

April 3, 2024

MINUTES OF THE CONSERVATION COLLIER LAND ACQUISITION
ADVISORY COMMITTEE MEETING

Naples, Florida, April 3, 2024

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 9:00A.M. in REGULAR SESSION at Growth Management Department Building, 2800 North Horseshoe Drive, Naples Florida with the following members present:

CHAIR: Michele Lenhard
VICE CHAIR: Ron Clark (Excused)
Gary Bromley
Rhys Watkins
John Courtright
Nick Pearson
Oriany Brito
Austin Howell
(Vacancy)

ALSO PRESENT: Summer Araque, Environmental Supervisor, Conservation Collier
Sally Ashkar, Assistant County Attorney
Melissa Hennig, Environmental Specialist I
Jamie Cook, Director of Development Review
Molly DuVall, Environmental Specialist

1. Roll Call

Chair Lenhard called the meeting to order at 9:00A.M. Roll call was taken and a quorum was established with 6 Members present. Ms. Brito arrived at 10:00am.

A. Approval of CCLAAC Members attending the meeting remotely

No Members attended remotely.

2. Approval of Agenda

Ms. Bromley moved to approve the Agenda subject to hearing Item 5.C after Item 3. Second by Mr. Courtright. Carried unanimously 6 – 0.

3. Approval of March 6, 2024 Meeting Minutes

Mr. Bromley moved to approve the minutes of the March 6, 2024 meeting subject to correcting the spelling of the speakers name listed as Gaylene Vasalureo under item 4.C. Second by Mr. Courtright. Carried unanimously 6 – 0.

5. New Business

C. Exceptional Benefits Petition for Railhead Scrub Preserve

Collier County Transportation Management Services has submitted a Petition requesting an Interest in Public Lands, specifically 6.9 acres of conservation lands within the Railhead Scrub Preserve to be used for the extension of Veterans Memorial Boulevard.

Lorraine Lantz, Transportation Planning Manager presented the PowerPoint “*Veterans Memorial Blvd. Extension Exceptional Benefits Petition – Railhead Scrub Preserve Parcel, Conservation Collier Land Acquisition Advisory Committee, April 3, 2024*” for information purposes. She noted:

- Phase 1 of Vanderbilt Memorial Blvd. Extension is complete and serves Aubrey Rogers High School.
- Planning for Phase 2 from the high school to US41 is ongoing and the project requires identifying pond sites for stormwater drainage.
- The preferred pond site for Basin 2 of the project area is located on lands owned by Conservation Collier at Railhead Scrub Preserve.
- To proceed with utilizing the location, an Exceptional Benefits Request is being requested for approval by the Committee.
- A Pond Siting Report was prepared studying 5 potential sites which included environmental surveys and review of established criteria which deemed the location best choice based on the proximity to the drainage basin and other considerations.
- The new roadway will provide public access to the preserve (a feature currently not in existence) meeting a goal of Conservation Collier.

She provided an overview of criteria for consideration for an Exceptional Benefit highlighting:

- The pond for Phase 1 is at capacity and cannot be expanded to accommodate the impacts of Phase II stormwater runoff.
- The pond is required for construction of the roadway extension. The advanced acquisition of Pond Site 5 and the pond site for Phase I have been included in the calculations to allow for the least amount of acreage to be utilized on Conservation Collier Land.
- As part of the process, the land needed for the pond will be appraised in accordance with County Policy.

- A price for the property will be established and the appropriate funds will be transferred to the Conservation Collier Program.
- In addition to the sale amount, \$35,000 of funds will be made available to the Program for use at the Preserve.
- To facilitate Gopher Tortoise or other small animal movement between the north and south portions of the preserve bisected by the road, a minimum 18 inch diameter pipe will be installed at grade level.

Speaker

Brad Cornell, Audubon of Southwest Florida recommended Pond Site 5 be utilized in conjunction with Pond Site 2 to reduce the need for utilizing the lands in Railhead Scrub Preserve. The location of the roadway encompasses rare scrub habitat and recommended a bridge be constructed to facilitate movement of species between the north and south areas of the Preserve bisected by the new road. The relocation of Gopher Tortoises should be minimized as if they are moved outside the region, it would not meet conservation goals for the County. The project would provide public access to the Preserve which is a favorable outcome for Conservation Collier.

