

Members to Weigh In On Suggested Position Changes

WHAT: Two member meetings will be held in February, 2012 to discuss suggested changes to the seven Natural Resources positions. The desired outcome is specific draft wording that modernizes the seven positions.

WHEN: 2/14, Tuesday, 2-5 p.m. , Carmack Room at Central Library with a repeat session on 2/16, Thursday, 6:00-8:45 p.m. at the Sunflower Room, Central Library. **(Note: 2/16 is a room change only).**

WHY: To modernize the positions and to identify gaps.

HOW: At the meetings, discuss the draft suggested changes shown for each position below. Where appropriate, they use LWVUS' template for its several positions under "Environmental Protection and Pollution Control" of "supports", then "believes," and finally "supports" with details. Then take outcomes from the meetings to the LWVJC board on 3/3/12.

WHO: Natural Resources Committee members Elaine Giessel and Ellen Miller will lead the discussion meetings. Many thanks to Sheri Potter, Myrna Stringer, Ed and Lee Rowe, Annabeth Surbaugh, Janice McMillen and Harriet Duff for their advice and counsel!

For more information, please see the December, January and February *Voters*.

NATURAL RESOURCES

Local Position Handbook Revised 2008, p. 8-11

<http://lwwjoco.files.wordpress.com/2011/08/positions08.pdf>

BACKGROUND: The League's position on land use encompasses several studies in 1962, 1971, 1975, 1977, 1994 and 2003.

#1. ORIGINAL POSITION—“Land Use: County-wide Land Use Plan and Governing Structure

STATEMENT OF POSITION: The League of Women Voters of Johnson County supports county-wide land use planning to include parks, road systems, flood control and low-income housing.

The League also supports a representative volunteer Planning Commission, professional planning staff and cooperation between the cities and the county toward long-ranging planning.

APPROVED: 1994”

Rationale for change: Since approval of the position, Johnson County has adopted Vision 2030, CARNP (Comprehensive Arterial Road Network Plan), a new stormwater and a solid waste management plan, and initiated a broad sustainability program. The county's Planning and Development Department prepared a Rural Comprehensive Plan. Also

MARC and KDOT are engaged in long-range regional transportation planning.

Experts consulted: Annabeth Surbaugh, former chair, Bd of County Commissioners; Paula Schwach, Regional Counsel, Federal Transit Administration and advisor to MARC on transportation planning.

Draft suggested changes: Recommend that this position AND Position 3, Land Use: Arterial Road System, be combined with a future study on mass transportation per discussion at 1/7/12 program planning meeting. Therefore this position stays the same.

#2. ORIGINAL POSITION—“Land Use: Sunflower Army Ammunition Site

BACKGROUND: In 2002 – 2003, the League of Women Voters of Johnson County undertook a land- use study of the Sunflower site. At the time of the study, the site was under federal control, and was being considered for transfer to another entity.

STATEMENT OF POSTION: The League supports the following:

1. Planning Process:
 - a. that Johnson County have jurisdiction (land use/zoning) over any redevelopment at the Sunflower Army Ammunition site
 - b. that there be significant and broad-based input into the planning process for future development of the Sunflower site, to include non-governmental, community-based organization
 - c. that financial incentives be considered only on a case-by-case basis and only if schools are not negatively impacted (the League is reluctant to support tax incentives, given the attractiveness of the location)
2. Remediation:
 - a. that there be a guarantee for remediation of the site to the highest level (residential use standard) that remediation work should be protective of air and water quality for humans and wildlife, both on and off the site
 - b. that there be preservation of all undisturbed and uncontaminated areas of the site as natural wild- lands, with public access but only minimal development
3. Environmentally Sensitive Redevelopment: The League supports environmentally sensitive redevelopment of the disturbed Sunflower Property including, but not limited to:
 - a. restoration of native landscapes, where possible
 - b. preservation of riparian corridors
 - c. maximization of green space/natural wild-lands for public use (with no organized recreation)
 - d. conservation of water by recycling, xeriscaping, storm water retention ponds, etc.
 - e. minimization of waste
 - f. protection of air quality by development of public transit accessibility on the K-10 corridor
 - g. utilization of energy-efficient and environmentally friendly building

designs and renewable energy sources”

Rationale for change: Remediation of the site is not complete, but work has been halted due to lack of funds. This is an opportunity to revisit our position, including considering supporting the transfer at the earliest opportunity to the County Park and Recreation Department.

Experts consulted: Cindy Kemper, retired, Director, Johnson County Environmental Department; Elaine Giessel, member of the Sunflower Army Ammunition Project (SFAAP) Restoration Advisory Board (RAB).

