

**Conservation Collier
Annual Report**



Pepper Ranch Preserve 2009
Staff Photo

**Conservation Collier Program
Collier County Facilities Management Department**

June 2009

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Executive Summary

In accordance with the Conservation Collier Ordinance, as amended (2007-65, Section 12.6), there will be an annual meeting to update the Board of County Commissioners (Board) and public on the Conservation Collier Program and for soliciting proposals and applications. The following annual report is intended to serve as the update to the Board and public.

The Conservation Collier Program is responsible for implementing the mandate of the electorate of Collier County as provided by public referendum votes in November, 2002, and again in November, 2006 confirming that mandate, to levy a 0.25 mill ad valorem property tax for a period not to exceed 10 years for acquisition, protection, restoration, and management of environmentally sensitive lands in Collier County for the benefit of present and future generations. A nine (9) member citizen's advisory committee named the Conservation Collier Land Acquisition Advisory Committee (CCLAAC) was appointed in early 2003 to make recommendations to the Board of County Commissioners on land purchases and program policies. Members are appointed for 3 year terms. The CCLAAC currently has nine active members.

Conservation Collier has been operating to implement its mandate for 6 years. During this time period, approximately 4,078 acres have been acquired in 19 different locations for a cost of approximately \$103.9 million. A total of \$47,332,251 has been bonded for use in property acquisition, via bonds in 2004 and 2009. Another approximately 51 acres at a cost of approximately \$1.6 million are currently approved and within the acquisition pipeline. Two approved multi-parcel projects are underway (Winchester Head and North Golden Gate Estates Unit 53), and other projects that contain multiple parcels and owners are partially purchased. These projects are detailed later in this report.

Of the 19 acquired Conservation Collier properties, eight (8) have approved Final Management Plans, seven (7) have approved Interim Management Plans (IMP), and one has an IMP under review (Table 3). The remaining properties not currently under management plans are multiple parcel projects with acquisitions pending. Three (3) Conservation Collier preserves are open for public use: Cocohatchee Creek Preserve, Otter Mound Preserve and Logan Woods Preserve - with signs, trails and benches. Management activities for FY2009 are anticipated to cost \$269,000. This funding is to accomplish specific management actions on 11 of the 19 acquired preserve properties.

Staff has been active in grant writing for management since the beginning of the Program and has received grant funding awards totaling \$242,406. Several grants for land acquisitions have been applied for, but none have been awarded. All awarded grants have been for land management activities and equipment.

Like many public programs, Conservation Collier has been impacted by the current economic conditions. Lower property values and the foreclosure crisis have been factors resulting in reduced tax income for the Program. Funds received by early 2009 for acquisition of cycle 6 A-List (2008) properties were less than anticipated; furthermore, cash on hand was utilized to complete the acquisition of Pepper Ranch in February 2009. As a result, cycle 6 A-List projects

have been placed “on hold” until funding is secured. Budget staff has advised Conservation Collier that ad valorem revenue for FY 2010 will be received beginning in late 2009.

The Conservation Collier Land Acquisition Advisory Committee was advised of the Program financial status at its April 13th 2009 public meeting. At that meeting, staff proposed to suspend the current acquisition cycle for a number of reasons, including the following:

- To allow time to accumulate funds for additional purchases,
- To make sure funds will be available to complete existing projects,
- To avoid inefficient duplication of property research that would be necessary if proposals are researched too far in advance of funding availability,
- To most efficiently use staff resources by focusing where funds are currently available - for property management activities,
- To develop public access at current preserves.

Staff has proposed, and the CCLAAC concurred, that staff should suspend intake of acquisition proposals (except for donations and ongoing approved multi-parcel projects) until the next annual cycle (beginning in January 2010), and should limit monthly committee meetings to those necessary to accomplish ongoing business so that staff can be freed to focus on preserve management tasks. The need for additional meetings would be determined monthly by the staff and the Program Committee Chairman. Subcommittee meetings would continue to be held as necessary. Staff is requesting the Board approve this strategy for 2009.

Conservation Collier Annual Report

1. Conservation Collier Land Acquisition Advisory Committee

The CCLAAC consists of 9 members appointed by the Board. The primary purpose of the CCLAAC is to assist the Board in establishing an Active Properties Acquisition List with qualified purchase recommendations consistent with the goals of Conservation Collier. CCLAAC members serve in accordance with Ordinance 2001-55, as revised (Ord. 2009-16). Membership of the CCLAAC is intended to be comprised of broad and balanced representation of the interests of Collier County citizens, including:

- Environmental and conservation interests
- Agricultural and business interests
- Educational interests
- General civic and citizen interests throughout the county.

The CCLAAC has 3 subcommittees:

Outreach

Typical tasks include development of informational brochures, facilitating partnership projects with area schools and working to interact with the local community to encourage public interest in Conservation Collier Projects.

Lands Evaluation and Management

This sub-committee reviews all proposed land management plans and makes recommendations to the full committee on land management activities and issues on acquired preserves. This committee is currently reviewing the Interim Management Plan for the Pepper Ranch Preserve.

Ordinance, Policy and Rules

This subcommittee met in the early stages of the program to develop a purchase policy, to discuss various program policies and to review the ordinance to determine if and what changes may be needed to successfully operate the program. Completed tasks include a revision of the Conservation Collier Ordinance (2007-65), development of an Exceptional Benefits Ordinance, changes to the Purchase Policy (Resolution 2007-300) and development of a recommended policy for the acceptance of properties conveyed under the Transfer of Development Rights (TDR) Program. This subcommittee is now in the process of developing a recommended policy to facilitate the off-site preserve option as proposed in Land Development Code revisions.

Currently serving members and their areas of expertise are:

- **William Poteet, Jr. – Chairman.** Mr. Poteet is a realtor and businessman, who has been a member of the CCLAAC since its inception in March 2003. He was originally appointed in 2003, reappointed in 2005, and again in January 2008 for a third term. Mr. Poteet has been Chairman of the CCLAAC since August 2005; unanimously re-elected to a second term as Chairman in 2008. Mr. Poteet is also active in two subcommittees; Outreach, where he served as Chairman for several years and Ordinance, Policy and Rules, assisting with the development of

Program policy and documents. Mr. Poteet was awarded the Outstanding Advisory Committee Member of the month in March 2007.

- **Michael Delate – Vice Chair** - One of the original CCLAAC members appointed in 2003, reappointed in 2004 and again in 2007 for a third term. Mr. Delate is an environmental engineer who has served public and private clients for 13 years on all aspects of project management from master planning to project completion and certification. He currently serves as chair of the Lands Evaluation and Management subcommittee, where his real world experience helps guide sound management decisions. Mr. Delate was awarded the Outstanding Advisory Committee Member in March 2005.

