

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040382

1. REQUESTED MOTION:

ACTION REQUESTED: Approve an agreement between the South Florida Water Management District (SFWMD) and Lee County for a lease of approximately 188 acres located within or adjacent to Caloosahatchee Regional Park.

WHY ACTION IS NECESSARY: To meet the requirement of SFWMD for Lee County to use the lands near Caloosahatchee Regional Park

WHAT ACTION ACCOMPLISHES: Approves a 5 year lease of SFWMD properties within or adjacent to Caloosahatchee Regional Park.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #3

C11A

3. MEETING DATE:

04-20-2004

4. AGENDA:

☒ **CONSENT**
ADMINISTRATIVE
APPEALS

☐ **PUBLIC**
WALK ON
TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

☒ **STATUTE** 373
ORDINANCE
ADMIN.
CODE
☒ **OTHER**
Lease Agreement

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER
B. DEPARTMENT Parks & Recreation
C. DIVISION

BY: John Yarbrough, Director

[Signature]

7. BACKGROUND:

Lee County staff contacted SFWMD in July 2000 regarding the possibility of obtaining a lease or deed to approximately 188 acres located within the boundaries of Caloosahatchee Regional Park, or adjacent or proximate to the park. The properties in the request (please see the attached map) included 3 oxbow islands in the Caloosahatchee River and several parcels near the park. These properties have high potential for resource based recreation and environmental restoration. Grants from the U.S Fish and Wildlife Service and the Tourist Development Council totaling \$ 95,000 have already been approved for restoration of the oxbow islands.

It may be possible to work toward transferring these properties to Lee County ownership.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

CCM

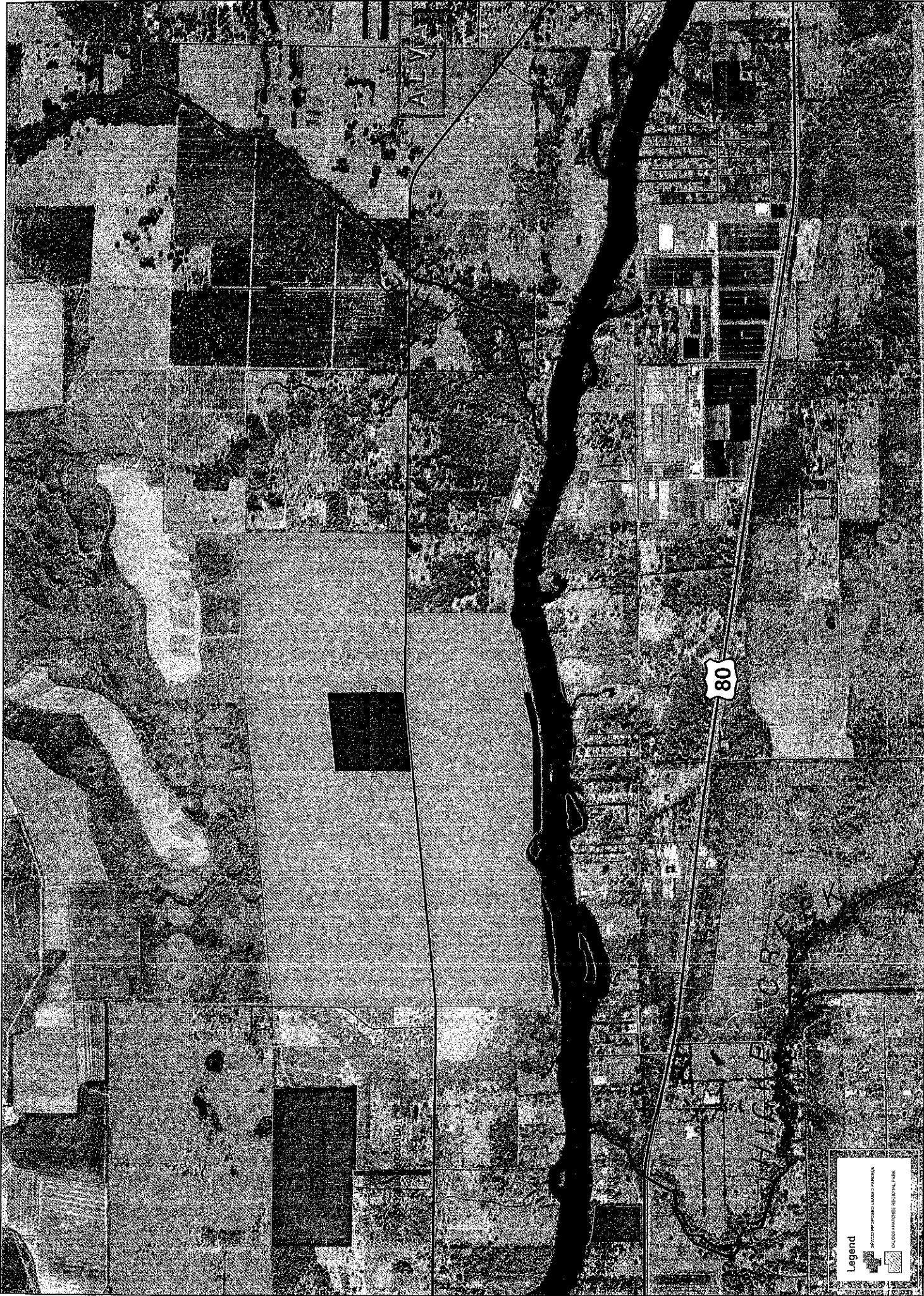
A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services	G County Manager
<i>[Signature]</i> 4/1/04	<i>N/A</i>	<i>N/A</i>		<i>[Signature]</i> 4/1/04	<i>[Signature]</i> 4/1/04 QA OM Risk GC 4/1/04 4/1/04 4/1/04 4/1/04	<i>[Signature]</i>

10. COMMISSION ACTION:

☐ **APPROVED**
☐ **DENIED**
☐ **DEFERRED**
☐ **OTHER**

Rec. by CoAtty
Date <i>4/1/04</i>
Time <i>8:50 am</i>
Forwarded To: <i>[Signature]</i>
<i>4/1/04</i>

RECEIVED BY COUNTY ADMIN:
COUNTY ADMIN FORWARDED TO:
<i>4/1/04</i>
<i>4:30 pm</i>



PROPOSED LEASED PARCELS
CALOOSAHATCHEE REGIONAL PARK

Legend

- PROPOSED LEASED PARCELS
- CALOOSAHATCHEE REGIONAL PARK

0 500 1,000 2,000 3,000 Feet

1 inch equals 2,000 feet

Printed: 2/18/2004
Prepared by:
Caloosahatchee.com

HYPOCOTICAL CO. HAS THE PARCELS FOR LEASE. THE

AGREEMENT
BETWEEN
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AND
LEE COUNTY, FLORIDA
(Lands Near the Caloosahatchee Regional Park)

This LEASE AGREEMENT ("LEASE") is entered into on _____, 2004, between the "the Parties", the **South Florida Water Management District**, a public corporation of the State of Florida (the "DISTRICT"), and the **Lee County Board of County Commissioners**, a political subdivision and charter county of the State of Florida (the "COUNTY"), for the use and benefit of the Lee County Parks and Recreation Department.

WITNESSETH

WHEREAS, the DISTRICT is a public corporation of the State of Florida, created by the Florida Legislature and given those powers and responsibilities enumerated in Chapter 373, Florida Statutes to include entering into contracts with public agencies, private corporations or other persons; and

WHEREAS, the DISTRICT holds title to those certain lands and property legally described in Exhibit "A" attached hereto and incorporated herein by reference (the "Leased Premises"); and

WHEREAS, the Leased Premises are utilized by the State of Florida for water resource management purposes; and

WHEREAS, the COUNTY, pursuant to that certain Lease Agreement, dated June, 1989, with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, leases the land known as the Caloosahatchee Regional Park for the purpose of protecting the natural, aesthetic, cultural and educational attributes of the land; and

WHEREAS, the DISTRICT desires that certain public lands within the areas to be leased for use and possession by the COUNTY; and

WHEREAS, the COUNTY's rapidly expanding population, resulting recreation demands, escalating land prices and relatively few sites with recreation potential, led the County to lease the Caloosahatchee Regional Park. In furtherance of its desire to preserve representative examples of Florida's natural and cultural heritage, and to provide outdoor recreational opportunities for Lee County's

citizens and visitors, the COUNTY seeks to lease the Leased Premises since such lands are adjacent to Caloosahatchee Regional Park property; and

WHEREAS, the Governing Board of the DISTRICT, at its March 11, 2004 meeting, has authorized the leasing of these lands to the COUNTY;

WHEREAS, the COUNTY approved this LEASE at its _____, 2004 meeting.

NOW THEREFORE, for and in consideration of the foregoing and the respective mutual covenants and agreements hereinafter contained, the DISTRICT leases the below described premises to the COUNTY subject to the following terms and conditions:

ARTICLE 1-PREMISES TO BE LEASED

- 1.1 DESCRIPTION OF PREMISES: The Leased Premises consists of five DISTRICT owned parcels that total approximately 188.40 acres, identified by the DISTRICT as Tract Numbers 43-100-044, 43-100-045, 43-100-046, 43-100-047 and 43-100-048. The Leased Premises is situated in the County of Lee, State of Florida.
- 1.2 PURPOSE: The COUNTY shall manage the Leased Premises as part of the Lee County Park System for the purpose of preserving the natural and cultural heritage of the Caloosahatchee Regional Park site. Such management shall be consistent with the Resource Management Plan, as approved by the Department of Environmental protection on January 25, 2001, and subsequently approved by the Lee County Board of County Commissioners on May 15, 2001 (the "Resource Management Plan"), which plan includes the following activities: control of exotic grasses and plants, hog control, hydrologic restoration, prescribed burning, wildlife (Sherman's fox squirrel, wood stork, gopher tortoise, etc.), monitoring and shoreline stabilization. A copy of the Resource Management Plan is attached hereto as Exhibit "B".
- 1.3 QUIET ENJOYMENT AND RIGHT OF USE: The COUNTY shall have the right of ingress and egress to, from, and upon the Leased Premises for all purposes necessary to the full quiet enjoyment by said COUNTY of the rights conveyed herein. The parties hereto acknowledge and agree that the DISTRICT has previously used the Leased Premises as spoil deposit sites. Pursuant to the terms of this LEASE, the DISTRICT agrees not to enter the Leased Premises during the term of the LEASE for the purpose of depositing, storing or removing excess spoil material thereon. In consideration for the DISTRICT's willingness to not use the Leased Premises for such purposes during the term of the LEASE, in the event the DISTRICT notifies the COUNTY that it needs spoil deposit sites, the COUNTY shall use its best efforts to provide alternative spoil deposit sites for use by the DISTRICT, within ninety (90) days of the DISTRICT's notice to the COUNTY concerning the DISTRICT's need for alternative spoil deposit sites.

The COUNTY has had the opportunity to inspect the Leased Premises, is familiar and satisfied with its present condition and accepts it in its "AS IS" condition. The DISTRICT makes no warranty or representation as to the condition of the Leased Premises or its suitability for the COUNTY's intended use thereof. DISTRICT is not liable for any interruption or failure in use or occupancy or quiet or peaceful enjoyment of the Leased Premises due to the physical condition of the Leased Premises.

1.4 AUTHORIZED USES: Authorized uses for the purposes of the LEASE shall be defined as those management activities that the COUNTY is authorized to perform under the terms and conditions of this LEASE and the Resource Management Plan, as that term is defined in subparagraph 1.2 hereinabove. The authorized uses shall be consistent with statutory requirements that require the Leased Premises to be managed, and maintained in an environmentally acceptable manner, including permitting of compatible recreational use. The authorized uses shall at a minimum always include essential site management measures including, but not limited to security, resource protection, public access, recreational use, habitat management and enhancement of land use control. The COUNTY shall, through its agents and employees, use its best efforts to prevent the unauthorized use of the Leased Premises or any use thereof not in conformance with this LEASE.

1.5 MANAGEMENT PLAN: The County shall manage the Leased Premises in accordance with the purposes identified in the Resource Management Plan. The Leased Premises shall not be developed or physically altered in any way other than what is necessary for security and maintenance of the Leased Premises without the prior written approval of the DISTRICT.

The Resource Management Plan shall provide the basic guidance for all management activities on the Leased Premises and shall be reviewed jointly by the DISTRICT and the COUNTY every five (5) years. The Resource Management Plan provides for the control of exotic plants (South side) and exotic grasses (North side). Unless specifically authorized by the Resource Management Plan, the introduction of additional exotic plants onto the Leased Premises is prohibited.

The DISTRICT's area of responsibility will be to review, monitor and approve activities affecting water management, water conservation and protection of water resources.

1.6 RIGHT OF INSPECTION: The DISTRICT and the U.S. Corps of Army Engineers, or their duly authorized agents and contractors, upon reasonable notice, shall have the right at any and all times to inspect the leased premises and the works and operations thereon of the COUNTY.

1.7 ARCHAEOLOGICAL AND HISTORIC SITES: Execution of this LEASE in no way affects any of the parties' obligations pursuant to Chapter 267, Florida Statutes. The collection of artifacts or the disturbance of archaeological and historic sites on state owned lands is prohibited unless prior authorization has been obtained from the Division of Historical Resources of the Florida Department of State. If any archaeological or historic sites are found on the Leased Premises, the COUNTY agrees to take adequate measures to protect and preserve the sites and to comply with any and all Florida laws regarding the collection and/or disturbance of any artifacts.

1.8 EASEMENTS: COUNTY is expressly prohibited from granting any easements including, but not limited to, utility easements without the prior written approval of the DISTRICT. Any easements or other conveyances not approved in writing by the DISTRICT shall be void and without legal effect.

1.9 SUBLEASES: Subleases of any nature are prohibited without the prior written approval of DISTRICT. Any sublease not approved in writing by DISTRICT shall be void and without legal effect. However, COUNTY may utilize its own contractors to perform work consistent with the Management Plan approved by the DISTRICT.

- 1.10 MINERAL RIGHTS: The DISTRICT agrees not to exercise or permit the exercise of a right of entry over, upon, or across the leased premises or use or permit the use of the surface estate or interest in the Leased Premises for testing, exploration or development of any natural resources including oil, gas, or minerals, during the term of this LEASE.
- 1.11 UTILITY FEES: The COUNTY shall be responsible for the payment of all charges for the furnishing of gas, electricity, water, and other public utilities in connection with the COUNTY'S use of the Leased Premises and for having all utilities turned off when the Leased Premises are surrendered.
- 1.12 PLACEMENT AND REMOVAL OF IMPROVEMENTS: All buildings, structures improvements, and signs erected in connection with the COUNTY'S use of the Leased Premises, shall be constructed at the expense of the COUNTY in accordance with plans of prepared by professional designers and shall require the prior written approval of the DISTRICT as to purpose, location, and design. Further, with the exception of those activities identified in the Management Plan, no trees, other than non-native species, shall be removed or major land alterations done without the prior written approval of the DISTRICT. All buildings, structures, improvements, and signs placed on the Leased Premises by the COUNTY will remain the property of the COUNTY and shall be removed by the COUNTY within thirty (30) days of the expiration or earlier termination of this LEASE, subject to Paragraph 6.2 below. Any buildings, structures, improvements or signs placed on the Premises by the COUNTY during the term of this LEASE that are not removed by the COUNTY pursuant to this subparagraph 1.12 shall automatically become the property of the DISTRICT, whereupon the COUNTY shall have no further rights or interest therein.
- 1.13 MAINTENANCE OF IMPROVEMENTS: The COUNTY shall maintain the real property contained within the Leased Premises and any improvements located thereon, in a state of good condition, working order and repair including, but not limited to, maintaining the planned improvements as set forth in the approved Management Plan, meeting applicable, building and safety codes in the location situated, keeping the Leased Premises free of trash or litter and maintaining any and all existing roads, canals, ditches, culverts, risers and the like in as good condition as the same may be on the effective date of this LEASE.
- 1.14 PROHIBITIONS AGAINST LIENS OR OTHER ENCUMBRANCES: The COUNTY shall not do or permit anything to be done which purports to create a lien or encumbrance of any nature against the real property contained in the Leased Premises including, but not limited to, mortgages or construction liens against the Leased Premises or against any interest of the DISTRICT therein.
- 1.15 DAMAGE TO THE PREMISES: The COUNTY shall not do, or suffer to be done, in, on or upon the Leased Premises or as affecting said Leased Premises or adjacent properties, any act which may result in damage or depreciation of value to the Leased Premises or adjacent properties, or any part thereof. The COUNTY shall not generate, store, produce, place, treat, release or discharge any contaminants, pollutants or pollution, including, but not limited to, hazardous or toxic substances, chemicals or other agents on, into, or from the Leased Premises or any adjacent lands or waters in any manner not permitted by law. For the purposes of this LEASE, "hazardous substances" shall mean and include those elements or compounds defined in 42 USC Section 9601 or which are contained in the list of hazardous substances adopted by the United States Environmental Protection Agency (EPA) and the list of toxic pollutants designated by the United

States Congress or the EPA or defined by any other federal, state, or local statute, law, ordinance, code, rule, regulation, order or decree regulating, relating to, or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance, material, pollutant or contaminant. "Pollutants" and "pollution" shall mean those products or substances defined in Chapters 376 and 403, Florida Statutes, and the rules promulgated thereunder, all as amended or updated from time to time. In the event of the COUNTY'S failure to comply with this paragraph, the COUNTY shall, at its sole cost and expense, promptly commence and diligently pursue any legally required closure, investigation, assessment, cleanup, decontamination, remediation, restoration and monitoring of (1) the leased premises, and (2) all off-site ground and surface waters and lands affected by the COUNTY'S failure to comply, as may be necessary to bring the Leased Premises and affected off-site waters and lands into full compliance with all applicable federal, state or local statutes, laws, ordinances, codes, rules, regulations, orders and decrees, and to restore the damaged property to the condition existing immediately prior to the occurrence which caused the damage. The COUNTY'S obligations set forth in this paragraph shall survive the termination or expiration of this LEASE. Nothing herein shall relieve the COUNTY of any responsibility or liability prescribed by law for fines, penalties and damages levied by governmental agencies, and the cost of cleaning up any contamination caused directly or indirectly by the COUNTY'S activities or facilities. Upon discovery of a release of a hazardous substance or pollutant, or any other violation of local, state or federal law, ordinance, code, rule, regulation, order or decree relating to the generation, storage, production, placement, treatment, release or discharge of any contaminant, the COUNTY shall report such violation to all applicable governmental agencies having jurisdiction, and to the DISTRICT, all within the applicable reporting periods of the applicable agencies which COUNTY is legally permitted to pay.

Notwithstanding anything contained herein to the contrary, the COUNTY, its employees, agents and contractors shall be permitted to control exotics through the application of herbicides, provided such application shall comply strictly with the Resource Management Plan and shall be limited to those chemicals specified on Schedule "1" attached hereto and made a part hereof. Any on-site chemical or pesticide use by the COUNTY, its employees, agents and/or contractors shall not create contamination above regulatory limits

1.17 PAYMENT OF TAXES AND ASSESSMENTS: The COUNTY shall assume full responsibility for and shall pay all liabilities that accrue to the Leased Premises or to the improvements thereon as a result of COUNTY'S use of the Leased Premises pursuant to this lease, including any and all drainage assessments and special assessments or taxes of every kind and all mechanic's or materialman's liens which may be hereafter lawfully assessed and levied against the Leased Premises.

ARTICLE 2 - TERM

- 2.1 The term of this LEASE shall commence upon execution by both parties and shall continue for a period of five (5) years unless terminated pursuant to Article 6 of this LEASE.
- 2.2 The parties agree that time is of the essence in the performance of each and every obligation under this LEASE.

ARTICLE 3 - CONSIDERATION

- 3.1 The parties agree that, for and in consideration of the foregoing and the respective mutual covenants and agreements hereinafter contained, their respective obligations will be carried out at no cost to the other party.
- 3.2 Nothing contained in this LEASE shall be construed as obligating the COUNTY to either expend funds or involving any party in a contract or other obligation for the future payment of money in excess of the authorized funding. The COUNTY shall use its best efforts to obtain adequate funding in subsequent fiscal years to fund the COUNTY's performance of its duties and obligations under this LEASE.

ARTICLE 4 - PROJECT MANANAGEMENT/NOTICE

- 4.1 The Project Manager for the DISTRICT is Jacque Rippe, at Lower West Coast Service Center, 2301 McGregor Boulevard, Fort Myers, Florida 33901; telephone (239) 338-2929.

The Project Manager for the COUNTY is:

Director of Lee County Parks & Recreation
3410 Palm Beach Boulevard
Fort Myers, FL 33916
Telephone: 239-461-7400

The parties shall direct all matters arising in connection with the performance of this LEASE, other than notices, to the attention of the Project Managers for attempted resolution or action. The Project Managers shall be responsible for overall coordination and oversight relating to the performance of this LEASE.

- 4.2 All notices, demands, or other communications to the COUNTY under this LEASE shall be in writing and shall be deemed received if sent by certified mail, return receipt requested, to:

Director of Lee County Parks & Recreation
3410 Palm Beach Boulevard
Fort Myers, FL 33916

All notices to the DISTRICT under this LEASE shall be in writing and sent by certified mail, return receipt requested, to:

South Florida Water Management District
Attn: Procurement Department
3301 Gun Club Road
P.O. Box 24680
West Palm Beach, Florida 33416-4680

All notices required by this LEASE shall be considered delivered upon receipt. Should either party change its address, written notice of such new address shall promptly be sent to the other party.

All correspondence to the DISTRICT under this LEASE shall reference the DISTRICT'S Contract Number LS040677.

ARTICLE 5 - LIABILITY & INSURANCE

- 5.1 The COUNTY shall be liable for damages in tort for any injuries to or losses of property, personal injury or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the COUNTY while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be held liable in accordance with the general laws of the State of Florida, subject to the limitations as set out in section 768.28, Florida Statutes, as it may be revised or amended from time to time. The DISTRICT acknowledges its liability for torts to the extent provided in Section 768.28, Florida Statutes. Nothing in this LEASE is intended or is to be construed as a waiver of sovereign immunity or expansion of the limits of liabilities as provided to the parties signatory hereto under Section 768.28, Florida Statutes, or provided by law.
- 5.2 In the event the COUNTY contracts with any third party to conduct any work on the Leased Premises, the COUNTY shall require each and every such contractor, or subcontractor, to identify the DISTRICT as an additional insured on all insurance policies required by the COUNTY in conjunction with such work. Any contract awarded by the COUNTY to perform work on the Leased Premises shall also include a provision whereby the COUNTY's contractor and any subcontractors agree to defend, indemnify, and pay on behalf, save and hold the DISTRICT harmless from all damages arising in connection with the performance of the COUNTY's contract.
- 5.3 The COUNTY, as a political subdivision of the State of Florida, represents that it is self-funded for liability insurance, or has liability insurance, both public and property, with such protection being applicable to the COUNTY officers, employees, servants and agents while acting within the scope of their employment with the COUNTY. The COUNTY and the DISTRICT further agree that nothing contained herein shall be construed or interpreted as (1) denying to either party any, remedy or defense available to such party under the laws of the State of Florida; (2) the consent of the State of Florida or its agents and agencies to be sued; (3) a waiver of sovereign immunity of the State of Florida beyond the waiver provided in Section 768.28, Florida Statutes, or (4) a waiver of limitation of liability protection as provided in Section 373.1395, Florida Statutes.
- 5.4 a. Throughout the term of this LEASE, COUNTY shall provide, maintain, and keep in force a program and insurance covering its liabilities, as prescribed by Section 768.28, Florida Statutes. COUNTY shall maintain insurance coverage as shown in Exhibit "B" attached hereto and made a part hereof. In addition, nothing contained herein shall be construed as a waiver of limitations of liability which may be enjoyed by DISTRICT as a landowner, or any other law providing limitations on claims against the landowner.
- b. Proof of Insurance: The COUNTY shall provide the DISTRICT with insurance certificates for all insurance required pursuant to this LEASE as proof of insurance prior to the Commencement Date. The COUNTY shall, upon request by the DISTRICT, have its insurance agent provide certified copies of all insurance coverage required by this LEASE. Such copies shall be provided within ten (10) days of request. All insurance required under this LEASE shall be written on a financially sound company acceptable to DISTRICT and shall name the DISTRICT as additional insured, as required.

c. Notice of Insurance Cancellation: The COUNTY shall notify DISTRICT at least thirty (30) days prior to cancellation or modification of any insurance required by this LEASE. Insurance required under paragraph 5.3(a) above of this LEASE shall contain a provision that it may not be cancelled or modified until thirty (30) days after written notice to DISTRICT. In the event COUNTY fails to obtain and keep any insurance required hereunder in full force and effect, DISTRICT may at its option obtain such policies and COUNTY shall pay to DISTRICT the premiums therefore, together with interest at the maximum rate allowed by law, upon demand.

d. Contractor Insurance: It shall be the responsibility of the COUNTY to ensure that all contractors and subcontractors performing work on the Leased Premises on behalf of the COUNTY are adequately insured or covered under its policies, with limits and conditions of coverage that at a minimum duplicate that which is required under paragraph 5.4(a) of this LEASE.

ARTICLE 6 - TERMINATION/SURRENDER OF PREMISES/REMEDIES

- 6.1 If either party fails to fulfill its obligations under this LEASE in a timely and proper manner, the other party may give written notice to the other party in default specifying the nature of the deficiency. The party in default shall then have sixty (60) calendar days from receipt of notice to correct the deficiency. If the defaulting party fails to correct this deficiency within this time, the party defaulted upon may have the option to terminate this LEASE at the expiration of the sixty (60) day time period. The DISTRICT may terminate this LEASE for good cause upon ninety (90) calendar days prior written notice to the other party. Provided however, that should this agreement be terminated for reasons other than default by the COUNTY and public funds have been expended by the COUNTY for capital improvements, the DISTRICT shall reimburse the COUNTY ratably for the remaining useful life of the capital as determined by appraisal conducted by state certified general appraiser.
- 6.2 Upon expiration or termination of this LEASE, all improvements, including both physical structures and modifications to the Leased Premises shall become the property of the DISTRICT, except those improvements which the COUNTY removes at the COUNTY'S expense upon termination of this LEASE. Prior to surrender of all or any part of the Leased Premises, a representative of the DISTRICT shall perform an on-site inspection and keys to any buildings on the Leased Premises shall be turned over to the DISTRICT. If the Leased Premises do not meet all conditions as set forth in Article 1 of this LEASE, the COUNTY shall, at its expense, pay all cost(s) necessary to meet the prescribed conditions.
- 6.3 In the event a dispute arises which the project managers cannot resolve between themselves, the Parties shall have the option to submit to non-binding mediation. The mediator or mediators shall be impartial, shall be selected by the Parties, and the cost of the mediation shall be borne equally by the Parties. The mediation process shall be confidential to the extent permitted by law.
- 6.4 Notwithstanding anything contained herein to the contrary, the parties hereto acknowledge and agree that, in the event the COUNTY ever ceases to use the Leased Premises as a public park during the term of this Lease, as provided in subparagraph 1.2 of this LEASE, the LEASE shall terminate immediately.

ARTICLE 7 - STANDARDS OF COMPLIANCE

- 7.1 The laws of the State of Florida shall govern all aspects of this LEASE. In the event it is necessary for either party to initiate legal action regarding this LEASE, venue shall be in the Twentieth Judicial Circuit for claims under state law and in the Southern District of Florida for any claims which are justiciable in federal court.
- 7.2 The COUNTY shall maintain records and the DISTRICT shall have inspection and audit rights as follows:
- A. Maintenance of Records: The COUNTY shall maintain all financial and non financial records and reports directly or indirectly related to the negotiation or performance of this LEASE including supporting documentation for any service rates, expenses, research or reports. Such records shall be maintained and made available for inspection for a period of five years from completing performance under this LEASE.
 - B. Examination of Records: The DISTRICT or its designated agent shall have the right to examine in accordance with generally accepted governmental auditing standards all records directly or indirectly related to this LEASE. Such examination may be made only within five years from the date of completing performance under this LEASE and upon reasonable notice, time and place.
 - C. Extended Availability of Records for Legal Disputes: In the event that the DISTRICT should become involved in a legal dispute with a third party arising from performance under this LEASE, the COUNTY shall extend the period of maintenance for all records relating to the LEASE until the final disposition of the legal dispute, and all such records shall be made readily available to the DISTRICT.
- 7.3 The COUNTY hereby assures that no person shall be discriminated against on the grounds of race, color, creed, national origin, handicap, age, or sex in any activity under this LEASE. The COUNTY shall take all measures necessary to effectuate these assurances.
- 7.4 The COUNTY shall obtain, at its sole expense, all necessary licenses, authorizations and permits from the appropriate private party or federal, state, municipal or local agency, and other governmental approvals, prior to commencing performance of this LEASE.
- 7.5 The COUNTY shall allow public access to all project documents and materials in accordance with the provisions of Chapter 119, Florida Statutes. Should the COUNTY assert any exemptions to the requirements of Chapter 119 and related Statutes, the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the COUNTY.

ARTICLE 8 - RELATIONSHIP BETWEEN THE PARTIES

- 8.1 The COUNTY is an independent contractor and is not an employee or agent of the DISTRICT. Nothing in this LEASE shall be interpreted to establish any relationship other than that of an independent contractor, between the DISTRICT and the COUNTY, its employees, agents, subcontractors, or assigns, during or after the performance of this LEASE.
- 8.2 The COUNTY shall not assign, delegate, or otherwise transfer its rights and obligations as set forth in this LEASE without the prior written consent of the DISTRICT. Any attempted assignment in violation of this provision shall be void.
- 8.3 The COUNTY shall not pledge the DISTRICT's credit or make the DISTRICT a guarantor of payment or surety for any contract, debt, obligation, judgment, lien, or any form of, indebtedness.

ARTICLE 9 - GENERAL PROVISIONS

- 9.1 Notwithstanding any provisions of this LEASE to the contrary, the parties shall not be held liable for any failure or delay in the performance of this LEASE that arises from fires, floods, strikes, embargoes, acts of the public enemy, unusually severe weather, outbreak of war, restraint of Government, riots, civil commotion, force majeure, act of God, or for any other cause of the same character which is unavoidable through the exercise or due care and beyond the control of the parties. Failure to perform shall be excused during the continuance of such circumstances, but this LEASE shall otherwise remain in effect. This provision shall not apply if this LEASE specifies that performance by COUNTY is specifically required during the occurrence of any of the events herein mentioned.
- 9.2 In the event any provisions of this LEASE shall conflict, or appear to conflict, the LEASE, including all exhibits, attachments and all documents specifically incorporated by reference, shall be interpreted as a whole to resolve any inconsistency.
- 9.3 Failures or waivers to insist on strict performance of any covenant, condition, or provision of this LEASE by the parties, their successors and assigns shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this LEASE. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this LEASE specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.
- 9.4 Should any term or provision of this LEASE be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this LEASE, to the extent that the LEASE shall remain operable, enforceable and in full force and effect to the extent permitted by law.

- 9.5 Articles, subsections and other captions contained in this LEASE are for reference purposes only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this LEASE or any provisions thereof.
- 9.6 This LEASE is executed in duplicate originals, each of which shall be considered an original for all purposes.
- 9.7 All of the provisions of this LEASE shall be deemed covenants running with the land included in the Leased Premises, and construed to be "conditions" as well as "covenants" as though the words specifically expressing or imparting covenants and conditions were used in each separate provision.
- 9.8 This LEASE states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this LEASE. The COUNTY recognizes that any representations, statements or negotiations made by DISTRICT staff do not suffice to legally bind the DISTRICT in a contractual relationship unless they have been reduced to writing and signed by an authorized DISTRICT representative. This LEASE shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.

(Seal)

DISTRICT:
SOUTH FLORIDA WATER
MANAGEMENT DISTRICT, BY ITS
GOVERNING BOARD

By: _____
Nicolas J. Gutierrez, Jr., Esq.,
Chair

ATTEST:

By: _____
Garrett Wallace, Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing, instrument was acknowledged before me this _____ day of _____, 2004 by Nicolas J. Gutierrez, Jr. and Garrett Wallace, Chair and Secretary, respectively, of the Governing Board of the South Florida Water Management District, a public corporation of the State of Florida, on behalf of the corporation and who are personally known to me.

(SEAL)

Notary Public
Print _____
My Commission Expires:

Approved as to Form and Legality

By: _____

SFWMD Office of Counsel

Date: _____

(Seal)

By: Marilyn Ivory MF
SFWMD Procurement Approved
Date: March 10, 2004

COUNTY:

LEE COUNTY BOARD OF COUNTY
COMMISSIONERS

By: _____

Print: _____, Chairman

ATTEST:

By: _____

Print: _____

STATE OF FLORIDA
COUNTY OF LEE

The foregoing, instrument was acknowledged before me this _____ day of _____, by
_____ and _____,
Chairman and _____ of the Lee County Board of County Commissioners, a political
subdivision of the State of Florida, on behalf of thereof and who are personally known to me.

