

EXECUTIVE SUMMARY

Objective:

To update the Conservation Collier Land Acquisition Advisory Committee (CCLAAC) regarding CP-2006-9 – Petition for re-designation of 191.8 acres of the Pepper Ranch from Open Lands to Habitat Stewardship Area and request the CCLAAC consider making a recommendation to the Board of County Commissioners as to what actions, if any, to take.

Considerations:

On December 10, 2007 The CCLAAC made recommendations to the Board of County Commissioners (BCC) for the cycle 5 Conservation Collier Active Acquisition List, recommending the Pepper Ranch as an A (1+) property. This recommendation was made to the Board based on an Initial Screening Report prepared by Conservation Collier staff which contained a certain set of facts. On January 29, 2008 at a regularly noticed public meeting the BCC approved the recommended Active Acquisition with changes. The Pepper Ranch remained as a A-category property with a priority rating of “1+.” The Board made its decision also considering the Initial Screening Report. Consistent with our procedure and past practices, those facts were researched through the County database systems and by notification of other County department staff that Pepper Ranch was being considered, soliciting any conflicts, opportunities, partnership possibilities or comments.

When the proposal was considered by the CCLAAC and BCC, we thought our information was complete. It was recently discovered that there was an omission of important information.

On February 8, 2008, Conservation Collier staff received information from a CCLAAC member about an advertised public notice for a neighborhood information meeting regarding a CP-2006-9, a Petition for re-designation of 181.9 acres in the RLSA near Immokalee from its current designation as Open Lands to Habitat Stewardship Area (Petition). Additional research revealed that the Petition, pending since April 2006, pertained to a portion of the Pepper Ranch. Conservation Collier staff were unaware of this petition. Although Conservation Collier does coordinate with other departments to be aware of pending issues on a property, the staff member in charge of the petition, Noah Standridge, who no longer works for Collier County, advised he failed to notify us of this petition due to an inadvertent omission. The property owner representative, Tom Taylor, had also failed to notify staff of this petition, stating after it came to our attention that he thought Noah Standridge would have done so. At this time Noah Standridge also stated that the Petition had the potential to add significant value to the Pepper Ranch. Staff brought this limited information to your February 11th CCLAAC meeting, promising to research more fully and provide more information in March. Mr. Taylor has since stated, that if the Petition interferes with the appraisal, it can be withdrawn.

In researching, the following history was understood: After the Petition was received in 2006, Comprehensive Planning staff had initially reviewed it and requested more information. Due to other pending priority work, Comprehensive Planning staff had not addressed the Petition again until December 2007, when it became active, coincidentally at the same time the AAL was being developed by CCLAAC. Other County Department staff who were queried on Pepper Ranch and asked to provide comment/conflict/opportunity for partnership assumed Noah Standridge would have told us. He states that the omission was inadvertent and we have no reason to believe otherwise.

To follow up on the concern that the Petition information could affect the appraisal process for Conservation Collier, staff met with the County Attorney's office and Comprehensive Planning Dept. staff. The result of those meetings was to reduce staff concerns that the omission of knowledge about the Petition, or the Petition itself, has potential to alter the appraisal value. Staff hesitates to unilaterally request withdrawal of the Petition unless there is a specific concern because the applicant will lose \$16,700 fee paid for the Petition and if Conservation Collier fails to acquire the Ranch, the opportunity to protect those acres under the Rural Lands Program may be lost. The decision to withdraw the Petition or not will be left to the applicant.

At this point, staff would like to advise you of this situation and request your recommendation to the BCC regarding whether the proposal should proceed or other action should be taken, with the concern being that the Petition was not part of the material provided to either the CCLAAC or the BCC for evaluation in a decision for ranking of the Pepper Ranch. A Memo has been sent to the BCC advising them of this issue and requesting their direction, also advising them that you will be considering the matter on March 10th and may provide a recommendation. Tom Taylor, the Pepper Ranch owner and representative, has been notified that the BCC has been advised and the CCLAAC will discuss this at its March 10th public meeting.