

Comment Card

Comment	Category
<p>The feeling amongst Collier County Residents is that we have once again been deceived. The promised limit of 16,800 acres rural land development has now expanded to 43,000 acres or 87,000 acres. History repeats itself here. The promised limitations on coastal growth in Collier County in the 70s and 80s were also ignored and reversed, leading to the current overdevelopment and overpopulation there. Learn from previous mistakes - coastal growth, Ave Maria, Oil Well Road and Golden Gate Estates.</p>	<p align="center">Development footprint / Overdevelopment</p>
<p>Environmental Confederation of Southwest Florida (ECOSWF) The first Rural Lands (RLSA) Restudy meeting on January 25, 2018 provided many speakers. It was unfortunate that the purpose, goals and potential desired outcomes with timetables were not part of the discussion. Decisions will be made during the restudy that will have consequences—taxes for new roads and infrastructure, more traffic congestion, loss of wildlife and sensitive lands, and availability of water. What happens as a result of the RLSA restudy will impact the quality of life of all the residents. The restudy needs transparency and an all inclusive group of stakeholders to give validity to the restudy. As state growth management laws have all but disappeared, growth management by local governments is more important than ever before. Government action that results in sustainability, meeting the needs of the present without endangering the ability of future generations to meet their own needs, is what Collier County residents expect and deserve. In 2002 Collier County adopted the RLSA program to protect agricultural land, direct incompatible uses away from wildlife, especially listed species, and their habitat, and to allow for appropriate development while avoiding sprawl. The original RLSA established that only 9% (or 16,800 acres) of the 182,000 acres would be developed and the rest would remain in agriculture and conservation. We urge this re-study process to address issues raised by members of the Collier County Environmental Advisory Council (EAC) during the 2007 5-year review process, most importantly the revised "credit" formula that allocated many more credits than the initial RLSA plan. The EAC also voiced concern about the potential impacts to the water resource availability of the Lower Hawthorn aquifer -- how will withdrawals from these new towns impact other users? This concern is echoed by the University of Florida, the Florida Department of Agriculture and 1000 Friends of Florida. Much has changed since the original RLSA was adopted and the 2007 5-year review. There are now three studies by panther experts, including the Florida Panther Protection Program Technical Review Team's 2010 Report that identifies the areas in the RLSA that are essential to the long-term survival of the panther. This new information and other information on climate change, increasing traffic and population growth, and updated water recharge levels need to be factored in a new proposal." A restudy program that factors in all new information and provides workshops that educate the public on all the aspects of the program, allows time for the public to ask questions, meets at a convenient time, and addresses the exact cost for roads and how water resources will be affected.</p>	<p align="center">Water/Transparency/Agricultural Land/Development Control/ Panther Studies</p>

RLSA Workshops Feedback Tracker

2-22-2018 Meeting

Objective Input Card Feedback

Comment	Category
Keep Collier County from being over developed as Dade County/Miami area has. Preserve water resources and habitats.	Overdevelopment / Preservation
To make the RLSA better! Provide agriculture credits, create wildlife connections	Agriculture / Wildlife
Have actual impact on BCC's ultimate decision	Impact on Final Decisions
1. Reassess based on initial intent - 16,800 acres of development only. 2. Reassess Natural Resource Index values based on new best available science. 3. Recalibrate credit # needed for each acre of development 4. Calculate infrastructure costs.	Development footprint / Updated data / Infrastructure Cost
To assess the opinions and wants of an interested segment of the public regarding RLSA policies. I'm concerned that these sessions may not appear relevant to a larger segment of the population, either by their underestimation or an inability to educate/convey value.	Impact on Final Decisions
To begin talking about the issues. -Too Ambitious - Materials Needed - More info in advance, including topics for discussion and questions.	Impact on Final Decisions / More Information Needed
To provide for responsible, fair development of eastern lands that is best for the country economically and environmentally.	Balance Development / Economy / Environment
Not sure what the objective is at this point, but it doesn't seem good!	Other
There is a basic misunderstanding of some very basic parameters of the program that participants do need correct information on in order to make comments. These need to be addressed so people are basing input on accurate info. It is hard to come into a session as a new person who is unaware of program.	More Information Needed
To understand the RLSA and discuss ways to strengthen or make it a better program.	Strengthen RLSA
Need to consider the pertinent 5-Year Review Findings and recommend GMPA's Update data/science as needed, but don't take another 9 years!	Updated data
To educate and motivate the citizens of Collier County to understand the environmental importance of the RLSA, and how the RLSA operates.	Education / Environment

