

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION
ADVISORY COMMITTEE MEETING

Naples, Florida, September 7, 2022

LET IT BE REMEMBERED, the Conservation Collier Land Acquisition Advisory Committee in and for the County of Collier, having conducted business herein, met on this date at 1:00 P.M. in REGULAR SESSION at Administrative Building “F”, 3rd Floor, Collier County Government Complex Naples, Florida with the following members present:

CHAIRMAN: Bill Poteet
VICE CHAIRMAN: Michele Lenhard
Gary Bromley (via Zoom)
Brittany Patterson-Weber
David Corban
Karyn Allman
Ron Clark
Rhys Watkins
(Vacancy)

ALSO PRESENT: Summer Araque, Conservation Collier Program Coordinator
Sally Ashkar, Assistant County Attorney
Melissa Hennig, Environmental Specialist
Molly DuVall, Sr. Environmental Specialist (via Zoom)
Christal Segura, Sr. Environmental Specialist (via Zoom)
Jamie Cook, Director, Planning Review (via Zoom)
James Sabo, Planning Manager (via Zoom)

1. Roll Call

Chairman Poteet called the meeting to order at 1:00P.M. Roll call was taken and a quorum was established with 7 Members present in the Boardroom.

A. Approval of CCLAAC Members attending the meeting remotely

Ms. Lenhard moved to allow Mr. Bromley to attend the meeting remotely due to an extraordinary circumstance. Second by Ms. Patterson-Weber. Carried unanimously 7 – 0.

2. Approval of Agenda

Ms. Lenhard moved to approve the Agenda. Second by Ms. Patterson-Weber. Carried unanimously 8 – 0.

3. Approval of Meeting Minutes

A. August 3, 2022, Regular CCLAAC Meeting

Ms. Lenhard moved to approve the minutes of the August 3, 2022 as presented. Second by Mr. Clark. Carried unanimously 8 – 0.

4. Old Business

A. Acquisition Cycle 10 Updates

Ms. Araque reported offers for purchase have been sent out except for the owners of Big Hammock Area I where due diligence continues including Phase II environmental testing scheduled for January.

Big Hammock Area II

Ms. Araque provided an update on the status of the property noting:

- The property is in the Rural Lands Stewardship Area and assigned Sending Area credits under the program.
- The Committee placed the parcel on the B-List for Cycle 11.
- The lands are characterized by Flowway and Habitat Stewardship Areas and Staff recommends it be placed on the C List given its protected status under the RLSA.
- The owner may seek to garner additional development credits through restoration of the property where they would be responsible for the maintenance costs in perpetuity.
- If it is acquired by the County, the public would assume responsibility for the restoration maintenance.

James Sabo, Planning Manager noted the RLSA program is designed to protect environmentally sensitive areas at no cost to the taxpayers while directing development to compatible lands. The parcel is currently designated as Sending Lands, not eligible for development (in the program).

Jamie Cook, Director of Planning noted an easement is recorded on the property for an SSA which is difficult to terminate. Without the SSA designation the property has limited potential for development given its characteristics and the associated mitigation costs.

During Committee discussion Staff was requested to research the feasibility of the grantor maintaining restoration of the property into perpetuity if it is transferred to the County.

Speakers

April Olson, Conservancy of Southwest Florida noted the programs limited funds should be directed to the most vulnerable lands and agrees with Staff on their C-List recommendation. His

opinion is based on the lack of development vulnerability of the lands under the RLSA and if not in the program, the restrictions imposed by the County's Growth Management Plan and related requirements would make it difficult to develop the land. Additionally, the lands would be protected at no cost to the taxpayers, one of the goals of the RLSA.

Brad Cornell, Audubon of the Western Everglades recommends the property be acquired as it is adjacent to Pepper Ranch. If it remains in private ownership, even with the SSA credits in use, private access to the parcel will be required through Area I. Any purchase price should reflect the development potential of the property.

