

***ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION & MANAGEMENT COMMITTEE (SMC)
ATTENDANCE LIST***

February 24, 2003

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Ron Hight
Ross Hinkle
Paul Schmalzer
Kim Zarillo

EEL STAFF MEMBERS

Anne Birch
Laura Clark

THE NATURE CONSERVANCY

Angela Klug
Lori Thoms

GUESTS

Jim and Linda Noble, Brevard Hardwoods

February 24, 2003

**ENVIRONMENTALLY ENDANGERED LANDS PROGRAM
SELECTION AND MANAGEMENT COMMITTEE
MEETING MINUTES
February 24, 2003**

CALL TO ORDER:

Ross Hinkle called the meeting to order at 1:05 PM and asked everyone to introduce themselves.

MINUTES:

The December 10, 2002 and January 13, 2003 minutes are pending approval. Ross asked for comments to the minutes. No concerns regarding the minutes were expressed.

MOTION ONE

Paul Schmalzer moved to approve the December 10, 2002 and January 13, 2003 minutes. Ron Hight seconded the motion. The motion carried unanimously.

ADMINISTRATIVE REVIEW:

Malabar Road Repair

Ross expressed his pleasure that the repair work on the entrance road to the Malabar Scrub Sanctuary has been completed and asked Anne if staff had received any feedback from the Town of Malabar. Anne confirmed there had not been any feedback to her knowledge.

Pine Island Conservation Area (PICA)

Ross asked about the accommodations that would be available to AmeriCorps teams when renovations have been completed on the Sams house at the Pine Island Conservation Area. Anne provided clarification that AmeriCorps groups usually stay at the St. Sebastian River State Buffer Preserve at the south end of the County, or camp for an extended period near their area of work. It is hoped that renovations to the building will provide overnight housing for groups of approximately 12 persons. Ross asked if there was a possibility that the building might be used as temporary housing for research visitors. Anne said yes and also mentioned there will be additional housing in the future in the south beach area as a result of the Mellon donation of the Yotti property.

Ron indicated he had received a request from Scott Taylor, EEL Program Central Region Land Manager, regarding possible transfer of 300,000 cubic yards of shell material from PICA. Anne will check with Scott and provide an update in the near future.

Paul asked for information on the Malabar Scrub Sanctuary prescribed burn. Anne stated the burn had gone very well.

PUBLIC COMMENT: Brevard Hardwoods

The SMC reviewed a building assessment report provided by Parks and Recreation Construction on the Brevard Hardwoods site. Ross asked Jim and Linda Noble, owners of the site, if they would like to comment on the information.

Jim stated that although there had been extensive work to the property since the 1999 appraisal by the Town of Malabar Building Inspector, he could understand that considerable work would be

required to bring the facility up to the codes required for public buildings. He stated he did not feel the cost of upgrading the structure would be as high as \$400,000, but acknowledged that the renovation work he had performed was not coordinated by an Architectural and Engineering (A&E) firm. Jim commented on several of the items in the assessment report, and stated his overall feeling was that the building could be renovated to suit the needs of the EEL Program.

Linda commented that she felt that any required zoning changes would be feasible.

Ross requested clarification of the \$400,000 figure shown in the reports. Anne confirmed that when the SMC previously considered reallocating funds set aside for the Malabar Management & Education Center to land acquisition, Parks and Recreation Construction had provided a cost estimate of \$400,000 to construct an Erna Nixon style field station in the South and Central Regions. Dave Breininger asked if the facility might be used as a field office without undergoing major renovations. Anne explained that at least part of the building would probably need to be upgraded to meet the ADA code, as the land manager's office would be considered a public office. Ross asked if there were any partners who might be interested in a joint venture and Anne indicated she was not aware of any. Paul asked about the possibility of funding from grants. Anne indicated she had been in touch with the local Historical Society and they would be supportive of EEL occupying the building, but did not have dollars available to assist with funding. Ron requested additional information regarding the September 2, 1999 inspection by Jim Phelps, Malabar Building Official that indicated removal of a load-bearing masonry wall. Jim Noble confirmed the wall in question previously divided the two classrooms on the first floor, but that he did not believe the wall was load bearing.

