

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

Blue Sheet No. 20040569

1. REQUESTED MOTION:

ACTION REQUESTED: Approve the recommendation of the Conservation Lands Acquisition and Stewardship Advisory Committee to pursue for acquisition approximately 61 acres in Township 45S, Range 27E, Section 28 on the south side of SR 82 directly east of the Imperial Marsh Preserve, known as Conservation 20/20 Nomination 259. Authorize staff to enter negotiations with the property owners.

WHY ACTION IS NECESSARY: The Board must approve advisory committee recommendations for Conservation 20/20 Program acquisitions and must authorize necessary expenses for the negotiation process.

WHAT ACTION ACCOMPLISHES: Begins the negotiation process to buy environmentally sensitive lands needed for native plants and animals, flood control, water quality, water supply, and public use.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT: 05

CLA

3. MEETING DATE:

05-18-2004

4. AGENDA:

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

**5. REQUIREMENT/PURPOSE:
(Specify)**

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

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
 - B. DEPARTMENT Independent
 - C. DIVISION County Lands *AR*
- BY: *K. Forsyth*
Karen L. W. Forsyth, Director

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 20/20 Nomination 259 be pursued for acquisition for the reasons stated in the attached report. Lee County Trafficway Map plans the widening of SR 82 to a 4-lane arterial (200' r/w). Acquisition of this parcel should be contingent on the understanding that additional right-of-way needed for the 4-lane widening be allowed to be acquired by the Department of Transportation with funds to be deposited back into the 20/20 program. Acquisition of this parcel does not conflict with any school district, emergency management services or County utility plans. The preliminary title research has been completed and no substantial title problems were found.

CLASAC continues to recognize the potential for off-site mitigation credits in recommended parcels, as required by Ordinance 96-12. However, mitigation credits may not necessarily be obtained for each acquisition due to the specific environmental resource type, condition and/or location of off-site mitigation desired by the regulatory agencies for any given project. 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 Nomination 259 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 <i>Apr 5/5/04</i>				G County Manager
				<i>John J. ... 5/4/04</i>	OA	OM	Risk	IGC	
<i>K. Forsyth</i>					<i>5/5/04</i>	<i>5/5/04</i>	<i>5/5/04</i>	<i>5/5/04</i>	<i>FIS 5/5/04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: **5/4/04**
Time: **4:30 pm**
Forwarded To:
Co. Adm.
5/5/04 9:44

RECEIVED BY
COUNTY ADMIN: *BF*
5/5/04
9:50 am
COUNTY ADMIN
FORWARDED TO:
5/5/04
9pm

AS

STRAP: 28-45-27-00-00001.0000

AREA: State Road 82

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	1
g.	< 50 acres	0	60.6 acres
2. Contiguous to:			
a.	Coastal waters and other sovereignty submerged lands	4	
b.	Existing preserve area, c.e., wma or refuge	4	4
c.	Preserve areas officially proposed for acquisition	2	Contiguous to Imperial Marsh Preserve.
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
c.	25% to < 50% has native plant cover	2	Melaleuca is the predominate exotic plant invading the wet prairie and cypruss areas.
d.	< 25% has native plant cover	0	
2. Significant for wide-ranging species			
	Panther Habitat, wetlands, ponds, grass lands, etc.	2	2
3. Rare and Unique Uplands			
a.	Scrub, hammock, old growth pine	2	
b.	Mature, second growth pine flatwood	1	1
4. Diversity			
a.	5 or more FLUCCS native plant community categories	2	
b.	3 or 4 FLUCCS native plant community categories	1	1
c.	2 or less FLUCCS native plant community categories	0	Mesic and hydric flatwoods, cypruss wetlands and wet prairies occur on the property.

STRAP: 28-45-27-00-00001.0000

AREA: State Road 82

C. SIGNIFICANCE FOR WATER RESOURCES		COMMENTS
1. Serves or can serve as flow-way		
	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
a.	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
b.	Same as b., smaller watershed, not as defined, disconnected	2
c.	Site conveys runoff, minimal area	1
d.	Site provides no conveyance of surface water	0
e.	Add 2 points if conveyance is natural (not man-made)	+2 2
f.		
2. Strategic to Flood Management		
	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
a.	Same as a., portion of floodway (one side) or within floodplain	3
b.	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	2 2
c.	Small watershed, minimal flooding	1
d.	No significant flood issues	0
e.		
3. Protect a water supply source.		
	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 2
a.	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	1
b.	No recharge or potential water supply opportunities	0
c.		
4. Offset Damage to or Enhance Water Quality.		
	Presence of wetland, retention, or lake that is currently providing water quality benefits	2
a.	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	1 1
b.	No existing or potential water quality benefits	0
c.		
	Upper segment of historic flow-way as shown on flow-way map for DRGR (3pts), mostly natural condition (2pts).	
	Potential stormwater outfall for SR 82, evacuation route.	
	Area of high potential yield of the sandstone aquifer.	
	Wetlands provide water quality treatment of road runoff, small watershed area.	

REVIEW and RECOMMENDATION

CONSERVATION 20/20 PROGRAM

STRAP: 28-45-27-00-00001.0000

AREA: State Road 82

NOMINATION 259

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
	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
	Parcel can only be accessed by a private road or does not have 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
3. Land Manageability		
75% or greater of the perimeter of site is surrounded by low impact land uses		3 3
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 4
b.	The Parcel is Zoned for Intensive Use	2
c.	Future Land Use Map: Intensive Land Use Category	1
TOTAL POINTS		34

COMMENTS: This property fronts on SR 82. Lee County Trafficway Map shows SR82 being a 4-lane arterial (200' r/w). Additional right-of-way for SR 82 4-lane widening may be needed from this property in the future.

RECOMMENDATION: Pursue for acquisition.

CONSERVATION 20/20 #259

HOMESTEAD RDS

SR 82

#259 284527

STRAP#(S) 28-45-27-00-00001-0000
TOTAL APPROXIMATE ACRES: 60.6



294527

COUNTYLANDS Conservation 20/20
SOLUTIONS

- Wetlands
- Wetlands of Significant Value
- Wetlands of Statewide Value
- Wetlands of National Value
- Wetlands of International Value
- Wetlands of Unclassified Value
- Wetlands of Unknown Value

WETLANDS and WETLANDS

WETLANDS and WETLANDS



THIS IS NOT A SURVEY.
THE COUNTYLANDS DIVISION HAS PREPARED THIS MAP FOR
INFORMATIONAL PURPOSES ONLY. DETAILS SHOWN MAY BE
INACCURATE. THE DIVISION MAKES NO WARRANTY OR
GUARANTEE, VOLUNTARY OR OTHERWISE, THAT THE
EFFECT OF ANY APPLICABLE LAW OR REGULATION HAS BEEN
EVERY EFFORT TO PROVIDE THE CORRECT INFORMATION.
INDEPENDENT VERIFICATION MAY BE REQUIRED.
REVISED: JAN. 12, 2003