B. Acquisition Cycle 10 Purchase Agreements

1. Panther Walk Preserve parcels

a. Arnay

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$30,600 (Arnay)*” for consideration.

Ms. Lenhard moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$30,600 (Arnay). Second by Ms. Allman. Carried unanimously 8 – 0.

b. Meyer Trust

Ms. Araque presented the Executive Summary “*Approve an Agreement for Sale and Purchase for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$72,850 (Meyer Trust)*” for consideration.

Ms. Allman moved to recommend the Board of County Commissioners approve an Agreement for Sale and Purchase for 1.59 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$72,850 (Meyer Trust). Second by Mr. Clark. Carried unanimously 8 – 0.

2. Dr. Robert H. Gore III Preserve parcel

a. Bailey

Ms. Araque presented the Executive Summary *Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$25,600 (Bailey)* for consideration.

Mr. Clark moved to recommend the Board of County Commissioners Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$25,600 (Bailey). Second by Ms. Allman. Carried unanimously 8 – 0.

5. New Business

A. Preserve Updates

Ms. Araque noted a Sunflower Viewing event will be held at Pepper Ranch on October 8th and 9th. Reservations are required by those attending for planning purposes. This will be followed by an October 12th photographers' event.

B. Cycle 11B Initial Screening Criteria (ISC) reviews

1. Owl Hammock

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 7,378 acres and located approximately 5 miles southeast of the Village of Immokalee off SR 29 and north of Oil Well Road. She noted:

- The property is in the RLSA and designated as an Area of Critical State Concern (ACSC) where 90 percent of the site needs to be preserved.
- It is not within a Florida Forever Boundary, however preliminary discussions are underway on the lands status with the Agency.
- Staff will obtain information on any plans for the widening of State Route 29 in the area if the property moves forward in the process.

The property satisfies 5 Initial Screening Criteria.

Speakers

April Olson, Conservancy of Southwest Florida does not support acquisition of the property for many of the same reasons she outlined during her comments for Big Hammock Area II. Development opportunities are restricted for the parcel under the RLSA program. If it is developed under the current zoning regulations, the ACSC designation only allows 10 percent of the property to be developed leaving only a few hundred acres unprotected.

Brad Cornell, Audubon of the Western Everglades recommended the property be moved forward for evaluation. The area is the subject of Florida Panther road kills, and unless both sides of State Route 29 are protected, a wildlife underpass cannot be constructed.

Mr. Sabo noted the lands are Flowway areas, restricted for development and recommended the property not be acquired by the County.

Ms. Araque reported Conservation Collier Staff has not developed a recommendation for the property and it may be feasible to acquire portions of the parcel.

Mr. Corban moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Ms. Lenhard. Motion carried 7 “yes” – 1 “no.” Chairman Poteet voted “no.”

2. Brewer

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The properties are 14.78 acres in size and located just south of 47th Ave NW and just west of Wilson Blvd. N., approx. 1.2 miles NE of Red Maple Swamp Preserve. She noted prohibiting public access to the site due to its environmentally sensitive nature will be a condition of the sale imposed by the owner.

The property satisfies 5 Initial Screening Criteria.

Discussion occurred noting Staff should contact Florida Forever to determine the feasibility of changes to their policy whereby they must hold title to any lands they purchase.

Speaker

Brad Cornell, Audubon of the Western Everglades reported he is in favor of acquiring all properties under consideration today.

Ms. Lenhard moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Ms. Allman. Carried unanimously 8 – 0.

3. Frank/Hothersall

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 179.78 acres and located south of I-75 and east of Benfield Rd., surrounded by Picayune Strand State Forest on all sides. The owner may be contacting representatives of the State Forest as there were previous negotiations for the State to purchase the lands, however the discussions “fell through.”

The property satisfies 4 Initial Screening Criteria.

Speaker

Brad Cornell, Audubon of the Western Everglades recommended the parcel be acquired.

Ms. Lenhard moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Mr. Corban

Committee discussion occurred noting it may be beneficial to determine the feasibility of the State acquiring the parcel before deciding on their position.

