

Settlement reached on Rivergrass Village

The Conservancy of Southwest Florida has reached a settlement with Collier Enterprises regarding Rivergrass Village, the first approved village for the Rural Lands Stewardship Area (RLSA) in eastern Collier County. Our challenge against Rivergrass has been the Conservancy's largest legal battle in our nearly 60-year history.

Since the creation and inception of the RLSA, over 20 years ago, the Conservancy has understood that rural eastern Collier County is an area targeted for substantial growth. Without proper planning, growth will drastically transform the RLSA's current landscape of diverse connected ecosystems and important agricultural lands, to sprawling towns and villages in inappropriate locations. Thus, for over two decades, the Conservancy has advocated for the avoidance of important habitat areas, wetlands, and wildlife corridors in future plans for development and road projects within the RLSA. We have worked tirelessly to prevent harm to our state mammal, the endangered Florida panther, and to ensure that the RLSA remains an ecologically diverse region. Furthermore, the Conservancy has strongly advocated for sustainable development plans, to protect taxpayers, limit traffic, and ensure a better quality of life for current and future generations.

Therefore, we entered settlement discussions with Collier Enterprises focused on negotiating an agreement that would result in benefits that span the entire RLSA. We are pleased to share with you that we succeeded in securing such positive settlement terms.

First, Collier Enterprises has agreed to permanently preserve 655 acres of primary panther habitat through a conservation easement granted to the Conservancy. For purposes of scale, this 655-acre parcel consists of nearly the same acreage of primary panther habitat that is within the site of Rivergrass Village. Furthermore, this parcel is strategically located between Golden Gate Estates and the Florida Panther National Wildlife Refuge, which will permanently

protect important habitat that is part of a critical corridor connection between the two areas.

Second, as a part of our settlement, Collier Enterprises has committed to extinguish 65,000 development credits as part of their sale of land to the State of Florida for the Caloosahatchee Big Cypress Corridor, funded during the 2023 Florida Legislative Session. This reduction of credits will significantly reduce the overall development potential for the entire RLSA by 6,500 acres, which is an area greater than six villages the size of the 1,000-acre Rivergrass. The Conservancy believes that this reduction in the RLSA's overall development footprint will result in fewer impacts to habitats, additional agricultural lands and wetlands saved, and an overall reduction in future traffic within the region.

Not only did our Rivergrass challenge result in a better outcome for the RLSA, but we also had a significant victory in the Second District Court of Appeal (DCA). Because of our challenge, the DCA solidified the public's right to challenge a development order on the grounds that a development order illegally adds traffic congestion and unlawfully burdens taxpayers to cover costs for new infrastructure, services, and facilities needed to support the new development. Thus, our challenge against Rivergrass confirmed that Florida citizens have a right to challenge illegal damaging growth.

While we continue to believe Rivergrass is unwise for the many reasons we have argued, we are pleased that the process of our lawsuit has elevated the conversation about the impacts of new towns and villages on our natural resources, economy, and quality of life.

We are immensely grateful to our Board, members, and many supporters who stood by the Conservancy throughout this lengthy, yet important, three-year challenge. Furthermore, we are deeply appreciative of the 13 civic and environmental organizations who filed amicus briefs in support of our appeal, including:

- Center for Biological Diversity
- Sierra Club Florida
- Strong Towns

- League of Women Voters of Collier County
- Florida Rights of Nature Network
- Sanibel-Captiva Conservation Foundation
- Calusa Waterkeeper
- Environmental Confederation of Southwest Florida
- Cypress Cove Landkeepers
- Stone Crab Alliance
- Golden Gate Estates Area Civic Association
- Friends of the Everglades and Tropical Audubon Society represented by the Everglades Law Center.

The Conservancy will continue its nearly 60-year legacy of advocating for sustainable development and finding solutions that balance the needs of our growing community with the preservation of our natural resources.