

**DEPARTMENT OF THE ARMY PERMIT APPLICATION
APRIL 2020**

**COLLIER COUNTY
COMPREHENSIVE WATERSHED IMPROVEMENT PLAN
COLLIER COUNTY, FLORIDA**

**SUPPLEMENTAL INFORMATION
ATTACHMENT 4
PRIVATE LANDOWNER COORDINATION**

Supplemental Information Attachment 4 - Collier County Watershed Improvement Plan Private Landowner Coordination

TDR Incentives

A total of 95 private parcels have been identified in the Belle Meade Forest that are located inside the project effects area. The county is working to acquire the property rights necessary to rehydrate these areas, in the form of flowage easements or equivalent legal instruments. As an inducement for private property owners within the primary and secondary flowway to execute a flowage easement, a Transfer of Development Right (TDR) bonus credit has been conceptually approved by the Board of County Commissioners, in addition to any TDR credits already available on these “sending lands”. A TDR credit is a credit that represents the ability to add one unit of density in an area identified by the County as appropriate for higher density. Such an area is called a Receiving Area. Owners of property in Receiving Areas will, over a period of time, make plans to develop their properties at higher densities. In order to do so, they will need TDR credits. TDR credits can be bought and sold, and so their value fluctuates with the market. The County is in the process of drafting a formal amendment to their Growth Management Plan to accommodate the proposed TDR incentives.

- One additional TDR credit per five acres encumbered
- TDR Credit represents the ability to add one unit of density in “receiving lands”
- Flowway properties are in “sending lands”. TDR credits were worth approximately \$13,000 as of May 2019.
- Does not require property to be transferred to State or other government

Within the project effects area at least three properties will remain in private ownership. These properties will be protected by means of a berm, ditch and pump system designed to maintain current levels of flood protection on these properties (**Permit Drawings: Figure 10 Sanders Blvd Protection Feature**).

A public meeting was held to introduce affected property owners to the project and to discuss the TDR incentives. Following the public meeting, the County has met individually with several of the property owners to discuss moving forward with acquiring the necessary flowage easements.

Public Meeting

Collier County has noticed (via U.S. Mail) all property owners within 1000 feet of project boundary, including southern flowways. Notices were postmarked on May 8, 2019. A list of property owners notified is included in this attachment as **Appendix 1**. The notices contained a description of the project, potential impacts, and an invitation to a public meeting, which was held at the Collier County South Regional Library on May 21, 2019.

The purpose of the meeting was to:

- Share information on the project with surrounding property owners.

- Discuss incentive program for selected property owners that will allow rehydration flows on their property.
- Answer questions and address comments.
- Open lines of communication with the public.
- Identify property owners that would like to continue further communications.

Content of the public notices is provided below and on the following pages:

Collier County Comprehensive Watershed Improvement Project

All private property owners within 1,000 feet of the proposed Collier County Comprehensive Watershed Improvement Project located within the Picayune Strand State Forest (PSSF)/South Belle Meade Flow-way are invited to attend a public information meeting on Tuesday, May 21, 2019 from 6:00 p.m. to 8:00 p.m. at the South Regional Public Library, 8065 Lely Cultural Parkway, large conference room A&B, Naples, FL 34113. The meeting will be broadcast live on Collier Television and via colliergov.net.

The purpose of this meeting

- Share information on this critical restoration/rehydration project with surrounding property owners that addresses needs, benefits, timing, opportunities and rehydration requirements.
- Discuss primary and secondary flowway along with an incentive program for selected property owners that will allow rehydration flows on their property.
- Answer questions and address comments.
- Open lines of communication with the public.
- And identify property owners that would like to continue further communications.

Project History and Background

Collier County's Comprehensive Watershed Improvement Plan (CWIP) utilized ten (10) major studies and reports developed by various local, state and regulatory agencies over the past 20 years to reduce freshwater flows into Naples Bay, restore fresh water flows into Rookery Bay, improve water quality and re-hydrate approximately 10,000 acres of the PSSF/South Belle Meade area by linking hydrologic and ecological restoration projects that will function on a regional basis. This project will allow the county to manage its natural resources in a more holistic, comprehensive manner. Additionally, this project will complement the bordering Federal Comprehensive Everglades Restoration Plan (CERP)-Picayune Strand Restoration Project currently being executed by the U.S. Army Corps of Engineers and South Florida Water Management District.

Through previous studies and the most recent CWIP, the overwhelming consensus is that Naples Bay has been adversely impacted by an abundance of freshwater from the Golden Gate Canal and that Rookery Bay is adversely impacted by too little freshwater inflow. This project will begin to rebalance the two systems while rehydrating a significant portion (approximately 10,000 acres) of the PSSF by reestablishing historical flow through the area.

