The

ECO² PLAN:

The Exponential Benefits of Economic Development and Ecological Preservation

The Development of a long-term plan for the advancement of industrial/business parks and open space preservation is a tribute to the people of Douglas County who sought consensus on the importance of economic development and open space and who found strength in divergent views. It is testimony to what is possible when we forge a common vision grounded in shared caring and enriched by respect and understanding of differences.

2007

ECO² PLAN

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I. Executive Summary

The Douglas County and City of Lawrence Commissions established the ECO² Commission by joint resolution to advise the city and the county regarding:

- preservation, access, and management of open space
- acquisition of land, facilities, and other supports to expand job opportunities in Douglas County, Kansas

The name ECO² was selected to represent the exponential benefits to the community of investing in both economic development and ecological stewardship.

The joint resolution instructed the ECO² Commission to be guided by the following:

- Both open space and industrial/business park development should be pursued concurrently and without favoring one over the other.
- Landowner participation will be voluntary.
- Partnerships with developers, land trusts, and other entities will be emphasized.

The ECO² Commission developed a long term plan for the identification, evaluation, and selection of land for the advancement of industrial/business parks and open space preservation. The commission convened work groups to complete the plan components. The work groups included diverse representation and were pivotal in the consensus building necessary to complete the plan and insure its success. (See Appendix A)

The ECO² Commission constructed a formula for evaluating land proposed for the advancement of industrial/business parks and land proposed for open space preservation. The formulas include required criteria, which must be met for site consideration, and preferred criteria on which a site is rated. The preferred criteria may be weighted differently at times to accommodate changing circumstances and priorities. The formulas were tested to assess their effectiveness in evaluating and prioritizing potential sites that might be proposed for industrial/business parks or open space preservation. (See Appendix B, C & D)

The ECO² Commission will periodically evaluate the required and preferred criteria and the formula for weighting these factors to determine their continued effectiveness in identifying and selecting sites proposed for industrial business park preservation and open space preservations as circumstances and priorities may change.

The ECO² Commission developed a process for implementing industrial/business park and open space proposals. The process assumes that proposals originate with ECO² or a similar entity with the expectation that a similar process, with adjustments, could be used for privately initiated proposals. The implementation process provides for early assessment of the compatibility of industrial/business park and open space proposals.

The implementation process includes the concept of net equity of public funds invested to assure that advancement of industrial/business parks and open space preservation proceed without favoring one over the other. (See Appendix E)

The ECO² Commission developed educational and outreach strategies so that the people of Douglas County would be informed about the ECO² initiative and its projected benefits. These strategies will continue in some form over the life time of the plan.

The commission identified options that could be employed by the Douglas County Commission and/or the incorporated city commissions in funding economic development and open space preservation projects that met with their approval.

Finally, the commission developed bylaws for the future operation of the ECO² Commission. (See Appendix F)

II. Background

The completion of a long term plan for the industrial/business development and open space preservation essential to Douglas County's sustainable economic vitality and quality of life is the culmination of a pioneering effort initiated in 2000**.** The Lawrence Chamber of Commerce convened a committee which was eventually called the ECO² committee, to develop consensus on future economic development and open space land requirements in Douglas County. The membership included citizens representing business development interests, open space advocacy, and local government. Many considered the achievement of consensus between the groups challenging. (See Appendix A)

In December 2002, however, the ECO² Committee unanimously recommended that the Douglas County Commission establish an official ECO² Commission to create more detailed plans for proceeding concurrently with industrial/business park development and open space preservation and to generate public support for the plan. Shortly thereafter, the ECO² Commission was established through a joint resolution.

Since it was established in 2003, the ECO² Commission has developed a long term plan and tools for identifying, evaluating, and selecting land for the advancement of industrial/business parks and open space preservation, and for building the consensus fundamental to its success. The work groups, convened to complete the components of the plan, were key to the completion of the plan and its future success. The completed plan involved hundreds of hours of volunteer assistance from numerous citizens of diverse expertise and interests and the continuation of a collaborative process initiated six years ago.

The completion of a long term plan for the advancement of industrial/business parks and open space preservation is a tribute to the people of Douglas County who tenaciously sought consensus on industrial/business park development and open space preservation.

The completed plan is testimony to what is possible when we forge a common vision grounded in shared caring and enriched by respect and understanding of differences.

The ECO² Commission is pleased to present the completed plan to the people of Douglas County and looks forward to working together with existing partners as well as additional partnerships in the future.

III. Industrial/Business Park Program

A. Introduction

This ECO² work group recognized that the acquisition and development of industrial/business parks is essential to the future economic vitality of Douglas County. To attract new industries and encourage the expansion of existing businesses, communities must have business sites available with accessible infrastructure in place. These new businesses and the jobs they create add to the tax base and provide revenue to support high-quality public services.

In recent years, the public sector has led in developing industrial/business parks because it requires a large, long-term financial commitment and aggressive marketing to realize a return on the investment. Most private investors are not prepared to make this commitment alone but might be interested in investing in a public-led project.

Businesses looking to expand or locate to an industrial/business park often demand that infrastructure is in place or planned in advance. The public sector often pays for these costs at the outset in order to benefit the community through the creation of new jobs and diversification of the tax base.

Historically, in Douglas County, absorption of the land in a large industrial/business park has taken much longer than absorption of land in a residential or commercial development. A public entity is often in a better position to hold this land or to create an option to purchase it. It can also lead marketing efforts and, thus, fill the sites more rapidly.

Identifying industrial/business sites in advance of other development is beneficial for several reasons. The selection of industrial/business sites prior to other, possibly incompatible, types of development represents sound land-use planning. It allows adjoining landowners to predict the future options for their land and to plan accordingly. Locating industrial/business parks near major transportation routes and current or projected utilities or other infrastructure can save public funds in the future, provide for public safety, avoid sprawl, and promote efficient urban development.

When industrial/business sites are identified well in advance, regional planning of infrastructure extensions and other enhancements can also be projected on a reliable schedule. The future capacity demands for that infrastructure can also be determined saving the costs for later upgrades.

Providing landowners with a fair and reasonable return on their property at today's market value also saves on the public revenue that would be required if the land were purchased at a later date when land costs have escalated because the site is closer to other development.

Developing more than one industrial/business-park location in the county increases the likelihood that prospective businesses will find a location that meets their needs. It is important to offer a variety of industrial/business sites. This enhances the community's potential for successful marketing of the various sites.

The ECO² Industrial/Business Park Work Group was formed by the ECO² Commission consistent with the joint city and county resolution concerning the identification and establishment of future industrial/business parks in Douglas County. The resolution encouraged "discussions between the governing bodies and representatives of Lecompton, Eudora, Baldwin City, the ECO² group, business/industrial leaders, and other interested parties in the identification of these business/industrial-park locations." Lawrence/Douglas County planning staff was instructed to "begin the process of the identification of at least 1,000 acres consisting of three or more 200 to 300 acre sites for future business/industrial parks in the Lawrence/Douglas County area." "One 80 to 100 acre site for a future business park" was also recommended. This work group includes representatives from the recommended groups and has undertaken the task described. Members worked on a volunteer basis.

The ECO² Commission recognized that the work group could fulfill the directive in Horizon 2020, Chapter 12 (2003 update), Policy 6: "The City and County Commissions shall, within the next few years, identify 1,000 acres of land to be designated for industrial expansion over the next 25 years," by developing objective criteria for evaluation.

Tasks completed by the work group included examining a variety of documents, maps, and recommendations that provided information relevant to industrial/business sites in Douglas County. Creating and recommending a formula for identifying and comparing possible industrial/business park sites based on the work group's research. Evaluating potential industrial/business-park sites in Douglas County based on the process using the established formula.

B. Overview of Resources Examined to Establish Criteria and Evaluate Sites

The work group used the following resources to guide the establishment of the criteria, and recommends the ECO² Commission periodically analyze and review data pertinent to assessing the appropriateness of the required and preferred selection factors and their weightings. New data should be used as it becomes available.

1. **Supply and demand for industrial/business sites:**

    a. Current inventory of industrial/business sites

    b. Economic development and real estate information

    c. Industrial/business and real estate site selection requirements

    d. Data showing acreage requested by prospective industries for the previous four years

2. **Lawrence/Douglas County planning staff recommendations** for future industrial/business areas (generalized maps):

    a. Horizon 2020 industrial/business land projections

    b. Adopted Cities Urban Growth Areas (UGA)

    c. Sites that were more than 40 acres

    d. Less than 3 percent average slope based on topographic maps and surveys

    e. Located outside the 100-year flood plain

    f. Sites showing only two-three primary landowners

3. **Current activity relevant to future industrial/business parks:**

    a. Existing industrial/business parks that might offer possible expansion

    b. Industrial/business sites currently being developed

    c. Infrastructure and future growth plans (sewer, water, UGA, and transportation)

4. **Big 12 Community Survey** regarding open space and business land development best practices

5. **ECO^2 Open Space Program Component**

C. Selection Criteria and Ranking Process

All sites that are proposed for industrial/business parks in Douglas County must meet all four "Required Selection Factors" outlined below. If those requirements are met, the site is given point values according to the "Preferred Selection Factors".

1. Required selection factors: Only land that meets all of these factors would be considered and be evaluated through the preferred selection factors in Subsection 2, immediately below. In particular, tracts containing floodplain or excessive slope would be considered, but only the useable acres of that tract would qualify for the ranking.

a. Transportation access to interstate, U.S. or state highway or railway.

b. Sites larger than 100 useable acres located outside the 100-year floodplain.

c. Average slope of useable acres is less than 8 percent (using in preferred order: 1) physical surveys, 2) topographic maps, e.g. USGS maps.

d. Intent of landowners to voluntarily participate.

