

1994 ANNUAL MEETING REPORT
[with additional comments by the editor!]

The 1994 annual meeting of the Calusa Land Trust was held on January 22nd at the American Legion hall near St. James City. There were approximately 60 members and interested people in attendance. President Alison Ackerman called the meeting to order and thanked all those in attendance for their participation in the Calusa Land Trust. The minutes from the previous annual meeting were approved, and the treasurer's report on the following page was accepted.

MEMBERSHIP REPORT

Membership Chairman Norm Gowan summarized the year's membership activity, which now includes many local businesses and organizations. Memberships are now being tracked on a 12-month basis; Norm is requesting that members pay their annual dues one year from the date of their previous donation. (Previously, all annual memberships were due in January.) Check the mailing label on any newsletter; renewals are due for anyone with an asterisk by their name. Any questions or mixups, just contact Norm at 283-8203.

FUNDRAISING REPORTS

Alison Ackerman explained that several different people spearheaded various fundraising events during the past year:

- Don Shontz, who heads up the ongoing T-shirt committee with his wife Mary, explained that sales have been good this year. They are arranging with Harlequin Nature Graphics to print us more shirts in the near future. (Since the annual meeting, Don ordered and has received boxes of shirts with the popular Everglades design and the Reef motif. The shirts are made by Hanes and are 100% cotton, preshrunk and very durable. The cost is \$14 for the Everglades design and \$15 for the Reef.) Don also described the shrimp dinner, a big success last year, bringing in over \$600. Many people worked very hard to make that event a success. (See below for details about this year's shrimp dinner, coming soon.)
- Cindy Bear and Frank Stapleton of Gulf Coast Kayak in Matlacha sponsored a kayak outing and donated all the proceeds to Calusa Land Trust. The total came to over \$300 and it was used to buy 3 acres in the Castile Corridor. Many thanks to Frank and Cindy for their time and expertise, and their generosity.
- Norm Gowan reported how the Pine Island Boat Club put together a fun day of boating and card dealing that they a Poker Run. Boaters bought chances to draw cards at various locations around Pine Island and Sanibel and win a bundle. After the prizes were awarded, all extra funds were donated to the Calusa Land Trust. To make matters even more interesting, if someone contributed \$100 to Calusa Land Trust to buy an acre of land, they would earn even more chances to draw a winning hand. It was a beautiful day to be out on the water and the funds collected reflected everyone's good mood. Over \$500 was donated to CLT by the Boat Club after expenses were paid out, and about two thousand dollars was also donated by those buying an acre of land that day! As of now, Norm assures us that the Boat Club will sponsor another Poker Run in December of 1994. It was a lot of work for many many people and Norm would certainly love to have more volunteers. Keep this in mind and let Norm know if you could help.
- Rich Larkin reported that the Pine Island KOA has donated \$1000 toward the improvement of the St. James Creek Preserve in the form of landscaping, a boardwalk or other enhancements. A certificate of appreciation was awarded to this business for their generosity.

LAND OWNERSHIP REPORTS

- Calusa Island - Bill Spikowski announced that one of the original founders of Calusa Land Trust, Frederick K. Johnson, donated about one and a half acres of tropical hardwood hammock on Calusa Island to the land trust last spring. As of now the property is only open for prearranged meetings or activities. Much still needs to be done to clean up/fix/tear down the dilapidated geodesic dome that sits in the middle of the property. (See the notice later in this newsletter.)

- McCardle Island - Alison Ackerman reported on the unusual turn of events that surround this property. The federal government notified Lee County that they believe they, not the Calusa Land Trust, actually owns McCardle Island. One of our members, attorney Bill Grace, has agreed to help us resolve this and discovered that ownership of the islands has indeed been challenged through the years, and several previous rulings have favored the U.S. government. Where does that leave Calusa Land Trust? Not in as bad shape as one might think, because when we acquired McCardle for back taxes, we got title insurance. So as you can surmise, it is the title company who will be at fault if it is determined that the federal governments in fact owns McCardle. We may lose ownership, but the company will have to pay us \$30,000. And the island will be managed by the Interior Department for wildlife protection. As of the annual meeting, the title insurance company was stalling and Bill Grace was increasing the pressure on them to resolve this issue.

