

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

**May 25, 2006
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Randy Parkinson
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Sandy Carnival
Laura Clark
David Drake
Mike Knight
Ray Mojica
Katrina Morrell
Chris O'Hara
Dean Vanderbleek

THE NATURE CONSERVANCY

Keith Fountain

GUESTS

Charles Billias, City of Cocoa Beach
Ron Caparros, River Lakes Condo Association
Robert Day, St. Johns River Water Management District
Jim De Rosher, Space Coast Paddlers
James Doyle, Jr., Cocoa Beach resident
Jacques DuBois, Harbor Isles Condo Association
Liz Follet, Space Coast Paddlers
Trudi Infintini, Brevard County Clerk's Office
Liz Lackovich, District 1 Commission Office
Bill Kowalik, Adventure Kayak of Cocoa Beach
Joanie Regan, Cocoa Beach resident
Tony Sasso, City of Cocoa Beach
Matt Sexton, The Conservation Fund
Ed Slaney, Space Coast Paddlers
George Sirko, Harbor Isles Resident
Lisa Smith, Cocoa Beach LMC
Peggy Snead, Melbourne resident
Lynn Stalmer, citizen
Fred Wiesman, Cocoa Beach resident
Mary Wiseman, Cocoa Beach resident

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

**May 25, 2006
Meeting Minutes**

CALL TO ORDER:

Randy Parkinson, Vice-Chairman called the meeting to order at 1:08 PM, as Ross Hinkle, Chairman, was unable to attend the meeting.

PUBLIC COMMENT:

Thousand Islands - Crawford Property, Cocoa Beach

Lisa Smith spoke regarding the Thousand Islands property. She stated that there were additional grant opportunities that might be able to provide additional funding possibilities and that there was a group of citizens who were willing to put the grant applications together if needed. She thanked everyone who had worked on this project.

Jack Du Bois stated there was a lot of public support for conservation of the Thousand Islands property, as well as interest in generating additional funding through grants and other methods.

Magnolia Point Preserve Property, Melbourne

Peggy Snead stated she has been interested in the property that the City of Melbourne had asked the Selection and Management Committee (SMC) to review and consider partnering on for a possible FCT application. She said she was supportive of conserving the Magnolia Point Property and hoped to learn more about the EEL Program and its work.

Randy stated that the EEL Program recognizes the value of urban green space and that he appreciated everyone taking the time to come and provide their comments.

MINUTES:

The April 13, 2006 minutes were presented for approval.

Randy asked for comments to the minutes.

MOTION ONE:

Paul Schmalzer moved to approve the April 13, 2006 minutes as presented.

Kim Zarillo seconded the motion.

The motion carried unanimously.

ADMINISTRATIVE REVIEW:

New EEL Program Staff

Mike introduced three new EEL Program staff members. Katrina Morrell replaces Kit Van Wagner as Education Specialist, Sandy Carnival is the new Support Services Manager, and Dean Vanderbleek is the new Fire Manager.

Thousand Islands – Crawford Property

Mike provided an overview of the activity regarding the possible EEL Program purchase of the Crawford portion of the Thousand Islands property:

The EEL Program has specific requirements related to the appraisal process, in addition to County policy. In this particular process, the appraisal process went down a slightly different road because at the time of the negotiation, the owners were only willing to remain at the table if the County was willing to assume some level of development assumption on the islands that was above and beyond the restrictive nature of the current, conservation, land designation status. Appraisers were tasked with providing one set of numbers that represents the “as is” value, and another set that looked at limited development assumptions that might be likely to occur on those islands, if the land use designation and zoning was able to be changed. One of the tasks for the appraisal process is, because of State standards, our appraisers are not allowed to make gross assumptions about value, so unless the appraisers had been able to determine that the City would be willing voluntarily to allow a change in the land use designation of the islands, then there would be no way for the value to be any higher than what it currently is. So we ended up with a diminished value of the islands from the appraisal perspective based on the process that we had to work within, as EEL Program policy will only authorize up to what the appraisals will prove. We directed the Conservation Fund to offer 100% of the “as is” value of those islands based on the current land use designation. The landowners did not accept that offer. The Conservation Fund went forward and worked with the landowner to determine the negotiated price that they would be willing to accept. We now have a contract, which has been negotiated between the Conservation Fund and the owners, not between the EEL Program and the owners. This contract is roughly an average between the original asking price and the “as is” appraised value. We’re unable to disclose additional information on those appraisals until two weeks before the contract goes before the Commission on July 11, 2006. There is approximately a 300% difference in those values. Had we been talking about a difference between \$50,000.00 and \$100,000.00 it wouldn’t be such a big issue, if you’re talking about paying above appraised value. The issues are really a product of the policy that we have to work under,

Mike stated, as a review for members, that this Committee has done everything that it needed to do. They have assessed the property; they have done their votes on the property, they have determined that, it is listed as a high priority among a series of other properties around the County.

