

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

**Blue Sheet No. 20030794**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve the recommendations of the Conservation Lands Acquisition and Stewardship Advisory Committee to pursue for acquisition 146 acres on Gator Slough in North Fort Myers and 1,575 acres on Telegraph Creek in Alva known as Conservation 20/20 Nominations 233 and 236A and B. Authorize staff to enter negotiations with the property owners.

**WHY ACTION IS NECESSARY:** The Board must approve advisory committee recommendations for Conservation 20/20 Program acquisitions and must authorize necessary expenses for the negotiation process.

**WHAT ACTION ACCOMPLISHES:** Begins the negotiation process to buy environmentally sensitive lands needed for native plants and animals, flood control, water quality, water supply, and public use.

**2. DEPARTMENTAL CATEGORY: 06**  
**COMMISSION DISTRICTS 04 and 05**

*C6G*

**3. MEETING DATE:**

*08-05-2003*

**4. AGENDA:**

- CONSENT ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:**

**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE
- ORDINANCE 96-12
- ADMIN. CODE
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
  - B. DEPARTMENT *Independent*
  - C. DIVISION *County Lands* *LR*
- BY: *[Signature]*  
*Karen L. W. Forsyth, Director*

**7. BACKGROUND:** In July 1996, the Board adopted Lee County Ordinance 96-12 and in November 1996, the citizens of Lee County approved the referendum to levy certain millage for the purposes of acquiring and restoring identified environmentally critical or sensitive lands within Lee County. The Conservation Land Acquisition and Stewardship Advisory Committee (CLASAC) was formed and has been evaluating land nominations based upon Board approved criteria and parameters.

CLASAC recommends that Conservation 20/20 Nominations 233, 236A and 236B be pursued for acquisition for the reasons stated in the attached reports. Acquisition of these parcels does not conflict with any transportation or utility plans. The parcel Preliminary title research has been completed on these parcels. No substantial title problems were found.

The Committee has continued to recognize the potential for off-site mitigation credits for this recommended parcel. Mitigation is an integral part of the program, but mitigation credits may not necessarily be obtained for all acquisitions, as every parcel may not have the necessary "match" for impacted wetlands for any given project by the County in a given sector. Impacted wetlands from a County project must be similar in nature and quality as those on the parcel(s) for off-site mitigation credits to be awarded by regulatory agencies. Award of any credits will be made at the time when County projects apply for them. This is consistent with the letter opinions from the South Florida Water Management District (June 17, 1996) and the U.S. Army Corps of Engineers (June 27, 1997).

Funds to process and purchase Nomination 233, 236A and 236B will come from Account No. 20-8800-30103.506110.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>GMM 7/15/03</i>			G County Manager	
<i>[Signature]</i>				<i>[Signature]</i> 7-14-03	OA <i>[Signature]</i> 7-14-03	ADM <i>[Signature]</i> 7/14/03	Risk <i>[Signature]</i> 7/14/03	GC <i>[Signature]</i> 7/14/03	<i>HS</i> 7-15-03

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *7/10/03*  
Time: *3:58 PM*

RECEIVED BY COUNTY ADMIN: *EW*  
*7-14-03*  
*11:45*  
COUNTY ADMIN FORWARDED TO: *[Signature]*  
*7/15 3:00*

**SECONDARY REVIEW  
NOMINATION 233**

CRITERIA	SCORE	COMMENTS
<b>A. SIZE AND CONTIGUITY</b>		
<b>1. Size of Property</b>		
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	2
f. 50 to <100 acres	1	
g. < 50 acres	0	146 acres. Asking price is \$5,500 per acre or \$803,000
<b>2. Contiguous to:</b>		
a. Coastal waters and other sovereignty submerged lands	4	0
b. Existing preserve area, c.e., wma or refuge	4	4
c. Preserve areas officially proposed for acquisition	2	0
<b>B. HABITAT FOR PLANTS AND ANIMALS</b>		
<b>1. Native Plant Cover</b>		
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	2
d. < 25% has native plant cover	0	site has many areas of heavy melaleuca infestation
<b>2. Significant for wide-ranging species</b>		
Panther Habitat, wetlands, ponds, grass lands, etc.	2	1
migratory songbird species were observed on site		
<b>3. Rare and Unique Uplands</b>		
a. Scrub, hammock, old growth pine	2	
b. Mature, second growth pine flatwood	1	1
some mature, second growth pine flatwoods occur on site		
<b>4. Diversity</b>		
a. 5 or more FLUCCS native plant community categories	2	
b. 3 or 4 FLUCCS native plant community categories	1	1
c. 2 or less FLUCCS native plant community categories	0	mesic and hydric flatwoods and herbaceous marshes found on site

