Correspondence 4/28/18 with redacted addresses and numbers

From: Van Z. Williams Jr. <[redacted]>
Sent: Saturday, April 28, 2018 12:17 PM
To: RLSArestudy <RLSArestudy@colliercountyfl.gov>
Subject: RLSA Workshop Feedback

Kris: 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.

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