(SEAL)

Notary Public

Print _____

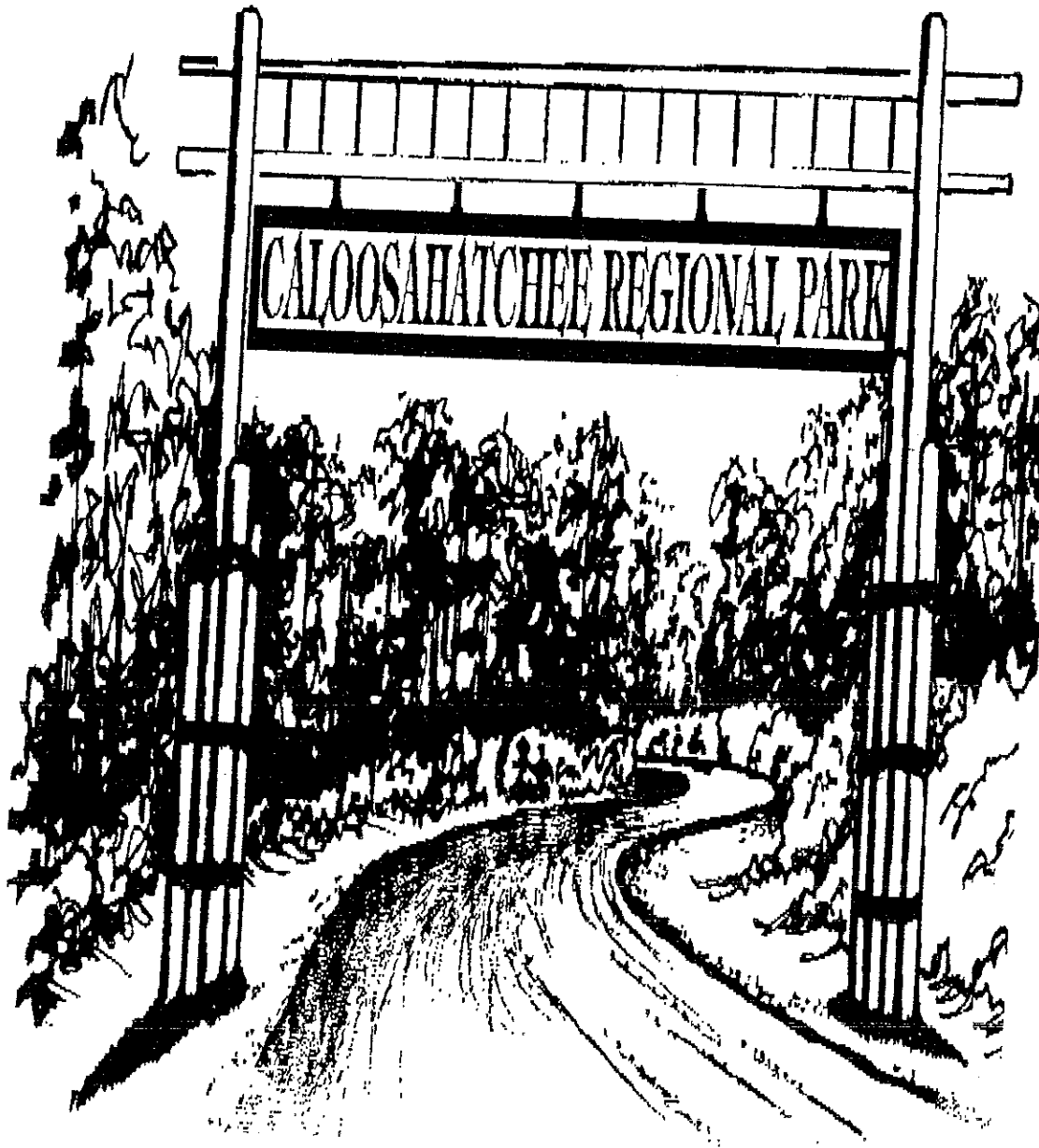
My Commission Expires:

Approved as to Form and Legality

By: _____

Lee County Attorney

Date: _____



**Caloosahatchee Regional Park
Resource Management Plan
County of Lee
Department of Parks and Recreation**

Exhibit "A"
Tract No. 34-100-044

A parcel of land in Government Lot 1, Section 28, Township 43 South, Range 27 East, Lee County, Florida, being specifically described as follows:

From the Southeast corner of the Northeast quarter of said Section 28, the coordinates of which are X=625,560.53 and Y=963,306.13, bear North 1°50'20" West; along the East line of the Northeast quarter of said Section 28, a distance of 1318.61 feet to the Southeast corner of said Government Lot 1; thence, South 89°16'22" West, along the South line of said Government Lot 1; a distance of 730.00 feet to the POINT OF BEGINNING; thence, continue South 89°16'22" West, along said South line, a distance of 188.65 feet; thence, North 10°00'00" East, a distance of 272.44 feet; thence, North 27°00'00" East, a distance of 100.00 feet; thence, North 62°00'00" East, a distance of 250.00 feet; thence, North 44°00'00" East, a distance of 150.00 feet; thence, North 28°00'00" East, a distance of 110.00 feet to the intersection thereof with the Southerly Right-of-Way line of Canal 43 as recorded in Official Records Book 114, page 430, Lee County Florida, public records; thence South 62°36'33" East, along said Southerly Right-of-Way line, a distance of 95.74 feet; thence, South 30°00'00" West, a distance of 731.33 feet to the POINT OF BEGINNING.

The bearings and coordinates in the above description refer to the standard plane rectangular coordinate system for the West Zone of Florida.

TOGETHER WITH:

The East half of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 28, Township 43 South, Range 27 East, Lee County, Florida.

TOGETHER WITH:

The West half of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 28, Township 43 South, Range 27 East, Lee County, Florida.

LESS, the South 207 feet, thereof.

Containing a total of 11.61 acres, more or less, per Lee County Tax Rolls.

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Folio: 432728000011002

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September 13, 2000

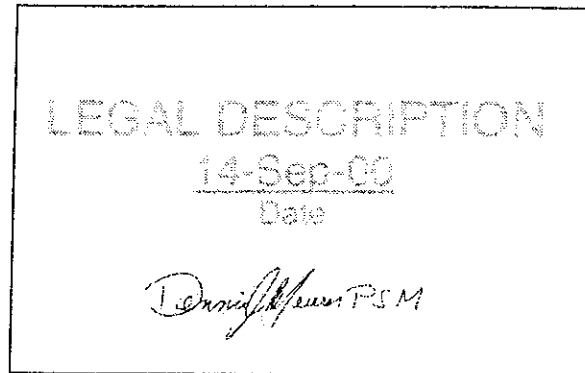


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Tract No. 34-100-045

The Northeast quarter of the Southwest quarter and all that part of the North three-quarters of the West half of the Southeast quarter of Section 13, Township 43 South, Range 26 East, lying Northerly of the South line of the North 1600 feet of the South half of said Section 13.

LESS:

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The East 100 feet of the East half of the Southeast quarter of the Southwest quarter of Section 13, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

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LESS, the Right-of-Way for State Road No. 78.

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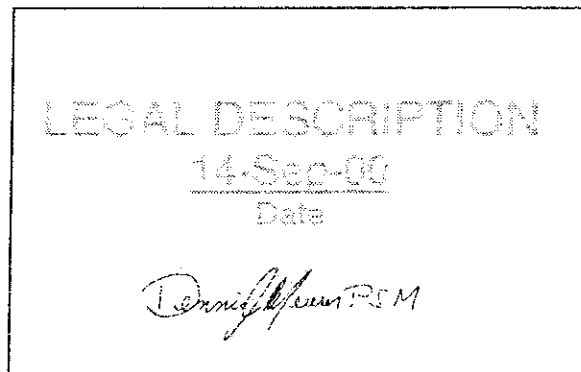


Exhibit "A"
Tract No. 34-100-046

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From the Northwest corner of said Section 19, bear South 0°22'31" West, along the West line of said Section 19, a distance of 1932.51 feet to the POINT OF BEGINNING; Thence, North 88°26'23" East, a distance of 116.43 feet; thence, North 83°19'00" East, a distance of 2760.80 feet; Thence, North 89°25'37" East, a distance of 1647.10 feet; Thence, North 77°16'46" East, a distance of 681.90 feet, more or less, to the intersection thereof with the East line of said Section 19, and the end of the specifically described line.

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ALSO LESS All that part of fractional Section 19 lying Southerly of the Caloosahatchee River.

The bearing in the above description refer to the Standard Plane Rectangular Coordinate System for the West Zone of Florida.

Containing 40.00 acres, more or less, per Lee County Tax Rolls.

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September 13, 2000

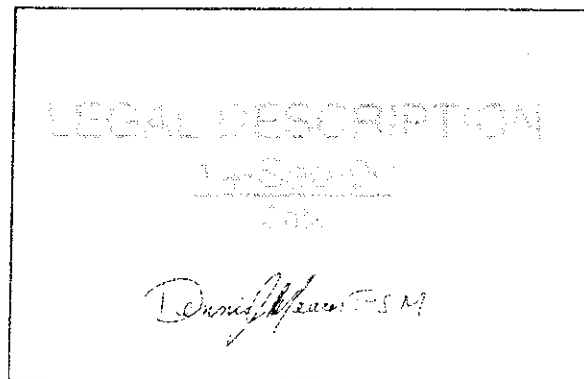


Exhibit "A"
Tract No. 34-100-047

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Containing 40.00 acres, more or less, per Lee County Tax Rolls.

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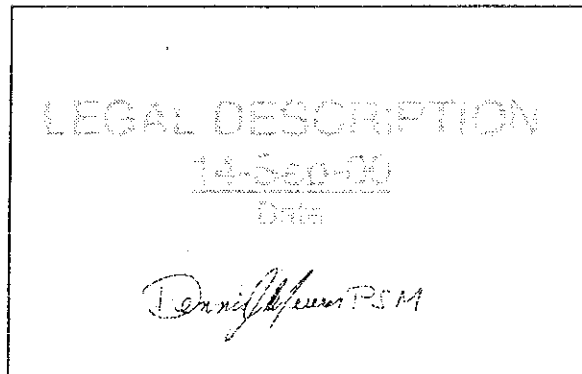


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Containing 11.10 acres, more or less, per Lee County Tax Rolls.

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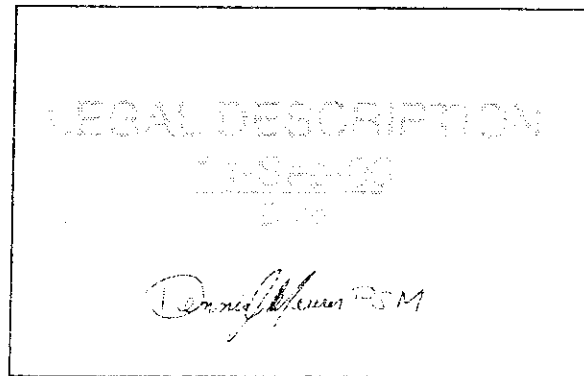


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Folio: 4327280000011002

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September 13, 2000

LEGAL DESCRIPTION

14-Sep-00

Date

Dennis M. PSM

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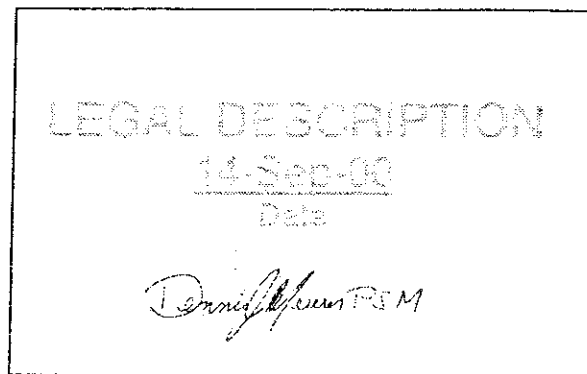


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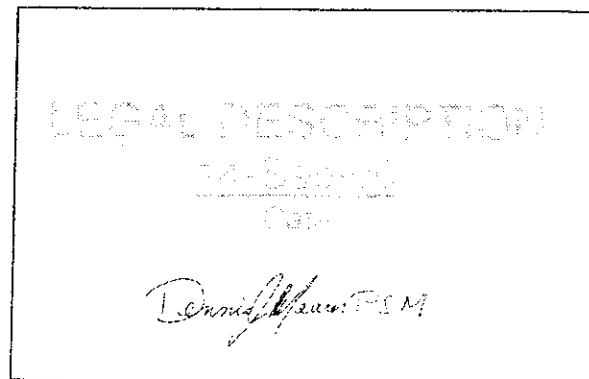


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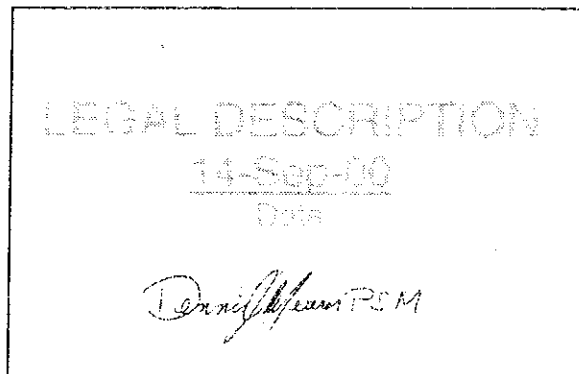


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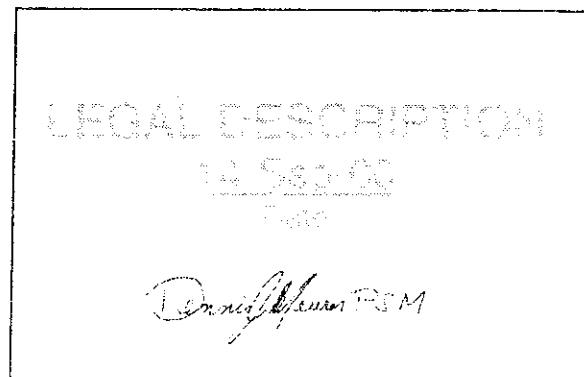
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September 13, 2000



**Caloosahatchee Regional Park
Resource Management Plan**

**County of Lee
Department of Parks and Recreation**

Approved: _____

Date: May 15, 2001

Lee County Board of County Commissioners

APPROVED AS TO FORM: _____

County Atty. Office

Approved: _____

Date: January 25, 2001
Division of State Lands
Department of Environmental Protection

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

BLUE SHEET NO: 20010510

1. REQUESTED MOTION:**ACTION REQUESTED:** Request approval of the Caloosahatchee Regional Park (CRP) and Management Plan**WHY ACTION IS NECESSARY:** Action is part of the procedure for Management of Preserves & Regional Parks owned by or leased to Lee County.**WHAT THE ACTION ACCOMPLISHES:** Allows County Land Stewardship staff to implement the CRP Management Plan.**2. DEPARTMENTAL CATEGORY:****3. MEETING DATE:**

5-15-01

COMMISSION DISTRICT # 1**4. AGENDA**

- ☒ CONSENT
☐ ADMINISTRATIVE
☐ APPEALS
☐ PUBLIC

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

- ☐ STATUTE
☐ ORDINANCE
☐ ADMIN CODE
☒ OTHER Lease Lee County
 Contract C890102

6. REQUESTOR OF INFORMATION

- A. COMMISSIONER
 B. DEPARTMENT Parks and Recreation
 C. DIVISION

BY John Yarbrough, Director

7. BACKGROUND

Lee County leases the 718 acre portion of Caloosahatchee Regional Park from the Board of Trustees of the Internal Improvement Trust Fund. The lease required an initial management plan, which was approved March 18, 1992 by the Board and April of 1992 by the State. The lease requires five-year updates. The attached revised management plan reflects significant changes from the original plan. The action plan -page 55, summarizes management actions to be pursued in the next 5 years. This plan was presented to the Acquisition & Restoration Council (ARC) at their December 18, 2000 meeting in Tallahassee. They made several suggestions, which were incorporated, into the plan. The ARC recommended approval of the CRP Management Plan on January 25, 2001 (See attached letter from DEP).

8. STANDING COMMITTEE REVIEW:

Date Reviewed by M&P Committee: _____ OR Committee Approval Not Required: _____

9. RECOMMENDED APPROVAL

DEPARTMENT DIRECTOR	Department of Administrative Services		Office of Budget Services				OTHER	COUNTY ATTORNEY	COUNTY MANAGER
	Purchasing	Human Res	BA	GC	Risk	Dir			

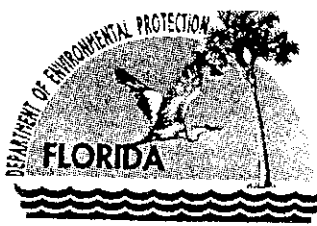
10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER



Department of Environmental Protection

Jeb Bush
Governor

David B. Struhs
Secretary

January 25, 2001

Mr. Roger S. Clark, Manager
Lee County Parks and Recreation
Board of County Commissioners
3410 Palm Beach Boulevard
Fort Myers, Florida 33916

Dear Mr. Clark:

Re: Caloosahatchee Regional Park

On January 25, 2001, the Acquisition and Restoration Council recommended approval of the management plan for Caloosahatchee Regional Park. The plan, Is approved by the Office of Environmental Services, acting as agent for the Board of Trustees of the Internal Improvement Trust Fund. Pursuant to Section 253.034 and 259.032, Florida Statutes, and Chapter 18-2, Florida Administrative Code, the plan's five-year update will be due on **January 26, 2006**.

Approval of this plan does not waive the authority or jurisdiction of any governmental entity that may have an interest in this project. Implementation of any upland activities proposed by this plan might require a permit or other authorization from federal and state agencies having regulatory jurisdiction over those particular activities.

Sincerely,

Delmas T. Barber
Office of Environmental Services
Division of State Lands

DTB/

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

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Addenda

<u>Addendum 1</u>	Page A1-1→ A1-13
Lease agreement between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and Lee County.	
<u>Addendum 2</u> – Burn Plan	Page A2-1→ A2-13
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<u>Addendum 8</u> – Summary of public comment from public meeting	

VISION STATEMENT

Caloosahatchee Regional Park provides the opportunity for a unique outdoor experience due to the diversity of both ecological communities and resource-based recreational opportunities. There are also major opportunities for environmental restoration and wildlife habitat improvement. A vision statement for the park is as follows:

“Protection of the environmental integrity of the site will be the guiding principal for management of the park which includes ongoing maintenance, public programming and development of future public facilities. Continuing stewardship activities will restore the disturbed portions of the park, including the shoreline and spoil deposit area, to stable productive systems that contribute to the biological diversity of the entire site.

Interpretive programs and materials will strive to allow the visitor to develop a sense of place, and to understand basic ecological concepts that can be applied to their everyday life.”

EXECUTIVE SUMMARY

Caloosahatchee Regional Park (CRP) is located in Southwest Florida in northeastern Lee County (Figure 1) on the north side of the Caloosahatchee River (Figure 2). It is approximately 2 miles west of the town of Alva and is divided by County Road 78 (North River Road) (Figure 3).

The site has 6,700 linear feet (1.3 miles) of frontage on the Caloosahatchee River. Approximately 60% of the site consists of areas disturbed by deposit of dredge spoil in the 1960s, while 30% is in upland, and 10% is in wetland communities.

Caloosahatchee Regional Park has been in public ownership since 1969. The site was purchased by the State of Florida for development as a state recreation area. The park site occupies approximately 768 acres according to planimetering of section aeriels. The land is owned by the State of Florida (Board of Trustees of the Internal Improvement Trust Fund) and the South Florida Water Management District (SFWMD). Lee County obtained a 50-year lease of the 718 acres of the State-owned portion of the site May 11, 1989 (see Addendum 1) since the former Florida Department of Natural Resources, Division of Recreation and Parks had no plan to develop the site as a park. Lee County is in the process of obtaining a lease of the land owned by SFWMD.

The park was opened to the public in March 1999. The first phase includes three (3) activity areas. The main area is located in the middle of the park on the south side of County Road 78 (North River Road). It includes picnic areas, parking, restrooms and 3 hiking trails. The "North side" area is near the west boundary on the north side of C.R. 78. It includes 10 miles of hiking, equestrian, and mountain biking trails, and a large picnic pavilion. This fulfilled the need for a regional park in northeastern Lee County.

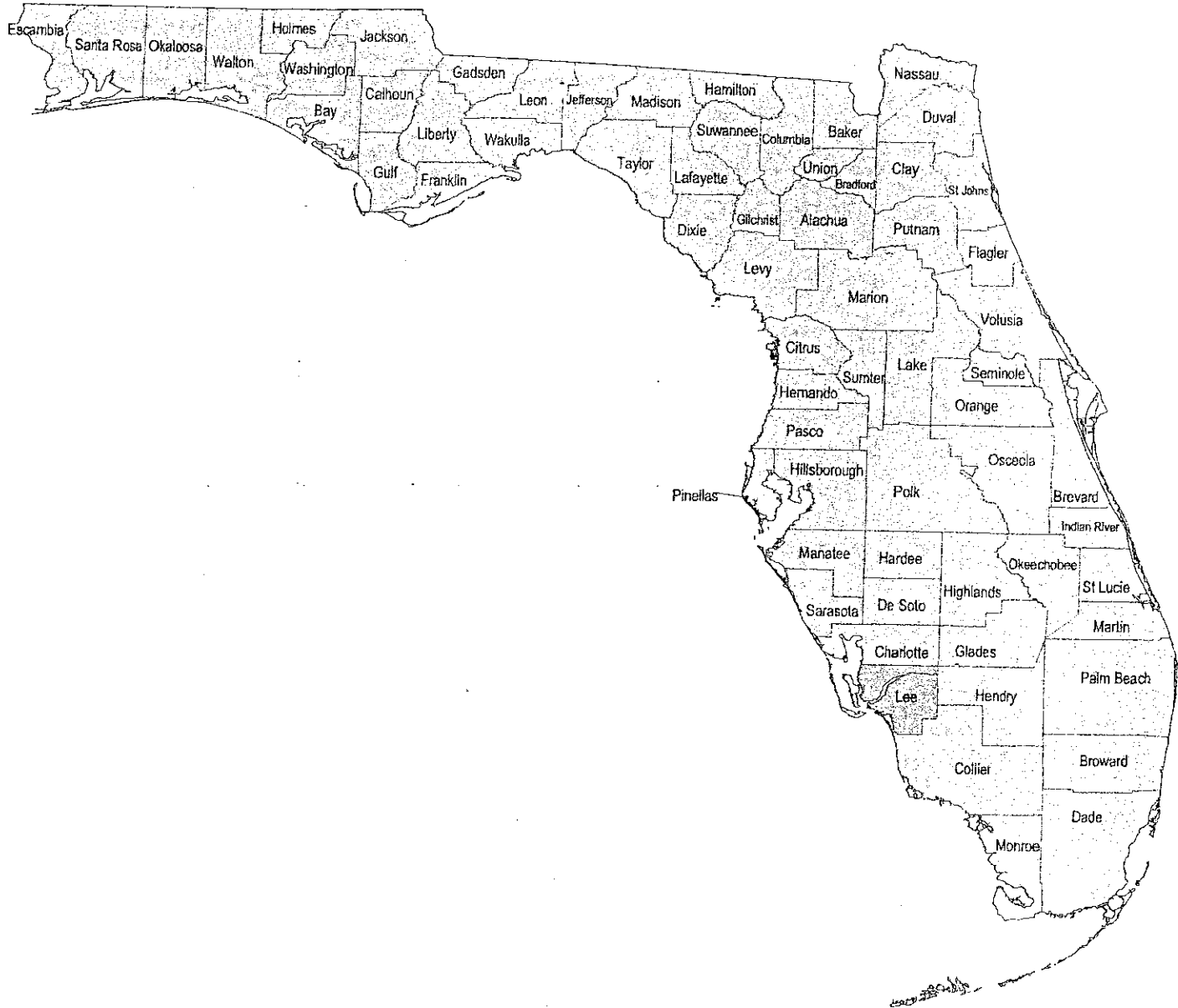
The park has been developed in a manner to ensure the preservation of the natural features of the site while providing resource-based recreational opportunities. Development will be in phases. The site's diverse vegetation and extensive frontage on the river, coupled with an exciting plan for programs, provide the potential for this site to become one of Southwest Florida's premier resource-based parks.

The diverse plant communities of the site include pine flatwoods, palmetto scrub, cypress, hardwood bottomland, and oak hammock. Wildlife observed include bobcat, deer, raccoon, river otter, armadillo, wild pig, black racer, Eastern indigo snake, gopher tortoise, red-shouldered hawk, barred owl, swallow-tailed kite, and wild turkey.

The campground area features 25 primitive tent camping sites. Groups and equestrian campers can also be accommodated. A special use area provides for large events such as scout camporees and a Civic War reenactment. Access to the river for canoeing and kayaking is also planned as is a boat dock for access to the park from the river.

Figure 1 CALOOSA HATCHEE REGIONAL PARK

Location within Florida



Lee County
other Florida Counties

40 0 40 80 Miles



Figure 2

CALOOSAHAATCHEE REGIONAL PARK Location in Lee County

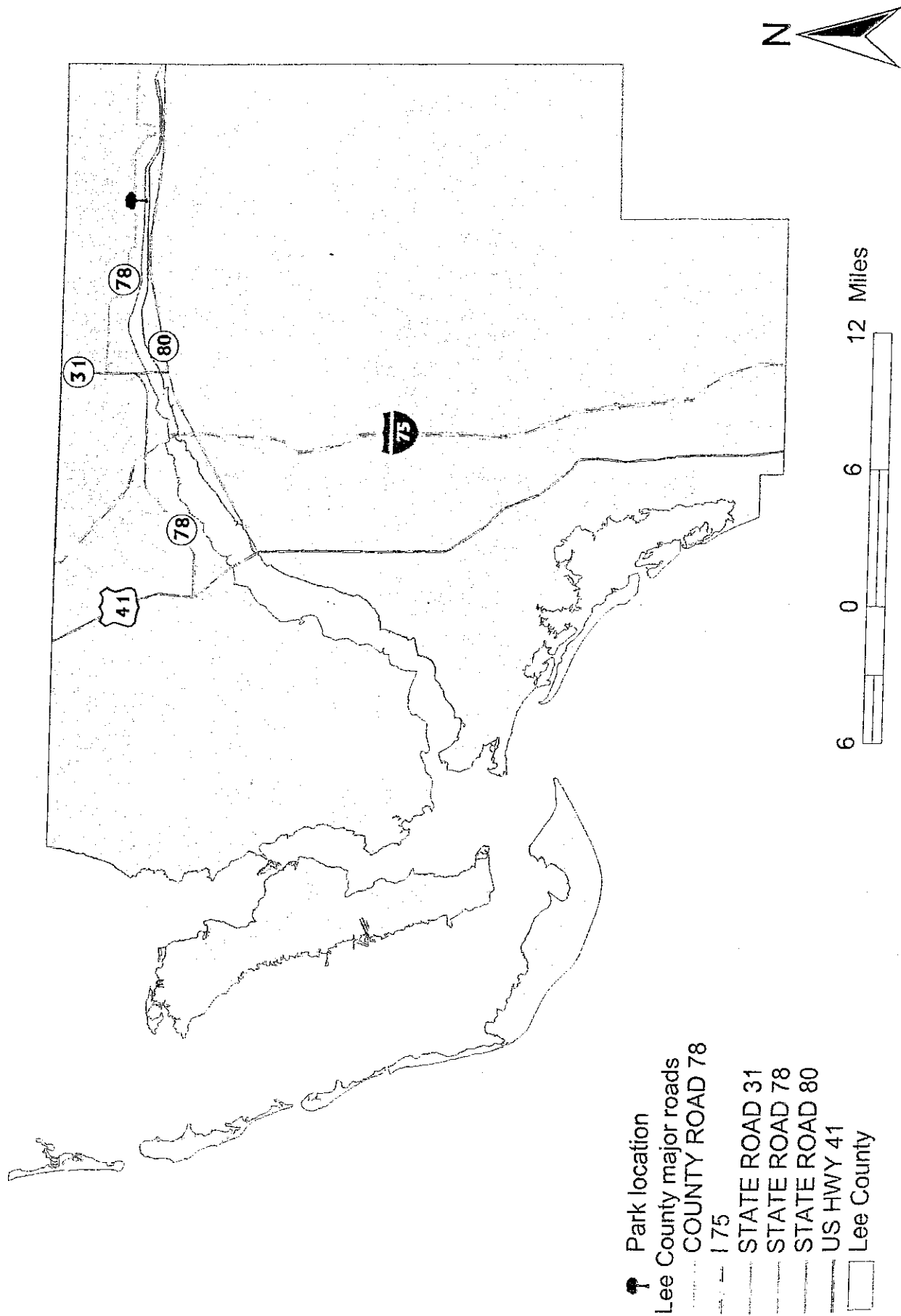
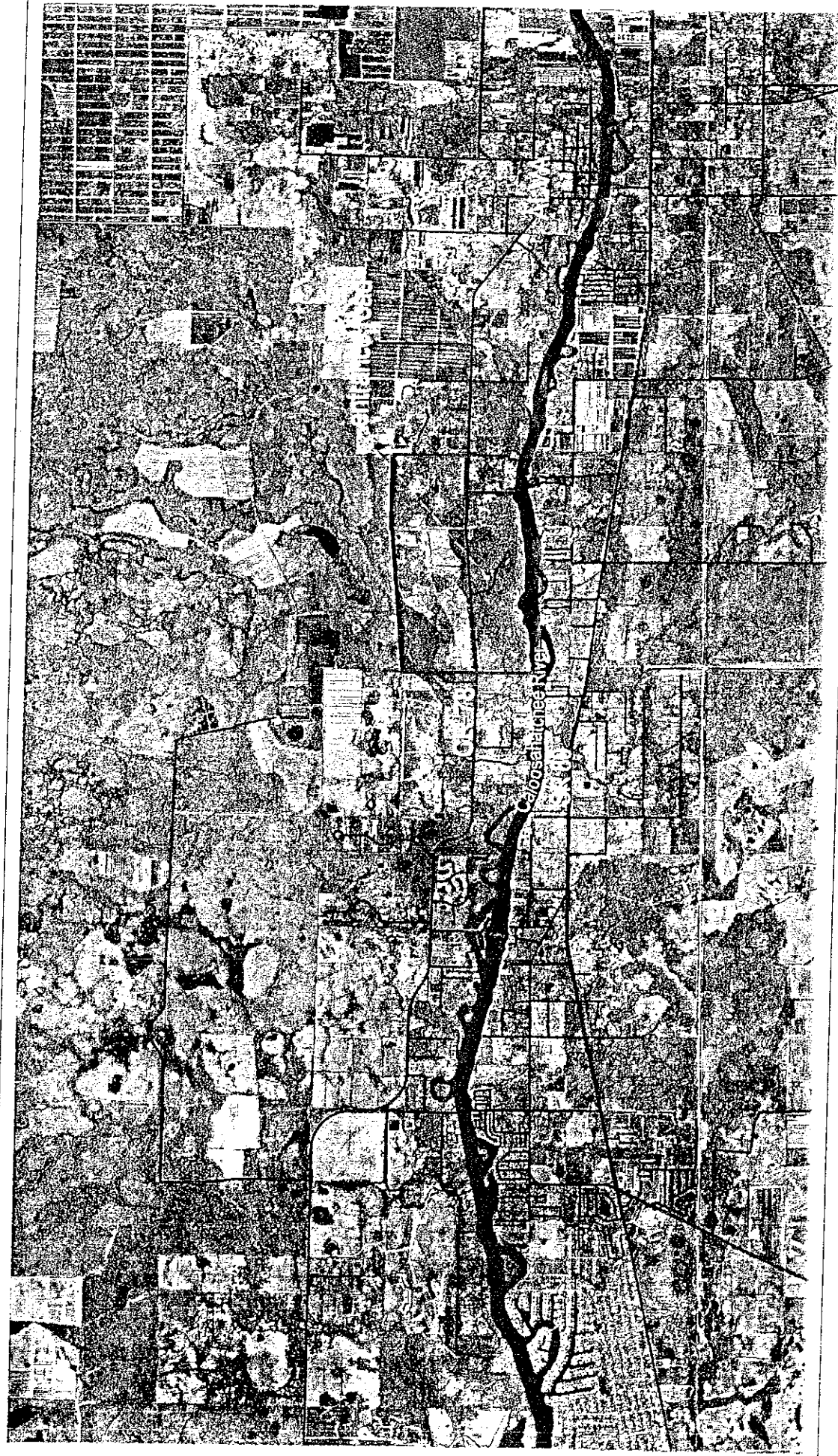


Figure 3

CALOOSAHAATCHEE REGIONAL PARK Specific Location Map



□ Park boundary shp
— roads

1 0 1 2 Miles



CHAPTER ONE

SITE AND LOCAL AREA HISTORY

Lee County's history is relatively abbreviated due to a fairly late settlement of Southwest Florida compared to the East Coast of Florida. This was due to difficulty in reaching the area by land because of the lack of established trails, heavy vegetative cover and shallow coastal waters.

