

LEE COUNTY RESOLUTION NO. 07-01-32

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS CONFIRMING CERTAIN AMENDMENTS TO THE CONSERVATION 20/20 LAND ACQUISITION PROGRAM PARAMETERS AND LAND SELECTION CRITERIA AS DEVELOPED BY THE CONSERVATION LANDS ACQUISITION AND STEWARDSHIP ADVISORY COMMITTEE PURSUANT TO THE PROVISIONS OF LEE COUNTY ORDINANCE NO. 05-17; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (“the Board”) is the governing body in and for Lee County, a political subdivision and charter county of the State of Florida; and,

WHEREAS, the Board has previously adopted Lee County Ordinance No. 05-17, relating to the acquisition of environmentally sensitive or critical lands in Lee County; and,

WHEREAS, pursuant to Lee County Ordinance No. 05-17, the Conservation Lands Acquisition and Stewardship Advisory Committee (“CLASAC”), is charged with the duty to establish the parameters for the Conservation 20/20 Program (“Program”) to include the criteria for land purchases, procedures to implement the Program and processes for ranking purchases; and,

WHEREAS, previously, the CLASAC developed the Program parameters as required by Lee County Ordinance No. 05-17, Section Three, paragraph B., and the Board adopted same pursuant to Lee County Resolution No. 97-06-82 and No. 01-01-35; and,

WHEREAS, the Board now desires to confirm certain amendments to the Program parameters as further developed by the CLASAC.

C12a

1-23-07

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF LEE COUNTY COMMISSIONERS that:

1. The amendments to the Program parameters as developed by the CLASAC and as set out as a composite "Exhibit A" hereto, are hereby accepted, confirmed and authorized for implementation by the CLASAC.

2. This Resolution shall take effect immediately upon its adoption.

Commissioner Hall, made a motion to adopt the foregoing Resolution, seconded by Commissioner Mann. The vote was as follows:

BOB JANES	<u>Aye</u>
A. BRIAN BIGELOW	<u>Aye</u>
RAY JUDAH	<u>Absent</u>
TAMMY HALL	<u>Aye</u>
FRANK MANN	<u>Aye</u>

DULY PASSED AND ADOPTED this 23rd day of January, 2007.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

By: Mica S. Pierce
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: [Signature]
Chairman

APPROVED AS TO FORM:

By: [Signature]
Office of County Attorney



CONSERVATION 20/20 PROGRAM
INITIAL REVIEW CRITERIA

In general, nominations to the Conservation Lands Acquisition Program must be able to answer "yes" to a minimum of four out the following seven questions to be eligible for further consideration for potential acquisition. Applications may or may not be considered if the asking price is significantly higher than ~~staff's estimated market range~~ current market conditions. (See Criteria 1).

- 1) **Does the owner indicate by his/her asking price a willingness to sell below market value range?**
All applications to nominate a property to the Conservation 20/20 Program must include the asking price. County staff will conduct a market analysis of the property in order to compare the asking price with ~~staff's estimated market range~~ current market conditions.
- 2) **Are there any other funds available to contribute towards the purchase price of the parcel?**
Contributory purchase funds must be currently available to acquire the nominated property. For example, a pending grant application for funding would not qualify. Contributory purchase funds are typically provided by not-for-profit groups or government agencies.
- 3) **Does the parcel contain documented environmentally sensitive lands?**
Environmentally sensitive lands may include, but are not limited to:
 - a) Wetlands
 - b) Rare and Unique Uplands (scrub, mature pine flatwoods, oak or cabbage palm hammock, tropical hardwood)
 - c) An outstanding natural plant community
 - d) Evidence of listed wildlife or plant species
 - e) Undeveloped island, beach and dune system, and/or tidal creek or inlet
 - f) Eco-archaeological resources
- 4) **Does the parcel have water resource features that are important for surface water and ground water management?**
Examples include areas that provide flood protection, that improve or maintain water quality, that conserve water resources, that improve or preserve the water supply and/or that have high recharge potential to an aquifer.
- 5) **Is the parcel contiguous to a protected environmentally sensitive land or water body?**
Protected environmentally sensitive lands and waters include existing or proposed public and private conservation lands; mitigation banks; conservation easements; wildlife management areas and refuges; and sovereignty submerged lands.
- 6) **Is there good potential for long term management of the property?**
This criteria will be evaluated according to overall management potential including but not limited to access, compatibility with surrounding land uses, co-management opportunities, mitigation potential, potential for environmentally compatible recreational uses, and restoration needs.
- 7) **Are the native plant communities or water resources on the property in any danger of being detrimentally altered?**
Does the parcel have government approvals or zoning (such as an agricultural exemption, development order, or planned development zoning) that allows for immediate land clearing or land development that, if exercised, would diminish the natural resource benefits of the property? This criteria only applies if the natural plant communities and hydrology of the property are substantially in their natural condition.

