

Final Report  
KICA LRPC Sub-Committee on  
Lack of KICA Focus on Environmental Issues

**Sub-Committee Direction** (per Herb Ailes)

Issue: "Lack of KICA Focus on Environmental Issues"

Charter: - Define an array of solution "options" for the KICA Board to consider.

- Sub-Committee may make recommendations if desired.
- Note: Other sub-committees addressing "Enforcement" and "Need to Control Development".

Approach:

- 1) Reviewed research results in the "White Book".
- 2) Made list of 5 sub-issues to address.
- 3) Conducted interviews with J. Bunting, G. Kreuzberger, T. McAdory, M. Permar, OCRM
- 4) Used our own judgment on how to organize the issue and respond to it.

**Range of Possible Solutions Considered by the Committee ...**

ranked in order of sub-committee preference

Solution A: Establish an Environmental Advisory Committee which will function independently of the KICA Board and work through Joe Bunting on future environmental issues.

Solution B: Change the Communication Committee charter to include community out-reach on environmental issues and facilitation of KICA Board review of these issues.

Solution C: Reshape the Landscape Committee to include environmental issues, including adding environmental experience to the committee.

Solution D: Establish a New KICA Advisory Committee on Environmental issues working within the KICA structure like other advisory committees. (same as 'A' except it's "inside")

Solution E: Encourage Community Environmental Groups outside KICA to provide leadership and education; working with KICA staff and Board to address environmental issues.

Solution F: Add KICA Staff with environmental expertise; educate Board members on environmental issues.

Solution G: Establish a Permanent Board Seat to represent environmental interests. Sub-committee: Bob Cowgill, Rick Fenwick, Barbara Winslow. (Bill Davis unable to participate)

## Preferred Solution

### Now Advisory Committee on Environmental Issues

**\* Explanatory Note: We were not in unanimous agreement as to whether this new Advisory Committee should operate "outside" KICA oversight and control, functioning as an independent group of community experts who would work with KICA Staff on environmental issues; or "inside" KICA as any other advisory committee would. These 2 options, Solutions 'A' and 'D' on page I are in fact very close.**

**The issue turns on whether it is better to work from the inside or the outside in being an effective community environmental advocate. While we split 2-1 in favor of an "outside" group; we all acknowledge the pro's and con's to either approach.**

Protection of the Natural environment on the island is a major concern, as it was mentioned by 57% of the focus groups conducted by KICA recently.

We recommend that a vigorous effort should be made to create good channels of communication so that these concerns can be dealt with promptly, effectively, and to the satisfaction of all.

We recommend that a Standing Committee of community experts/leaders be formed to work with KICA; to serve as a sounding board; to collect concerns of property owners about preservation of the natural environment, and to communicate these concerns and potential solutions to KICA. The Committee will be formed and function autonomously from direct KICA Board control and oversight; instead will function directly with Joe Bunting and KICA staff on most operating issues. When environmental policy matters need to be discussed with the KICA Board, this committee and Joe will take the matter before the Board.

We recommend the new committee be formed along the following lines:

Name: Committee for the Preservation of the Natural Environment. Organization:

- a. regular standing committee of volunteers.
- b. small in size (3-6 members)
- c. to create communication corridors that concerned property owners may easily access and feel free to employ.
- d. will freely communicate with KICA General Manager and his staff about these concerns.

- e. will advise the Board when issues can't be resolved at the staff level; or when major policy questions arise.
- f. meet regularly (perhaps quarterly).
- g. should report formally to the Board of Directors annually; and more frequently if the need arises.

## **Sub-issues Addressed by the Committee on Lack of KICA Focus**

### **Protection of the Natural Environment**

The Advisory Committee we are recommending be formed will be charged with oversight of the environment.

### **Covenant Revision**

This issue overlapped the charters of our committee and the other 2 sub-committees on environmental issues. We did not thoroughly study the covenants but did ask KICA staff to highlight language in the current covenants and 2 related "rules" documents, and wish to suggest the attached language changes to any group which is assigned to address covenant revision before the roll-over date in 2001. *Attachment A*

### **Mitigation**

We believe strongly that all future mitigation should be done on-island. After discussing this with OCRM, we were advised that the only way this could be ensured was for the Town Council to pass an ordinance to that effect.

