

Conservation Collier Annual Report



Logan Woods Preserve Opening, October 2009
Staff Photo

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

May 2010

Table of Contents

Executive Summary	3
Conservation Collier Annual Report	5
1. Conservation Collier Land Acquisition Advisory Committee (CCLAAC).....	5
2. Program Lands Acquisition Status.....	7
A. Multi-Parcel Projects.....	7
B. Grouped Parcel Projects:.....	8
C. Approved But Not Acquired Parcels:.....	12
3. Program Financial Status	13
Table 2. Projected Revenue	14
4. Acquired Lands Management Status	14
Table 3. Preserve Management Status	15
5. Management Activities	16
6. Partnerships Status	18
7. Grants status.....	19
Table 4. Management Grants	19
8. Planned 2010 Activities	19
A. Cycle 8 - Current Status.....	19
B. Transfer of Development Rights (TDR) Program Conveyances	20
C. Offsite Monetary Payment or Preserve Conveyances.....	22
D. Preserve Ordinance	22
E. Proposed Objectives of the Program’s Eighth Year.....	23
Exhibits	25
Exhibit A. 2010 Map of Conservation Collier Program lands.....	25

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 7 years. During this time period 4,006 acres have been acquired in 19 different locations for a cost of approximately \$103.7 million. A total of \$47,332,251 has been bonded for use in property acquisition, via bonds in 2004 and 2009. Two approved multi-parcel projects are underway, Winchester Head and North Golden Gate Estates Unit 53.

Of the 19 acquired Conservation Collier properties, nine (9) have approved Final Management Plans and eight (8) have approved Interim Management Plans (IMP). The remaining properties not currently under management plans are multiple parcel projects with acquisitions pending. Seven (7) Conservation Collier preserves are open for public use: Cocohatchee Creek Preserve, Otter Mound Preserve, Logan Woods Preserve, Freedom Park, Pepper Ranch Preserve, Limpkin Marsh Preserve, and Alligator Flag Preserve - with signs, trails and benches. Management activities for FY2010 are anticipated to cost \$603,900. This funding is to accomplish specific management actions on 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 \$304,970. 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 in early 2009 for acquisition of cycle 6 A-List (2008) properties were less than anticipated and cash on hand was utilized to complete the acquisition of Pepper Ranch in February 2009. As a result, appraisals for cycle 6 A-List projects were delayed until late 2009. Offers were made in January 2010; however, values were considerably lower than owners anticipated and some offers were not accepted. Additionally, cycle 7, planned for 2009, was suspended and no additional properties were identified for

Conservation Collier Annual Report 2010

acquisition during 2009. During 2009, staff worked to ready current preserves for public use, and engaged the CCLAAC in evaluation of future budgetary impact for providing public access amenities, along with prioritizing placement of amenities.

In January, 2010, the regular acquisition cycle was resumed, with applications trickling in. Currently, 5 proposals totaling 1,720 acres have been accepted by the CCLAAC into cycle 8 for ranking at the end of the year, in December 2010.

Conservation Collier Annual Report

1. Conservation Collier Land Acquisition Advisory Committee (CCLAAC)

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 Final 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 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.

- **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.

- **Clarence Tears, Jr** – Appointed in February 2010, Mr. Tears has been the Director of the Big Cypress Basin /South Florida Water Management District since October 1996. He is responsible for the management of water resources for the public's health, safety, and welfare in

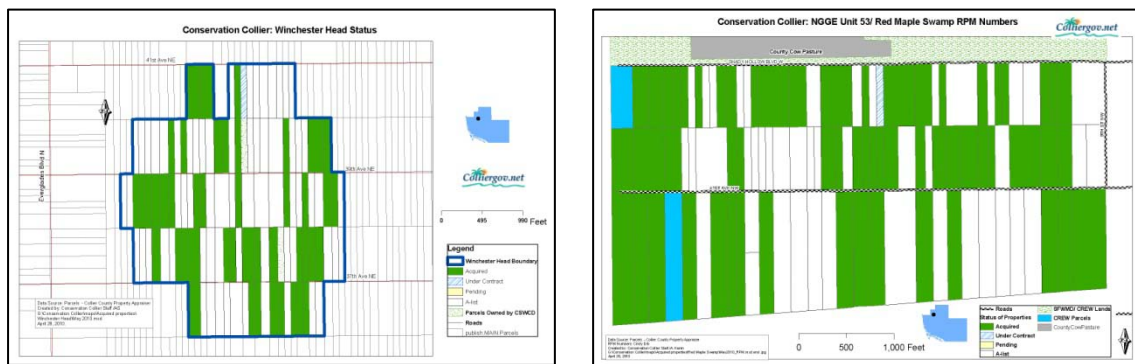
Collier and northwest Monroe Counties. His water resource management experience spans more than 24 years. Clarence has served in numerous positions of community leadership including graduate of Leadership Florida, Chairman of Leadership Collier Class of 2001, Director of St. Peter’s Youth Group, Mentor in TSIC, Chairman Lake Trafford Restoration Task Force, and appointment to the Immokalee Area Master Plan Committee and 951 Horizon Study. Clarence is also an active member of the US Air Force Reserves with more than 24 years of service. Clarence holds an AA degree in Civil Engineering, a BS in Business Administration and an MBA.

