

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20020909

1. REQUESTED MOTION:

ACTION REQUESTED: Approve the recommendations of the Conservation Lands Acquisition and Stewardship Advisory Committee to pursue the acquisition of approximately 10 acres on the Orange River and 14.5 acres next to the Charlotte Harbor Flatwoods Florida Forever Preserve. Authorize the Division of County Lands to begin the acquisition process for the properties known as Conservation 2020 Nominations 192 and 202.

WHY ACTION IS NECESSARY: Required by Lee County Ordinance 96-12.

WHAT ACTION ACCOMPLISHES: Begins the process of negotiation and purchase of certain, identified environmentally sensitive lands as set forth by County Ordinance 96-12 and the Conservation 2020 Program.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT #: 5

C6A

3. MEETING DATE:
08-27-2002

<p>4. AGENDA:</p> <p><input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON</p> <p>TIME REQUIRED:</p>	<p>5. REQUIREMENT/PURPOSE:</p> <p><i>(Specify)</i></p> <p>STATUTE _____ <input checked="" type="checkbox"/> ORDINANCE 96-12 ADMIN. _____ OTHER _____</p>	<p>6. REQUESTOR OF INFORMATION</p> <p>A. COMMISSIONER _____ B. DEPARTMENT <u>Independent</u> C. DIVISION <u>County Lands</u> BY: <u>Karen L. W. Forsyth, Director</u> <i>LJR</i></p>
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7. BACKGROUND: In July 1996, the Board adopted Lee County Ordinance 96-12 and in November 1996, the citizens of Lee County approved the referendum to levy certain millage for the purposes of acquiring and restoring identified environmentally critical or sensitive lands within Lee County. The Conservation Land Acquisition and Stewardship Advisory Committee (CLASAC) was formed and has been evaluating land nominations based upon Board approved criteria and parameters.

CLASAC recommends that Conservation 2020 Nominations 192 and 202 be pursued for acquisition based upon the environmental characteristics of the property as described in the attached secondary reviews. Preliminary title research has been completed on all of the parcels, and no substantial title problems were found.

The Committee has continued to recognize the potential for off-site mitigation credits for this set of recommended parcels. Mitigation is an integral part of the program, but mitigation credits may not necessarily be obtained for all acquisitions, as every parcel may not have the necessary "match" for impacted wetlands for any given project by the County in a given sector. Impacted wetlands from a County project must be similar in nature and quality as those on the parcel(s) for off-site mitigation credits to be awarded by regulatory agencies. Award of any credits will be made at the time when County projects apply for them. This is consistent with the letter opinions from the South Florida Water Management District (June 17, 1996) and the U.S. Army Corps of Engineers (June 27, 1997).

Funds to process and purchase the properties will come from Account No. 20-8800-30103.506110.

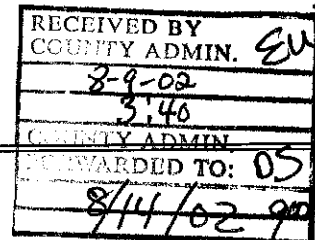
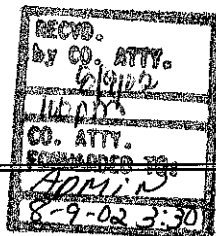
8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					QA	OM	RISK	GC	
<i>K. Forsyth</i>	N/A	N/A	<i>N/A BAD</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i> 8-13-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER



C

CONSERVATION 2020 PROGRAM

MANATEE PARK

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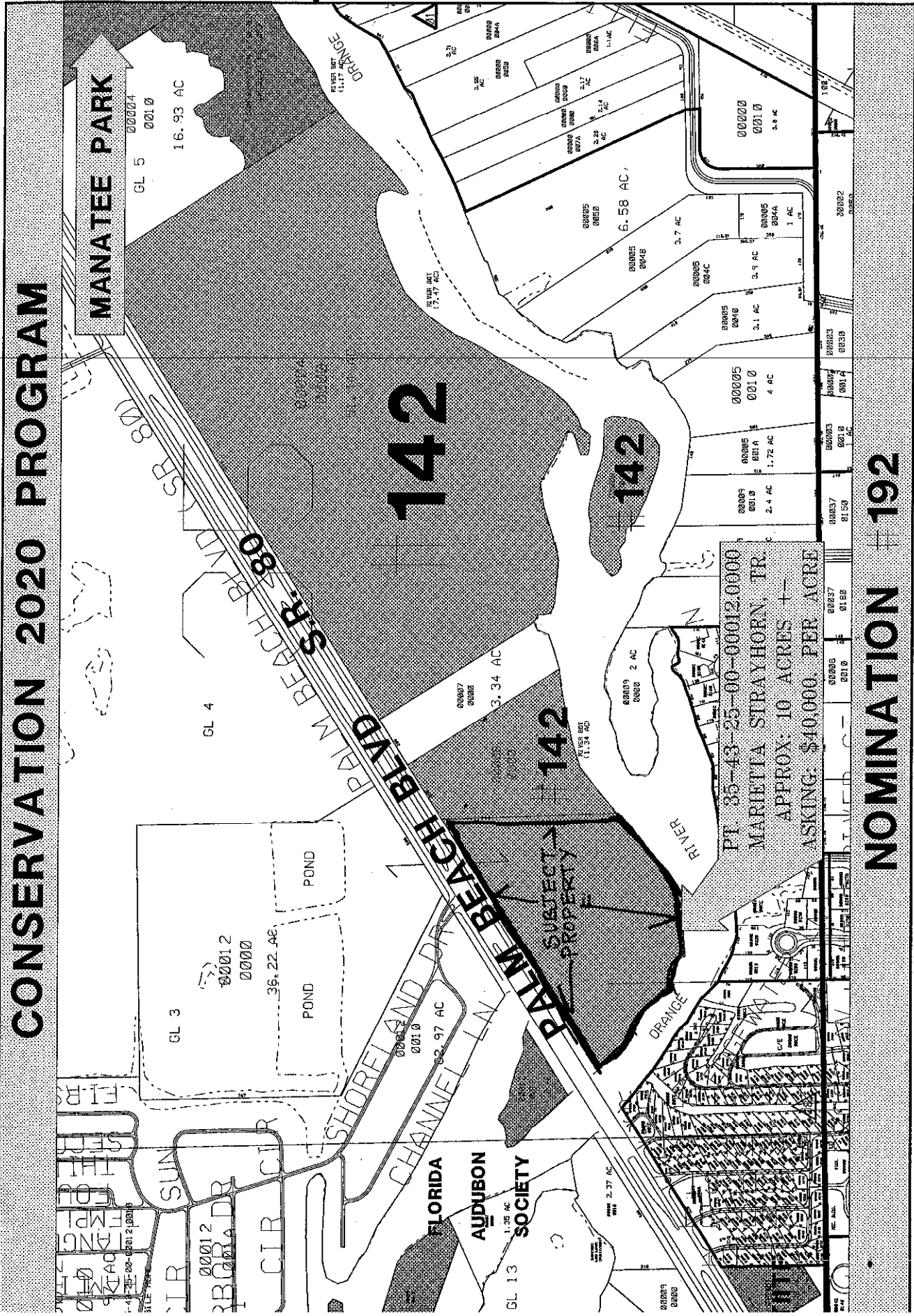
142

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PT. 35-43-25-00-00012.0000
MARIETTA STRAYHORN, TR.
APPROX: 10 ACRES +-
ASKING: \$40,000 PER ACRE