Salinity levels in Naples Bay will be improved while also reducing nitrogen and phosphorous levels in the bay. Diverted flows to the PSSF will rehydrate wetland areas, restore habitat and reduce the possibility of wildfires. Rookery Bay will benefit from habitat restoration and water quality improvements to the estuary. As a secondary benefit, by restoring the wet season flows to a more historical regime, the project is also recharging the aquifer which, in turn, helps to protect the water supply for the City of Naples and Collier County.

Staff's objectives in developing this plan was to identify and address major issues that could stop this project; create a project that regulators can permit; develop a plan that can be accomplished in 10 years; and lastly develop a project that can be funded entirely with RESTORE (Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012) funds awarded to Collier County as a result of the BP oil spill. These activities were completed, and the Board of County Commissioners directed staff to begin with the design, modeling, permitting and further scope development. The expected project cost is approximately \$32.0 million. This activity is expected to take two years to complete. The projects affected are to various flow-ways, canals, roadways and the development of water quality master plans to areas located in the northern and eastern areas of Collier County.

Throughout this period, Collier County has worked diligently to gain the support and partnership with the following groups/organizations:

- Audubon of the Western Everglades/ Audubon Florida
- Big Cypress Basin/SFWMD
- City of Naples
- Conservancy of Southwest Florida
- Florida Fish and Wildlife Conservation Commission (FWC)
- Fish and Wildlife Service
- Florida Wildlife Federation
- Collier County Watershed Technical Advisory Committee

Flowway Easement and Incentives

Critical to the success of this project will be the rehydration and flow of water within the PSSF which was purchased by the State of Florida for rehydration in the 1970's. The majority of the 10,000 to 15,000 acres that makeup the forest is publicly owned. However, approximately 100 privately owned parcels are located within the primary and secondary flow-way and of these parcels not more that 50 would be considered critical where a flow-way easement or agreement would need to be executed. These parcels are located in a Future Land Use subdistrict designated as Rural Fringe Mixed Use District (RFMUD)/Sending.

Privately owned parcels that may be affected by this project are identified on the attached map exhibit. Expected changes to the average depth and duration of standing or flowing water on these properties are described below:

- On parcels within the core rehydration area, average water levels are expected to increase by an amount ranging from approximately two-to-eight inches. Standing or flowing water in the core rehydration area may occur, on average, up to an additional six months per year or more.
- Parcels within the forested flow-way but outside the core rehydration area will experience smaller increases in depths of water (two inches or less). Durations of standing water are expected to increase by one-to-two months per year.

- Parcels outside the primary forested flow-way but in the potential impact area (a.k.a., secondary flow-way) will experience smaller increases in flood duration, on the order of one- week-to-one-month per year, with minor increases in depths of water (one inch or less).

Properties in/or along Verona Walk, Winding Cypress, Naples Reserve, Reflection Lakes, Greenway Road, and all residential areas south of U.S. 41 will be unaffected by this project. All additional water flows will be conveyed around or through these areas within existing canals and/or public easements, with no or negligible increases in water levels.

As an inducement to the private property owners within the primary and secondary flow-way, a Transfer of Development Right (TDR) incentive program has been conceptually approved by the Board of County Commissioners to entice private property owners to execute a flowway easement/agreement to voluntarily flow re-hydration water across their property. The following stipulations would apply to the additional TDR credit for the flow-way:

- The owner will be eligible to apply for the TDR credit for a period of two years only. The TDR credit will be in addition to credits within the existing program and awarded at one TDR credit per five acres of property encumbered.
- The additional TDR credit for the flowway easement/agreement does not require that property ownership be transferred to the State of Florida or any other governmental institution.