- **Lauren Barber** – Appointed in February, 2010, Ms Barber graduated with a Bachelors of Science in Biology and a minor in Computer Science from Florida Southern College. For the past 3 years she has worked as a staff biologist for Turrell, Hall and Associates, Inc., Marine and Environmental Consulting, where she performs wildlife and vegetation surveys, preserve monitoring, environmental resource permitting and coordinates with various agencies on company projects. She is a member of the Florida Association of Environmental Professionals, trained in wetland delineation and is a certified open-water diver.

2. Program Lands Acquisition Status

Conservation Collier currently owns 4,006 acres in 19 different project locations throughout Collier County (Exhibit A).

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



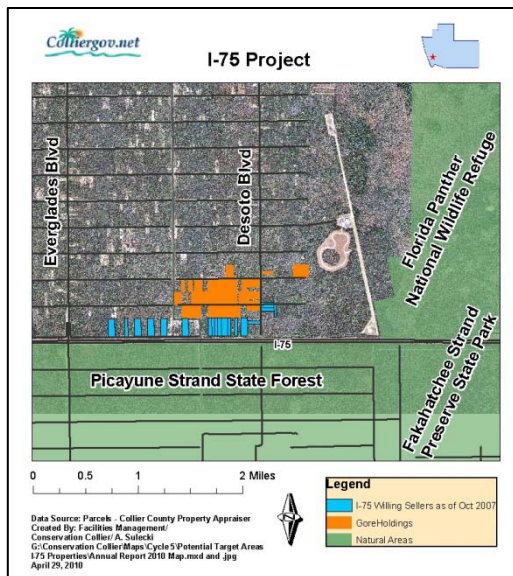
Two of the 19 project locations are approved multi-parcel projects – Winchester Head (WH) and North Golden Gate Estates (NGGE) Unit 53 (a.k.a. Red Maple Swamp). Conservation Collier has acquired approx 40% (63.05 acres out of 158.67 acres) within Winchester Head, and has acquired 56% (170.83 acres out of 305.69 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 every six months or as recommended by the Real Property Management Department and approved by the CCLAAC, and make offers to owners within the project boundaries. The most recent appraisals for both projects were performed in October-November 2009. Property values in both multi-parcel projects fell significantly from the previous September 2008 appraisal; in WH from \$16,375 per acre in 2008 to \$10,000 per acre in 2009 and in NGGE Unit 53 from

\$15,842 per acre in 2008 to \$7,500 per acre in 2009. Unfortunately, fewer owners are accepting offers. In WH, two (2) owners have accepted and in Unit 53 no (0) owners have accepted.

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:

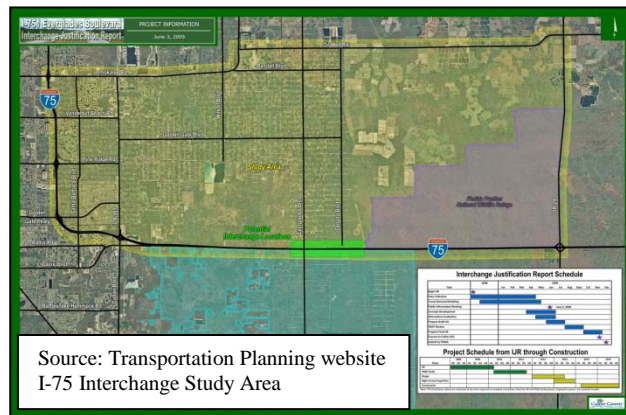
1. The I-75 parcels – Currently on the B-List



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 natural 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 8 Conservation Collier Active Acquisition

List (AAL) as B-List properties, meaning they will be automatically re-ranked in the next acquisition cycle unless the owners withdraw or have sold them.