Group Worksheet Feedback

Comment	Category
Just not possible to answer these questions without knowing more about easements and how they work.	More Information Needed
Let County buy the easement credits instead of selling them	County purchase of credits

Additional Comments Received

Comment

Category

This is the most important Collier County plan that will affect all citizens for the rest of time. We need to get it right.

1. Video record all sessions
2. Start at the beginning. We don't understand why the second part of the session at the February 22 meeting began with policies in the middle.
3. Have speakers comments posted on the website
4. Have summaries of prior meetings available at each new session
5. Provide questions in advance
6. Have feedback forms after every session
7. Change schedule for August meeting. People are on vacation. If you provide video and feedback options, we can participate. (Use technology)

We need more citizen participation!

1. Improving outreach to citizens

Communications to improve attendance should be approached like any marketing plan.

- Explain what the program and restudy is-use language that is understandable and promotes interest
- Tell them why it is important to attend
- Explain the benefits of attending
- Tell the time, place, agenda
- Provide background information that is easily accessible on a website
- Provide names of individuals who can explain the topic

2. Providing ongoing information/transparency

- VIDEO RECORD ALL MEETINGS

Currently there is no information available to citizens who didn't attend the first two meetings. There is no frame of reference to be able to go back and evaluate what was said. Individuals who didn't attend can't get any information.

Speakers comments aren't available.

3. The Restudy Process-Intent is the key

Good dialogue and problems solving occur when there is a clear intent and good questions that allow for open ended brainstorming-not yes or no. If you start with something already written (Policies) it discourages new ideas. For example:

- Start a meeting with the intent such as, "Agriculture is an important component of the RLSA. Currently, we have lost X% How can we incentivize it? What will it take to promote it"

- Then, the facilitator leads. Break into groups as done in the second meeting.

Brainstorm. Share ideas. Use recommendations for future meetings.

- Post and summarize all suggestions on the website so others can see and respond.

4. Website and links to background information

- The website is poorly constructed. The links don't work. Finding the "White Paper" took several hours and several phone calls to access it. I could not recommend it to individuals who were interested because I couldn't explain how to find it.

- There is no interactive application (like Facebook)

- There are no links to a depository of individual topics such as SSA's, WRA's, etc. so it is difficult to comprehend all the comments and recommendations from the past

We live in an age of technology. These things are possible to fix. Maybe someone from FGCU can help.

Recording / More Information Needed / Need More Participation / Communications

RLSA Workshops Feedback Tracker

2-22-2018 Meeting

Additional Comments Received (Continued)

Comment

Category

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.

Need More Information / Preservation / Easements / Super-Majority

RLSA Workshops Feedback Tracker

2-22-2018 Meeting

Additional Comments Received (Continued)

Comment	Category
<p>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.</p> <p>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.</p>	<p>Need More Information / Preservation / Easements / Super-Majority</p>