2. Preferred selection factors: Each factor is given a point value from 1 to 5, with 5 as the highest rank. All point values will be reviewed periodically and adjusted to address changes in transportation planning, infrastructure development, topography, market considerations, and other factors relevant to appropriate siting of industrial business parks.

a. **Transportation** via state, U.S., or interstate highways is essential for the movement of products to and from an industrial/business park. Locations closer than three miles to highways promote efficient movement of employees and goods, protect public safety, and create less congestion on local roads and streets. Point values are assigned according to proximity and type of highway.

b. **Total acreage of 100 acres or more** allows for clustering industrial/business facilities to share the costs of infrastructure and off-site improvements. Larger acreages are preferred.

c. **Topographic slope** of the site affects its usability and the cost of preparing the site for large structures required for most business activities. Slopes that are too flat, requiring additional fill, or too

steep, requiring the additional expense of earth-moving, are less desirable than the ideal slope of 3-4 percent.

d. **Extraordinary costs** are those that are well over the normal costs for providing municipal services or other infrastructure to an industrial/business site. These costs may be caused by the shape of the site, adjoining land uses, off-site transportation, or fire-protection needs. They would include costs for turn lanes, traffic signals, special storm-water requirements, and water-storage/fire-protection facilities. Also, each proposed site should be examined to determine if other developments or individuals will assume part of the costs of infrastructure for labor, utilities, roads, etc. As these costs change, the site rankings should be adjusted.

e. **Existing local or regional land use plans** often include land set aside for business use. Because these sites are already determined to be preferable by county and/or local planning staff, they are given point values according to the time frame in which development is projected to occur. These plans include the Horizon 2020 Comprehensive Plan, area or nodal plans, the current and projected Urban Growth Areas, future infrastructure (water, wastewater, and storm water) and transportation (vehicles, pedestrian, bicycles, air, rail, transit) plans, and area development plans (services, transportation, population, environmental, cultural, social, economic, etc.). A site is ranked "existing" if it is within at least one of these plans.

f. **The number of owners of parcels for a proposed site** affects the probability of acquiring the land for industrial/business development. Larger numbers of separate parcels and owners make it more difficult to acquire all of the parcels to form an area large enough to meet the 100 to 300 acre size required for an industrial/business park.

D. Proposed Formula for Selection of Sites

Table A.	
Point Values for Ranking Potential Industrial/Business Sites	
Transportation proximity	**Total acreage**
0- More than 3 miles to state or interstate	0- less than 99 acres
1- Access to US 56 less than 3 miles	1- no criteria identified
2- Access to US 59 less than 3 miles	2- 100 to 199 acres
3- Access to K-10 less than 3 miles	3- 200 to 299 acres
4- Access to interstate (I-70) 1.1 to 3 miles	4- no criteria identified
5- Access to interstate (I-70) less than 1 mile	5- 300 or more acres
Average slope of site using USGS & city maps	**Extraordinary costs**
0- less than .99 percent or more than 8 percent	0- $15 million or more
1- no criteria identified	1- $10 to $14.9 million
2- 7 percent to 7.99 percent	2- $7 to $9.9 million
3- 1 percent to 1.99 percent or 6 percent to 6.99 percent	3- $5 to $6.9 million
4- 2 percent to 2.99 percent or 5 percent to 5.99 percent	4- $2 to $4.9 million
5- 3 percent to 4.99 percent	5- less than $2 million
Existing local or regional plans	**Number of owners**
0-not expected to be planned within 25 years	0-over 12 owners
1-planned within 11 to 25 years	1- 10-12 owners
2-planned within 6 to 10 years	2- 7-9 owners
3-planned within 5 years	3- 5-6 owners
4 adjacent to existing plan	4- 3-4 owners
5-in at least one local plan	5- fewer than 3 owners

D. Proposed formula for selection of sites

Some factors, such as access to transportation, are more essential to an industrial/business park than other factors, such as the number of landowners who would need to agree to sell their property to create a single site that meets the required acreage. To accommodate these differences, the point values for each of the preferred selection factors are weighted (see below) to reflect the relative importance of these factors in making a final determination of sites that qualify for ECO² support. The percent of relative importance for each preferred factor is as follows:

25 percent Transportation proximity
17 percent Total acreage
17 percent Average slope
17 percent Extraordinary costs
17 percent Existing plans
7 percent Number of owners
100%

E. Testing the Model

The work group tested the model to determine its effectiveness in evaluating and prioritizing a variety of mock project areas that conceivably might be proposed for industrial/business parks. The model was tested to assess its efficacy in prioritizing project areas based on the preferred factors and the formula for assigning weights to those factors determined to be appropriate for current market circumstances. The work group found the model effective in its ability to establish priorities for industrial/business parks project areas. The ECO² Commission will regularly review and modify the required and preferred selection factors and their ranking to evaluate their continued effectiveness in selecting and evaluating industrial/business park sites. (See Appendix B & C)

IV. ECO² Open Space Preservation Program

A. Introduction

The ECO² Open Space Preservation Program recognizes that open space enhances quality of life; contributes to a sense of place, history, and community; and supports the health and economic well being of all Douglas County residents, both urban and rural.

The ECO² Open Space Preservation Program recognizes that outside the incorporated communities Douglas County is primarily a rural and agricultural county. Except for the comparatively small areas of non-farm residential uses, most of Douglas County is "open space" in the form of farmland and undeveloped land.

The ECO² Open Space Preservation Program offers landowners the opportunity to preserve the rural character of their land. The program identifies eligible lands and provides funds to the landowner to preserve special types of land that are valued in their undeveloped state. The eligible lands will be referred to as **"**open lands**."** Examples of open lands include native prairie and woodlands, wetlands, riparian areas adjacent to streams and creeks, and other areas especially valuable as wildlife habitat. Other special areas and soils in the direct path of growth may be more valuable left in their present agricultural use or other open space use than if altered through development. It is for the preservation of these special lands within the open space of Douglas County that the ECO² program, referred to as the "Open Space Preservation Program," has been created.

The location of Douglas County in the northeast corner of the state means that several geological and climatic conditions have contributed to its interesting physical features. Glaciation has contributed to an abundance of rich soils. Differential erosion for thousands of years has created a varied terrain of hills and valleys and deposits of rich soils. Within the floodplains of the Kansas River and the Wakarusa River, the soil is very rich. These soils are classified by USDA as "prime" and are important to our agricultural economy.

The eastern edge of Kansas is part of the transition zone between the eastern forest and the tallgrass prairie. Douglas County is a mixture of both. This region receives more rainfall than counties farther west, resulting in more perennial rivers and streams and a reliable water supply for a growing population. Protecting the quality of our water is an important purpose of the Open Space Preservation Program. Trees, shrubs, and understory vegetation act as a natural filter, cleaning water of pollutants, preventing erosion, protecting habitat for fish and other aquatic organisms, and providing a high-quality habitat for wildlife. The shelter and food that these and other natural communities provide enable birds and other wildlife to thrive here. Two federally protected plants species occur in the small patches of native prairie in the county. Tallgrass prairies in eastern Kansas support the world's largest populations of Mead's milkweed (*Asclepias meadii*) and significant numbers of western prairie fringed orchid (*Platanthera praeclara*). Our community can take pride in its efforts to protect these

species and, through an Open Space Preservation Program, offer landowners compensation for keeping their prairies in a natural state.

The potential for recreation, population growth, and healthy economic activity is high. The residents of this county face the difficult dilemma of maintaining a vigorous economy, welcoming a rapidly growing population, and at the same time protecting the beauty of prairies, forests, wildlife habitat, and agriculture that are the defining features of our county.

Agriculture has been the dominant activity in Douglas County since the first European-American settlers began arriving more than 150 years ago. Many of those early farms continue to produce today. Many businesses in our communities serve agricultural activities and would fail if the rural areas are converted to suburbia or if farms are severely fragmented by highways. Our county is also ideally suited for sustainable agriculture. An open space preservation program that offers agricultural producers the option of selling a conservation easement will allow some of these producers to continue farming or sell their farms to beginning (farmers) agricultural producers for a reasonable price, a choice that they have not had before. The entire community benefits by retaining our strong agricultural heritage of family farms and ranches.

The Open Space Preservation Program also helps preserve the county's history by protecting the sites of Quantrill's Raid and other Civil War battles, country schools, the Santa Fe Trail, the camp sites of native peoples, and limestone rock fences. By providing an incentive to set these areas aside for ourselves and for tourists, this program can honor those who have inhabited this place long before we came.

Recreation through hiking, biking, and walking will be enjoyed in designated open space that is acquired through this program. Public access to selected nature areas is also an important element of a high quality of life.

Several economic benefits result from land conservation through community programs such as the one proposed here. The American Farmland Trust has completed many "Cost of Community Services Studies" (CCSS). It reports that farmland contributes more revenue to the community in taxes than it costs in services and infrastructure. Land conservation also boosts tourism and attracts new businesses. Protecting low-lying areas can control flood damage and decrease the cost of storm-drainage facilities. In short, preserving open spaces pays off for communities economically as well as environmentally.

When we preserve open space, we not only bring benefits to our current residents but also ensure that future generations will experience a place that retains many of the features we value. Our most distinctive natural, historical, and agricultural areas can remain for our grandchildren and their children to experience. We can avoid the disappearance of our best agricultural and natural landscapes by offering alternatives to development for those lands.