Settlement of the area in the vicinity of the park began, primarily, in the mid-19th century. At that time, overland transportation was still very limited. Settlers relied primarily on the Caloosahatchee River as a transportation corridor. However, the river itself posed limitations for transportation due to its shallow, narrow, and tortuous character; and it had a tendency after tropical storms or hurricanes to overflow its banks into its floodplain and adjacent uplands, at times flooding the homes of the settlers.

The Caloosahatchee River has been dredged three times – in the 1880's, from 1930-1937 and 1960-1964. The original dredging was sponsored by the State and funded by Philadelphia millionaire Hamilton Disston. This initial dredging was the main determinate of the river's present course. The result of the dredging has been the creation of a wide, straight, deep canal that has lost most of its original riverine character, diversity, and habitat. The Franklin Lock downstream from the park was installed during the most recent dredging and channelization period to prevent salt-water intrusion up the river and to manage water levels. A 1944 aerial with the approximate park boundaries (Figure 4) depicts the shoreline before the last dredging.

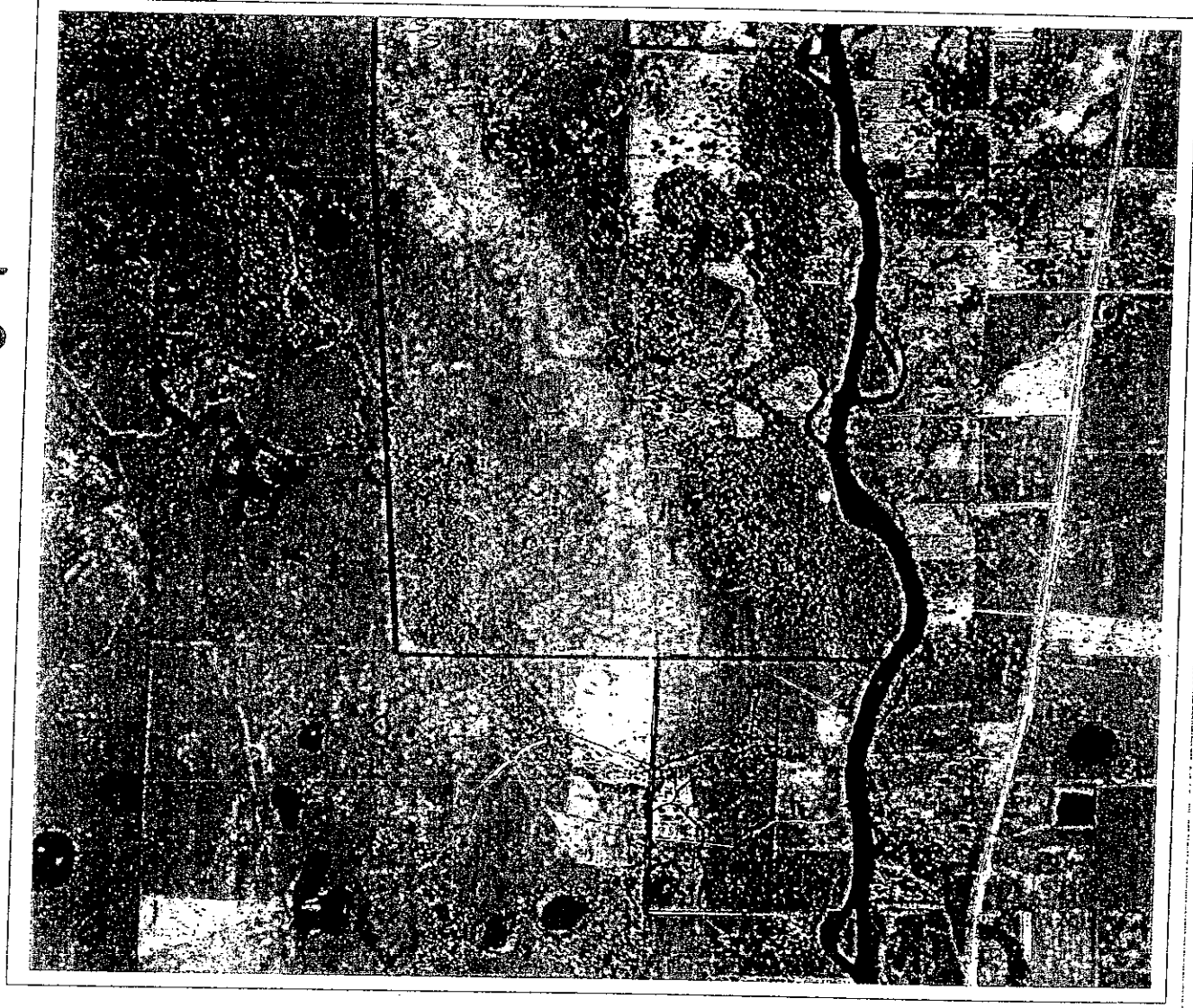
The SFWMD refers to the Caloosahatchee River as C43 – Canal 43. The river presently functions and is managed more as a canal than a river. The original purpose of the dredging was to provide drainage and navigation. Since then the river has become an important source for drinking water and irrigation for farming. All of these uses are not always compatible and frequently present conflicts for management and restoration of the river as a natural system.

The effects of the Caloosahatchee River channelization have been decreased flooding of the floodplain and increased use by large pleasure boats and barges on the Okeechobee Waterway. This waterway provides passage across the state from Fort Myers to Stuart and is

Figure 4

Figure 4

CALOOSAHAATCHEE REGIONAL PARK 1944 Aerial Photograph



— Park boundary



a part of the Intracoastal Waterway. In addition, a large number of recreational watercraft users can be seen in the area of the river near the park during the summer.

The park site has had several residents over the years. Dr. Kellum, who settled the site around 1885 lived in a home located near the middle of the site just south of County Road 78. The land was owned for years by Gilmer Heitman who also had a home near the southeast portion of the site with citrus groves and cattle range being the primary uses. Others, including the John Douglas family, lived in both of these homes. An aerial photograph taken in 1953 (Figure 5) by the United States Department of Agriculture (Agricultural Stabilization and Conservation Service) shows four (4) groves on the site. The groves were known around the turn of the century as the Windmill Groves because a windmill had been installed near the river in an unsuccessful attempt to harness wind power for irrigation (Charles Foster, personal communication). The Kellum home site is not discernible on the aerial, but an Indian Mound is on the original photo. A clearing was located at the southwest corner of the site approximately 100 yards from the river. This may have been an area used during the 1930's dredging. The floodplain area of the river has a heavy deciduous tree cover. Ditches running through the forest are evident. Pines are scattered south of County Road 78 with large live oaks occurring on the eastern area that was used as pasture. The area north of County Road 78 was largely treeless with the exception of Fichter's Creek. This north area had been logged for pines in the early part of the twentieth century.

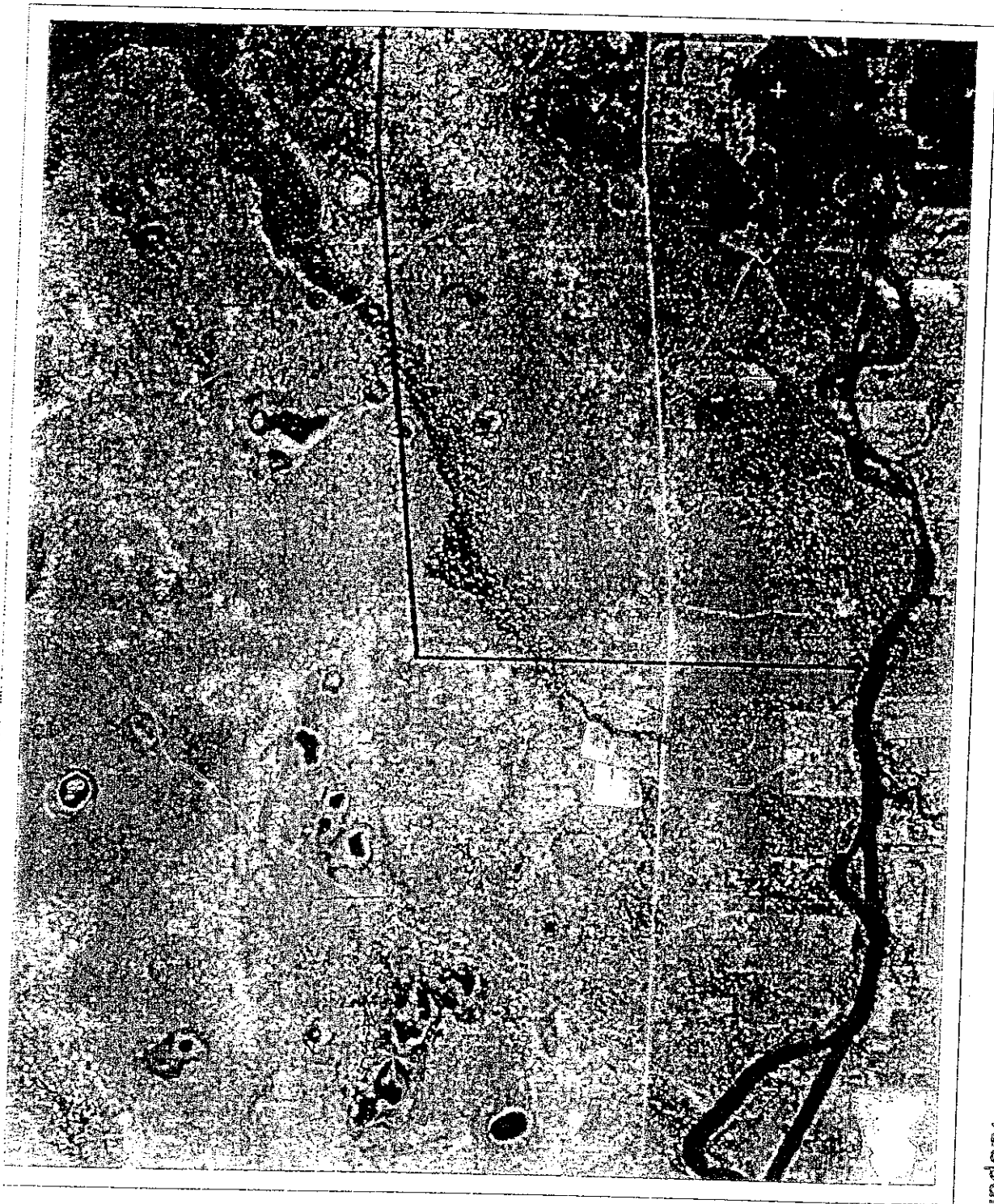
PURPOSE AND SCOPE OF PLAN

This plan serves as the basic statement of policy and direction for the management of Caloosahatchee Regional Park as a unit of Lee County's park system. It identifies the objectives, criteria, and standards that guide each aspect of park administration, and sets forth the specific measures that will be implemented to meet management objectives. The plan is intended to meet the planning requirements of Section 253.034, Florida Statutes, Chapter 18-4 Florida Administrative Code, and to be consistent with the State Lands Management Plan.

The plan consists of three interrelated components. Each component corresponds to a particular aspect of the park's administration.

Figure 5

CALOOSAATCHEE REGIONAL PARK
1953 Aerial Photograph



— Park boundary



1. The resource management component provides a detailed inventory and assessment of the park's natural and cultural resources. Resource management challenges and needs are identified, and specific management objectives are established for each resource type. This component provides guidance on the application of such measures as prescribed burning, exotic species removal, hydrologic restoration and restoration of natural habitats. Specific action programs such as prescribed burning plans and invasive exotic species removal plans are included as addenda to this document.
2. The land use component is the resource allocation plan for CRP. This component examines the site's environment, considering such matters as access, population of the surrounding area, and adjacent land uses. It also assesses the park's resources and facilities, as well as potential uses. Based on these considerations, an optimum allocation of the park's physical space is made, locating use areas and proposing types of facilities and volume of use to be provided.
3. The operations component involves administrative matters relating to the ultimate purpose of the park—making recreation resources and facilities available to the public. This component sets forth policies and procedures for the park involving visitor services, public health and safety, resource and facility protection and maintenance, and other similar matters.

All full-scale maps contained in this plan are kept on file and are available for review upon request through the Lee County Department of Parks and Recreation.

MANAGEMENT PROGRAM OVERVIEW

County Management Authority and Responsibility

The Board of Trustees of the Internal Improvement Trust Fund has held title to the site formerly known as the Caloosahatchee State Recreation Area since 1969. The site was leased to the Department of Natural Resources (now Department of Environmental Protection), Division of Recreation and Parks, which had no immediate plans for development of facilities and programs at the site. Subsequently, the site was leased to Lee County for development of public outdoors recreational facilities as a unit of the County's Regional Park system.

Lee County's rapidly expanding population and resulting recreation demands, escalating land prices, and relatively few sites with recreation potential, led the County to seek the lease of the now named Caloosahatchee Regional Park.

Lee County's Comprehensive Plan (1998) has, within its Parks and Recreation Element, population driven standards for recreation facilities. The standard for regional parks is 8 acres of developed parkland per 1,000 population. Development of the Caloosahatchee Regional Park was needed to meet this standard.

Lee County has recognized that its resource based parks need continual land management attention in addition to the activities typically conducted for maintenance of park facilities. Specifically, control of problematic exotic vegetation, prescribed burning, hydrological restoration, and wildlife habitat restoration and enhancement are land management activities that are being pursued at Caloosahatchee Regional Park.

Unit Classification

Since Lee County manages this unit as a regional park, it does not fit into the Department of Environmental Protection classification system. However, the management of Caloosahatchee Regional Park will seek a balance between the goals of preserving natural conditions and providing interpretive, convenient, safe, and recreational use facilities. Program emphasis is on interpretation of the park's natural, aesthetic, cultural, and educational attributes.

Management Coordination

Caloosahatchee Regional Park will be managed in accordance with all applicable Florida statutes and administrative rules. As is the case with all units under the Department of Parks and Recreation, a number of federal, state, regional, and local agencies play a role in the various management aspects of the park. Those agencies having a major or direct role in the management of the park are discussed below.

The Department of Agriculture and Consumer Services, Division of Forestry, assists Park staff in the development of prescribed burn plans and wildfire emergency plans. They also furnish permits required for prescribed burning. The Florida Fish and Wildlife Conservation Commission assists staff in the enforcement of state laws pertaining to wildlife, freshwater fish, and other aquatic life existing within park boundaries. In addition, the Commission aids in the implementation of wildlife management programs. The

Department of State, Division of Historical Resources, assists staff as needed to assure protection of any archaeological and historical sites discovered within the park. The South Florida Water Management District will oversee the management by Lee County of the District-owned portion of the site (approximately 50 acres). The District's area of responsibility will be to review, monitor, and approve activities affecting water management, water conservation, and protection of water resources.

Local government participation was solicited during the development of this plan. Local government review and input was requested from the Lee County Board of County Commissioners, Lee County Division of Planning, Lee County Department of Parks and Recreation, Audubon Society of Southwest Florida, Crescent B Ranch, South Florida Water Management District, Florida Department of Environmental Protection (DEP), Natural Resource Conservation Service, Florida Fish and Wildlife Conservation Commission, East County Water Control District, U.S. Fish and Wildlife Service, Caloosahatchee River Citizens' Association, and Southwest Florida Regional Planning Council. The Department of Parks and Recreation will provide additional opportunities for public comment prior to implementing major park development projects.

An Advisory Group was formed January 2000 as required by DEP. The group consisted of representatives from the East County Water Control District, Caloosa Saddle Club, Audubon Society of Southwest Florida, U.S. Department of Agriculture, Friends of Caloosahatchee Regional Park, neighboring property owners, and Florida Mudcutters Mountain Bike Club. This group reviewed and commented on the draft management plan. A public hearing was held September 13, 2000 where input on a draft version of the plan was received from 22 attendees. See Addendum 8 for a summary of public comment.

Other Designations

The portion of the Caloosahatchee River bounded by the park is designated a Class I Water Body by the Florida Department of Environmental Protection. This designation affords the river a measure of protection in water quality permitting decisions against degradation of existing ambient water quality. The Caloosahatchee River is not designated as an Aquatic Preserve or an Outstanding Florida Water.

“The Caloosahatchee River has moved to the No. 1 spot on the Florida Department of Environmental Protection’s priority list. The change means the process of setting maximum pollution standards for the Caloosahatchee will begin this year instead of 2003.”
(Hayford 2000)

Relationship to Other Plans :

This unit plan complies with the State Lands Management Plan. It was reviewed by the Lee County Division of Planning and found to comply with the “Lee Plan”, Lee County Comprehensive Land Use Plan. The Land Use Plan Map currently depicts the site as rural land use category. The Division of Planning is currently working on a plan amendment that will designate CRP (as well as other appropriate areas) as “Conservative Lands” land use category.

CHAPTER TWO

RESOURCE MANAGEMENT COMPONENT

INTRODUCTION

Lee County will implement a resource management program for the purpose of preserving in perpetuity the natural and cultural resources of this park. This component of the unit plan describes the natural and cultural resources of Caloosahatchee Regional Park and identifies the methods that will be employed by Lee County to manage them.

Lee County's approach to resource management can be described as "natural systems management." This approach is aimed at managing the natural communities of each unit as parts of an interrelated system, rather than managing for the benefit of individual species. The general composition of each community as it may have appeared at the beginning of Florida's historical period is determined by considering factors such as climate, geology, soil, hydrology, and fire frequency. Measures are then implemented to recreate, to the extent possible, the natural processes and conditions that prevailed at that time, with the goal of restoring each community to its "original" condition. At Caloosahatchee Regional Park, portions of the biological communities within the park bounds were harshly impacted in the recent past. These natural systems will require both time and effort for restoration to succeed. However, burning fire-adapted communities, controlling exotic species, preventing man-caused erosion, restoring surface water regimes, and other such measures will assist in their eventual recovery to a level closer to original natural conditions than presently occur.

The most significant natural and cultural feature of the park is the Caloosahatchee River. The Caloosahatchee is heavily used for local and intracoastal boat travel as well as by tour boats from Fort Myers.

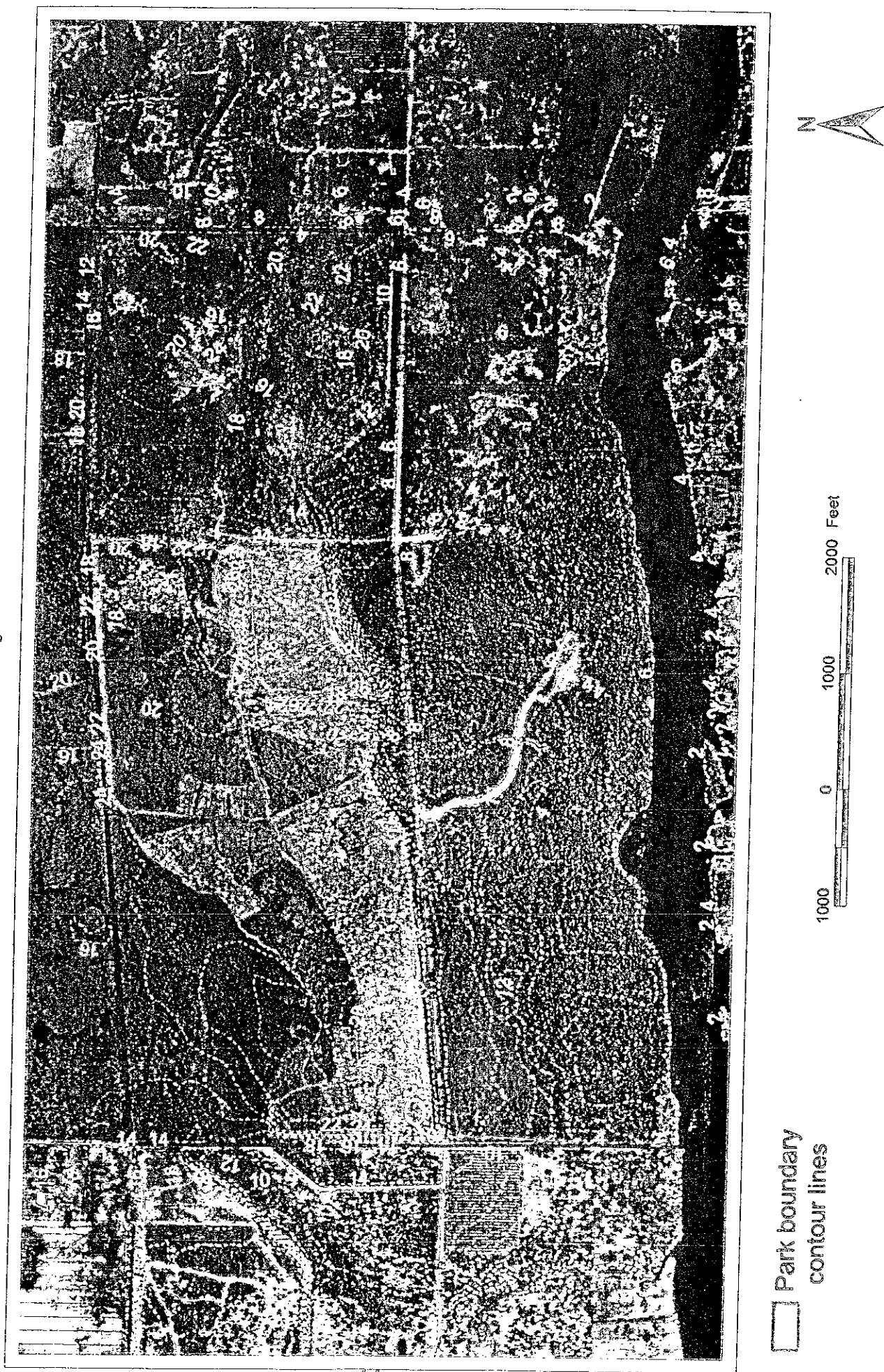
RESOURCE DESCRIPTION AND ASSESSMENT

Natural Resources

Topography

The topography (Figure 6) at Caloosahatchee Regional Park is low relief, ranging from a low of approximately 2' msl (mean sea level) at the north bank of the Caloosahatchee River to approximately 32' msl at the north boundary of the park. The park occurs on the coastal lowlands topographic division and is a part of the DeSoto Plan physiographic zone.

Figure 6 CALOOSAATCHEE REGIONAL PARK
Topography



A large mound of spoil (nearly 400 acres), occupying most of the property on the north side of County Road 78, has artificially raised elevations in this part of the park. The Corps of Engineers placed the spoil there during dredging of the Caloosahatchee River in the early 1960s. The spoil area occupies more than half of the site and constitutes a substantial alteration in topography.

Geology

The Caloosahatchee Regional Park site rests on a foundation of limestone. The upper layer of the limestone belongs to a Pleistocene series of sedimentary deposits called the Anastasia formation (coquinoid limestone and clay.) Soil overlying the limestone base has an average thickness of 3 feet and tends to be sandy, mixed with marl.

Soils

Nine soil types have been identified in the Caloosahatchee Regional Park (Figure 7) – (USDA, 1984 FL sheet #15). It is not possible to correlate all of these with specific biological communities, but generally the bottomland forest coincides with Copeland sandy loam, Bradenton fine sand, and Oldsmar sand. The spoil covering that part of the park north of County Road 78 is classified as Caloosa fine sand.

Radon occurs naturally within the Alva area. The spoiling on the north side of C.R. 78 brought this dangerous element close enough to the surface of the ground for it to be a potential hazard if certain types of facilities are developed (1991 testing, Herbert-Halback, Inc.) The Master Site Plan reflects location of appropriate facilities in the area of high radon levels (Figure 15). Soil will be conserved by maintaining native vegetation cover and controlling feral hogs where rooting can cause erosion and by stabilizing the shoreline with native vegetation.

Minerals

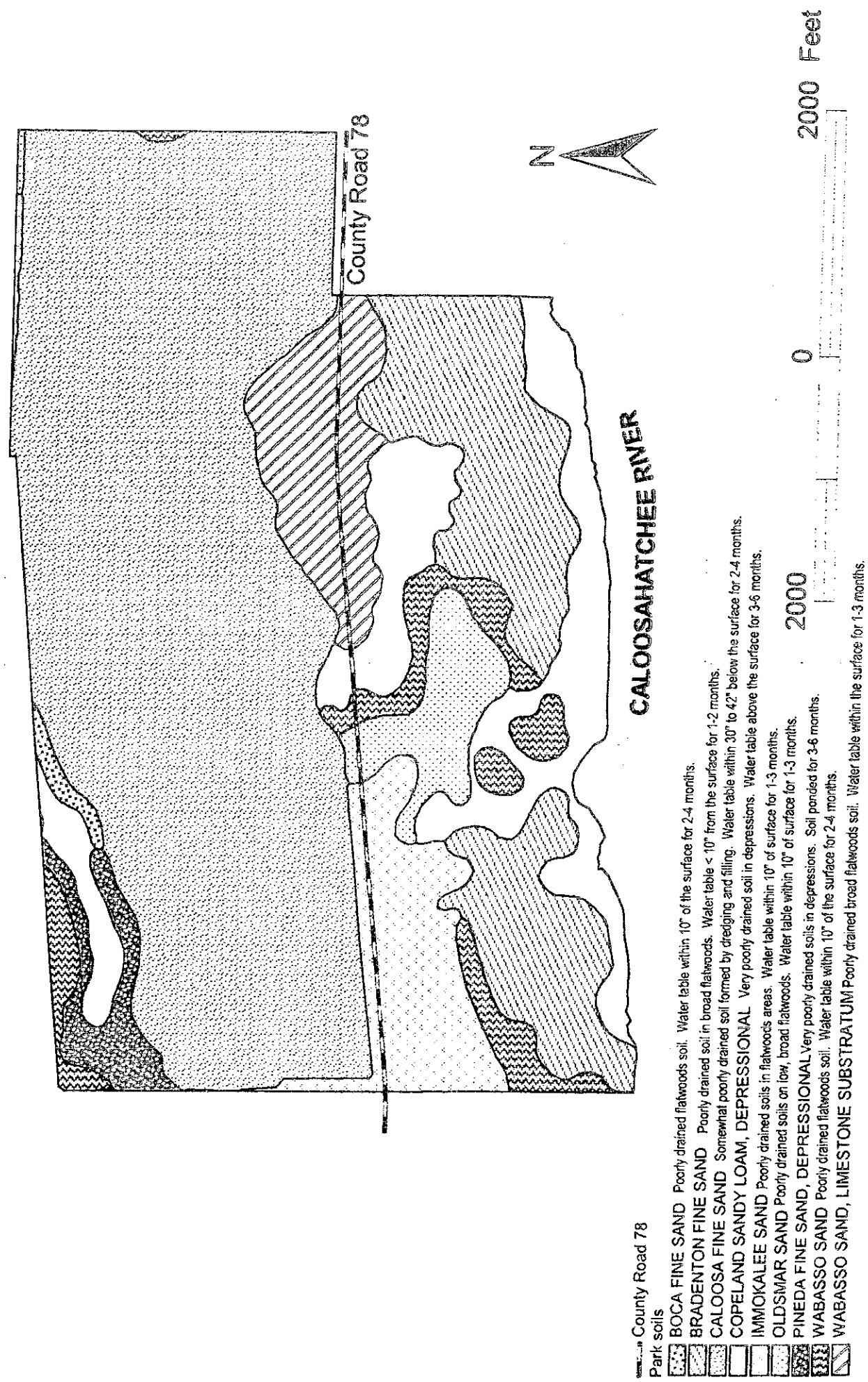
There are no known minerals within this park.

Watershed

The CRP is within the Fichter's Creek watershed (Figure 8) which has a drainage area size of 7.3 square miles. Fichter's Creek passes through the northwest corner of the site and flows southwest into the Caloosahatchee River. The drainage of the site has been altered by its use as a spoil deposit site which resulted in altered topography and in a number of drainage ditches, some of which flow directly into the river.

Figure 7

CALOOSA HATCHEE REGIONAL PARK Soils Map



Hydrology

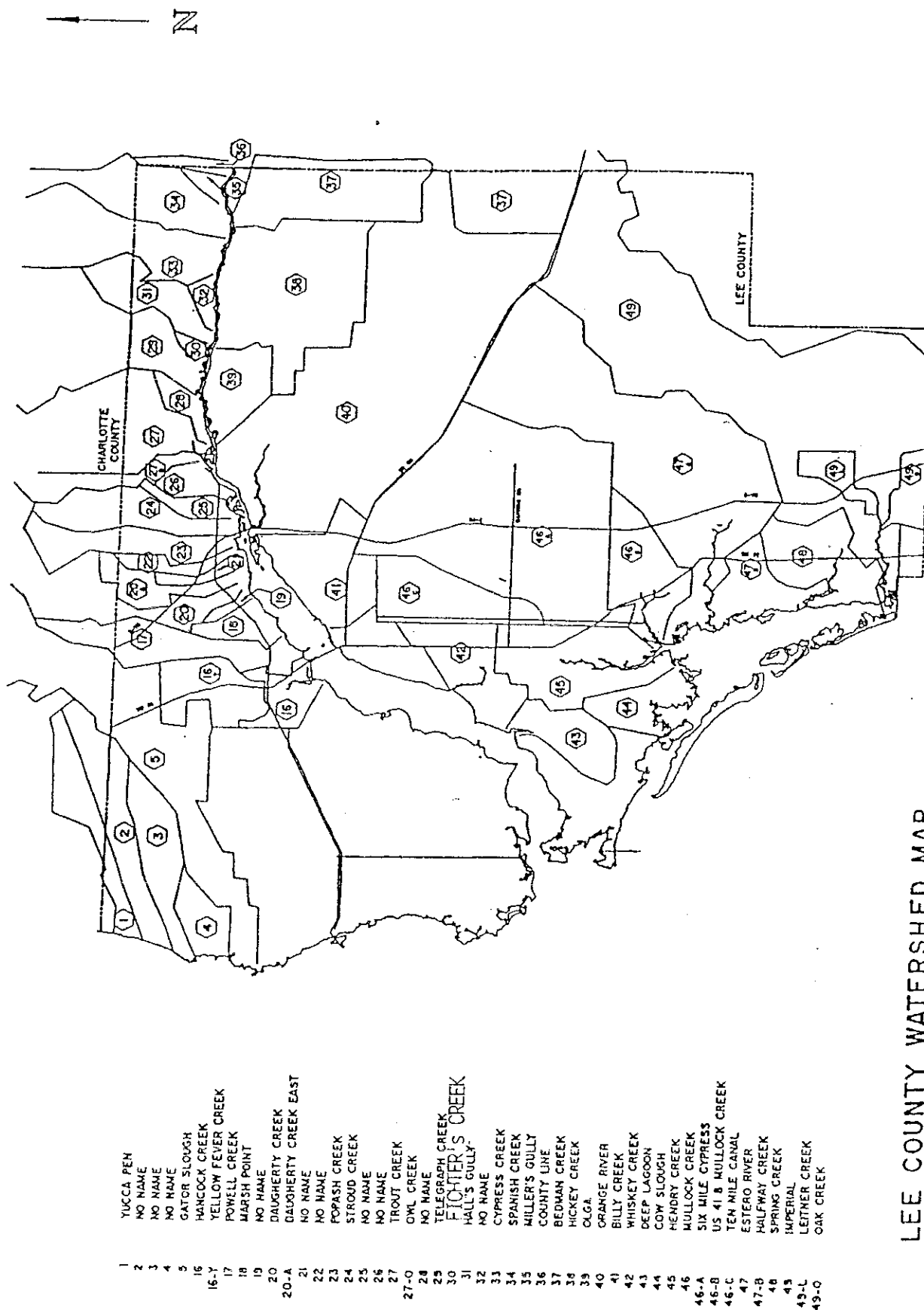
Hydrological considerations are a significant factor in the resource management at this park relative to maintenance of the vegetation communities dependent on a wetland hydroperiod. The unit is small (768 acres), and drainage is mostly internal except for Fichter's Creek, located in the northwest corner of the park. The most conspicuous drainage feature is the Caloosahatchee River which forms the park's southern boundary. The United States Department of Agriculture, Soil Conservation Service, prepared flood profiles for predicted water elevations during the 500, 100, 25, 10, 5 and 1.1-year flood events for Fichter's Creek. This data will be useful in pursuing hydrological restoration of the creek (USDA, 1993).