RLSA Workshops Feedback Tracker

3-22-2018 Meeting

Comment Card Feedback

<p>Is 2 hours enough for good discussion? Thanks for the video and Facebook live. Explore water storage on farm lands - cost. Importance of economic diversity. Food Security. It is part of our brand - Florida Oranges. When you pave over AG it is gone forever. Residential and AG don't work side by side. Credits - What value will they have? Review again! Difficult to agree with Group 2 goals - need more discussion. Is that from the 2002 or 2007 restudy? Affects of credit system on small land owners vs. big land owners.</p>	<p align="center">Water Storage / Importance of Agriculture / Review Credit system</p>
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<p>The process worked well at our table. We were able to reach consensus on an idea that came first from the representative of the landowners (Stantec).</p>	<p align="center">Group Process Effective</p>
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<p>Very good guest speakers. Save AG Land from Development!</p>	<p align="center">Importance of Agriculture</p>
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<p>Need to meet in June and July. Explain why first set of amendments wasn't approved by County Commissioners and why we just can't review those and see if they are good as is.</p>	<p align="center">Meeting Schedule / Five Year Review</p>
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<p>The RLSA recommendations of 5 year review, has not worked to prevent conservation of AG land. The acres in AG since 2002 and as projected by Barron Collier Companies in 2008 based on recommendations to provide credits for AG preservation has and is projected to decline dramatically to 24,000-28,000 acres. More credits is not the answer. Already too many credits. More credits result in increasing development. Increased proposed development is a major reason for decline in AG acres. MORE CREDITS IS NOT THE ANSWER.</p>	<p align="center">Importance of Agriculture / Review Credit system</p>
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Group Worksheet Feedback

<p>1) To establish Ag. Advisory Council or roundtable with broad-based multi-sector membership to advise BCC on how to save AG in Collier County. Perhaps an existing platform could be used. 2) Include Commissioners in discussions and should include growers like Paul Meador. County should prioritize where infrastructure improvement goes to concentrate development to higher density with compact town centers - more land for AG.</p>	<p align="center">Establish Advisory Council / Importance of Agriculture</p>
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Additional Comments Received

My husband and I have been attending these rural lands workshops over the past few months as Collier County citizens and voters, deeply concerned over the unrestrained growth in our county. We attend, listen, learn, submit comments and dutifully participate to the best of our abilities but find this process to be complex, cumbersome and in the end most likely of little merit to the decision makers. This is mere smoke and mirrors to allow the large landowners to develop environmentally valuable land for their profit.

The policies you have us analyze and critique are based on a "rewrite" that was never adopted. (Really? those hopelessly complex policies attached in this email are barely interpretable for the ordinary layperson.) The original cap of 16,000 acres of land for development has suddenly mushroomed into 48,000 and possibly even more, based on a hopelessly complex and flawed credit system. Policies and promises made in the early 2000's are being reneged. This is so reminiscent of the regulations passed, then retracted, for Collier county coastal development in the 80's and 90's.

Can we not learn from those mistakes? Or learn from the mistakes of Miami and the east coast who have suffered greatly from unrestrained growth at the bidding of greedy developers?

At the very least you and your colleagues owe it to the Collier county residents to hold hearings that are fair and impartial and allow those residents to partake in a viable discussion of rural lands development. The current process is clearly biased toward the landowners.

Please reconsider this process.

Overdevelopment / Bias to Landowners

Additional Comments Received (Continued)

Following up on the meeting Thursday "Protection of Agricultural Lands", it seems there are no real protections in place. The acreage has declined from actual 94,498 acres in 2002 (phase 1 committee report) to the 40,000 acreage of 2008 based on credits compiled by WilsonMiller the landowners' consultant. Table 4.3 "Proposed maturity Overlay Revised and Recalibrated" report compiled the credits and acreages. The WM arcane basis and process was coined "voodoo math" because no one seemed to follow its extreme complexity. I tried with minimal success.

It was very informative that every table at our meeting gave a consensus top ranking of 10 to the need of preserving agricultural acreage. An outside unbiased arbiter would be perplexed.

There were numerous reasons given by each table for the consensus of 10 including mine, as follows:

1. Agricultural independence becomes more important as we have grown to import over 50% for many crops. Also the associated issue of food safety with unregulated imports is of critical importance as was indicated by two speakers. Considering NAFTA and tariffs negotiations currently in process adds even greater significance to maintaining significant amounts of agriculture in the foreseeable future. Also we need to consider climate and drought affects in California's central valley and other imported food sources which are projected and could be a boon to Collier's crop output and prices. It would be especially important in economic downturns to retain agriculture's relative stability and labor employment
2. Agriculture provides a major source of revenue and jobs to the county. Another consideration brought by our 3rd speaker and not previously addressed in the 2008 study is that proximity to new towns by agricultural operations such as spraying (by air) and impacting nearby habitations by water issues. Another issue not properly addressed is having islands of towns and islands of disconnected agricultural areas. This disconnected quilt pattern would greatly impact agricultural productivity. It would also impact the number of roads their costs to the public and road planning.