B. Definitions

1. **Open Space.** Open space is that part of Douglas County that has not been developed.

2. **Open Land.** Land that is open space and is eligible for the Open Space Preservation Program.

C. Voluntary Participation. Landowner participation will be voluntary. No land will be secured without the consent of the landowner. Landowners willing to participate will have the option of selling or donating either a conservation easement on or fee ownership to their land for the Open Space Preservation Program.

D. Categories of Open Lands. Lands that are eligible for inclusion in the Open Space Preservation Program are:

1. Trails. Lands suited for recreational hiking, biking, and walking trails (forms of passive recreation) that are:

a. Along naturally occurring river and forested corridors, especially those that connect Lawrence, Lecompton, Eudora, and Baldwin City

b. Contiguous to existing or planned trails

c. Connectors between Clinton Reservoir, Douglas County State Lake, Lone Star Lake, the Wakarusa River, and the Kansas River

d. Connecting neighborhoods, schools, and businesses

e. Other suitable areas.

2. Natural resources. Land that has ecological significance, including:

a. **Native prairie**. These lands are remnants of the native landscape that occupied about 93 percent of Douglas County prior to settlement. Native prairies are remnants that have not been plowed, although today most are used as hay meadows. They are both historically significant and biologically diverse, usually containing more than 200 species of native plants. Because few prairies of any size remain in Douglas County, parcels of at least five acres may be considered for inclusion in the Open Space Preservation Program. Sites with documented populations of Mead's milkweed or western prairie fringed orchid will be given special consideration.

b. **Mature forest**. These lands are part of the six percent of Douglas County that was forested before European-American settlement. Remaining areas are both historically significant and biologically diverse with a rich understory of woodland plants and wildflowers. Because they must be of sufficient size to attract animal species, parcels of at least ten acres in size may be considered in the Open Space Preservation Program.

c. **Wetlands**. These lands are biologically diverse sites that experience frequent or permanent inundation. Wetlands are defined by the presence of special soils and usually occur in floodplains or other low features in the landscape. Drained and cultivated for their rich soils, these sites today are among the rarest natural resources in eastern Kansas. Because even very small areas can provide important habitat for a variety of waterfowl and shorebirds, parcels of at least one acre in size may be considered for inclusion in the Open Space Preservation Program.

d. **Riparian lands** (adjacent to streams, rivers, and lakes). Often called riparian areas, these are linear features or corridors at least 100 feet wide. They may comprise a forested or grassland band adjacent to the stream or water body. Because even very small areas can provide important habitat for a variety of wildlife, parcels of at least one acre in size may be considered for inclusion in the Open Space Preservation Program.

e**. Habitat for protected species**. These lands are habitat for any listed species on a state or federal protection list, or lands where such species are likely to occur. Because even very small areas (one acre) may play an important role in the success of the species in question, parcels of any size may be considered for inclusion in the Open Space Preservation Program.

3. Agricultural lands. These lands are an important part of our cultural history and play a significant economic role in our county. Areas to be eligible for inclusion in the Open Space Preservation Program should be prime agricultural lands (as defined by USDA Web Soil Survey) or lands located in the floodplain. Parcels of at least ten acres in size may be considered for inclusion in this program.

4. Scenic lands. These lands provide beautiful views of the natural landscape. Parcels of at least ten acres in size may be considered for inclusion in the Open Space Preservation Program.

5. Historic sites. Historic sites may be those sites listed on the local, state, or national registers of historic places or unlisted sites with significant historical attributes, such as Santa Fe Trail ruts. Because even small sites may offer important historical features, parcels of at least one acre in size may be considered for inclusion in the Open Space Preservation Program.

6. Lands Promoting Integration. These lands are important because they serve as enhancements of or linkages between significant parcels of land. They may help connect trails or provide additional green space adjacent to other protected private or public property. Examples of protected private or public lands to be integrated include trails, schools, residential areas, industrial/business parks, or (other) areas of open space. These lands may also be appropriate for restoration of native habitat. Because sites may play important roles in integrating other parcels with one another, parcels of any size may be considered for inclusion in the Open Space Preservation Program.

E. Open Space Preservation Program Goals

Goal 1. Work cooperatively with the following local governments: Baldwin City, Eudora, Lecompton, Lawrence, and Douglas County to ensure conservation consistent with the communities' comprehensive plans and park plans.

Objective 1.1. Establish conservation partnerships with public entities to preserve open space.

Objective 1.2. Preserve land between and around cities for open space to help maintain community identity. For example, prioritize preservation of sites with pleasing vistas and geographic features bordering each of the four cities.

Goal 2. Establish conservation partnerships with landowners, professionals, and private organizations to preserve open space.

Goal 3. Inform and educate the Douglas County public including those persons who work with land (including real estate, appraisal, and tax professionals) regarding the benefits and values of open space preservation.

Objective 3.1. Organize, publicize, and conduct a series of workshops to inform the general public and professionals regarding conservation options and the benefits of preservation of open space.

Objective 3.2. Educate the Douglas County public and professionals on the benefits of preservation of open space through community outreach and marketing.

Goal 4. Determine and evaluate public opinion regarding the open space preservation program's goals and priorities for preservation.

Goal 5. Protect open lands countywide over the long term.

Objective 5.1. Seek to secure and preserve open lands through an organized publicly supported open-space preservation program.

Objective 5.2. Protect lands of sufficient size to be viable over the long term to avoid acquiring small isolated pockets of land with minimal conservation value or high access and stewardship costs.

Objective 5.3. Protect the quality of public water resources.

F. Conservation tools mechanisms and use of funds for achieving goals:

1. **Easements.** Accepting easements as a primary means of preserving open space from willing landowners. Easements offer the most benefit for each dollar invested, since the land remains private property, stays on the tax rolls, and reduces property management costs as the land continues to be maintained by the property owner.

2. **Easement Partnerships.** Creating partnerships when easement acquisitions are appropriate. Partnerships will be created with, but not limited to, the Kansas Land Trust, City of Baldwin City, City of Eudora, City of Lawrence, City of Lecompton, Douglas County, area universities, the Kansas Department of Transportation, area utility companies, local school districts, neighboring counties, other governmental agencies, and private organizations and companies when easements are appropriate.

3. **Ownership.** Acquiring fee ownership of land in those instances where public ownership is warranted and the landowner is willing to sell.

4. **Ownership Partnerships.** Establishing partnerships for coordinating and maintaining land held by the Open-space Preservation Program.

G. Acquisition. The Board will consider whether the level of compensation requested by the landowner for the preservation of the lands is appropriate.

1. **Purchase Price.** A landowner may offer to sell the conservation easement or fee simple title for full fair market value or under a bargain sale arrangement.

2. **Matching Funds.** A conservation partner may offer to provide matching funds for the purchase of the conservation easement on or the fee simple title to the open lands.

3. **Donation.** A landowner may offer to donate the conservation easement on or the fee simple title to the open lands.

H. Evaluating Open Space Lands. The proposal will be processed on its own merits after review of the property and its conservation values.

1. **Consistency.** A proposal must be consistent with the vision of ECO² and benefit the citizens of Baldwin City, Eudora, Lawrence, Lecompton, and the unincorporated areas of Douglas County. The proposal will be reviewed for consistency with the communities' comprehensive plans and park plans.

2. **Required Selection Factors.** The following factors will be used to select and prioritize proposals for open lands. A proposal must satisfy the primary selection criteria.

    a. Intent of landowners to voluntarily participate; strong landowner commitment to perpetuating conservation values.

    b. The land or conservation easement can be acquired with reasonable effort and cost in relation to its value.

    c. Must be eligible land under one of the open land categories.

    d. Proposal promotes the overall goals and objectives of the ECO² Open Space Preservation Program.

3. **Preferred Selection Factors.** Secondary selection criteria will be considered to rank proposals.

    a. Water quality protection (e.g., wetlands, public water assessment areas)

    b. Multiple conservation values

    c. Floodplain

    d. Proximate to intact natural areas/protected lands, recreational parks

    e. High risk of urban development

    f. High risk of rural development

g. Accessibility to public
h. Proposal with matching funds, partner funding, bargain sale, or includes donation
i. Size of tract

j. High-quality natural areas

I. Testing the Model

The work group tested the model to determine its effectiveness in evaluating and prioritizing a variety of sites that could conceivably be proposed for open space preservation. The model was tested to determine its efficacy in distinguishing and prioritizing sites based on the preferred factors and the formula of assigning weights to those factors considered appropriate to current circumstances. The work group found the model effective in its ability to establish priorities for open space preservation site selection. The ECO² Commission will regularly review and modify the required selection factors and their weightings to evaluate their continued effectiveness in appropriately identifying, prioritizing and selection of open space preservation sites. (See Appendix D)

V. Implementation

A. Introduction

The ECO² Implementation Work Group developed a uniform process for implementing industrial/business park and open space proposals, the process assumes that proposals originate with the ECO² Commission, or a similar entity, with the expectation that a similar process, with appropriate adjustments, could be used for privately initiated projects.

B. Implementation Process

The implementation process is designed to be sensitive to the roles of the Douglas County and incorporated city commissions and the people of Douglas County.

Proposals are initiated through ECO² Open Space and Industrial/Business Park Groups that are comprised of a broad representation of stakeholders appointed by the ECO² Commission. The committees identify projects for consideration using the required and preferred factors identified in the models of identifying and evaluating lands under consideration for industrial/business parks or preservation**.** Provisions are also made for the public discussions essential to maintaining public oversight and input as well as for the private discussions essential to prudent business transactions.