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. Transportation planners must satisfy the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA) as to specific criteria in addition to demonstrating why this interchange is necessary. The



County submitted an Interchange Justification Report (IJR) to FDOT and the FHWA in September 2009 as a preliminary step in this project. There have been revisions to this document and, as a result, the IJR has not yet been submitted to FHWA. A decision is likely many months away. Current potential alternatives for this interchange are at the southern end of Everglades Blvd. or the southern end of Desoto Blvd. If the Everglades Blvd. alternative is selected, there may be opportunity for Conservation Collier to partner with the Transportation Dept to acquire some of the targeted I-75 parcels as mitigation for directly impacted wetlands. If the Desoto Blvd alternative is selected, some of the parcels offered to Conservation Collier will be directly impacted and the remaining grouped area split by Desoto Blvd., which will be widened to accommodate additional traffic. The next phase of the project is a Project Design and Engineering (PDE) study; however, funds are not allocated for that study at present, and it is not clear when that will occur. Interchange development in this location may take many years to accomplish. As a result, partnership potential between Transportation and Conservation Collier is unclear.

Secondly, 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 had 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. Using the percent depreciation of value observed in the WH and Unit 53 areas, new appraisals could return per acre values between 39% and 53% less, or between \$1,457,000 and \$1,891,000. That does not include appraisals and individual title work. Actual appraisals have not been performed.

The Conservation Collier Committee previously recommended placing parcels in this project on the B-List to determine if there is potential to partner with Transportation for acquisition of mitigation parcels and to determine which lots in this area will be directly impacted by road work and what the implications of the final alignment will be for conservation acquisitions in this location.

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 between Rivers and Moulder Drive, south of Immokalee Road across from the Twin Eagles PUD, in Section 30, Township 48, Range 27. These parcels are not within an established TPA, but meet the Conservation Collier criteria. They lie within the Rural Fringe Mixed Use District “Receiving” lands.

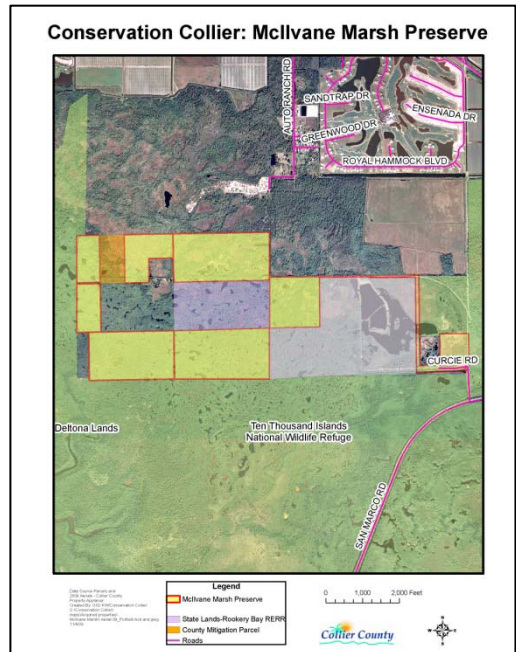
In public ownership, this preserve will likely become a popular wildlife viewing area for tourists and residents alike. Native birds such as red-shouldered hawks, red-bellied woodpeckers, and wild turkey have been observed foraging throughout the property. Wetlands on the property support the presence of wood storks, egrets, herons and other such bird species. Black bears and deer have been commonly sighted and Florida panther and Big Cypress squirrels may

also hunt and forage within this active wildlife corridor that connects via an Immokalee Road wildlife underpass with the vast Corkscrew Ecosystem Regional Watershed (CREW) and other conservation lands to the north. A private agreement exists between non-profit conservation organizations and the landowner protecting this corridor, which connects with the east side of the Preserve. To the south, the Preserve connects with the 299-acre Olde Florida Golf Club Preserve. The property contains nine distinct types of vegetation communities and protects lands that are significant for aquifer recharge.

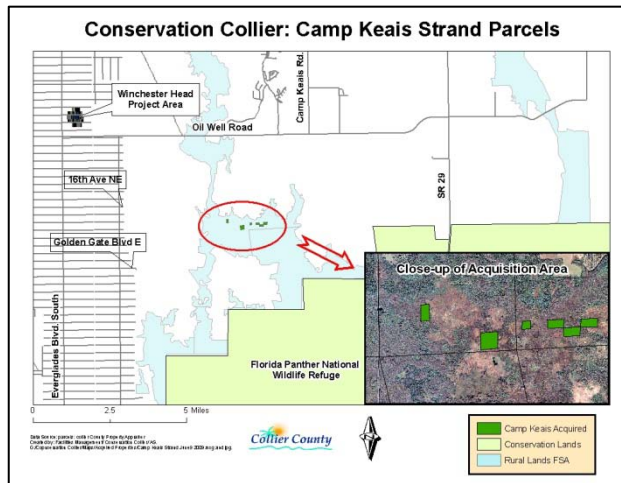
Nine parcels (72 acres) were evaluated during the 5th acquisition cycle, and in December 2008 seven (7) of those parcels (63 acres) were acquired. Two additional contiguous properties totaling 13.76 acres were approved as A-List properties in the 6th acquisition cycle. Appraisal of these two properties was delayed until December 2009 due to lack of available funding. Offers were made in January 2010 and both owners accepted the offers. One of the properties was acquired in March 2010; the other is in the contract/contract approval process. Acquisition of the final property will bring the total size of the Rivers Road Project to 77 acres.

