

Stephanie Sheetz

From: Stephanie Sheetz [ssheetz@theconservationfoundation.org]
Sent: Friday, January 25, 2008 8:18 AM
Subject: Landowner Bill of Rights
Attachments: Watershed LBR merged CHANGE SUGG 1-17-08.pdf

Hi all –

At our last Aux Sable 319 Advisory Committee meeting, we discussed the Landowner Bill of Rights (LBR) for the second time. As I noted in my 1/17/08 e-mail follow of our 1/10 meeting, a number of committee members felt the draft statement appropriate and inclusive of all types of landowners in the watershed. Shortly before our Jan. meeting (and at the meeting too), one committee member expressed a desire to add a statement or modify a statement – concerned over the open space component of the project. It was agreed committee members had one week to submit suggested modifications to Stephanie, for the full committee to consider prior to the a final document being available at the Feb. 7 meeting. Attached is the LBR, with modifications included (all in red text: strikethrough = remove, underline = addition). I have spent time discussing this with our project consultant and the IEPA, to ensure that the suggestions do not impact the goals of the project and that a watershed-based plan can still be completed, as required by the grant & meeting the IEPA's 9 criteria. I have confirmed this is the case. The project continues to move forward. As the committee considers the proposed changes, I would like to note a couple of things:

- This advisory committee has no legal authority (furthermore, no statement in the LBR conveys any legal responsibility to them).
- A watershed plan does not have legal authority – it's about voluntary efforts.
- The advisory committee's (named in the LBR as the "Aux Sable Creek watershed planning committee") sole purpose is to assist in creating the updated watershed plan. Once the plan is done, the advisory committee's purpose will be fulfilled and the committee will disband.
- Many local government jurisdictions currently either encourage or require residential developments to include a certain percentage open space.
- Open space visions can be accomplished in a variety of ways. The plan will mention the same methods outlined through the plan created in Kendall County by the Protect Kendall Now initiative. That plan does not violate the suggested text for the LBR. Here's a link to that plan:
http://www.protectkendallnow.org/Kendall_Plan_Map_final.pdf (1.3 MB PDF)
- There was and is no intent to imply the LBR is a legal document. The purpose was to clarify that the various representatives participating on the committee are participating in this plan with an approach intended to respect landowner rights.

As I indicated in my 1/17 e-mail, thoughts about the suggested change can be shared with me (I will compile

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them) until Jan. 31. At which point, I will take the majority-rule from e-mails to prepare a final LBR that will be available on Feb. 7. **You may choose to sign it or not sign it. This item will not be on the agenda for discussion, the document will simply be available for signing.**

Thanks,
Stephanie

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