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December 14, 2021

Palm Beach County Commissioners
301 N. Olive Avenue
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Submitted via email:

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Re: December 15, 2021, Commissioner Meeting Agenda Item Comment C.9 (Indian Trail Groves)

Dear Mayor Weinroth and Commissioners of Palm Beach County:

On behalf of our clients, 1000 Friends of Florida (“1000 Friends”) and Sierra Club Loxahatchee Group (“Sierra Club”), please kindly accept these comments regarding the December 15, 2021, Commissioner Meeting Comment C.9, regarding GL Homes’ Indian Trails Grove proposal, and please include these comments in the public record.

1000 Friends is a statewide 501(c)(3) smart growth advocacy nonprofit organization with a substantial number of members that live and work in Palm Beach County. Similarly, Sierra Club is a national 501(c)(3) grassroots environmental organization with the Loxahatchee Group comprised of a substantial number of members that live and work in Palm Beach County.

The members of both non-profit environmental organizations advocate for preservation of agricultural resources that are a much-needed buffer for the environmental vitality of the communities without encroachment of increased high-density residential, commercial, mixed-uses, and industrial uses. All members of these organizations residing within Palm Beach County are afforded the protections of the Palm Beach County Comprehensive Plan and will be directly affected by any amendments passed altering the Agricultural Reserve Tier.

Comment C.9 Indian Trails Grove

On October 26, 2021, during the Agricultural Reserve Workshop, Commissioner McKinley requested Palm Beach County Planning Staff to meet with GL Homes to discuss their *withdrawn* 2018 proposal for a “land swap” of preserve parcels to be located in Indian Trails Grove (ITG) for increased development densities within the Ag Reserve Tier. The proposal was withdrawn before it was before the Commissioners, but did garner opposition from the environmental community, including 1000 Friends and Sierra Club.

The open space within the Ag Reserve has nearly been extinguished with commercial structures, light industrial uses, and residential communities. Parcels that are still undeveloped, in agricultural production or have the potential for agricultural production, have caught the eye of developers, such as GL Homes¹, and this Commission has been on the receiving end of countless development proposals.

It is important to note, that there are no “vacant” lands in the Ag Reserve necessitating development. Open space has value to Palm Beach County above and beyond the fruits of its agricultural labors, to wit: (1) preserving agricultural lands, environmental and water resources, and open space, (2) buffering detrimental impacts from development on water quality, (3) improving flood control, (4) engaging in highly beneficial carbon sequestration that reduces air pollution and mitigates climate change, (5) providing wildlife habitat for native flora and fauna, as well as threatened and endangered species, and a safe haven for transient and migratory wildlife, especially those in the adjacent Arthur R. Marshall Loxahatchee National Wildlife Refuge.

The proposal by GL Homes before this Commission is for the transfer of 2,315 residential development units from the Indian Trails Grove to the Agricultural Reserve to construct a development on the Hyder West parcel – currently comprised of Hyder Preserves – in exchange for the preservation of 1,600 acres in the ITG for agricultural production or water resources / management. Of these 1,600 acres, nearly 700 acres would replace 534.464 acres of preservation on the Hyder West property for existing and approved AGR-PUD, opening up more of the property for development and reducing the environmental buffer of the property which abuts conservation lands; and nearly 900 acres will be preservation for two new PUDs on the Hyder West parcel.

While the preservation of agricultural land is compelling, there are a number of reasons as to why this proposal is concerning and in contravention to the intent of the Agricultural Reserve Tier as laid out in the Comprehensive Plan. It is for the below reasons that 1000 Friends and Sierra Club oppose the proposal.

¹ GL Homes has purchased three farms within the last year that represent nearly 1,000 acres of farmland that will be lost forever and developed into high residential communities: Whitworth Farm west of Boynton Beach, Mecca Farm west of Delray Beach, and most recently the Johns Family farm west of Boca Raton. This encroachment west must have a logical end, and that end is not within the Everglades or Loxahatchee National Wildlife, but rather within an appropriate distance to maintain a healthy environmental buffer.