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 acquired 369 acres from 7 owners, a result of the 4th acquisition cycle (2006), with the final parcel of the group acquired in August 2009. Collier County, under the Public Utilities Division, also owns 20 acres within McIlvane Marsh as a mitigation parcel. The total acreage within McIlvane Marsh owned by Conservation Collier/Collier County is 389 acres. The State of Florida owns 329 acres in a mosaic pattern with Conservation Collier lands. Considering state and county lands, a total of nearly 717 acres out of the 800-acre marsh are in conservation status. Conservation Collier has discussed a post-acquisition partnership with the State of Florida (Florida Forever Program) involving future sale of Conservation Collier lands in this area to the State of Florida for long term management and protection. Current state budget constraints make this a proposal to revisit after the Governor approves the 2010-11 budget, which does include some finding for Florida Forever. 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. Conservation Collier has been awarded a matching U.S. Fish and Wildlife Service Partners grant for \$21,500 for exotic removal within McIlvane Marsh and is seeking to coordinate this with an exotic removal project planned for adjoining state lands.



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. These properties were acquired in April, May, and June 2009, but cannot be accessed for management at this time.

C. Approved But Not Acquired Parcels:

Conservation Collier is currently in the process of finalizing A-list acquisitions from cycle 6 (2008). Five proposals were approved by the Board in January 2009, totaling 18.03 acres with an estimated value of \$1,267,920. Value estimates were done in 2008. By the time appraisals were done in late 2009, the actual appraised values were considerably less totaling \$407,550, a drop of 68% overall. Offers were made in January 2010. Of the five proposals on the cycle 6 A-list, one did not respond to the offer and four are either acquired or engaged within the acquisition process for a total of 15.76 acres with a combined value of \$462,500. One has been acquired (Devisse-Rivers Road Preserve) and two have approved contracts with closing being scheduled (Kirby and Murphy-Nancy Payton Preserve) and one is still in the contract process (Cosentino-Rivers Road Preserve). All four of these cycle-6 parcels adjoin and will expand current Conservation Collier Preserves.

Also approved and within the acquisition process are parcels within the two multi-parcel projects NGGE Unit 53 (Unit 53) and Winchester Head (WH). These projects were reappraised in late 2009, with estimated values dropping considerably. Unit 53 estimated per

acre value dropped from \$15,842 in 2008 to \$7,500 in 2009, representing a 53% reduction in estimated value. There are 46 lots remaining to acquire within the Unit 53 at an estimated current value of \$942,675. Winchester Head estimate per acre value also dropped, from \$18,668 in 2008 to \$10,000 in 2009, representing a 39% reduction in estimated value. There are 68 lots remaining to be acquired in the WH project at an estimated value of \$1,064,076.

Total combined estimated value for remaining multi-parcel projects, at current values, is \$2,006,751.

3. Program Financial Status

Conservation Collier has spent approximately \$103.7 million in the 7 years it has been in existence, acquiring 4,006 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 2004 and Bond Series 2008). The total of debt service payments made, including principal and interest, will be \$54,017,886.03 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 2010. Table 2 shows estimated ad valorem revenue projections from FY 2011 through FY 2013.

Budget workshops were held to discuss long term maintenance funding for Conservation Collier preserves during the July 13, 2009 and September 14, 2009, CCLAAC meetings. Staff sought a recommendation from the committee on a proposed course of action to ensure sufficient funds in the Conservation Collier "Land Management Fund" to manage all Conservation Collier preserves in perpetuity.

The CCLAAC recommended the following course of action (with a vote of 7 to 2):

1. Transfer up to an additional \$7.38 M from the Acquisition Fund 172 to Management Fund 174 during FY2011 – FY2013.
2. Conduct annual reviews of the public amenity list and estimated budget by Preserve.
3. Review, no less than annually, the public amenity list and estimated budget by Preserve as they relate to management estimates for all current and future Preserves, and, if necessary, make additional recommendations to ensure land management funding in perpetuity.
4. Research and apply for Grants to pay for all management activities, including public amenities not included in the recommendation, if feasible.