NOMINATION #192



**SECONDARY REVIEW
NOMINATION 192**

CRITERIA		SCORE	COMMENTS
A. SIZE AND CONTIGUITY			
1. Size of Property			
a.	> 500 acres	6	
b.	400 to < 500 acres	5	
c.	300 to < 400 acres	4	
d.	200 to < 300 acres	3	
e.	100 to < 200 acres	2	
f.	50 to < 100 acres	1	
g.	< 50 acres	0	10 acres (portion of STRAP # 354325-00-00012.0000 located south of S.R. 80 only)
2. Contiguous to:			
a.	Coastal waters and other sovereignty submerged lands	4	4 Orange River
b.	Existing preserve area, c.e., wma or refuge	4	4 Conservation 2020 Site 142 (acquired)
c.	Preserve areas officially proposed for acquirer	2	0
B. HABITAT FOR PLANTS AND ANIMALS			
1. Native Plant Cover			
a.	> 75% of the property has native plant cover	8	
b.	50% to < 75% has native plant cover	4	There are numerous and important native plant species such as red and white mangroves, pond apple, and leather fern at the Orange River shoreline, but beyond this narrow strip the parcel is heavily infested with Brazilian pepper.
c.	25% to < 50% has native plant cover	2	
d.	< 25% has native plant cover	0	0
2. Significant for wide-ranging species			
	Panther Habitat, wetlands, ponds, grass lands, etc.	2	2 Nomination is almost entirely mangrove wetlands and utilized by listed species such as the little blue heron.
3. Rare and Unique Uplands			
a.	Scrub, hammock, old growth pine	2	
b.	Mature, second growth pine flatwood	1	0 Small upland area, about 1/4 acre, possibly slash pines present but not enough to warrant points for this criterion.
4. Diversity			
a.	5 or more FLUCCS native plant community categories	2	
b.	3 or 4 FLUCCS native plant community categories	1	
c.	2 or less FLUCCS native plant community categories	0	0 Mangrove swamp and freshwater marsh and both are heavily infested with exotic invasive vegetation.

**SECONDARY REVIEW
NOMINATION 192**

C. SIGNIFICANCE FOR WATER RESOURCES				COMMENTS
1. Serves or can serve as flow-way				
a.	Site contains a primary flow-way, creek, river, wetland corridor; large contributing watershed; possibly identified in the Lee County Surface Water Master Plan, South Lee County Study, or by staff	4		
b.	Site contains flow-way, through tributary, medium size watershed, or just a portion of system/one side of conveyance, may not be identified in study	3	3	North Side of Parcel is adjacent to Orange River
c.	Same as b., smaller watershed, not as defined, disconnected	2		
d.	Site conveys runoff, minimal area	1		
e.	Site provides no conveyance of surface water	0		
f.	Add 2 points if conveyance is natural (not man-made)	+2	1	Natural system, some upland ditching
2. Strategic to Flood Management				
a.	Well defined flood-way within parcel, possibly identified in FEMA or other study, both sides of conveyance, large upstream area, protection from encroachment critical or known flooding history	4		
b.	Same as a., portion of floodway (one side) or within floodplain	3	3	One-side of Parcel is part of the Orange River flood-way
c.	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	2		
d.	Small watershed, minimal flooding	1		
e.	No significant flood issues	0		
3. Protect a water supply source.				
a.	Parcel is within area designated high potential productivity of the Water Table, Sandstone or Tamiami Aquifer and also within area of current or proposed wellfield development	2		
b.	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	1		
c.	No recharge or potential water supply opportunities	0	0	No recharge or water supply potential
4. Offset Damage to or Enhance Water Quality.				
a.	Presence of wetland, retention, or lake that is currently providing water quality benefits	2	2	Natural river system provides water quality benefits
b.	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	1		
c.	No existing or potential water quality benefits	0		