Ms. Lenhard amended the motion to table consideration of the application until the October meeting. Second by Mr. Corban. Carried unanimously 8 – 0.

4. Rudolph Brothers

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 10 acres in size and located in the RLSA – Flowway; South of Oil Well Rd. and east of Desoto Blvd. within Camp Keais Strand.

The property satisfies 3 Initial Screening Criteria.

Chairman Poteet noted the parcel is not under the threat of development.

Ms. Patterson-Weber moved to not consider the property for acquisition. Second by Mr. Watkins. Carried unanimously 8 – 0.

5. Amirin

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 0.83 acres in size and located on the southeastern tip of Cape Romano within Rookery Bay National Estuarine Research Reserve (NERR). She noted NERR may be interested in acquiring the parcel which is only accessible by boat.

The property satisfies 4 Initial Screening Criteria.

During Committee discussion it was noted the parcel would be hard to manage given the access and the out of the way location.

Speaker

Brad Cornell, Audubon of the Western Everglades supported acquisition as many Collier County residents boat and could access the property. Additionally, a collaboration with NERR should be investigated.

Ms. Patterson-Weber moved to table further consideration of the application until the next meeting. Second by Ms. Allman. Motion carried 7 “yes” – 1 “no.” Chairman Poteet voted “no.

6. Menendez/Fernandez

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 1.78 acres in size located 1/4 mile south of Winchester Head; adjacent to Oil Well Rd.

The property satisfies 4 Initial Screening Criteria.

Speaker

Brad Cornell, Audubon of the Western Everglades recommended acquisition as the parcel could but useful for water management opportunities for Golden Gate Estates given the ongoing development of the area.

Chairman Poteet noted there are several parcels in private ownership between this parcel and Winchester Head.

Ms. Patterson-Weber moved to not consider the property for acquisition. Second by Mr. Bromley. Carried unanimously 8 – 0.

7. Connection Investors Group – McIlvane Marsh TPMA

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 5 acres in size and located on south of rough trail extension of Curcie Rd., on the west side of McIlvane Marsh Preserve. She noted there is no access to the property and NERR is not interested in acquiring the parcel.

The property satisfies 4 Initial Screening Criteria.

Speaker

Brad Cornell, Audubon of the Western Everglades supported acquisition of the parcel, as well as the next item to be heard, Relevant Radio.

Ms. Lenhard left the meeting at 2:35pm

Ms. Patterson-Weber moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Mr. Watkins. Carried unanimously 7 – 0.

8. Relevant Radio – McIlvane Marsh TPMA

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 10.46 acres in size located off Curcie Rd., within the southeast corner of McIlvane Marsh Preserve. She noted there are 3 active radio towers on the property however the owner has indicated the sites may be consolidated to one area, segregated from the main parcel, or amenable to some type of lease back arrangement.

Ms. Araque noted the towers are not compatible uses within Conservation Collier lands.

The property satisfies 4 Initial Screening Criteria.

Ms. Patterson-Weber moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Ms. Allman. Carried unanimously 7 – 0.

9. Hoffman – North Belle Meade TPMA

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The 2 parcels are a total of 15 acres in size and located 1.4 miles east of the end of Keane Ave. and 1.8 miles north of the Cycle 10 Hussey parcels in North Belle Meade – RFMUD – Receiving.

The property satisfies 3 Initial Screening Criteria.

Mr. Watkins moved to not consider the property for acquisition. Second by Ms. Patterson-Weber. Carried unanimously 7 – 0.

10. Dredge Management (f.k.a. Magdelaner) – Shell Island Preserve TPMA

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 18.73 acres in size and located adjacent and east of Collier Blvd. and adjacent and south off Port Au Prince Drive. Shell Island preserve is directly west of the parcel across Collier Blvd. She noted NERR was contacted regarding the property being offered for sale. *The property satisfies 5 Initial Screening Criteria.*

During Committee discussion it was noted the parcel was previously considered for acquisition, placed on the A-List, but the owner sold the property, and the new owner has filed an application.