The phase 2 report has words on preventing "premature conversion" of agriculture to (intensive) development. Workshop tables questioned this undefined term. Therefore reliance on "voluntary elimination of property owner's rights" has no useful meaning since on incentives were indicated. Premature conversion implies that wetlands would be filled and concrete poured prematurely. This would be disastrous to retaining any agricultural expansion in the future and to habitat preservation of open or sensitive lands. As indicated above it could also impact putting in roads prematurely with attendant public cost impacts.

With respect to the meeting, the 15 minutes allocated was quite insufficient to consider the 6 dense policies and then coming up with creative ideas for incentives. It would be helpful in future to limit lengthy presentations which don't contribute much to the workshop. The number of policies involved should be limited to at most 2 or 3 at a time. They also should be presented verbally before asking people to relate to them. Suggest that policy material be put on-line and mentioned to your mailing list prior to a workshop.

Agriculture

Additional Comments Received

The RLSA Overlay is failing to save agriculture. Providing additional credits to preserve agriculture is not the answer. The County should prioritize where it will provide infrastructure to direct development to those areas, rather than allowing the landowners & developers dictate where development will occur. Currently all agricultural land has been designated as open land suitable for development. The County should require more compact development, which in turn will result in more open land for agriculture. These matters are discussed in detail below.

In 2002 when the RLSA Overlay was adopted by the County there were 176,000 acres of agriculture (including grazing) in the RLSA. See 10/2002 Executive Summary by County staff for BCC adoption of RLSA. Eight or nine large landowners (the Eastern Collier Property Owners or ECPO) are seeking to develop 45,000 acres of the RLSA, based on credits obtained and to be obtained from setting aside Stewardship Sending Areas. Ave Maria received approval years ago. Since adoption of the 2002 RLSA overlay, there has been a loss of agricultural land. According to the 2007 RLSA Phase I Technical Review, there was only 64,469 acres remaining under cultivation at that time.

In 2015, ECPO submitted a Habitat Conservation Plan to the USFWS which stated that at build out agriculture land in the RLSA overlay will be approximately 24,000 acres. (Compare to a statement by Tom Jones of Barron Collier Companies in a 3-22-2015 Naples Daily News article that there will be approximately 28,000 acres of agricultural lands under cultivation at build-out.) Clearly, the RLSA overlay is failing to prevent conversion of agricultural land to other uses.

The RLSA program has failed to protect agricultural land for at least two reasons: (1) The Overlay identifies most agricultural land as open land appropriate for development and (2) the excess of stewardship credits leads to increasing acres of development over the original intent of the program.

I. Require More Compact Development; Protect More Open Land for Agriculture, Wildlife and Natural Resources.

Instead of letting the landowners and developers determine where in the RLSA they will build, the County should take responsibility for determining where development is appropriate; the County should prioritize where it will commit to infrastructure and then require more compact development. By requiring more compact development, there will be more open lands that can be protected for agriculture and conservation.

Further, the current proposal for 45,000 acres of development is misleading—under this proposal much more than 45,000 acres will be developed. The proposed 45,000 acres of development doesn't include any acreage for the road network necessary to serve this development. Not only will the proposed 4 and 6 lane roads with the corresponding cleared right of ways require considerable acreage, such roads will also stimulate land development on both sides of the road. Just look at what's happening on Immokalee Road from 951 to Randall. The 45,000 acres also doesn't include the sand mines in the RLSA. At least 3300 acres of sand mines in the RLSA are owned by same landowners that want to develop the 45,000 acres and there are other sand mines in the RLSA. Once the mines are played out, the land with its large quarries will not be suitable for anything but residential development. It cannot be restored. And the 45,000 acres does not include all the acreage necessary to support the infrastructure for such large developments. It appears that the amount of land remaining for agriculture at build out has been underestimated.