**SECONDARY REVIEW
NOMINATION 192**

D. LAND MANAGEMENT/RECREATION/PLANNED LAND USE				COMMENTS
1. Good Access for Public Use and Land Management				
	Parcel can be accessed from a freeway, expressway, arterial street, or major collector	3	3	Good access for maintenance: (1) Considerable frontage along a major collector, SR 80; (2) Boat access is also available along the Orange River. Wetland characteristics preclude significant public use.
	Parcel can be accessed from a minor collector or local street	2		
	Parcel can be accessed from a privately-maintained road that is dedicated for public use	1		
	physical or legal access	0		
2. Recreation/Eco-Tourism Potential				
	Score depends upon the variety or uniqueness of potential public uses. Examples of appropriate public uses include paddling sports, fishing, hiking, equestrian, mountain biking, photography, nature study, and environmental education	0-2	1	There are paddling opportunities from upstream launching site at Manatee park, and the preservation of this nomination would provide scenic value to paddlers and boaters. Wildlife, especially wading birds are common along this nomination's shoreline, which will provide great opportunities for photography and environmental education.
3. Land Manageability				
	75% or greater of the perimeter of site is surrounded by low impact land uses	3		Approximately 60% of perimeter of nomination is surrounded by low impact land uses such as the Orange River and Parcel 142
	50%-75% of the perimeter of site is surrounded by low impact land uses	2	2	
	25%-50% of the perimeter of site is surrounded by low impact land uses	1		
	Less than 25% of the perimeter of the site is surrounded by low impact land uses	0		
4. Development Status (Maximum 4 points)				
a.	The Parcel is Approved for Development or is Exempt from Clearing Regulations	4	0	
b.	The Parcel is Zoned for Intensive Use	2	0	AG-2
c.	Future Land Use Map: Intensive Land Use Category	1	0	Wetlands
TOTAL POINTS			25	
COMMENTS: No conflicts with future transportation plans. Note: The portion of STRAP# 35-43-25-00-00012.0000 north of S.R. 80 is not included in this nomination.				
RECOMMENDATION: Pursue for acquisition.				

CONSERVATION 2020 PROGRAM

TIITF

102

ACQUIRED

SUBJECT PROPERTY

17-43-23-00-00001.0060
JEFFREY L. MARLOW, TR. &
JEANNE R. MARLOW, TR. T/C
14.5 AC +/- ASKING: \$145,000.

CARL BOUNDARY

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ACQUIRED

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NOMINATION #202

BURNT STORE RD

BURNT STORE RD N (SR 765)

**SECONDARY REVIEW
NOMINATION 202**

CRITERIA		SCORE		COMMENTS
A. SIZE AND CONTIGUITY				
1. Size of Property				
a.	≥ 500 acres	6		
b.	400 to < 500 acres	5		
c.	300 to <400 acres	4		
d.	200 to <300 acres	3		
e.	100 to <200 acres	2		
f.	50 to <100 acres	1		
g.	< 50 acres	0	0	14.5 acres
2. Contiguous to:				
a.	Coastal waters and other sovereignty submerged lands	4	0	
b.	Existing preserve area, c.e., wma or refuge	4	4	Northern boundary is contiguous to Conservation 2020 Site 102
c.	Preserve areas officially proposed for acquisition	2	2	Eastern boundary is contiguous to Charlotte Harbor Flatwoods, rated in 2002 as a Group B Florida Forever Project.
B. HABITAT FOR PLANTS AND ANIMALS				
1. Native Plant Cover				
a.	≥ 75 % of the property has native plant cover	8		
b.	50% to < 75% has native plant cover	4	4	Melaleuca infestation of the nomination amounts to about 6 acres of the entire 15 acres or 40% of the site
c.	25% to <50% has native plant cover	2		
d.	< 25% has native plant cover	0		
2. Significant for wide-ranging species				
	Panther Habitat, wetlands, ponds, grass lands, etc.	2	2	A portion of a herbaceous wetland occurs on the eastern portion of this site. The habitat is important to listed species such as some wading birds.
3. Rare and Unique Uplands				
a.	Scrub, hammock, old growth pine	2		
b.	Mature, second growth pine flatwood	1	1	Large mature pines found on site.
4. Diversity				
a.	5 or more FLUCCS native plant community categories	2		
b.	3 or 4 FLUCCS native plant community categories	1		
c.	2 or less FLUCCS native plant community categories	0	0	Hydric pine flatwoods and herbaceous wetland.