Biological Communities

The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) was used in classifying the natural communities of the site. This system was developed by the Florida Department of Transportation (DOT, 1985). It employs state of the art forms of aerial photography and data from Landsat (Multispectral Scanner and Thematic Mapper.) This lends to a very precise classification of land use, cover, and forms. The FLUCFCS system was used to relate the land use classification of the park site to that of the County, which has been mapped as part of the Sensitive Lands Protection Program Study. This study provides an inventory of sensitive lands worthy of protection through outright acquisition or development agreements. In addition, FLUCFCS mapping is required by the Lee County Land Development Code which has established a review process for developments within the unincorporated areas of the County.

The Department of Environmental Protection uses the Florida Natural Areas Inventory (FNAI) system for its resource management plans. FNAI (1989) has devised a cross-reference system for the FNAI and FLUCFCS systems.

From late 1989 to early 1990, the site was mapped on 1 to 100 scale 1989 aerials using FLUCFCS to level 4 and cross-referenced to FNAI (Table 1.) Due to size and number of sheets, the aerials are not included in this plan, but are available for review at the Department of Parks and Recreation. The detail of the FLUCFCS mapping precludes a reduced specific community map. A general representation of vegetative communities is depicted in Figure 9.

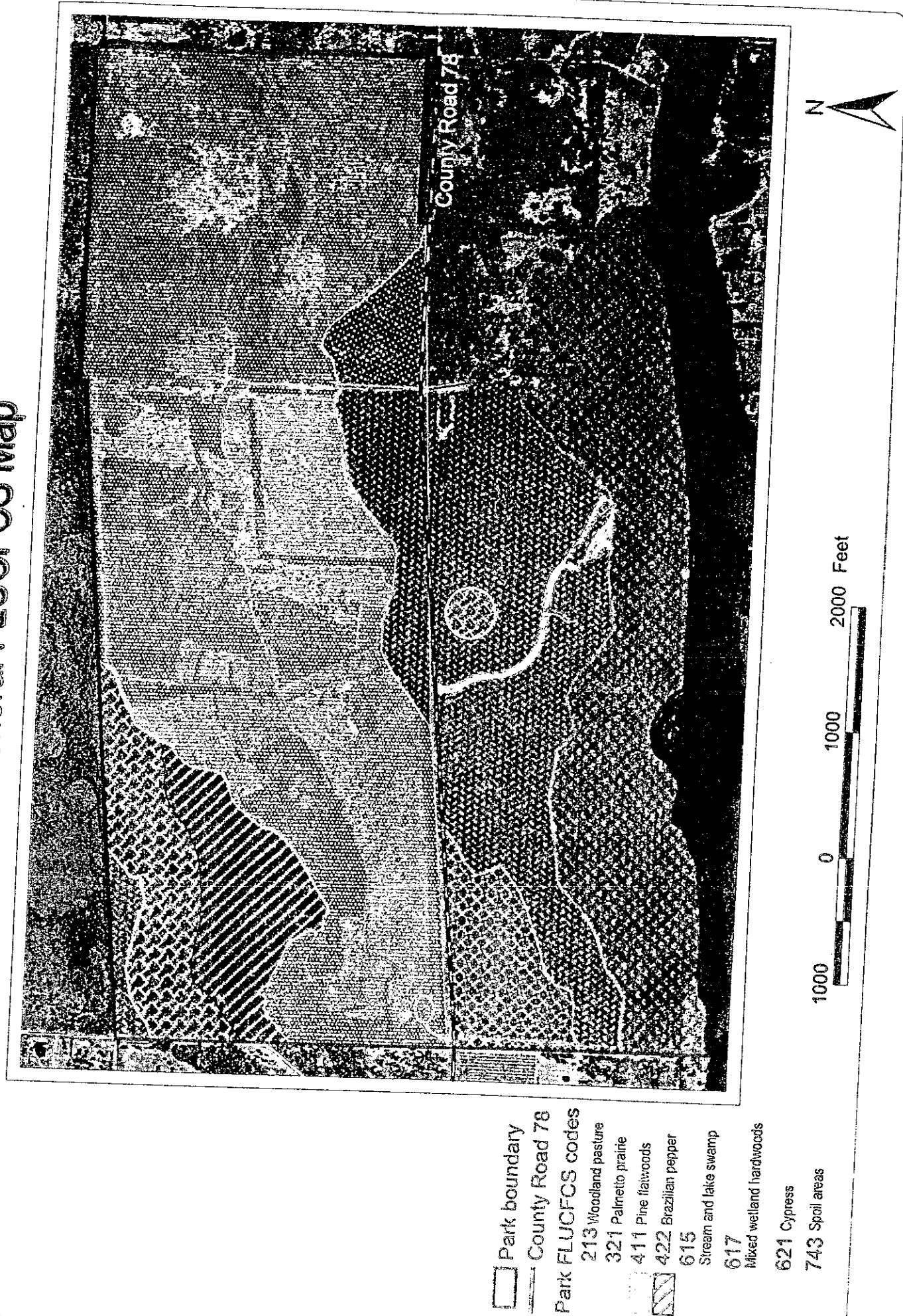


LEE COUNTY WATERSHED MAP

Tributaries of the Caloosahatchee River

Figure 9

CALOOSAHAATCHEE REGIONAL PARK General FLUCFCS Map



The ecological diversity of the site is attested by the 65 distinct biological and ruderal communities that were identified to level 4 of the FLUCFCS classification system.

These communities are grouped to twenty level 3 communities in the brief descriptions that follow. A partial list of plant species identified on the site is provided in Table 2. Common and scientific names are from Long and Lakela (1971) and Wunderlin (1998). This list will be expanded as additional species are discovered and identified. Vertebrates observed on the site are listed by community in Table 3. Vertebrate diversity is limited on the site. The reason for this is not understood. Nesting sites, continuous food supply, and appropriate cover may be limiting factors for certain wildlife species. Habitat will be evaluated and a determination made on how it can be enhanced. Wild hogs may also be responsible for predation of wildlife species that spend at least a portion of their life cycle on the ground. An aerial view of the site (Figure 10) provides an interesting comparison to the FLUCFCS map and depicts the present site conditions.

Figure 10

CALOOSAHAATCHEE REGIONAL PARK
1998 Aerial Photograph



4000 Feet

2000

0

2000

□ Park boundary

BIOLOGICAL COMMUNITIES DESCRIPTIONS

Recreational – Cleared with Shed – FLUCFCS 1896

.32 acres/ < .1% of site

This area contains a shed used by water-skiers on the westernmost island.

Woodland Pasture – FLUCCS 2131, 2132, 2133, 2134, 2135, 2136, 2137

37.6 acres/ 4.9% of site

The abandoned pasture area is in various stages of ecological succession with dominant vegetation varying from Bahia grass *Paspalum notatum* to live oak *Quercus virginiana*. Other species occurring in this community are cabbage palm *Sabal palmetto*, slash pine *Pinus elliottii*, saw palmetto *Serenoa repens*, saltbush *Baccharis halimifolia*, Brazilian pepper *Schinus terebinthifolius*, greenbriar *Smilax* sp., and wax myrtle *Myrica cerifera*. This area is located south of C.R. 78 within the eastern portion of the site. The live oaks, some quite large, occur in clumps and form a closed canopy.

Citrus Grove – FLUCFCS 2200, 2212, 2213

54.5 acres/7.1% of site

A 1958 aerial of the site shows 4 groves on the site near the river. These groves were abandoned afterwards and no citrus trees occur within these areas. Volunteer grapefruit and tangerine trees have been observed in other areas. Dominant vegetation includes Brazilian pepper, live oak, saltbush and Guinea grass *Panicum maximum*.

Saw Palmetto Prairie – FLUCFCS 3211

FNAI – Dry Prairie

16.8 acres/2.2% of site

The saw palmetto prairie is located on the south side of C.R. 78 near the western boundary. Saw palmetto is dominant with a scattered overstory of slash pine. Tarflower *Befaria racemosa* is also scattered through the area. Gopher tortoise *Gopherus polyphemus* burrows occur throughout this area. The natural fire frequency appears to be every 1-4 years (FNAI, 1990) which will be the interval recommended for this area.

Slash Pine Flatwoods (includes Pine/Mesic Oak)

FLUCFCS 4111, 4112, 4113, 4114, 4141, 4142, 4143, 4144, 4145
FNAI – Mesic Flatwoods
74.9 acres/9.9% of site

Slash pine is the only native pine indigenous to eastern Lee County. This species provides the unifying character to a number of sub-communities at CRP with varying soils, elevation and understory. The middle area south of C.R. 78 has some of the most mature slash pines. Other species occurring in this community are saw palmetto, cabbage palm, live oak, and laurel oak *Quercus laurifolia*. This community probably experienced fire every 1-8 years during pre-Columbian times (FNAI 1990). That interval is recommended for prescribed burning for the community.

Brazilian pepper – FLUCFCS 4221

1.1 acre/0.2% of site

Brazilian pepper occurrences in dominant stands on natural, undisturbed grade is limited to the western island in the Caloosahatchee River. Brazilian pepper seedlings and saplings have been observed throughout the site with greater frequency in the hardwood communities. Please refer to the description for spoil areas which explains Brazilian pepper's occurrence there.

Tropical Hardwood – FLUCFCS 4216

FNAI Rockland Hammock
1.3 acres/0.2% of site

A tropical hammock is located near the southeast corner of the property near the river. Strangler fig *Ficus aurea*, cabbage palm, and white stopper *Eugenia axillaris* are the dominant species.

Other Hardwoods – FLUCFCS 4391, 4392, 4393, 4394, 4395, 4396
FNAI – Floodplain Forest
86.6 acres/11.3% of site

The diversity of tree and shrub species on the site is high for Southwest Florida, which is the southern range for many temperate species, as well as the northern limit for many of the tropical species. Live oak and laurel oak are dominant components of this diverse community which occurs parallel to the river and extends up to C.R. 78 near the middle of the site. Red maple *Acer rubrum*, water hickory *Carya aquatica*, American elm *Ulmus americana*, hackberry *Celtis laevigata* and cabbage palm are frequent associates in this diverse community.

Canals – Freshwater with berm – FLUCFCS 514
24.9 acres/3.3% of site

A freshwater canal system parallels Fichter's Creek on its south side and runs to the west and then south along the western property boundary to the Caloosahatchee River. The berm is covered primarily with Brazilian pepper. The canals contain a variety of herbaceous vegetation and contribute to the drainage of the park site.

Stream and Lake Swamps (Bottomland) – FLUCCS 6151, 6152, 6153, 6154, 6155
FNAI Floodplain Swamp
28.9 acres/3.8% of site

The community consists of the bottomland floodplain associated with the Caloosahatchee River and Fichter Creek. The Caloosahatchee formerly inundated its floodplain during flood stages prior to channel dredging and widening. Dominant species include popash *Fraxinus caroliniana*, cabbage palm, red maple, Carolina willow *Salix caroliniana* and tupelo *Nyssa sylvatica*.

Inland Pond and Swamp – FLUCCS 6161, 6162, 6163, 6164, 6165, 6166, 6167,
6168

FNAI Floodplain Forest
13.7 acres/1.8% of site

These wetland community associations occur in hydrologically isolated locations from the bottomland floodplain. A variety of species including popash, red maple, pond cypress *Taxodium ascendens*, cabbage palm, laurel oak, Carolina willow and buttonbush, *Cephalanthus occidentalis* dominate this community. Inundation of this community is seasonal and rainfall dependent. The predominant location for this community is on the south side of CR 78 just east of the park entrance road.

Mixed Wetland Hardwoods – FLUCFCS 6171, 6172, 6173
FNAI Hydric Hammock
37.3 acres/5.9% of site

This variable community type consists of a mixture of cabbage palm, water hickory, red maple, hackberry, and slash pine. It occurs along the river in areas of a somewhat higher elevation than the adjacent inland pond and swamp community.

Cypress – FLUCFCS 6211, 6212
FNAI Strand Swamp
7.4 acrea/1.0% of site

Fichter's Creek's well-defined flow channels, in the northwest corner of the site, as well as its width of approximately 150 feet, give it characteristics of both a stream and a slough. The stream channels may have become more defined due to the dredging of the Caloosahatchee with a resultant increased capacity to convey run-off from its tributaries, particularly at flood stages. The cypress community occurs within the main slough/stream channel area. One very large cypress grows in this area, the rest of the trees appear to be second growth.

"Fire occurs in Strand Swamp on a cycle of perhaps 3-200 years, with the largest trees on the deepest peat towards the center of the strand burning least frequently. Fire is essential for maintenance of this natural community; without fire, hardwood invasion and peat accumulation would convert the strand to Bottomland Forest in a few hundred years. Cypress is very tolerant of light surface fires, but muck fires burning into the peat can kill the trees, lower the ground surface, and transform a Strand into a Slough" (FNAI, 1990). A prescription for fire in this area will be prepared.

Cypress-Pine-Cabbage Palm – FLUCFCS 6241, 6250

FNAI Wet Flatwoods
0.2 acres<0.1% of site

This is a small community with slash pine occurring in wetland association with St. Johns wort *Hypericum* sp.. It is located on the south side of C.R. 78 approximately 1500 feet from the west boundary and near the northwest corner.

Cabbage Palm – FLUCFCS 6251

FNAI Hydric Hammock
1.1 acres/0.1% of site

Cabbage palm and laurel oak form an association located on the north side of S.R. 78 approximately 3/5 of a mile from the western property boundary.

Freshwater Marsh – FLUCFCS 641

FNAI Basin Marsh
0.9 acre/0.1% of site

This seasonally wet area is located south of C.R. 78 near the northeast corner. Dominant vegetation includes cogon grass *Imperata cylindrica* which is an aggressive exotic.

Emergent Aquatic Vegetation – FLUCFCS 6441, 6442, 6443

FNAI Depression Marsh
1.4 acre/0.4% of site

These marshy areas are comprised of primrose willow *Ludwigia peruviana*, arrow arum *Peltandra virginica*, spatterdock *Nuphar lutea*, water lettuce, *Pistia stratiotes*, and water hyacinth, *Eichhornia crassipes*, and occur along the river shoreline. Fire flag, *Thalia geniculata*, marshes occur on the islands in the river.

Spoil Areas – FLUCFCS 7431, 7432, 7433, 7434, 7435, 7436, 7437, 7438, 7439

392.4 acres/51.5% of site

Spoil areas occur along the Caloosahatchee River from earlier dredgings, and on the north side of C.R. 78 from the 1960's dredging. Dominant vegetation includes Brazilian pepper, red cedar *Juniperus virginiana*, salt bush, wax myrtle, live oak, slash pine and cabbage palm. Trails run throughout the spoil area on the north side of C.R. 78. Guinea grass *Panicum maximum*, cogon grass and napier grass *Pennisetum purpureum*, all invasive exotic species, have invaded some of the area from which Brazilian pepper was removed by heavy equipment in 1995-1996.

Pipeline and Water Return Easements – FLUCFCS 7461

6.0 acres/0.9% of site

These north-south oriented areas occur in association with the spoil areas and were used both for the pipes that were used during the dredging in the 1960's to pump spoil to the north side of C.R. 78 and to allow water within the dredged slurry to drain back to the river. These areas are located south of C.R. 78 along the west boundary and near the east boundary in several areas. Vegetation occurring within or along these long, narrow areas includes Brazilian pepper, grapevine and a variety of shrubs and herbaceous species.

Primitive Trails – FLUCFCS 8146

2.1 acres/0.3% of site

Trails in basically undisturbed areas occur in several locations south of S.R. 78. The main trail extends in a southeast direction from near the center and is dominated by pines and scrub oaks. Another trail goes due south from near the old Kellum homesite to the river, possibly where Dr. Kellum kept his boat for trips by water to Fort Myers.

Summary

Classifications to Level IV of FLUCFCS, which allowed a more detailed and flexible vegetation mapping of the site, determined 65 different vegetative communities or land forms. Of these 19 are upland, 29 are wetland and 17 are areas disturbed by humans including spoil areas, canals, citrus groves and pastures. Acreage for each of these areas is:

	Number	Acres (approx.)	% of Site
Upland Communities	19	219.3	28.9
Wetland	29	90.2	11.8
Disturbed Areas	17	454.3	59.8
TOTAL	65	764.0 (approx.)	100.5

TABLE 1
COMPARISON OF THE FLORIDA NATURAL AREAS INVENTORY (FNAI)
HIERARCHIAL CLASSIFICATION OF NATURAL COMMUNITIES WITH THE
FLORIDA LAND USE COVER AND FORMS CLASSIFICATION OF
COMMUNITIES OCCURRING AT CALOOSAHAATCHEE REGIONAL PARK
(FLUCFCS)

Total Area = 768 acres
Three Islands = 5.7 acres
< = less than
N/C – no comparable classification

FNAI SYSTEM	FLUCFCS	ACREAGE/PERCENT	
N/C	189	OTHER RECREATIONAL	0.32/<0.1
		1896 Cleared w/shed	0.32/<0.1
N/C	213	Woodland Pastures	37.6/4.9
		2131 Abandoned/grasses dominant	13.2/1.7
		2132 Abandoned/shrubs dominant	6.8/0.9
		2133 Abandoned/oaks dominant	12.4/1.6
		2134 Abandoned/slash pine and oak	2.8/0.4
		2135 Abandoned/sabal palm dominant	
		2.1/0.2	
		2136 Abandoned/slash pine/saw palmetto	0.4/<0.1
N/C	221	2137 Associated structures/buildings	0.8/0.1
		CITRUS GROVES	54.5/7.1
		2211 Abandoned/shrubs dominant	6.1/0.8
		2212 Abandoned/oaks dominant	8.4/1.1
		2213 Abandoned/Brazilian pepper dominant	6.3/0.8
Dry Prairie	321	PALMETTO PRAIRIES	16.8/2.2
		3211 Saw-palmetto prairie	16.8/2.2
Mesic Flatwoods	411	PINE FLATWOODS	35.7/4.7
		4111 Slash pine/grass understory	0.2/<0.1
		4112 Slash pine/saw-palmetto under- story	35.7/4.7
		4113 Slash pine/xeric oak midstory/ saw palmetto	7.0/0.9
		4114 Slash pine/xeric oak/grass understory	6.2/0.8

Table 1 (continued)

<u>FNAI SYSTEM</u>	<u>FLUCFCS</u>		ACREAGE/PERCENT
Upland Pine Forest	414	PINE/MESIC OAK	39.1/5.2
		4141 Slash pine/mesic oak midstory/ herbaceous understory	7.4/1.0
		4142 Slash pine/mesic oak midstory/ saw palmetto understory	9.5/1.3
		4143 Slash pine mesic oak midstory/ myrsine and ardisia	15.3/2.0
		4144 Slash pine/mesic oak midstory/ myrsine	5.3/0.7
		4145 Slash pine/mesic oak midstory	
	422	BRAZILIAN PEPPER	1.2/0.2
		4221 Brazilian pepper-island strands	1.2/0.2
Rockland Hammock	426	TROPICAL HARDWOODS	1.3/0.2
		4261 Stangler fig/sabal palm/stoppers	1.3/0.2
Floodplain Forest	439	OTHER HARDWOODS	86.6/11.3
		4391 Oak/shrub/herb and grass under- story	1.4/0.2
		4392 Oak/saw-palmetto understory	23.7/3.1
		4393 Oak/sabal palm/saw-palmetto	12.2/1.6
		4394 Oak/sabal palm/stoppers	20.5/2.7
		4395 Maple/saw-palmetto	0.5/<0.1
		4396 Oak/sabal palm/shrubs/herbs	3.4/0.4
	514	CANALS	
		5141 Freshwater canal/with berm	24.9/3.3
Floodplain Swamp	615	STREAM & LAKE SWAMPS(bottom land)	28.9/3.8
		6151 Pond apple/leather fern	0.7/0.1
		6152 Ash dominant	1.2/0.2
		6153 Sabal palm dominant	9.9/11.3
		6154 Sabal palm/leather fern	4.8/0.6
		6155 Maple/willow/tupelo	12.3/1.6
Floodplain Forest	616	INLAND PONDS AND SLOUGHS	13.7/1.8
		6161 Pond	0.1/<0.1
		6162 Willow dominant	0.2/<0.1
		6163 Ash dominant	1.01/0.1
		6164 Maple dominant	3.4/0.4
		6165 Cypress dominant	2.3/0.3
		6166 Sabal palm dominant	3.6/0.3
		6167 Buttonbush/willow dominant	0.4/<0.1
		6168 Oak dominant	2.7/0.4

TABLE 1 (continued)

<u>FNAI SYSTEM</u>	<u>FLUCFCS</u>		ACREAGE/PERCENT
Hydric Hammock	617	MIXED WETLAND HARDWOODS (large variety but exhibit an ill-defined mixture of species)	
		6171 Sabal palm/oak/hickory/ elm hackberry	27.8/3.7
		6172 Sabal palm/oak dominant	8.8/1.2
		6173 Slash pine/sabal palm/maple	0.7/0.1
Dune Swamp	620	CYPRESS	7.4/1.0
		6211 Cypress Strand	6.9/0.9
		6212 Cypress, island edge	0.5/<0.1
Wet Flatwoods	624	CYPRESS/PINE/CABBAGE PALM (neither achieves dominance, transitional edge)	
		6241 Slash pine/hypericum/xyris	0.2/<0.1
		6250 Sabal palm/oak	1.1/0.1
Basin Marsh	641	FRESHWATER MARSHES (longer hydroperiod and shorter herbage than wet prairie)	0.9/0.1
		6411 Freshwater marsh	0.9/0.1
Depression Marsh	644	EMERGENT AQUATIC VEGETATION	1.4/0.2
		Emergent aquatic grasses	0.2/<0.1
		6442 Primrose willow	0.2/<0.1
		6443 Mix:	1.0/0.1
		Arrow	
		Arum	
		Hydrocotyle	
		Spatterdock	
		Water lettuce	
		Water hyacinth	
N/C	743	SPOIL AREAS	392.4/51.5
		7431 Trails/primitive	7.9/1.0
		7432 Native trees, exotic grasses	164.3/21.6
		7433 Salt bush/wax myrtle/sabal palm	144.6/19.0
		7434 Grasses dominant	17.8/2.3
		7435 Wax myrtle/grasses	34.0/4.6
		7436 Oak and/or slash pine	3.9/0.5
		7437 Salt bush dominant	5.4/0.7
		7438 Andropogon/herb dominant	10.0/1.3
		7439 Mix: Slash pine, oaks, sabal palm and herbs	4.5/0.6
N/C	746	PIPELINE AND WATER RETURN	6.0/0.9
		7461 Pipeline and water return	6.0/0.9
N/C	814	ROADS AND HIGHWAYS	2.1/0.3
		8146 Primitive trails	2.1/0.3

TABLE 2
PLANT SPECIES
Trees – Native (22 species)

<u>Scientific Name</u>	<u>Common Name</u>
<i>Pinus elliotti</i> var. <i>densa</i>	South Florida slash pine
<i>Pinus palustris</i> +	long-leaf pine
<i>Quercus virginiana</i>	live oak
<i>Q. laurifolia</i>	laurel oak
<i>Q. mytifolia</i>	myrtle oak
<i>Q. chapmanii</i>	Chapman's oak
<i>Taxodium ascendens</i>	pond cypress
<i>Carya aquatica</i> *	water hickory
<i>Fraxinus caroliniana</i>	pop ash
<i>Morus rubra</i>	red mulberry
<i>Ulmus americana</i>	American elm
<i>Nyssa sylvatica</i> *	swamp black gum
<i>Ficus aurea</i>	strangler fig
<i>Annona glabra</i>	pond apple
<i>Salix caroliniana</i>	Carolina willow
<i>Acer rubrum</i>	red maple
<i>Juniperus virginiana</i>	red cedar
<i>Celtis laevigata</i>	hackberry
<i>Liquidambar styraciflua</i> +	sweetgum
<i>Platanus occidentalis</i> +	sycamore
<i>Diospyros virginiana</i>	persimmon
<i>Persea borbonia</i>	red bay

+ Planted on north side – not indigenous to site prior to planting

* May be at southern limits for SWFL on this site

Trees – Exotic (8 species)

<u>Scientific Name</u>	<u>Common Name</u>
<i>Sygium cuminii</i>	Java plum
<i>Bischofia javanica</i>	Bishop wood
<i>Schinus terebinthifolius</i>	Brazilian pepper
<i>Dalbergia sissoo</i>	Indian rosewood
<i>Psidium quajava</i>	guava
<i>Melia azederach</i>	Chinaberry
<i>Albizia lebbek</i>	albizzia
<i>Cupaniopsis anacardioides</i>	carrotwood

TABLE 2 (continued)
Shrubs – Native (30 species)

<i>Forestiera segregata</i>	wild olive
<i>Schoepfia chrysophylloides</i>	Gulf graytwig
<i>Asimina reticulata</i>	pawpaw
<i>Befaria racemosa</i>	tar flower
<i>Bumelia celastrina</i>	buckthorn
<i>Viburnum obovatum</i>	Walter viburnum
<i>Myrica cerifera</i>	wax myrtle
<i>Erythrina herbacea</i>	coral bean
<i>Ardisia escallonioides</i>	marlberry
<i>Lyonia fruticosa</i>	coastal plain staggerbush
<i>L. lucida</i>	fetterbush
<i>Psychotria nervosa</i>	wild coffee
<i>P. sulzerni</i>	wild coffee
<i>Cornus foemina</i>	swamp dogwood
<i>Ximenia americana</i>	hog plum, tallowwood
<i>Eugenia axillaris</i>	white stopper
<i>Baccharis halimifolia</i>	salt bush, groundsel
<i>B. glomerifolia</i>	salt bush, groundsel
<i>Hypericum sp.</i>	St. Johns wort
<i>Vaccinium myrsinites</i>	shiny blueberry
<i>Vaccinium corymbosum</i>	high bush blueberry
<i>Zanthoxylum fagara</i>	wild lime
<i>Ilex glabra</i>	gallberry
<i>Rubus sp.</i>	blackberry
<i>Chrysophyllum oliviforme</i>	satinleaf
<i>Callicarpa americana</i>	American beautyberry
<i>Quercus pumila</i>	running oak
<i>Myrcianthes fragrans</i>	Simpsons stopper
<i>Sambucas canadensis</i>	elderberry
<i>Rhus copallinum</i>	winged sumac
<i>Randia aculeata</i>	white indigo berry

Shrubs – Exotic (3 species)

<i>Lantana montevidensis</i>	trailing lantana
<i>Ardisia elliptica</i>	shoebutton ardisia
<i>Eugenia uniflora</i>	Surinam cherry

Palms (2 species)

<i>Sabal palmetto</i>	cabbage palm
<i>Serenoa repens</i>	saw palmetto

TABLE 2 (continued)

Woody Vines (6 species)

<i>Toxicodendron radicans</i>	poison ivy
<i>Parthenocissus quinquefolia</i>	Virginia creeper
<i>Ampelopsis arborea</i>	pepper vine
<i>Sarcostemma clausa</i>	white vine
<i>Smilax sp.</i>	greenbrier
<i>Campsis radicans</i>	trumpet creeper

Grasses – Native

<i>Tripsacum dactyloides</i>	Eastern gama grass
<i>Panicum sp.</i>	panic grasses
<i>Eragrostis sp.</i>	lovegrass
<i>Cenchrus sp.</i>	sandspur
<i>Andropogon sp.</i>	broomsedge

Grasses – Exotic

<i>Cynodon dactylon</i>	Bermuda grass
<i>Arundo donax</i>	giant reed
<i>Pennisetum purpureum</i>	napier grass
<i>Paspalum notatum</i>	bahia grass
<i>Imperata cylindrica</i>	cogon grass
<i>Panicum maximum</i>	Guinea grass
<i>Rhynchelytrum repens</i>	natal grass
<i>Rotboellia cochinchinensis</i>	itch grass

Herbaceous Plants

<i>Ambrosia artemisiifolia</i>	ragweed
<i>Abrus precatorius</i>	rosary pea (exotic)
<i>Vernonia sp.</i>	ironweed
<i>Diodia teres</i>	buttonweed
<i>Iris hexagona</i>	prairie iris
<i>Boehmeria cylindrica</i>	false nettle
<i>Elephantopus elatus</i>	Florida elephant's foot
<i>Mikania scandens</i>	climbing hempvine
<i>Bacopa monnieri</i>	bacopa
<i>Crotalaria sp.</i>	rattlebox
<i>Lippia nodiflora</i>	fog fruit
<i>Commelina sp.</i>	day flower
<i>Cassia chamaecrista</i>	partridge pea
<i>Melochia corchorifolia</i>	chocolate weed
<i>Urena lobata</i>	caesar weed (exotic)
<i>Cicuta mexicana</i>	water hemlock

TABLE 2 (continued)

Herbaceous Plants (continued)

<i>Centella asiatica</i>	coinwort
<i>Hydrocotyle umbellata</i>	marsh pennywort
<i>Polygonum sp.</i>	smartweed

Terrestrial Ferns – Native* (3 species)

<i>Pteridium aquilinum</i>	bracken fern
<i>Blechnum serrulatum</i>	swamp fern
<i>Acrostichum danaeifolium</i>	leather fern

Epiphytes (9 species)

<i>Psilotum nudum</i>	whisk fern
<i>Vittaria lineata</i>	shoestring fern
<i>Phlebodium aureum</i>	golden polypody
<i>Polypodium polypodioides</i>	resurrection fern
<i>Ophioglossum palmatum</i>	hand fern
<i>Tillandsia fasciculata</i>	cardinal air plant
<i>T. utriculata</i>	giant wild pine
<i>T. setacea</i>	wild pine
<i>T. usneoides</i>	Spanish moss

* See epiphytes for additional ferns

Listed Species

None of the known listed species documented are unique to this site (Table 4). Additional field work to be conducted during the implementation of this plan will possibly discover the presence of additional protected species.

Special Natural Features

The Caloosahatchee River, as discussed under the site history section, is a "natural" feature that lost its winding, narrow, character when it was straightened, widened and deepened by Hamilton Disston and later by the U.S. Army Corps of Engineers.

Several tree species reach their southern limits along the west coast of Florida in the area of Lee County along the Caloosahatchee near Alva. These include swamp black gum or swamp tupelo *Nyssa sylvatica*, and water hickory *Carya aquatica* - (Little, 1978). The river also has acted as a micro-climate corridor for a significant number of West Indian shrubs not usually found this far inland.

Cultural Resources

While the property has an excellent potential for containing archaeological and historic sites, only two such sites have thus far been identified. One, prehistoric site 8LL747, identified by a local collector, is located in the north-central portion of the northern half of the property and is reported to be buried under fill (Figure 11). The second site is the remains of a historic homesite identified by the presence of a rock chimney and located just south of County Road 78 (Figure 11). Neither the condition nor the significance of either site has been assessed by professional archaeologists and historians. Furthermore, archaeologists in the Florida Department of State, Division of Historical Resources, the agency which has jurisdiction of such sites on state-owned lands, believe that other prehistoric and historic archaeological sites are located within the park boundaries. These sites are believed to be located near the shoreline of the current and relic channels of the Caloosahatchee River, and near ponds and swamps elsewhere on the property. Therefore, the management of the property will need to be conducted so as to take such resources into account. Consultation with the Division of Historical Resources is essential, and the professional archaeological investigation of areas identified by the Division as having a high likelihood of site occurrence will need to occur in advance of any ground disturbing activities associated with park development.

Figure 11

CALOOSAHAATCHEE REGIONAL PARK Cultural Resources Map



- Park boundary
- historic homesite
- Y archeological site

1000 0 1000 2000 Feet



TABLE 3
CALOOSA HATCHEE REGIONAL PARK
PROTECTED SPECIES LIST

Common Name	Scientific Name	Occurrence by FLUCFCS Code	Designated Status			Site Status
			FWC	FDACS	USFW	
Gopher Tortoise	<i>Gopherus polyphemus</i>	321,411,412 414,419,435	SSC		C2	*
Eastern indigo snake	<i>Drymachon corais couperi</i>	615,616	T		T	* 1
Wood stork	<i>Mycteria americana</i>	614,616	E		E	
Florida scrub jay	<i>Aphelocoma coerulescens</i>	743	T		T	*1
Sherman's fox squirrel	<i>Sciurus niger shermani</i>	411	T			*
Florida panther	<i>Felis concolor coryi</i>		E		E	*
Hand fern	<i>Ophioglossum palmatum</i>	615,616		E		*
Satinleaf	<i>Chrysophyllum oliviforme</i>	615,616		E		*
Simpson's stopper	<i>Myrcianthes fragrans</i>	615,616		T		*
Giant leather fern	<i>Acrostichum danaeifolium</i>	615,616		C		*

KEY

* Occurrence verified

SSC Species of special concern

C2 A candidate for listing with some evidence of vulnerability, but for which not enough data exists to support listing

FWC — Florida Fish & Wildlife Conservation Commission

FDACS — Florida Department of Agriculture and Consumer Services

USFWS — United States Fish & Wildlife Service

*1 – not seen since 1995

RESOURCE MANAGEMENT PROGRAM

Management Needs and Problems

Spoil Area and Drainage

Topographic and soil disturbances on the portion of the site north of County Road 78 include an expansive spoil area and berms which cover over half of the total site. Restoration of the spoil area to a native plant community is impossible. Former agricultural ditches and berms which occur on the portion of the site south of County Road 78 form a network with both north to south and east to west orientation and drain south to the river. The ditches within the site between County Road 78 and the River were filled in during 1999 at their junction with the river to restore natural drainage and hydroperiod of the wetland communities.