**SECONDARY REVIEW  
NOMINATION 233**

<b>C. SIGNIFICANCE FOR WATER RESOURCES</b>			<b>COMMENTS</b>
<b>1. Serves or can serve as flow-way</b>			
<b>a.</b>	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	4
<b>b.</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	
<b>c.</b>	Same as b., smaller watershed, not as defined, disconnected	2	
<b>d.</b>	Site conveys runoff, minimal area	1	
<b>e.</b>	Site provides no conveyance of surface water	0	
<b>f.</b>	Add 2 points if conveyance is natural (not man-made)	+2	1
site contains segment of Gator Slough conveyance part natural system for flows from north			
<b>2. Strategic to Flood Management</b>			
<b>a.</b>	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	4
<b>b.</b>	Same as a., portion of floodway (one side) or within floodplain	3	
<b>c.</b>	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	2	
<b>d.</b>	Small watershed, minimal flooding	1	
<b>e.</b>	No significant flood issues	0	
site is key component for hydrologic restoration project for enhanced regional flood protection			
<b>3. Protect a water supply source.</b>			
<b>a.</b>	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	2
<b>b.</b>	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	1	
<b>c.</b>	No recharge or potential water supply opportunities	0	
potential additional water supply to Cape Coral system			
<b>4. Offset Damage to or Enhance Water Quality.</b>			
<b>a.</b>	Presence of wetland, retention, or lake that is currently providing water quality benefits	2	2
<b>b.</b>	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	1	
<b>c.</b>	No existing or potential water quality benefits	0	
on-site wetland will be utilized for water quality benefits to regional flows			

**SECONDARY REVIEW  
NOMINATION 233**

<b>D. LAND MANAGEMENT/RECREATION/PLANNED LAND USE</b>			<b>COMMENTS</b>
<b>1. Good Access for Public Use and Land Management</b>			
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	1	
Parcel can only be accessed by a private road or does not have physical or legal access	0		Legal access is via 125 ft. right of way for Nalle Grade Road. Currently, physical access is an unimproved, dirt road.
<b>2. Recreation/Eco-Tourism Potential</b>			
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	0-2	1	limited public use potential, other than from local residents, unless the site was somehow connected to Prairie Pines Preserve to the east, which would require crossing two ditches located on either side of the old railroad bed that separates this site from PPP
<b>3. Land Manageability</b>			
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	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		surrounded on 2 sides by high impact land use Suburban, the remaining 2 sides are surrounded by PPP and the future Gator Slough improvements, just recently purchased by the County
<b>4. Development Status (Maximum 4 points)</b>			
The Parcel is Approved for Development or is Exempt from			
a. Clearing Regulations	4	3	No recorded development orders. Agricultural exemption.
b. The Parcel is Zoned for Intensive Use	2	0	AG-2
c. Future Land Use Map: Intensive Land Use Category	1	1	Suburban Land Use Designation.
<b>TOTAL POINTS</b>		<b>32</b>	

**COMMENTS: Site is adjacent to the Prairie Pines Preserve and the future Gator Slough improvements to the south. The acquisition of this parcel will be beneficial to accomplishing the surface water flow improvements to Gator Slough and may spark the nomination of adjacent large parcels to the west. The site is being offered at below market value.**

**RECOMMENDATION: Pursue for acquisition.**

**20/20 NOMINATION #233**



#233

Prairie  
Pines  
Preserve  
(134)

NORTH RD

EAST RD



**REVISED SECONDARY  
NOMINATION 236 A and B**

CRITERIA	SCORE	COMMENTS
<b>A. SIZE AND CONTIGUITY</b>		
<b>1. Size of Property</b>		
a. $\geq$ 500 acres	6   6	Parcel A = 1,114 acres Parcel B = 461 acres. Total combined nomination = 1,575 acres
<b>2. Contiguous to:</b>		
a. Coastal waters and other sovereignty submerged lands	4   4	Parcel is contiguous to Telegraph Creek
b. Existing preserve area, c.e., wma or refuge	4	Property is large enough to establish a new core preserve area. Babcock Ranch, a Florida Forever Project, borders on north and west
c. Preserve areas officially proposed for acquisition	2   2	
<b>B. HABITAT FOR PLANTS AND ANIMALS</b>		
<b>1. Native Plant Cover</b>		
a. $\geq$ 75 % of the property has native plant cover	8   8	site composed of pine flatwoods, prairies and bahaia pastures. Minimal exotic plant infestations in native plant communities but bahaia pastures are not native communities
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	
<b>2. Significant for wide-ranging species</b>		
Panther Habitat, wetlands, ponds, grass lands, etc.	2   2	migratory songbird and hawk species were documented during the site inspection. Site includes wetlands, which are habitat for wide ranging wading birds such as wood storks. According to FWC data, a radio-collared panther has been documented less than a mile north of this nomination in the Babcock Ranch.
<b>3. Rare and Unique Uplands</b>		
a. Scrub, hammock, old growth pine	2   2	
b. Mature, second growth pine flatwood	1	
<b>4. Diversity</b>		
a. 5 or more FLUCCS native plant community categories	2   2	oak scrub, mesic and hydric flatwoods, isolated herbaceous wetlands, oak hammock, and palmetto prairie communities all occur on the property
b. 3 or 4 FLUCCS native plant community categories	1	
c. 2 or less FLUCCS native plant community categories	0	