Based upon current interest rates, which have dropped since the CCLAAC's recommendation, staff recommends that the Board authorize a transfer of up to an additional \$10.3 M, instead of a transfer of up to an additional \$7.38 M, from the Acquisition Fund 172 to Management Fund 174

during FY2011 – FY2013 to ensure land management funding in perpetuity. This would leave approximately \$4,419,240 remaining for land acquisition through 2013.

Table 1. Past Revenue

Conservation Collier Land Acquisition Fund (172) Ad Valorem Revenue Collections FY 2004 - FY 2010							
	Actual FY 2004	Actual FY 2005	Actual FY 2006	Actual FY 2007	Actual FY 2008	Actual FY 2009	Forecast FY 2010
Ad Valorem Revenue (less debt service)	10,917,908	11,768,303	10,149,624	13,661,762	12,610,920	12,531,500	8,115,700
Transfer to Maintenance Fund (174)	(1,664,100)	(1,831,800)	(2,189,900)	(2,750,700)	(2,644,900)	(2,627,900)	(2,510,400)
Net Revenue for Acquisition/Administration	\$ 9,253,808	\$ 9,936,503	\$ 7,959,724	\$ 10,911,062	\$ 9,966,020	\$ 9,903,600	\$ 5,605,300

Table 2. Projected Revenue

Conservation Collier Land Acquisition Fund (172) Projected Ad Valorem Revenue FY 2011 - FY 2013			
	Forecast FY 2011	Forecast FY 2012*	Forecast FY 2013*
Ad Valorem Revenue (less debt service)	6,549,800	6,549,800	6,549,800
Other Revenue, Carryforward	6,824,000	0	0
Operating expenses, personnel and transfers	-1,173,600	-947,100	-971,600
Transfer to Maintenance Fund (174)	-2,244,300	-2,244,300	-2,244,300
Additional Transfer to Maintenance Fund (174)	-3,900,000	-3,200,000	-3,200,000
Remaining Multi-project parcels	-1,928,960		
Net Revenue for Acquisition	\$4,126,940	\$158,400	\$133,900

*Taxable Values are projected to remain flat for FY 2012 and FY 2013 per budget policy.

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, nine (9) have approved FMPs, eight (8) have approved IMPs, and two (2) have FMPs under review (see table 1.). Two (2) remaining properties do not have management plans in place. An IMP has been drafted for the Rivers Road preserve and staff is awaiting closing on remaining acquisitions to finalize the plan. No

management plan has yet been drafted for the Camp Keais parcels, as they are inaccessible; however, staff will prepare a plan. 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. Seven preserves are currently open for public use with signs, trails, benches and picnic tables. 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. was opened in October, 2009 with a trail, benches, table and trash receptacle installed. Freedom Memorial Park was opened to the public in October, 2009, a portion of which is within a 12-acre Conservation Collier Preserve. Alligator Flag Preserve and Limpkin Marsh Preserve were opened to the public in April 2010. The southern 167 acre portion of the 2,512-acre Pepper Ranch Preserve was opened to the public from 7:30 am to 1:00 pm Wednesday through Friday in February 2010. A 1/3 mile long hiking trail was developed for visitor use, ten (10) picnic tables were built and donated as an Eagle Scout project and placed at the Preserve, and historical photos are on display at the lodge. The FMP for the Pepper Ranch is currently under final review. Once approved, this document will guide what types of visitor uses will be developed for the entire Preserve. Staff conducted two public events during 2009 at the Pepper Ranch Preserve, one in April (Pepper Ranch Sneak Peek Hike) and another in November (A Day at the Ranch). These well- attended public events included guided trail hikes, van tours and historical, archeological and environmental presentations.

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	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 Shell Island Preserve		**	X	
9 Alligator Flag Preserve	X			
10 Limpkin Marsh Preserve	X			

11	Gordon River Greenway Preserve		***	X	
12	Winchester Head			X	
13	Caracara Prairie Preserve		X	X	
14	Panther Walk Preserve			X	
15	Freedom Park	X			
16	McIlvane Marsh			X	
17	Rivers Road Preserve				****
18	Camp Keais Strand				*****
19	Pepper Ranch Preserve		X	X	

* A Revision to the FMP, adding an additional 50 acres, is in process.

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

***Staff is preparing the FMP for the Conservation Collier portion of the Gordon River Greenway Preserve.

****IMP in process

***** Property is inaccessible for management purposes; a basic IMP will be prepared

5. Management Activities

Collier County Hunt Program

The Pepper Ranch Preserve is a 2,512-acre Conservation Collier property located along the northern shore of Lake Trafford, west of the town of Immokalee, in northeastern Collier County, Florida. It was acquired by Collier County in February, 2009 for the Conservation Collier Program. The primary objectives for acquisition were protection of its significant natural resource values including upland and wetland communities, native plant communities, rare and endangered flora and fauna, endemic species, and endangered species habitat.

