

MEMORANDUM OF UNDERSTANDING

Between the

**Collier County Board of County Commissioners,
Conservation Collier Program**

and

**Florida Department of Environmental Protection's
Rookery Bay National Estuarine Research Reserve,
Office of Coastal and Aquatic Managed Areas**

PURPOSE: This is an agreement between the Collier County board of County Commissioners on behalf of the Conservation Collier Program, and the Florida Department of Environmental Protection's (DEP) Office of Coastal and Aquatic Managed Areas (CAMA), hereinafter "the parties," to specify the terms for the cooperative management of the 80-acre "Malt" property adjoining the Rookery Bay National Estuarine Research Reserve (RBNERR).

The authority to enter into this Memorandum of Agreement is provided in the Conservation Collier ordinance, 2002-63,).

Witnesseth:

WHEREAS, the Conservation Collier Program was established to acquire, preserve, restore, and maintain vital and significant threatened natural lands, forest, upland and wetland communities located in Collier County, for the benefit of present and future generations;

WHEREAS, under provisions of the Conservation Collier Ordinance, 2002-63, Section 6.3(h) and Section 14.6 the Conservation Collier Program is authorized to enter into written cooperative management arrangements with other local, regional, state or federal agencies;

WHEREAS, RBNERR has agreed to function as the manager for the Malt property under this Memorandum of Agreement;

WHEREAS, this Memorandum of Agreement will be attached as an addendum to the Management Plan for RBNERR and serve as the Final Management Plan for the Malt property for the purposes set forth in the Conservation Collier Ordinance, Section 14; conservation and protection of natural resources, and public recreation that is compatible with conservation;

WHEREAS, the Malt property and the RBNERR have adjoining boundaries;

NOW THEREFORE, the parties agree to:

1. Ensure the protection of natural and resources through resource management practices

including the enforcement of laws, the control of nuisance and invasive plants and animals, scientific research, visitor use management, environmental education and environmental restoration on the Malt property (Figure 1) as with the purposes set forth in the Conservation Collier Ordinance (Attachment 1).

2. Share information (including plans, data, grant opportunities, and reports) involving public use, law enforcement, resource protection and management, environmental threats, research, exotic plant control, and other related subjects.
3. Conduct appropriate habitat management as necessary to preserve, enhance, restore, conserve, maintain, or monitor the natural resources on the Malt property after obtaining any required permits, and as provided for in the general Rookery Bay Land Management Plan.
4. Conservation Collier to contribute an annual management fee of _____ to Rookery Bay for the following management actions:
 - Exotic vegetation control;
 - Trash removal from the trash receptacles installed by the County on a regular pick-up schedule and as necessary.
5. RBNERR will monitor and make recommendations as needed for Wildlife Habitat Enhancement.
6. RBNERR will provide assistance and cooperation to the County when applying for future grants.
7. Provide each other with plans for advance review and comment on management practices, public use and restoration that impacts the Malt property, and copies of approved plans.
8. Enter into joint research studies to promote scientific studies that contribute to the understanding and effective management of the natural resources. The parties shall extend to each other the courtesy for review and comment on research proposals and share research results information while acknowledging the deserving author(s).
7. Ensure that no use, infrastructure, or improvement shall be permitted on the Malt property that is inconsistent with the Conservation Collier Program or that is not provided by this Memorandum of Agreement.
8. The points of contact for coordinating activities under this MOU are:

Conservation Collier Program
Collier County Facilities Management Department
3301 East Tamiami Trail, Building W

Naples, FL 34112

Site Manager: Alexandra J. Sulecki
Conservation Collier Program Manager: Melissa Hennig

Department of Environmental Protection
Rookery Bay National Estuarine Research Reserve
Office of Coastal and Aquatic Managed Areas
3900 Commonwealth Boulevard
Mail Station 235
Tallahassee, FL 32399

Rookery Bay National Estuarine Research Reserve Site Manager: Gary Lytton

9. All records or documents made or received by DEP under or in conjunction with this MOU are public records pursuant to Ch. 119, Fla. Stat.

10. This MOU shall be effective upon execution by the parties and remain in effect for five (5) years. This MOU may be amended upon mutual written consent or extended by mutual written amendment.

11. This MOU may be terminated by either party upon sixty (60) days advance written notice to the other party.

DATE: _____

By: _____

**Melissa Hennig, Manager
Conservation Collier Program**

WITNESS: _____

WITNESS: _____

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND AND RECREATION
OFFICE OF COASTAL AND AQUATIC MANAGED AREAS**

DATE: _____

By: _____

**Stephanie Bailenson, Director
Office of Coastal and Aquatic Managed Areas**

WITNESS: _____

WITNESS: _____

DEP Attorney