

Cull, Jason

From: Smith, Robin J. [Robin.J.Smith@dep.state.fl.us]
Sent: Monday, February 28, 2011 3:25 PM
To: Cull, Jason
Subject: RE: Lee County Conservation Land Use Change
Attachments: Untitled.PDF - Adobe Acrobat.pdf

10-4, my error. Seems in the past I also worked on re-zoning issues with Mr. Irving with Lee County. Attached is our letter of no objection for the change in the future land use.

Thank you,

Robin J. Smith
Government Operations Consultant II
Department of Environmental Protection
Bureau of Public Land Administration
Division of State Lands
850 245 2741

From: Cull, Jason [mailto:JCull@leegov.com]
Sent: Monday, February 28, 2011 2:59 PM
To: Smith, Robin J.
Subject: RE: Lee County Conservation Land Use Change

Robin,

Just to clarify its to change the future land use and not the zoning. I have attached the letter, there's nothing really needed to complete, I just need an email or letter approving and confirming we can move forward with the new designation of conservation lands category on these parcels.

Thanks,

Jason Cull

Environmental Planner & Certified Arborist
DCD/Environmental Sciences
1500 Monroe Street 2nd Floor
Fort Myers, FL 33901
239-533-8159
239-485-8344 (fax)

From: Smith, Robin J. [mailto:Robin.J.Smith@dep.state.fl.us]
Sent: Monday, February 28, 2011 2:54 PM
To: Cull, Jason
Subject: RE: Lee County Conservation Land Use Change

Jason,

I verified that the parcels are in compliance to be re-zoned conservation lands some time ago. I must have neglected to re-submit the letter to you. Would you re-send the letter for me to complete?

Thank you,

Robin J. Smith
Government Operations Consultant II
Department of Environmental Protection
Bureau of Public Land Administration
Division of State Lands
850 245 2741

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: Cull, Jason [mailto:JCull@leegov.com]
Sent: Monday, February 28, 2011 2:24 PM
To: Smith, Robin J.
Subject: RE: Lee County Conservation Land Use Change

Robin,

Do you have an update on the approval of the below email?

Thanks,

Jason Cull

Environmental Planner & Certified Arborist
DCD/Environmental Sciences
1500 Monroe Street 2nd Floor
Fort Myers, FL 33901
239-533-8159
239-485-8344 (fax)

From: Cull, Jason
Sent: Friday, February 11, 2011 1:17 PM
To: Smith, Robin J.
Subject: Lee County Conservation Land Use Change

Robin,

I just wanted to keep you posted on Lee County's progress of updating the future land use of state owned parcels. We were not able to update the entire list that was approved by your department in 2008 because of time and mapping issues. A total of 44 parcels were included and were finalized this past year.

I am currently working on the next year's comprehensive plan amendment and plan on including 39 TIITF parcels, 38 on Cayo Costa, and 1 on North Captiva. I know these have already been approved as of 2008, but I wanted to verify these are still ok to change to 'Conservation Lands' category. I have attached the same review letter with the revised list of parcels. **If you could please review these properties for approval to authorize the county to update to Conservation Lands in the Future Land Use Category.**

If you have any questions, please let me know.

Jason Cull

Environmental Planner & Certified Arborist
DCD/Environmental Sciences

1500 Monroe Street 2nd Floor
Fort Myers, FL 33901
239-533-8159
239-485-8344 (fax)

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

February 28, 2011

Jason Cull
Environmental Planner
Lee County Division of Environmental Sciences
Post Office Box 398
Ft. Meyers, FL 33902-0398

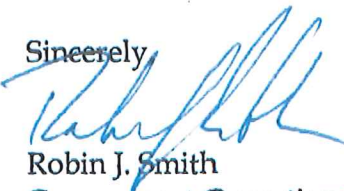
RE: Update Conservation Lands in Future Land Use Category

Dear Mr. Cull,

In response to your request dated 02/11/2011, the Department of Environmental Protection, Division of State Lands, as agent for the Board of Trustees of the Internal Improvement Trust Fund, has no objections to the proposed update of Lee Counties Future Land Use Plan of the attached parcels. The subject properties as you are aware are owned by the Board of Trustees by virtue of sovereignty and protected by the Florida Constitution. Therefore, this update is more compatible with the protecting sovereignty lands. If this correspondence has been misdirected or you have any further questions feel free to contact me, or Mr. Robin J. Smith, at (850) 245-2741 or Robin.J.Smith@DEP.state.fl.us.