Mike said that the issue for the EEL Program is, what a deal above appraised value means, and what the impact might be to the Program. The EEL Program started in 1990 and has never paid above appraised value for land. One of the issues we’re faced with is negotiating prices with owners because property values were going up every month. Recently, there have been three contracts that have shown that the Program can purchase land within the appraised value, so we feel, as a Program that the decision really lies with the County Commission at this point and the County Commission will have to decide if this is the right time for the EEL Program to step out and consider paying above appraised value.

Mike stated that staff’s direction to this Committee, as this moves forward to July 11th would be to provide any additional discussion, or concerns that the Committee might think the Commission would feel useful. He said that staff does not believe it’s the Committee’s responsibility to decide if a particular property is the one that we pay above appraised value for, and that the Committee had done all it’s work related to determining how valuable the property is from a conservation perspective.

Mike asked Matt Sexton, with the Conservation Fund to speak on the issue.

Matt clarified that the contract being discussed related to the Crawford property and that they were still in negotiations on the Reynolds property.

Mike clarified that the same issues exist on both the Crawford and Reynolds properties.

Paul said that a previous Administrative Review had stated the EEL Program has submitted an FCT grant for the Thousand Islands and asked for clarification regarding the State's rules on paying above appraised value.

Mike said that his understanding is the State prefers to see proof of negotiations. He said that the FCT grant was prepared at the request of the Commission.

Keith Fountain, from The Nature Conservancy, stated that the State's Florida Forever statute provides preference for deals negotiated at 80% or below, but that most transactions exceeded that, and that the state has participated in transactions over appraised value before.

Kim Zarillo clarified, that although the EEL Program did provide a match for the FCT grant application, the applicant is the City of Cocoa Beach.

Tony Sasso, from the Cocoa Beach City Commission highly recommended acquisition of the property.

Mike clarified that that there were approximately 35,000 acres of property that had been designated as high priority by the SMC.

Dave Breininger stated that the SMC had been supportive of acquisition, but had concerns relative to cost and asked if there were additional procedural requirements for the Committee.

Mike stated that the Commission will look to the Committee at some level to see what they think about the acquisition, but that it is not within the Committee's purview to get involved in value issues, that the SMC was established for the science perspective and that the SMC had identified this as a high priority.

Bill Walls, citizen, stated his opinion that the owners were interested in disposing of the property and that there was much room for negotiation.

SMC Reports: REAC Committee

Paul provided a brief overview of the Recreation and Educational Advisory Committee (REAC) monthly meetings. He stated that the last REAC committee meeting had been held on May 11, 2006. The two major topics included:

- ❖ Grant Flatwoods Sanctuary Proposed Public Access Plan
 - Approved by the Committee with the additional suggestion of a boardwalk into the Cypress area.

- ❖ AI Tuttle Trail Update
 - Not yet reviewed by SMC
 - Staff has determined that the EEL Program is unable to support the proposed plan
 - Land ownership constraints

Chris reported he would be providing additional information to the SMC on the Grant Flatwoods Sanctuary Proposed Public Access Plan later in the meeting.

Mike clarified that when the REAC Committee makes a recommendation on a Public Access Plan, their comments are incorporated into the Management Plan which comes to the SMC for review before being sent to the State for final approval.

Dave Breininger

Dave Breininger informed the group he is the recipient of a Brevard Nature Alliance (BNA) grant related to Scrub-Jay research. He recently met with a BNA sub-committee who indicated they have a strong interest in teaming with the EEL Program and other conservation agencies to set quantitative goals regarding the number of Scrub-Jay families and territories that would be optimal within each preserve. The SMC indicated they would be interested in participating in the workshop.

A workshop will be planned in the near future on this topic. Additional information will be provided.