**SECONDARY REVIEW
NOMINATION 202**

C. SIGNIFICANCE FOR WATER RESOURCES						COMMENTS
1. Serves or can serve as flow-way						
a.	Site contains a primary flow-way, creek, river, wetland corridor; large contributing watershed; possibly identified in the Lee County Surface Water Master Plan, South Lee County Study, or by staff	4				
b.	Site contains flow-way, through tributary, medium size watershed, or just a portion of system/one side of conveyance, may not be identified in study	3	3	Sheet flow		
c.	Same as b., smaller watershed, not as defined, disconnected	2				
d.	Site conveys runoff, minimal area	1				
e.	Site provides no conveyance of surface water	0				
f.	Add 2 points if conveyance is natural (not man-made)	+2	1	Partially disturbed by ditching		
2. Strategic to Flood Management						
a.	Well defined flood-way within parcel, possibly identified in FEMA or other study, both sides of conveyance, large upstream area, protection from encroachment critical or known flooding history	4				
b.	Same as a., portion of floodway (one side) or within floodplain	3		Provides some floodplain protection		
c.	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	2	2			
d.	Small watershed, minimal flooding	1				
e.	No significant flood issues	0				
3. Protect a water supply source.						
a.	Parcel is within area designated high potential productivity of the Water Table, Sandstone or Tamiami Aquifer and also within area of current or proposed wellfield development	2				
b.	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	1				
c.	No recharge or potential water supply opportunities	0	0	Low recharge		
4. Offset Damage to or Enhance Water Quality.						
a.	Presence of wetland, retention, or lake that is currently providing water quality benefits	2		Wetlands provide water quality benefits		
b.	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	1	1			
c.	No existing or potential water quality benefits	0				

**SECONDARY REVIEW
NOMINATION 202**

D. LAND MANAGEMENT/RECREATION/PLANNED LAND USE				COMMENTS
1.	Good Access for Public Use and Land Management			
	Parcel can be accessed from a freeway, expressway, arterial street, or major collector	3	3	Access via an arterial street, Burnt Store Road
	Parcel can be accessed from a minor collector or local street	2		
	Parcel can be accessed from a privately-maintained road that is dedicated for public use	1		
	physical or legal access	0		
2.	Recreation/Eco-Tourism Potential			
	Score depends upon the variety or uniqueness of potential public uses. Examples of appropriate public uses include paddling sports, fishing, hiking, equestrian, mountain biking, photography, nature study, and environmental education	0-2	1	Hiking, photography, nature study and environmental education opportunities at this site due to Parcel 102 contiguity.
3.	Land Manageability			
	75% or greater of the perimeter of site is surrounded by low impact land uses	3	3	Nomination is surrounded by preserved lands to the north, wetlands to the east and open lands to the south that are currently undeveloped. A small portion of this nomination fronts Burnt Store Road.
	50%-75% of the perimeter of site is surrounded by low impact land uses	2		
	25%-50% of the perimeter of site is surrounded by low impact land uses	1		
	Less than 25% of the perimeter of the site is surrounded by low impact land uses	0		
4.	Development Status (Maximum 4 points)			
a.	The Parcel is Approved for Development or is Exempt from Clearing Regulations	4	0	
b.	The Parcel is Zoned for Intensive Use	2	0	AG-2
c.	Future Land Use Map: Intensive Land Use Category	1	0	Open Land (82%) and Wetlands (18%)
TOTAL POINTS			27	
COMMENTS: Acquisition of the nomination would allow management staff to remove melaleuca that currently act as a seed source for Parcel 102.				
RECOMMENDATION: Pursue for acquisition due to nomination's contiguity to Parcel 102 and additional buffer to the Yucca Pens.				