Pepper Ranch Preserve was also acquired to provide present and future generations with appropriate natural-resource based recreational and educational opportunities. The Conservation Collier ordinance (Sec. 5.9) defines natural resource-based recreation as "all forms of uses which are consistent with the goals of the Conservation Collier Program, and are compatible with the specific parcel." Consistent uses include, but are not limited to, hiking, nature photography, bird watching, kayaking, canoeing, swimming, fishing and hunting. In addition to numerous other natural resource-based recreation uses contemplated for the Pepper Ranch Preserve, this property is considered compatible for hunting.

On January 12, 2010, the Collier County Board of County Commissioners directed Conservation Collier Program staff to develop an independent hunt program for the Pepper Ranch Preserve for Collier County residents. Public organizational meetings were held in February and March 2010 to gather input from Collier County citizens, hunters and wildlife agency staff on development of a hunt program. Using public and agency input, staff prepared a draft document titled "Pepper Ranch Preserve Quality Wildlife Management Hunt Program," for review by the Board at its

April 27th public meeting. The board remanded the item back to staff to conduct additional public meeting to determine whether only youth hunts should be conducted at Pepper Ranch preserve. Conservation Collier has partnered with the Florida Fish and Wildlife Conservation Commission to conduct youth hunts on the Pepper Ranch Preserve. The first youth hunt took place April 16, 17, and 18, 2010. Subsequent hunts may be scheduled if community interest warrants.

Geographic Information Systems (GIS) Recreational/Educational Activities

GIS-based recreational activities in outdoor areas are growing in popularity as hobbies in outdoor recreational areas. These activities include letter boxing, virtual caching a.k.a. waymarking, and geocaching. Letterboxing is a variation on the ancient custom of placing a rock on a cairn upon reaching the summit of a mountain. Someone hides a waterproof box somewhere (in a beautiful, interesting, or remote location) containing a logbook and a carved rubber stamp. The hider writes clues to give directions to the box and hunters in possession of the clues attempt to find the box. The hunter carries a pencil, his personal rubber stamp, an inkpad, and a personal logbook. When the hunter successfully deciphers the clue and finds the box, he/she stamps the logbook in the box with his/her personal stamp, and stamps his/her personal logbook with the box's stamp. The box's logbook keeps a record of all its visitors, and the hunters keep a record of all the boxes they have found, in their personal logbooks. A virtual cache, also known as a waymark, is a landmark or place targeted by someone using GIS coordinates and published as a challenge for others to find on a waymarking website like Waymarking.com. These locations are often places of natural beauty, or themed, like movie or historical event locations. A participant hunts down the location using GIS technology with the reward of succeeding in the challenge. Geocaching is a high-tech treasure hunting game played throughout the world by adventure seekers equipped with GPS devices. The basic idea is to locate hidden containers, called geocaches, outdoors and then share experiences online. Geocaching is enjoyed by people from all age groups, with a strong sense of community and support for the environment.

In September 2009, Conservation Collier staff was approached by a citizen requesting to geocache on the Logan Woods Preserve site. The topic was discussed first in subcommittee and subsequently at the main CCLAAC meeting resulting in the proposal of rules for this activity as identified on an Authorization Form that participants would fill out. The members uniformly did not want the approval to be in the form of a permit.

A Request for Legal Services was forwarded to the County Attorney's office on October 6, 2009, asking whether it is appropriate to give permission to the public to place geocached items on Conservation Collier lands for other persons to find. The response was that geocaching could be allowed or disallowed, depending on the pros and cons and with Risk Management Coordination. Risk Management recommended adding waiver/release of liability language to the form. Waiver language was added to the draft "GIS Activities Authorization Form" and subsequently reviewed and approved by the County Attorney's office and recommended by the CCLAAC at its April 2010 public meeting.

The final draft GIS Activities Authorization Form with associated rules as recommended by the CCLAAC and approved by the County Attorney and the Risk Management Department is

included with this report. Staff requests Board approval before publishing the form for public use.

Prioritization of Preserve Amenity Development

Conservation Collier staff has been working with the Lands Evaluation and Management Subcommittee of the CCLAAC to evaluate public access needs and desires and develop a recommendation for public access amenities and prioritization of placement of these amenities on Conservation Collier Preserve lands. This process is dependent upon review by the Board of the financial projections for Conservation Collier and subsequent direction on proposed transfer of funds from the Conservation Collier Acquisition Trust Fund to the Conservation Collier Management Trust Fund provided by the Board at the 2010 Conservation Collier Annual meeting.