Ms. Patterson-Weber moved for the application to move forward in the acquisition process and for Staff to update the Initial Criteria Screening Report. Second by Ms. Allman. Carried unanimously 7 – 0.

11. English Trust – Pepper Ranch Preserve TPMA

Ms. Hennig presented the “*Initial Criteria Screening Form*” for the above referenced parcel. The property is 59.01 acres in size and located in the RLSA – Flowway and Buffer; Adjacent and east of Pepper Ranch Preserve along Trafford Oaks Rd. Also adjacent and west of Lake Trafford.

The property satisfies 5 Initial Screening Criteria.

The Committee requested Staff to determine the status of any agreements for airboat tour use on the property.

Ms. Allman moved for the application to move forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Mr. Watkins. Carried unanimously 7 – 0.

12. Robert H. Gore, III Preserve – 4 parcels

Ms. Hennig provided the “*Conservation Collier Dr. Robert H. Gore, III Preserve Parcels – Cycle 11B*” for information purposes. She noted the properties will be forwarded to the Committee for ranking.

Hoffman

Ms. Allman noted after further consideration, she recommends the Hoffman application be reconsidered as it lies in an area targeted by the County for acquisition and the owner was contacted to determine their interest.

Committee discussion occurred on the lack of access to the property with Staff noting there is a road in the vicinity and a trail to the property and they could investigate the issue further.

Ms. Allman moved to reconsider the Hoffman application, move it forward in the acquisition process and for Staff to prepare an Initial Criteria Screening Report. Second by Mr. Corban. Motion carried 6 “yes” and 1 “no.” Chairman Poteet voted “no.”

6. Coordinator Communications

A. Summary of Recent and Upcoming Agenda Events

1. Committee Member Application

Ms. Araque noted Mr. Courtright’s application will be considered by the Board of County Commissioners at their 9/13/22 meeting.

2. Purchase Agreements

Ms. Araque reported the Purchase Agreements for the Panther Walk Preserve, Robert H. Gore, III, Preserve and Hussey parcels will be considered at the 9/13/22 meeting.

B. Upcoming CCLAAC Meetings

Ms. Araque provided the following updates:

- Property rankings will be considered at the November meeting.
- The December meeting will be held on December 7th at 1pm.
- The July 2023 meeting will be held on the July 12, 2023 due to the July 4th holiday conflicting with the regularly scheduled meeting on July 5th.
- Consideration will be given to not holding a meeting in August annually to coincide with the Board of County Commissioners time off.

C. Miscellaneous Items

Ms. Araque reported the Board of County Commissioners will be considering the following.

- The Pepper Ranch Youth Hunt Agreement at the 9/13/22 meeting.
- The Committees recommendation on Cycle 11 property rankings for acquisition at the 9/27/22 meeting.

7. Subcommittee Reports

A. Lands Evaluation & Management – Chair, Bill Poteet – last meeting April 21, 2022; meeting scheduled for September 19, 2022 to address request by BCC to evaluate preserves to provide more public access.

Chairman Poteet reported the meeting for September 19th referenced above will begin at 1:00pm.

B. Outreach – Chair, Brittany Patterson-Weber – Last Meeting February 15, 2022

None

C. Ordinance Policy and Rules – Chair, Michele Lenhard- last meeting June 1, 2022

None

8. Chair Committee Member Comments

None

9. Public General Comments

Brad Cornell, Audubon of the Western Everglades recommended Conservation Collier begin to consider develop strategies within the Program to address climate change. These changes could impact potential for increased flooding, loss of wildlife habitat, periods of drought, etc.

10. Staff Comments

None

11. Next Meeting Date

October 5, 2022

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 3:07P.M.

Conservation Collier Land Acquisition Advisory Committee

William Poteet, Chairman

These minutes approved by the Board/Committee on _____ as presented _____ or as amended _____.