- **Mimi Wolok** – Appointed in November 2004 to replace an outgoing CCLAAC member and reappointed in 2007, Ms. Wolok is a wildlife biologist and practicing Naples attorney focusing on real estate, land use and environmental law. Ms. Wolok serves as chairman of the Ordinance, Policy and Rules subcommittee and is a recent welcome addition to the Lands Evaluation and Management subcommittee. She served for several years on the Ordinance, Policy and Rules subcommittee, where her legal expertise was invaluable in crafting Program ordinances and resolutions. Ms. Wolok has been recently nominated for the Outstanding Advisory Committee Member Award.

- **Anthony Pires, Jr.** – Appointed in January 2005, Mr. Pires is a long-time local land use attorney bringing extensive experience in public and private land use and planning projects to the CCLAAC. Mr. Pires has served on numerous County Advisory Committees over the past two decades. He currently also serves as chairman for the Outreach subcommittee and has recently joined the Ordinance, Policy and Rules subcommittee, where his legal expertise and sharp eye for detail will be invaluable in assisting with ongoing development of program policy.

- **Jeffrey Curl** – Appointed in January 2008, Mr. Curl is a Registered Landscape Architect by trade who brings with him expertise in land planning, business and the graphic arts. Mr. Curl is presently serving on both the Outreach and the Ordinance Policy and Rules subcommittees where he served as temporary Chairman. Mr. Curl interacts routinely with the development and business community and brings resulting perspectives to the CCLAAC that serve to keep Program policies fair, balanced and realistic.

- **Jeremy Sterk** – Appointed in February, 2009, Mr. Sterk is a biologist with extensive local experience in permitting, species surveying and project management. He has joined the Lands Evaluation and Management subcommittee, where his input will be appreciated to assist that subcommittee in its review of proposed land management plans, notably for the Pepper Ranch Preserve. Mr. Sterk is also an accomplished photographer with a keen eye for wildlife whose photographs have already enhanced Program reports.

- **Tom Sobszak** – Appointed in February, 2009, Mr. Sobszak is a management and communications consultant originally from Wisconsin, who has a passionate interest in conservation of natural resources. He has participated in many activities aimed at protecting and restoring the environment. Mr. Sobszak also serves on two subcommittees: Lands Evaluation and Management and Outreach.

- **Annisa Karim** – Appointed in April, 2009, Ms. Karim returns to Conservation Collier after serving for approximately one and a half years on staff as a Job Bank Environmental Specialist. During her tenure with Conservation Collier, Ms. Karim conducted site visits to

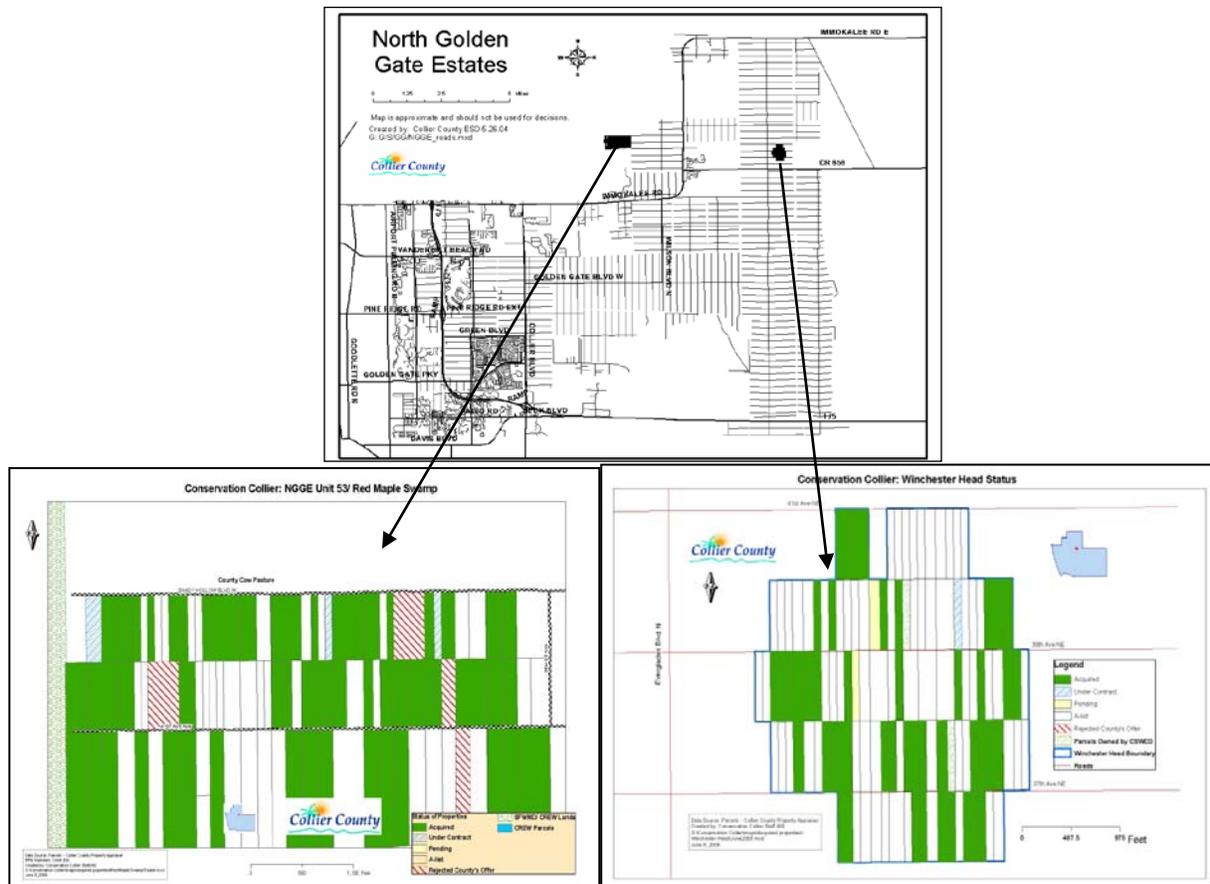
properties, created maps, wrote land/resource management plans, assisted in land management activities, wrote property screening reports, participated in public events and prepared information for and presented such to the CCLAAC. As former staff, Ms. Karim is experienced in all of Conservation Collier activities, and is currently serving as a land manager for Lee County Parks and Recreation, where she practices stewardship of natural areas.

- **Robert Dorta** – Appointed in April 2009, Mr. Dorta is a self-employed taxidermist with a keen interest in both conservation and hunting. Mr. Dorta is involved with a number of hunting and conservation organizations and has given talks locally regarding fish conservation. Mr. Dorta has managed the Seminole Tribe of Florida Museum and grounds on the Big Cypress Reservation and brings his experience regarding exotic plant issues and knowledge of native plants to Conservation Collier.