II. Providing Additional Credits for Preservation of Agricultural land is not the Answer and Will Lead to even more sprawling development in the RLSA.

To address the problem of diminishing agricultural land, in 2009 the 5-year RLSA review Committee recommended providing additional incentive credits for preservation of agriculture. While this recommendation was not adopted, it is now being considered in the current Restudy process. As discussed in A, B and C below, providing additional credits for agriculture is not a solution.

Compact Development/Protecting Agriculture Lands/Credits

Additional Comments Received (Continued)

A. There are too many excess credits already.
 We really can't talk about providing credits for agriculture without looking at the credits already awarded and the whole picture. In 2007-08 we learned there were actually 315,000 credits, far more credits than anticipated by applying the NRI and removing land use layers (most of the increase in credits resulted from restoration credits being inflated). According to Wilson/Miller, the number of restoration credits was not possible to determine at the inception of the RLSA program in 2002; it took several years of data that provided detailed information on site specific conditions. So, in 2007 we learned that instead of the 16,800 acres to be developed, the landowners had enough credits for 43,300 acres of development. According to a 2008 Wilson/Miller Report, if the 5 year review Committee recommendation to provide additional credits for agriculture, panther corridors and tiered restoration was adopted, this would have resulted in 404,000 credits, which would entitle the landowners to develop 57,888 acres.

B. What has and will continue to create an incentive for conversion of agriculture land is the intensification of development which results from more credits.

1. Several ECPO landowners don't yet have enough credits for their own town. If the County provides additional credits for agriculture preservation, these landowners will be able to get enough credits to build their own town. This could lead to many towns in the RLSA, some projections show eight towns.

2. Non-participating landowners (small landowners), which own approximately 18,000 acres in the RLSA will more likely develop ranchettes because the intensified development of 45,000 acres will increase the value of their land for residential use. There is no evidence that providing credits for agriculture preservation will lead these non-participating landowners to continue agriculture and not develop ranchettes. Rather the opposite effect will occur. These landowners would have an incentive to develop their land.

C. Capping credits will create the problem of excess credits.
 Landowners view the credits as a right that entitles them to something. Capping credits results in landowners not being able to use all their credits in developing the 45,000 acres. Not allowing the landowners to use the excess credits could lead to legal challenges. If credits are capped for development in the RLSA, at some time in the future these landowners will likely push to get some value for the credits. The landowners may demand that their credits be purchased or that the cap be raised or that they be allowed to use the credits outside the RLSA. Providing more credits has a snowballing effect for more development.

III. Revise the Exchange Rate for Credits and Recalibrate the Existing Credit System.
 If the County is determined to provide credits to preserve agriculture and for panther corridors, then it could take two steps to help prevent overdevelopment, sprawl and loss of agriculture and conservation land in the RLSA. First, change the exchange rate to require 20 credits per acre of development. Second, recalibrate the credits so that the total number of credits, including credits for agriculture and panther corridors, does not exceed 315,000 credits. Reduce the number of credits awarded for just owning land that can be restored. Right now, landowners get considerably more credits for just owning land that can be restored. Then they get additional credits if they perform the restoration.

Compact Development/Protecting Agriculture Lands/Credits

RLSA Workshops Feedback Tracker

4-26-2018 Meeting

Comment Card Feedback

<p>I saw your electronic signs and they are the reason that I decided to attend. I searched for additional info online, but I could only find confirmation on the date, time and location. I could not find anything about the content of the meeting. The signs were very misleading. I attended to learn about the Rural Lands West development. Obviously, that was not the intent of the meeting. That is why I am leaving. I will definitely not return.</p>	<p align="center">Lack of Information</p>
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Group Worksheet Feedback

<p>We need to learn what works and what doesn't work</p>	<p align="center">Need More Information</p>
<p>(1) Concerns about AG lands being lost to conservation or development</p>	<p align="center">Conservation</p>
<p>Do all designated areas need restoration?</p>	<p align="center">Restoration</p>

Additional Comments Received

Issues With Base and Supplementary

Credits

Base Credits

1. How accurately and independently were SSA's established? It takes ecologists with expert and extensive knowledge to identify types of habitat forming floways, natural habitat, and water retention areas.