6. 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 their partnerships are listed below:

City of Marco Island – Management partnership – Otter Mound Preserve

City of Naples – Gordon River Greenway Project

Division of Forestry – Prescribed fire within urban preserves.

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, and Shell Island Preserves.; Pepper Ranch Preserve Youth Hunts

Rookery Bay National Estuarine Research Reserve (Rookery Bay NERR) – Management partnership – working on formal agreements for Shell Island Preserve and coordinating on McIlvane Marsh management activities.

U.S. Fish and Wildlife Service – Exotics removal grants under the Partners Program for Otter Mound, Shell Island, Railhead Scrub Preserves and McIlvane Marsh.

Florida Gulf Coast University – Research – Shell Island Preserve and Pepper Ranch Preserve; Management – Caracara Prairie Preserve

Corkscrew Ecosystem Watershed Trust – Caracara Prairie Preserve - acquisition

South Florida Water Management District – Caracara Prairie Preserve – 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 Preserve management partnership.
- **Transportation Department** – Caracara Prairie and Pepper Ranch Preserves - panther mitigation credit (PHUs) for County projects. Pepper Ranch Preserve management funding assistance in return for PHUs.

7. 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. 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	\$71,340	\$0	\$71,340
Freedom Park	\$56,300	\$13,106	\$0	\$13,106
Greenway Preserve	\$2,075,000	\$242,624	\$0	\$242,624
Logan Woods	\$711,983	\$72,146	\$34,400	\$37,746
Shell Island	\$4,750,000	\$76,745	\$84,354	\$0
Alligator Flag	\$4,950,000	\$37,295	\$0	\$37,295
Nancy Payton	\$2,112,500	\$66,000	\$0	\$66,000
Panther Walk	\$93,130	\$3,871	\$0	\$3,871
Otter Mound	\$2,234,000	\$167,938	\$11,916	\$156,022
Pepper Ranch	\$32,525,100	\$223,830	\$0	\$223,830
Railhead Scrub	\$32,617,050	\$290,366	\$95,600	\$194,766
Caracara Prairie	\$5,032,000	\$250,626	\$0	\$250,626
Wet Woods	\$2,160,000	\$88,245	\$57,700	\$30,545
McIlvane Marsh	\$2,802,900	\$0	\$21,000	\$0
Total			\$304,970	

8. Planned 2010 Activities

A. Cycle 8 - Current Status

At the June 2009 Annual Report, Conservation Collier staff had proposed and the CCLAAC had recommended suspending Cycle 7 for FY 2009 and halting the processing of any new acquisition proposals for 2009. The Board agreed and the cycle was suspended, with staff focusing on preserve management and visitor access planning. Staff had received five applications (two donation/conveyance proposals and three acquisition proposals) before suspending the 2009 cycle.

In January 2010, Conservation Collier resumed its acquisition cycle process, opening cycle 8. Of the five proposals on hold from cycle 7, two (2) are now under review in cycle 8, the other proposals having been withdrawn by the owners for various reasons. Currently, Conservation Collier has five (5) properties totaling 1,720 acres under consideration in cycle 8. The estimated value for all but one 2.73-acre parcel (that is not available yet) is \$15,164,200. Applications will be accepted until August 15, 2010.

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 20th 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 evaluating such proposals. The procedure was developed and approved in Resolution form (2008-132) by the Board of County Commissioners on May 13, 2008 (Agenda Item 16E6).

A total of three applications for TDR conveyance proposals have been received; two during 2008 and another in 2009. The 2008 applications included one along Benfield Road (*Benfield Road Project*) and one within the North Belle Meade Sending Lands Overlay (*Caloosa Reserve Project*). The 2009 application was also within the North Belle Meade Sending Lands Overlay (*City Gate Project*). These types of proposals do not follow the regular acquisition cycle, but are addressed individually as they are received. Staff performed the required assessment on all projects. General economic conditions caused the *Caloosa Reserve Project* proposal to be withdrawn by the owners. The *Benfield Road Project proposal* moved forward to the CCLAAC and received a recommendation for acceptance with requirements but was not advanced to the Board for acceptance. Financial considerations regarding certain requirements of the TDR transfer process, specifically, Conservation Collier's requirement that a Phase I Environmental Site Assessment be performed caused the *Benfield Road Project proposal* to be withdrawn by the owners. Staff performed the required assessment on the *City Gate Project* and CCLAAC made a recommendation to the Board, including certain terms regarding maintenance funding. The owner's representative withdrew the proposal at that point, citing disagreement with the CCLAAC recommendations. 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 Overlay, 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. The owners have advised when general economic conditions improve, they may again consider conveyance of these parcels to Conservation Collier.