Draft suggested changes:

The League of Women Voters of Johnson County supports the redevelopment of the Sunflower Army Ammunition Site so that it protects human health and the environment during the cleanup and in the future.

The League believes that the Sunflower Army Ammunition Site can be redeveloped in a sustainable way that addresses social, economic and environmental concerns both locally and regionally. Once remediation recommences after the 2011 hiatus due to funding problems, advocate that the 2000 acres of the property to be deeded to JCPRD Johnson County Parks and Recreation Department for public use when the clean up is complete.

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2. Remediation:
 - a. that there be a guarantee for remediation of the site to the highest level (residential use standard)
 - b. that remediation work should be protective of air and water quality for humans and wildlife, both on and off the site
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#3. ORIGINAL POSITION—“Land Use: Arterial Road System

STATEMENT OF POSITION: The League of Women Voters of Johnson County supports a county- wide arterial road system. The League supports an ongoing engineering survey of major roads in Johnson County to provide an arterial road system which is flexible enough to handle the growing traffic. Such a system should include:

- 1. Clearly defined administrative responsibilities and adequate financing
- 2. A county-assisted road system

PAST STUDY: 1971

APPROVED: 1994”

Rationale for change: See comments on #1 Land Use.

Experts consulted: Same experts as #1.

Draft suggested changes:

Recommend that this position AND Position 1, Land Use: County-wide Land Use Plan and Governing Structure, be combined with a future study on mass transportation per discussion at 1/7/12 program planning meeting. Therefore this position stays the same.

#4. ORIGINAL POSITION—“Land Use: Park System

STATEMENT OF POSITION: The League of Women Voters of Johnson County supports evaluation of park and open space needs in Johnson County and of methods of acquisition of open space. Support of an adequate park system should include:

- 1. Acquisition of additional park land and special attention to open spaces with minimum development
- 2. Coordinated and cooperative planning for park needs by the county and the cities with citizen input
- 3. Municipal responsibility for acquisition of neighborhood parks (larger cities should also acquire community-size parks)
- 4. County responsibility for large parks with a priority on acquisition of additional park land
- 5. County responsibility for recreation programs, financed through a combination of user fees and local taxes. However, the cities should continue to provide those recreation programs which use municipal facilities such as for swimming and tennis
- 6. Development of several small indoor recreation centers, geographically accessible to the users. School facilities should continue to be used.
- 7. Use of a variety of methods of financing acquisition of additional park land

including annually budgeted funds, bonds, donations and gifts, federal grants, and mandatory dedication to require developers to donate land for parks to serve new subdivisions.

PAST STUDIES: 1971, 1977

APPROVED: 1994

1999 - Retain as written”

Rationale for change: Since approval of the original position, JoCo Park and Recreation has adopted MAP (Master Action Plan) 2020 and a new sustainability program. It has become a leader in developing a regional streamway trail system with MARC.

Experts consulted: Randy Knight, Community Relations Manager, JoCo Park and Recreation District; Steve Baru, JCPRD board.

Draft suggested changes:

Statement of position: The League of Women Voters of Johnson County supports an adequate, accessible, affordable and sustainable countywide park and recreation system.

The League of Women Voters believes in ongoing evaluation of park, open space and recreation needs in Johnson County based on national standards (eg., 10% of land area dedicated to green space) and of methods of acquisition of open space.

The League of Women Voters supports:

1. Acquisition of additional park land with special attention to open spaces with minimum development and to connectivity to existing park land for regional trail development.
2. Coordinated and cooperative planning for park needs by the county and the cities with citizen input.
3. Municipal responsibility for acquisition of neighborhood parks (larger cities should also acquire community-size parks).
4. County responsibility for large parks with a priority on acquisition of additional park land.
5. County responsibility for recreation programs, financed through a combination of user fees and local taxes. However, the cities should continue to provide those recreation programs which use municipal facilities such as for swimming and tennis.
6. Development of several small indoor recreation centers, geographically accessible to the users. School facilities should continue to be used.
7. Use of a variety of methods of financing acquisition of additional park land including annually budgeted funds, bonds, donations and gifts, federal grants, and mandatory dedication to require developers to donate land for parks to serve new subdivisions.
8. Use of a variety of public education methods about facilities and opportunities.

Additional 2012 suggestion. Modernize the LWVJC position entitled “Local Government: County Governing Boards” (see *Handbook* p. 5) by changing the parks board name to Johnson County Park and Recreation District, the name designated by State statute.

#5. ORIGINAL POSITION--Solid Waste Management: Solid Waste Disposal

STATEMENT OF POSITION: The League of Women Voters of Johnson County supports planning for solid waste disposal and encourages recycling at the metropolitan level with county management of any land involved.