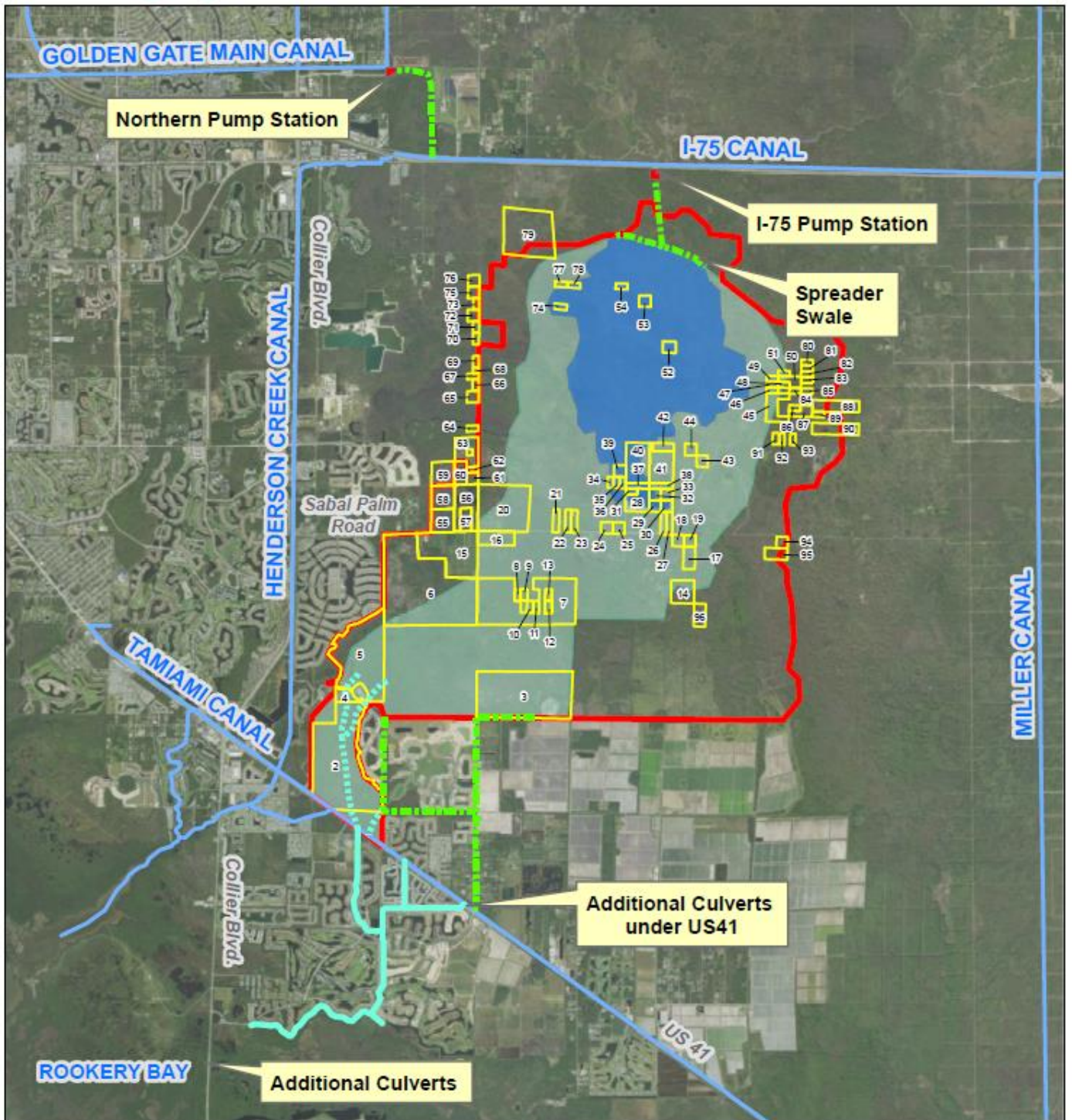
What is a TDR Credit?

A Transfer of Development Right (TDR) credit is a credit that represents the ability to add one unit of density in an area identified by the County as appropriate for higher density. Such an area is called a Receiving Area. Owners of property in Receiving Areas will, over a period of time, make plans to develop their properties at higher densities. In order to do so, they will need TDR credits. TDR credits can be bought and sold, and so their value fluctuates with the market. A study done in 2016 estimated that the fair market value of a TDR credit at that time was approximately \$13,000. However, the value is not constant, and there may be times when credits are in demand, and other times when they are not. Also, changes to the RFMUD TDR system have been proposed that would result in more credits in circulation. Based on many initiatives proposed in 2017, the value of credits was projected to decline somewhat, according to an economist hired by the County. TDR credits are a commodity that can be bought, held or sold. Their value can go up or down over time.

Next Steps

1. If you are a property within the primary or secondary flowway or would like to hear more about this project, you are encouraged to attend this public meeting.
2. If you are a property within the primary or secondary flowway and would like a more specific discussion concerning this project and the impacts anticipated to your property or questions about the TDR process, a signup sheet will be located in the rear of the building to schedule individual meetings.
3. If you have questions or comments and would like to speak to an individual team member, appointments can be made by calling Mindy Collier at 239- 252-6139.

Collier County Comprehensive Watershed Improvement Plan Elements



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| Potential Conveyance Ways | Private Parcels |
| Existing | Secondary Flow Way |
| New | Core Rehydration Area |
| Sheet Flow | Forested Flow Way Extent |