Shoreline Erosion

The Caloosahatchee River is a component of the Okeechobee Waterway (OWW). Wakes from boats traveling the OWW create extensive shoreline erosion. It is important to remember that the present shoreline (Figure 10) is completely different than the 1953 shoreline (Figure 5) which is also different than the original shoreline. The shoreline has been eroding ever since the river and the OWW were widened, straightened, and deepened in the early 1960's. Shoreline erosion is a continual problem due to the steep slope of much of the shoreline and the heavy boat traffic. The problematic exotic Brazilian pepper (*Schinus terebinthifolius*) invaded the disturbed new shoreline and had formed a 50ft to 300ft wide thick, 10-20ft tall impenetrable band of trees that ran along most of the shoreline. These peppers were removed with heavy equipment in 1999.

The bank and littoral zone was planted with wetland trees, shrubs, and emergent herbaceous plants in late 1999 and mid-2000. It will be important to evaluate how effective these plantings are in stabilizing the shoreline. Additional plantings may be needed at the archaeological site and may include trees, shrubs, grasses and rushes. Cuttings of Carolina willow have been used and may be used in the future. Elderberry may also be used.

Archaeological Site

One known archaeological site occurs in the park (Figure 11). It is an Indian Mound that has been covered by the spoil bank. A historic home site also is located in the Park (Figure 11). A lime rock chimney is all that remains. The home site area will be preserved and used for educational purposes. An interpretive sign will be placed nearby to explain the site's historical significance. The Indian Mound location will be determined and investigated to ensure that a conflict does not occur with facility development.

Management Objectives

The primary objective of this plan is to ensure that a continual balance is maintained between provision of public recreational facilities and resource protection. It is the intent of Lee County to implement the activities recommended in this plan to restore and maintain the natural communities on the site as functional, representative samples of Florida's original natural systems.

"Original" as used in this text is defined as the condition that existed prior to the ecological disruptions caused by European man. Virtually all lands acquired by the State for the purpose of park development have been altered or manipulated to some extent prior to their acquisition. In some areas, very little remains of the land's original natural characteristics. In these areas, the desired objective may be unattainable in the strictest sense because some natural elements are gone forever.

Returning this park to an original condition is impossible. The area north of County Road 78 has been irrevocably altered as have the banks of the Caloosahatchee River. Dredging has straightened the river, thus shortening and altering its hydrological and ecological character. Native vegetation was disturbed along the riverbank. However, most of the area south of State Road 78 has natural and aesthetic values well worth preserving. The elimination of exotic plants and the reintroduction of fire to appropriate communities will enhance these values.

Management Measures for Biological Communities

Hydroperiod

Goal: Restore and maintain the site hydrology as much as possible given the major topographic changes that have occurred.

Objective (restoration): Install weirs, ditchblocks or other structures to counteract drainage impacts that have occurred on the site.

Objective (monitoring): Establish a monitoring program for wetlands to determine their hydroperiod before and after restoration activities. Monitoring of aquatic indicator animal species is also recommended.

Performance Standard: The hydrology of on-site wetlands supports vegetation and wildlife similar to that of similar areas that have had minimal disturbance.

Monitoring will be conducted to determine the hydroperiod of the wetland communities. The hydroperiods for both the isolated and connected wetlands will be compared to known optimum hydroperiods for similar ecosystem to determine their health. Restoration efforts (control structures and filling ditches) will be pursued to restore the hydroperiods if necessary. Fill was placed in the internal ditches that drained the area south of C.R. 78 in late 1999. Hopefully, this action will help increase the hydroperiod of the wetlands near the river.

Prescribed Burning

Goal: Reestablish a fire regime conducive to maintenance of pyric plant communities.

Objective: Partition the site into management units and prepare a burn plan for each unit.

Schedule burns at intervals appropriate for the particular plant community.

Performance Standard: Pyric communities experience fire at intervals recognized by Florida Natural Areas Inventory or other organizations as appropriate.

Many of Florida's biological communities are adapted to fire. Historically, lightning initiated fires spread slowly and traveled long distances before being extinguished naturally. Today, however, most naturally occurring fires are suppressed to prevent loss of life and property. Where natural fire frequency has been suppressed, fire must be periodically introduced to fire-adapted communities in order to maintain them in their natural condition.

The objectives of prescribed burning are to create the most natural conditions for a particular community, and to maintain ecological diversity within the unit's biological communities. To meet these objectives, the park is partitioned into management units and burn programs are implemented for each zone (see Addendum 2). These programs are periodically reviewed and maintained in the unit's burn plan. All prescribed burns in Caloosahatchee Regional Park are conducted under permit from the Department of Agriculture and Consumer Services, Division of Forestry. The unit's burn plan and a detailed discussion of the considerations that influence the use of fire as a tool for managing biological communities are included as Addendum 2.

Exotic Species Control

Goal: Control all invasive plants and animals to at least a maintenance level.

Objective (plants): Prepare a treatment methodology and schedule by management unit that includes control measures for exotic plants.

Performance Standard (exotic plants): Bring all populations of exotic plants to at least a control level in each management unit.

Objective (wild hogs): Establish a control program for wild hogs that is safe, humane and complies with all regulations regarding disease concerns.

Performance Standards (wild hogs): Wild hogs are brought to a population level that limits their impact from rooting on groundcover vegetation and trails.

Exotic species are considered to be those plants or animals that are not native to Florida, but that were introduced as a result of human-related activities. Table 5 lists exotic animals documented at CRP. Exotic species on resource areas managed by Lee County are controlled or removed in accordance with established policies and procedures as detailed in the Land Stewardship Operations Manual which is used to guide stewardship activities on all county preserves and resource-based parks, and to provide a source of information and control techniques for these activities.

Plants

Exotic plants compete with native species for the same resources: space, sunlight, water, and soil nutrients. Additionally, because of their “newness” in the invaded environment, natural population control factors are often lacking which would keep them in check. Exotic plants frequently are able to proliferate rapidly and often will displace native species that are less competitive. Exotic plants may also harbor disease or parasites that significantly impact non-resistant native species. For these reasons, the policy of Lee County Parks and Recreation is to control exotic plants occurring in native plant communities. In CRP this includes the spoil area.

Exotics that proliferate rampantly, and readily displace native plants, pose a more serious threat to native communities than exotics that propagate slowly. The importance of exotic plant removal is accentuated when the native communities include endangered or rare species, or are otherwise in relatively pristine condition. Exotic plant control programs are generally conducted in a manner that gives the highest priority to those species with the greatest potential for impacting native biological communities. Table 5 lists the exotic species present in Caloosahatchee Regional Park. A plan for exotic removal, with priority attention on Brazilian pepper, is included in Addendum 3.

Animals

Like exotic plants, exotic animals also have deleterious effects on native plants and animals. Since they frequently feed on, compete with, or disturb species that previously existed in dynamic equilibrium with their natural enemies, exotic animals can facilitate the demise of rare or endangered species. Exotic animals frequently out-compete native animals and, therefore, may eventually displace the native forms. Exotics generally have fewer natural enemies and may have a higher survival rate than do native species, as well. Exotic animals may also be vectors of diseases or parasites that could adversely affect native species. For these reasons, the county has maintained a policy of removing exotic animals from native plant communities.

Like plants, some exotic animals are more deleterious than others. Exotic animals that inflict the greatest impact on native biological communities receive the highest priority for removal. Generally, these are animals that have a high reproductive potential and few natural controls, such as feral pigs, armadillos, and fire ants. Also included in this group are animals whose abundance is directly related to human populations, such as domestic cats and dogs. Although house pets do not typically propagate in the wild, their free-ranging activities on park lands can have an effect on native species that normally would not have to contend with these additional pressures. A list of the exotic animals occurring at Caloosahatchee Regional Park, ordered according to their priority for removal, is provided in Table 4.

A trapping program for wild hogs was initiated in May 2000. This program involves live trapping and removal. The effectiveness of this program will be evaluated and continued if it is effective in meeting the performance standard given in the Exotic Species Control section on page 39-40

TABLE 4
CALOOSAHATCHEE REGIONAL PARK
EXOTIC PLANT AND ANIMAL LIST

PLANTS

Common Name	Scientific Name	Occurrence by FLUCFCS Code	EPPC Category	Site Status
Brazilian pepper	<i>Schinus terebinthifolius</i>	213, 221, 422, 439, 615, 617, 620	I	* +
Bishop wood	<i>Bischofia javanica</i>	426, 439, 617	I	* +
Guava	<i>Psidium quajava</i>	439, 615, 617	I	* +
Surinam cherry	<i>Eugenia uniflora</i>	439, 615	I	*
Orange, grapefruit	<i>Citrus spp.</i>	439	—	*
Shoebutton ardisia	<i>Ardisia elliptica</i>	439	I	
Rosewood	<i>Dalbergia sissoo</i>	439	II	* +
Tropical soda apple	<i>Solanum viarum</i>	213, 743	I	* +
Washingtonia palm	<i>Washingtonia robusta</i>	744, 746	—	*
White thunbergia	<i>Thunbergia fragrans</i>	439	—	
Crab's eye, Rosary pea	<i>Abrus precatorius</i>	439	I	*
Cogon grass	<i>Imperata cylindrica</i>	213	I	* +
Wild taro	<i>Colocasia esculentum</i>	Shoreline of river	I	*
Albizzia	<i>Albizia lebbek</i>	439	I	* +
Guinea grass	<i>Panicum maximum</i>	743, 744, 746	—	* +
Napier grass	<i>Pennisetum purpureum</i>	743, 744, 746	I	* +
Natal grass	<i>Rhynchelythum repens</i>	743, 744, 748	II	
Old world climbing fern	<i>Lygodium microphyllum</i>	439	I	* +
Giant reed	<i>Arundo donax</i>	743, 744, 746	—	* +
Carrotwood	<i>Cupaniopsis anacardioides</i>	439	I	*

ANIMALS			
Common Name	Scientific Name	Occurrence by FLUCFCS Code	Site Status
Nine-banded armadillo	<i>Dasypus novemcinctus</i>	411, 412, 414, 419, 439, 615, 617	*
Wild pig	<i>Sus scrofa</i>	439, 615	*
Brown anole	<i>Anolis sagrei</i>	514, 615, 616, 641	*
Cuban tree frog	<i>Osteopilus septentrionalis</i>	615, 616	*

Key: * Occurrence verified

+ Problematic-priority for control

FLUCFCS – Florida Land Use, Cover and Forms Classification System

EPPC – Florida Exotic Pest Plant Council

KEY TO COMMUNITY TYPES

FLUCFCS CODE	COMMUNITY NAME
213	Woodland pasture
221	Citrus grove
321	Saw palmetto
411, 412, 414, 419, 435	Slash pine flatwoods
422	Brazilian pepper
426	Tropical hardwood hammock
439	Other hardwoods (temperate)
514	Freshwater canals
615	Stream and lake swamps
616	Inland ponds
617	Mixed wetland hardwoods
620	Wetland coniferous forest
624	Slash pine, palm, cypress
641	Freshwater marshes
644	Emergent aquatic vegetation
743, 744, 746	Spoil areas, fill areas, and easements

Native Species Restoration

Native species restoration is often interrelated with other resource management measures. Erosion control, enhancement or restoration of wildlife habitat, maintenance of scenic vistas and the restoration of topographically disturbed areas are a few examples of management measures that may be assisted by the reintroduction of native plant species. Uncontrolled releases of plants or animals—even native forms—onto park lands, however, can be deleterious to existing plants and animals. Permission to release any plant or animal must be obtained from the Lee County Department of Parks and Recreation.

There are two potential areas in this park for work with restoring native species. One is the strip of land along the river that was dominated by Brazilian pepper. The pepper was eliminated in 1999, and the approximately 21 acres was re-vegetated with a diversity of woody and herbaceous, terrestrial and aquatic vegetation that will hopefully maintain and improve the erosion-prone shoreline.

That portion of the park north of County Road 78 offers the other possibility. This area was re-vegetated with upland vegetation in 1997. Brazilian pepper and exotic grasses continue to present management challenges in this area. Efforts to control the exotic grasses will begin in November 2000. Mowing and herbicide application will be used as control methods.

Problem Species

Problem species are defined as native species whose habitats create specific management problems or concerns. Problem species are generally native species that are not designated as endangered or threatened. Occasionally, however, problem species are also designated species. For example, alligators that frequent swimming areas are a problem species. In these instances, management must devise measures that balance designated species protection with problem species control.

There are no problem species in this park.

Protected Species

All native plants and animals, as well as other natural features, are protected on state owned lands. Some species, however, need additional attention. Many plants and animals in Florida occur in such small numbers that there is concern for their ability to continue to survive within the state. As population growth continues in Florida, the number of these species is

likely to increase. For management purposes, “protected species” are those that are listed by the U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission, or the Department of Agriculture and Consumer Services as endangered, threatened, rare, or of special concern, according to their degree of endangerment. Protected species also include those that are under review by the U.S. Fish and Wildlife Service for inclusion in one of the above categories, and those species that are regulated by the Convention on International Trade in Endangered Species. The protected species occurring at Caloosahatchee Regional Park are identified in Table 4.

The welfare of protected species is an important concern of Lee County. In many cases, these species will benefit most from proper management of the biological communities within which they occur. The county’s natural systems management approach simultaneously helps preserve the various natural communities within the unit and the designated species that inhabit those communities. At times, however, additional management measures are needed because of the poor condition of some communities, or because of unusual circumstances that aggravate the particular problems of a species. If such circumstances arise, then efforts will be made to evaluate the situation and take corrective action.

Management Thresholds for Listed Species

“A biological threshold is a point at which an irreversible change in a population or ecosystem may occur. Managing down to a biological threshold or minimum standard is extremely dangerous, especially when that standard is poorly documented. Therefore, management thresholds need to be identified. Management thresholds are points where management must be changed to avoid an unacceptable risk to some element of biodiversity. Said another way, they are points at which the risk of reaching biological thresholds is unacceptably high” (Noss & Cooperrider, 1994).

The following information provides basic information about listed species at CRP with recommended management thresholds.

Gopher Tortoise -- Description and Life History

The gopher tortoise is a large terrestrial turtle averaging 9-11 inches in carapace length. Maximum length is around 15 inches. The gopher tortoise excavates burrows averaging 14.8 feet in length and 6.6 feet in depth, and wide enough to allow them to turn around at any

point. The burrows provide protection from temperature extremes, dessication, fire and predators. The burrows are used by over 300 species of invertebrates as well as by numerous vertebrate species, including other listed species such as the Eastern indigo snake and gopher frog (*Rana capito*). An individual tortoise may use more than one burrow.

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover. Generally, feeding is confined to within 160 feet of the burrow. Principle foods include grasses, legumes, and grass-like plants of the sedge and aster families. Legumes appear to be particularly important in the diet of juveniles. Fruits such as blackberries, pawpaws, gopher apples and saw palmetto berries are also consumed (Moler, 1992).

Management Recommendations

Protection:

Gopher tortoises at CRP will be protected through public education and enforcement of park rules to prevent gopher tortoises from being taken or harmed by park visitors.

Prescribed Burning and Monitoring:

Plant communities inhabited by gopher tortoises will be burned at intervals recommended by FNAI (1990). Prescriptions will include habitat maintenance and improvement as goals and burns will be conducted to encourage herbaceous growth.

Post-burn assessment will include a survey of burrows using Global Positioning System (GPS) technology. This information will be used to prepare a Geographic Information System based habitat map that will be updated after each burn.

Exotic Plant Control:

Invasive exotic plants will be controlled in areas populated by gopher tortoises. Prescriptions will be prepared considering soils, release of desirable plant species, and use of effective control methods.

Exotic Animal Control:

Feral pigs, which may eat gopher tortoise eggs or their young will be controlled using trapping and removal.

Mowing:

Mowing will be used to manage brush and encourage herbaceous plants on the north side where weed species and bahia grass are dominant. Mowing will be avoided near burrows.

Habitat Creation

The north side has potential gopher tortoise habitat albeit artificial. Burrows already occur in some of the berms that are not covered by exotic plants. Control and actual removal of the exotic vegetation will increase available space for burrows.

Mowing as discussed above, and planting of species having food value for gopher tortoise, could also be done to increase habitat value. Gopher tortoises have been relocated to the north side from development projects and this may continue if habitat can be created there.

Management Threshold:

The habitat map will serve as a baseline for estimation of gopher tortoise populations. If populations decrease, then steps including increased fire frequency, increased hog trapping, introduction of plant species having food value for gopher tortoises will be taken, and monitoring the population for presence of upper respiratory tract disease will be conducted.

Eastern Indigo Snake – Description and Life History

“The Eastern indigo is the longest North American snake, with a maximum recorded length of 8.6 feet. The coloration is iridescent black, but the throat is typically red, coral or white. The scales of the indigo snake are smooth. It occurs in habitats ranging from mangrove swamps and wet prairies to xeric pinelands and scrub. The species feeds on virtually any vertebrate small enough for it to overpower. Prey includes fish, frogs, toads, lizards, snakes, small turtles, birds and small mammals. Indigo snakes are completely diurnal. They actively search for prey, especially favoring the edge of wetlands where frogs and snakes abound” (Moler, 1992).

Management Recommendation

Protection:

Indigo snakes occurring at CRP will be protected through public education and enforcement of park rules to prevent indigo snakes from being taken or harmed by park visitors.

Habitat Management:

Exotic plant and animal control, prescribed burning, and hydrological restoration are all activities that should have a positive effect on the indigo snake population at CRP.

Management Threshold

Population estimates of indigo snakes are very difficult to obtain due to their secretive behavior. Sightings will be recorded and a GPS coordinate will be assigned. A log will be kept to compare sightings over time and by management unit.

Wood Stork – Description and Life History

“The wood stork is a large, long-legged wading bird with a wingspread of five to five and one-half feet. Wood storks feed primarily in water between 2-15 inches deep where the water is relatively calm and uncluttered by aquatic vegetation (Kahl 1964; Coulten 1989). Almost any shallow wetland depression where fish become concentrated may be good feeding habitat. However, all such sites must have sufficiently long annual hydroperiods or adequately strong hydrological connections with more permanent water to produce or make available necessary densities of fish as prey for storks”. (Rodgers et al, 1992)

Management Recommendations

Hydrological Restoration:

The cypress and hardwood bottomland wetlands south of C.R. 78 have a relatively short hydroperiod and maximum water depth, and are not connected to other wetlands. Consequently, maintaining a viable fish population is unlikely. Restoring the hydrology of Fichter’s Creek, which flows directly into the Caloosahatchee River and is connected to wetlands in the Babcock Ranch, might benefit storks.

Exotic Plant Control:

Control of Brazilian pepper and other exotic vegetation occurring in wetland areas, particularly in Fichter's Creek, will be undertaken to ensure the habitat is open and accessible to wood storks.

Habitat Enhancement:

Restoration of the hydrology of wetlands areas at CRP and continual ongoing exotic plant control efforts will hopefully improve the habitat value for wood storks and other wading birds. Monitoring of the hydroperiod of wetlands at CRP will be necessary to obtain existing conditions. Success of enhancement activities can then be evaluated.

Management Threshold:

Since wood storks are wide ranging species and their presence or absence from wetlands at CRP may be a function of relative abundance of fish at other wetlands, it is not possible to determine a management threshold for this species at CRP. Wetlands at CRP will be monitored to provide a qualitative account of wood stork use.

Sherman's Fox Squirrel – Description and Life History

"Sherman's is the largest of the Southeastern fox squirrels. The top of the head is typically black, with nose and ears white. The remainder of the pelage is quite variable, falling within one of the basic color morphs: all dark, all tan, dark over tan and tan over dark. The mature, fire maintained longleaf pine—turkey oak sandhills and flatwoods are the optimum habitat for Sherman's fox squirrels. Moore (1957) considered longleaf pine seeds and turkey oak acorns to be primary foods. Tree cavities occasionally are used for nesting with leaf nests used extensively. These are usually located in large oaks and often contain Spanish moss. Sherman's fox squirrels are diurnal, solitary animals. Adults generally are seen together only during the breeding season" (Humphrey, 1992).

This species was last observed in late 1998 in the mature slash pines along the western border of the portion of the site south of C.R. 78.

Management Recommendations**Prescribed Burning:**

Regular burning at intervals recommended by FNAI will be important for maintaining the habitat for fox squirrels.

Exotic Plant Control:

Control of scattered Brazilian pepper and Old World climbing fern in the area where fox squirrels have been sited will be scheduled at regular intervals.

Monitoring:

Field work to track and record the use of CRP by fox squirrels will be incorporated into the schedule of on-site staff.

Management Threshold

Maintenance and enhancement of the mature slash pine and live oak hammock habitats is necessary to meet the habitat requirements of the fox squirrel.

Special Management Considerations

There are no known special management considerations for CRP.

Management Measures for Non-Living Natural Resources

The spoil deposit area north of North River Road continues to provide a major management challenge. The Brazilian pepper was controlled by use of heavy equipment and follow-up herbicide application from 1995 – 1997. Twelve thousand native trees and shrubs were planted in 1997. Most of the species used were indigenous to the site. Subsequent to these projects Guinea grass, napier grass, and cogon grass, that had already occurred to some extent on the site, invaded some of the areas formerly occupied by Brazilian pepper and have become a serious problem. Efforts are underway to begin control of the exotic grasses in this area.

This area was developed for public use by provision of equestrian, mountain biking and hiking trails. It receives moderate public use that is expected to increase as the park becomes better established.

Restoration of Disturbed or Manipulated Areas

Management of biological communities is often enhanced by physically restoring areas that have been disturbed or otherwise manipulated by man. This resource management measure involves the renovation of areas where the surface of the ground has been substantially altered or disturbed. Such restoration is often inseparable from hydrologic, scenic, or other restoration measures, such that two or more management goals often can be achieved simultaneously. Conversely, in some instances, topographic restoration may conflict with other management concerns. For example, if an endangered plant inhabits a disturbed area because of the area's unique physical conditions, topographic restoration may need to be abandoned or deferred until mitigation measures are devised for the endangered plant. Other management concerns must always be recognized and weighed to determine their priority before conducting topographic restoration measures. The Lee County Department of Parks and Recreation's Land Stewardship Manager is consulted in these situations.

Scenic Restoration and Management

This category involves biological and physical management measures that are employed to improve the visual appearance of the unit. The development or maintenance of vistas, propagation of wildflowers along road shoulders, maintenance of utility easements, and landscaping of visitor areas are typical examples of scenic restoration measures.

The river and its associated environs are the most scenic features in the park. Management has consisted of exotic plant control, native plant installation, and requesting boaters to slow down on the river to prevent excessive shoreline erosion.

Management Measures for Cultural Resources

The management of cultural resources is often complicated by several factors. Cultural resources are irreplaceable and extremely vulnerable to disturbances. To reduce the likelihood of irreparable damage or disturbances of cultural resources, appropriate management measures must be determined and employed. The advice of historical and archaeological experts is often required in this effort. Approval from the Department of State, Division of Historical Resources (DHR) must be obtained before taking any actions that could affect or disturb the cultural resources on state lands. A statement of DHR's policies and procedures for the management and protection of cultural resources is contained in Addendum 4.

Actions that require permits or approval from DHR include site excavations or surveys, disturbances of sites or structures, disturbances of the substrate, and any other actions that may affect the integrity of the cultural resources. These actions could damage evidence that would someday be useful to researchers attempting to interpret the past. When any changes to structures or ground occur, they will be noted and explicitly described in the park's Master Site Plan.

Historic Site Record of Physical Changes.

Known cultural resources at this park consist of the Kellum homesite and the Indian Mound (Figure 11). Lee County intends to maintain these areas in their current state and may in the future include them as park exhibits.

Research Needs

Cultural Resources:

The homesite is included in the master plan (Figure 15). The amount of fill prevents research, restoration or interpretation of the Indian Mound.

Natural Resources:

Research needs include determining the relationship of the vegetation communities to the existing hydrological conditions. Comparisons can then be made to studied unimpacted areas, once the site hydrology is understood.

Action Plan for Caloosahatchee Regional Park

Action by Priority	Reference Page	Responsible Agency	Completion Date	Goal	Measure of Success	Estimated Cost
Control of exotic grasses- North side	46, 52, 64	LCDP&R	Sept. 2003	Control exotic grasses	Cogon grass, Guinea grass and Napier grass brought to maintenance control level	\$150,000
Control of exotic plants- South side	47-51	LCDP&R	Sept. 2002	Control of exotics	Exotics brought to maintenance control	\$50,000
Hog Control	43	LCDP&R	Ongoing	Hogs brought to maintenance control	Limited rooting and trail damage	\$5,000
Hydrologic Restoration	16	LCDP&R	Sept. 2005	Restore hydroperiod of Fichter Creek	Hydroperiod at least an average of 180 days	\$500,000
Prescribed Burning	41	LCDP&R	Sept. 2000 Burning ongoing	Divide site into management units; prepare a plan for each unit	Improved habitat for appropriate species, fuel reduction, limit bole scorch to 12'-15' above ground. Limit canopy tree mortality to <5%	\$10,000
Obtain lease of SFWMD-owned lands within, adjacent, or proximate to CRP	58	LCDP&R	March 2000	Obtain lease	Lease approval by BOCC and SFWMD Governing Board	\$ 500
Wildlife monitoring	47-51	LCDP&R	Ongoing	Obtain accurate records of wildlife particularly listed species	Records in GIS system. Maps available	
Stabilize shoreline	38, 63, 64	LCDP&R	Sept. 2004	Stabilize shoreline, set up monitoring points, planted vegetation established	Erosion limited to steepest slopes, no more than one foot every 5 years of shoreline recession	

CHAPTER THREE

LAND USE COMPONENT

INTRODUCTION

Land use planning and park development decisions for the Lee County Regional Park System are based upon the dual responsibilities of the Lee County Department of Parks and Recreation. These are: to preserve representative examples of Florida's natural and cultural heritage, and to provide outdoor recreation opportunities for Lee County's citizens and visitors.

A general planning and design process has been developed to achieve the needed balance between these two functions. This process begins with the creation of a conceptual land use plan and proceeds through various stages of review and refinement before actual design and construction of park facilities begins. Input to the plan is provided by experts in environmental sciences, landscape architecture, cultural resources, park operation and management through advertised public meetings, and by local citizens and environmental groups. With this multi-disciplinary approach, the Department of Parks and Recreation strives to provide quality development for resource-based recreation throughout the county with a high level of sensitivity to the natural and cultural resources at each park. A glossary of technical terms used in this component is contained in Addendum 5.

This component of the Unit Management Plan includes a brief inventory of the external conditions and the recreational resources of the unit—those elements that provide the setting and basis for outdoor recreation. Existing uses, facilities, and specific areas within the park which should be given special protection, are identified. The land use component then summarizes the current conceptual land use plan for the park, identifying the existing or proposed activities suited to the park's resource base. Any new facilities needed to support the proposed activities are described and located in general terms. Definitions of the park's existing and proposed carrying capacities are provided. Finally, the conceptual land use plan identifies geographical areas that are not presently contained within the park, but that may be needed for enhancing the recreational opportunities, management or operation of the park.

EXTERNAL CONDITIONS

An assessment of the conditions that exist beyond the boundaries of the park can identify any special development problems or opportunities that exist because of the unit's unique setting or environment. It also provides an opportunity to deal systematically with various non-design-related issues such as geographic location, adjacent land uses and interaction with other existing facilities. The following sections briefly describe the external conditions that may influence development decisions of the site.

Location, Access, and Population

The park is located in northeast Lee County approximately two (2) miles west of the town of Alva (Figure 3). The 90,000 acre Crescent B Ranch, owned by Babcock Florida Company, is immediately to the north. The Caloosahatchee River forms the southern boundary of the park. The park lies in Sections 17, 18, 19, and 20 of Township 43 South, Range 27 East.

Approximately 607,000 people live within a 30-mile radius of the park. It is contained within the area of the Southwest Florida Regional Planning Council that includes Charlotte, Collier, Glades, Hendry, Lee, and Sarasota counties (Figure 12). Of these counties, it is most likely, based on proximity, that the park will be primarily used by residents of Lee, Charlotte, Hendry and Glades counties. The estimated 2000 population for these four counties is 606,730 or approximately 4% of the State's total 15.5 million population. The area has experienced an approximately 28% growth in population since 1990 with the coastal counties (Lee, Charlotte, and Collier) growing at a faster rate.

By 2010 this region is expected to grow by an additional 20%. In 1999 1.8 million tourists visited Lee County and spent nearly \$1.6 billion. Tourism is Lee County's largest industry (Mitchell, 2000).

Special Concerns

Lee County is not an Area of Critical State Concern. There are no legislative or executive directives that constrain use of the property. The major amenities of the site are its river frontage, its diverse plant communities, and its rural location.

Nearby Recreational Areas

Other significant nearby recreational areas proximate to the site are the W.P. Franklin Lock and Dam Recreation Area, located approximately 2 miles west of the site,

that includes picnicking, camping, swimming, and boat ramps, and the Alva Museum that is a privately sponsored historical facility located approximately 3 miles east of the site. The Hickey's Creek Mitigation Park is directly south of CRP (Figure 13). It will be opened to the public in late 2001 and will include hiking and paddling trails and interpretive areas. It has been connected by a DEP Greenways project and by acquisition by Lee County's "Conservation 2020" program to the Greenbriar Swamp Preserve.

Adjacent Land Use

Existing Use

The land surrounding the park is in agricultural use for citrus and cattle. The area has a definite scenic and rural character. The land use category as per the Lee County Comprehensive Plan (1990) is rural which allows one (1) unit per acre with the area north of the north park boundary classified as Groundwater Recharge which allows one (1) unit per ten (10) acres.