**REVISED SECONDARY  
NOMINATION 236 A and B**

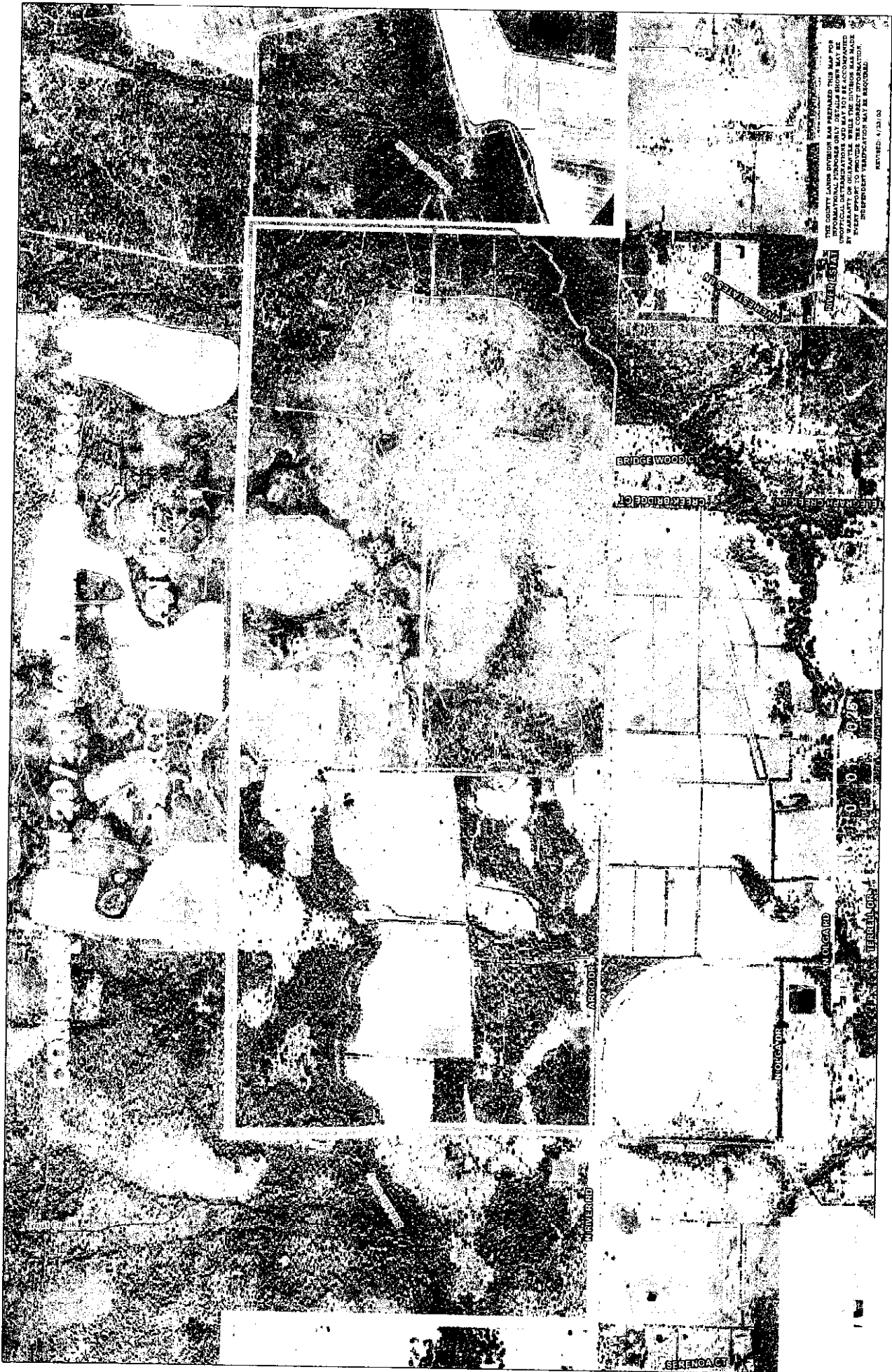
<b>C. SIGNIFICANCE FOR WATER RESOURCES</b>			<b>COMMENTS</b>		
<b>1. Serves or can serve as flow-way</b>					
	Site contains a primary flow-way, creek, river, wetland corridor; large contributing watershed; possibly identified in the Lee County Surface Water Master Plan, South Lee County Study, or by staff	4	4		
<b>a.</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			
<b>b.</b>	Same as b., smaller watershed, not as defined, disconnected	2			
<b>c.</b>	Site conveys runoff, minimal area	1		site contains segments of Stricklin Gully, Telegraph Creek, and Otter Creek	
<b>d.</b>	Site provides no conveyance of surface water	0			
<b>e.</b>	Add 2 points if conveyance is natural (not man-made)	+2	2	includes natural creek segments	
<b>f.</b>					
<b>2. Strategic to Flood Management</b>					
	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	4		
<b>a.</b>	Same as a., portion of floodway (one side) or within floodplain	3			
<b>b.</b>	Medium size watershed, need for floodplain protection, possibly serves as an outfall for a road or development	2			
<b>c.</b>	Small watershed, minimal flooding	1		site provides floodplain protection for both sides of conveyances, flood prone area	
<b>d.</b>	No significant flood issues	0			
<b>e.</b>					
<b>3. Protect a water supply source.</b>					
	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	2		
<b>a.</b>	Not within above mentioned zones, but advantageous due to proximity to existing water supply facilities or identified as potential water storage area	1			
<b>b.</b>	No recharge or potential water supply opportunities	0		site was identified for future wellfield development	
<b>c.</b>					
<b>4. Offset Damage to or Enhance Water Quality.</b>					
	Presence of wetland, retention, or lake that is currently providing water quality benefits	2	2		
<b>a.</b>	Same as a., but achieved through some alterations to existing site or very limited in contributing watershed	1			
<b>b.</b>	No existing or potential water quality benefits	0		natural creek system and wetlands provide water quality benefits	
<b>c.</b>					