2. Program lands acquisition status

Conservation Collier currently owns 4,078 acres in 19 different project locations throughout Collier County (Exhibit A).

A. Multi-Parcel Projects – Winchester Head and North Golden Gate Estates Unit 53:

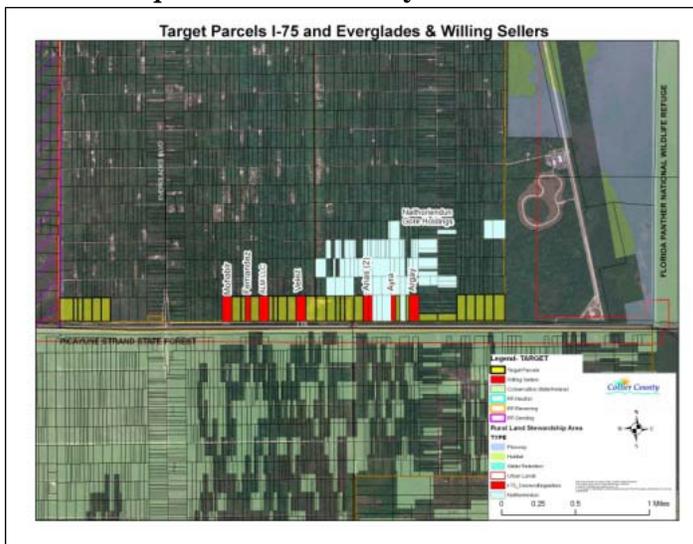


Two of the 19 project locations are approved multi-parcel projects – Winchester Head and North Golden Gate Estates (NGGE) Unit 53 (a.k.a. Red Maple Swamp). Conservation Collier has acquired approx 35% (58.04 acres out of 167.74 acres) within Winchester Head, and has acquired 61% (174.08 acres out of 285 acres) within NGGE Unit 53. Both multi-parcel projects have been approved subject to land values. As long as this approval remains in force, Conservation Collier will perform a market study and appraisal approximately every 6 months and make offers to owners within the project boundaries. The most recent appraisals for both projects are over 6 months old. New appraisals are expected to be performed in August 2009. Staff expects the property values in both multi-parcel project areas to fall.

Because many of the lands offered to Conservation Collier are comprised of multiple lots and ownerships, multi-parcel projects have been a challenge for the Program. Challenges include: higher prices for smaller lots, fluctuating values over multiple years of buying, unwilling sellers within the project boundary, and lack of assurance that in-holding parcels will be acquired in the future, a particular challenge of the willing-seller environment. Although only two approved multi-parcel projects exist, there are a number of Program projects that consist of groups of adjacent properties, including the I-75 (Currently B-Listed), Rivers Road, McIlvane Marsh and Camp Keais Strand projects. There is a distinct difference between approved multi-parcel projects and parcels that are simply grouped together as projects. For approved multi-parcel projects, a project boundary has been clearly defined and all parcels within that boundary are deemed of interest to the County. Upon Board approval of a multi-parcel project, appraisals can be done and offers made to owners within the project boundary without taking properties individually through the review and acquisition cycle. Parcels that are simply grouped together in locations are taken individually through the criteria evaluation process and to the Board for approval during the regular cycle. There has been reluctance to make grouped parcels into formal multi-parcel projects due to the above-mentioned challenges.

B. Grouped Parcel Projects:

1. The I-75 parcels – Currently on the B-List

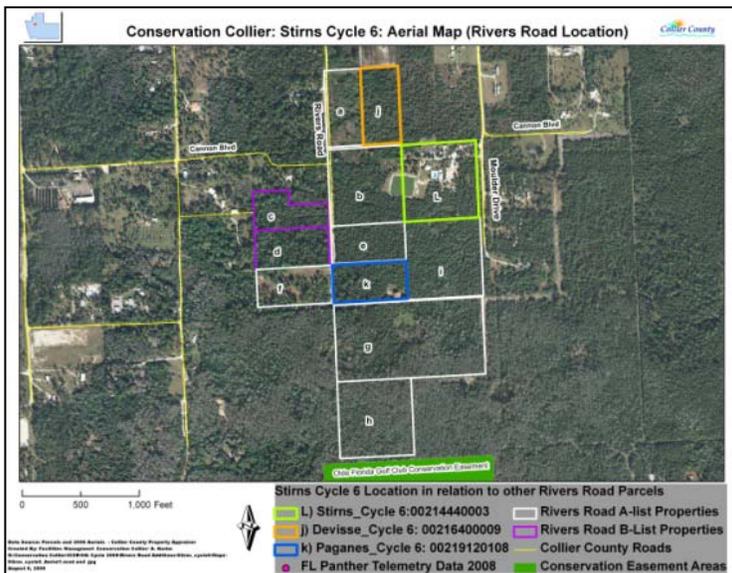


These are a group of contiguous and non-contiguous parcels located between the southern terminuses of Everglades Blvd. and Desoto Blvd. in NGGE. These parcels are within a Target Protection Area (NGGE) and meet the Conservation Collier criteria. Their acquisition would provide wildlife habitat and a significant area that could accept surface flood waters from other lands within the NGGE. The total area covered by these lots is 243 acres, 196 acres of which are mostly

contiguous lots owned by one individual. There are a total of 13 owners who have filled out applications for Conservation Collier and who have gone through the criteria review process. All 243 acres are currently on the Cycle 6 Conservation Collier Active Acquisition List (AAL) as B-List properties, meaning they will be automatically re-ranked in the next acquisition cycle.

There are several unknowns and challenges involved with considering a multi-parcel purchase in this location. First is that the County Transportation Department has this area under review regarding a potential future interchange connection with I-75, possibly at the southern end of Everglades Blvd, the southern end of Desoto Blvd or farther east. The Conservation Collier Committee has recommended placing parcels in this project on the B-List to determine if there is potential to partner with Transportation on the acquisition of specific lots for interchange project mitigation. A County consultant is currently performing an Interchange Justification Report (IJR) as a preliminary step in determining whether an interchange is needed. This report is expected to be completed by December 2009, with response expected from the Florida Highway Administration (FHWA) in early 2010. The next phase of the project is a Project Design and Engineering (PD&E) Study. Local, state and federal funds have been allocated for the PD&E Study, which should begin after receiving a response from FHWA. Interchange development in this location may still take many years to accomplish, since no funding has been identified for design and construction. At this time, it is not clear what, if any, mitigation may be required and what, if any, partnership between Transportation and Conservation Collier is possible. Additionally, some parcels currently identified for acquisition with willing sellers are not contiguous, and it is not known whether in-holding owners will be willing to sell. Previously, letters sent by Conservation Collier to these owners have received no response. A final challenge is that assembling a large area from individually platted lots can be expensive. Although values may have decreased, the last estimate of land values done by County staff in 2008 placed the value of offered parcels in the neighborhood of \$3.1 million. That does not include appraisals and individual title work. Actual appraisals have not been performed.