Provisions are made for the early identification of the compatibility between industrial/business and open space proposals with one another.

The final authority over the proposals is decided by the Douglas County and incorporated city commissions after ample opportunity for public input.

The implementation work group depicted the implementation process in a flowchart to facilitate understanding. (See Appendix E)

C. Concept of Net Equity in Funding

The concept of net equity was adopted as a funding strategy to assure that the investment of public funds in industrial/business parks and open space preservation was equal and that both economic development and ecological stewardship would be advanced without favoring one over the other, as directed by the Douglas County and City of Lawrence Commissions.

The implementation work group determined that an industrial/business park, based on East Hills Business Park, requires an investment of approximately $20 million, about 75 percent of which is recovered over time as the park is inhabited. The net public expenditure, then, for the average industrial/business park, is projected to be $5 million. The net equity concept provides that for every $20 million invested in an industrial/business park, an investment of $5 million will be invested in open space, assuring equity in funding and the pursuit of both goals without favoring one over the other.

Net equity assumes that the net investment of public funds is equal for industrial/business parks development and open space preservation. An industrial/business park requires a substantial up front investment, an estimated 75 percent of which is recovered as the park is inhabited.

VI. ECO² Public Education and Outreach Program

A. Introduction

An informed and knowledgeable public is crucial to the success of the ECO² plan for equally promoting economic development and ecological stewardship with the investment of public funds. It helps ensure increased support for the program, as local citizens gain a broader understanding of the benefits of the plan to the future success of our community. A central goal since the inception has been to provide opportunities for public input and to engage all interested persons.

B. ECO² Plan Development Phase

Effort has been expended throughout the five-year development phase of the ECO² concept and plan to ensure that all residents including those living in incorporated and unincorporated areas of Douglas County have had opportunities to provide input and receive information about the ECO² concept and participate in the planning process. This is reflected in the following opportunities, both past and future, for public involvement during the development, adoption, and implementation phases of the process.

Since the inception of the ECO² concept in 2000, there has been opportunity for public input into the concept and plan. These opportunities included:

1. **2000-2003**: The original ECO² group began meeting under the umbrella of the Lawrence Chamber of Commerce. Meetings were open and covered by the media. Drafts of the ECO² initiative, as presented by this group, were provided to key stakeholders. Five community forums were held throughout the county to receive input. These included meetings in Baldwin, Lecompton, and Eudora. More than 200 individuals participated in these forums.

2. **2003-present**: The original ECO² group delivered an annual report and a draft plan initially to the Douglas County Commission and subsequently to the Lawrence City Commission at a regularly scheduled public meeting. Public input was provided by stakeholder groups and individuals.

    a. The ECO² Commission established in 2003 consisting of eight community members, began meeting monthly and organizing work groups to develop a draft version of the ECO² plan. Each work group included broad community representation. A targeted effort was made to include representation from all communities in Douglas County during all phases of the process.

b. Multiple opportunities for public involvement were provided during this time.

   i. A planning retreat was held with more than thirty-five individuals participating.

   ii. The open space work group included more than thirty individuals assisting in the process through a series of nineteen meetings.

   iii. The industrial/business space work group included more than twenty individuals assisting in the process through a series of twelve meetings.

   iv. The bylaws work group included six interested individuals assisting in the process through a series of three meetings.

   v. The implementation work group included more than 45 individuals assisting in the process through a series of ten meetings.

   vi. The public education and outreach work group included more than 15 individuals assisting in the process through a series of five meetings.

   vii. A study session was held with the Douglas County and Lawrence City Commissions.

   viii. Three annual progress reports and invitations to provide future directions were delivered to the Douglas County and Lawrence City Commissions each year at a regularly scheduled public meeting.

   ix. Media representatives covered many aspects of this plan-development phase. In the five years there were more than 200 mentions of ECO² in local media.

C. ECO² Plan Adoption Phase Public Education and Outreach

Recognizing that adoption of the ECO² Plan requires an understanding and acceptance of the concept by the general public, the following tools will be used to inform the public on an ongoing basis about the ECO² plan and its importance to Douglas County.

D. Phases, and tools

1. *2006 Phase One: Draft Master ECO² Plan*
    a. Web access
    b. Promotional brochures
    c. Public information meetings—in all communities
    d. Speakers Bureau
    e. Draft plan summary

2. *2007 Phase Two: Adoption of ECO² Plan*
    a. Web access
    b. Public meetings held by the ECO² Commission in partnership with the Douglas County Commission with all Douglas County municipalities to discuss participation in the ECO² initiative.

The above tools were selected to support the guiding principles of:

- Forming partnerships with organizations and/or individuals who might have an interest in this initiative.
- Using educational materials and strategies to inform the public of the process and products.
- Reaching out to diverse audiences.
- Organizing ways to share information and receive input on a continuing basis.

E. Continued Public Education and Outreach:

Recognizing that successful implementation of the ECO² Plan relies on building a strong base of public understanding and support, the following actions should be planned on an ongoing basis.

1. Yearly review of the plan by the ECO² Commission or its representative group.

2. At least every five years the plan should be updated through a process that includes an opportunity for public input.

3. The plan should be available online at a web address to be available at all times and should include examples of successful ECO² projects.

F. Conclusion

The ECO² plan reflects opportunities for public involvement throughout the process in a variety of ways. It has been the intent in the past, present, and future to have an engaged community involved in the process and to prepare a plan that reflects the diverse interests and characteristics of our community.

VII. ECO² Funding Mechanism Review

A. Introduction

ECO² must have funding sources available to carry on the initiatives that have been set forth. These funding sources will likely be from diverse sources. The concept of net equity was adopted as a funding strategy that honored the directive that the ECO² Commission pursues its dual purpose of economic development and open space preservation without favoring one goal over the other.

Below are a number of sources that may be combined and used to reach the common goals of the program.

B. Potential Funding Mechanisms

1. General Obligation Bonds. Cities have statutory and home rule powers to issue debt for public infrastructure and facilities. Cities have enacted charter ordinances allowing for the issuance of debt for economic development purposes and open space purposes throughout the nation.

2. Grants/Gifts. Grants are monies donated to specific projects from governmental offices, foundations, and charitable organizations.

3. Hotel tax. A hotel tax is a tax on the use of hotel rooms by visitors to Douglas County.

4. Industrial Revenue Bonds. Industrial revenue bonds (IRBs) are conduit financing whereby the municipality issues debt that a private entity uses for acquisition, construction, and personal property for certain qualifying industries. The debt is not backed by the municipality or their taxpayers; instead, the debt is backed only by the revenue from the industry or property.

5. Mortgage registration tax. A mortgage registration tax is a fee collected for any commercial or residential real estate on which a mortgage is placed.

6. Partnerships. These partnerships could be a combination of public and private financing. They could also include bank financing. A combination of many of the above-mentioned options could be used for these partnerships.

7. Real Estate Property Tax. Increased property taxes of all real estate in Douglas County.

8. Sales Tax. Counties are given the right to ask voters to approve a sales tax increase to be pledged for a number of purposes. Any new sales tax requests would be in addition to any existing taxes levied by Douglas County and/or City of Lawrence.

9. Special Assessment Benefit Districts. Cities utilize special assessment benefit districts to finance and install public improvements: for example, streets and sanitary sewers. Benefit districts include property that benefits from certain improvements, with assessments placed on the property to pay off the debt that financed the improvement.

10. Tax Increment Financing. Tax increment financing is used to publicly finance needed public improvements and enhanced infrastructure in a defined area. The cost of improvements to the area is repaid by the contributions of future tax revenues by each participating taxing unit that levies taxes against the particular property.

Appendix A
Work Group Members and Affiliations

The ECO² Commission established a work group for each of the following areas: Business, Open Space, Implementation, Public Education and Outreach, Funding Mechanisms, Bylaws. Each work group developed a component of the plan that would fulfill the charge to the ECO² Commission under the city and county joint resolution passed in November 2003. The joint resolution charged the ECO² Commission with the identification of lands for industrial/business parks and open space and a plan for the development of industrial/business parks and open-space preservation in Douglas County. The individuals who participated in the work groups represented a cross-section of the community. The following people participated in one or more of the ECO² work groups:

Todd Aschenbach	Dennis "Boog" Highberger	Sue Pine
Debra Baker	Alicia Janesko	Bob Rhoton
Marilyn Bittenbender	Josh Johnson	Trudy Rice
Rex Buchanan	Charles Jones	Jim Roberts
David Burress	Jon King	Jerry Samp
Laura Calwell	Kelly Kindscher	Bob Sarna
Bridget Chapin	Betty Lichtwardt	Myles Schachter
Kathy Clausing	Bob Licthwardt	Sandra Shaw
Jeff Dingman	Carey Maynard-Moody	Shirley Martin Smith
Linda Finger	Larry McElwain	Lavern Squier
Vernis Flottman	Carolyn Micek	Phil Struble
Marci Francisco	RoxAnne Miller	Kurt VonAchen
Dale Glenn	Jean Milstead	Craig Weinaug
Mark Gonzales	Caleb Morse	Stacey White
James Grauerholz	Erin Paden	Joyce Wolf
Brad Hauschild	Lynn Parman	Bev Worster
Kelvin Heck	John Pendleton	Michael Yanez
Melinda Henderson	Roger Pine	

The following organizations, groups, or entities were represented in ECO² work groups:

ACOS	Kansas Land Trust
CEO Lawrence Chamber of Commerce	Kansas Water Office
Lawrence Chamber Staff	Kaw Valley Heritage Alliance
Lawrence City Commission	KU Biological Survey
City of Baldwin	KU Institute for Public Policy and Business Research
City of Eudora	KU School of Architecture, Urban Planning Department
Douglas County Administrator	Lawrence/Douglas County Planning Commission
Douglas County Commission	Lawrence/Douglas County Planning Department
Douglas County Conservation District	League of Women Voters
ECO² Commission	Progressive Lawrence Campaign
Friends of the Kaw	Sierra Club
Jayhawk Audubon Society	

Appendix B
Big Twelve Survey

A survey of the 11 cities represented by Big XII schools (excluding College Station, TX) was completed. This survey included eight specific questions concerning business/industrial parks and open/green space. The following questions were asked:
1) Do you have a business/industrial park or parks in your community?
2) If yes, are they publicly funded (infrastructure, land acquisitions)?
3) If yes, are they funded through sales tax, property tax, general operating funds, other?
4) Is the University involved with funding of the park?
5) Is the University involved with the promotion of the park? If yes, please describe.
6) Do your business/industrial parks have open or green space components in the planning? If yes, please describe.
7) What is the % of open/green space vs. land for development?
8) Do you have any best practices to share regarding open/green space and business/industrial parks development combining the efforts?