Why does the white paper indicates 49,209 SSA acres (for 15 approved SSA's) while policies 3.1, 3.2, and 3.3 total approximately 94,982 acres? Per WM Sept.2008 "NRI based SSA's" total 92,000 acres.

Furthermore there is no doubt that there have been many changes since 12 - 16 years ago when most of these SSA's were determined.

2. How were NRI values established?

They are also based on 12-16 year old "data". Have they been "ground truthed"? NRI's vary from 0.6 to 2.2. With what competence and clarity were these levels established? For instance the cutoff for NRI layers and values defining Ag1 and Ag2 at 1.2 or less.

They appear arbitrary and certainly are not transparent.

3. There is currently available a much better and transparent system and one less prone to arbitrary or less knowledgeable input defining natural areas of floway, habitat, and water retention areas.

CLIP 4.0 "Critical Lands and Waters Identification Project" is such a system of definition and overlays.

It was developed by Florida Natural Areas Inventory, University of Florida GeoPlan Center for Landscape Conservation, and

Florida Fish & Wildlife Conservation. In addition to demarcating the major SSA's natural areas it would provide priority values which could replace NRI's.

It comprises biodiversity layers - including habitat richness and priority communities, ecological and landscape integrity layers, significant surface waters, floodplain and wetland layers, and aquifer recharge areas.

Credits/Agriculture

Issues with supplementary credits

Between transmittal credits 134,388 (16,800 acres) and adoption credits 315,000 (43,300 acres) and a multitude of credits were added up to somewhere around 404,000 subsequently.

Concerns are with how and when supplementary were developed, and about how well their promised conditions would be implemented. Very importantly, how implementation would be verified. There are concerns with limited county staff, knowledge base, and management costs for an uncertain future.

Credit valuation

Subsequent to "adoption" The committee requested increased credits for ACSC agricultural lands from .15 credits to 2.6 and additions to 2.0 credits/acre on all other agriculture. Implications of these values (seemingly arbitrarily set) affecting other RLSA goals than agriculture were not provided. An expanded number of SSA credits would of course serve to favor more intensive development.

Another example of credits suggested beyond transmittal and adoption is panther corridor credits which were offered. They would be useless if not built to proper minimum widths. Corridors were later determined to require approximately widths of one mile.

We need to determine the history, accuracy and intent of supplementary credits

Year issued and approved

Amounts

Rationale/ purpose/ locations NRI and acreage

Impacts on:

Agriculture --- Intensive Development --- Conservation --- Listed species --- Public land --- Infrastructure Fragmentation of agriculture

Fragmentation of habitat, especially endangered and listed species (so called umbrella species)

Additional Comments Received

Kris, On behalf of the League of Women Voters, I ask that you include in your presentation ob GMP Policy 3 the following items:

1. At tonight’s workshop please begin with an explanation of how the current RLSA credit system works. We should not be asked to discuss adding credits to the system, as proposed by the 5-year Review, without the County providing an understanding how the current system works. This discussion should include an explanation of how the NRI values were established and how they are used in the credit system. Most importantly, please explain the methodology to determine the number of credits. (Note: Wilson Miller states in its 2009 memorandum that it used a different methodology to arrive at the number of potential credits.)

It’s clear from the RLSA record that many people do not understand how the credit system works. In 2007 the DCA described it as a “black box.” Almost everyone was surprised in 2008 to learn from Wilson Miller that there were a potential 315,000 credits that could be earned, rather than the initial determination in 2002 of 134,000 credits.

2. Please discuss Policy 3.2 and 3.7 on HSAs. Unlike the Policy provisions on WRAs and FSAs, which set out a percentage of area that has an NRI index value of 1.2 or less, Policy 3.2 does not provide this information for HSAs. Knowing what percentage of an HSA has an index value of 1.2 or less is important because an index value of 1.2 or less subjects the HAS to being used for earth mining and processing, recreational uses, and conditional uses. HSAs are environmentally sensitive areas, i.e. that are suitable habitat for listed species and are areas contiguous to habitat suitable for listed species. Why was it determined that portions of HSAs could be subject to earth mining and processing, recreational uses and conditional uses and why was a value of 1.2 chosen as the cut-off point? What does a value of 1.2 represent?

