

# Orange County's new wetlands ordinance aims to protect 'Earth's kidneys'

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Orange County is strengthening its protections for the area's vast expanse of wetlands, delicate but critical natural areas often imperiled by pressure for new development.

The updated rules, effective June 1, were two years in the making but won unanimous approval at the county board's final meeting of 2023.

Wetlands, sometimes called the earth's kidneys because they filter pollutants from water that flows through them, account for 162,000 acres, about a quarter of the county's area, but have shrunk at rates alarming to [environmental groups](#).

They also help prevent neighborhood flooding by absorbing runoff from heavy rains.

"Most of our uplands are already developed and, so that leaves mostly lower wet areas," said Deborah Green, president of Orange Audubon, which endorsed revision of the 35-year-old ordinance. "Even small [wetlands](#) have importance to wildlife. From the point of view of birds and nature, we want to save as many wetlands as possible."

The county has lost about 4% of its wetland acres since 1990, according to a study conducted for the revision.

The new ordinance was crafted through workshops and public meetings with goals to strengthen wetland protections, streamline the county's permitting processes and ensure natural resource protections are balanced with [property rights](#), said Tim Hull, Orange County's environmental programs administrator, who supervised the revision.

Developers who propose to dredge or fill in a wetland must get a county permit before beginning.

To keep the public informed of the changes, division spokesperson Denise Cochran created a special page on the county website that was dedicated to the ordinance, including a "Wetlands 101" educational primer, videos and PowerPoints.

"Although wetlands are often wet, a wetland might not be wet year-round. In fact, some of the most important wetlands are only seasonally wet," according to a fact sheet created by the U.S. Environmental Protection Division. "They are transition zones where the flow of water, the cycling of nutrients and the energy of the sun meet to produce a unique ecosystem characterized by hydrology, soils and vegetation—making these areas very important features of a watershed."

The page also allows visitors to explore full texts of public comments about the changes, both pro and con.

"The notion that all wetlands are inherently valuable is simply wrong," argued John Miklos, head of Bio-Tech Consulting and a former chairman of the St. Johns River Water Management District, at a public meeting in December 2022.

But Chuck O'Neal, founder of the environmental group Speak Up Wekiva, noted in February that the county charter has a "no wetlands destruction" policy. He added, "With the population of Orange County increasing, we need more wetlands rather than less."

In an interview this week, Hull said the new ordinance requires a minimum 100-foot upland buffer, a strip of undisturbed land along the edge of a wetland area that helps protect the wetland. That is stricter than the state's requirements.

The rewritten ordinance was crafted to mesh with an ongoing revision of the county's comprehensive land-use plan, known as "Vision 2050," to create an updated road map for future growth.

Adopted in 1987, the original wetlands ordinance helped slowed the rate of wetland loss the county had experienced in the 1960s and 1970s, Hull said, but the rules had become out of date over 35 years with some

provisions pre-empted by state law.

"With the new code changes, we hope to slow the rate of wetland acreage loss even further," Hull said.

The new ordinance also clarified more than 20 key terms.

Environmental advocates like the Sierra Club and St. Johns Riverkeepers who participated in forums to strengthen wetland protections joined Orange Audubon in publicly supporting the revisions before commissioners voted to approve them.

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