This survey was both informative and brought to light the facts that many of these cities have privately and publicly funded business/industrial parks and that only a small percentage currently consider open/green space in there considerations, but that more are starting to consider the combination of green/open space and business/industrial parks.

Appendix C
ECO²
INDUSTRIAL RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Project Info	Score	Weight	Final Score
1. Transportation Proximity					0.25	
	0- More than 3 miles to state or interstate	Site A	US-56	1		0.25
	1- Access to US 56 less than 3 miles	Site B	US-59	2		0.50
	2- Access to US 59 less than 3 miles	Site C	K-10	3		0.75
	3- Access to K-10 less than 3 miles	Site D	K-10	3		0.75
	4- Access to Interstate (I-70) 1.1 miles to 3 miles	Site E	I-70	5		1.25
	5- Access to Interstate (I-70) less than 1 mile	Site F	I-70	4		1.00
		Site G	K-10	3		0.75
(Project information is based on the		Site H	K-10	3		0.75
City/County Major Thoroughfares Maps of		Site I	I-70	5		1.25
Transportation 2025)		Site J	K-10	3		0.75
		Site K	I-70	5		1.25
2. Total Potential Acreage					0.17	
	0- less than 99 acres	Site A	218 acres	3		0.51
	1- *no criteria identified*	Site B	402 acres	5		0.85
	2- 100 to 199 acres	Site C	337 acres	5		0.85
	3- 200 to 299 acres	Site D	607 acres	5		0.85
	4- *no criteria identified*	Site E	319 acres	5		0.85
	5- 300 or more acres	Site F	381 acres	5		0.85
		Site G	280 acres	3		0.51
(Project information is based on the Douglas		Site H	187 acres	2		0.34
County parcel ownership information)		Site I	218 acres	3		0.51
		Site J	75 acres	0		0.00
		Site K	320 acres	5		0.85
3. Average Slope of Site					0.17	
	0- less than .99%or more than 8%	Site A	5.50%	4		0.68
	1- *no criteria identified*	Site B	5%	4		0.68
	2- 7% to 7.99%	Site C	1.80%	3		0.51
	3- 1%to 1.99%or 6% to 6.99%	Site D	1.50%	3		0.51
	4- 2% to 2.99%or 5%to 5.99%	Site E	less than 1%	0		0.00
	5- 3% to 4.99%	Site F	less than 1%	0		0.00
		Site G	5.50%	4		0.68
(Project information is based on USGS		Site H	5%	4		0.68
topographical maps for Douglas County)		Site I	5%	4		0.68
		Site J	less than 1%	0		0.00
		Site K	4%	5		0.85

Appendix C
ECO²
INDUSTRIAL RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Project Info	Score	Weight	Final Score
4. Extraordinary Costs					0.17	
	0- $15 million or more	Site A	$1,404,506	5		0.85
	1- $10 to$14.9 million	Site B	$5,400,696	3		0.51
	2- $7 to $9.9 million	Site C	$3,585,850	4		0.68
	3- $5 to $6.9 million	Site D	$3,967,704	4		0.68
	4- $2 to $4.9 million	Site E	$3,588,752	4		0.68
	5- less than $2 million	Site F	$14,384,636	1		0.17
		Site G	$13,500,000	1		0.17
(Project info is based on external site development costs--I.e., costs to extend infrastructure, etc.)		Site H	$2,131,615	4		0.68
		Site I	$2,533,404	4		0.68
		Site J	$1,035,000	5		0.85
		Site K	$4,318,272	4		0.68
5. Existing Local/Regional Plans					0.17	
	0- area not expected to be planned within 25 years	Site A	adjacent	4		0.68
	1- area to be planned within 11 to 25 years	Site B	11-25 years	1		0.17
	2- area to be planned within 6 to 10 years	Site C	adjacent	4		0.68
	3- area to be planned within 5 years	Site D	adjacent	4		0.68
	4- area located adjacent to existing plan+	Site E	existing	5		0.85
	5- area located in at least one existing plan+	Site F	25+ years	0		0.00
		Site G	existing	5		0.85
(Project info is based on planning efforts of Douglas County communities)		Site H	existing	5		0.85
		Site I	existing	5		0.85
		Site J	existing	5		0.85
		Site K	adjacent	4		0.68
6. Number of Owners					0.07	
	0- over 12 owners	Site A	2 owners	5		0.35
	1- 10-12 owners	Site B	2 owners	5		0.35
	2- 7-9 owners	Site C	2 owners	5		0.35
	3- 5-6 owners	Site D	1 pwner	5		0.35
	4- 3-4 owners	Site E	8 owners	2		0.14
	5- fewer than 3 owners	Site F	12 owners	1		0.07
		Site G	4 owners	4		0.28
Project info is based on Douglas County parcel ownership information)		Site H	10 owners	1		0.07
		Site I	5 owners	3		0.21
		Site J	2 owners	5		0.35
		Site K	5 owners	3		0.21

Appendix C
ECO^2
INDUSTRIAL RANKING FORMULA

Final Scoring and Ranking

Mock Project Areas	Trans.	Acreage	Slope	Costs	Plans	Owners	SCORE	RANK
Site A	0.25	0.51	0.68	0.85	0.68	0.35	**3.32**	***7***
Site B	0.50	0.85	0.68	0.51	0.17	0.35	**3.06**	***9***
Site C	1.25	0.85	0.51	0.68	0.68	0.35	**4.32**	***3***
Site D	1.25	0.85	0.51	0.68	0.68	0.35	**4.32**	***3***
Site E	0.75	0.85	0.00	0.68	0.85	0.14	**3.27**	***5***
Site F	0.75	0.85	0.00	0.17	0.00	0.07	**1.84**	***11***
Site G	1.25	0.51	0.68	0.17	0.85	0.28	**3.74**	***8***
Site H	1.25	0.34	0.68	0.68	0.85	0.07	**3.87**	***6***
Site I	1.25	0.51	0.68	0.68	0.85	0.21	**4.18**	***2***
Site J	1.00	0.17	0.00	0.85	0.85	0.35	**3.22**	***10***
Site K	0.75	0.85	0.85	0.68	0.68	0.21	**4.02**	***1***

Appendix D
ECO^2
OPEN SPACE RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Score	Weight	Final Score
1. Water quality protection (e.g. wetlands and public water assessment areas)				0.10	
	0 - low (not wetland soils or public water assessment areas)	1) 10 acres of Native Prairie	0		0.00
	3 - medium (wetland soils or public water assessment areas)	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	3		0.30
	5 - high (wetland soils & public water assessment areas)	3) 100 acres Baldwin Woods	0		0.00
		4) 100 acres Clinton Lake Corp of Eng. buffer	3		0.30
		5) 100 acres riparian along Wakarusa River w/historic	0		0.00
		6) 100 acres along Kansas River in Scenic Corridor	3		0.30
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	0		0.00
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00
2. Multiple conservation values				0.10	
	1 - point for each of the 10 categories of OS represented	1) 10 acres of Native Prairie	3		0.30
		2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	1		0.10
		3) 100 acres Baldwin Woods	2		0.20
		4) 100 acres Clinton Lake Corp of Eng. buffer	3		0.30
		5) 100 acres riparian along Wakarusa River w/historic	4		0.40
		6) 100 acres along Kansas River in Scenic Corridor	5		0.50
		7) 10 acres of non-native grass/pasture	1		0.10
		8) 50 acres of Agricultural land	1		0.10
		9) 100 acres of low quality woods	1		0.10
		10) 10 acres of land near Clinton Lake	1		0.10
		11) 10 acres of land near Wakarusa River	1		0.10
		12) 10 acres of land near Kansas River	1		0.1

