

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

Blue Sheet No. 20031278

1. REQUESTED MOTION:

ACTION REQUESTED: Consider whether to either continue the Conservation 20/20 Program on an annual basis by the Board's action without referendum for another seven years (05-12), or send (present) the renewal decision to the voters for another vote to be taken on a straw ballot question in the November 2004 election.

WHY ACTION IS NECESSARY: Staff and the Conservation Lands Acquisition & Stewardship Advisory Committee (CLASAC) need direction to either continue to collect and evaluate nominations for future acquisitions or to assist the Board in the preparation of a straw ballot for election. Staff and CLASAC also need direction whether to proceed with or to postpone a re-evaluation of Ordinance 96-12, which sets forth the procedural requirements of the Conservation 20/20 Program.

WHAT ACTION ACCOMPLISHES: Provides policy direction to CLASAC and staff that tax revenues will continue to be received after FY 2004/5 or provides notice that policy regarding future funding will be determined by the November 2004 election. These future funds will be used to continue to acquire environmentally sensitive lands, with a percentage set aside for long-term stewardship per Board direction. In either case, staff and CLASAC will continue to restore and manage acquired lands with management funds set aside from the first 7 years for such purpose.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

A6A

3. MEETING DATE:

12-02-2003

4. AGENDA:

- _____ CONSENT
- ADMINISTRATIVE
- _____ APPEALS
- _____ PUBLIC
- _____ WALK ON
- _____ TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- _____ STATUTE
- ORDINANCE 96-12
- _____ ADMIN. CODE
- _____ OTHER

6. REQUESTORS OF INFORMATION

- A. COMMISSIONER _____
- B. DEPARTMENT Independent
- C. DIVISION County Lands

KLF
By: Karen L.W. Forsyth, Director

7. BACKGROUND:

On August 6, 2001, the Board directed the Conservation Lands Acquisition & Stewardship Advisory Committee (CLASAC) to conduct regional public forums to obtain public sentiment on program renewal for the Conservation 20/20 Program and to report its findings back to the Board. In response, CLASAC held five public forums and widely distributed a questionnaire during the first half of 2003. Staff reported the outcome of the public outreach program and the CLASAC recommendation to the Board at the September 8, 2003 Management & Planning Meeting. The County Attorney advised the Board that they must decide whether or not to place the issue on the November 2004 ballot by no later than May 2004.

CLASAC believes that the public outreach program, which was available to all citizens of Lee County, demonstrated overwhelming support for the continuance of the Conservation 20/20 Program without a need to conduct another non-binding referendum. CLASAC further believes that this program is vital to continue to protect and restore lands important for wildlife habitat, drinking water supply, flood protection, flow-ways, and passive recreational uses. CLASAC recommends that the program be continued through Board action for another seven years without referendum, at which time the Board should conduct a sunset review of the program and tax levy.

Attached are a summary of the public outreach program and an analysis of management funding needs.

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
<i>R. Forsyth</i>			<i>P&R</i>	<i>DMC</i> <i>see schedule</i>	OA <i>11/19/03</i>	OM <i>11/20/03</i>	Risk <i>11/19/03</i>	GC <i>11/19/03</i>	<i>W. Henry</i>

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

Rec. by CoAtty
 Date: *11/19/03*
 Time: *8:35 AM*
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 COUNTY ADMIN:
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 COUNTY ADMIN
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SUMMARY OF 2003 PUBLIC OUTREACH PROGRAM

On August 6, 2001, the Board of County Commissioners directed the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to conduct four (4) public hearings in different parts of the county to gain public sentiment on program renewal of the Conservation 20/20 program (program).

In response, CLASAC created a sub-committee to direct a public outreach program. To provide maximum public exposure, CLASAC elected to conduct five (5) public forums during the high population season of 2003. Staff, CLASAC members, and interested citizens implemented a media plan and public speaking campaign to advertise the forums and to distribute questionnaire forms and educational information to as many interested citizens as possible.

Questionnaire Results

Over a thousand paper questionnaires were distributed at public forums and to business and other public interest groups. A questionnaire was also posted on the County website for six months. The Division of County Lands received a total of 162 questionnaire responses during the six-month public response period. Ninety-six percent of written comments supported renewal of the program.

Public Forum Testimony

Staff presented a PowerPoint presentation on the history, accomplishments, and status of the program at five (5) advertised public forums and to six (6) local business and interest groups. Over ninety percent of the public testimony or input from these meetings supported continuance of the program.

Conclusions

Public turnout and questionnaire responses were very low despite a vigorous media campaign. Public apathy may not be a factor, as other concurrent environmental meetings were drawing sizeable crowds. For example, on May 13, 2003, 2,500 people attended a manatee hearing in Fort Myers. Therefore, CLASAC is assuming that the low turnout indicates that the public is not dissatisfied with the program. The public input was overwhelmingly supportive from the comments that were received. CLASAC concludes that the public appreciates the program's accomplishments, desires no substantial changes to the program, and wants the program to continue at its present level of funding.

Recommendation

CLASAC recommends that the Board of County Commissioners continue the funding of the 20/20 program without referendum based upon the public support expressed at the public forums and by mail-in questionnaires. The received expressions of support make another straw vote ballot referendum unnecessary at this time. CLASAC recommends that the program funding continue for another seven-year period through Board action, at which time the Board of County Commissioners should conduct a sunset review of the program and tax levy.