APPROVED: 1971

1999 – Retain as modified

Rationale for change: Facing future closure of the Johnson County landfill, several groups including the LWVJC advocated for a Solid Waste Management Code of Regulations that was adopted in 2011 by the BoCC. That Code, along with the Solid Waste Plan, has resulted in major changes in the way solid wastes are handled.

Experts consulted: Cindy Kemper, retired, Director, Johnson County Environmental Department; Elaine Giessel, member of the Johnson County Solid Waste Management Committee.

Draft suggested changes:

Statement of position: The League of Women Voters of Johnson County supports long term planning and funding for adequate and affordable solid waste management systems within the county.

The League of Women Voters believes that “reducing, reusing and recycling” solid wastes are critical to conserving resources, lowering energy needs and protecting the environment.

The League supports:

1. Oversight of all solid waste operations by the County
2. Solid waste plans which encourage waste reduction
3. Consistency of services county-wide
4. Reasonable equity in costs for waste management
5. Planning that coordinates with regional solid waste management efforts and includes public input and regular information to the public
6. Ongoing public education about best practices by consumers and commercial entities.

#6. ORIGINAL POSITION--Water: Water Management Policy

STATEMENT OF POSITION: The League of Women Voters of Johnson County supports water management policies which will ensure efficient operation, long range planning and cooperation for adequate quality water supply, sewage treatment and storm water drainage.

The League recommends:

1. Education of the public regarding all water-related problems.
2. Support of the Blue River Basin Plan.
3. Awareness and support of zoning regulations for proper land use along living waterways to ensure water quality.
4. Work for changes in the provisions of K.S.A. 19-27, 129 as passed by the 1968 Kansas Legislature (concerns the establishment of a county level storm drainage program).
5. Work for one board to do overall county planning for water, sanitary and storm sewer districts.

APPROVED: 1975

UPDATE: 1975 – A referendum to fund recreation areas around the proposed reservoirs was voted down by public vote, thereby defeating the Blue River Basin Plan.

Late 1980s – A county-wide program of storm drainage was implemented by the cities and county.

Rationale for change:

1. Despite the “Water Management Policy” comprehensive title, it omits both sewers and stormwater.
2. Needs to include the Strategic Plans of WaterOne and other drinking water providers in Johnson County passed since 1975 (see below).
3. Needs to include the cooperative efforts of county and municipal entities under the 2003 Stormwater Management Program Policy (see below).

Experts consulted: Ed Rowe, LWVJC; John O’Neil, General Manager, Johnson County Wastewater; Lee Kellenberger, Manager, Johnson County Stormwater, Public Works Division; Mike Armstrong, General Manager, WaterOne; Ellen Miller, former consultant to the Kansas Rural Water Association and the American Water Works Association; LWVJC’s observer for WaterOne.

Draft suggested changes: Combine with Water: Sewers as shown after Position #7.

#7. ORIGINAL POSITION--Water: Sewers

STATEMENT OF POSITION: The League of Women Voters of Johnson County supports equitable treatment of all sewer district patrons, both in forming districts and in assessment practices; competent professional management of all sewer district activities; strong enforcement of septic tank regulations to ensure that septic systems are properly designed and operated; and planning for orderly future growth.

1. Continued planning is needed to encourage orderly growth and avoid leap-frog development, and as far as possible, consistent with the free enterprise system. To ensure cooperation with other governmental units in order to coordinate the delivery of services such as sewers, streets, and water when land is developed; and to provide accurate projections of future growth in order to minimize the need for future construction projects that would require further assessments on property already assessed.
2. Benefit districts should be formed to include the entire watershed whenever possible. Geographical boundaries are more important than political boundaries or

political considerations.

3. Exclusions should be permitted for some property owners within a proposed benefit district who petition to be left out. Such exclusions could be allowed for productive farmland and property with working septic systems. A set policy for allowing exclusions should be decided upon to eliminate arbitrariness and let the public know what to expect. An equitable buy-in policy should be established so that excluded property could enter the district at a later date.

4. Present regulations regarding septic systems should be strongly enforced. Septic tanks should be inspected when they are installed. The one-acre lot requirement is adequate for a single-family dwelling if the septic system is properly built and operated. All complaints about septic systems should be vigorously followed up and resolved.

5. Because situations may differ, several methods of apportioning costs and assessing for sewer construction should be used, including assessed valuation of land or land plus improvements, square footage and area equalization. A set of clear and detailed guidelines for the use of these methods should be established and followed to ensure that property owners within each district and from district-to-district are treated fairly and equitably.

6. The buy-in to an already established district should be changed to allow for an inflation factor without being unduly oppressive to the patron who is buying in.

7. Some system must be devised to notify potential buyers of property that a benefit district has been formed and an assessment is pending, such as filing a notice (in plain language) with the deed or requiring the seller to advise the buyer of all pending assessments.