Tim Hall, Turrell, Hall & Associates, consultant for the County noted constructing a bridge is problematic. There is a railroad right of way running north to south in the project area and the potential for a future “at grade” crossing needs to be incorporated into the project. The County Transportation Planning is investigating the use of pipes to provide connectivity between the north and south portions of the Preserve. The design of the pond considers the important scrub habitat and minimizes the impact on the vegetation by utilizing a wetland area for the pond. They are working with the Florida Fish and Wildlife Conservation Commission (FWC) for onsite relocation of the Gopher Tortoises located in the Preserve impacted by the construction. Any Gopher Tortoises impacted on the US41 side of the construction will be relocated out of the County. Pond Site 4 is not a viable site as it has an existing conservation easement over the area and there are legal implications involved with South Florida Water Management District.

Ms. DuVall noted relocating the Gopher Tortoises on site is a priority for the Program. She provided an overview of the requirements for relocating the species which includes determining the water table levels and acreage allowed to be dedicated to the density calculations. There’s a Florida Gulf Coast Graduate Student working on a project collecting data and preparing a report. It is anticipated the information will be available in the August timeline.

During discussions with the Committee, Transportation Planning Staff (*Lorraine Lantz and Trinity Scott – Transportation Management Services Department Head*) and consultants (*Tim Hall and Christopher Wright of RWA Engineering*) noted:

- The water table data collection is time consuming as at least one year’s data would be required, however longer time frames would be beneficial as the levels change based on the rainfall experienced over an extended period.
- The project is in the preliminary design phase with the next activities including obtain permits, final design for construction, Request for Proposals for construction and construction. The process is anticipated to take at least 2 – 3 years to complete.
- Consideration is underway for purchase of the railway corridor by the Trust for Public Land Control. The corridor is 14 miles long and the acquisition cost is anticipated at \$82M with no funding sources identified. The endeavor if it happens is anticipated to be executed by February or March of 2026. One condition of any sales is the corridor must allow for its future use as a railway.

Ms. Brito arrived at 10:00am

- Elevating of the roadway for the installation of pipes or other connectivity solutions raise grading concerns for the side slopes given the restricted width of the right of way and adjacent private properties – *Mr. Cornell noted he is suggesting a pipe greater than 18 inches in diameter to accommodate smaller size animals, not a conventional 10 foot wide wildlife passage.*
- The study maximized the use of the proposed or existing ponds related to construction of the roadway to minimize impact on Conservation Collier lands. The pond area requires use of 6.9 acres of the Preserve area on the south side of the proposed road.
- The price of the property will be based on a new appraisal determining the current market price.
- Permitting will be required for all aspects of the project including the pond construction.

The Committee noted provision of public access to the site is favorable and the main issue is connectivity of the north/south areas of the bisected Preserve. During prior discussions in the meeting, it was noted Conservation Collier was aware of the potential for a proposed roadway when the property was acquired for the Program, but was not aware of the requirement for pond sites adjacent to the roadway.

Mr. Howell moved to recommend the Board of County Commissioners approve the Petition for an Exceptional Benefit for conservation lands in Railhead Scrub Preserve be approved as presented by Staff subject to Conservation Collier Staff continuing to work with the Transportation Management Services Department on the connectivity options for the north and south portions of the Preserve bisected by the proposed roadway extension. Second by Mr. Courtright. Carried unanimously 7 – 0.

B. Committee Member Application(s) (this item was heard after Item 5.C)

Ms. Araque reported there is a vacancy on the Committee and Bradley Funk, Kelli DeFedericis, Joan Scharf, Christopher Satter, Carolyn McAlear-Feingold and Kaylyn Glenn have filed applications to fill the seat.

Mr. Funk, Mr. Satter and Ms. Glenn spoke about their desires to serve on the Committee.

Mr. Howell nominated Christopher Satter to fill the vacancy.

Mr. Watkins nominated Kaylyn Glenn to fill the vacancy.

A straw poll was taken on the nominations with Mr. Slatter receiving 6 votes and Ms. Glenn garnering 1 vote.

Mr. Bromley moved to recommend the Board of County Commissioners appoint Christopher Slatter to serve on the Conservation Collier Land Acquisition Advisory Committee. Second by Mr. Howell. Carried unanimously 7 – 0.

