

**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM  
SELECTION & MANAGEMENT COMMITTEE (SMC)  
June 25, 2004  
Attendance List**

***SELECTION & MANAGEMENT COMMITTEE MEMBERS***

Dave Breininger  
Mark Bush  
Ron Hight  
Ross Hinkle  
Randy Parkinson  
Paul Schmalzer  
Kim Zarillo

***EEL PROGRAM STAFF***

Laura Clark  
Mike Knight  
Ray Mojica

***THE NATURE CONSERVANCY***

Laurie Birch  
Sue Mullins  
Lori Thoms

***GUESTS***

Liz Alward, Brevard County Parks & Recreation  
Susan Bird, Citizen  
David Feber, Citizen  
Laleh Rahbari, Citizen  
Amy Tidd, Preserve Brevard

*June 25, 2004  
Approved July 30, 2004*

**ENVIRONMENTALLY ENDANGERED LANDS PROGRAM  
SELECTION AND MANAGEMENT COMMITTEE**

**June 25, 2004  
Meeting Minutes**

***CALL TO ORDER:***

Ross Hinkle called the meeting to order at 1:04 PM and asked everyone to introduce themselves.

The order of the agenda was changed to allow for Laleh Rahbari, citizen, to speak to the Selection and Management Committee (SMC) during the Public Comment portion of the meeting.

***PUBLIC COMMENT: Acquisition assistance request – Laleh Rahbari***

Mike Knight introduced Laleh Rahbari and provided preliminary information on a parcel of land adjacent to her property in the Windover area that she is interested in protecting.

Laleh told the SMC about her concerns for preserving the parcel and explained she was willing to assist with preservation efforts within her means. The land is outside of any existing EEL Project area, but is adjacent to Bird Lake which is owned by the St. Johns River Water Management District (SJRWMD).

Members of the SMC stated the first place to check would be the St. Johns River Water Management District, as the parcel was adjacent to the SJRWMD bird marsh within an established management area. The SJRWMD Board will be reviewing possible acquisition of this parcel sometime during July. Ross also suggested that it might be worthwhile to see if the homeowner's association would be interested in including the property as a nature preserve or park.

Clarification was provided that purchase of the property by the EEL Program would not be feasible at this time due to the magnitude of other needs, available funding, and the parcel's isolation from other EEL properties.

Ross suggested that it would be appropriate for Mike, as Interim Program Manager to write a letter to the SJRWMD indicating that the property had been discussed in this Committee meeting and stating that it made sense to the Committee for the parcel to become a part of their management. Staff will prepare a letter indicating the SMC feels it's best handled by the SJRWMD and that it would be a good thing for them to pursue, if there was a way to do that.

***MINUTES:***

The April 29, 2004 minutes are pending approval and were e-mailed to the Committee prior to the meeting. Ross asked for comments to the April 29, 2004 minutes.

**MOTION ONE:**

Paul Schmalzer moved to approve the April 29, 2004 minutes as presented.  
Ron Hight seconded the motion.  
The motion carried unanimously.

***ADMINISTRATIVE REVIEW:***

On April 30, 2004 EEL received reimbursement from the State for the WGML property in the amount of \$1,096,548.44.

We have been informed that funds were not appropriated for reimbursement to the EEL Program for the beachfront property purchased for the U.S. Fish and Wildlife Service near Aquarina.

The SJRWMD handles permitting for all wetland mitigation donations. Future donations, including those to the EEL Program, will be required to include a SJRWMD conservation easement over the property. EEL staff is reviewing and providing revisions to the easement language to ensure management activities are not restricted. Draft easement language will be provided to the SMC for review at a future meeting.

Staff has provided information to Commissioner Carlson regarding past and future EEL Program acquisitions in the District IV area.

EEL has received a copy of a letter that the Town of Malabar sent to the U. S. Fish and Wildlife Service expressing concerns regarding the acquisition and management of some EEL properties. At the request of Chuck Nelson, Director of Parks and Recreation, staff is preparing a response to the letter.

***THE NATURE CONSERVANCY:***

Lori Thoms from the Nature Conservancy (TNC) provided an overview of the Acquisition and Reimbursement Summary.