We request that KICA lobby with the Town to pass the aforementioned ordinance mandating that future mitigation be done on-island.

### **Education of Property Owners**

There was not a great concern expressed on this subject in the focus groups recently done by KICA. However, our committee did discuss the need for this at length and concluded the following, which we wish to file as part of our report:

1. KINHC and the Town Wildlife Committee are both starting vigorous educational programs for preservation of the natural environment and wildlife on the island.
2. KICA can be helpful in updating and enforcing its ARB standards among both new and existing home sites on the Island; and by using its communication resources to continually educate all property owners ... and

beyond this, new initiatives by KICA were not necessary.

3. A list of educational ideas was generated which we are passing along in our report. *Attachment B*

### **Pond Oxygen Depletion**

We discussed this issue among ourselves and KICA staff and concluded that the current study being done of all Kiawah ponds leading to a specific long term solution to this problem is the correct course of action.

### **The Now Landscape Plan**

Section 28 from KICA's Long Range Planning Committee contained a preliminary outline on a Long Range Plan from KICA's Landscape Committee (dated 12/15). Paragraphs 4, 5, and 6 of this outline caused some concern within our committee. We then had several conversations with Gene Kreuzberger and Joe Bunting and informally reviewed a final version of the Landscape Plan which was submitted to the KICA Board for discussion 3/1.

The final version resolved all of our issues with the 12/15 preliminary outline except paragraph 4 dealing with proposed landscape intervention at the border of undeveloped lots, which we wish to state here in the form of a recommendation.

We recommend that border "clean-up" of undeveloped lots not be done. It is potentially harmful from an environmental standpoint.

(Note: Both Gene and Joe felt this section of the Plan would not survive for financial reasons anyway).

### **Attachment A**

#### **Suggested Covenant Language Revisions re Environmental Concerns**

*Declaration of Rights, Restrictions, Affirmative obligations and Conditions Applicable to at/ Property in Kiawah Island*

Pg 3, Art III, Sect 1: Should made clearer that the ARB is the final authority and what the penalty is for non-compliance.

Pg 3, Art III, Sect 4: Clarify warnings about over-use of pesticides; change the authority from the "Company" to "KICA".

Pg 4, Art IV, Sect 6: Change "program" (there is none currently) to "intentions" and "Company" to "KICA".

Pg 6, Art VI, Sect 3,4,5: State there will be no more docks built beyond those approved as of 3/1/99. Pg 7, Art VI, Sect 7: State no watercraft will be allowed except for KICA maintenance activity.

Pg 7, Art VI, Sect 7: Delete everything after the word "years" and beginning with the word "unless" in line 4.

#### *Declaration of Covenants and Restrictions*

Pg 6, Art IV, Sect 4: Language should be added which gives KICA unilateral authority to accept property conveyances, and that unless and until such approval is granted, the current owner shall be responsible for all maintenance costs.

#### **Attachment B**

#### **Suggestions for Education of Property Owners on Environmental Preservation**

1. Make copies of Nature Conservancy videos available to all property owners for loan, rental, or purchase.
2. Require on-site meeting between ARB, architect, and contractor responsible for clearing the lot before the lot is cleared.
3. Conduct special Community meetings to educate people on plantings, who to consult, why important, etc.
4. Produce literature on native plants for every growing condition, and list locations where plants can be purchased.
5. Make KICA or ARB staff members regularly available for consultation with residents about plantings.
6. KICA should use its communication systems to assist other Island entities and organizations in disseminating educational information to property

owners --- about its role and activities with respect to environmental preservation.

7. Amend the Development Agreement to strike language that says Parkways should be overseeded with rye grass in the winter.
8. Communicate to all property owners via mail regarding new regulations about plantings, notification of informational meetings, and availability of on-island resources.
9. Create some sort of certification or recognition for property owners who develop their property in concert with nature... like Carolopolis Award.