STAFF REPORTS:

South Region – Chris O’Hara, Land Manager

Chris O’Hara provided a presentation on recent events in the South Region including:

- ❖ Management Plans
 - Jordan Scrub and Malabar Scrub Sanctuaries’ submitted for public review
 - Micco Scrub Sanctuary submitted for internal review
- ❖ Invasive Exotic Plant Removal
 - Grant Flatwoods Sanctuary (South) - 250 acres
 - Grant Flatwoods Sanctuary (North) - 100 acres
 - Micco Scrub Sanctuary (Eastern Side) - 85 acres
 - Malabar Scrub Sanctuary - 6 acres treated for Lygodium
- ❖ Rerouting of Trails at Micco Scrub Sanctuary
 - Trails rerouted to reduce the total number of trails and allow higher level of maintenance to the other trails
 - Marked with color
- ❖ Wetland mitigation at Malabar Scrub Sanctuary
 - Install culvert to stop water loss to the north canal
 - Done to improve water retention
- ❖ “Trash Bash” at Jordan Scrub Sanctuary
 - Local Boy Scout Troop collected trash along Jordan Blvd.
 - Shingles, concrete, tires and a boat are among items collected
 - Over 20 tons of trash have been removed from Jordan Sanctuary in the last several years
- ❖ Grant Flatwoods
 - Wildfire
 - Started off EEL Property
 - Approximately 25 acres on EEL Property.
 - Approximately 115 acres total

- Public Access Plan
 - Proposed 2 mile loop
 - Multi-use trails for hiking, biking and horseback riding
 - Two additional loops proposed long term

South Beach Region, Ray Mojica, Land Manager

Ray provided a presentation on recent events in the South Beach Region

❖ New Staff

- Grace Foley – South Beach Region Naturalist
- James Rowland – Land Maintenance Tech

❖ Barrier Island Update

- Groundbreaking to be scheduled soon
- Work continues on boardwalk connecting Center to Bonsteel Park
- SuperTrack equipment
- Work on interpretive design continues
- Wildfire
- Exotic Plant Control

THE NATURE CONSERVANCY:

Keith Fountain presented the Nature Conservancy’s Report to the Selection and Management Committee.

OLD BUSINESS:

Sereno Pointe Property, Titusville

The SMC reviewed the site visit report from their May 10, 2006 site visit to the Sereno Pointe Property. This property is approximately 310 acres and includes a large wetland of approximately 200 acres along the eastern side of the site. The western section, nearer to I-95, is primarily upland, but includes some smaller wet sites. There is currently some horseback riding activity on this property, but the site is basically clean and does not appear to have a great amount of ATV use. The flora is largely native. The property is not presently suitable for Scrub-Jays as it has not been managed by prescribed fire for some time, but it is felt that restoration, which might need to include timbering, would be possible. It was noted that the map provided with the packet included an incorrect boundary. Staff will revise the map for the files.

MOTION TWO

Paul moved for a first majority vote on the Sereno Pointe Property.

Kim Zarillo seconded the motion.

The motion carried unanimously.

North Indian River Lagoon (NIRL) Project Expansion

Mike provided an update on activities related to the Indian River Lagoon area. Information on willing sellers in the adjacent areas has been recently updated and several property owners have contacted the EEL Program independently to ask if the Program would be interested in purchasing their property. An amendment to the NIRL Project that would run

from the southern end of the current NIRL boundary to the Titusville Marina, along with Sykes Creek in Merritt Island is under consideration. The SMC reviewed EEL application forms and maps of 8 properties to determine if they were appropriate for possible purchase, or, in the case of the Praxair property, possible conservation easement. It is anticipated that all of the 8 properties being reviewed at this meeting would be included in the boundary amendment.

Dave Breininger stated that he felt the boundary amendment was worthwhile, and that there were three types of areas that should be given detailed consideration,

- ❖ North Indian River Lagoon Project Boundary Amendment
- ❖ East West connectivity from Merritt Island to the St. Johns River
- ❖ Protection of scrub habitat

Paul agreed that shoreline protection for the lagoon was important and that a boundary amendment should be pursued so the EEL Program could receive matching funds from the State. He stated that the St. Johns River Water Management District might be interested in supporting the lagoon protection as well.

Mike stated that another issue is from a cost perspective, and that there would be some hard decisions at the staff level on where to target acquisition first.

It was determined that site visits to these properties would be appropriate. District I has requested that the SMC be given an opportunity to visit the Chain of Lakes project in Titusville. A visit to the Chain of Lakes will be incorporated into these site visits. Staff will schedule site visits to the following properties:

- ❖ Itily East Property
- ❖ Mediland Property
- ❖ Gal Property
- ❖ Cherven Property
- ❖ Storey Property
- ❖ Praxair Property (Conservation Easement)
- ❖ Bohne/Coleman Property
- ❖ JJ Parrish, Estate

NEW BUSINESS:

Betrock Property Application (f.k.a. Markogiannakis) – South Beaches

Mike informed the SMC that the owner of the Betrock (formerly known as Markogiannakis) Property, has approached the EEL Program to inquire if the SMC would like to consider this property for acquisition. This 6.54 ± acre parcel is in the South Beaches region and is adjacent to the EEL Program's Hog Point Sanctuary. Mike explained that the property has a long history with the Program. There is an Indian Mound on the property and the current owner may have plans for development. Mike clarified that although there has been a significant amount of citizen interest in preserving the Indian Mound, protection of cultural resources is not the primary focus of the EEL Program. Mike stated that from a staff view point, the property did not add a great deal to the value of the existing Hog Point Sanctuary and that it was likely to be very expensive.