Anne provided information on funding. Purchase and renovation of the Brevard Hardwoods site would be considered a capital expense and would have to come out of the \$400,000 currently designated for the Malabar Scrub Sanctuary Management & Education Center. Additional funds that might be needed for the project would have to come from dollars set aside for land acquisition. Excess ad valorem funds are accumulated yearly for capital or operational expenses and could also be used for long-term restoration.

Paul asked if all the monies set aside for the PICA facility were expected to be needed at PICA. Anne confirmed they were. Ross asked if the Brevard Hardwoods site could be used as a staging area for the South Region Land Manager, without the public access requirements being implemented. Anne stated she would find out. Ross indicated that he would like to find a way to acquire the building and establish a minimum presence on site, with a longer-term goal of providing a fully developed Management and Education Center at the location. Kim Zarillo asked if Malabar received a portion of the Parks and Recreation referendum funding. Anne stated it was her understanding that the Town of Malabar had opted out of the referendum and, therefore, did not receive funds from that source, but she would confirm the information.

Ross asked what needed to be done to request that the Board consider a long term project that would begin with the South Region Land Manager having an office at Brevard Hardwoods and include a longer term goal of upgrading the facility into the Management and Education Center. Anne stated that if the SMC chose to recommend this action to Board, the Board should be provided information that the restoration would be a gradual process. The recommendation should include current needs, long term goals, and suggestions on funding. Anne suggested additional meetings with Carlos Zarate, Brevard County Parks and Recreation Construction, to identify minimum requirements and estimated costs for establishing a land manager presence at the location.

February 24, 2003

Page 2 of 6

Approved March 25, 2003

Ron reminded the group that the September 1999 report indicated that the roof may need replacement within 5 years, and expressed his feeling that this expense should be identified in any package that was presented to the Board. He voiced his support for Ross's suggestion that any recommendation presented to the Board be for the minimum it would take to establish a land manager on the site. Ron stated his view that establishing a Management and Education Center at the Brevard Hardwoods site should be considered very long term due to the code requirements of renovating the building for public access, including the installation of an HVAC system.

Anne asked Jim and Linda Nobel about their timeframe for the possible sale of the building. Jim replied that April 2003 had been set as an original target date, but that he could reevaluate the situation, if needed. Anne also asked if there was a possibility that Brevard Hardwoods would consider leasing back a portion of the building in the future if it met the EEL Program's needs. Jim replied that they would consider that option. The SMC voiced their support for the temporary leasing of a portion of the building by Brevard Hardwoods should the EEL Program purchase it.

MOTION TWO

Paul moved to make a first majority vote on acquiring the Brevard Hardwoods site so that appraisals could be obtained for the building.

Dave seconded the motion.

Ross asked for discussion on the motion.

The motion carried unanimously.

Ross indicated that as a follow up to the motion, staff should contact Carlos to request an estimate of minimum costs associated with establishing a land manager presence on the site. Ron mentioned that the presence of asbestos and lead was a concern that should be addressed during this process. Anne will research the cost of asbestos and lead paint analysis.

Anne and Angela Klug advised Jim and Linda that the appraisal process would require approximately two months. Jim mentioned that he would pass along a report that he has regarding the roof of the Brevard Hardwoods building.

The SMC thanked Jim and Linda for coming to the meeting and invited them to tour the Enchanted Forest.

SMC REPORTS:

None.

THE NATURE CONSERVANCY:

Angela reviewed new maps that have been provided to assist with the overview of the Acquisition Summary. A copy of the summary is included with these minutes. Mark Ehle from the County's Natural Resources Management Office prepared a large map showing a north region of the County. Anne asked the SMC for comments on the usefulness of the map. If positive, she will have Mark prepare maps for the remaining sections of the county. The maps show lands presently in conservation by the EEL Program, other conservation lands, and undeveloped private land areas greater than 25 acres. The SMC discussed the EEL Program Property Acquisition History report that was distributed during the meeting and expressed their pleasure in the format of the maps and other documents that were reviewed.