3. Please discuss the implications of awarding additional credits, as proposed by the 5-year review. The public workshop should not be discussing adding credits to the system without the County also explaining the potential consequences of awarding excess credits. Wilson Miller’s 2009 Report estimated that there would be 463,104 credits available if the 5-year Review recommendations on adding credits were adopted, enough to allow 57,888 acres of SRA development. We know now that Wilson Miller underestimated the potential credits—the 2009 report didn’t include any credits for SSA 16 and 17, did not include the restoration credits now being considered for SSAs 14, 15, 16 and 17, and also underestimated the number of credits that would arise from wildlife corridors because the corridors Wilson Miller considered are much too narrow for the panther. Even if credits and acres are capped, the landowners holding these excess credits consider the credits an entitlement to compensation...how will the County address this?

Credits

Additional Comments Received

I was able to attend the RLSA workshop this evening, and I want to submit some thoughts for your consideration. Listening to the presentations and the discussion on Thursday left me convinced that we really ought to go back to basics. My own experience in land use planning in NJ (I was a Planning Board member and chair in a rapidly developing town, as well as chair of a regional land-use planning organization – way back in the 70's) gave me a wee edge over others in the room in understanding what was going on, but I fear a great many folks there were totally lost. The avalanche of acronyms bewildered many, and few had the slightest idea of the history that led to the 2002 agreement and its consequences. For those who wanted to come, providing a simple primer through a link in the meeting announcement would have helped folks to understand both the terminology and the objectives of the session. Nevertheless, the whole process strikes me as a classic example of trying to put lipstick on a pig. In the 2002 agreement, the landowners created a monstrously complex deal that ran all to their advantage. We really ought to go back to basics and start over.

As you move forward, here's an outsider's perspective that I hope you will find a way to consider:

1.First, however it happened, it's clear the number of credits created through the existing system is way out of proportion to the market. Second, the bonuses allowed for each restoration have created an overall result that seems way beyond the original intent of the 1999 Final Order.

2.The fact that marketable credits are created without actual restoration dooms whatever market you might have hoped to create. It's completely logical to allow folks to determine the credits they might get if they opt to restore, but I see no rationale for letting them enter the market without the restoration actually being done. Creating an SSA in theory is fine, but creating it in fact ought to result in the actual restoration, which would logically be triggered by a buyer of the credits wanting to put them to use. The existing process rewards the large landowner with abundant credits within their own holdings, but nothing realistic for smaller landowner's potential credits. They may turn to conventional development, thereby creating unwanted and expensive sprawl if areas designated as unavailable for development aren't rigorously protected.

3.Assuming that FSAs, HCAs and WRAs can be defined (subject to adjustment based on current circumstances and modern science) I believe they ought to be pre-defined as areas that cannot be used for development. Allowed density should be clustered to protect them, and additional development through credits would then be accompanied by actual restoration elsewhere. If the landowner chooses to develop at 1 unit/5 acres, conservation land will be protected through clustering, and supporting infrastructure cost (roads, sewer, water) will be reduced. If credits are exercised, including any other credit-worthy changes, additional land is then removed from development. All good, IMHO.

4.Restoration of each sort needs to be guided by clear standards with plans that are reviewed by independent experts to ensure maximum chance of success, including regular inspections both during construction and for a reasonable period afterwards by county officials to be sure the desired outcomes are being met.

To the extent that these changes are resisted as abandoning the 2002 agreement, my rebuttal would be that while lower overall densities will result, the decisions made in 2002 were in a different time with different attitudes about growth and environmental protection. Moreover, our knowledge about what constitutes "restoration" has matured, especially with regard to wetlands and wildlife habitat. And it's obvious that the existing structure is not working to create a viable market for credits. Value in a market is created by demand, not by increasing inventory.

Credits/FSAs,HCAs,WRAs