Appendix D
ECO^2
OPEN SPACE RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Score	Weight	Final Score
5. High risk of urban development				0.10	
	1 - within 5 miles of any city limits	1) 10 acres of Native Prairie	0		0.00
	2 - within 4 miles of any city limits	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	1		0.10
	3 - within 3 miles of any city limits	3) 100 acres Baldwin Woods	0		0.00
	4 - within 2 miles of any city limits	4) 100 acres Clinton Lake Corp of Eng. buffer	0		0.00
	5 - within less than 2 miles of any city limits	5) 100 acres riparian along Wakarusa River w/historic	5		0.50
		6) 100 acres along Kansas River in Scenic Corridor	0		0.00
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	0		0.00
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	4		0.40
6. High risk of rural development				0.10	
	1 - within 2 miles of __ road type	1) 10 acres of Native Prairie	3		0.30
	2 - within 1 1/2 miles of __ road type	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	3		0.30
	3 - within 1 mile of __ road type or has water meter	3) 100 acres Baldwin Woods	3		0.30
	4 - within 1/2 mile of __ road type & has water meter	4) 100 acres Clinton Lake Corp of Eng. buffer	1		0.10
	5 - property has direct access to __ road type & has water meter	5) 100 acres riparian along Wakarusa River w/historic	3		0.30
		6) 100 acres along Kansas River in Scenic Corridor	3		0.30
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	1		0.10
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	1		0.10
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00

Appendix D
ECO^2
OPEN SPACE RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Score	Weight	Final Score
3. Floodplain				0.10	
	0 - not in 100 year floodplain	1) 10 acres of Native Prairie	0		0.00
	2 - in 100 year floodplain	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	2		0.20
		3) 100 acres Baldwin Woods	0		0.00
		4) 100 acres Clinton Lake Corp of Eng. buffer	0		0.00
		5) 100 acres riparian along Wakarusa River w/historic	2		0.20
		6) 100 acres along Kansas River in Scenic Corridor	0		0.00
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	0		0.00
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00
4. Proximity to intact natural areas/protected lands, recreational parks				0.10	
	0 - not proximate	1) 10 acres of Native Prairie	0		0.00
	1 - within 2 miles of any of the above	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	0		0.00
	3 - within 1 mile	3) 100 acres Baldwin Woods	5		0.50
	5 - adjacent to one of these areas	4) 100 acres Clinton Lake Corp of Eng. buffer	5		0.50
		5) 100 acres riparian along Wakarusa River w/historic	3		0.30
		6) 100 acres along Kansas River in Scenic Corridor	0		0.00
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	3		0.30
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00

Appendix D
ECO^2
OPEN SPACE RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Score	Weight	Final Score
7. Accessibility to public				0.10	
	0 - not accessible to the public	1) 10 acres of Native Prairie	0		0.00
	5 - public will have limited access to the land	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	0		0.00
		3) 100 acres Baldwin Woods	0		0.00
		4) 100 acres Clinton Lake Corp of Eng. buffer	0		0.00
		5) 100 acres riparian along Wakarusa River w/historic	5		0.50
		6) 100 acres along Kansas River in Scenic Corridor	5		0.50
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	0		0.00
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00
8. Proposal with matching funds, partner funding, bargain sale, or includes donation				0.10	
	0 - no match	1) 10 acres of Native Prairie	0		0.00
	1 - if 1 to 15 % match	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	0		0.00
	2 - of 16 to 30% match	3) 100 acres Baldwin Woods	0		0.00
	3 - if 31 % to 45 %match	4) 100 acres Clinton Lake Corp of Eng. buffer	0		0.00
	4 - if 46 to 60% match	5) 100 acres riparian along Wakarusa River w/historic	0		0.00
	5 - if 61 to 75 % match	6) 100 acres along Kansas River in Scenic Corridor	0		0.00
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	0		0.00
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00

Appendix D
ECO^2
OPEN SPACE RANKING FORMULA

Criteria	Scoring Possibilities	Mock Project Areas	Score	Weight	Final Score
9. Size of tract				0.10	
	1 - 0-5 acres	1) 10 acres of Native Prairie	3		0.30
	3 - 5-20 acres	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	5		0.50
	5 - 20 acres or greater	3) 100 acres Baldwin Woods	5		0.50
		4) 100 acres Clinton Lake Corp of Eng. buffer	5		0.50
		5) 100 acres riparian along Wakarusa River w/historic	5		0.50
		6) 100 acres along Kansas River in Scenic Corridor	5		0.50
		7) 10 acres of non-native grass/pasture	3		0.30
		8) 50 acres of Agricultural land	5		0.50
		9) 100 acres of low quality woods	5		0.50
		10) 10 acres of land near Clinton Lake	3		0.30
		11) 10 acres of land near Wakarusa River	3		0.30
		12) 10 acres of land near Kansas River	3		0.3
10. High Quality Natural Areas				0.10	
	0 - does not contain any mapped natural area	1) 10 acres of Native Prairie	5		0.50
	5 - contains a mapped Kansas Natural Heritage Inventory natural area (prairie, forest, or wetland)	2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	0		0.00
		3) 100 acres Baldwin Woods	5		0.50
		4) 100 acres Clinton Lake Corp of Eng. buffer	0		0.00
		5) 100 acres riparian along Wakarusa River w/historic	0		0.00
		6) 100 acres along Kansas River in Scenic Corridor	5		0.50
		7) 10 acres of non-native grass/pasture	0		0.00
		8) 50 acres of Agricultural land	0		0.00
		9) 100 acres of low quality woods	0		0.00
		10) 10 acres of land near Clinton Lake	0		0.00
		11) 10 acres of land near Wakarusa River	0		0.00
		12) 10 acres of land near Kansas River	0		0.00

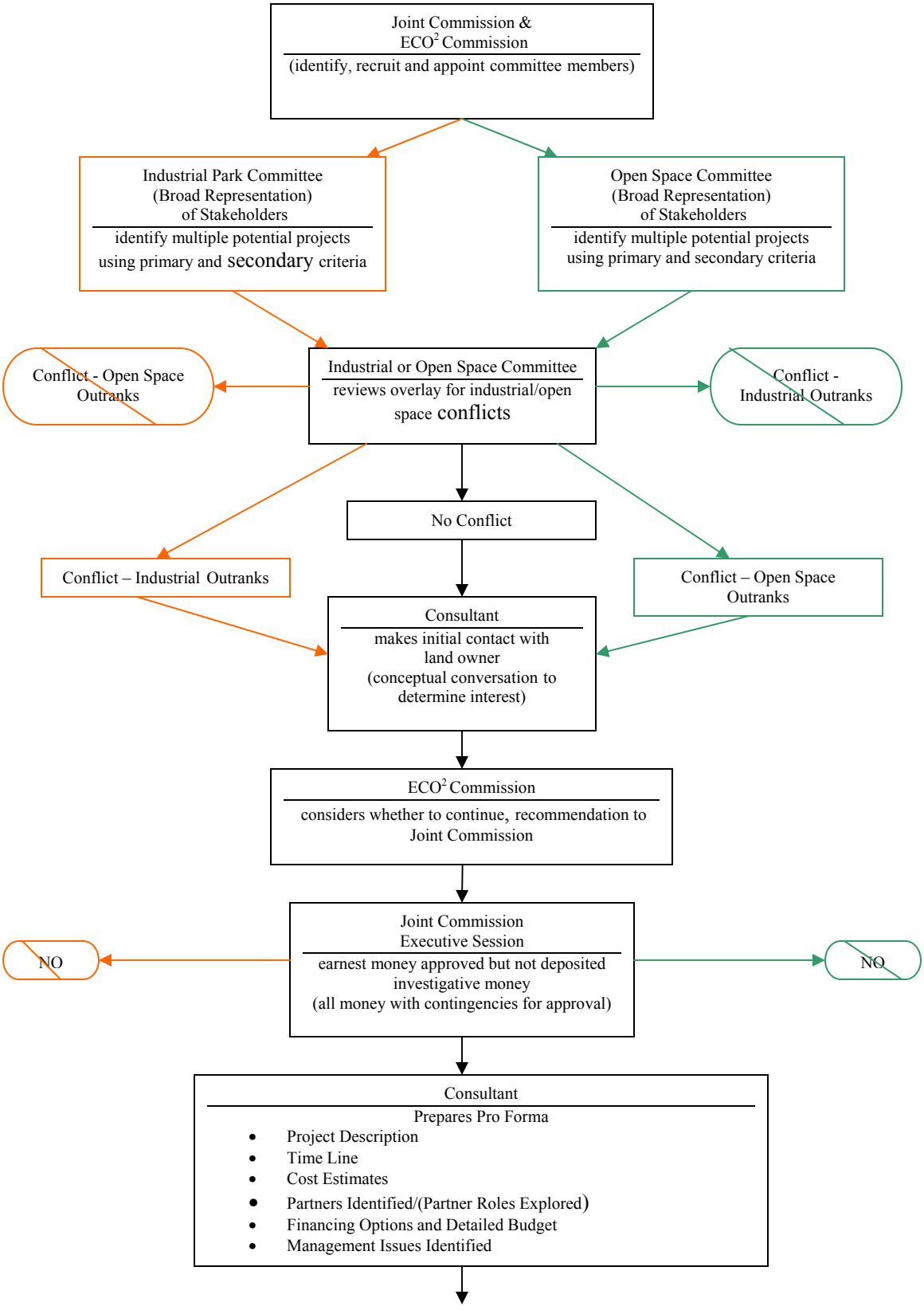
Appendix D
ECO^2
OPEN SPACE RANKING FORMULA