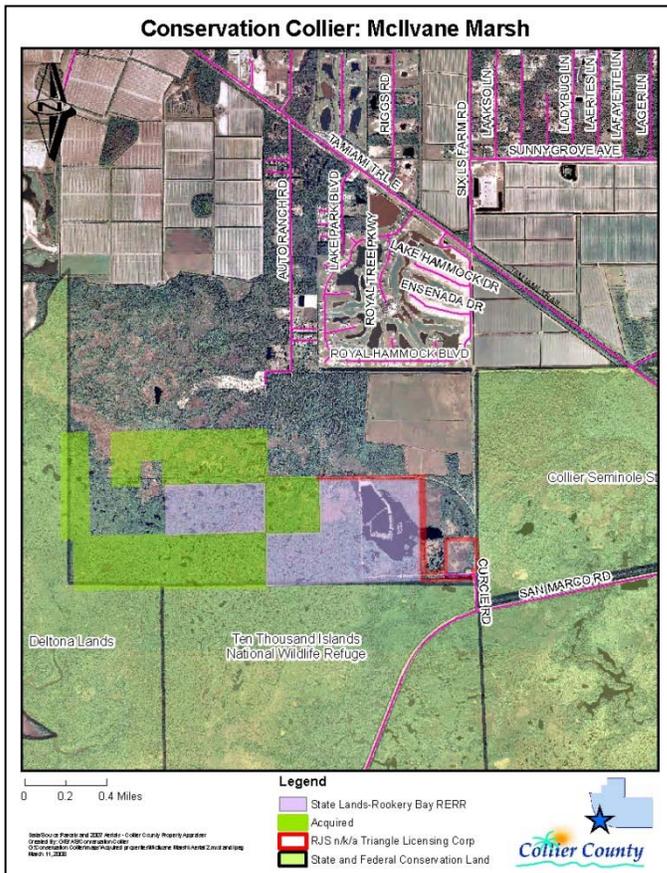
2. The Rivers Road Project



This project began as a group of 9 contiguous parcels owned by 5 individuals which were offered to Conservation Collier in the 5th acquisition cycle. The parcels are located off Rivers Road, which is located south of Immokalee Road across from the Twin Eagles PUD, in Section 30, Township 48, Range 27. These parcels are not within a TPA, but meet the Conservation Collier criteria. They lie within the Rural Fringe Mixed Use District “receiving” lands. Their

acquisition expands and protects an active wildlife corridor and protects an area that is significant for aquifer recharge. Nine parcels (72 acres) were evaluated during the 5th acquisition cycle, and in January 2008, seven of those parcels (63 acres) were acquired. Three additional contiguous parcels under two ownerships totaling 13.76 acres were approved as A-List properties in the 6th acquisition cycle (Cosentino -2 parcels; Devisse – 1 parcel), which will bring the total size of the Rivers Road Project to 77 acres. The two A-List parcels will be appraised and purchased as funding allows. Parcels within this group are considered in the context of a multi-parcel project but are moving independently through the acquisition process. An owner whose parcel was placed on the C-List in cycle 6 due to the presence of a structure (Paganes – 5 acres outlined in blue on the map) has approached the CCLAAC asking for consideration of a non-fee type acquisition, such as life estate or conservation easement. This will be considered during the next active acquisition cycle.

3. McIlvane Marsh Project



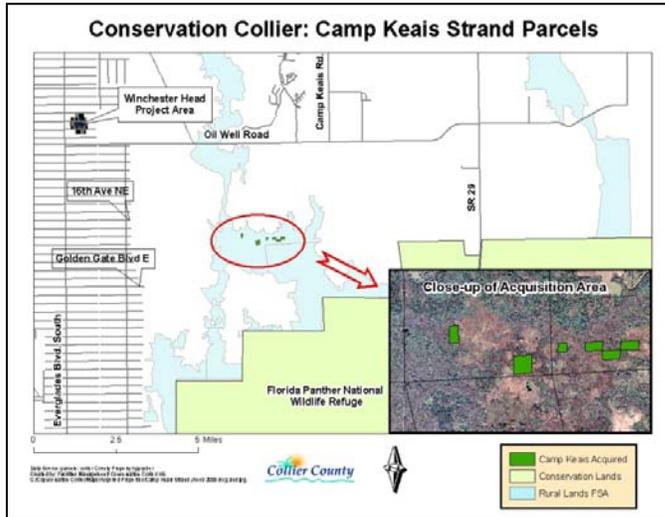
Located northeast of Marco Island and surrounded by state and federal conservation lands, the McIlvane Marsh Project consists of an 800-acre mangrove salt marsh. Parcels here are relatively large, 20 acres to several hundred acres in size, and are relatively inexpensive, having been appraised and purchased at \$6,700 per acre within the last few years. Conservation Collier has acquired 339 acres from 6 owners, a result of the 4th acquisition cycle (2006), with one parcel from that cycle still making its way through the acquisition process. Collier County also owns 20 acres within McIlvane Marsh as a mitigation parcel.

With the remaining acquisition, the total acreage within McIlvane Marsh owned by Conservation Collier/Collier County will be 388 acres. The State of Florida owns 329 acres in a mosaic pattern with Conservation Collier lands. Considering both state and County

lands, a total of nearly 717 acres out of the 800-acre marsh will be in conservation status. Conservation Collier has discussed partnership with the State of Florida (Florida Forever Program) for a post-acquisition partnership involving future sale of these lands to the State of Florida for long term management and protection. Current state budget constraints make this a proposal to look at after 2010. In the event a state partnership is not realized, Conservation Collier will seek to partner with Rookery Bay National Estuarine Research Reserve, the

entity having local state management authority, for ongoing management of the marsh area. There is some limited potential for public use of this area via kayaks and canoes, which would still be possible under state ownership and/or management.