Ross asked if there was any objection to a change in the agenda order to allow for Ray Mojica, South Beach Region Land Manager to provide information regarding the design progress of the Barrier Island Ecosystem Center (BIEC). No one expressed concerns regarding a change in the agenda order.

Ray provided an update on the design phase of the BIEC Management and Education Center.

Ross suggested that the Referendum be the next topic for discussion. No one expressed concerns regarding a change in the agenda order.

**OLD BUSINESS:**

**Proposed Referendum – Sue Mullins, TNC**

Sue Mullins from the Tallahassee office of TNC, provided information on the possible referendum that may be presented to the Board of County Commissioners (BOCC) for their

consideration in the near future. The information was discussed. The SMC indicated the following points were of importance:

- Provide clarification that the funds from this referendum would be used to complete the land acquisition portion of the Program during the course of the referendum and to provide for land management costs in perpetuity.
- Maintain same ad valorem .2085-millage rate so that the assessment will not result in raised taxes.
- Ensure the public understands that the funding was provided for Management and Education Centers in the original referendum and that monies from the new referendum would not be used for major capital infrastructure (brick and mortar structures).
- Consider splitting the referendum revenue so that bonded funds could be used for land acquisition, which needs to be completed in the near future, while the proposed properties are still available, with a separate non-bonded fund for perpetual land management.
- The SMC discussed a list of possible activities that might be authorized for funding by the referendum and provided their comments on each:
  - Operations and maintenance of mosquito impoundments – The recommendation of the SMC was not to incorporate this item due to the possible negative impacts of pending legal issues connected to this topic.
  - Acquisition of environmentally endangered lands – Incorporate
  - Acquisition of critical scrub habitat – The SMC felt this item was addressed in the environmentally endangered lands topic and did not need to be specifically identified.
  - Acquisition of water recharge areas - Incorporate
  - Acquisition of Indian River Lagoon areas – There was mixed discussion on the need to include the Indian River Lagoon as a specifically identified item.
  - Provide for passive recreation – Include
  - Acquisition of critical natural habitat – The SMC felt this item was addressed in the environmentally endangered lands topic and did not need to be specifically identified.
- Keeping the language as simple as possible was emphasized, i.e. “acquiring, protecting, and maintaining environmentally endangered lands, making improvements for passive recreation and environmental education”.
- The need to include possible target sites was discussed, along with the importance of maintaining program integrity because what is targeted for acquisition is sometimes different than what may be able to be acquired, versus, the need for voters to have an understanding of what the Program wanted to do with the tax dollars.

- Clarify the emphasis and definition that environmental education would have in this referendum.
- Water resources can be used to describe drinking, swimming, or fishing.
- Use language the voters can relate to. Clarify and include information on: passive recreation, willing seller, conservation, biological diversity, science based criteria for the acquisition of properties, and maintaining same land acquisition criteria as original program.
- The SMC again stressed their feeling that the two most important aspects of the referendum were to provide clarification that the funds from this referendum would be used to complete the land acquisition portion of the Program during the course of the referendum and to provide for land management costs in perpetuity.

Sue advised the SMC that a public opinion poll would be performed and gave additional information regarding possible avenues for providing information to the public. She will continue to work with County staff. Further information will be provided as it becomes available.

### **Review of Tietig properties proposed for swap (conservation)**

During the April 29, 2004 meeting, Edward Tietig requested that the SMC consider allowing him to swap four properties presently owned by the EEL Program with four different properties that he currently owns. It was determined that additional information on the conservation value of all properties would need to be reviewed before a decision could be made.

Mike provided this information for review. It was determined that there was no apparent conservation benefit to the EEL Program's conservation goals that justify taking this action at this time.

Randy stated that even if the conservation value had been one to one, if staff had to spend time and money doing the swap, then staff time and money would be lost in the transaction.

Mark stated that consideration of land swap set a very bad precedence, and unless a case could be made overwhelmingly in favor of conservation value, he would not support this type of trade as developers would begin to come to the Program with additional requests for swap or sale of EEL lands. He also spoke of the concerns raised if the Program purchased the land from willing sellers for conservation and then traded it away.

