

**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM  
SELECTION & MANAGEMENT COMMITTEE (SMC)  
June 30, 2006  
Attendance List**

***SELECTION & MANAGEMENT COMMITTEE MEMBERS***

Dave Breininger  
Mark Bush  
Ron Hight  
Ross Hinkle  
Paul Schmalzer

***EEL PROGRAM STAFF***

Sandy Carnival  
Laura Clark  
David Drake  
Mike Knight  
Katrina Morrell  
Chris O'Hara  
Brad Manley

***THE NATURE CONSERVANCY***

Danika Feodoroff  
Keith Fountain

***MALABAR AND JORDAN SCRUB SANCTUARIES MANAGEMENT PLANS ADVISORY GROUP***

Anne Birch, The Nature Conservancy  
Bob Day, St. Johns River Water Management District  
Steve Rivet, Malabar Town Council

***GUESTS***

Susan Gosselin, Natural Resources Management Office  
Liz Lackovich, District 1 Commission Office  
Maureen Rupe, Citizen  
Hank Saunders, Citizen  
Amy Tidd, Citizen

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Approved August 1, 2006*

**ENVIRONMENTALLY ENDANGERED LANDS PROGRAM  
SELECTION AND MANAGEMENT COMMITTEE  
June 30, 2006  
Meeting Minutes**

**CALL TO ORDER:**

Ross Hinkle called the meeting to order at 1:04 PM.

**PUBLIC COMMENT:**

Amy Tidd, citizen, stated that the Thousand Islands property would be coming before the Board on July 11, 2006 and suggested people review the Agenda Package as a contract was being considered that was in excess of the appraised value of the property. She expressed concern regarding the possible impact that a sale in excess of appraised value might have on future acquisitions.

Mike Knight explained that the Agenda Report was being presented to the Board of County Commissioners (Board) in a neutral format without recommendation from staff and that the position of the Selection and Management Committee (SMC) was included in the Agenda Report. He stated that consideration of the Thousand Islands (Crawford) property began as a direction from the Board so it was required to bring the item back to them for direction as an agreement on price could not be reached through the existing EEL Program land acquisition process. The Conservation Fund has negotiated a contract based on possible development assumptions which is being presented to the Board for direction.

Maureen Rupe, Citizen expressed her concern that purchase of Thousand Island property in excess of appraised value could set a new precedent that could, in the future, negatively impact the Program.

**MINUTES:**

No minutes were presented for approval.

**ADMINISTRATIVE REVIEW:**

The Administrative Review was discussed.

**SMC REPORTS**

**REAC UPDATE**

Brad Manley and Paul Schmalzer provided an update on the Recreation and Education Advisory Committee. Brad informed the SMC that there had been some concern regarding the providing of feedback to REAC Committee members related to their comments on Draft Public Access Plans because the Management Plan Approval Process takes almost a year to complete. Paul stated that REAC Committee comments related to EEL Sanctuary Public Access plans had been incorporated in the Draft Management Plans to the extent possible. Brad explained that the status of each REAC motion since the Committee's first meeting in July of 2005 was reviewed with the Committee at the June meeting. The REAC Committee

will not be holding a meeting in July. Their next meeting, on August 11, 2006, will include discussion of the South Beaches Public Access Plans. Staff hopes to arrange a field trip to the South Beaches for the REAC members prior to the August meeting. Paul will not be able to attend the August REAC meeting. Staff will check with other SMC members to see if they might be able to attend.

## **STAFF REPORTS**

### **Volunteers and Public Access – Brad Manley**

Brad Manley gave a PowerPoint presentation on recent volunteer and other public events for the Program.

- ❖ North Region activities include Earth Day with 500 participants; volunteer efforts by the Enchanted Forest Deadheaders group, who work in the Butterfly Garden; Friends of the Enchanted Forest membership drive; plus exotic plant control efforts in the Dicerandra Scrub Sanctuary by an Outward Bound group.
- ❖ Central Region continues the archeological dig at the Sams house in the Pine Island Conservation Area.
- ❖ South Beach Region boardwalk, which is partially funded by a \$50,000 grant from the Coastal Management Program, is 95% complete as a result of large volunteer efforts by staff, local school groups, and various individuals.
- ❖ Annual Volunteer Banquet is scheduled for July 14, 2006.

