

***Background:
The Rural Lands Stewardship Program (RLSP)***

THE RURAL LANDS STEWARDSHIP PROGRAM (RLSP) was established in state law by the Florida Legislature, first as a pilot program in 2001, and again in 2004 as a specifically “encouraged” land use designation (chapter 163.3177(11)(d), Florida Statutes). It grew out of a collaborative effort beginning in 1993 between government agencies, nonprofit organizations and private landowners in Southwest Florida to provide market-based incentives for landowners to maintain and protect natural resources, with specific emphasis on protecting habitat for the endangered Florida panther.

Market forces at that time penalized landowners who had endangered species habitat, because the use of such land was limited and regulated, which lowered its value and made it difficult to sell. On the other hand, land that had no resource value and was to be developed with intense uses received the highest values. A saying coined at the time quipped all too truthfully that the highest and best use of land was asphalt.

Collier County government came under fire during the mid-1990 from environmentalists who felt county planners were not following the county’s comprehensive plan in taking the steps necessary to protect environmentally sensitive lands in the face of one of the nation’s fastest growth rates (the county was the fastest growing metropolitan area in the U.S. between 1980 and 1990, and was second to Las Vegas from 1990 to 2000).

In 1998 Florida Wildlife Federation filed suit and immediately demanded that all remaining rural lands be downzoned from 1 unit for each 5 acres (1/5) to 1/20 and 1/40. Private landowners immediately responded by hiring teams of lawyers to protect their property rights and land values.

In 1999, landowners who had been involved in the “Panthers and Private Lands Project,” overseen by Florida Stewardship Foundation (now Stewardship America, Inc.), decided they would rather take ideas from that project and devote resources toward resolving the conflict, rather than spending money on lawsuits and counter suits. These landowners volunteered to place a temporary development moratorium on their properties, and offered to provide the funding necessary to carry out a comprehensive rural land planning effort through stakeholder meetings, with county involvement and oversight.

At the same time Florida Governor Jeb Bush was organizing a commission to review Florida’s complex (and not very successful) growth management regulations and policies. Critics pointed out that the state’s landmark 1985 Growth Management Act, and everything that had followed did not manage growth, but

only accommodated it. Moreover, the original law had focused entirely on urban areas and the protection of natural resources, effectively creating a state land use plan that left out rural, agricultural areas, which made up over half the state's land area.

The Governor's Growth Management Study Commission convened in July 2000. Mel Martinez was appointed as chair. He would resign in 2001 to become Secretary of the U.S. Department of Housing and Urban Development and, later, Florida's newest U.S. Senator. A Rural Lands Subcommittee was established specifically to work on the development of rural land planning tools, since none existed in the state, and rural areas were quickly losing their character as development occurred because urban and suburban planning tools and settlement patterns were being used.

The subcommittee was co-chaired by JD Alexander, a conservative member of the Florida House representing a strongly agricultural, rural district; and Charles E. Lee, an outspoken, often strident, environmental lobbyist for Florida Audubon. The Collier County landowners (and Stewardship America, Inc.) were regular attendees at all subcommittee meetings, and worked closely with commission staff and the subcommittee members to use the Collier County situation, combined with input from rural landowners and other stakeholders across the state, to craft recommendations for an entirely new, innovative approach to rural planning for consideration by the governor and the state legislature.

At the same time, the Collier County Commission appointed a 15-member Citizen's Committee to work with private landowners, environmental activists and all other affected stakeholders. The landowners hired a planning firm based in Naples, Florida, (WilsonMiller) to work with the Citizen's Committee in developing the tools necessary to implement the concepts that would emerge from their meetings. Nine federal, state and regional agencies offered technical support to the Citizen's Committee.

The Committee reached unanimous agreement on their recommendations to the County Commission after 33 public meetings over the course of 2-1/2 years.

In February 2001 the Growth Management Study Commission transmitted its report and recommendations to Governor Bush. Five sets of the recommendations were forwarded by the Governor to the State Legislature for action. Of these, three were accepted and were established in state law:

1. Establishment of a \$500,000 effort to establish a framework for local communities to supplement line item budgeting with "True Cost Accounting" to better determine which land uses pay their way and which don't, and to provide planners with better information on ways in which different land uses can be paired to create fiscal neutrality without raising taxes or cutting back services (an initiative launched by Stewardship America, Inc. and promoted by the Collier County landowners);

2. Establishment of the Rural and Family Lands Protection Program, a 10-year, \$10 billion effort to provide funding for easement purchases, with a goal of protecting half of the state's remaining farmland, using easement documents that would protect agricultural lands, without interfering with agricultural operations (a major issue of contention for private landowners who strongly disliked the state's very restrictive environmental conservation easements); and
3. Establishment of The Rural Lands Stewardship Program.

By the end of 2002, the Rural Lands Stewardship Program had been fully vetted and implemented in Collier County. As one state planner noted at the time, the RLSP is "by far the best concept we've ever seen to address rural growth issues" because it does not pit development and preservation against each other but, instead, harnesses the market economy to provide funding for and significant, compelling incentives to private landowners to permanently protect important public values and natural resources while accommodating growth.

The success of the Collier County approach is perhaps best represented in the accompanying letter from the Florida Wildlife Federation, which initiated the suit against Collier County, but ended up praising the success of the Rural Lands Stewardship Program and recommending it (and the planning/design firm WilsonMiller) for a planning award.

Efforts are now underway to implement the program in other Florida counties, and to look at opportunities for adapting it for use in other states.