Figure 12

Southwest Florida Regional Planning Council Area

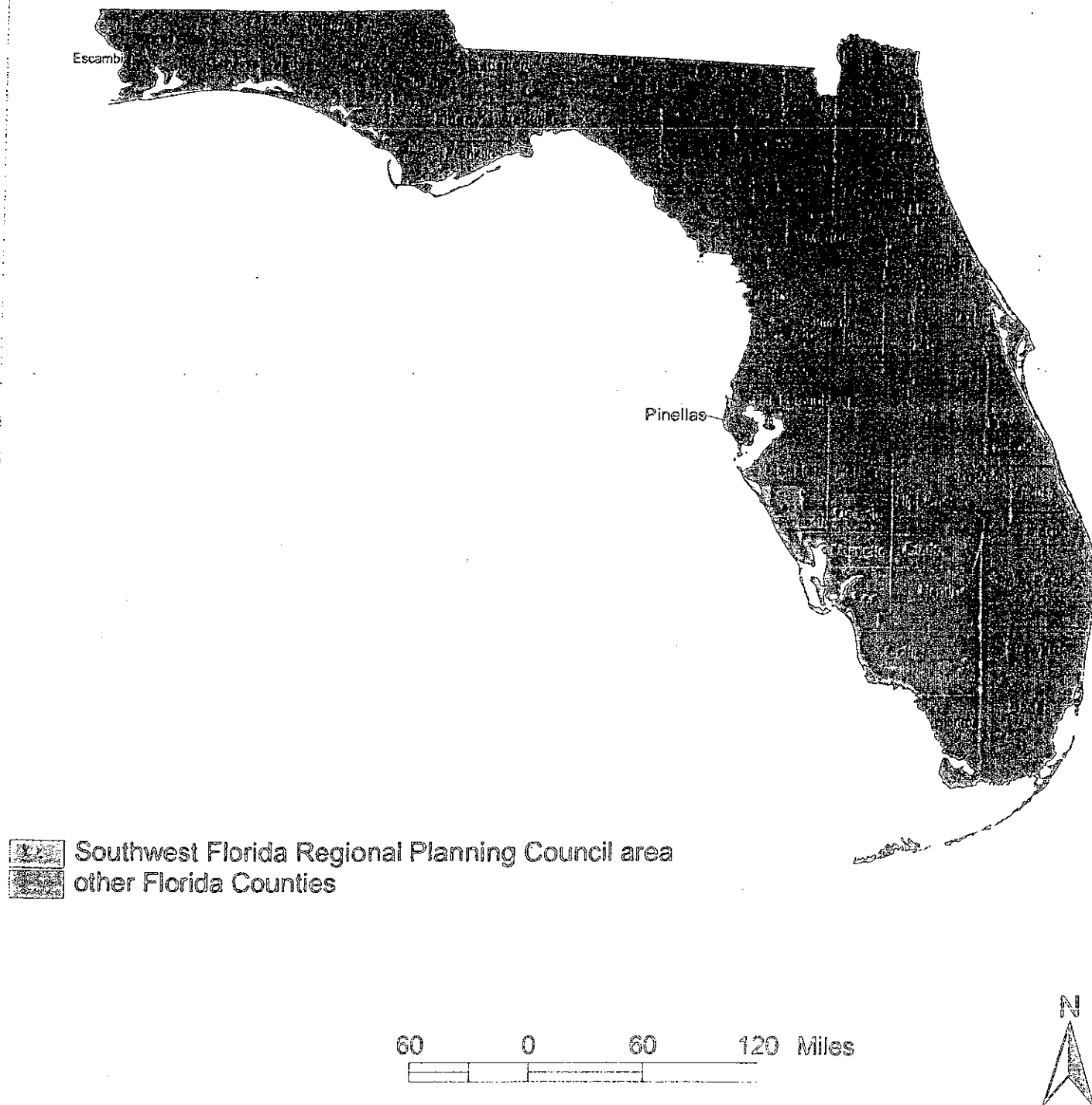
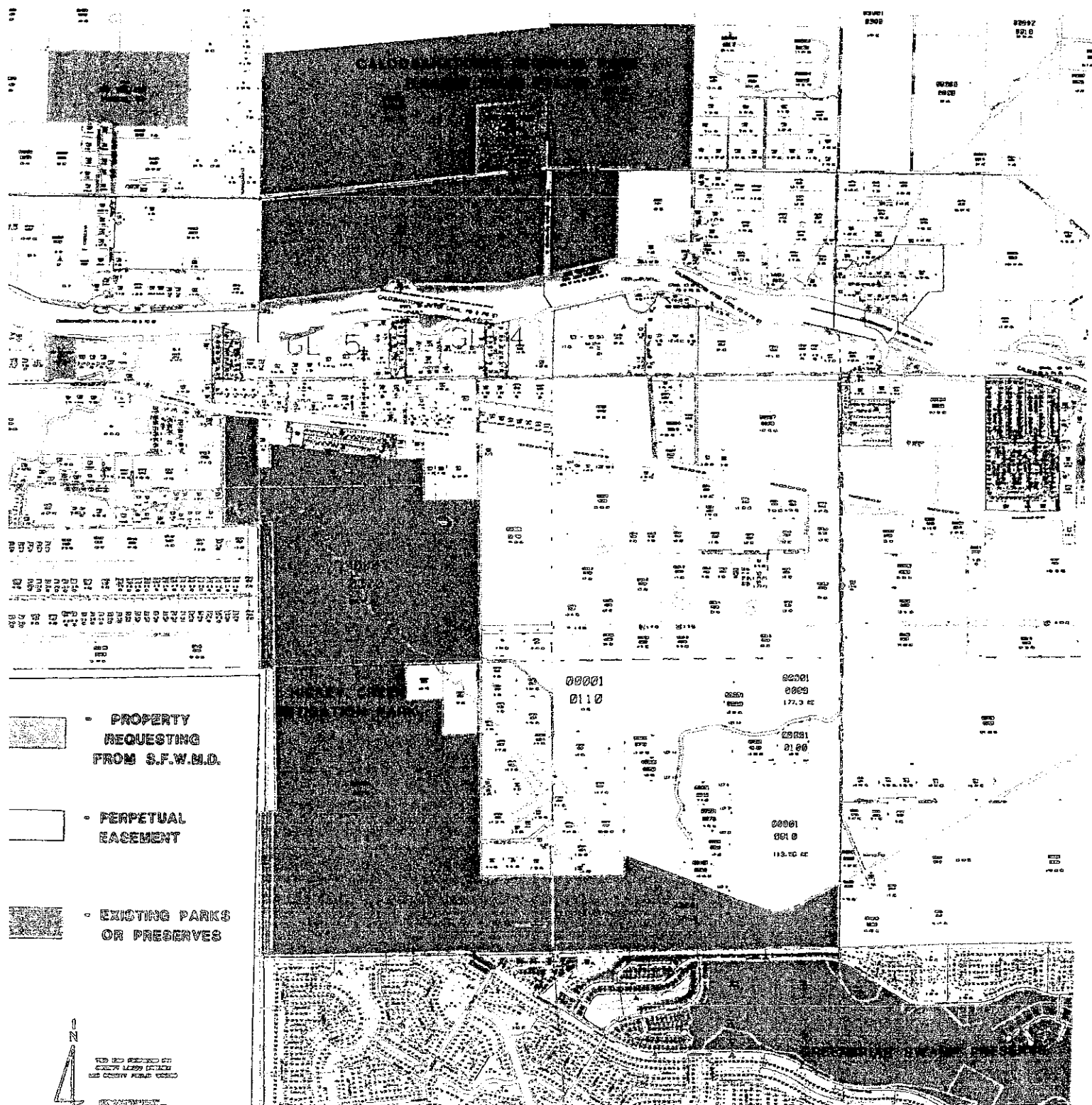


Figure 13

HICKEY'S CREEK MITIGATION PARK



Projected Use

The population in the 4-county area that the park is expected to serve is projected to increase 42% by 2020. The existing rural land use will continue with an increase in residential use as homes are built on undeveloped parcels.

PROPERTY ANALYSIS

A thorough understanding of the unit's physical and cultural attributes is required for effective unit planning. This section describes the legal conditions, resource characteristics, and uses of the property. The unit's land acquisition history and recreation resource elements are examined to identify the opportunities and constraints they present for recreational development. Past and present uses are assessed for their effects on the property, compatibility with the site, and relation to the unit's classification.

Land Acquisition History

Sequence of Acquisition

A total of 718 acres consisting of four (4) parcels was purchased for \$915,000 by the State (Internal Improvement Trust Fund) from 1969-1972 for use as a park (Table 5). An additional 64.5 acres consisting of three (3) parcels is owned by the South Florida Water Management District (SFWMD). One of these parcels (41.4 acres) is north of County Road 78. The other parcels include the shoreline or are islands in the Caloosahatchee River (Figure 14).

It will be necessary for Lee County to obtain a management agreement of the South Florida Water Management District property. A request to this end was made to SFWMD in July 2000.

TABLE 5
LAND ACQUISITION HISTORY

<u>Acquisition Date</u> (Date Recorded)	<u>Acreage</u>	<u>Cost</u>	<u>Fund Source</u>
January 8, 1970	167	\$225,000	State of Florida (TIITF)
February 23, 1970	167	\$225,000	TIITF
January 26, 1971	166	\$225,000	TIITF
January 7, 1972	218	\$240,000	TIITF
TOTAL	718	\$915,000	State of Florida

TIITF – Trustees of the Internal Improvement Trust Fund

Title Interest, Easements and Leases

Fee simple title to the property is held by the Board of Trustees of the Internal Improvement Trust Fund that consists of the Governor and Cabinet and by the Governing Board of the South Florida Water Management District (Figure 14). A perpetual easement (Addendum 6) was granted in 1969 by the Central and Southern Flood Control District (the predecessor of the South Florida Water Management District) to the Internal Improvement Trust Fund to allow access to SFWMD riverfront property by DEP.

Another perpetual easement was granted by SFWMD in 1969 (Addendum 6) to the United States of America allowing a perpetual right for the U.S. Army Corps of Engineers to deposit spoil on the site. It is recommended that SFWMD vacate the easement before title or lease to Lee County is provided.

The Lee County Board of County Commissioners obtained a 50-year lease (Addendum 1) June 14, 1989 from the Board of Trustees of the Internal Improvement Trust Fund. This lease ends on May 10, 2039.

The lease allows Lee County to only manage the leased premises for the conservation and protection of natural and historical resources and for resource-based public outdoor recreation that is compatible with the conservation and protection of these public lands.

The lease requires that a management plan be prepared and submitted to the DNR Division of State Lands within 12 months of the effective date (June 4, 1989) of the lease and revised every five (5) years thereafter.

Recreation Resource Elements

This section assesses the unit's recreation resource elements—those physical qualities that, either singly or in certain combinations, support the various resource-based recreation activities. Breaking down the property into such elements provides a means for measuring the capacity of the site to support individual recreation activities, and for determining each activity. A complete inventory and assessment of the natural and cultural resources in the unit is contained in the resource management component of this plan.

Land Area

The park consists of approximately 768 acres that are split by County Road 78 with roughly 2/3 being north of the road. The part of the park north of the road has a number of trails that are presently used for horseback riding, mountain biking, and hiking. Old farm trails also occur on the part of the park south of the road, but some of them are overgrown. The trails along the river are seasonally flooded, as is much of the surrounding area due to its floodplain nature. This is reflected by low elevations and vegetation (water hickory, popash, red maple). These factors, along with extensive DEP and Corps jurisdiction limit the recreational potential of the undisturbed floodplain area. The area between the northern limit of the floodplain forest and County Road 78 has the most recreational potential. This area is mainly forested with slash pine and live oak. A fairly extensive gopher tortoise colony in the area will provide limitations to some extent on recreational development. Camping, hiking, picnicking and water-related activities have been developed on the site.

The greatest challenge in continuing future phases of site development will come in accommodating these uses in a manner that will minimize the impact on the natural character of the site.

The vegetation mapping of the site, that was completed in January 1990, has provided information necessary for recognition of opportunities and constraints of the site.

Opportunities include:

- ◆ Extensive river frontage
- ◆ Vegetative diversity
- ◆ Extensive mature canopy with either dense understory (ideal for creating well buffered primitive or car camping areas or picnicking areas) or limited understory (ideal for recreational vehicle camping or group activity areas).

Constraints include:

- ◆ Some of the river frontage has a wide floodplain that is inundated by surface runoff during the wet season.
- ◆ Erosion has claimed a significant portion of the bank since the 1960's dredging. The Brazilian peppers that formerly covered the shoreline provided some level of stabilization of the riverbank with their intertwined root system that had extended into the river in floating mats, and their floating branches allowed energy from boat

wake waves to be partially expended before they broke on the bank. Removal of the pepper was done with relatively minimal soil disturbance. Below ground portions of the pepper were not removed. The hair root system was probably largely responsible for holding the soil together. These fine roots decay quickly after death of the plant.

Since then, erosion has increased, particularly in shoreline areas with steep, vertical banks. Effectiveness of the native vegetation that was planted in late 1999 and mid-2000 in controlling erosion will be evaluated. Temporary signs were placed along the river in early 2000 requesting boaters to slow down to allow establishment of the plantings.

- ◆ An active gopher tortoise colony in the area south of County Road 78 from the western boundary to the middle of the site will necessitate careful management.
- ◆ The spoil area on the north side of North River Road was covered with mostly undesirable exotic and weedy vegetation consisting of Brazilian pepper and saltbush (*Baccharis halimifolia*). This vegetation was removed from 1995-1996. It will be necessary to make a long-term commitment towards restoration of this area in a manner consistent with the master plan.

Impact on Native Communities and Mitigation

The plant communities of the site were mapped using the Florida Land Use, Cover and Forms Classification System (FLUCFCS) before site planning was undertaken. The Master Plan reflects location of existing and future planned facilities such that the impact to the communities is avoided to the greatest extent practicable.

Environmental agencies will have the opportunity to review the specifics of future facility design and location with respect to their impact on the communities during the design and permitting process.

If impact to the communities is unavoidable, then mitigation sites will be selected, established and managed to ensure that they are viable, productive areas that can complement the native areas with which they are associated.

Water Area

The Caloosahatchee River usually has clear, yet tea-colored water that originates as surface water runoff. The river is fed locally by a number of small creeks (Figure 8) and also receives water flow from Lake Okeechobee. Locks occur both up and downstream of the site with the downstream W.P. Franklin Lock (S-79) being the last lock before the tidal influence of the Gulf of Mexico is exerted. Thus, the portion of the river at the site is entirely freshwater, but flow is influenced by the water level of Lake Okeechobee and the frequency of the opening of the two locks (Ortona and Moore Haven) upstream from the site.

Shoreline

The park has approximately 6,700 linear feet of riverfront shoreline. As discussed previously, the shoreline has been cleared of Brazilian pepper and replanted with native species. An extensive floodplain forest that extends 300 – 700 feet inland, except near the southwest corner of the park, also occurs. There is one oxbow area that has a small low island near the middle of the park. The littoral zone is fairly wide with a hard bottom except for the oxbow area which has a mucky bottom. There are two other islands that are south of the OWW that are part of the property the county (Figure 14) is seeking to obtain a management agreement from SFWMD. These islands are north of the original river channel. If the lease is obtained, LCDP&R will control exotics, protect the shoreline, clean up trash and debris, enhance wildlife habitat, and possibly provide appropriate public use facilities. The western island is currently used by boaters and campers.

Natural Scenery

In the south section the well established pine flatwoods, scrub oak areas, palmetto prairie, cypress swamp, and floodplain forest provide a visual panoply unequalled by the county's other regional parks. In many areas the understory is quite dense, preventing panoramic views.

The north section is open with some areas having undesirable weedy exotic grass species that block views. The northwest corner is traversed by Fichter's Creek which is a cypress-hardwood slough. There is currently no public access to Fichter's Creek.

Figure 14

CALOOSAHAATCHEE REGIONAL PARK Land Ownership



Archaeological and Historical Features

The location of one prehistoric site has been determined through personal communications with long time area residents and examination of old aerial photographs and will be further investigated if necessary. This site was covered by the deposit of spoil in the early 1960's when the river was dredged.

There are also remnants of a limerock chimney at the Kellum homesite. Both these sites are depicted in Figure 6.

Assessment of Use

All legal boundaries, significant natural features, structures, facilities, roads, trails, and easements existing in the unit are delineated on the Master Site Plan (see Figure 15). Specific uses made of the unit are briefly described in the following sections. The site is designated for single use management as a resource-based public outdoor recreational area.

Alternate or multiple uses such as hunting, forestry, and grazing are not considered appropriate for this site due to: original intent of acquisition as a state recreation area, the relatively small size (768 acres), its present use as a resource based park, environmental sensitivity, and ongoing restoration projects along the river and the spoil area.

Past Uses

Part of the southern section was used for pasture, but the bahia grass has formed a heavy thatch and is invaded in some areas by grape vines, salt bush, Brazilian pepper and young live oaks. There are also two (2) former citrus groves in the southern section. The citrus trees are gone, but Brazilian pepper, live oaks, and tall grasses have invaded.

Recreational Uses

Three access areas provide for different uses. The north side entrance provides a trailhead for equestrian trails, single track mountain bike trails, and hiking on both the equestrian and mountain bike trails. The main entrance located on the south side has a restroom, picnic areas, and serves as the trailhead for the three (3) hiking trails. The campground entrance also on the south side provides access to the primitive campground. The river is used extensively for pleasure boating, water skiing and fishing. At Caloosahatchee Regional Park, the floodplain of the river, and areas occupied by protected species have been designated as protected zones.

Existing Facilities

Existing Park facilities are depicted in Figure 15.

Future Facilities

Proposed future facilities, which will be phased in, are shown in Figure 15. Priorities include the canoe/kayak launch, motorboat dock or mooring area, and oxbow boardwalks. Other facilities proposed will be added as demand and funding dictate. There will be no boat ramp at CRP. Additional parking is not planned at this time.

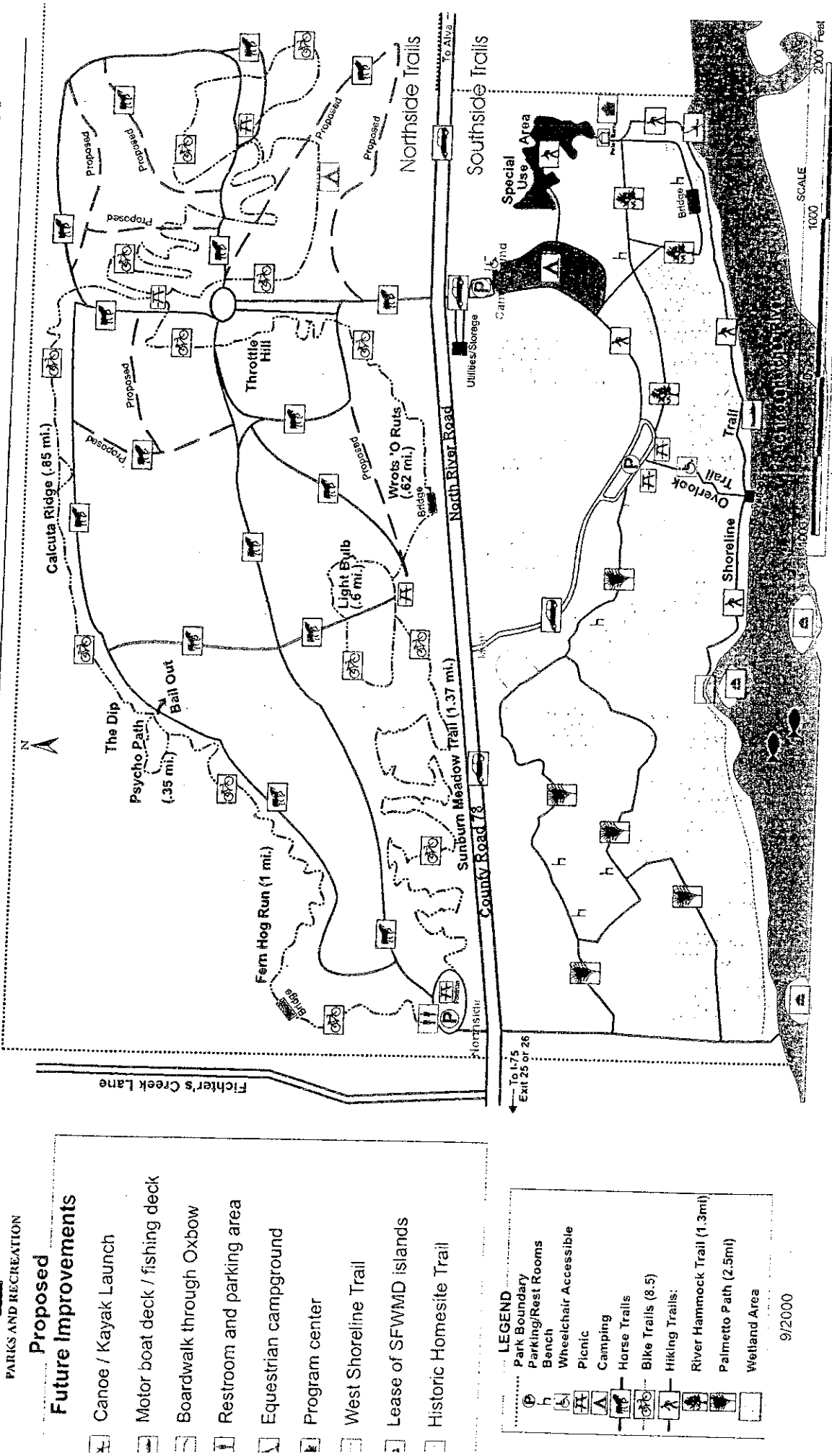
Optimum Boundary

The optimum boundary for this park would include the 49-acre area on the south side of C.R. 78 and to the east of the existing boundary. The owners of this property were contacted in 1999 and indicated they had no plans to sell the property and intend to keep it in the family. If this situation changes and the property becomes available, it should be pursued.

Figure 15



Caloosahatchee Regional Park Master Site Plan



CHAPTER FOUR

OPERATIONS COMPONENT

INTRODUCTION

Park operations will include a wide variety of tasks that fall into five (5) broad areas of management responsibility: 1) administration involves such matters as personnel management, training, communications, budgeting, records management, accounting, and property management; 2) visitor services include concessions, facilities, operation interpretation, recreational skills programs, and information; 3) resource management comprises restoring, maintaining and managing the park's biological communities and cultural resources; 4) protection involves ensuring the health and safety of visitors and employees, and the protection of resources, facilities and equipment, as well as providing law enforcement; and, 5) maintenance includes both ground maintenance and preventive and corrective maintenance of equipment, machinery and facilities.

ADMINISTRATION

Operating Procedures

Each park develops procedures for every facet of its operation in order to maintain continuity and efficiency in meeting short and long range management objectives. Operating procedures evolve over time through a refinement process until an effective procedure for each particular task is developed. Factors that influence the development of park operating procedures and dictate that they be designed specifically for each park include: environmental conditions, visitation, use patterns, available recreational activity, design and layout of facilities, and natural and cultural resources considerations. Many facets of park operations are impacted by other legal jurisdictions; therefore, operating procedures must comply with all applicable Florida Statutes, Florida Administrative Codes, and County regulations.

PROTECTION

Visitor Health and Safety

Visitor health and safety is an important management concern at Caloosahatchee Regional Park. Lee County Parks and Recreation prepared an Operations Manual in 1997 that is periodically revised. This manual provides procedures for emergencies, facility operations, and maintenance and environmental programs.

Fire suppression equipment for Caloosahatchee Regional Park is primarily furnished by the Alva Volunteer Fire Department, the Florida Division of Forestry, and staff and equipment from Lee County Department of Parks and Recreation.

Resource Protection

Resource protection measures at Caloosahatchee Regional Park include the enforcement of all rules and regulations, with legal action taken as necessary by law enforcement personnel. Routine irregular patrols are made, as often as possible, by Lee County Parks and Recreation staff, Wildlife officers, and Lee County Sheriff's Department.

Fires are handled in accordance with a fire plan developed by Lee County Parks and Recreation Land Stewardship Section and approved by the Florida Division of Forestry. Prescribed burns permitted through the Division of Forestry, are conducted as frequently as possible, given current staffing levels. Much of the fire-dependent community within the park is in an unhealthy status due to past fire suppression activity and inadequate frequency of burns since the institution of prescribed burning practices in 1971.

The resources of the park are monitored as closely as possible, and encroachments outside the park that impact or have the potential to impact the resource, are monitored and documented. Whenever feasible, actions are taken to reduce or eliminate threats to the unit's resources.

Fencing and posting of the park boundary improves public awareness of the park and helps prevent illegal use of resources and entry of some exotic animals. Frequent patrols act as a deterrent to would-be trespassers.

Other agencies assist park staff in resource protection activities. The Department of Agriculture and Consumer Services, Division of Forestry, provides equipment and personnel to combat wild fires. The Fish & Wildlife Conservation Commission assists staff in the enforcement of wildlife laws. The Lee County Sheriff's Office responds to any emergency that threatens resources, property or human life at the park.

Facilities and Equipment Protection

Equipment is listed on the park's property register and is inventoried regularly. The State Fire Marshal inspects park facilities yearly. Vehicles are equipped with fire extinguishers.

MAINTENANCE

Inventory and Assessment of Facilities,

Buildings and Equipment

The equipment used at this park at this time includes a tractor, vehicles, mowers, and hand tools. At this time, the enclosed buildings in the park include the restroom/office building located at the main entrance on the south side of C.R. 78 and the storage building near the campground. There is one picnic shelter on the north side and two on the south side.

Routine facility maintenance is performed on a daily or regularly scheduled basis. Routine maintenance at Caloosahatchee Regional Park includes mowing, pruning and trimming; picnic grill and restroom cleaning; garbage and debris removal; support facilities clean-up; and, painting and staining. Objectives for routine maintenance tasks include: visitor and employee health and safety, visitor service, enhancement of work environment, improvement of productivity, preventive measure, and aesthetics. The authority under which management may assign routine maintenance tasks include: statutes, policies, and rules. Task performance is ensured through scheduling, inspection, and visitor input.

Preventive Maintenance

Preventive maintenance at the unit will include vehicle and equipment maintenance, building painting, boardwalk maintenance, sign and display maintenance, and boundary fence maintenance. Preventive maintenance program objectives include: safety, visitor services, extended facility and equipment service, efficiency, unit image, conservation, protection, cost, and aesthetics. Preventive maintenance tasks may be assigned on the basis of the manufacturer's specifications, policy, scheduling, historic data, inspection, and visitor input.

Corrective Maintenance

Corrective maintenance programs at the unit will include repairs to vehicles, equipment, building and other facilities, utilities, roadways, and parking lots. Objectives for each corrective maintenance program include: safety, productivity, economy, conservation, aesthetics, and visitor service. Corrective maintenance tasks may be assigned, and task performance checked, through inspection and visitor input.

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Addenda

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of the State of Florida and Lee County:

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Addendum 7 – Vertebrate SpeciesPage A7-1→ A7-3

Addendum 8 – Summary of public comment from public meeting

ADDENDUM 1

LEASE AGREEMENT BETWEEN THE BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA AND LEE COUNTY

ADDENDUM I

LEE CO. CONTRACT NO. C890102

OAL8102

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

LEASE AGREEMENT

Lease No. 3690

THIS LEASE AGREEMENT, made and entered into this 14th day
of June 1989, by and between the BOARD OF TRUSTEES
OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA
hereinafter referred to as "LESSOR," and LEE COUNTY, hereinafter
referred to as "LESSEE."

LESSOR, for and in consideration of mutual covenants and
agreements hereinafter contained, does hereby lease to said
LESSEE, the lands described in Paragraph 2 below, together with
the improvements thereon, and subject to the following terms and
conditions:

1. DELEGATIONS OF AUTHORITY: LESSOR'S responsibilities
and obligations herein shall be exercised by the Division of
State Lands, Department of Natural Resources.
2. DESCRIPTION OF PREMISES: The property subject to this
lease, is situated in the County of Lee, State of Florida and is
more particularly described in Exhibit A attached hereto and
hereinafter called the "leased premises".
3. TERM: The term of this lease shall be for a period of
50 years commencing on May 11, 1989 and ending on May 10, 2039,
unless sooner terminated pursuant to the provisions of this
lease.
4. PURPOSE: LESSEE shall only manage the leased premises
for the conservation and protection of natural and historical
resources and for resource based public outdoor recreation which
is compatible with the conservation and protection of these
public lands, as set forth in subsection 253.023(11), Florida
Statutes, along with other related uses necessary for the
accomplishment of this purpose as designated in the Management
Plan required by paragraph (8) of this lease.

5. QUIET ENJOYMENT AND RIGHT OF USE: LESSEE shall have the right of ingress and egress to, from and upon the leased premises for all purposes necessary to the full quiet enjoyment by said LESSEE of the rights conveyed herein.

6. UNAUTHORIZED USE: LESSEE shall, through its agents and employees prevent the unauthorized use of the leased premises or any use thereof not in conformity with this lease.

7. ASSIGNMENT: This lease shall not be assigned in whole or in part, without the prior written consent of LESSOR. Any assignment made either in whole or in part without the prior written consent of LESSOR shall be void and without legal effect.

8. MANAGEMENT PLAN: LESSEE shall prepare and submit a Management Plan for the leased premises in accordance with Chapters 18-2 and 18-4, Florida Administrative Code, within 12 months of the effective date of this lease. The Management Plan shall be submitted to LESSOR for approval through the Division of State Lands. The leased premises shall not be developed or physically altered in any way other than what is necessary for security and maintenance of the leased premises until the Management Plan is approved, without the prior written approval of LESSOR. LESSEE shall provide LESSOR with an opportunity to participate in all phases of preparing and developing the Management Plan for the leased premises. The Management Plan shall be submitted to LESSOR in draft form for review and comments within ten months of the effective date of this lease. LESSEE shall give LESSOR reasonable notice of the application for and receipt of any state, federal or local permits as well as any public hearings or meetings relating to the development or use of the leased premises. LESSEE shall not proceed with development of said leased premises including, but not limited to, funding, permit applications, design or building contracts until the Management Plan required herein has been submitted and approved. Any financial commitments made by LESSEE which are not in compliance with the terms of this lease shall be done at LESSEE'S own risk. The Management Plan shall emphasize the original

management con- as approved by LESSOR at the time of acquisition which established the primary public purpose for which the leased premises were acquired. The approved Management Plan shall provide the basic guidance for all management activities and shall be reviewed jointly by LESSEE and LESSOR at least every five (5) years. LESSEE shall not use or alter the leased premises except as provided for in the approved Management Plan without the prior written approval of LESSOR. The Management Plan prepared under this lease shall identify management strategies for exotic species, if present. The introduction of exotic species is prohibited, except when specifically authorized by the approved Management Plan.

9. EASEMENTS: All easements including, but not limited to, utility easements are expressly prohibited without the prior written approval of LESSOR. Any easement not approved in writing by LESSOR shall be void and without legal effect.

10. SUBLEASES: This lease is for the purposes specified herein and subleases of any nature are prohibited, without the prior written approval of LESSOR. Any sublease not approved in writing by LESSOR shall be void and without legal effect.

11. RIGHT OF INSPECTION: LESSOR or its duly authorized agents, representatives or employees shall have the right at any and all times to inspect the leased premises and the works and operations of LESSEE in any matter pertaining to this lease.

12. PLACEMENT AND REMOVAL OF IMPROVEMENTS: All buildings, structures, improvements, and signs shall be constructed at the expense of LESSEE in accordance with plans prepared by professional designers and shall require the prior written approval of LESSOR as to purpose, location and design. Further, no trees, other than non-native species shall be removed or major land alterations done without the prior written approval of LESSOR. Removable equipment and removable improvements placed on the leased premises by LESSEE which do not become a permanent part of the realty will remain the property of LESSEE and may be removed by LESSEE upon termination of this lease.

13. INSURANCE REQUIREMENTS: During the term of this lease LESSEE shall procure and maintain policies of fire, extended risk, and liability insurance coverage. The extended risk and fire insurance coverage shall be in an amount equal to the full insurable replacement value of any improvements or fixtures located on the leased premises. The liability insurance coverage shall be in amounts not less than \$100,000.00 per occurrence and \$200,000.00 per accident for personal injury, death, and property damage on the leased premises. Such policies of insurance shall name LESSOR, the State of Florida and LESSEE as co-insureds. LESSEE shall submit written evidence of having procured all insurance policies required herein prior to the effective date of this lease and shall submit annually thereafter, written evidence of maintaining such insurance to the Bureau of Uplands Management, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399. LESSEE shall purchase all policies of insurance from a financially-responsible insurer duly authorized to do business in the State of Florida. Any certificate of self-insurance shall be issued or approved by the Insurance Commissioner, State of Florida. The certificate of self-insurance shall provide for casualty and liability coverage. LESSEE shall immediately notify LESSOR and the insurance agent of any erection or removal of any building or other improvement on the leased premises and any changes affecting the value of any improvements and shall request the insurance agent to make adequate changes in the coverage to reflect the changes in value. LESSEE shall be financially responsible for any loss due to failure to obtain adequate insurance coverage, and failure to maintain such policies or certificate in the amounts set forth shall constitute a breach of this lease.

14. INDEMNITY: LESSEE hereby covenants and agrees to investigate all claims of every nature at its own expense, and to indemnify, protect, defend, hold and save harmless the State of Florida and LESSOR from any and all claims, actions, lawsuits and demands of any kind or nature arising out of this lease to the

extent provided by law.

15. PAYMENT OF TAXES AND ASSESSMENTS: LESSEE shall assume full responsibility for and shall pay all liabilities that accrue to the leased premises or to the improvements thereon, including any and all ad valorem taxes and drainage and special assessments or taxes of every kind and all mechanic's or materialman's liens which may be hereafter lawfully assessed and levied against the leased premises.

16. NO WAIVER OF BREACH: The failure of LESSOR to insist in any one or more instances upon strict performance of any one or more of the covenants, terms and conditions of this lease shall not be construed as a waiver of such covenants, terms or conditions, but the same shall continue in full force and effect, and no waiver of LESSOR of any of the provisions hereof shall in any event be deemed to have been made unless the waiver is set forth in writing, signed by LESSOR.

17. TIME: Time is expressly declared to be of the essence of this lease.

18. NON DISCRIMINATION: LESSEE shall not discriminate against any individual because of that individual's race, color, religion, sex, national origin, age, handicap, or marital status with respect to any activity occurring within the leased premises or upon lands adjacent to and used as an adjunct of the leased premises.

19. UTILITY FEES: LESSEE shall be responsible for the payment of all charges for the furnishing of gas, electricity, water and other public utilities to the leased premises and for having the utilities turned off when the leased premises are surrendered.

20. MINERAL RIGHTS: This lease does not cover petroleum or petroleum products or minerals and does not give the right to LESSEE to drill for or develop the same.

