

March 2, 2018

To: Kris Van Lengen
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From: Gaylene Vasaturo
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RE: Comments on Feb. 22nd RLSA Workshop and Responses to Questions Presented

The RLSA overview/history presentation at the Feb. 22nd Restudy Workshop—although brief—was much appreciated. However, the second part of the workshop concerning GMP Group 1 policies 1.7 and 1.15 discouraged public participation. Participants were asked about stewardship easements and super-majority/simple majority approval of a Stewardship Receiving Area (SRA), but absolutely no background information was provided. This part of the workshop was designed for stakeholders already familiar with the issues. In order to participate meaningfully one would have had to research the issues beforehand. Providing the public the questions in advance would have helped some, at least we could have tried to educate ourselves.

Also, since Group 1 policies were the subject of the second part of the workshop, and Group 1 policies provide the purpose and structure of the RLSA, it may have been helpful for a summary of what the Group 1 policies say about the purpose and structure of the RLSA.

Please accept the following responses to three of the questions presented at the Feb. 22nd workshop:

1. What is the main objective of this Restudy process?

The purpose of the Restudy should be to evaluate how the 2002 program is working to meet the three objectives of the RLSA program: to protect agricultural lands (and rural character of the area), direct incompatible uses away from wetlands and upland habitat to protect water resources and wildlife, and allow for development while avoiding sprawl. This “Restudy” should consider and incorporate the new information and data that has been developed since adoption of the program in 2002. Most importantly, the Restudy should take into account the two studies by panther experts based on years of telemetry data, the USFWS 2008 Panther Recovery Plan and the 2010 Florida Panther Protection Program Technical Report. Additionally, sea level rise presents a serious challenge to south Florida. A two foot sea level rise will result in significant salt-water intrusion which in turn will deplete our fresh water resources. The Restudy should consider sea level rise along with the proposed intense development of the RLSA and the potential impact on our water resources.

Instead the thrust of the workshops reflects the County’s focus on the amendments proposed in 2009, and not examining the 2002 program as a whole. The 2002 RLSA overlay does a much better job of meeting the objectives of the RLSA program than the 2009 proposed changes; indeed some of the 2009 proposed changes are inconsistent with these objectives and the RLSA program. The Restudy should start with the 2002 program.

2. Are the stewardship easements adequate for protection of resources?

No. First, as I understand most or all the easements remove many layers of land uses, but still allow agriculture 1 and 2 uses. This means that the grantors can move agriculture operations currently on SRAs to the natural areas in the SSAs intended to be preserved to help wildlife and water resources.

My understanding is that the current 64,400 acres of agriculture will be reduced to 26,000 acres under the proposed RLSA development of 45,000 acres. About a 60% reduction. This will likely result in the landowners moving agriculture operations from SRAs to the “preserve” Stewardship Sending Areas (SSAs). How will the natural vegetation and wetland areas be preserved for wildlife and water resources? The easement should contain restrictions that prevent the landowner from starting agriculture operations in areas that have not previously been used for agriculture. Second, to provide adequate protection the easement needs to include specific management and monitoring requirements for which the grantor is responsible. If these requirements are in a separate document, this could hurt enforceability of the easement. Enforceability of easements, including the management and monitoring requirements, should be addressed in the RLSA workshop.

2. Should a super-majority be required for approval of a SRA?

Yes. The amount of development proposed for the RLSA will impact all Collier County citizens; it will affect everyone who lives and visits in Collier County. Thus, the additional scrutiny that comes with a super-majority requirement is appropriate. Secondly, the development proposed for a SRA will forever change the landscape, and the changes will be far-reaching. This is in contrast to SSAs, which hopefully at least preserve the status quo. As I understand SSAs can be unwound (although this possibility should be governed by strict criteria).

For a plan that promises to impose such a dramatic change on Collier County, a process should be in placed to require the utmost rigor.

Please place my comments in the record.