4. The Camp Keais Strand Project



This is a group of smaller acreage parcels within the Rural Lands Stewardship Area located just north of the Florida Panther National Wildlife Refuge in the Camp Keais Strand, within Sections 29 and 30, Township 48, Range 29. Parcels are within the Florida Forever Corkscrew Regional Ecosystem Watershed Project and in an area considered critical for conservation by four state agencies in studies done over two decades. Fourteen (14) non-contiguous parcels ranging in size from 2 ½ to 15 acres under different ownerships totaling 85

acres originally made up this project. These applications were received in the 3rd acquisition cycle as a result of staff mailing inquiry letters to owners of parcels identified as Target Protection Areas within the Conservation Collier ordinance. In the 3rd acquisition cycle (2005), the properties were evaluated and placed on the “B” list due to their remote location and lack of access. In the 4th cycle (2006) they were again placed on the “B” list. In the 5th cycle (2007), the Conservation Collier Committee recommended placing these properties on the “C” list, even given their “critical” status, again due to their remote location, lack of access and the now dwindling number of contiguous parcels offered - 6 out of the original 14 offered; 32.5 out of the original 85 acres offered. However, in January 2009, the Board placed the six offered properties on the “A” list. As of June 9, 2009 all six parcels have been acquired. Conservation Collier staff has discussed this project with the state in context of a partnership with the Florida Forever Program, but current state budget constraints make this a proposal to look at after 2010.

C. Approved but not acquired parcels:

Conservation Collier is currently in the appraisal and due diligence phase for cycle six (2008) “A” list projects (Exhibit B), which were approved for acquisition by the Board on January 27, 2009. Eighteen acres, with a total estimated value of \$1.26 million are waiting to be appraised and have offers made. These are parcels that adjoin and would expand current Conservation Collier Preserves. Two parcels from previous cycles remain in the acquisition process due to various delays, one from the McIlvane Marsh project (RJS) and the other from the Camp Keais Strand Project (Griffin). The entire estimated cost of approved but not acquired parcels, including cycle six A-List, remaining earlier cycle and remaining NGGE Unit 53 and Winchester Head parcels, is approximately \$5.2 million. Not all of the remaining

NGGE Unit 53 or Winchester Head are expected to be offered for sale to Conservation Collier this year; so less than \$5.2 million will likely be needed. Funds to make these purchases will come from ad valorem revenues for FY 2010, expected to be received beginning in late 2009.

3. Program financial status

Conservation Collier has spent approximately \$103.9 million in the 6 years it has been in existence, acquiring 4,078 acres in 19 different locations. Funds are generated from an ad valorem property tax of up to .2500 mils, or \$25 for each \$100,000 in taxable property value for property owners in Collier County, with levy authorization through 2013. As funds are collected for the Program each year, a small percentage is taken by the tax collector and the property appraiser for their services, 15% of the net levy is transferred into a separate fund for management activities, and a portion is used for debt reduction (Bond Series 2005 and Bond Series 2008). The total of debt service payments made, including principal and interest, will be \$54,614,972.49 when the debt is retired in FY 2013. Table 1 below shows ad valorem revenue received after debt service payments, from Fiscal Year (FY) 2004 to 2009. Table 2 shows estimated ad valorem revenue projections from FY 2010 through FY 2013.

Funds received by early 2009 for acquisition of cycle 6 A-List (2008) properties were less than anticipated due to the general economic downturn. Furthermore, remaining cash on hand was utilized to complete the acquisition of Pepper Ranch in February 2009. As a result, there is a lack of available funds for Conservation Collier to acquire cycle six (2008) approved proposals. At this point in the program, when lands have been acquired and potential management costs can be more realistically determined, staff and CCLAAC members are examining projected income and management funding needs in order to make a recommendation to the Board as to how remaining funds should be spent; i.e., can additional land acquisitions be made or should remaining projected income be allocated for completion of existing projects and management of existing preserves? A public workshop is being planned for July, 2009 to discuss this issue. Staff expects the CCLAAC to formulate a recommendation to the Board in late 2009.

Table 1. Past Revenue

Conservation Collier Land Acquisition Fund (172)							
Ad Valorem Revenue Collections FY 2004 - FY 2009							
	Actual FY 2004	Actual FY 2005	Actual FY 2006	Actual FY 2007	Actual FY 2008	Forecast FY 2009	
Ad Valorem Revenue (less debt service)	10,917,908	11,768,303	10,149,624	13,661,762	12,610,920	12,531,500	
Transfer to Maintenance Fund (174)	(1,664,100)	(1,831,800)	(2,189,900)	(2,750,700)	(2,644,900)	(2,627,900)	
Net Revenue for Acquisition/Administration	\$ 9,253,808	\$ 9,936,503	\$ 7,959,724	\$ 10,911,062	\$ 9,966,020	\$ 9,903,600	

*Prepared 6/04/2009

Table 2. Projected Revenue

Conservation Collier Land Acquisition Fund (172)					
Projected Ad Valorem Revenue FY 2010 - FY 2013					
	Forecast	Forecast	Forecast	Forecast	
	FY 2010	FY 2011	FY 2012	FY 2013	
Ad Valorem Revenue (less debt service)	8,431,600	6,376,000	6,384,200	6,642,800	
Transfer to Maintenance Fund (174)	(2,482,900)	(2,197,400)	(2,197,400)	(2,197,400)	
Net Revenue for Acquisition/Administration	\$ 5,948,700	\$ 4,178,600	\$ 4,186,800	\$ 4,445,400	

**Prepared 6/04/2009*

4. Acquired lands management status

Conservation Collier is required to prepare Interim Management Plans (IMP) for properties within 90 days of acquisition and Final Management Plans (FMP) within 2 years of acquisition (Ord. No. 2007-65, Section 14). IMPs are designed to facilitate initial management actions such as removal of exotics and trash, securing the asset (i.e., fencing, if necessary) and planning for future management actions and public access. FMPs provide direction for ten years and incorporate long term management actions such as restoration, plant and wildlife monitoring and public access infrastructure.

Of the 19 acquired Conservation Collier properties, eight have approved FMPs, seven have approved IMPs, and one has an IMP under review (Table 3). Of the remaining three properties, one is proposed for management by Rookery Bay NERR (McIlvane Marsh Project), and two are grouped projects with acquisitions pending (Rivers Road and Camp Keais Strand). An IMP will be prepared when project acquisitions are completed. Both of the approved multi-parcel projects have IMPs in place but will not be actively managed until a solid core of contiguous properties are acquired so that the most efficient use can be made of management funds.

A number of Conservation Collier Preserves are open to the public, shortly to be opened and/or are accommodating public use. Three preserves are currently open for public use with signs, trails, benches, picnic tables and trash receptacles. Cocohatchee Creek Preserve, next to Veterans Community Park, was opened in March, 2006. Otter Mound Preserve, on Marco Island, was opened in March 2007. Staff has already conducted numerous tours and educational programs for adults and children at these two preserves and routinely observes members of the public visiting them. Logan Woods Preserve, on the NW corner of Pine Ridge Road and Logan Blvd. is now open with a trail, benches, table and trash receptacle installed. The Logan Woods Preserve sign installation is expected within weeks and will complete the opening. No formal opening event has been planned for Logan Woods Preserve as there is no parking availability at this location. At all three preserves, native habitat has been restored. At the Freedom Memorial Park, a portion of which is within a 12-acre Conservation Collier Preserve, a public boardwalk is scheduled to be opened later this year. The 2,512-acre Pepper Ranch Preserve was acquired earlier this year. Although much work remains to be done before the Preserve can be opened for routine public use, staff conducted a public event on April 9, 2009, the Pepper Ranch Sneak Peek Hike, which included guided trail hikes and an open house at the lodge. An additional event is planned for the Pepper Ranch Preserve later this year.