21. RIGHT OF AUDIT: LESSEE shall make available to LESSOR all financial and other records relating to this lease, and LESSOR shall have the right to audit such records at any

reasonable time during the term of this lease. This right shall be continuous until this lease expires or is terminated. This lease may be terminated by LESSOR should LESSEE fail to allow public access to all documents, papers, letters or other materials made or received in conjunction with this lease, pursuant to the provisions of Chapter 119, Florida Statutes.

22. CONDITION OF PREMISES: LESSOR assumes no liability or obligation to LESSEE with reference to the conditions of the leased premises. The leased premises herein are leased by LESSOR to LESSEE in an "as is" condition, with LESSOR assuming no responsibility for the care, repair, maintenance or improvement of the leased premises for the benefit of LESSEE.

23. COMPLIANCE WITH LAWS: LESSEE agrees that this lease is contingent upon and subject to LESSEE obtaining all applicable permits and complying with all applicable permits, regulations, ordinances, rules, and laws of the State of Florida or the United States or of any political subdivision or agency of either.

24. NOTICE: All notices given under this lease shall be in writing and shall be served by certified mail including, but not limited to, notice of any violation served pursuant to 253.04, Florida Statutes, to the last address of the party to whom notice is to be given, as designated by such party in writing. LESSOR and LESSEE hereby designate their address as follows:

LESSOR: Department of Natural Resources
Division of State Lands
Bureau of Uplands Management
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

LESSEE: Board of County Commissioners of Lee County
Post Office Box 398
Fort Myers, Florida 33902-0398

25. BREACH OF COVENANTS, TERMS, OR CONDITIONS: Should LESSEE breach any of the covenants, terms, or conditions of this lease, LESSOR shall give written notice to LESSEE to remedy such breach within sixty (60) days of such notice. In the event LESSEE fails to remedy the breach to the satisfaction of LESSOR within sixty (60) days of receipt of written notice, LESSOR may either terminate this lease and recover from LESSEE all damages

LESSOR may incur by reason of the breach including, but not limited to, the cost of recovering the leased premises and attorneys' fees or maintain this lease in full force and effect and exercise all rights and remedies herein conferred upon LESSOR.

26. DAMAGE: LESSEE agrees that it will not do, or suffer to be done, in, on or upon the leased premises or as affecting said leased premises, any act which may result in damage or depreciation of value to the leased premises or any part thereof.

27. SURRENDER OF PREMISES: Upon termination or expiration of this lease, LESSEE shall surrender the leased premises to LESSOR. In the event no further use of the leased premises or any part thereof is needed, LESSEE shall give written notification to the Bureau of Uplands Management, Division of State Lands, Department of Natural Resources, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399 at least six (6) months prior to the release of any or all of the leased premises. Notification shall include a legal description, this lease number, and an explanation of the release. The release shall only be valid if approved by LESSOR through the execution of a release of lease instrument with the same formality as this lease. Upon release of all or any part of the leased premises or upon termination or expiration of this lease, all improvements, including both physical structures and modifications to the leased premises, shall become the property of LESSOR, unless LESSOR gives written notice to LESSEE to remove any or all such improvements at the expense of LESSEE. The decision to retain any improvements upon termination of this lease shall be at LESSOR'S sole discretion. Prior to surrender of all or any part of the leased premises a representative of the Division of State Lands shall perform an on-site inspection and the keys to any building on the leased premises shall be turned over to the Division. If the improvements do not meet all conditions as set forth in paragraphs 19 and 35 herein, LESSEE shall, at its expense, pay

all costs necessary to meet the prescribed conditions.

28. BEST MANAGEMENT PRACTICES: LESSEE shall implement applicable Best Management Practices for all activities conducted under this lease in compliance with paragraph 18-2.004(1)(d), Florida Administrative Code, which have been selected, developed, or approved by LESSOR or other land managing agencies for the protection and enhancement of the leased premises.

29. PROHIBITIONS AGAINST LIENS OR OTHER ENCUMBRANCES: Fee title to the leased premises is held by LESSOR. LESSEE shall not do or permit anything to be done which purports to create a lien or encumbrance of any nature against the real property contained in the leased premises including, but not limited to, mortgages or construction liens against the leased premises or against any interest of LESSOR therein.

30. PARTIAL INVALIDITY: If any term, covenant, condition or provision of this lease shall be ruled by a court of competent jurisdiction, to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

31. ARCHAEOLOGICAL AND HISTORIC SITES: Execution of this lease in no way affects any of the parties' obligations pursuant to Chapter 267, Florida Statutes. The collection of artifacts or the disturbance of archaeological and historic sites on state-owned lands is prohibited unless prior authorization has been obtained from the Department of State, Division of Historical Resources. The Management Plan prepared pursuant to Chapters 18-2 and 18-4, Florida Administrative Code, shall be reviewed by the Division of Historical Resources to insure that adequate measures have been planned to locate, identify, protect and preserve the archaeological and historic sites and properties on the leased premises.

32. SOVEREIGNTY SUBMERGED LANDS: This lease does not authorize the use of any lands located waterward of the mean or ordinary high water line of any lake, river, stream, creek, bay, estuary, or other water body or the waters or the air space

thereabove.

33. DUPLICATE ORIGINALS: This lease is executed in duplicate originals each of which shall be considered an original for all purposes.

34. ENTIRE UNDERSTANDING: This lease sets forth the entire understanding between the parties and shall only be amended with the prior written approval of LESSOR.

35. MAINTENANCE OF IMPROVEMENTS: LESSEE shall maintain the real property contained within the leased premises and the improvements located thereon, in a state of good condition, working order and repair including, but not limited to, keeping the leased premises free of trash or litter, meeting all building and safety codes in the location situated, maintaining the planned improvements as set forth in the approved Management Plan and maintaining any and all existing roads, canals, ditches, culverts, risers and the like in as good conditions as the same may be at the date of this lease; provided, however, that any removal, closure, etc., of the above improvements shall be acceptable when the proposed activity is consistent with the goals of conservation, protection and enhancement of the natural and historical resources within the leased premises and with the approved Management Plan.

36. ASSENT TO LEASE AGREEMENT TERMS AND CONDITIONS: LESSEE joins in this lease for the purpose of indicating its assent to all terms and conditions hereof and agrees to be bound hereby.

37. GOVERNING LAW: This lease shall be governed by and interpreted according to the laws of the State of Florida.

38. SIGNS: LESSEE shall ensure that the area is identified as being publicly owned and operated as a public outdoor recreational facility in all signs, literature and advertising and shall erect signs identifying the leased premises as being open to the public. If federal grants or funds are used by LESSEE for any project on the leased premises LESSEE shall erect signs identifying the leased premises as a federally assisted project.

39. SECTION CAPTIONS: Articles, subsections and other captions contained in this lease are for reference purposes only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this lease or any provisions thereof.

IN WITNESS WHEREOF, the parties have caused this lease to be executed on the day and year first above written.

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

Witness

By: _____ (SEAL)
DIRECTOR, DIVISION OF STATE
LANDS, DEPARTMENT OF NATURAL
RESOURCES

Witness

"LESSOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this
____ day of _____, 19____, by Percy W. Mallison, Jr.,
as Director, Division of State Lands, Department of Natural
Resources.

NOTARY PUBLIC. (SEAL)

My Commission Expires:

Approved as to Form and Legality

By: Patricia L. Hancock
DNR Attorney

APPROVED AS TO FORM

James Melan
OFFICE OF COUNTY ATTORNEY

BOARD OF COUNTY COMMISSIONERS OF
LEE COUNTY, FLORIDA

By: Le Melan (SEAL)

Its: CHAIRMAN

"LESSEE"

Genet L. Isaline
Witness
Mary Armstrong
Witness

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this
16 day of June, 1989, by Charles L. Sigelow, Jr. as
Chairman, Board of County Commissioners.

Charles L. Sigelow, Jr. (SEAL)
NOTARY PUBLIC

My Commission Expires:

Notary Public, State of Florida
My Commission Expires August 25, 1990
Revised 1989 by Florida Notary Association

The following described land, situate, lying and being in the County of Lee, State of Florida, to-wit:

IN SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 27 EAST:

The westerly 1595.00 feet (as measured on a perpendicular with the westerly line thereof), of the S 1/2 of said Section 18; ALSO: the westerly 1595.00 feet (as measured on a perpendicular with the westerly line thereof), of said Section 19, lying North of the north-westerly right-of-way of the Central and Southern Florida Flood Control District right-of-way for the Caloosahatchee River Canal.

EXCEPTING THEREFROM: The existing right-of-way of State Road No. 78 lying over and across the line between said Sections 18 and 19.

SUBJECT TO: A dredging pipeline easement lying over and across the westerly 100 feet of said Section 19 and other existing rights-of-way and easements of record.

CONTAINING 167 acres, more or less.

A parcel of land lying in Sections 18 and 19, Township 43 South, Range 27 East, Lee County, Florida, which parcel is more particularly described as follows:

The Easterly 1595.00 feet of the westerly 3190 feet, (as measured on a perpendicular with the westerly line thereof), of the S 1/2 of said Section 18; ALSO: The Easterly 1595.00 feet of the westerly 3190 feet (as measured on a perpendicular with the westerly line thereof), of said Section 19 lying North of the northerly right-of-way of the Central and Southern Florida Flood Control District right-of-way for the Caloosahatchee River Canal.

EXCEPTING THEREFROM: The existing right-of-way of State Road No. 78 lying over and across the line between said Sections 18 and 19.

SUBJECT TO: A 40 feet wide dredging pipeline easement, running in a generally North - South direction, lying near the easterly line of the hereinabove described fractional portion of the aforesaid Section 19, and other existing rights-of-way and easements of record.

CONTAINING 167 Acres, more or less.

EXHIBIT "A"
PAGE 11 OF 13
LEASE NO. 3698

The following described land, situate, lying and being in the County of Lee, State of Florida, to-wit:

A parcel of land lying in the South Half (S 1/2) of Section 17, Township 43 South, Range 27 East, and being more particularly described as follows:

Beginning at the Southwest corner of said Section 17 and a point on the centerline of State Road No. 78, run North 00 degrees 12 minutes 47 seconds East along the West Line c^o said Section 17 for 2660.40 feet to the West Quarter (W 1/4) corner of said Section 17; thence run South 89 degrees 45 minutes 00 seconds East along the North line of the Southwest Quarter (SW 1/4) of said Section 17 for 2673 feet more or less to the center of said Section 17; thence run South 00 degrees 12 minutes 47 seconds West parallel with the West line of said Section 17 for 2670 feet more or less to an intersection with the South line of said Section 17 and a point on said centerline of State Road No. 78; thence run North 89 degrees 32 minutes 53 seconds West along the South line of said Section 17 and the centerline of said State Road No. 78 for 2673.37 feet to the point of beginning.

EXCEPTING THEREFROM: The existing right of way of State Road No. 78 lying over and across the southerly portion of the hereinabove described parcel and other existing rights of way and easements of record.

Containing 163 acres, more or less.

TOGETHER WITH

A parcel of land lying in the Northwest Quarter (NW 1/4) of Section 20, Township 43 South, Range 27 East, and being more particularly described as follows:

Beginning at the Northwest corner of said Section 20 and a point on the centerline at State Road No. 78, run South 89 degrees 32 minutes 53 seconds East along the North line of said Section 20 and said centerline of State Road No. 78 for 1336.34 feet to the Northeast corner of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of said Section 20; thence run South 00 degrees 06 minutes 13 seconds West along the East line of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of said Section 20 for 1640.36 feet to a point on the Northerly right of way line of the Caloosahatchee River; thence run South 77 degrees 16 minutes 46 seconds West along said Northerly right of way line for 1338.01 feet to a point on the West line of said Section 20; thence run North 00 degrees 19 minutes 18 seconds East along the West line of said Section 20 for 1963.62 feet to the point of beginning.

EXCEPTING THEREFROM: The existing right of way of State Road No. 78 lying over and across the Northerly portion of the hereinabove described parcel and other existing rights of way and easements of record.

EXHIBIT "A"
PAGE 12 OF 13 Containing 55 acres, more or less.

ADDENDUM 2

CALOOSAHATCHEE REGIONAL PARK

ECOLOGICAL BURN PLAN

GENERAL DESCRIPTION

Caloosahatchee Regional Park is an area of approximately 770 acres located in Sections 17, 18, 19 and 20 of Township 43 South, Range 27 East, Lee County, Florida. State Road 78 divides the tract into a north and south portion. The Babcock Ranch borders the Park to the north and the Caloosahatchee River borders the Park to the south. Several small islands on the River are also included in the Park.

The north portion, approximately 500 acres, largely consists of spoil pumped in from the River (Zone I). Much of this area is dominated by Brazilian pepper, salt bush, wax myrtle and grasses. Occasional native plants in this area are South Florida slash pine, saw palmetto, sabal palm and bald cypress. Several trails crisscross the area as well as a small canal ditch that basically surrounds the spoil area. Upland and bottomland plant species (Zone V and Zone VI) exist north of the canal to the northern boundary of the Park. Fichter Creek runs through the northwest corner of the tract in association with wetland hardwood and conifers.

The south portion of the tract consists of a wide variety of plant communities. For purposes of this burn plan, we will consider five basic vegetation types in addition to the spoil area: Abandoned Citrus Grove/Pasture (Zone II); Saw-Palmetto Prairie (Zone III); Pine Flatwoods (Zone IV); Upland Hardwood (Zone V); and Bottomland Areas (Zone VI).

BURNING RECOMMENDATIONS

Zones II, III and IV should be control burned. Fire should be excluded from Zones V and VI where hardwood regeneration is desired. The construction of fire lines may be necessary in order to exclude fire from these areas. The strip-head fire method should be utilized initially in order to kill the understory vegetation. This fire should be conducted in late Spring or early Summer to insure a more complete kill of competing hardwood vegetation.

After the initial burn, the Zones should be burned every three years. This will keep the Park "clean" for recreational and aesthetic purposes. A cooler burning backfire conducted during the fall or winter months should be utilized on subsequent burns to reduce scorching and provide a more complete burn. All areas excluded from fire should be periodically checked for the invasion of Brazilian pepper. Any snags should be left standing for wildlife where practical.

The burn plan will improve wildlife habitat by increasing the availability of forage and browse. It should also clear more areas for gopher tortoises to construct new burrows.

FIRE PLAN

for

CALOOSAHATCHEE REGIONAL PARK

Florida Division of Forestry

The Alva Fire District

CALOOSAHATCHEE REGIONAL PARK

FIRE PLAN

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GENERAL

PURPOSE OF THE PLAN AND RESPONSIBILITY FOR EXECUTION

The purpose of this plan is to provide for protecting the Caloosahatchee River State Recreation Area at a level commensurate with the scenic and recreational values involved. Basic protection of the park properties is the responsibility of the Division of Forestry in protected counties as directed by State Law.

Initial attack on fires on or immediately endangering park lands is to be provided by the Division of Forestry through its District Manager and assigned personnel. Immediate back-up will be provided by the Alva Fire Protection and Rescue District. This plan, with periodic revisions as they become necessary, is the joint responsibility of both services as to construction and operation. As a working outline, this plan is to be studied annually for needed revisions or improvements. The key people in this re-examination are the Forest Area Supervisor and the Lee County Forester of the Division of Forestry, and the Fire Chief of the Alva Fire Protection and Rescue District, together with their supervisors in the respective agencies.

The Forest Area Supervisor is further charged with the thorough and continuing training of his personnel in the details of this plan, including but not limited to, the items of detection, communication, fire zoning, weather suppression technique, traffic control and safety. After the Park is

staffed, the Park Manager will have the responsibility of providing the initial attack on fires within the Park or immediately endangering the Park. All park maintenance staff will be trained in fire fighting techniques.

The Park Manager will be specifically charged with the daily assignment of qualified persons to operate the first-line suppression equipment assigned to the park. The Forest Area Supervisor is charged with advising the Park Manager of the degree of fire danger on a day-to-day basis. He is further ordered to dispatch promptly one or more fire fighting units to any fire on or endangering park lands and to personally take charge of suppression upon his arrival.

PHYSICAL DESCRIPTION OF THE PARK PROPERTIES

Caloosahatchee Regional Park consists of 770 acres, lying approximately three (3) miles west of Alva, Florida in Lee County, bisected by State Road 78 and bordered on the south by Caloosahatchee River and on the north boundary by the Babcock Ranch. It comprises the following lands: 540 acres lying in Section 18 and 19, Township 43 South, Range 27 East, Lee County, Florida. One hundred sixty-three (163) acres lying in Section 17, Township 43 South, Range 27 East and fifty-five (55) acres of land lying in Section 20, Township 43 South, Range 27 East.

FOREST FIRE PROTECTION - FACILITIES

Fire Prevention - a sustained and continuing campaign is carried on by the Division of Forestry in Lee County. This campaign includes newspaper, television, and radio coverage of

information on forest fires and fire weather, programs at civic clubs, schools and meetings of various kinds, and contacts with local residents and visitors to forest areas.

Fire Detection - forest fire detection is provided by the tower network of the Division of Forestry. The tower having observation of the park properties is as follows:

Orange River Tower - located in Lee County - Fort Myers North Area in Section 34, Township 43 South, Range 25 East, two (2) miles east of Tice on State Road 80. Telephone number is (813) 694-2181.

Fire Weather Forecasts - local fire weather observations for Lee, Charlotte, Glades, and Collier Counties are made at the Fort Myers North Area, two miles east of Tice, Florida on State Road 80. Readings of Burning Index, reflecting the degree of fire danger, are made at 2:00 p.m. and relayed by radio to all Division of Forestry installation and mobile units in District 17.

General weather data as affecting fire danger and forecasts of future weather conditions are received daily from the U.S. Weather Bureau at all Work Center.

Fire Suppression - fire suppression equipment available for protection of park lands from the Division of Forestry is as follows:

4 - medium transport/tractors with plows, Division of Forestry - Hand tools, backpack pumps, backfire torches at the Division of Forestry Headquarters, District 17, located at the Orange River Tower.

The Alva Fire Protection and Rescue Service District has the following equipment at their disposal:

- 1 - 750 gallon pumper with 4-wheel drive
- 1 - 350 gallon pumper with 4-wheel drive
- 1 - 950 gallon pumper with 2-wheel drive
- 1 - 1,100 gallon tanker with 6-wheel drive
- 1 - 9,400 gallon tanker with 2-wheel drive

Personnel

Division of Forestry - there are eight men assigned as fire crewmen to protect the park; due to duty schedules, this number of men will not all be on duty at any given time. At all times, four or more will be available, unless committed to another fire.

The Alva Fire Protection and Rescue Service District - four full time and fifteen volunteer firemen are assigned to this station, however, the number available would be less, depending on varying conditions. Sufficient personnel are available to operate assigned equipment.

FIRE PLAN

Fire Prevention - the principal danger to park lands is from fires originating within the park. Therefore, it is necessary that park users be continually advised of the danger of fires.

This will be carried out by a continuation of inspections and verbal warnings. In addition, a system of specific warnings or danger days will be instituted and carried out at all times.

Fire Detection - when a Division of Forestry tower or patrol plan detects a fire on or endangering the park, the park office will be notified by the Fort Myers District Headquarters. If District Headquarters is unable to contact the park office by telephone, the tower will notify the Park Manager's residence or Assistant Park Manager's residence.

If the fire is on park land, (the officer in charge will immediately dispatch park suppression facilities to the fire and notify Lee Control by telephone. The Division of Forestry Dispatcher at the Orange River Tower will dispatch the nearest Division of Forestry suppression unit, notify the Forest Area Supervisor and the District Office by telephone.

If a fire is detected on land adjoining the Caloosahatchee Regional Park, the Division of Forestry dispatcher will immediately dispatch the most readily available Division of Forestry suppression unit and will notify the Park Manager of this action and whether or not the park crew should go to the fire. He will base his decision on the distance the fire is from park land and weather conditions. If the park crew is not dispatched, the dispatcher will keep the Park Manager informed of progress and will notify him when the fire is under control.

If a fire on or adjacent to park land is detected by park personnel before being reported by the Division of Forestry dispatcher, the Park Manager will have the Division of Forestry notified of the fire's location and make the initial attack on the fire. During the interim before the Park is staffed, the Division of Forestry will immediately respond to any fire.

Fire Weather Forecasts - If the Spread Index is 30 or higher at the time of the 2:00 p.m. observation, the dispatcher will advise the Park Manager that a FIRE ALERT exists.

Pre-Suppression - Cleared fire breaks ten feet in width will be maintained on all boundaries with the exception of the south boundary bordering the Caloosahatchee River. Fire breaks will be reworked annually or as needed by the Division of Forestry.

Equipment - each agency is responsible for inspection and maintenance of fire facilities assigned to it, including hand tools.

Mobilization - the Park Manager, when assigned, will be responsible for daily operations of fire fighting equipment and personnel to assist in the control of fires.

Fire Suppression - suppression of ongoing fires will take precedence over all normal park activities. As the first attack unit, the Park Manager, or his designated alternate if he is away, will assume charge of suppression of fires on park land or immediately threatening park land. He will remain in charge of his own personnel and personnel dispatched to assist in

suppression. Upon arrival of Forest Area Supervisor, he will relinquish control of suppression to the Forest Area Supervisor and will thereafter function as directed by the Forest Area Supervisor.

When notified of a fire on adjoining lands but not dispatched because of distance from park boundaries, the Park Manager will mobilize and keep his crew in readiness until dispatched to the fire or notified that the danger has passed.

Traffic Control and Safety - at times of normal weather when a fire is on or threatening park lands, visitors will continue to be admitted to the park. All visitors during such times will be notified by park personnel and will be instructed to keep roads clear and to stay clear of the fire area.

When a FIRE ALERT exists, all visitors will be told that exceptionally dangerous fire weather is in effect and instructed to exert extreme caution. If a fire occurs during a FIRE ALERT day, the Ranger on duty will disperse all halted cars in such a way as to keep the gate and access clear for the passage of suppression equipment. Normal admission of visitors in this case will not be resumed until the Ranger on duty is notified that the fire is out.

Fire Reports - the Forest Area Supervisor will make a detailed report, through channels, of any fires on or adjacent to park lands. This report will be complete as to time of detection,

elapsed time between phases of the suppression effort, equipment and personnel involved, cause of fire, and area burned.

In case of fires which burn on park lands, the Park Manager will make a narrative report to the District Manager covering action of his crew, area burned, and damage. He may call on the Division of Forestry Supervisor for information as to time, cause, and other facts at his disposal.

Revised Each Year

Division of Forestry_____

Representative_____

Date_____

ADDENDUM 3

CALOOSAHATCHEE REGIONAL PARK EXOTIC REMOVAL PLAN

I. Purpose

A. General

To restore and maintain a natural area so that its biological composition includes native species, whose abundance and distribution is determined by natural, on-site conditions as they existed prior to modifications by post-Columbian cultures which supplanted native American cultures.

B. Specific Exceptions

Some units may have special conditions or cultural values which either require maintenance of exotics, or prohibit their removal. There are no specific exceptions in this park.

II. Exotic Plants

A. Definition

Plant species which historic records or other research indicate are not native to the unit or region of Florida where the unit is located, and which have colonized areas within the unit through introduction by man, or as a result of recent (i.e., historic) human disturbance. This definition, where possible, should be expanded to subspecies or non-native genetic variants of conspecifics which are native to a unit.

Synonym: recently naturalized.

B. Inventory of Exotic Trees and Shrubs

The two species that have been identified in this park in order of their destructive potential are:

Melaleuca (Melaleuca quinquenervia)
Brazilian pepper (Schinus terebinthifolius)

Though not in the category of seriousness of the above two species, Citrus (Citrus spp.) is also widespread.

C. Inventory of Exotic Herbs

None have been identified.

D. Exotic Plant Control Methods and Procedures

Brazilian pepper

Push or shear the Brazilian pepper on the spoil area and follow with a root rake to eliminate resprouting. The operation will allow greater selectivity when moving around stands of native vegetation. It will also completely clear the ground for any re-planting that will take place in the future. In areas where the pepper is sparse or inaccessible to heavy equipment, hand crews should be used to remove the individual shrubs. The stumps should be cut at or near ground level and treated with an approved herbicide such as Garlon 3A. Pushed and cut material should be piled and completely burned. This operation should take place at a time when the berries are not present. Periodic reconnaissance of the area may be necessary to control the subsequent resprouting and regeneration.

A strip of Brazilian pepper mixed with hardwoods runs along the riverbank on the southern boundary. The pepper should be removed by a hand crew cutting the stumps at or near ground level and applying Garlon 3A to the stumps. The material may either be piled and burned or chipped and hauled away. The chips should not be used as mulch because any berries present will resprout.

Melaleuca

There are a small number of Melaleuca trees located in the northeast portion of the tract. Control of these may be accomplished using the same methods as used for the Brazilian pepper. Follow up treatments, as with Brazilian pepper may require hand-pulling of sprouted seedlings.

Citrus

Several varieties of citrus grow within the Park boundaries. If removal is desired, these trees may be cut down and the stumps treated with Garlon 3A. All fruit on the trees must be collected and removed with follow-up conducted.

Safety Measures

- 1) Read and comply with all directions and instructions on Garlon containers.
- 2) Mark the sprayer "Garlon Only" -- clean thoroughly after each use.
- 3) Use a chemical respirator.
- 4) Wear rubber gloves, eye protection and a long sleeved shirt.

5) Don't store the safety equipment (rubber gloves, glasses, respirator) in the same area as the Garlon. The rubber absorbs the chemical.

6) Apply on a dry day in the morning since it is cooler and there is less chance of thunderstorm to wash it off.

7) Don't have someone doing this all day. They will be extremely hot from the heat and may become tired and accidentally spill it on themselves.

8) Allow person to shower and change clothing after spraying.

9) If there is any doubt concerning use or safety ask your immediate supervisor for assistance.

E. Schedule for Exotic Plant Control Methods

A contractor should be hired for clearing the land, especially where heavy equipment is needed. Lee County may provide hand crews to cut material and apply herbicide if feasible.

It is important that personnel maintain a constant watch for new, as well as known, exotic plants. A systematic and concerted effort to inspect all areas every six months will be made to locate these or other new exotics which may have been overlooked and are gaining a foothold. To effectively eliminate and control these species, a zone approach will be utilized.

III. Exotic Animals

A. Definition

Animal species which historical records or other research indicate are not native to the unit or region of Florida where the unit is located; and which have become inhabitants of the unit by introduction by man, or recent disturbance caused by human activities. Of particular concern are: (1) domesticated animals; (2) feral descendants of domesticated stock; and (3) feral individuals or descendants of other animals introduced through the pet trade. This definition, where possible, should be expanded to prevent introduction of non-native subspecies or non-native genetic variants of conspecific animals which are native to a unit.

B. Inventory of Exotic Animals

None have been identified.

ADDENDUM 4

CULTURAL MANAGEMENT STATEMENT
DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES

MANAGEMENT PROCEDURES FOR
ARCHAEOLOGICAL AND HISTORIC SITES AND PROPERTIES
ON STATE - OWNED FOR CONTROLLED LANDS

A. General Discussion

Archaeological and historic sites have several essential characteristics which must be recognized in a management program.

First of all, they are a finite and non-renewable resource. Once destroyed, presently existing resources, including buildings, other structures, shipwreck remains, archaeological sites and other objects of antiquity cannot be renewed or revived. Today, sites in the State of Florida are being destroyed by all kinds of land development, looting by "treasure hunters," erosion and to a minor extent even by well-intentioned professional scientific research (e.g., archaeological excavation). Measures must be taken to ensure that some of these resources will be preserved for future study and appreciation.

Secondly, sites are unique because individually they represent the tangible remains of events which occurred at a specific time and place.

Thirdly, while sites uniquely reflect localized events, these events and the origin of particular sites are related to conditions and events in other times and places. Sites can be understood properly only in relation to their natural

surroundings and the activities of inhabitants of other sites. Managers must be aware of this "systematic" character of historic and archaeological sites. Also, it should be recognized that archaeological sites are time capsules not just for cultural history. They preserve traces of past biotic communities, climate, and other elements of environment that may be of interest to other scientific disciplines.

Finally, sites, particularly archaeological ones, are very fragile, because their significance derives not only from the individual artifacts within them, but equally from the spatial arrangement of those artifacts in both horizontal and vertical planes. When archaeologists excavate, they recover not merely objects, but also a record of the positions of these objects in relation to one another and their containing matrix (e.g., soil strata). Much information is sacrificed if the so-called "context" of archaeological objects is destroyed or not recovered and this is what archaeologists are most concerned about when a site is threatened with destruction or damage; the artifacts themselves can be recovered even after a site is heavily disturbed, but the context - the vertical and horizontal relationships - cannot. Historic structures also contain a wealth of cultural

(socioeconomic) data which can be lost if historically sensitive maintenance, restoration or rehabilitation procedures are not implemented, or if they are demolished or extensively altered without appropriate documentation.

B. STATUTORY AUTHORITY

Chapter 253, Florida Statutes ("State Lands") directs the preparation of "single-use: or "multiple-use" land management plans for all state-owned lands and state-owned sovereignty submerged lands. In this document, Section 253.034(4) specifically requires that "all management plans, whether for single-use or multiple-use properties, shall specifically describe how the managing agency plans to identify, locate, protect and preserve, or otherwise use fragile non-renewable resource, such as archaeological and historic sites, as well as other fragile resources..."

Chapter 267, Florida Statutes is the primary historic preservation authority of the state. Responsibilities of the Division of Historical Resources pursuant to s. 267.061(3), F.S., includes the following:

1. Cooperate with federal and state agencies, local governments, and private organizations and individuals, to direct and conduct a comprehensive statewide survey of historic resources and maintain an inventory of such resources.

2. Develop a comprehensive statewide historic preservation plan.

3. Identify and nominate eligible properties to the National Register of Historic Places and otherwise administer applications for listing historic properties in the National Register.

4. Cooperate with federal and state agencies, local governments, and organizations and individuals to ensure that historic resources are taken into consideration at all levels of planning and developing.

5. Advise and assist, as appropriate, federal and state agencies and local governments in carrying out their historic preservation responsibilities and programs.

6. Carry out on behalf of the state the programs of National Historic Preservation Act of 1966, as amended, and established, maintain, and administer a state historic preservation program meeting the requirements of an approved program and fulfilling the responsibilities of state historic preservation programs as provided in subsection 101(b) of that act.

7. Take such other actions necessary or appropriate to locate, acquire, protect, preserve, operate, interpret, and promote the location, acquisition, protection, preservation, operations and interpretation of historical resources to foster

an appreciation of Florida history and culture. Prior to acquisition, preservation, interpretation, or operation of a historic property by a state agency, the Division shall be provided a reasonable opportunity to review and comment on the proposed undertaking and shall determine that there exists historical authenticity and feasible means of providing for the preservation, interpretation and operation of such property.

8. Establish professional standards for the preservation, exclusive of acquisition of historic resources in state ownership or control.

Responsibilities of other state agencies of the executive branch, pursuant to s. 267.061(2), F.S., include:

1. Each state agency of the executive branch having direct or indirect jurisdiction over a proposed state or state-assisted undertaking shall, in accordance with state policy and prior to the approval of expenditure of any state funds on the undertaking, consider the effect of the undertaking on any historic property that is included in or eligible for inclusion in the National Register of Historic Places. Each such agency shall afford the Division a reasonable opportunity to comment with regard to such an undertaking.

2. Each state agency of the executive branch shall initiate measures in consultation with the Division to assure that where, as a result of state action or assistance carried out by such agency, a historic property is to be demolished or substantially

altered in a way which adversely affects the character, form, integrity or other qualities which contribute to historical, architectural or archaeological value of the property, timely steps are taken to determine that no feasible and prudent alternative to the proposed demolition or alteration, exists, that timely steps are taken either to avoid or mitigate the adverse effects, or to undertake an appropriate archaeological salvage excavation or other recovery action to document the property as it existed prior to demolition or alteration.

3. In consultation with the Division, each state agency of the executive branch shall establish a program to locate, inventory and evaluate all historic properties under the agency's ownership or control that appear to qualify for the National Register. Each such agency shall exercise caution to assure that any such historic property is not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate significantly.

4. Consistent with the agency's mission and authority, all state agencies of the executive branch shall carry out agency programs and projects, including those under which any state assistance is provided, in a manner which is generally sensitive to the preservation of historic properties and give consideration to programs and projects which will further the purposes of this section.

Section 267.12 authorizes the Division to establish procedures for the granting of research permits for archaeological and historic site survey or excavation on state-owned or controlled lands, while Section 267.12 established penalties for the conduct of such work without first obtaining written permission from the Division. The Rules of the Department of State, Division of Historical Resources, for research permits for archaeological sites of significance are contained in Chapter 1A-32, F.A.C.