- St. James Creek Preserve - Eagle Preserve - Castile Corridor

In 1993 Calusa Land Trust finalized the purchase of these three tracts. Even though they are now joined together to form one contiguous preserve, the acquisition of each piece involved its own special set of complicated negotiations, problems, solutions, and contracts; and it was only through the efforts of many devoted people that all these came together. Without their stamina and perseverance, it simply would not have happened. Here are the stories:

- St. James Creek Preserve: You may remember that after we bought a small piece of this property for back taxes, our Land Acquisition Committee negotiated a contract with St. Jude Harbor Inc. to buy the rest of their land with a mortgage to paid off over a period of 18 months. Because the seller would not agree to an option, and several Board members were worried about the possibility of not being able to raise the money by the mortgage deadline, Rich Larkin created special "Clubs" in which members would loan the land trust funds, if needed, to make the payments. The idea was a good one and there were many generous people who agreed to help. As it turned out, the support for this project was phenomenal and we did not have to ask anyone for a loan, but because Rich did not give up and thought of a creative and viable solution, we could go forward.

As we neared the end of our contract with St. Jude Harbor, the Board began to seriously discuss how we should manage this unique property. Lisa Dodd, an urban planner and landscape architect, not only volunteered to put together some ideas for us, but ended up designing a comprehensive landscape plan, with native vegetation, a boardwalk, a gazebo, and wandering trails that could take hikers into the mangroves for bird watching and canoeing. Lisa created a color rendering of this plan, which we used to help raise the rest of the funds we needed. Various members took it to meetings around the island, and it never failed but to get everyone excited. Such a project on Pine Island would be a first! Unfortunately, her color rendering was lost at one of the meetings and cannot be found. The Board was heartsick about this and felt terrible about having to tell Lisa. (Fortunately, Lisa took the news remarkably well and has created another one for us since the annual meeting!)

- Eagle Preserve: Purchasing this piece of land was the most confusing and complicated experience we have ever had. In past newsletters we have tried to explain how it all

came to be, but now that it is really over and the land is finally bought and preserved, here is a summary of what happened:

Back in 1992 certain conditions existed:

1. Preservation 2000, a state funding source, was set up to fund various land acquisition programs, including the Florida Communities Trust.

2. The Florida Communities Trust would provide matching funds for local projects that would help local governments implement their comprehensive land-use plans.

3. Lee County's comprehensive plan called for the protection of bald eagle habitat. Lee County also had some money set aside to buy eagle habitat.

4. There was a piece of prime upland property with an active eagle's nest fairly near our existing St. James Creek Preserve, and the owner was willing to sell rather than develop the land.

5. Rick Moore, our President then, put 1+2+3+4 together and called Lisa Dodd, who was then Director of Environmental Sciences for Lee County. Together they masterminded what was to become the very first land purchased by the Florida Communities Trust!

There were so many things that had to happen, so many steps we had to take that had we all known what lay ahead, we may never have started. First, Lisa presented the proposal to the land trust directors and then to the general membership. The Calusa Land Trust would agree to acquire an option on the property at well below market value, give the option to the state of Florida, and then help Lee County to manage the eagle preserve once it was purchased. This kind of volunteer participation would help convince the Florida Communities Trust that the project had broad community support, an essential element in their ranking of competing projects. It was then that Lisa really went to work preparing the massive grant application and initial management plan.

The application asked Florida Communities Trust to pay for half of the land, with Lee County paying for the other half. So there were County Commission meetings to attend, plus briefings for individual commissioners. That process was repeated each time Lee County had to take an additional step towards the purchase.

The landowner (Dr. John Johnson, represented by Alex Gluhareff) not only agreed to sell the land for well below the current market rate, but also was very flexible in repeatedly renewing and renegotiating the option agreement. Rich Larkin, Rick Moore, and Bill Spikowski had meeting after meeting with Mr. Gluhareff throughout the 1 1/2 year process, not only to resolve numerous details but also about the delays, deadline extensions, and ultimate management of the site. Dr. Johnson agreed to donate \$20,000 to the Calusa Land Trust for long-term management of the site if were ultimately purchased. There were many times that it all seemed to come to a dead end but everyone managed to stay with the project until it was a reality.