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CRITERIA		SCORE	COMMENTS
A. SIZE AND CONTIGUITY			
1. Size of Property			
a.	≥ 500 acres	6	
b.	400 to < 500 acres	5	
c.	300 to <400 acres	4	
d.	200 to <300 acres	3	
e.	100 to <200 acres	2	
f.	50 to <100 acres	1	
g.	< 50 acres	0	
2. Contiguous to:			
a.	Coastal waters/other sovereignty submerged lands	4	
b.	Existing preserve area, c.e., wma or refuge	4	
c.	Preserve areas officially proposed for acquisition	2	
B. HABITAT FOR PLANTS AND ANIMALS			
1. Native Plant Cover			
a.	≥ 75 % of the property has native plant cover	8	
b.	50% to < 75% has native plant cover	4	
c.	25% to <50% has native plant cover	2	
d.	< 25% has native plant cover	0	
2. Significant for wide-ranging species			
	Panther Habitat, wetlands, ponds, grass lands, etc.	2	
3. Rare and Unique Uplands			
a.	Scrub, hammock, old growth pine	2	
b.	Mature, second growth pine flatwood	1	
4. Diversity			
a.	5 or more FLUCCS native plant community categories	2	
b.	3 or 4 FLUCCS native plant community categories	1	
c.	2 or less FLUCCS native plant community categories	0	

C. SIGNIFICANCE FOR WATER RESOURCES					
	1. Serves or can serve as flow-way				
	a.	Site contains a primary flow-way, creek, river, wetland corridor; large contributing watershed; possibly identified in the Lee County Surface Water Master Plan, South Lee County Study, or by staff	4		
	b.	Site contains flow-way, through tributary, medium size watershed, or just a portion of system/one side of conveyance, may not be identified in study	3		
	c.	Same as b., smaller watershed, not as defined, disconnected	2		
	d.	Site conveys runoff, minimal area	1		
	e.	Site provides no conveyance of surface water	0		
	f.	Add 2 points if conveyance is natural (not man-made)	+2		
	2. Strategic to Flood Management				
	a.	Well defined flood-way within parcel, possibly identified in FEMA or other study, both sides of conveyance, large upstream area, protection from encroachment critical or known flooding history	4		
	b.	Same as a., portion of floodway (one side) or within floodplain	3		
	c.	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	2		
	d.	Small watershed, minimal flooding	1		
	e.	No significant flood issues	0		
	3. Protect a water supply source.				
	a.	Parcel is within area designated high potential productivity of the Water Table, Sandstone or Tamiami Aquifer and also within area of current or proposed wellfield development	2		
	b.	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	1		
	c.	No recharge or potential water supply opportunities	0		
	4. Offset Damage to or Enhance Water Quality.				
	a.	Presence of wetland, retention, or lake that is currently providing water quality benefits	2		
	b.	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	1		
	c.	No existing or potential water quality benefits	0		

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D. LAND MANAGEMENT/RECREATION/PLANNED LAND USE			
1.	Good Access for Public Use and Land Management		
	Parcel can be accessed from a freeway, expressway, arterial street, or major collector	3	
	Parcel can be accessed from a minor collector or local street	2	
	Parcel can be accessed from a privately-maintained road that is dedicated for public use	1	
	Parcel can only be accessed by a private road or does not have physical or legal access	0	
2.	Recreation/Eco-Tourism Potential		
	Score depends upon the variety or uniqueness of potential public uses. Examples of appropriate public uses include paddling sports, fishing, hiking, equestrian, mountain biking, photography, nature study, and environmental education, such as eco-archeological resources.	0-2	
3.	Land Manageability		
	75% or greater of the perimeter of site is surrounded by low impact land uses	3	
	50%-75% of the perimeter of site is surrounded by low impact land uses	2	
	25%-50% of the perimeter of site is surrounded by low impact land uses	1	
	Less than 25% of the perimeter of the site is surrounded by low impact land uses	0	
4.	Development Status (Maximum 4 points)		
a.	The Parcel is Approved for Development or is Exempt from Clearing Regulations	4	
b.	The Parcel is Zoned for Intensive Use	2	
c.	Future Land Use Map: Intensive Land Use Category	1	
TOTAL POINTS		0	
STAFF RECOMMENDATION			
CRSC RECOMMENDATION			
CLASAC RECOMMENDATION			

