

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

**Blue Sheet No. 20040640**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve the recommendation of the Conservation Lands Acquisition and Stewardship Advisory Committee to pursue for acquisition approximately 427 acres in Township 47S, Range 25E, Section 13 in the Bonita Springs area and known as Conservation 20/20 Nomination 249. Authorize staff to enter into 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: 03**

*C6J*

**3. MEETING DATE:**

*06-01-2004*

**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*
- BY: *KW*  
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 249 be pursued for acquisition for the reasons stated in the attached report, subject to confirmation of legal access prior to closing. FDOT plans to widen I-75 and may require additional right-of-way from this property in the future. CLASAC recommends that FDOT be allowed to acquire right-of-way from the property in the future if needed for the widening of I-75, with funds to be reimbursed into the C20/20 acquisition fund or successor fund. 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 249 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
					OA	OM	Risk	GC	
<i>K. Forsyth</i>			<i>SR</i>	<i>Hand checked 5-18-04</i>	<i>5/18/04</i>	<i>5/18/04</i>	<i>5/18/04</i>	<i>5/18/04</i>	<i>HS 5/18/04</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *5/17/04*  
Time: *3:20 pm*  
Forwarded To:  
*Co. Adm.*  
*5/18/04 9AM*

RECEIVED BY  
COUNTY ADMIN: *SW*  
*5/18/04*  
*11:22 am 5/18/04*  
COUNTY ADMIN  
FORWARDED TO: *ML*  
*5-19-04*  
*10 AM*

*HS*

# CONSERVATION 20/20 #249

074726

114725

BONITA BILL ST

COSTA DEL SOL RD

WATERFALL DR

ROGER DODGER ST

WHIP-O-WILL LN

STRIKE LN

144725

175

175

#249

134725

TROST BLVD

184726

CASALS LN

SORA LN

AVIDA LN

FRANCO CT

FACHADA ST

PALAYO LN

ISABELLA DR

ISABELLA DR

7TH ST

4TH ST

1ST ST

WELLFIELD RD

STRAP#(S) 13-47-25B1-00001.0030 & 13-47-25-B3-00001.0020  
TOTAL APPROXIMATE ACREAGE: 427

234725

AVE



THE COUNTY LANDS DEPARTMENT HAS PREPARED THIS MAP FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED AS A WARRANTY OR GUARANTEE. WHILE THE DEPARTMENT HAS MADE EVERY EFFORT TO PROVIDE THE CORRECT INFORMATION, INDEPENDENT VERIFICATION MAY BE REQUIRED.

REVISED: FEB. 17, 2004

COUNTY LANDS College Station 20720

1	Water
2	Open Space
3	Public Use
4	Other
5	Other
6	Other
7	Other
8	Other
9	Other
10	Other
11	Other
12	Other
13	Other
14	Other
15	Other
16	Other
17	Other
18	Other
19	Other
20	Other



CRITERIA		SCORE		COMMENTS
<b>A. SIZE AND CONTIGUITY</b>				
<b>1.</b>	<b>Size of Property</b>			
	a. > 500 acres	6		427 acres
	b. 400 to < 500 acres	5	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		
<b>2.</b>	<b>Contiguous to:</b>			
	a. Coastal waters and other sovereignty submerged lands	4	0	
	b. Existing preserve area, c.e., wma or refuge	4	0	
	c. Preserve areas officially proposed for acquisition	2	0	
<b>B. HABITAT FOR PLANTS AND ANIMALS</b>				
<b>1.</b>	<b>Native Plant Cover</b>			
	a. > 75 % of the property has native plant cover	8		Heavily infested with melaleuca
	b. 50% to < 75% has native plant cover	4		
	c. 25% to <50% has native plant cover	2	2	
	d. < 25% has native plant cover	0		
<b>2.</b>	<b>Significant for wide-ranging species</b>			
	Panther Habitat, wetlands, ponds, grass lands, etc.	2	2	Woodstorks, roseate spoonbills and other birds
<b>3.</b>	<b>Rare and Unique Uplands</b>			
	a. Scrub, hammock, old growth pine	2	0	no mature or old growth pines seen in field review
	b. Mature, second growth pine flatwood	1	0	
<b>4.</b>	<b>Diversity</b>			
	a. 5 or more FLUCCS native plant community categories	2	2	According to FLUCCS map, this site has pine flatwoods, hydric and mesic; live oak; cypress, wetland forested mixed, freshwater marsh.
	b. 3 or 4 FLUCCS native plant community categories	1		
	c. 2 or less FLUCCS native plant community categories	0		