### **MOTION TWO**

Randy moved to reject the proposed swap of the properties that Mr. Tietig has requested the SMC consider, as a land swap at this time would set a precedence, for developers and other interested parties to contact the EEL Program requesting sale or trade of land that was purchased from the original owners for the purpose of conservation.

Paul seconded the motion.

The motion carried unanimously.

## **NEW BUSINESS:**

### **Citizens Advisory Committee**

The SMC reviewed a draft resolution regarding the possible establishment of a Citizen's Advisory Committee that would be appointed by the BOCC. As stated in the draft resolution, the major function and duties of the CAC would be to serve as a voluntary advisory committee to the SMC regarding passive recreation opportunities on EEL sanctuaries, to help implement the land management, environmental education and passive recreation goals of the Program as established by the EEL SMC and staff in the Sanctuary Management Manual, and to serve as a Program liaison to the towns and municipalities.

### **Clarification was provided by the SMC that:**

- Lands purchased by the EEL Program are purchased and protected for the Public. It is not the intent of the SMC to deny complete access to any area, but rather to provide access as appropriate in order to ensure the protection of the natural areas on each site, as indicated in the Program's mission of protecting and preserving biological diversity through responsible stewardship of Brevard's Natural Resources.
- EEL staff and the SMC welcome input from citizens regarding the sanctuaries. Of the ten Principles of Conservation listed in the Sanctuary Management Manual (SMM), four refer to exchange, communication and integration with the public, along with balancing passive recreation with the conservation goals of the program.
- Passive recreation as defined in the SMM: a recreational type of use, level of use, and combination of uses, that do not individually, or collectively degrade the resource values, biological diversity, and esthetic, or environmentally qualities of a site.
- Citizen input has historically been a part of the EEL Program's activities.
  - Monthly meetings are open to the public
  - Local meetings are held which invite public comment.
  - When a site is being considered for passive recreation, the information is made public and comment is invited.
  - Many activities go before the Board of County Commissioners, which is open to the public.
  - Staff welcomes and receives questions and comments from members of the public as a routine part of daily activities.
- Site management includes monitoring activities so that when any of the uses shows a potential of causing degradation, the land manager has the authority to terminate that use, or move the use to some other place, if appropriate.
- The Sanctuary Management Manual is a product of the SMC and the BOCC.

### **The following concerns were expressed by the SMC:**

- Costs associated with administrating an additional formal advisory committee.

- The potential of the SMC being in opposition to the recommendation of another advisory committee in the event that they felt a requested activity would be detrimental.
- Special interest groups.
- Complexities in organizing a large group of people needed to come to a consensus, (SMC, Program Manager, Land Manager, Assistant Land Manager, CAC – different in each area)

The following items were suggested as possible options:

- Encourage input from all citizens on a local basis, site specific to each sanctuary, as opposed to a specific committee appointed by the Board.
- Assign categories to sanctuaries not yet classified. This will enable consideration for passive recreation to move forward and meetings with the public to be held for those sites.
- Continue to encourage communication with the public by providing workshops, guided tours and volunteer opportunities specific to each site.

Ross encouraged the group to review the SMM's Conservation Principles, which are the directives that drive the development of each site's management plan. He stated a great deal of discussion and debate occurred over a 3-year period during the initial period of the Program and he felt many of the concerns that had been expressed during the meeting were addressed by these Principles.

Mike provided information on groups that currently use sanctuaries as an example of current public participation and involvement.

Further information on this topic will be provided as it becomes available.

### **Lake Washington Land Donation**

This item was tabled for discussion at a future meeting.

### **Public Comment**

Ross asked if there was additional public comment. No members of the public wished to speak at that time.

### **Next Meeting**

The next meeting was scheduled for July 30, 2004 from 1:00 – 4:00 PM. Location to be determined.

### **ADJOURNED:**

The meeting was adjourned at 4:05 PM.

### **SUMMARY OF MEETING MOTIONS:**

- Motion to approve the April 29, 2004 minutes as presented.
- Motion to reject the proposed swap of the properties requested by Edward Tietig.