Chair Lenhard thanked all the applicants for their applications and encouraged them to re-apply when a future vacancy exists on the Committee.

5. New Business (this item was heard after Item 4.B)

D. Cycle 13 Initial Screening

1. Diveley Trust

Ms. Hennig presented the “*Initial Screening Criteria Form*” for the above referenced parcel. It is approximately 1½ mile east of North Belle Meade Preserve and ½ mile east of Kam Luck Dr, north of I-75; RFMUD-NRPA-NBMO-Sending and 10.0 acres in size.

It satisfies 4 of the 8 Initial Screening Criteria.

Staff noted:

- Under the revised Ordinance governing the Program, Staff will prepare an Initial Criteria Screening Report (ICSR) for all properties.
- No action is necessary to move the property forward in the process and it will be ranked by the Committee at the time Staff presents the ICSR.
- Following the ranking, the application will be forwarded to the Board of County Commissioner for consideration.

Speaker

William Diveley noted he purchased the property for family recreation and is selling the property and would prefer Conservation Collier to purchase the lot. It is sending land in the Rural Fringe Mixed Use District and all 4 credits remain on the property. He has seen Coyotes, Florida Panthers and Gopher Tortoises on the property.

Brad Cornell, Audubon of Southwest Florida noted with the other sending lands in the area, there may be opportunities for the Program to acquire additional lands as owners sever credits and donate the property to Conservation Collier to obtain their 4th development credit.

E. Cycle 13 Initial Criteria Screening Reports (ICSR) and Ranking (*this item was heard after Item 5.D*)

1. Santamaria

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report for Santamaria.*” It is located at 3090 Whidden Loop Rd., Immokalee, is 61.1 acres in size, received a score of 310 out of 400 and has an assessed value of \$443,435. She noted:

- The property is surrounded by CREW Land & Water Trust holdings and contains a residence and outbuildings.
- The site would be suitable for educational purposes or as housing for FWC personnel.
- Staff would need to investigate the feasibility of the potential uses of the buildings, including any partnerships available with the CREW.
- Other investigation would include the zoning requirements for an educational facility and obtaining a Phase I Environmental Site Assessment.

Speaker

Bob Lucius, CREW Land & Water Trust noted the organization has a long history of partnering with Conservation Collier and they are interested in expanding their educational opportunities. Several sites have been considered but his parcel is optimal and he will be meeting with the Executive Committee in mid-April to determine their interest in the parcel and will report back to Staff.

Brad Cornell, Audubon of Southwest Florida spoke in support of the County acquiring the parcel.

Committee discussion occurred to determine if ranking the parcel should be delayed until Staff provides additional information on the property following their investigations or it should be ranked and moved forward in the process.

Staff noted it could be ranked as they could conduct their investigations before it is forwarded to the BCC given it wouldn't be heard until the late May BCC meeting. If Staff determines there are issues to be addressed, it could be delayed until they are resolved before forwarding to the BCC for consideration.

Mr. Bromley moved to rank the property as an A-1 List acquisition. Second by Mr. Howell. Carried unanimously 7 – 0.

2. Williams Farms

Ms. Hennig presented the “*Conservation Collier Land Acquisition Program Initial Criteria Screening Report for William Farms (James E Williams Jr. Trust, Williams Farms, Williams Farms Land Assets LLC, Williams Farms of Immokalee)*”. The 10 parcels are located ¼ mile east of Lake and may be accessed off of Carson Road in Immokalee, encompasses 1,167 acres, received a score of 291 out of 400 and have a total assessed value of \$8,327,712. She noted:

- The property is a total of 2,258 acres and the owner is interested in selling the entire parcel although Staff has identified the portion of the lands (1,167 acres) of interest to the Program.
- If the property is acquired, the County would need to add Staff and equipment to the Program to maintain the lands.
- A Phase I and II Environmental Site Assessment will need to be conducted for the property if it moves forward in the process.

Speaker

Brad Cornell, Audubon of Southwest Florida noted the area is a wet slough with the water eventually reaching Lake Trafford however expressed concern on the management and maintenance aspects of the property given Staff would need to be increased and the removal of exotics could be costly.

Hunter Ward, representative of the property owner noted the lands of interest as identified by Staff are wetlands and a developer is interested in the remaining uplands portion of the property.