Thank you for your cooperation.

Sincerely,


Robin J. Smith
Government Operations Consultant II
Department of Environmental Protection
Bureau of Public Land Administration
Division of State Lands
(850) 245-2741

RJS/s

List of Properties

Strap #

13-44-20-02-00003.0160 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0010 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0020 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0030 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0040 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0050 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0060 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00004.0070 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00005.0010 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00006.0010 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00006.0070 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00001.0270 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00006.0090 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00006.0280 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00007.0010 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00007.0020 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00007.0190 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00007.0200 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00007.0220 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00007.0300 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00014.0010 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00014.0110 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00014.0120 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00014.0130 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00015.0160 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00015.0190 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00015.0210 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00015.0240 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00016.0120 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00016.0180 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00017.0010 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00017.0160 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00017.0180 TTITF Outer/Wetlands Cayo Costa
18-44-21-02-00017.0200 TTITF Outer/Wetlands Cayo Costa
13-44-20-01-00067.0210 TTITF Outer/Wetlands Cayo Costa
13-44-20-02-00001.0360 TTITF Outer/Wetlands Cayo Costa
13-44-20-01-00066.0090 TTITF Outer/Wetlands Cayo Costa
13-44-20-01-00057.0110 TTITF Outer/Wetlands Cayo Costa
32-44-21-01-0000A.0090 TTITF Outer/Wetlands North Captiva

Date: February 11, 2011

To: Robin Smith, Land Acquisition Agent/Bureau of Public Land Administration

RE: Conservation Lands Future Land Use Category

Environmental Sciences has compiled a list of properties that we would like to update to Conservation Lands in the Future Land Use Category. This letter also addresses the origin of this Future Land Use Category, the Comprehensive Plan policy, allowable uses and amendments to this policy.

The Conservation Lands category was created to accurately depict the use of lands for conservation purposes and ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. The February 1, 1996 Evaluation and Appraisal Report (EAR) Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the Lee County Board of County Commissioners (BOCC) adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. This policy states:

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long_range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands.

Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

Lee County has acquired over 18,000 acres of conservation lands at a cost of approximately \$219 million since the 1989 plan was adopted including the Flint Pen Strand, the Imperial Marsh Southwest Florida International Airport Mitigation Area, the Hickey Creek Mitigation Park, the St. James Creek Preserve, and Bocilla Island Preserve and more. Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
2. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
3. Native range for cattle grazing as a management tool only.

Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.

Public utility facilities associated with water conservation, public water supply and water quality.

The rezoning of properties classified in the Conservation Land Use Category would need to be consistent with the uses listed above. If additional uses are requested for a property in this category, the County would either revise the Conservation Lands category language or remove it from this category in a Comprehensive Plan Amendment. The Amendment Cycle begins in the fall of each year and the Florida Department of Community Assistance (DCA), formerly called the Department of Community Affairs, would have to approve the Amendment. Therefore, the State of Florida reviews and approves any changes to lands included in this category.

Attached is a list of properties owned by The State of Florida Trustees of the Internal Improvement Trust Fund (TIITF) Please review these properties for approval to authorize the county to update to Conservation Lands in the Future Land Use Category. These properties are scheduled for this year's amendment cycle. Please respond by February 25, 2011 so that they can be included in my staff report. If you have any further questions, please contact me at jcull@leegov.com or 239-533-8159.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT

Jason Cull,
Environmental Planner
Division of Environmental Sciences

List of Properties

Strap

13-44-20-02-00003.0160	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0010	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0020	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0030	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0040	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0050	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0060	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00004.0070	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00005.0010	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00006.0010	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00006.0070	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00001.0270	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00006.0090	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00006.0280	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00007.0010	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00007.0020	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00007.0190	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00007.0200	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00007.0220	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00007.0300	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00014.0010	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00014.0110	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00014.0120	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00014.0130	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00015.0160	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00015.0190	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00015.0210	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00015.0240	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00016.0120	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00016.0180	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00017.0010	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00017.0160	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00017.0180	TTITF	Outer/Wetlands	Cayo Costa
18-44-21-02-00017.0200	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-01-00067.0210	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-02-00001.0360	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-01-00066.0090	TTITF	Outer/Wetlands	Cayo Costa
13-44-20-01-00057.0110	TTITF	Outer/Wetlands	Cayo Costa
32-44-21-01-0000A.0090	TTITF	Outer/Wetlands	North Captiva