Table 3. Preserve Management Status

	Property name	FMP approved and in place	FMP under review	IMP approved and in place	IMP under review
1	Cochatchee Creek Preserve	X			
2	Otter Mound Preserve	X			
3	Railhead Scrub Preserve	X			
4	Wet Woods Preserve	X			
5	Logan Woods Preserve	X			
6	Nancy Payton Preserve	X			
7	Red Maple Swamp (NGGE Unit 53)			X	
8	Malt		*	X	
9	Milano	X			
10	Brochu		X	X	
11	Gordon River Greenway Preserve		**	X	
12	Winchester Head			X	
13	Starnes			X	
14	Horsepen Strand			X	
15	Freedom Park	X			
16	McIlvane Marsh				*** ****
17	Rivers Road				****
18	Camp Keais Strand				****
19	<i>Pepper Ranch Preserve</i>				X

* Conservation Collier is working with Rookery Bay NERR to develop appropriate partnership documents.

**Staff is coordinating with Collier County Parks and Recreation Department and the City of Naples on a unified management plan for the entire Gordon River Greenway Preserve.

*** Staff is working on an IMP and is discussing joint management with Rookery Bay NERR.

****waiting to complete current acquisitions

5. Partnerships Status

Conservation Collier is pleased to have developed both acquisition funding and land management partnerships with a number of agencies. These agencies and the nature of the partnerships are listed below:

City of Marco Island – Management partnership – Otter Mound Preserve

City of Naples – Gordon River Greenway Project

Florida Fish and Wildlife Conservation Commission - Exotic Removal funding (Our staff coordinates the regional working group that distributes exotic removal funding in south Florida) – Wet Woods, Logan Woods, Railhead Scrub, Malt

Rookery Bay National Estuarine Research Reserve (Rookery Bay NERR) – Management partnership – working on formal agreements for Malt property and McIlvane Marsh

U.S. Fish and Wildlife Service – Exotics removal grants – Partners Program, Otter Mound, Malt, Railhead Scrub

Florida Gulf Coast University – Research – Malt; Management - Starnes

Corkscrew Ecosystem Watershed Trust – Starnes - acquisition and management

South Florida Water Management District – Starnes – property management

University of Florida – Logan Woods preserve - exotic removal

Other Collier County Departments:

– **Parks and Recreation** – Freedom Park management partnership –Management Plan approved through Florida Communities Trust (FCT) Grant Program in place. Cocohatchee Creek management partnership. Management assistance at Logan Woods

– **Transportation Department** - Starnes and Pepper Ranch - for panther mitigation credit (PHUs) for County projects. Pepper Ranch management assistance.

6. Grants status

Conservation Collier has actively pursued a number of grants for both acquisition and management purposes. Currently, there have been no awards for land acquisition, but many for management, primarily for the removal of invasive, exotic species but also for needed equipment and plant community restoration (Table 4). Exotics removal grants have come from state and federal government agencies, including U.S. Fish and Wildlife Service (Partners Program), the State of Florida through the Invasive Plant Species Management Council, and the University of Florida. A grant from the private sector (ESRI Corporation) for Global Positioning Systems / Geographic Information Systems (GPS/GIS) for equipment and software in the amount of \$10,000 was also awarded to Conservation Collier. The table below shows the amount of grant funds obtained and Conservation Collier management funds expended for specific preserves.

Table 4. Management Grants

Preserve	Acquisition Price	Gross Management Funds expended	Grant Funds Acquired	Net Management Funds expended
Cocohatchee Creek	\$476,200	\$63,537	\$0	\$63,537
Freedom Park	\$56,300	\$13,106	\$0	\$13,106
Greenway Preserve	\$2,075,000	\$232,624	\$0	\$232,624
Logan Woods	\$711,983	\$70,889	\$34,400	\$36,489
Malt	\$4,750,000	\$76,745	\$76,745	\$0
Milano	\$4,950,000	\$34,276	\$0	\$34,276
Nancy Payton	\$2,112,500	\$46,301	\$0	\$46,301
Oetting/Freitas	\$93,130	\$3,121	\$0	\$3,121
Otter Mound	\$2,234,000	\$138,977	\$7,961	\$131,016
Pepper Ranch	\$32,525,100	\$2,061	\$0	\$2,061
Railhead Scrub	\$32,617,050	\$190,023	\$60,600	\$129,423
Starnes	\$5,032,000	\$127,406	\$0	\$127,406
Wet Woods	\$2,160,000	\$80,245	\$57,700	\$22,545
Total			\$237,406	

7. Planned 2009 Activities

A. Cycle 7 - Current Status

Conservation Collier staff proposed and the CCLAAC recommends suspending Cycle 7 for FY 2009 and halting the processing of any new acquisition proposals in 2009. So far in 2009, staff has received five applications; two donation/conveyance proposals and three acquisition proposals (Exhibit C). Two potential donations and one acquisition proposal had been accepted into the cycle and were under review. Another two applications were received for which no action has been taken. Staff proposes and CCLAAC recommends that no additional proposals be accepted in 2009 and the proposals currently received not be ranked at the end of 2009, but be held for ranking at the end of 2010 along with any additional proposals received in cycle eight (2010). Additionally, staff proposes and CCLAAC recommends that CCLAAC meetings be held in July and October of 2009 and as needed in order to obtain Committee recommendations on various ongoing issues, update the Committee on preserve management/access, review donation/conveyances, and report on any Winchester Head and NGGE Unit 53 properties that become available after updated appraisals are performed. Under this proposal, regular monthly meetings and Cycle 7 application processing would resume in January 2010.

The reasons for this proposal include:

- The primary reason for suspension of cycle 7 is lack of immediate funds to purchase. Ad valorem tax collections for 2009 will begin to be available in November 2009 but are anticipated to fall below budgeted amounts. Cycle six A-List proposals, remaining previous cycle purchases and multi-parcel project purchases are expected to consume the tax collection funds that become available later in 2009. In the event that a Cycle 7 list was prepared for ranking in December 2009, funds would not be available for acquisition of those properties until December 2010. With such an extended time frame, there are no assurances that Cycle 7 properties would still be available for purchase at that time, and all information regarding the listed properties would require staff time to update prior to acquisition, effectively duplicating the review effort.
- Funds are available for management; therefore staff time will be more productively and efficiently used in focusing on management with a goal of facilitating public access.
- Allows more time for pursuit of grants.