C. MANAGEMENT POLICY

The choice of a management policy for archaeological and historic sites within state-owned or controlled lands obviously depends upon a detailed evaluation of the characteristics and conditions of the individual sites and groups of sites within those tracts. This includes an interpretation of the historical significance (or potential significance) of these sites, in terms of social and political factors, as well as environmental factors. Furthermore, for historic structures architectural significance must be considered.

Sites on privately owned lands are especially vulnerable to destruction, since often times the economic incentives for preservation are low compared to other uses of the land areas involved. Hence, sites in public ownership have a magnified importance, since they are the ones with the best chance of survival over the long run. This is particularly true of sites which are state-owned or controlled, where the basis is to provide for land uses that are minimally destructive of resource values.

It should be noted that while many archaeological and historic sites are already recorded within state-owned or controlled-lands, the majority of the uplands areas and nearly all of the inundated areas have not been surveyed to locate and assess the significance of such resources. The known sites are, thus, only an incomplete sample of the actual resources - i.e., the number, density, distribution, age, character and condition of the archaeological and historic sites - on these tracts. Unfortunately, the lack of specific knowledge of the actual resources prevents formulation of any sort of detailed management of use plan involving decisions about the relative historic value of individual sites. For this reason, a generalized policy of conservation is recommended until the resources have been better addressed.

The generalized management policy recommended by the DAHRM includes the following:

1. State land managers shall coordinate all planned activities involving known archaeological or historic sites or potential site areas closely with the DHR in order to prevent any kind of disturbance to significant archaeological or historic sites that may exist on the tract. Under 267.061(1)(b), F.S., DHR is vested with title to archaeological and historic resources abandoned on state lands and is responsible for administration and protection of such resources. Under 167.12(1), F.S., it is illegal to destroy or otherwise alter sites on state lands

without a permit from DHR. Thus, other managing (or permitting) agencies shall coordinate their plans with DHR at a sufficiently early stage to preclude inadvertent damage or destruction to known or potentially occurring presently unknown archaeological and historic sites.

2. Since the actual resources are so poorly known, the potential impact of the managing agency's activities on historic and archaeological site may not be immediately apparent. Special field survey for such sites may be required to identify the potential endangerment as a result of a particular management or permitting activities. The DHR will perform surveys, as its resources permit, to aid the planning of other state agencies in their management activities, but may upon occasion require funding support. This would be especially necessary in the case of activities contemplating ground disturbance over large areas, and unexpected occurrence in view of the purpose of the state-owned or controlled lands. It should be noted, however, that in most instances DHR's knowledge of known and expected site distribution is such that actual field surveys may not be necessary, and the project may be reviewed by submitting a project location map (preferably a 7.5 minute U.S.G.S. Quadrangle map or portion thereof) and project descriptive data.

3. In the case of known significant sites, the managing agency will generally be expected to alter their management or development plans as necessary, or else make special provisions so as not to disturb or damage such sites.

4. If in the course of management activities, or as a result of development or the permitting of dredge activities, it is determined that valuable historic or archaeological sites will be damaged or destroyed, DHR reserves the right, pursuant to 267.061(1)(b), F.S., to require salvage measures to mitigate the destructive impact of such activities of such sites. Such salvage measures would be accomplished before DHR would grant permission for site distribution; and, the funding needed to implement salvage measures would be the responsibility of the managing agency planning the site destructive activity.

5. For the near future, excavation of archaeological sites is discouraged. There are many endangered sites in Florida (on both private and other public lands) in need of excavation because of the threat of development. Those within state-owned or controlled lands should be left undisturbed for the present - with particular attention devoted to preventing site looting by "treasure hunters". On the other hand, the archaeological and historic survey of these tracts is encouraged in order to build an inventory of the resources present, and to assess their scientific research potential and historic or architectural significance.

6. The cooperation of the land managers in reporting sites to the DHR that their field personnel may discover is encouraged. The DHR will help inform field personnel from other resource managing agencies about the characteristics and appearance of sites. The DHR will also provide to other agencies archaeological and historical summaries of the known and potentially occurring resources so that information may be incorporated into management plans and public awareness programs (see Management Implementation).

7. Any discovery of instances of looting or unauthorized destruction of sites will be reported to the agent for the Board of Trustees of the Internal Improvement Trust Fund and the DHR so that appropriate action may be initiated. Any state agent with law enforcement authority observing individuals or groups clearly and incontrovertibly vandalizing, looting or destroying archaeological or historic sites within state-owned or controlled lands without demonstrable permission from the DHR will make arrest and detain those individuals or groups under the provision of Sections 267.13, 901.15, 901.21 and related statutory authority pertaining to such illegal activities on state-owned or controlled lands. County Sheriff's officers are urged to assist in efforts to stop and/or prevent site looting and destruction.

In addition to the above management policy for archaeological and historic sites on state-owned land, the National Register of Historic Places and other significant

buildings. The DHR recommends that the Secretary of the Interior's Standards for Rehabilitation of historic buildings be followed for such sites.

The following general standards apply to all treatments undertaken on historically significant properties.

1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

2. The distinguishing original qualities or character of building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible, and should not be undertaken without advance consultation with DAHRM.

3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archaeological resources, both prehistoric and historic, affected by, or adjacent to, any project.

9. Contemporary design for alterations and additions to existing properties is permissible when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property neighborhood or environment.

10. Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired. (The Secretary of the Interior's Standards for Rehabilitation).

The DHR staff are available for technical assistance for any of the above listed topics.

D. MANAGEMENT IMPLEMENTATION

As noted earlier, Chapter 253.034(4) states that "all management plans, whether for single-use or multiple-use properties, shall specifically describe how the managing agency plans to identify, locate, protect and preserve, or otherwise use fragile non-renewable resources, such as archaeological and historic sites..." The following guidelines should help to fulfill that requirement.

1. All land managing agencies should contact the DHR and send U.S.G.S. 7.5 minute quad maps or equivalent outlining the boundaries of their various properties.

2. DHR will in turn send site locations and descriptions for known archaeological and historic sites.

3. DHR will forward maps showing areas of high archaeological and historic sites probability within the subject tract.

4. DHR will send archaeological field recording forms and historic field recording forms.

5. Land managers will update information on recorded sites.

6. Land managers will supply the DHR with new information as available on previously unrecorded sites which their staff may locate. The following details the kind of information DHR wishes to obtain from any new sites which the land managers may report.

A. Historic Sites

(1) Type of structure (dwelling, church, factory, etc.).

(2) Building placement (detached, row, etc.).

(3) General Characteristics: (include photographs if possible) overall shape of plan (rectangle, "L" "T" "H" "U", etc.); number of stories; number of vertical divisions or bays; construction materials (brick, frame, stone, etc.); wall finish (kind of bond, coursing, shingle, etc.); roof shape.

(4) Specific features including location, number and appearance of.

(5) Important decorative elements.

(6) Interior features contributing to the character of the building.

(7) Number, type, and location of outbuildings, as well as dates.

(8) Notation if property has been moved.

(9) Notation of know alterations to building.

7. No land disturbing activities should be undertaken in areas of known archaeological or historic sites or areas of high site probability without prior review by the DHR early in planning stages.

8. Ground disturbing activities may proceed elsewhere but land managers should stop disturbance in the immediate vicinity of artifact finds and notify DHR if previously unknown archaeological or historic remains are uncovered.

9. Excavation and collection of archaeological and historic sites on state lands without a permit from DHR is a violation of state law and should be reported to a law enforcement officer. The use of metal detectors should be prohibited on known sites except when authorized in a 1A-32, FAC research permit from DHR.

10. Interpretation and visitation which will increase public understanding and enjoyment of archaeological and historic sites is strongly encouraged.

11. Development of interpretive programs including trails, signage, kiosk, and exhibits is encouraged and should be coordinated with DHR.

12. Artifacts found or collected on state lands are by law the property of DHR. Land managers should contact DHR whenever such material is found so that arrangements may be made for recording and conservation. This material, if taken to Tallahassee, can be returned for public display on a long-term loan.

ADDENDUM 5
GLOSSARY OF TERMS

GLOSSARY

BASE MAP: The factual graphic document which delineates all legal boundaries, significant natural features, specially protected zones, buffer zones, structures and facilities, roads, trails and easements existing in the specific unit. Standard graphic symbols, title blocks and sheet size will be used for all base maps.

BUFFER ZONE: An undeveloped area of land located for the purpose of separating conflicting uses, visual screening or denying user access to protected areas.

CARRYING CAPACITY: The estimated number of users a recreational resource can accommodate while maintaining the quality of the recreational experience and preserving representative and unique natural values of the site.

CONCEPTUAL LAND USE PLAN(S): The conceptual land use represents the current long-term development proposal for each unit in the state park system. The specific location, design and timing for new facility development will be determined as research, design funding and staff time become available. This will be accomplished through a detailed site planning process. As new information is provided regarding the unit's environment, cultural resources, recreational use, and as new land is acquired, the conceptual land use plan may be amended to address the new conditions.

DEVELOPMENT THEME: A guide for each property for use in deciding questions of site layout, architectural style, color selection, sign policy, etc. The development theme serves to insure consistency, integrity and homogeneity in the development of the site, thus producing finished products of aesthetic quality.

LAND USE COMPONENT: The resource allocation plan for a specific unit. This component includes analysis of transportation population and land use in the units locale, inventory of the unit's recreational resource, existing facilities, exceptional natural areas and specific site limitations (if any exist) and a proposal for optimum resource allocation as future development proceeds (proposed optimum land use plan).

OPTIMUM BOUNDARIES: Boundaries which enclose an area of land which provided a resource base for optimum land use. Existing boundaries may or may not meet the requirements for optimum land use. If this is the case, optimum boundaries should be identified.

OPTIMUM LAND USE: The ideal arrangement of roads, trails, use areas and facilities which provides safe and enjoyable outdoor recreation opportunities for the number of people defined by the site's carrying capacity. The optimum land use plan should integrate the needs of the user, the resource and the operations and management staffs.

PROTECTED ZONE: A protected zone is an area of high sensitivity or outstanding character from which most types of development area excluded as a protective measure. Generally, facilities which require extensive land alteration or which result in intensive resource use, such as parking lots, camping areas, shops or maintenance areas, are not permitted in protected zones. Facilities with minimal resource impacts, such as trails, interpretive signs and boardwalks, are generally allowed. Decisions involving the use of protected zones are made on a case-by-case basis after careful site planning and analysis.

SITE PLAN: A factual drawing of a segment of a unit or the entire unit showing specific locations of structures, facilities, roads, parking, utilities, protected zones, buffer zones, etc. The site plan represents the planner's proposal for site design and serves a guide for the preparation of construction document. Until approval, this plan will be identified as the proposed site plan.

SITE INVENTORY AND ANALYSIS: The initial land use planning task in which the recreational resources and surrounding conditions of the site are identified and studied. Analysis generates the development concept and estimated carrying capacity to be applied toward the development of the unit.

ADDENDUM 6

PERPETUAL EASEMENTS

524365

No. 569 281

C-43
M 5/A 11A
Trace No. 2502E-7

PERPETUAL EASEMENT

THIS INDENTURE, Made this the 30th day of December, A. D., 1969, by and between CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, a body corporate, created by the Acts of the Florida Legislature of 1969, with its principal office at 901 Evernia Street and whose mailing address is Post Office Box 1671 West Palm Beach, of the County of Palm Beach, in the State of Florida, of the first part, hereinafter referred to as the Grantor, and the UNITED STATES OF AMERICA, of the second part, hereinafter referred to as the Grantee.

WHEREAS, The Grantor is the owner of the fee simple title to the lands hereinafter described by virtue of that certain Final Judgment dated December 13, 1962, as recorded in Official Records Book 165, Page 466, Lee County, Florida, public records; and

WHEREAS, By virtue of the terms of the aforesaid Final Judgment, the Grantor herein has the authority to convey the rights so acquired thereunder to the United States of America; and

WHEREAS, The Grantee requires the lands hereinafter described as a maintenance spoil area.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises and ONE DOLLAR (\$1.00), and other good and valuable considerations, paid, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, the UNITED STATES OF AMERICA, and its assigns, the perpetual easement and right for and in the use and enjoyment of the following described lands situate in the County of Lee, State of Florida, to wit:

AS DESCRIBED IN SCHEDULE "A"
WHICH IS ATTACHED HERETO AND
MADE A PART HEREOF.

for the following purposes: The perpetual right to deposit spoil or dredged materials on said land, in connection with the construction and/or maintenance and any enlargement of the Caloosahatchee River Canal as now authorized or as may be authorized by Congress in the future. The further perpetual right to construct, operate, maintain, repair, replace and remove pipelines used in connection with the transmission of dredged materials to or across said tract



STATE OF FLORIDA
DOCLINER
NOV 1969
\$33



509 M-282

of land, and the further perpetual right to construct, maintain, operate, and control open drainage ditches across said tract of land, for the return of waste waters.

TO HAVE AND TO HOLD said rights and easement unto the party of the second part, and its assigns forever, reserving to the party of the first part the right to use the said property in any manner which is not inconsistent with the rights hereinabove granted.

It is distinctly understood and agreed that neither the grantee herein nor its assigns are under any obligation to use subject property for the deposit of dredged materials.

It is further understood and agreed that should the grantee use the entire above described area or any part of said area, for the deposit of dredged or excavated material, no commitment, agreement or limitation is placed upon the use of the area with regard to the height to which said area may be filled.

It is further understood and agreed that no commitment, agreement or guarantee has been made by the grantee to the grantor with regard to the type or composition of the dredged or excavated material which may be placed upon the above described area.

IN WITNESS WHEREOF, the CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT has caused these presents to be executed in its name and its official seal affixed hereto by its Governing Board, acting by Vice Chairman of said Board and attested by its Assistant Secretary, at West Palm Beach, Palm Beach County, State of Florida, this the 30th day of December, A. D., 1969.

CENTRAL AND SOUTHERN FLORIDA
FLOOD CONTROL DISTRICT, BY
ITS GOVERNING BOARD

BY: P. F. [Signature]

Vice Chairman

ATTEST:

[Signature]
Secretary

Legal Form Approved
FCC Legal Department

By [Signature] Date 12/30/69

Prepared by Robert Graham, Esquire, for and on behalf of
Central and Southern Florida Flood Control District
801 Lumber Street, West Palm Beach, Florida 33411

569 MC 283

SCHEDULE "A"
Tract No. 2507E-7

A part of the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$ - SE $\frac{1}{4}$) of Section 18, Township 43 South, Range 27 East, being more particularly described as follows:

From the Southeast (SE) corner of said Section 18, Township 43 South, Range 27 East, bear North 00°17'20" East, along the East line of said Section 18, a distance of 50.28 feet for the Point of Beginning;

Thence, continue North 00°17'20" East, along the East line of said Section 18, a distance of 648.19 feet;

Thence, South 74°34'00" West, a distance of 745.11 feet;

Thence, South 51°42'00" West, a distance of 781.15 feet to the West line of the said Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$ - SE $\frac{1}{4}$) of said Section 18;

Thence, South 00°20'43" West, along said West line, a distance of 99.97 feet;

Thence, North 84°13'52" East, along a line parallel with and 50.00 feet Northerly of, as measured perpendicular to, the South line of said Section 18, a distance of 1,335.37 feet to the Point of Beginning.

The bearings described herein refer to the standard plane rectangular coordinate system for the West Zone of Florida.

THIS INSTRUMENT, made this the 30th day of December, 1969, by and between CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, a body corporate, created by the Acts of the Legislature of Florida of 1949, with principal offices at 901 Evernia Street, West Palm Beach, Florida, and whose mailing address is Post Office Box 1671, West Palm Beach, Florida, party of the first part, hereinafter referred to as Grantor, and STATE OF FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, with principal offices at Tallahassee, Leon County, Florida, party of the second part, hereinafter referred to as Grantee.

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable considerations in hand paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee, its successors or assigns, a perpetual easement over and across the following described lands situate in the County of Lee, State of Florida, to wit:

All that part of the fractional North one-half (N $\frac{1}{2}$) of Section 19, Township 43 South, Range 27 East, lying Northerly of the waters of the Caloosahatchee River Canal and Southerly of the following specifically described line:

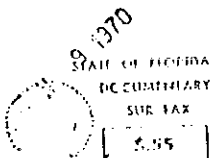
From the Northwest (NW) corner of said Section 19, bear South 0° 22' 31" West, along the West line of said Section 19, a distance of 1932.51 feet to the point of beginning; Thence, North 88° 26' 23" East, a distance of 116.43 feet; Thence, North 83° 19' 00" East, a distance of 2760.80 feet; Thence, North 89° 25' 37" East, a distance of 1647.40 feet; Thence, North 77° 16' 46" East, a distance of 681.9 feet, more or less, to the intersection thereof with the East line of said Section 19, and the end of the specifically described line.

LESS, However, the right of way for Caloosahatchee River Canal, as shown on the map or plat recorded in Plat Book 8, page 51, Lee County, Florida, public records.

ALSO LESS, all that part of Fractional Section 19 lying Southerly of the Caloosahatchee River.

The bearings in the above description refer to the standard plane rectangular coordinate system for the West Zone of Florida.

for the purposes of ingress and egress to and from lands of the Grantee and the waters of the Caloosahatchee River Canal in connection with public recreational programs to be conducted by the Grantee under existing and future laws of the State of Florida, subject to limitations hereinafter set forth.



The foregoing grant of easement is given subject to the paramount rights of the Government of the United States of America, through its agent the U. S. Army Corps of Engineers, to carry out its responsibilities of water control and navigation in the Caloosahatchee River Canal, as now defined, or that may hereafter be defined, by law, and as further defined in that certain Perpetual Easement granted by Central and Southern Florida Flood Control District to the United States of America, executed the 4th day of April, 1969, and recorded in Official Records Book 523, page 429, of the public records of Lee County, Florida; and by the acceptance of this indenture the Grantee agrees that all rights granted hereunder are subordinate to the rights, as referred to herein, of the Government of the United States of America, and that all things performed or allowed by the Grantee within the lands described herein shall be done subject to the rules and regulations of the Government of the United States of America pertaining to the Caloosahatchee River Canal.

It is understood and agreed that the foregoing grant of easement includes permission to allow the general public to use the lands described herein in connection with recreational programs of the Grantee, subject to the rights, rules and regulations of the Government of the United States of America pertaining to the Caloosahatchee River Canal.

By acceptance of this indenture, Grantee does hereby release and forever discharge Grantor from any and all liability with reference to the lands described herein emanating from any cause whatsoever.

All the covenants and agreements herein contained shall extend to and be binding upon the parties hereto and their successors or assigns.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise incident or appertaining to the only proper use, benefit and behoof of the Grantee, its successors or assigns, forever.

RECEIVED

IN WITNESS WHEREOF, the CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT has caused these presents to be executed in its name and its official seal affixed hereto by its Governing Board, acting by the Chairman of said Board and attested by its Asst. Secretary, at West Palm Beach, Palm Beach County, State of Florida, this the 30th day of December, A. D., 1969.

CENTRAL AND SOUTHERN FLORIDA FLOOD
CONTROL DISTRICT, BY ITS GOVERNING
BOARD

BY: R. P. Blakeley
Chairman

ATTEST:

Secretary

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I HEREBY CERTIFY, that on this the 30th day of December, A. D., 1969, before me, the undersigned authority, personally appeared R. P. BLAKELEY and F. D. McCRAV, Chairman and Asst. Secretary, respectively, of the Governing Board of CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, a public corporation created by the Acts of the Florida Legislature of 1949, to me known to be the persons who signed the foregoing instrument as such officers, and acknowledged the execution thereof to be their free act and deed as such officers for the purposes and uses therein mentioned, and that they affixed thereto the official seal of the Governing Board of Central and Southern Florida Flood Control District, and that the said instrument is the act and deed of said CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT and the Governing Board thereof.

WITNESS my signature and official seal at West Palm Beach, said County and State, the day and year last aforesaid.

Notary Public

My Commission Expires: Notary Public, State of Florida at Large
My Commission Expires June 27, 1973
Issued By American Title & Guaranty Co.

RECORDED BY OFFICIAL
RECORDS
PALM BEACH COUNTY, FLORIDA
RECORD VERIFIED

12 50 PM '70
CLERK OF DISTRICT COURT
BY CLERK D. C.

ADDENDUM 7

VERTEBRATE SPECIES CONFIRMED AT THE CALOOSA HATCHEE REGIONAL PARK

AMPHIBIANS

		Occurrence by habitat type	
		FLUCCS	FNAI
common name	scientific name		
Cuban tree frog	<i>Osteopilus septentrionalis</i>	743	
Cricket frog	<i>Acris crepitans</i>	620	
Pig frog	<i>Rana grylio</i>	620	
Southern leopard frog	<i>Rana sphenoccephala</i>	620	

REPTILES

		Occurrence by habitat type	
		FLUCCS	FNAI
common name	scientific name		
Gopher tortoise	<i>Gopherus polyphemus</i>	411	
Florida box turtle	<i>Terrapene caroliniana</i>		
Pink lined race runner	<i>Cnemidophorus sexlineatus</i>	411	
Water moccasin	<i>Agkistrodon piscivorus</i>	411	
Eastern Indigo snake	<i>Drymarchon corais</i>	620	

KEY TO COMMUNITY TYPES

FLUCCS CODE	COMMUNITY NAME
213	Woodland pasture
221	Citrus grove
321	Saw palmetto
411, 412, 414 419, 435	Slash pine flatwoods
422	Brazilian pepper
426	Tropical hardwood hammock
439	Other hardwoods (temperate)
514	Freshwater canals
615	Stream and lake swamps
616	Inland ponds
617	Mixed wetland hardwoods
620	Wetland coniferous forest
624	Slash pine, palm, cypress
641	Freshwater marshes
644	Emergent aquatic vegetation
743, 744, 746	Spoil areas, fill areas, and easements

RDS		Status*	Occurrence by habitat type	
common name	scientific name		FLUCCS	FNAI
anhinga	<i>Anhinga anhinga</i>	R		
tricolored heron	<i>Egretta tricolor</i>	R		
wood stork	<i>Mycteria americana</i>	R		
black vulture	<i>Coragyps atratus</i>	R		
turkey vulture	<i>Cathartes aura</i>	R		
american swallow tailed kite	<i>Elanoides forficatus</i>	BB		
golden eagle	<i>Haliaeetus leucocephalus</i>	R		
red-shouldered hawk	<i>Buteo jamaicensis</i>	R		
wild turkey	<i>Meleagris gallapavo</i>	R, BB		
northern bobwhite	<i>Colinus virginianus</i>	R, BB		
green heron	<i>Aramus guarauna</i>	R		
ring-billed gull	<i>Larus ataricilla</i>	T	Along river	
great frigatebird	<i>Sterna antillarum</i>	T	Along river	
mourning dove	<i>Zenaidura macroura</i>	R, BB		
common ground dove	<i>Columbina passerina</i>	R, BB		
yellow-billed cuckoo	<i>Coccyzus americanus</i>	BB		
great horned owl	<i>Tyto alba</i>	R		
northern screech owl	<i>Strix varia</i>	R, BB		
chipping sparrow	<i>Caprimulgus vociferus</i>	Wr		
red-headed woodpecker	<i>Melanerpes erythrocephalus</i>	R		
red-bellied woodpecker	<i>Centurus carolinus</i>	R, BB		
downy woodpecker	<i>Picoides pubescens</i>	R, BB		
great spotted woodpecker	<i>Drycopus pileatus</i>	R, BB		
northern flicker	<i>Colaptes auratus</i>	R, BB		
western phoebe	<i>Sayornis phoebe</i>	R, BB		
great crested flycatcher	<i>Myiarchus cinerascens</i>	R		
western kingbird	<i>Tyrannus tyrannus</i>	T		
purple martin	<i>Progne subis</i>	BB		
house swallow	<i>Tachycineta bicolor</i>	Wr		
american swallow	<i>Riparia riparia</i>	BB		
blue jay	<i>Cyanocitta cristata</i>	R, BB		
scrub jay	<i>Aphelocoma coerulescens</i>	T		
american crow	<i>Corvus brachyrhynchos</i>	R, BB		
tufted titmouse	<i>Parus bicolor</i>	R, BB		
carolina wren	<i>Thryothorus ludovicianus</i>	R, BB		
house wren	<i>Troglodytes aedon</i>	Wr		
ruby-crowned kinglet	<i>Regulus calendula</i>	T		
blue-gray gnatcatcher	<i>Polioptila caerulea</i>	R, BB		
hermit thrush	<i>Hylocichla guttata</i>	T		
american robin	<i>Turdus migratorius</i>	Wr		
gray catbird	<i>Dumetella carolinensis</i>	Wr		
town thrasher	<i>Toxostoma rufum</i>	R		
scarlet waxwing	<i>Bombycilla cedrorum</i>	Wr		
loggerhead shrike	<i>Lanius ludovicianus</i>	R		
white-eyed vireo	<i>Vireo griseus</i>	R, BB		
solitary vireo	<i>Vireo solitarius</i>	T		
tennessee warbler	<i>Vermivora peregrina</i>	T		
northern parula	<i>Parula americana</i>	T		

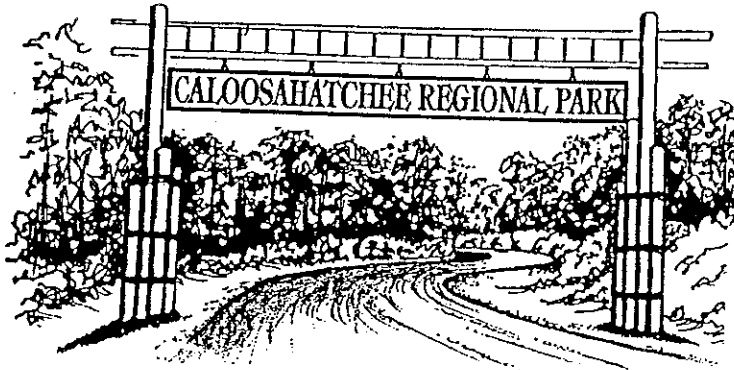
BIRDS (continued)		Status	occurrence by habitat type	
common name	scientific name		FLUCCS	FNAI
Yellow rumped warbler	<i>Dendroica coronata</i>	Wr		
Pine warbler	<i>Dendroica pinus</i>	R,BB		
Palm warbler	<i>Dendroica palmarum</i>	Wr		
Black and white warbler	<i>Mniotilta varia</i>	Wr		
American redstart	<i>Setophaga ruticilla</i>	T		
Ovenbird	<i>Seiurus aurocapillus</i>	T		
Common yellowthroat	<i>Geothlypis trichas</i>	R,BB		
Northern cardinal	<i>Richmondia cardinalis</i>	R,BB		
Rufous-sided towhee	<i>Pipilo erythrophthalmus</i>	R,BB		

- Wr – Winter resident
- M – Migrant
- BB – Breeding
- R – Resident
- T – Transient

MAMMALS		Status	occurrence by habitat type	
common name	scientific name		FLUCCS	FNAI
Opposum	<i>Didelphis marsupialis</i>			
Eastern mole	<i>Scalopus aquaticus</i>		411	
Nine banded armadillo	<i>Dasypus novemcinctus</i>		439	
Cottontail rabbit	<i>Sylvilagus floridanus</i>			
Marsh rabbit	<i>Sylvilagus palustris</i>			
Grey squirrel	<i>Sciurus carolinensis</i>		439	
Sherman's fox squirrel	<i>Sciurus niger sherman</i>		411	
Bobcat	<i>Lynx rufus</i>		411	
Florida panther	<i>Felix concolor</i>		Transient	
White-tailed deer	<i>Odocoileus virginianus</i>		743	
Raccoon	<i>Procyon lotor</i>		439,615	
River otter	<i>Lutra canadensis</i>		743	



*Announcement of Meeting
for Public Input*



Lee County Parks and Recreation
Invites you to a public meeting on the:

*Caloosahatchee Regional Park
Management Plan*

September 13, 2000
7:00 - 9:00 pm

Alva Community Center
21471 North River Rd

Your ideas & comments welcome!
Refreshments will be served!

* Management plans are available at the
Fort Myers Library, Riverdale Library and
Terry Park. For more information call
(941)338-3146

Lee County Parks & Rec
3410 San Beach Blvd.
Fort Myers, FL 33916

Memorandum

To: ROGER CLARK
From: Nancy MacPhee, 338-3146
Date: September 29, 2000
Subject: Public Comment

FYI-

Here are my notes from the input received at the Caloosahatchee Management Plan Meeting on September 13, 2000.

There were approximately 32 persons attending the meeting, including the seven advisory board members.

All of the Advisory Board members spoke of the Park's unique diversity and variety of multiple uses ie: camping, hiking, mountain biking, equestrian trails and picnic facilities that are available. They also encouraged and applauded the management plan's focus of natural resource management especially pertaining to exotic plants and animals. While they cautioned at the increased development of some amenities within the park, so as not to have adverse impacts on the natural systems present, they all recognized that those proposed improvements indicated in the plan are necessary. Some improvements (ie: oxbow boardwalk, motorboat access, & equestrian campground) will provide safe access to hard to reach areas for users who may not presently be using the site, hence increasing park visitation. The program center and canoe/kayak launch will provide areas to conduct educational and interpretive programs.

The public comments are as follows:

Lynda Kendrick: Encouraged the better maintainance of trails that are advertised as handicapped accessible. She felt the trail to the overlook was not presently accessible to wheelchairs as advertised. *Commissioner Albion and park staff stated that they had ADA consultants that would look into this.

Sarah Gillim: Concerns about the street lights along Northriver Road and whether they could be turned off or timed so as to decrease the amount of wildlife being killed.

Mrs. Pearce: (neighbor on SW property line) has had front gate broken and feels its from park patrons. Is also annoyed by jet skiis and motorboat traffic, which has increased, she feels, in the last year and is due to the park.

David Turkel: States proposed motorboat access indicated on site plan will have a negative impact on the environment and will cause jetski and motorboat traffic to increase in a narrow portion of the Caloosahatchee River. Feels this proposed boat dock is not conservation-friendly. *Staff commented that it is their hopes that an access point would allow them to receive permission to regulate speed on river along shoreline of park and that an formal access would make it safer than it is now.

Lynda Kendrick: Concerned about increase in traffic along county road 78 due to the park. *Several neighbors of the park were quick to debate this and felt the park has not caused an increase in traffic. The idea of a slower speed zone along this road within the park boundaries was discussed and will be considered.

*Another suggestion brought up by a neighbor was a bike path along County Road 78 within the park, to provide safer alternatives to bikers/equestrians who want to move between entrances along this dangerous road.

Frank Mann: Applauds the natural feel of the area and park. Was very vocal on his feelings against any type of boat dock along park shoreline.

Sarah Gillim: Against the hosting of large special events that draw crowds and activity that may adversely affect the environment and community. The annual Re-enactment of the Battle of Ft. Myers and the canon fire it produces was the example used. *County staff stated that as one of the objectives was to interpret local history this annual event fit in, and possibly better PR would alert neighbors about it. (Again, there were several neighbors who felt the event had positive benefits for the park and attracted new visitors)

The subject of boat traffic and their access to the park was the topic raising most concern from neighbors.

In attendance:

Susan Rockwell	PO Box 1077	Alva	FL	33920
*Jeanne Cornele	20157 Welborn	N. Ft. Myers	FL	33917
John Albion	PO Box 398	Ft. Myers	FL	33902
Barbara Manzo	3410 Palm Bch Blvd	Ft. Myers	FL	33916
Lynn Hawkins	17640 Taylor Road	Alva	FL	33920
Keith Dean	PO Box 223	Alva	FL	33920
Susan Tutko	PO Box 1269	Estero	FL	33928
*Steve Tutko				
Chris McElroy	19650 N. River Road	Alva	FL	33920
David Turkel	17651 N. River Road	Alva	FL	33920
Sarah Gillim	17651 N. River Road	Alva	FL	33920
Maria Pagan	PO Box 835	Alva	FL	33920
Lyndra Kendrick-Pagan	PO Box 835	Alva	FL	33920
Gertrude Pearce	17900 N. River Road	Alva	FL	33920
Donna Edlin	18511 Fichter Creek Ln	Alva	FL	33920
R. Lanzetta	17971 N. River Road	Alva	FL	33920
Melanie McCracken	19561 N. River Road	Alva	FL	33920
Frank & MaryLee Mann	17281 Brenfield Lane	Alva	FL	33920
Golnick Family (3)				
*Eileen Koutny				
*Marshall Bagley				
*Don Daggitt				
*Tim Eckert				
*Dan Woolley	1279 McNeill Rd	N. Ft. Myers	FL	33903
Jason McIrvin	County Staff			
Cindy Rouse	County Staff			
Nancy MacPhee	County Staff			
Roger Clark	County Staff			

*Advisory Board Board Member