Final Scoring and Ranking

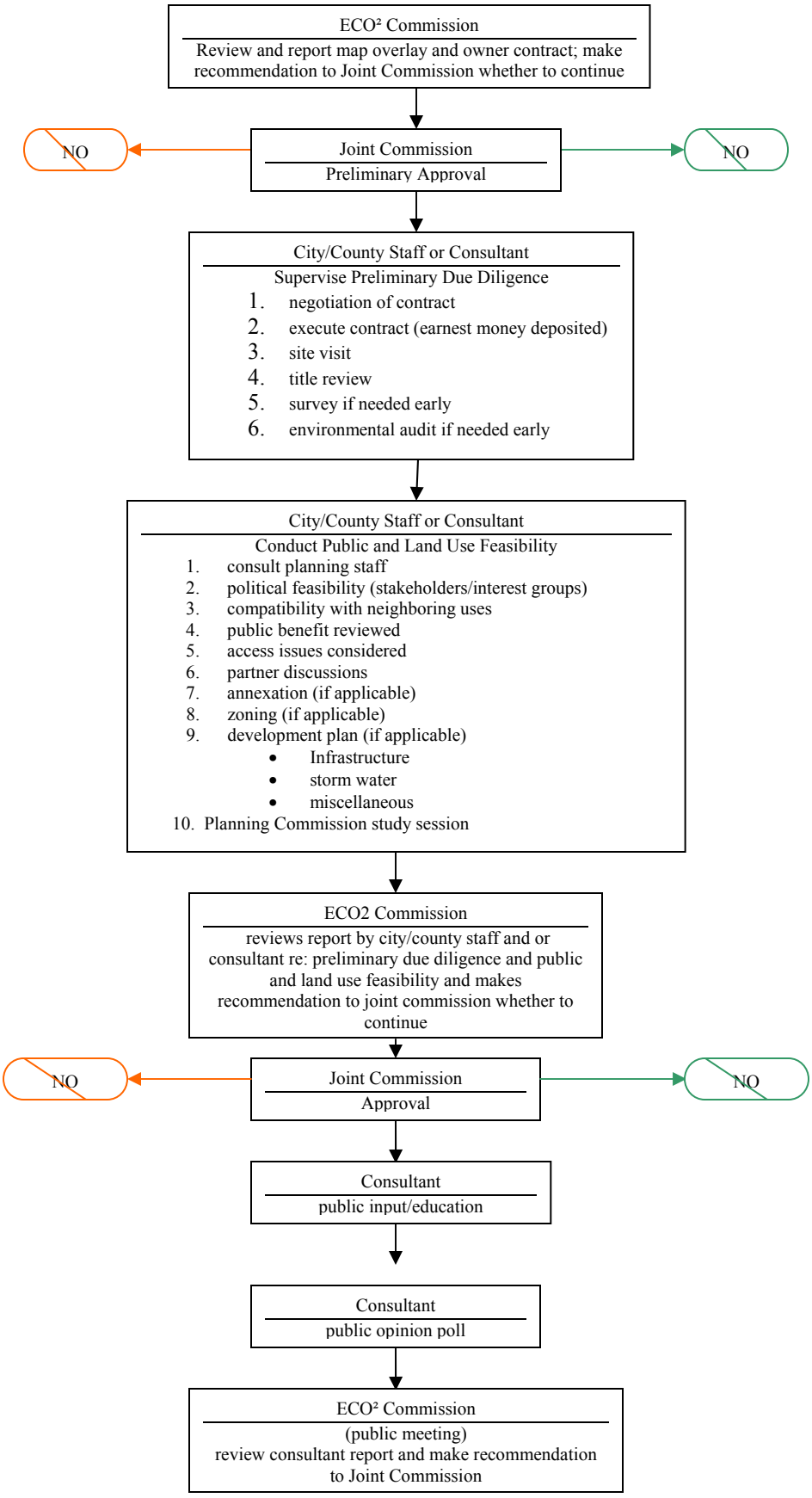
Mock Project Areas	Water	Conservation	Flood	Prox.	Urban	Rural	Access	Funds	Size	Quality	SCORE	RANK
1) 10 acres of Native Prairie	0.00	0.30	0.00	0.00	0.00	0.30	0.00	0.00	0.30	0.50	**1.40**	**7**
2) 100 acres of Agriculture Land (floodplain / Kansas River Valley)	0.30	0.10	0.20	0.00	0.10	0.30	0.00	0.00	0.50	0.00	**1.50**	**8**
3) 100 acres Baldwin Woods	0.00	0.20	0.00	0.50	0.00	0.30	0.00	0.00	0.50	0.50	**2.00**	**10**
4) 100 acres Clinton Lake Corp of Eng. buffer	0.30	0.30	0.00	0.50	0.00	0.10	0.00	0.00	0.50	0.00	**1.70**	**9**
5) 100 acres riparian along Wakarusa River w/historic	0.00	0.40	0.20	0.30	0.50	0.30	0.50	0.00	0.50	0.00	**2.70**	**12**
6) 100 acres along Kansas River in Scenic Corridor	0.30	0.50	0.00	0.00	0.00	0.30	0.50	0.00	0.50	0.50	**2.60**	**11**
7) 10 acres of non-native grass/pasture	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.00	**0.40**	**1**
8) 50 acres of Agricultural land	0.00	0.10	0.00	0.00	0.00	0.10	0.00	0.00	0.50	0.00	**0.70**	**4**
9) 100 acres of low quality woods	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.00	**0.60**	**3**
10) 10 acres of land near Clinton Lake	0.00	0.10	0.00	0.30	0.00	0.10	0.00	0.00	0.30	0.00	**0.80**	**5**
11) 10 acres of land near Wakarusa River	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.30	0.00	**0.40**	**1**
12) 10 acres of land near Kansas River	0.00	0.10	0.00	0.00	0.40	0.00	0.00	0.00	0.30	0.00	**0.80**	**5**

Appendix E

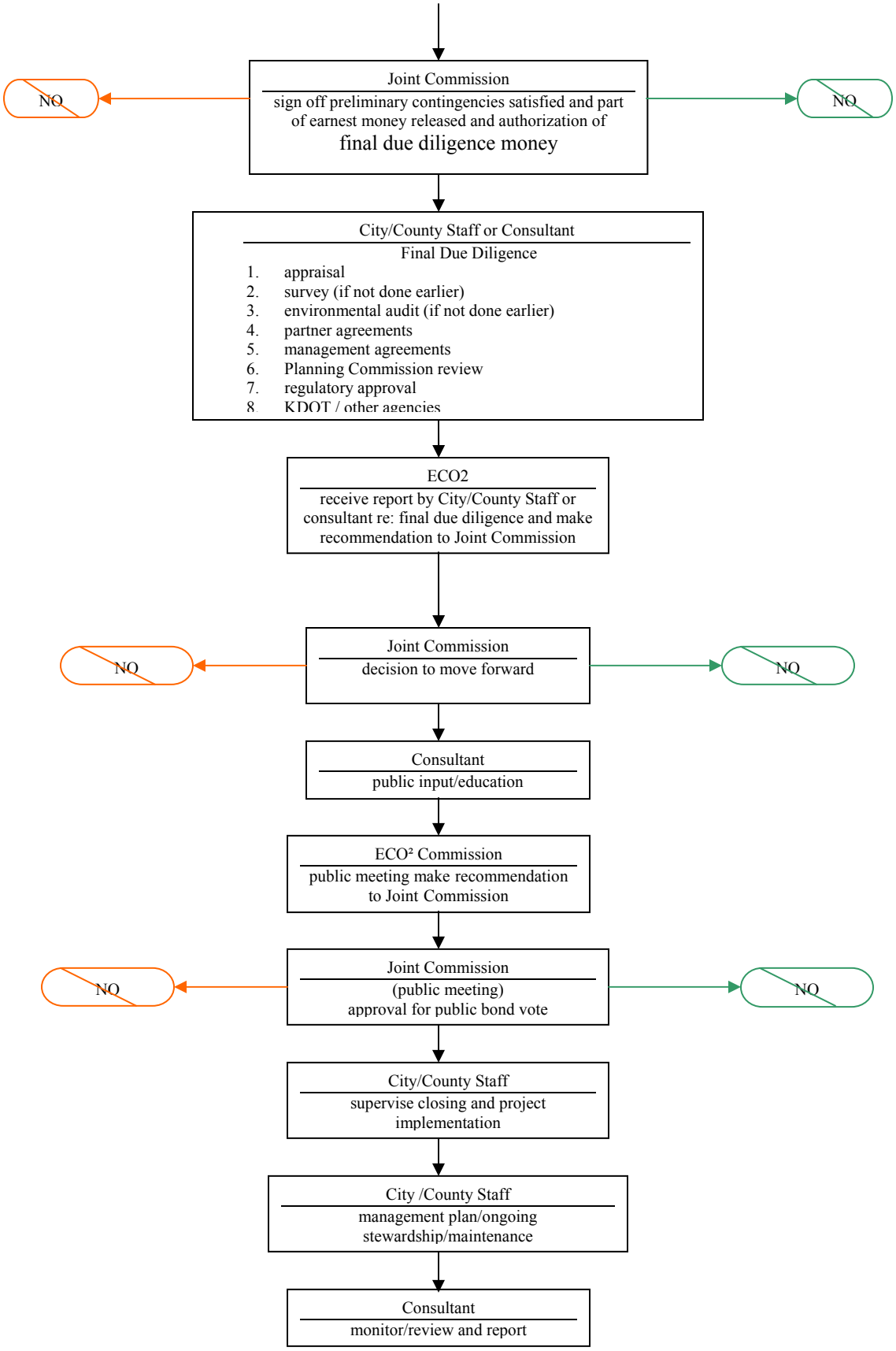
ECO² Implementation Flowchart
For an ECO² Driven First Project