**REVISED SECONDARY  
NOMINATION 236 A and B**

<b>D. LAND MANAGEMENT/RECREATION/PLANNED LAND USE</b>			<b>COMMENTS</b>
<b>1. Good Access for Public Use and Land Management</b>			
Parcel can be accessed from a freeway, expressway, arterial street, or major collector	3	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		S.R. 78
<b>2. Recreation/Eco-Tourism Potential</b>			
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	0-2	2	many potential resource based recreational opportunities exist for this nomination due to its large size and its predominately upland nature. Possibility for hiking, horseback riding, mountain biking, nature study, photography and environmental education.
<b>3. Land Manageability</b>			
75% or greater of the perimeter of site is surrounded by low impact land uses	3	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		entirely surrounded by the DR/GR and Rural land use designation, both low impact land uses
<b>4. Development Status (Maximum 4 points)</b>			
a. The Parcel is Approved for Development or is Exempt from Clearing Regulations	4	4	Ag. Exemption.
b. The Parcel is Zoned for Intensive Use	2		AG-2
c. Future Land Use Map: Intensive Land Use Category	1		DR/GR
<b>TOTAL POINTS</b>		<b>52</b>	This is the highest scoring nomination to date.

**RECOMMENDATION:** Pursue for acquisition. This property scored maximum scores in all categories except that it is not contiguous to an existing preserve. However, the property is large enough to function as a core preserve and it is contiguous to the Babcock Ranch, a 90,000 acre proposed Florida Forever Project that itself connects to other major preserve areas. The numerous native plant communities are relatively free of exotic plants, which will be a savings to the management funds. Management staff is recommending that the house be acquired along with the land. It could be used as office space for existing and future employees to the Parks and Recreation Department, or other adjacent land managing agencies, who will manage the large preserves found in North Fort Myers, such as the Caloosahatchee Regional Park, Caloosahatchee Creeks Preserve and the Prairie Pines Preserve, and possibly the Babcock Ranch. The house could also serve as housing for interns and public use receiving area.





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REVISED: 4/21/03

NEWFIELD

ARGO DR

MOLCA DR

SERENAC CT

BRIDGEWOOD

HERRING CT

SUNSET DR

SUNSET DR

HERRING CT