

## **RURAL LANDS STEWARDSHIP COUNCIL UPDATE DECEMBER 2004**

Very little activity of full council in 2004. But several RLSC members made significant progress in moving Rural Lands Stewardship Program forward:

- Subcommittee of RLSC members drafted legislation that led to passage of SB 2188 in April 2004, which made important refinements to RLSP statute, 163.3177(11)(d), F.S.
- Another group of RLSC members initiated conversations in June 2004 with 4 of the state's 5 water management districts in an effort to identify funds to facilitate Rural Lands Stewardship Area planning in the Treasure Coast and Panhandle regions of Florida, as a follow up to passage of SB 2188.
- Two water management districts, SJRWMD and SFWMD, made commitments to dedicate staff resources and GIS mapping capabilities to provide groups of private landowners interested in exploring rural land planning options with technical assistance.
- SFWMD also created a new staff position, and hired former Florida House Agricultural Committee chair Joe Spratt, as the district's Agricultural Liaison, with specific direction to work with rural counties and private landowners to explore RLSP opportunities.
- RLSC chair Craig Evans had hoped specific projects would emerge from these activities and discussions, and that a council meeting could be scheduled to discuss these projects. But hurricanes, and other issues, have delayed progress.
- **Several specific projects now are beginning to emerge. Also, with the approach of the 2005 Legislative Session, it would be helpful to determine if RLSC members feel legislative action is needed in 2005 regarding the RLSP.**

Hence: RLSC chair Craig Evans would like to organize a teleconference with as many RLSC members who can participate to discuss possible directions for the RLSC in 2005.

**DATE:** Wednesday Dec. 15

**TIME:** 3 to 5 p.m.

### **Proposed Teleconference Agenda:**

- A. Welcome/introduction of call participants (5 minutes)
- B. Update on start up of potential RLSP projects
  1. Rural Land Committee, Indian River Citrus League – Peter Spyke, chair (5 mins.)
  2. North St. Lucie County Planning Effort – Mike Busha (5 minutes)
  3. Eglin Greenway/Flyway – Patricia Williamson, CH2M HILL (5 minutes)
  4. Private Landowner/Private Developer efforts – Ernie Cox (5 minutes)

- C. Update on RLSP related activities – water management districts
  - 1. SFWMD – Pam MacKie (5 minutes)
  - 2. SJRWMD – Dave Fisk (5 minutes)
- D. Update on RLSP related activities – other council members (30 minutes)
- E. Proposed Legislative agenda for 2005, see below – Chuck Littlejohn (20 minutes)
- F. Discussion about role of RLSC re: specific projects (15 minutes)
- G. Date of next RLSC meeting (10 minutes)
- H. Conclusion of call (5 minutes)

## **Proposed Legislative Agenda for 2005**

- 1. Need \$ to help counties explore the Rural Lands Stewardship Program (RLSP) and launch efforts to create RLSP overlays.** Also, counties should be encouraged to consider the RLSP as “an integral part” of the planning efforts currently being carried out to meet current comprehensive plan update requirements.

Full cost of a RLSP planning effort, from start up through implementation, is estimated to be \$500,000. While some counties may be able to take a RLSP effort from start to finish in 12 months, it is more likely that these efforts will require a two-year time frame.

### **FIRST POSSIBLE REQUEST TO THE LEGISLATURE:**

Provide matching funds (on 1:1 ratio) to counties that wish to undertake RLSP efforts, with state match of \$250,000 paid in year one, and balance of funds to complete RLSP to be obtained from county funds, private foundation grants, through donations from private landowners, developers, local business interests or other private citizens, or combination thereof.

An initial investment of \$5 million would allow 20 counties to launch RLSP efforts (which would encompass up to 5 million acres of land – 30% of the privately-owned rural land in the state).

### **SECOND POSSIBLE REQUEST TO THE LEGISLATURE:**

Encourage counties to consider RLSP as “an integral part” of the planning efforts currently being carried out to meet current comp plan update requirements, and encourage counties to use funds for planning consultant fees to do this.