The group reviewed the property application and map of the area, and discussed other existing and potential conservation areas in the general vicinity.

Kim Zarillo asked what type of building restrictions were connected to the site. Mike stated that there was some debate on that issue and that the EEL Program has purposefully stayed away from the debate.

Randy stated that his initial reaction would be in support of appraising the property. If it was extremely expensive, a purchase might not be warranted, but it might be good to do the appraisals if it was not expensive to do them.

Paul stated that this property was part of the Maritime Hammock Project and that he thought that un-acquired parts of the Maritime Hammock Project were included in the Blueways Project. He asked if there would be a State match on the property if it was acquired, as partnership funding would be a consideration.

Mike stated that staff would research the question.

Randy said that if the property was extremely expensive it might not be worth it, but that he would like to consider moving forward.

Paul asked if it would be possible to purchase the part of the property instead of all of it.

Kim asked if a purchase would be contingent on obtaining matching funds.

Paul stated that he would want confirmation of partnership funding before going to a second majority vote, but that he was supportive of doing appraisals.

Mike stated that it might be best to move ahead with appraisals and if it was determined that the SMC was only interested in a limited portion of the property, that could be worked out during the negotiation process. Mike said that one option would be to have a second majority vote contingent on the property having partnership funding.

MOTION THREE

Paul moved for a first majority vote on the Betrock Property

Dave seconded the motion

The motion carried unanimously.

A site visit will be arranged to the Betrock Property.

Honey-Hole Ranch Property Application

The group reviewed the application and map for the Honey-Hole Ranch property. This property is located in the Maytown Flatwoods section of northern Brevard County. Mike provided additional map information on the overhead projector while the group discussed the general area.

MOTION FOUR

Paul moved for a first majority vote on the Honey-Hole Ranch property based on its landscape position and the known ecological value of adjacent areas.

Kim seconded the motion.

The motion carried unanimously.

A site visit will be scheduled to the Honey-Hole Ranch property.

Hatcher Property

The group reviewed the application and map for the Hatcher Property. This 18.59 ± acre property is located in the South Beaches region, in the vicinity of Long Point Park. Mike informed the SMC that Ray Mojica, Land Manager for the South Beaches region had visited the site and that Ray felt it would be a nice addition to the South Beach Region. He stated if the SMC was supportive, they could do a first majority vote at this meeting and arrange for a site visit in the near future.

David stated that the owner's of the property were supportive of seeing the land conserved.

Paul requested clarification of whether or not the property was included in any of the State's acquisition boundaries.

David stated that there was a right-of-way to the ocean on the east side of A1A.

Kim asked how much ocean frontage the property included, whether or not the US Fish and Wildlife Service was still purchasing oceanfront property, and whether they might be a funding partner.

Staff will research Kim's questions.

The group agreed that this property had a higher ecological value than the Betrock property.

MOTION FIVE

Paul moved for a first majority vote on the Hatcher Property.

Kim seconded the motion.

The motion carried unanimously.

A site visit will be arranged to the Hatcher Property.

Buck Lake North and TICO Sanctuaries Interim Management Plans

The SMC discussed the Interim Management Plans for the Buck Lake North and TICO Sanctuaries. Mike explained that the plans were not a State requirement, but that the Sanctuary Management Manual stated that staff should strive to complete an interim plan within 90 days of each purchase. Documentation of these plans has been behind, but staff is in the process of catching up on this documentation.

Kim suggested that the information be presented in a format that would provide a simple way for the reviewer to add comments. Staff will research alternatives.

Dave suggested the use of quantitative data from a biodiversity standpoint in future Management Plans.

Paul suggested the rewording the phrase "*No recognizable environmental issues were identified*" in the Environmental Assessment section of the report.

Paul stated that he felt that the plans were acceptable, as written, as long as clarification of the Environmental Assessment section was provided.

The group agreed.

Public Comment:

None

NEXT MEETING:

The next meeting will be held June 30, 2006.

ADJOURNED:

The meeting was adjourned at 4:15 PM.

SUMMARY OF MEETING MOTIONS:

- Motion to approve the April 13, 2006 minutes as presented.
- Motion for a first majority vote on the Sereno Pointe Property.
- Motion for a first majority vote on the Betrock Property.
- Motion for a first majority vote on the Honey-Hole Ranch property.
- Motion for a first majority vote on the Hatcher Property.