<b>C. SIGNIFICANCE FOR WATER RESOURCES</b>					<b>COMMENTS</b>
<b>1. Serves or can serve as flow-way</b>					
	<b>a.</b>	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	<b>4</b>	<b>4</b>	contains wetland flow-way within Imperial River watershed, identified on DRGR map mostly natural
	<b>b.</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	<b>3</b>		
	<b>c.</b>	Same as b., smaller watershed, not as defined, disconnected	<b>2</b>		
	<b>d.</b>	Site conveys runoff, minimal area	<b>1</b>		
	<b>e.</b>	Site provides no conveyance of surface water	<b>0</b>		
	<b>f.</b>	Add 2 points if conveyance is natural (not man-made)	<b>+2</b>	<b>2</b>	
<b>2. Strategic to Flood Management</b>					
	<b>a.</b>	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	<b>4</b>	<b>4</b>	provides floodplain protection for significant upstream area, both sides of conveyance
	<b>b.</b>	Same as a., portion of floodway (one side) or within floodplain	<b>3</b>		
	<b>c.</b>	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	<b>2</b>		
	<b>d.</b>	Small watershed, minimal flooding	<b>1</b>		
	<b>e.</b>	No significant flood issues	<b>0</b>		
<b>3. Protect a water supply source.</b>					
	<b>a.</b>	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	<b>2</b>	<b>2</b>	Within areas of high potential yield of water table and Lower Tamiami aquifers, near wellfield. At the Feb.12, 2004 CLASAC meeting, the Bonita Springs DR/GR consultant, Greg Rawl, stated that his study will address conceptual drainage restoration within the Bonita Springs DR/GR area, including this property. This study can provide the basis for the County's land stewardship plan.
	<b>b.</b>	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	<b>1</b>		
	<b>c.</b>	No recharge or potential water supply opportunities	<b>0</b>		
<b>4. Offset Damage to or Enhance Water Quality.</b>					
	<b>a.</b>	Presence of wetland, retention, or lake that is currently providing water quality benefits	<b>2</b>	<b>2</b>	water quality benefits to upstream area provided by wetland system
	<b>b.</b>	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	<b>1</b>		
	<b>c.</b>	No existing or potential water quality benefits	<b>0</b>		

D. LAND MANAGEMENT/RECREATION/PLANNED LAND USE				COMMENTS
<b>1.</b>	<b>Good Access for Public Use and Land Management</b>			
	Parcel can be accessed from a freeway, expressway, arterial street, or major collector	<b>3</b>		Access is assumed to be on Wellfield Rd., which is maintained by Bonita Springs Utilities. Road will be impacted by public use, thus increasing road maintenance costs. City of Bonita Springs is pursuing adjacent property for active park uses and can contribute to road upgrades.
	Parcel can be accessed from a minor collector or local street	<b>2</b>		
	Parcel can be accessed from a privately-maintained road that is dedicated for public use	<b>1</b>	<b>1</b>	
	Parcel can only be accessed by a private road or does not have physical or legal access	<b>0</b>		
<b>2.</b>	<b>Recreation/Eco-Tourism Potential</b>			
	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	<b>0-2</b>	<b>2</b>	Site is extremely important forage area for Woodstorks and roseate spoonbills, so this site could be very popular for bird watching, an activity that draws many tourists.
<b>3.</b>	<b>Land Manageability</b>			
	75% or greater of the perimeter of site is surrounded by low impact land uses	<b>3</b>		DR/GR to the north, east and south. Bounded by I-75 to the west.
	50%-75% of the perimeter of site is surrounded by low impact land uses	<b>2</b>	<b>2</b>	
	25%-50% of the perimeter of site is surrounded by low impact land uses	<b>1</b>		
	Less than 25% of the perimeter of the site is surrounded by low impact land uses	<b>0</b>		
<b>4.</b>	<b>Development Status (Maximum 4 points)</b>			
<b>a.</b>	The Parcel is Approved for Development or is Exempt from Clearing Regulations	<b>4</b>	<b>4</b>	Agricultural exemption
<b>b.</b>	The Parcel is Zoned for Intensive Use	<b>2</b>		AG-2
<b>c.</b>	Future Land Use Map: Intensive Land Use Category	<b>1</b>		DR/GR and wetlands
<b>TOTAL POINTS</b>			<b>34</b>	

**COMMENTS:** Plans to widen I-75 and/or the possible construction of CR951 directly adjacent to and east of I-75 may require additional right-of-way from this property in the future. The possible acquisition of this property by the County has enticed the City of Bonita Springs to purchase adjacent land to coordinate and enhance the public use potential. County needs to coordinate provision of public uses that will increase road traffic on Wellfield Road with Bonita Springs Utilities.

**RECOMMENDATION:** Pursue for acquisition with the provision that FDOT be allowed to acquire right-of-way from the property in the future if needed for the widening of I-75, with funds to be reimbursed into the C20/20 acquisition fund or successor fund. Legal and physical access will be confirmed by Staff prior to presenting the CLASAC recommendation to the BoCC.