This should not be considered as an either/or request, but as a means of using funds already earmarked by counties for consultant fees to provide the necessary funding match under request #1.

### **THIRD POSSIBLE REQUEST TO LEGISLATURE:**

- 2. Need to provide authority to state agencies, water management districts and counties to allow use of a small portion of the funds already earmarked for land acquisition and management (say, no more than 5%) to:**
  - a) *Launch RLSP planning efforts, as viable, highly cost-effective alternatives to land acquisition.*

In some, but not all cases, the RLSP can accomplish the same objectives as public acquisition, without the costs of acquisition (and without loss of local property tax revenues, loss of economic production and jobs when viable rural enterprises are closed down, and costs of ongoing maintenance and operations).

With the RLSP, a small public investment is needed to set up a system that can harness the market economy and, in turn, use *private dollars* to permanently protect environmentally sensitive areas, provide for water retention and detention, and carry out other land acquisition objectives.

The RLSP can meet these objectives for a fraction of the cost (Collier County case study shows that a \$1 investment will buy \$350 of value).

b) *Provide an initial pool of funds to pay for service contracts with private landowners and companies to provide ongoing operation and management of protected lands. The purpose of this fund would be three-fold:*

- 1) It would give agencies oversight of land management and operation activities, but move responsibility for carrying out these activities to the private sector through a service contract/vendor relationship;
- 2) It would “prime the pump” to further encourage agencies to enter into contracts with private landowners and companies to carry out agency responsibility for the management and operation of public lands – thus leading, hopefully, to better, more effective management of these lands.
- 3) It would provide a means through which private landowners can generate a “cash flow” from open space and areas on private lands that contain *undisturbed* natural habitats and *pristine ecological systems*, two very high PUBLIC values that currently have a NEGATIVE market value to landowners.

It is anticipated that funds for ongoing management and operations eventually will be generated by homeowner association and “utility” fees paid by residents who move into the new settlements that are created through the Rural Lands Stewardship Program.

These fees would be dedicated to maintaining the viewsheds, habitats, ecological values and resources that will be protected by permanent easements and established in tandem with the clustered settlement patterns contained in each RLSP.

Each resident and business owner who pays these fees will have a direct nexus – and incentive – to ensure the proper management of the open and natural areas surrounding each hamlet, village and town, since it is these open and natural areas that will provide the “quality of life,” “natural amenities,” and “rural character.” Several economic analyses have shown that these amenities will translate directly into higher market values (and, hence, higher sales prices and profits on a per-square-foot basis) for the homes and businesses located in these new settlements.

Because a combination of public objectives can be carried out through these management contracts with private landowners and companies – i.e., local home owner and business owner objectives as well as county, water management district

and state objectives – expenses for management and operation contracts should be shared.

Hence, the fund being established under this request could continue to serve a valuable public purpose for decades to come.

#### **FOURTH POSSIBLE REQUEST TO LEGISLATURE:**

##### **3. At some point (soon), need to discuss use of RLSP to replace DRI.**

As Walker Banning at DCA points out: “Only need to do good planning once.”

RLSP provides framework so that detailed planning can be carried out on regional basis, prior to consideration of specific development approvals. This planning is done without consideration to property lines, and benefits from opportunity to do “holistic” planning, that looks at region as a whole, and considers all issues pro and con affecting that region over planning horizon of next 20-25-30 years.

If properly done, RLSP planning can be used to set up a detailed planning framework that could replace need for sector plans and DRIs, so planning decisions can be made in advance, through a regional, multi-agency, multi-landowner, multi-faceted approach, and not be left to piecemeal planning carried out on a parcel-by-parcel, project-by-project approach.

This change would provide a great deal of *certainty* to private landowners, developers, agencies and the public. Developers who “play by the rules” as established in RLSA overlays, would only have to submit a site plan for approval. Moreover, it may be possible for a site plan to be reviewed and approved in as little as 30 days.

This would represent a HUGE incentive for developers to “play by the rules,” as established as part of each RLSA. It also would lead to SIGNIFICANT SAVINGS in both public and private dollars and would free up significant STAFF RESOURCES for work on other issues.