There are many other people who were instrumental in making this project happen. Ann

Peery, the Director of Florida Communities Trust, and acquisition agent Howard Douglas were extremely helpful and willing to be flexible when we most needed them to be. Lee County staff members Lynda Riley, Robert Clemens, and Roger Clark all performed yeoman's service in completing this project. Jim Beever wrote the original management plan and included detailed habitat descriptions and ideas about how the area should be upgraded and maintained over the years. We would also like to thank Charles Bigelow whose advice greatly helped us out at a critical point.

In the end, it all worked out. Land trust volunteers and county maintenance workers hustled to remove all the trash dumped through years before a key state deadline. They collected 4 dumptruck loads of junk, and an old car! The eagle's nest, which blew down in a storm last spring, was put back in the tree by Roger Clark and Mark Westall, and as of the annual meeting, the eagles had not only returned and but had baby chicks to take care of. The county will be building a fence at some point soon to protect the site from dumping and keep visitors off during the eagle nesting season.

Rick Moore would probably admit to aging 10 years from the time of the initial idea to the date of closing. Lisa Dodd put it all together while a county employee and then continued to help as a private citizen. Rich Larkin and Bill Spikowski hung in there too and used their knowledge and experience working with governments to negotiate when the negotiations had stopped cold and to create solutions to weekly crises. To these people especially and to all the others who helped out, I am sure that Calusa Land Trust members, Pine Islanders, and everyone who loves the natural environment join me in thanking them. We can imagine the eagles doing so too.

- Castile Corridor: This 50-acre parcel links our original St. James Creek Preserve with the eagle preserve. Rich Larkin and Chick Kennedy negotiated a contract, and the land trust purchased it using the emergency fund. Once we told the general membership about this acquisition in a newsletter, however, all the money was reimbursed through donations from people wishing to buy an acre. This outpouring of generosity is the reason our emergency fund has been restored. Now we will be able to take advantage of another opportunity that might otherwise pass us by.

LAND MANAGEMENT COMMITTEE REPORT

Ed Chapin reported that work has continued to clear the Brazilian pepper trees and other exotics and weeds from the St. James Creek Preserve. (See our last newsletter for a more detailed description of what his committee has been doing. If you wish to help, call Ed at 283-1167, noon to 5:00 p.m.)

Work on the trail has been temporarily postponed, however, while Calusa Land Trust resolves a disagreement with an adjacent landowner over an access issue. Due to the persistence of the disagreement, the Calusa Land Trust has enlisted the help of attorney Charles Bigelow to advise us and take legal action if necessary. As soon as we know more, we will let everyone know. Until then, Ed will focus his efforts on other needy properties owned by the Calusa Land Trust.

LAND ACQUISITION COMMITTEE REPORT

Rich Larkin, Chairman of this committee, reported that CLT now owns over 700 acres of land. Instead of pushing only to acquire more large tracts right now, his committee will focus on improving the public access points to our existing preserves, especially to the Big Jim Creek Preserve in Bokeelia with its wonderful network of canoe trails.

This committee has accomplished a great deal these last few years by helping the Board of Directors to work with land owners and other real estate brokers with very creative solutions for complicated problems. He did ask for all of us to keep our eyes open for any land possibilities we might see around Pine Island, and to let him know if you see a piece of land you think might be appropriate. Give him a call at 283-4871.

EVOLVING CALUSA LAND TRUST POLICY ON MITIGATION

Bill Spikowski handed out a draft of how Calusa Land Trust may handle requests for environmental mitigation in the future. Jim Beever drafted this policy after earlier Board discussions. Basically, "mitigate" means to offset environmental damage elsewhere by preserving or restoring similar lands. The Calusa Land Trust has studiously avoided political entanglements, and therefore has not participated in any advance mitigation "deals" which could allow or encourage damage to the environment. But in certain cases where damage has already occurred, we have worked with state agencies to provide opportunities for someone charged with a violation to offset it by helping us to buy and preserve similar land. The proposed policy reads as follows:

Principles of Mitigation Banking by the Calusa Land Trust

The provision of mitigation bank credits for purchase of lands is not an endorsement of current or future mitigation bank rules, policies, philosophies, etc. or the applicant's projects that utilize the Calusa Land Trust bank for mitigation credit.