February 24, 2003

Page 3 of 6

Approved March 25, 2003

The City of Palm Bay has approached the EEL Program regarding the possibility of EEL managing lands that may be purchased by the City of Palm Bay to satisfy their mitigation needs through the US Fish and Wildlife Service (USFWS). The City is required to mitigate 500 acres of scrub-jay habitat. The City also asked if the EEL Program would manage the WGML/PRN Investments, Ltd. site in Malabar for scrub-jays using funds donated to the EEL Program by the City. If so, the City would ask the USFWS if this could be used towards partial mitigation credit for the City. The first step would be to inspect the WGML/PRN Investments property to determine if the land could be managed for scrub-jays. The SMC agreed to a conduct site visit to the WGML/PRN property for this purpose on March 5, 2003. Participants should meet at the entrance to the Malabar Scrub Sanctuary at 9:00 AM.

Anne reported that the FIND land swap with the Cypress Creek mitigation donation parcel was proceeding. Further information on this topic will be provided in the near future.

Angela reported that she and Anne recently met with the Rockledge City Manager regarding the Community Development District (CDD) assessment on the 12 acre Viera Company parcel south of Barnes Blvd. She was encouraged by the City's interest in assisting with funding for payment of the assessment. Anne confirmed that the City Manager had indicated he would approach the City for funding once he and Anne received additional information regarding the assessment.

OLD BUSINESS:

1. East Central Florida Regional Conservation Workshop #2

Anne thanked Dave for all the time he spent assembling the GIS information used at the workshop. She reported that the workshop went very well and that the next step is to refine a map that shows the regional conservation area. Participants in the workshop will be providing Dave additional GIS information. He will then compile the information and develop a map for the smaller working group to review. Later, the entire group will review the preliminary results to see if the process meets their agency's goals. It is anticipated that it will take 2-3 months to accumulate and process the new information. Keith Fountain of TNC encouraged the group to produce a regional map and indicated they could assist in showing the map to the State. Anne will be sending an update from the February 17th session to members of the original workshop. Ross indicated that he was very encouraged by the workshops and felt that timing of these efforts was critical due to the rapid development that would be occurring in the next few years. Ross stated that TNC, workshop participants, and representatives from the other counties were all supportive of the workshop. Anne reported that she and Ross would be participating in another regional conservation workshop next month in Orlando at the request of Linda Chapin from the University of Central Florida (UCF). The EEL Program is also looking to partner in grants with UCF and the Brevard Zoo to look at regional conservation planning and education.

2. Reynolds Property

Lori Thoms from TNC reported that the owner of the Reynolds property had not been willing to sell only one of the two parcels that he owns. Lori spoke with Mark Glisson at the Division of State Lands (DSL) regarding the possibility of a boundary amendment to the Brevard Coastal Scrub Ecosystem project that would add the southern parcel into the project boundary. Mark indicated that the request would have to be in the form of a full boundary amendment rather than an administrative request. Lori asked if the SMC would consider a second majority vote to make an offer on both parcels, contingent on the second parcel being accepted into the project, to determine if the owner would be a willing seller.

February 24, 2003

Page 4 of 6

Approved March 25, 2003

MOTION THREE

Paul moved to go forward with a second majority vote on the Reynolds property, including the southern portion, to make an offer to the owner, contingent upon the boundary amendment and value being approved by DSL, to determine if the owner is a willing seller for the entire parcel.

Kim seconded the motion.

Anne will poll the SMC via e-mail

3. Sales Tax Update

Anne relayed to the SMC that the possible sales tax referendum had been removed from the Board of County Commissioners' (BOCC) meeting agenda. Kim stated she preferred the option of approaching the Board with a request to extend the Beach and Riverfront Program, with funds being used by the EEL Program. Anne stated that establishing a long term management funding source was important. Kim indicated her concern with the sales tax funding was that it did not include funds for operations, and that it might be hard to go back to the voters in a year or two with an additional request for management funds. Ross stated it was important to consider all options to ensure funding on a continuing basis. Members of the SMC voiced their agreement that the possible extension of the Beach and Riverfront Program to provide funding for the EEL Program was something that should be considered. Anne indicated that it might be helpful for the SMC members to contact the Commissioners on an individual basis regarding this issue.