8. The chief factor in assuring good management is competent professional staff, especially a director with financial and management skills. A management audit of the Unified Wastewater Districts by an outside agency would be advisable in view of past financial and management problems.

APPROVED: February, 1981

UPDATE: April, 1992 – A new sewer financing plan was approved by voters.

Rationale for change:

1. Needs to take into account the 1992 Charter Resolution 29-92 creating the Consolidated Main Sewer District, including rules, regulations and appeals for property owners (see below).
2. Needs to take into account the JoCo Environmental Department's jurisdiction over septic waste control (see below).
3. Needs to take into account the Rural Development Plan for unincorporated Johnson County and jurisdiction of the Planning and Development Division for same (see below).

Experts Consulted: See #6.

Draft suggested changes:

New name: Water Strategies Policy.

The League of Women Voters of Johnson County supports protecting the public health and promoting economic development through a cooperative framework by which the legally appropriate entities provide Johnson County's

residents with safe drinking water, wastewater handling, and stormwater management while safeguarding the environment.

The county's legally appropriate water entities and their strategic plans are:

√ *Drinking water* – The largest utility is WaterOne. Go to <http://www.waterone.org/Adobe%20Files/2011StrategicPlanningBro.pdf>. Others are City of Olathe (<http://www.planolathe.org/element/utility-services>); Rural Water District 7 (see its 2011 Water Quality Report at http://www.rwd7.com/2011_CCR.pdf) ; and Consolidated RWD 6 (not on the Internet).

√ *Wastewater handling* -- Johnson County Wastewater for those on, or desiring to join, the Consolidated Main Sewer District. Charter Resolution 29-92 (<http://www.jcw.org/aresolutions/CharterResolution29-92Version2008Final.pdf>)

set forth policies, procedures, costs and appeals concerning the Consolidated Wastewater District. See also its 2005 Strategic Business Asset Management Plan at <http://www.jcw.org/pdf/auannualpdf/ExecutiveSummaryFINALSBP.pdf>.

Other entities providing wastewater services are Olathe, Gardner, Edgerton, Spring Hill and DeSoto. For those on or desiring septic systems, the Johnson County Environmental Division is responsible. For various septic regulations and information, select the category "onsite sewage" at this site: http://jced.jocogov.org/doclibrary?field_division_value_many_to_one=os+&tid=All

√ *Stormwater management* – Part of the county's Public Works Department, this program works closely with the individual municipalities, KDHE and others. For an overview, go to <http://stormwater.jocogov.org/Helpfullinks.shtml> and then select Stormwater Management Program Business Plan Summary Report. For the 2003 Stormwater Management Program Policy go to <http://stormwater.jocogov.org/AboutSMP/documents/FINALSMPPolicy20030918.pdf>

√ *Unincorporated Johnson County* -- The Department of Planning and Development creates zoning and other regulations that affect waterways, riparian zones and water quality. See its Rural Comprehensive Plan at http://planning.jocogov.org/Rural%20Comp%20Plan/Handout_Excerpt%20BOCC%200Kd.pdf

The League believes that Johnson County's legally appropriate entities listed immediately above must assure that the following values govern their work:

1. Equity of service and costs (pay for what you use or benefit from)
2. Sustainability (technically doable and financially affordable for the next 20-30 years)

3. Payment flexibility for at-risk families and groups (e.g., individualized pay plans; some “scholarship” funds)
4. Ongoing diverse communications with customers and the public (e.g., the internet, social media, targeted mailings, traditional media)
5. Ongoing education of customers and the public (diverse methods and media, all ages)
6. Cooperative relationships (e.g., with governmental units, non-governmental organizations and other stakeholders)
7. Congruency with county-wide plans concerning natural resources, land use and development (especially *Vision 2030's* sections entitled “Sustainable pattern of development and redevelopment;” “Culturally rich and active community;” and its appendices on Parks and Recreation; Land Use; Other Infrastructure; and Natural Resources and Environment. Go to <http://jocovision2030.com/>)

The League supports these management criteria for the above legally appropriate water entities:

- Meeting or exceeding all national/state/local standards on quality, and meeting all regulations concerning controls, tests, audits, enforcement and penalties;
- Use of nationally known best management practices;
- Fees/rates cover true costs of service
- Full public disclosure of financial and quality data and findings;
- User input about service, cost-benefits and future plans; and
- Incentives for and recognition of cooperative efforts

History. “Water: Water Management Policy.” Approved and updated 1975; updated 1980s. “Water: Sewers.” Approved February, 1981; updated April 1992. Modernized and combined in 2012. Gap addressed in 2012
Modernization: Stormwater management.