The Calusa Land Trust will not enter into partnership, joint-application, etc. with permit applicants or violators as a matter of constitutional policy.

Mitigation credit is available from the Calusa Land Trust only after the regulatory agency has determined in writing that mitigation is an acceptable method to offset enforcement violation. Mitigation credit may also be available to offset proposed project impacts, if found acceptable in writing by the regulatory agency and at the sole discretion of the Calusa Land Trust. However, there will be no discrimination based upon race, color, national origin, sex, or handicap.

The Calusa Land Trust will make land available for mitigation bank credit purchase at the normal cost for acquisition of that land plus a management in perpetuity fee of no less than \$1000 per acre for healthy wetlands and \$2000 for healthy uplands. Additional amounts may be assessed for monitoring, special maintenance, etc.

The mitigation area will be of the type offsetting the impact (i.e.: mangrove for mangrove, pinewoods for pinewoods). The Calusa Land Trust will not convert a native habitat type to another native habitat type for provision of mitigation credits.

The Calusa Land Trust may at its discretion make enhancement projects (removal of exotic plants,

removal of spoil piles with marsh plantings, etc.) available for mitigation credits.

Where possible mitigation bank parcels will be conjoined to form composites in recently purchased or current projects.

Purchase of mitigation bank credits from the Calusa Land Trust does not make the Calusa Land Trust liable for activities or non-activities of the applicant. The mitigation bank land is not an asset of the applicant subject to foreclosure, garnishment, liens, or bankruptcy proceedings.

The mitigation bank credits obtained from the Calusa Land Trust cannot be sold, lent, donated or otherwise transferred to others by the applicant without the express consent of the Calusa Land Trust.

The Calusa Land Trust may at its discretion establish a land acquisition project based upon mitigation credit funding. If the Calusa Land Trust decides to pursue this course of action it will obtain all necessary permits.

Any comments or suggestions on this policy would be appreciated. Please call Bill Spikowski at 334-8866 (days). The Board will acting on this policy in the near future.

ELECTION OF BOARD MEMBERS

President Alison Ackerman thanked outgoing Board members for all their hard work over the last several years. Three members decided to step down for various reasons and they will be sorely missed. Kate Fitzgerald was one of the people who helped get CLT started again and has served as our historian and secretary. She has also helped at many outings and fundraisers over the years.

Jim Beever's job is now taking him all across south Florida, making it very difficult for him to attend Board meetings. Like Kate, he helped us to reactivate and has also served as our technical and biological advisor on all projects. His expertise has been invaluable. He assures us, however, that he will continue to help when we need an assessment on a piece of land to determine its pros, cons and overall suitability for the Calusa Land Trust.

Rick Moore, President for three years and Vice-president for one year, has also decided to step down from the Board. We hope it is only a temporary break. Without him this organization wouldn't be where it is today. Although the Calusa Land Trust was formed back in 1976, it was Rick who made it a true community organization for Pine Island. He brought it all together and envisioned the membership as being a representative cross-section of all those who live and visit here: the businessmen and women, fishermen, retirees, professionals, environmentalists, winter visitors, local civic groups, and many more. Other land trusts around Florida, and even the country, told us we could never make it without thousands of members, a blue-ribbon Board, and a paid staff, but here we are. Pine Islanders are truly a special group of people. And with all the important issues that sometimes divide us, Rick has put Calusa Land Trust together around a cause that has truly united Pine Islanders. Thank you Rick.

The following people were elected to the Board of Directors for two year terms: Alison Ackerman, Cindy Bear, George (Chick) Kennedy, Helen McClary, and Bill Spikowski. Ellie Boyd, Ed Chapin, Norm Gowan, Rich Larkin, Gloria Sajgo and Don Schontz will serve the second year of their

terms in 1994.