Firstly, the Hyder West parcel is situated *west of State Road 7 / US Route 441*, and sits on the edge of the Ag Reserve Tier just *east of Sunshine Meadows Equestrian*, abutting publicly owned *conservation wetlands managed by the South Florida Water Management District to the west that buffer the Arthur R. Marshall Loxahatchee National Wildlife Refuge*, residential to the north and east, and a county club to the south.

The Loxahatchee National Wildlife Refuge is currently adjacent to agricultural lands and the Hyder West parcel is a prime piece of open space in an extremely sensitive area that, if developed beyond the density envisioned in the Comprehensive Plan, can result in detrimental impacts to the only remnant of northern Everglades and cypress swamp, thereby protecting the integrity of the entirety of the remaining Everglades ecosystem.

Secondly, there is a stark lack of infrastructure to support a community that GL Homes is proposing. Building the infrastructure, at the expense of the residents of the Ag Reserve, would not only be an unanticipated burden, but create detrimental impacts on the surrounding agricultural and environmentally sensitive areas, and the wildlife that rely upon these areas, through increased density, traffic, noise, and light pollution.

Thirdly, the transfer into the Ag Reserve of development rights and the transfer out of preserve parcels directly conflicts with the bond requirements for the Ag Reserve Tier. Palm Beach County, through its constituents, secured a \$100 million bond to save open spaces and prevent misuse of valuable land within the unique Agricultural Reserve Tier. The explicit purpose of the Ag Reserve is to *preserve unique* farmland and wetlands ***within in the Tier itself*** in order to *enhance* agricultural activity, environmental and water resources, and open space, *by limiting uses* to agriculture, conservation, low density residential development, and non-residential uses which *serve the needs* of farmworkers and residents of the Ag Reserve Tier.

The voters of Palm Beach County placed their trust in the hands of this Commission to stay true to its promises to protect the lifestyle of the Ag Reserve, and the continued chipping away and compromises hurts the community and environment on so many levels. The Ag Reserve provides so many critical benefits to the community, including agricultural production that drives the local economy, flood prevention, recharging aquifers that residents depend on for their drinking water, and water filtration of nutrient-rich pollutants that are filtered naturally before being released into our waterways.

Finally, the continued segmentation and conversion of agricultural lands into high density residential communities, industrial and commercial complexes, defies the purpose of the Ag Reserve by converting it into a sub-urban ambience to the detriment of the rural character that the Comprehensive Plan is meant to protect. Simply stated, *the death of the Ag Reserve by a thousand cuts must cease*. To allow for the continued increase of density and intensity beyond the original intention of the Comprehensive Plan will nullify the very spirit of the Ag Reserve and will mutate the environmentally sensitive and rural lands into an urbanized area indistinguishable from the rest of Palm Beach County.

The Ag Reserve Tier has achieved the preservation of acreage that would otherwise have been overdeveloped and the environmental benefits forever lost. There is still a need to maintain the integrity of the Tier to ensure that all that has been preserved is not degraded by increased densities and intensities of uses inappropriate for this unique agricultural area endowed with environmental and water resources and open spaces to act as a rural “safe haven” and environmental buffer from the urban and suburban tiers.

Developers should not look to the Ag Reserve for exemptions from the fundamental preserve and density requirements unique to this Tier. “Balanced growth” does not mandate that the guiding policies and objectives of the Comprehensive Plan be displaced; rather, smarter, and more sustainable, development must be achieved in conformity with the regulations already set forth to protect the Ag Reserve Tier.

Palm Beach County Board of Commissioners has the unique opportunity and responsibility of preserving the vast majority of remaining natural resources and open space in the tri-counties. This Commission has always had the foresight to protect the County’s resources that not only provide ecological economic benefits today, but also protect the environmentally sensitive areas for generations to come. Remaining steadfast in growth management guided by these principles is of the utmost importance in protecting the original intent of Ag Reserve.

1000 Friends and Sierra Club respectfully oppose the proposal by GL Homes to allow for transfer of development rights into the Ag Reserve Tier in exchange for the transfer out of preserve acreage into the Indian Trails Grove.

Thank you for your time and consideration of these comments.

Respectfully,

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CC: 1000 Friends of Florida
Sierra Club Loxahatchee Group