B. Transfer of Development Rights (TDR) Program Conveyances

The TDR Program within the Rural Fringe Mixed Use District (RFMUD) was first adopted in the Future Land Use Element of the County's Growth Management Plan (GMP) under Ordinance 2002-32, effective July 22, 2003. The implementing regulations were adopted into the County's Land Development Code under Ordinance 2004-08, effective February 20, 2004. The TDR Program was established with the goal of protecting identified environmentally sensitive lands within the RFMUD while protecting the value and development potential of those lands by allowing the transfer of development rights associated with these lands to less environmentally sensitive lands also within the RFMUD.

The Program was amended in 2005 to add three additional residential density units as bonuses, including an early entry TDR bonus, Environmental Restoration and Maintenance TDR Bonus and a Conveyance TDR Bonus. Under the Conveyance Bonus, a landowner may provide a restoration and management plan acceptable to the County and convey the lands with management funding to a public agency for conservation purposes. The Ordinance, Policy and Rules Subcommittee of the CCLAAC met to develop a procedure for evaluation of such proposals. Such procedure was developed and approved in Resolution form (2008-132) by the Board of County Commissioners on May 13, 2008 (Agenda Item 16E6).

Two applications for the first TDR conveyance proposals from properties within the Rural Fringe Mixed Use District were received during 2008, one along Benfield Road (*Benfield Road Project*) and the other in the North Belle Meade (*Caloosa Reserve Project*). These proposals do not follow the regular acquisition cycle, but are addressed individually as they are received. Staff has done the required assessment on both projects. Neither project is moving forward towards Board approval at this time, for different reasons. Financial considerations regarding certain requirements of the TDR transfer process, specifically, Conservation Collier's requirement that a Phase I Environmental Site Assessment be performed, and uncertainty regarding the route for the County's Wilson/Benfield road project have caused the *Benfield Road Project proposal* to be withdrawn by the owners. General economic conditions cause the *Caloosa Reserve Project* proposal to be temporarily withdrawn by the owners. These proposals are summarized below:

Caloosa Reserve Project

The *Caloosa Reserve Project* proposal consists of 13 separate parcels totaling 109 acres under one ownership in the RFMUD North Belle Meade sending lands, Collier County. Twelve of the parcels, totaling 92 acres, are within Section 35, Township 49 Range 27 and the remaining 17 acre parcel is within the adjacent Section 36. These properties are located just north of I-75 approximately 7 miles east of Collier Blvd. (C.R. 951). Access to the area is along private gated dirt roads. Staff has visited the properties, prepared a Criteria Screening Report and presented this report to the CCLAAC at a public meeting. The owner was in the process of gaining approval for a Restoration Management Plan, pursuant to TDR transfer requirements, which would have signaled readiness to convey. That process was halted by the owners' lack of subsequent action. An additional complication is the presence of a cattle lease over 12 full sections and 3 half sections within North Belle Meade, encompassing the offered parcels. This lease prevents access to the parcels for public use. Finally, this is within the Transportation Department's study area for the Wilson Blvd. extension and Benfield Rd. corridor and within the planning area for the County's 2030 long range transportation needs. Acquiring lands under the TDR program presents potential complications for developing future roads in this area. Owners have advised when general economic conditions improve, they will again consider conveyance of these parcels to Conservation Collier.

Benfield Road Project

The *Benfield Road Project* proposal consisted of 17 contiguous parcels totaling 17.72 acres under 6 separate ownerships within Section 1, Township 50, Range 26, in Collier County. Properties are located approximately 1.37 miles east of Collier Blvd. (C.R. 951) with direct access from Beck Blvd., a County-maintained paved road and Benfield Road, a privately maintained paved road. Staff has visited the properties, prepared a Criteria Screening Report and presented this report to the CCLAAC at a public meeting. A complication associated with this proposal is that it is within the Transportation Department's study area for the Wilson Blvd. extension and Benfield Rd. corridor. The route for this corridor has not been determined at present. After presentation of the Criteria Screening Report to the CCLAAC, which was conceptually approved, the owners were asked to remove exotic plants, provide funds to maintain exotics for five years and to provide a Phase I Environmental Site Assessment. At the time of these requests, the owners decided to wait for the determination of the Wilson-Benfield road corridor and evaluate whether a sale to Transportation would better serve their interests. At that time the owners withdrew the project from the Conservation Collier Program.

C. Offsite Monetary Payment or Preserve Conveyances

Changes were made to the Conservation and Coastal Management Element (CCME) of the GMP as a result of a 2004 Evaluation and Appraisal Report required by the State Department of Community Affairs. The GMP, with changes, was adopted by the BCC in May 2007. One of these changes provided that the County would adopt land development regulations that would allow for a process for native vegetation preservation retention requirements to be satisfied by a monetary payment or land donation (Goal 6, Policy 6.11.V(10)). The LDC amendments providing for that option are currently making their way through the approval process, with an expected final review and approval by the BCC in early 2010. In anticipation of monetary payments or land conveyance proposals to Conservation Collier, staff has been attending stakeholder meetings conducted by the Engineering and Environmental Services Department and providing recommendations made by the Ordinance Policy and Rules (OPR) Subcommittee of the CCLAAC. The OPR subcommittee is also concurrently working on developing a process for accepting funds or lands under a finalized and Board-approved LDC revision.

D. Proposed objectives of the program's seventh year

1. Secure grant funding wherever possible
2. Continue to conduct public meetings for ongoing development of Final Management Plans
3. Continue to develop public access for acquired properties
4. Work with other County Departments to coordinate conservation land purchases with other public needs
5. Work effectively with the Transfer of Development Rights and Offsite Vegetation Retention Programs to review land and/or funds conveyance proposals for recommendation to the Board.