Two factors affecting acceptance of these parcels were discovered during the review process. The first was the presence of a cattle lease over 12 full sections and 3 half sections within North Belle Meade, encompassing the offered parcels. This lease could functionally interfere with access to the parcels for public use due to the need to keep the area gated for cattle. Second, these parcels are within the Transportation Department's study area for the Wilson Blvd. Extension (North Belle Meade Area) Corridor. A preferred conceptual alignment for this corridor does not directly adjoin these properties, but could allow for better access to them. At this time, all major improvements for this corridor are conceptual and are expected to be revisited in a 2015 (or beyond) design phase.

Benfield Road Project

The *Benfield Road Project* proposal consists 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 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/Benfield Rd. Corridor. These properties are adjacent to potential alignment S3A6. After review of all critical factors, the transportation study team reached a consensus that alternative 3A/3B, which includes potential alignment S3A6, should remain as a critical facility on the Long Range Transportation Plan (LRTP) Financially Feasible Plan and should be treated as a "Managed Corridor" when development or redevelopment takes place. For the purposes of the final recommendation a Managed Corridor is defined as a 300' alignment that will be monitored by transportation for opportunities to coordinate and negotiate the preservation of the corridor.

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, owners decided to wait for the determination of the Wilson Blvd. Extension/Benfield Rd. Corridor Study and evaluate whether a sale to Transportation Right-of-Way would better

serve their interests. At that time the owners withdrew the project from the Conservation Collier Program.

City Gate Proposal

The *City Gate* 16-acre conveyance proposal application was submitted to Conservation Collier in February, 2009. This parcel was used as mitigation for a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Plan (HCP) and Incidental Take Permit (ITP) for the City Gate project (DRI R-87-13). The owner had nearly completed 5-year monitoring and reporting requirements and proposed to donate it for base and early entry credits under the Transfer of Development Rights (TDR) Program in the RFMUD TDR Program. Staff performed the required assessments but there were questions regarding what would be required of Conservation Collier under the USFWS mitigation monitoring requirements for the HCP/ITP. The project was delayed several months to wait for the permit to be issued and a copy to be provided to Conservation Collier for review. That was accomplished in early fall, 2009, and the Criteria Screening Report was presented to the CCLAAC in October 2009. At that time, the CCLAAC voted to advance the project to the Board of County Commissioners subject to certain recommendations, including increasing the offered maintenance endowment, having the developer enter into a maintenance agreement with Collier County to fund management, or development of a Community Development District to perform maintenance into perpetuity. The owner's representative withdrew the proposal at that time, stating that City Gate had no interest advancing the proposal to the Board with the CCLAAC recommendations and would make other arrangements to donate the property.

C. Offsite Monetary Payment or Preserve Conveyances

Changes were made to the Conservation and Coastal Management Element (CCME) of the GMP as a result part of the outcome 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 mid 2010. In anticipation of monetary payments or land conveyance proposals to Conservation Collier, the OPR subcommittee of the CCLAAC has drafted a proposed resolution identifying a process for accepting funds or lands under a finalized and Board-approved LDC revision and will advance this to the Board when appropriate.

D. Preserve Ordinance

Now that Conservation Collier owns significant areas of lands, questions regarding what activities are appropriate for preserve lands and what general rules, such as prohibitions on alcohol, presence of pets, and hours of operation should apply have arisen. On May 10, 2010, at a regularly scheduled CCLAAC meeting, this topic was on the agenda for discussion. At that meeting, the CCLAAC made a recommendation regarding development of a Conservation Collier Preserve Ordinance, which staff will seek Board direction on concurrent with the Annual Report.

E. Proposed Objectives of the Program's Eighth Year

1. Reconcile needs for perpetual management funding with remaining levy projections through 2013.
2. Prioritize public access amenity projects at Conservation Collier Preserves.
3. Finalize a Collier County Hunt Program for the Pepper Ranch Preserve.
4. Obtain Board direction regarding development of a Conservation Collier Preserve Ordinance and, if so directed, prepare a draft for review and approval by the Board.
5. Finalize an authorization process for Geographic Information Systems (GIS) activities, including, but not limited to, geocaching, letterboxing and virtual caching (a.k.a. waymarking) on Conservation Collier Preserves.
6. Secure grant funding wherever possible.
7. Continue to conduct public meetings for ongoing development of Final Management Plans.
8. Continue to develop public access for acquired properties.
9. Work with other County Departments to coordinate conservation land purchases with other public needs.
10. 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. 2010 Map of Conservation Collier Program lands