Appendix E


ECO² Commission
Review and report map overlay and owner contract; make recommendation to Joint Commission whether to continue
NO
Joint Commission
Preliminary Approval
NO
City/County Staff or Consultant
Supervise Preliminary Due Diligence
1. negotiation of contract
2. execute contract (earnest money deposited)
3. site visit
4. title review
5. survey if needed early
6. environmental audit if needed early
City/County Staff or Consultant
Conduct Public and Land Use Feasibility
1. consult planning staff
2. political feasibility (stakeholders/interest groups)
3. compatibility with neighboring uses
4. public benefit reviewed
5. access issues considered
6. partner discussions
7. annexation (if applicable)
8. zoning (if applicable)
9. development plan (if applicable)
• Infrastructure
• storm water
• miscellaneous
10. Planning Commission study session
ECO2 Commission
reviews report by city/county staff and or consultant re: preliminary due diligence and public and land use feasibility and makes recommendation to joint commission whether to continue
NO
Joint Commission
Approval
NO
Consultant
public input/education
Consultant
public opinion poll
ECO² Commission
(public meeting)
review consultant report and make recommendation to Joint Commission

Appendix E


Joint Commission
sign off preliminary contingencies satisfied and part of earnest money released and authorization of final due diligence money
NO
NO
City/County Staff or Consultant
Final Due Diligence
1. appraisal
2. survey (if not done earlier)
3. environmental audit (if not done earlier)
4. partner agreements
5. management agreements
6. Planning Commission review
7. regulatory approval
8 KDOT / other agencies
ECO2
receive report by City/County Staff or consultant re: final due diligence and make recommendation to Joint Commission
Joint Commission
decision to move forward
NO
NO
Consultant
public input/education
ECO² Commission
public meeting make recommendation to Joint Commission
Joint Commission
(public meeting)
approval for public bond vote
NO
NO
City/County Staff
supervise closing and project implementation
City /County Staff
management plan/ongoing stewardship/maintenance
Consultant
monitor/review and report

Appendix F
By-Laws

Article I. Name. The name of this organization, as established by Resolution xxx of Douglas County, Kansas, and by Resolution 6553 of the City of Lawrence, shall be the ECO² Commission. The term "Commission" in the following sections shall mean the ECO² Commission. The name ECO² is derived from the Commission's dual goals of ecological stewardship and economic development in Douglas County. The term "Governing Bodies" in the following sections shall mean the Board of County Commissioners and the City Commission.

Article II. Purpose

Section 1. Bylaws. The purpose of these bylaws is to establish rules for the internal organization and operation of the Commission.

Section 2. Commission. The Governing Bodies, having determined that economic health and quality of life go hand in hand, have directed that the Commission shall have the dual purpose of advancing economic-development opportunities and sound ecological stewardship in the form of preservation and management of, and access to, open space in Douglas County. The Commission shall report to and advise the Governing Bodies on matters relating to its dual goals of 1) preservation, access, and management of open space, and 2) acquisition of land, facilities, and other supports to expand economic development in Douglas County, including developing incentives and financing of both purposes. The function, powers, and duties of the Commission are as authorized by the joint resolution establishing the Commission. Actions of the Commission are advisory only and subject to approval by the appropriate Governing Bodies. The Governing Bodies will adopt general policies and priorities, with the advice of the Commission. The Commission, however, adopts its own rules and policies for procedure, consistent with its powers.

Section 3. Guiding Principles. The Commission shall be guided by the following three principles: 1) participation of landowners shall be voluntary; the Commission shall not recommend the involuntary taking of private property; and no funds generated through ECO² may be used for condemnation of property; 2) to the extent possible, the Commission shall emphasize partnerships with developers, land trusts, and other parties positioned to advance the dual goals of economic development and open-space preservation; and 3) the Commission shall pursue the dual goals of economic development and open-space preservation without favoring either.

Article III. Organization

Section 1. Members. The Commission shall be comprised of eight (8) members, each of whom will reside within the geographic boundary of Douglas County and none of whom shall hold either a salaried position or elective office with either city government or county government. Membership on the Commission shall be voluntary, and no member shall receive payment for service on the Commission. The Mayor of the City and the Chair of the County Commission shall jointly appoint the members to the Commission. In each case, appointments shall be made with the consent of a majority of each respective body. The appointments shall consist of the following: three members

representing economic development interests, three members representing open-space interests, and two members representing agricultural interests.

Section 2. Terms. Each member of the Commission shall be appointed to serve a term of four years. No individual shall be reappointed if the individual has served two full consecutive terms. For purposes of determining eligibility for reappointment, the unexpired term of more than two years of an individual appointed to fill the unexpired term shall count as a full term. In addition, an initial term of more than two years shall count as a full term, but an initial term of two years shall not count as a full term.

Section 3. Officers. The officers of the Commission shall be a chairperson, a vice-chairperson, and a secretary. The officers shall be elected by the Commission at its regular meeting in June of each year. The term of office shall be one (1) year. No person may serve more than two (2) consecutive terms in a single office. The chairperson shall preside at all regular and special meetings of the Commission unless the chairperson designates someone to preside in his/her stead.

The chairperson shall determine and appoint all committees with the advice and consent of the Commission. The chairperson shall fix and determine times and places of meetings. The chairperson shall have such usual powers of supervision and management as pertain to the office of chairperson. The vice-chairperson shall act as chairperson in the absence of the chairperson. In the event the office of chairperson becomes vacant, the vice-chairperson shall succeed to that office for the unexpired term and the Commission shall select a new vice-chairperson for the unexpired term at the next regular meeting. The vice-chairperson shall chair meetings of the Committee of the Whole. The Committee of the Whole consists of a committee formed by all the members of the Commission who are present at a meeting of the Commission. The Committee of the Whole may hold study sessions and discuss business.

The secretary shall keep, or direct to be kept, a record of the proceedings of the meetings of the Commission. The secretary shall maintain and preserve the records of the Commission, conduct correspondence of the Commission, and, in the absence of the chairperson and vice-chairperson, preside at meetings of the Commission.

Article IV. Meetings

Section 1. Meeting Schedule. The Commission shall hold regular meetings at least once each month at such time and place as established by the chairperson. Special meetings may be called by the chairperson and shall be called by the chairperson if requested by at least six (6) members of the commission. Notice of meetings shall be provided by the chairperson to each member not less than five (5) business days prior to the meeting.

Section 2. Conduct of Meetings. The quorum required for the transaction of business at all regular meetings of the Commission shall consist of six (6) members of the Commission. An affirmative vote of at least six (6) members of the Commission shall be required to recommend project funding or take other significant action. The quorum for study sessions and meetings of the Committee of the Whole is five (5) members. Robert's Rules of Order (Revised) shall be the authority for the Commission in matters of procedure not specified above, except insofar as modified by these by-laws and the rules and procedures adopted by the Commission.

Section 3. Open Meetings and Open Records. All meetings of the Commission shall be held in compliance with the Kansas Open Meetings Act and all its records shall be subject to the Kansas Open Records Act.

Article V. Public hearings

Section 1. The Commission shall take no final action on any recommendation that involves funding greater than $5,000 unless a public hearing has been held on that matter. The general nature of the proposed action shall be made public at least twenty (20) business days prior to the public hearing.

Section 2. The Chairperson may establish time limits for speakers and other rules of conduct for public hearings, with the advice and consent of the Commission.

Article VI. Consultation. Where appropriate or required by law, the Commission shall consult with other governing authorities, including, but not limited to, the Lawrence/Douglas County Metropolitan Planning Commission, the Lawrence/Douglas County Metropolitan Planning Office, and the Lawrence Parks and Recreation Department.

Article VII. Code of Conduct

Section 1. Conflict of Interest. No members shall vote on an issue, or participate in discussions, in which he or she has a conflict of interest. A Commissioner has a conflict of interest if the Commissioner or immediate family member has a material interest in any property or business that could be directly affected by a land use decision under discussion by the Commission, or if there is any other conflict of interest as set out by City, County, or State law, or if there is the appearance of a conflict of interest so defined.

Section 2. Ex parte communications. Private communications to individuals or groups of the Commission that are not subject to public review are ex parte communications. The rules regarding ex parte communications relate only to those items that require recommendations for action by the Commission. The ex parte restriction shall apply to all significant decisions by the Commission, including recommendations that will affect specific parties' land use rights. For any item that meets this definition, members shall not engage in ex parte communications. Members who receive information in violation of this rule shall disclose the communication to the Commission at the next regular meeting. Members shall make all reasonable efforts to terminate ex parte communications. Communications are not in violation of the ex parte restriction if they do not pertain to specific sites or properties, and/or if they involve general planning, procedural, or policy issues. The ex parte restriction shall not preclude any member of the Commission from requesting additional information from any source to assist in deliberations. However, requests for information from anyone other than staff of the Governing Bodies shall be made in writing and a copy of the request and the response will be made part of the public record for that item.

Section 3. Attendance. Any member who is absent from three (3) consecutive regular meetings shall have such absence reported by the Chairperson to the Governing Bodies.

Section 4. Removal of Members. The Commission may remove a member for just cause by a vote of six (6) members of the Commission. Just cause includes any act prejudicial to the conduct of the affairs of the Commission or the purposes for which it was formed, or if the member shall have changed his or her status so as to be ineligible for membership. Members who accrue absences beyond a total of six (6) in any calendar year should consider relinquishing their appointment. The Commission may recommend new and replacement members to the Governing Bodies and consult with the Governing Bodies concerning membership.

Article VIII. Amendments

Section 1. These bylaws shall not become effective until approved by the Governing Bodies. Amendments to these bylaws may be recommended by six (6) members of the Commission at any regular meeting, provided members have been notified twenty (20) business days in advance of the proposed amendment. Any member of the Commission may initiate an amendment. Amendments must be approved by the Governing Bodies.