After the general membership meeting, the Board elected the following officers:

President: Norm Gowan
Vice-President: Alison Ackerman
Treasurer: Bill Spikowski
Secretary: Cindy Bear

ANNOUNCEMENTS AND NOTES OF INTEREST

- * C.A.R.L. Update - Thanks to local support, the Charlotte Harbor Flatwoods acquisition project, encompassing 9,920 acres in Charlotte and Lee Counties, has been ranked #21 on this year's list for possible purchase by the state of Florida. Last year it was #20, and there is a reasonable chance for its purchase this year. Thank you to all who wrote on behalf of this valuable project.
- * R A F F L E - Tickets are still available to buy a chance to win the beautiful pastel of a bald eagle, donated by Muriel Dumaresq. It is on display right now at the Barnett Bank and tickets can be purchased at the bank if the tellers are not busy. One chance for \$1 or 6 for \$5.00. Muriel will draw the winner during the St. James City Spring Fest to be held on March 19 at the St. James City Civic Association.
- * Our brochures have been updated and reprinted. We have kept the original artwork by Stan Tracy and most of the text. Island Printing gave us a great deal on recycled paper!
- * The Greater Pine Island Water Association has agreed to lease us a portion of their property on Castile Road adjacent to the new eagle preserve and other parts of our St. James Creek Preserve. This will provide us with a grassed parking area for our visitors. We would like to thank the water association for its generosity and assistance with our goals.
- * We also want to thank Nathan Stout, CPA, for once again agreeing to help us out with our IRS tax forms. We may be a tax-exempt organization but that doesn't mean the government doesn't want to hear all about what we did last year. And now that we own a lot of land and have many members, the paperwork has gotten quite complicated. This is another example of the kind of assistance that allows nearly all of your donations to the Calusa Land Trust to go directly for land acquisition and management.
- * On Saturday, February 19, Ed Chapin organized a cleanup for the dome building on Calusa Island. In all, 16 people showed up with garbage bags, brooms, gloves and dust pans. In about 2 hours they had cleaned absolutely everything off of the top two floors and piled it all below to either be hauled off, broken up for firewood, or cleaned up and sold in a yard sale later. Shirley House was unofficially appointed Chairman of the sale as she seems to have an "eye" for treasures and bargains. What we really need is a place on Pine Island to house those items we plan on selling. Is there anyone out there with some space they would be willing to loan us? Please call Alison at 997-5442 (days).
- * SHRIMP DINNER planned. Come one come all!!! Don Schontz has done it again and put together a fun day to enjoy some good food and help raise needed funds. On March 13, from 2:00 to 6:00, the

Dolphin Lounge in St. James City will host our second annual Shrimp Dinner, complete with door prizes, more raffle opportunities, tote bags, T-shirts, and a cash bar. Music will be provided by Charlie, a one-man band. Dinners can be purchased for \$6.50 and will include shrimp, of course, plus baked beans, cole slaw and rolls.

* EARTH DAY - Community events are currently being planned for the entire month of April, with "Earth Day" being celebrated on Friday, April 22, 1994. Some of the activities include a trash bash on April 23, a Bluegrass Festival at Terry Park, a water testing week, the 2nd Annual Science Day at the Children's Science Center, an "Earthfest Day" at Lakes Park on April 17, "Planting for Tomorrow" on April 22 at Centennial Park, and "The Wonders of Wetlands - An Afternoon of Discovery" on April 24 from noon - 5 p.m. to be held at the Six Mile Cypress Slough Preserve. Check the newspaper for a complete list of what is going on. If anyone wants to help out, they can contact John Kiseda at 432-2004. Members of Calusa Land Trust have traditionally helped out on Trash Bash Day, meeting either at the Harbor Hideaway in Bokeelia or in St. James City. If anyone can give a couple of hours that day, call Ed Chapin at 283-1167 and he will fill you in on the details.

CALUSA LAND TRUST MEMBERSHIPS AND DONATIONS:

_____ \$15	Individual Member	_____ \$100	Contributor
_____ \$25	Family Member	_____ \$500	Patron or Business Patron
_____ \$50	Donor	_____ \$1000	Benefactor
_____ \$50	Business/Organization	_____ \$ _____	for _____

Name _____

Address _____

City, State, Zip _____

Phone _____

Date _____

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