Exhibits

Exhibit A. Map of Conservation Collier Program lands

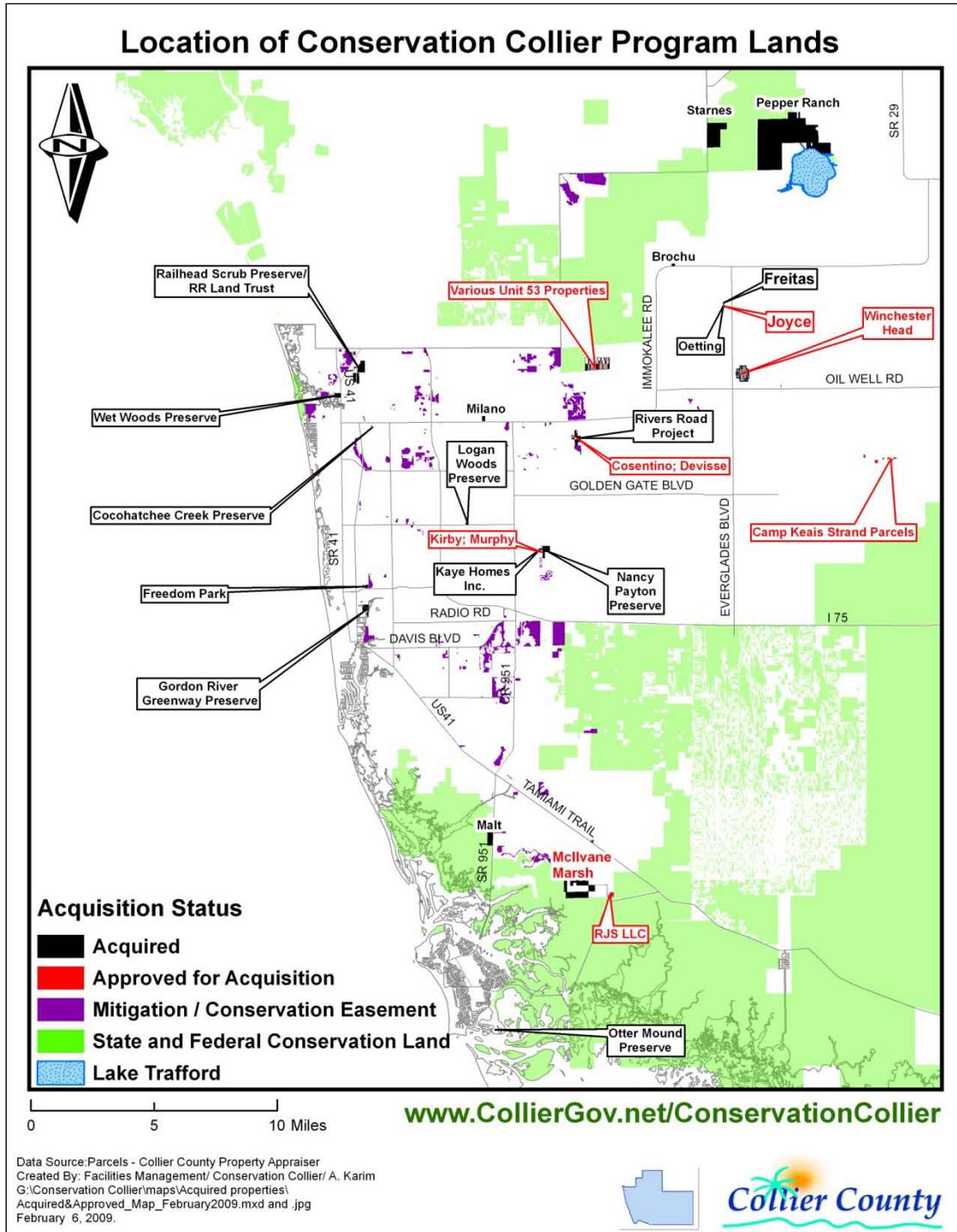


Exhibit B. Cycle 6 Approved Acquisition List

NAME	Estimated Value	Size (ac)	Estimated Value per acre	Proposed List Category	Priority Designation for "A" Category Properties	
Rivers Road Project	Cosentino (2 parcels)	\$677,920	8.92	\$76,000	A	1
	Devisse	\$378,000	4.84	\$78,099	A	1
Joyce	\$27,000	2.27	\$11,894	A	1	
Kirby	\$85,000	1.00	\$85,000	A	2	
Murphy	\$100,000	1.00	\$100,000	A	2	
A-List Subtotal	\$1,267,920	18.03				
RJS LLC (n/k/a Triangle Licensing Corp)	\$289,400	29.33	\$9,867	A	n/a	
NGGE Unit 53 Multi-parcel Project (remaining)	\$1,955,061	123.41	\$15,842	A	n/a	
Winchester Head Multi-parcel Project (remaining)	\$1,573,146	96.07	\$16,375	A	n/a	
Cycle 5 and Multi-parcel Projects total	\$3,817,607	248.81				
A-List Total	\$5,085,527	266.84				
North Golden Gate Estates I-75 Project	ALM LLC	\$87,100	6.70	\$13,000	B	
	Argay	\$91,650	7.05	\$13,000	B	
	Arias (2 parcels)	\$90,220	6.94	\$13,000	B	
	Ayra	\$41,340	3.18	\$13,000	B	
	Berman	\$28,990	2.23	\$13,000	B	
	Blake	\$20,670	1.59	\$13,000	B	
	Faust	\$88,920	6.84	\$13,000	B	
	Fernandez	\$43,550	3.35	\$13,000	B	
	Gascon	\$30,420	2.34	\$13,000	B	
	Gore	\$2,340,000	183.52	\$12,751	B	
	Mayr	\$78,000	6.00	\$13,000	B	
	Mohabir	\$87,100	6.70	\$13,000	B	
	Velez	\$87,880	6.76	\$13,000	B	
B-LIST SUBTOTAL	\$3,115,840	243.20				
Devisse - Euclid	\$400,000	5.00	\$80,000	C		
Su	\$5,800,000	76.08	\$76,236	C		
McGinnis	\$618,000	5.15	\$120,000	C		
Purpero	\$455,000	2.61	\$174,330	C		
Paganes	\$483,000	4.77	\$101,258	C		
Stirns	\$800,000	9.70	\$82,474	C		
C-LIST SUBTOTAL	\$8,556,000	88.84				
GRAND TOTAL	\$16,757,367	598.88				

Exhibit C. Current Cycle 7 nominations

Owner Name	Caloosa Reserve LLC	Antonio Faga TR Land Trust Agreement dated 11/13/03	Barron Collier Investments, LTD	Paganes	CDC Land Investments, Inc.
Application Date	3/26/2008	2/10/09	3/6/09	3/16/09	3/27/09
Folio	13 folios	00332360007	113760004, 00113840005, 00113880007	00219120108	207600800007
Section, Township, Range	35 and 36, 49, 27	30,49,27	3,4&5, 49,28	30,48,27	34,49,25
Acres	110.45	16.00	235 - Area 1 799.4 - Area 2	4.77	7.51
Previously submitted-yes/no	no	no	no	yes - 2008	Yes - 2004
Fee simple	TDR donation	donation	surface rights only - and SSA mitigation credits taken off 799 ac	life estate proposed	Yes
Tax Value	donation	donation	\$3,600,094	\$357,750 - land value only	\$18,775
Access-status	unpaved rural private	unpaved private	unpaved private	unpaved private	paved - public
Accepted for Cycle 7-yes/no	Accepted in cycle 6 - owners have not pursued	yes - 3/9/09	yes - 3/9/09	?	?