NEW BUSINESS:

1. Markogiannakis Property – South Beaches

Anne presented information on the 6.5 acre Markogiannakis property that was originally included in the Maritime Hammock Initiative CARL project. The owner was not a willing seller at that time, but has recently approached the EEL Program regarding a possible sale. Paul thought that the Markogiannakis property was switched over to the Blueways Project when the Maritime Hammock Initiative closed. Anne will research it and provide additional information in the near future.

Anne also reported that she would be filing a civilian appropriations request to Senators Bill Nelson and Bob Graham for possible reimbursement of the Indian River No. 1 Developers, LLC property that was purchased in the south beaches. She has been advised that they may look more favorably on the request if they can be assured that the monies will be put back into land acquisition in the Archie Carr National Wildlife Refuge. Although the Markogiannakis property would not use the entire reimbursement amount, it could be included in the Refuge and therefore a property the SMC might consider for acquisition. Paul stated he felt the Markogiannakis property would be a favorable acquisition, but that the EEL Program could not guarantee that any appropriation funds would be used in the south beaches since acquisition is dependent on the ability to buy property. Members of the SMC voiced their agreement.

Anne will ask the Senators' staff about specific guidelines for the use of reimbursement funds and provide additional information in the near future. She stated that this may be the last opportunity for reimbursement of the Indian River No. 1 Developers LLC property as previous efforts have not been successful.

2. North Merritt Island Property

A citizen from Merritt Island has approached TNC regarding a possible sale of property located near Hall Road. Anne will send the interested party an EEL Application. Additional information will be provided on this topic in the near future.

February 24, 2003

Page 5 of 6

Approved March 25, 2003

NEXT MEETING:

The next meeting was scheduled for Tuesday, March 25, 2003 from 1:00 – 4:00 PM. The meeting will be held in the Space Coast Conference Room, Second Floor of Building C at the Viera Government Complex.

ADJOURNED:

The meeting was adjourned at 4:08 P.M.

SUMMARY OF MEETING MOTIONS:

- Motion One to approve the December 10, 2002 and January 13, 2003 minutes.
- Motion Two to approve first majority vote to obtain appraisals on the Brevard Hardwoods, Malabar building and property.
- Motion Three to go forward with a second majority vote on the Reynolds property, including the southern portion, to make an offer to the owner, contingent upon the boundary amendment and value being approved by DSL, to determine if the owner is a willing seller for both parcels.

ACTION ITEMS:

- Staff will provide additional information on the possible relocation of shell material from PICA to the Merritt Island National Wildlife Refuge.
- Staff will provide additional information on the possibility of using the Brevard Hardwoods site for the South Region Land Manager as well as the minimum requirements and cost needed for providing public access to a portion of the building. Staff will ask Carlos Zarate to provide a more detailed cost analysis to include the cost of an asbestos and lead paint analysis.
- Staff will provide additional information on whether or not the Town of Malabar receives funding from the recent Parks and Recreation Referenda.
- Staff will begin the appraisal process for the Brevard Hardwoods site.
- A site visit will be conducted on March 5, 2003 to inspect the WGML/PRN Investments, Ltd. Malabar property to determine if it could be managed for scrub-jays.
- Additional information regarding the FIND land swap will be provided as it is received.
- Staff will be providing an update on the February 17th Conservation Workshop to the members of the original workshop in the near future.
- Staff will poll the SMC via e-mail regarding a second majority vote on the Reynolds property.
- Staff will determine if the Markogiannakis property was transferred to the Blueways Project.
- Staff will ask Senate staff about specific guidelines for the use of appropriation funds regarding the Indian River No. 1 Developers LLC property.
- Staff will provide a formal EEL Application to a landowner near Hall Road on north Merritt Island.