The Committee queried on the status of the uplands areas and Staff noted the Board of County Commissioners executed a letter of intent to purchase the entire property. The item will be heard at the April 23rd BCC meeting and the potential uses for the property include affordable housing, Parks and Recreation field, Fire Department services, etc.

During Committee discussion it was noted:

- Staff has not developed an estimate on the management costs associated with the property however the criteria for a Conservation Collier ranking does not include consideration of the costs associated with maintenance, etc.
- The County could request the owner remove the exotics as part of the acquisition process.
- Upon execution of an agreement with the landowner, there will be a 6 month “due diligence” period when the property could be thoroughly investigated including conducting a Phase I and II Environmental Site Assessment.

Mr. Watkins moved to rank the property as an A-List acquisition. Second by Mr. Bromley. Carried unanimously 7 – 0.

Mr. Watkins moved to notify the Board of County Commissioner the Committee’s concerns over the acquisition include the potential results of the Environmental Phase I and II Environmental Site Assessments, the costs associated with management of the property including the additional

Staff required to be hired by the County and ongoing maintenance including treatment of exotic species. Second by Courtright. Carried unanimously 7 – 0.

4. Old Business

A. Acquisition Updates - *Current Acquisition Status report updated monthly in advance of CCLAAC meeting provided as part of meeting packet and under Acquisition News at www.conservationcollier.com for information purposes.* The report will be updated monthly (last updated March 26, 2024) including parcels the County has acquired to date, offers made by the County, pending acquisitions and those properties where the owner withdrew the application.

Ms. Araque reported for Cycles 10, 11A, 11B and 12A 73 parcels have been acquired totaling 625.73 acres (\$13,833,625.73 expended). 15 Properties pending acquisition for Cycle 11B and 12A for a total acreage of 280.90 (estimated purchases - \$8,715,230).

B. Conservation Collier Ordinance Update

Ms. Cook provided the update noting:

- The BCC reviewed the proposed Ordinance at the March 12 and March 26 meetings and adopted the revised Ordinance.
- The BCC incorporated some of the Committee’s recommendations including updating definitions; if any of the Program’s funds are utilized for other County purposes, they be returned to Conservation Collier as soon as practicable; retaining the ability to consider the acquisition of sending lands in the Rural Lands Stewardship Area and all applications will be reviewed by the Committee and a recommendation provided to the BCC.

5. New Business

A. Member Recognition

1. Michele Lenhard – 5 Years

Staff and the Committee recognized Chair Lenhard 5 years of service to the citizens of Collier County.

6. Subcommittee Reports

A. Lands Evaluation & Management – Chair, Ron Clark – Last meeting - March 20, 2024.

B. Outreach – Chair, (Vacant) –Last meeting January 20, 2023

No update necessary.

C. Ordinance Policy and Rules – Chair, Michele Lenhard - Last meeting December 18, 2023

No update necessary.

7. Coordinator Communications

Ms. Araque submitted the following updates for information purposes.

A. Miscellaneous

None

B. BCC Items Related to Conservation Collier

1. Previously Heard BCC Agenda 3/26/2024

- a. Conservation Collier Ordinance 2002-63 adopt an ordinance amending ordinance NO. 2002-63, which established the Conservation Collier Program

2. Upcoming – BCC Agenda 4/9/2024 & 4/23/2024

April 3, 2024

- a. Recommendation to approve an Agreement for Sale and Purchase the Murawski & Volpe Parcels - 5/14.
- b. Conservation Collier MOU with Florida Wildlife Corridor Foundation - 5/14
- c. Recommendation to approve an Agreement for Sale and Purchase the Rodriguez & Whittingham parcels - 5/14.
- d. Cycle 12B Active Acquisition List - 5/14.
- e. Request for authorization to apply for FWC IPMS funding assistance 4/23.

8. Chair/Committee Member Comments

The Committee thanked Chair Lenhard for representing them at the recent Board of County Commissioners where the revisions to the Ordinance governing the CCLAAC was heard.

9. Public General Comments

None

10. Staff Comments

None

11. Next Meeting – May 1, 2024

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 12:35P.M.

Conservation Collier Land Acquisition Advisory Committee

Michele Lenhard, Chair

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