Projected future needs for the management of Conservation 20/20 Preserves

To date, October 2003 (6th year of the Program), the Program has acquired +11,270 acres of preserve lands. There are presently 4 full-time staff that oversee the management of these preserves. One position supervises all aspects of management and restoration and supervises the other 3 staff, two of which are biologists who are involved in writing land stewardship plans for each preserve area, along with other responsibilities. The fourth person is involved in coordinating all contractors performing management activities on these preserves as well as conducting basic management activities.

With existing staffing levels staff anticipates needing approximately 5 years to write a land stewardship plan for all preserve areas presently acquired. Such a plan is necessary to establish Best Management Practices for each preserve, determine appropriate public use, and provide historical and natural resource information. As each plan is written, restoration projects are implemented as well as the design and development of planned public use facilities.

The annual management budget is based on interest earned on the principal, which is 10% of the advalorem tax collected each year. Since only the interest is made available for management each year, the principal will be reserved in perpetuity for the proper management and restoration of all acquired preserves. **This perpetual funding source or "trust fund" is the key to a self sustaining Program.**

This fiscal year, Conservation 20/20 staff salaries and benefits are projected to cost approximately \$201K. This is the primary expenditure, within the Conservation 20/20 annual management budget, that is expected each year. All other large annual expenses for management depend on which preserve will be restored and how much restoration is required. The bottom line restoration cost for all acquired Conservation 20/20 preserves is very difficult to determine without a land stewardship plan in place for each preserve that evaluates restoration needs and acres to be restored.

To get an estimate on acres to be restored, staff utilized a priority matrix established for prioritizing the order in which land stewardship plans are written. This document also includes hydrological restoration needs and invasive exotic plant removal needs for each preserve area. Based on this document, between 2,140 to 4,856 acres of the already acquired 11,270 acres are entirely infested with invasive exotic plants. Using the figure of \$3,000 per acre, which would include 5 years follow up maintenance for handwork but only 1-2 years follow up for heavy equipment work, the cost of clearing this acreage of exotic plants could range from \$6.4M - \$14.6M, or higher. Approximately 1/3 of the acquired acreage is estimated to be impacted by hydrological changes. This is a much more difficult impact to attach a price tag to since this type of impact varies

dramatically in terms of severity and ease of access. Staff anticipates at least \$2M will be necessary to make hydrological improvements to those impacted areas.

Based on the spreadsheet for Conservation 20/20 Projected Revenues, presented to you by Karen Forsyth on September 11, 2003, the management principal will be at approximately \$10M in fiscal year 2003/2004. Depending on the economy interest rates will vary as will the amount available for annual spending. For example with an interest rate of 5%, \$500K would be available for the management budget for fiscal year 2003/2004.

With the renewal of the Conservation 20/20 Program for an additional 7 years, the management fund will continue to grow. By fiscal year 2010/2011 there could possibly be \$29M in this fund, making approximately \$1.5M available for management for that fiscal year, and annually there on, assuming a 5% interest rate. **This will be enough money to cover staff salaries and benefits, various restoration activities and development of public use facilities on an annual basis with the existing inventory of preserves.**

Obviously though, with the renewal of the program additional acreage is anticipated and with it an increase in restoration costs. Eventually an annual budget of \$1.5M, as projected above, over +20 years would cover all of the restoration costs at least on the current inventory of preserves and possibly on additional acquired acreage. But this is not the only source of funding available for restoration and development of public use facilities on Conservation 20/20 preserves.

Staff has already tapped into several other sources of funding to leverage the annual funding allotment:

- **Numerous grants** have already been obtained from **state** and **federal** agencies to conduct restoration work.
- Many of the large, costly restoration projects will be appropriate for **mitigating County infrastructure projects.**
- When a **Florida Communities Trust Grant** is awarded management receives **10%** of the funds to put towards the development of public use facilities, so far this has represented an additional \$900K to the management fund.
- The **State Department of Corrections** offers free labor to work on exotic control projects that staff has utilized on numerous occasions.
- The **County's internship program** provides assistance to staff through experienced interns whose salaries are covered by Human Resources.
- **Volunteer groups**, such as the Bird Patrol, provide staff with hours worth of valuable data on Conservation 20/20 preserves.
- Having the management portion of the Conservation 20/20 Program housed within the **Parks and Recreation Department** provides staff with an already established, incredible support network, at no cost to 20/20, such as the

heavy equipment crew, Rangers, marketing staff, fleet of vehicles, and office space including all supporting equipment.

The following are considerations that staff must make for the future needs of the current inventory of preserves:

- Management staff believes 2 additional staff would expedite the writing of land stewardship plans, implementation of restoration projects and development of public use facilities.
- Once public use facilities are constructed, maintenance funds and staff will be needed to keep facilities in good operational condition.
- Once trails are in place for hiking, horseback riding, paddling and possibly mountain biking, interpretive assistance, either through signs/brochures and/or staff/volunteers for guided tours will be needed.
- Management staff already has issues with vandalism of gates and fences, trespassing with motorized vehicles, lewd conduct and general lack of obeying the rules on many Conservation 20/20 preserves. With additional acreage this problem will be exacerbated and additional Ranger surveillance required.

With the existing management fund, additional funding through the renewal of the program and the other funding sources listed above, staff is comfortable in stating that present and future Conservation 20/20 preserves will be properly restored and made available for public use when and where appropriate.