biological Diversity, [Principles of Wildlife Corridor Design](#), 2003.

5. Why are wildlife corridors included in the proposed ordinance?

Wildlife scientists refer to a *North American Model of Wildlife Conservation* that has developed over years of study and experience. Important elements are:

- The Public Trust Doctrine, derived from the 1842 U.S. Supreme Court case, *Martin v. Wadell*, where wildlife was held in common ownership by the state for the benefit of all.
- The full ecological effects of human activities often are not seen for many years, and the imprint of a land use may persist for a long time, constraining future land use for decades or centuries even after it ceases.
- Disturbed ecosystem components can often recover. This should guide a community to take a long view when striving to create and maintain habitat linkage corridors.

5. How big does are wildlife corridors in Pasco’s ordinance?

While most wildlife studies indicated that an ideal corridor is 1/10 as wide as it is long, in the draft Pasco wildlife protection ordinance, the maximum corridor width is 2200 feet. This narrows in places to 1100 feet and 550 feet where existing development does not allow full width.

6. What were the commissioner’s objections to wildlife corridors?

From their comments at public hearings, it appears that the commissioners did not understand that enacting a wildlife protection ordinance that allowed wildlife populations to expand and prosper would restrict the ability of landowners to develop property without regard to the effect that development would have on wildlife. After listening to developer’s complaints, they added language that would allow them to reduce corridor width and adjust corridor alignment to accommodate development when it suited their purpose.

7. In the proposed ordinance, what is the effect of the corridor on property owners through whose land the corridor runs?

If property owners wish to change the use of their land within the current zoning, there is NO effect. The ordinance would only apply should property owners desire to change the use, density or intensity of their property through zoning changes. If a usage change is requested, the property owner is offered incentives to offset for loss of development rights in the corridor.

8. Doesn’t this amount to taking away property rights from the owner?

No. Every owner’s property rights are limited by current zoning regulations. Remember that property owners can develop their property under current zoning without regard to the presence of the corridor on their land. The ordinance would apply only to requested land use changes that increase the density/intensity of use. Property owners often keep a low development zoning classification --resulting in low taxes- until they plan to develop their property. This is a form of speculation for profit – not a right.

9. What are the incentives that are offered to the property owner who elects to avoid development in the wildlife corridors?

There are several different incentives, which have the result of allowing more density and/or more intensity of use than would otherwise be allowed based on the new requested zoning.

10. Does this mean, for example, that a developer could build right up to the edge of the corridor?

Not necessarily. The Land Development Code, which would include the wildlife ordinance, sets buffer zones that must be observed. These vary upward from 25 feet and are worked out in the development agreement before construction starts.

11. Where can I read more about the proposed ordinance?

Try http://portal.pascocountyfl.net/portal/server.pt/directory/critical_linkage_ordinance/456. This link should take you to a library of 27 Adobe pdf documents that represent the public record on this issue. To get the flavor of the County Commissioner's actions and reactions concerning the ordinance, it's necessary to watch the video recording of the several hearings. These are available from Pasco County.