### **Environmental Education – Katrina Morrell**

Katrina Morrell, the EEL Program's new Environmental Education Coordinator, also gave a PowerPoint presentation on recent educational activities.

- ❖ North Region
  - School Groups and Summer Camps – 748 visitors.
  - Advanced Guide Training Night Hike – 31 participants.
  - 2 North Region staff have completed Project Wild Training.
  - Enchanted Forest featured on Ace Hardware Pond Tour – 150 visitors.
  - Wildlife Tracking Program for adults.
  - Sunday Funday, 3<sup>rd</sup> Sunday of every month, May butterflies – 50 attendees.
- ❖ Central Region
  - New Interpretive Panels at the Pine Island Conservation Area (PICA).
  - Marsh restoration sign for boaters at PICA.
  - Quest Elementary School Earth Day at PICA .
  - Barrier Island Center theme revised: From ocean to lagoon, all things are connected.
- ❖ South Region
  - Future plans include South Region interpretive plan and new trail signs for Malabar Scrub Sanctuary.
  - Staff presentation at a garden club meeting.
- ❖ South Beach Region
  - New trail information in all kiosks.

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- Newsletter reformatted.
- Coconut Point Brochure.
- ❖ General Education Notes
  - The EEL Program has signed a community partnership agreement for the grant funded InStep Program with Florida Institute of Technology.

Katrina also explained that she has recently been certified as an Interpretive Trainer through the National Association for Interpretation. This means Katrina can train staff and volunteers so that the EEL Program will have nationally certified guides leading hikes and educational programs. She is one of four people in Florida to achieve this certification.

**THE NATURE CONSERVANCY:**

Keith Fountain presented The Nature Conservancy's May 24, 2006 Report to the Selection and Management Committee.

**OLD BUSINESS:**

**Draft Management Plan Reviews**

Chris O'Hara provided an overview of the Management Plan approval process and explained that the draft management plans for the Malabar Scrub and Jordan Scrub Sanctuaries would be discussed at today's meeting. He introduced Steve Rivet from the Malabar Town Council, Bob Day from the St. Johns River Water Management District, and Anne Birch, from The Nature Conservancy, who were on the Malabar and Jordan Scrub Sanctuaries Management Plans Advisory Group.

Information on both plans has been provided to the appropriate municipalities, the Management Plan Advisory Group, local stakeholders, the Selection and Management Committee (SMC), and the general public. The Draft Management Plans are available on the EEL Web Site. Comments received will be documented, and incorporated into the draft plan when appropriate.

**Malabar Scrub Sanctuary Draft Management Plan Review**

Chris O'Hara provided information on the draft Management Plan for the Malabar Scrub Sanctuary. This is a Category I site proposed for a Management and Education Center.

❖ **Public Access Plans**

**Tract 1 - East**

- Provide almost 6 miles of multi-use trails.
- ¾ mile ADA trail.
- Closing small sections of trail to protect existing gopher tortoise burrows and provide greater emphasis of maintenance on remaining trails.
- Parking and boardwalks are in place.
- One additional footbridge.

**Tract 2 - West**

- One additional multi-use trail.
- Trail improvements.

- 1.1 miles of mountain bike and hiker only trail.
- Possible ½ mile of additional mountain bike and hiker only trail.

❖ **South Region Facilities (Management and Education Centers)**

- Tentative plans are for the Management and Education facilities to be two separate buildings. Consideration will be given to alternatives that cause the least possible impact to the natural resources.

❖ **Restoration**

**Tract 1 - East**

- Established sanctuary will require a small amount of restoration and routine maintenance.

**Tract 2 – West**

- 1943 aerial photograph shows the previously open landscape which has become overgrown due to fire suppression.
- Purchased recently, this area requires a large restoration effort to restore the habitat of a core conservation area that will be managed for Scrub-Jays and other scrub species.

**Comments:**

- ❖ SMC comments were forwarded to Chris prior to the meeting.
- ❖ Anne Birch also forwarded written comments prior to the meeting. She requested that they be distributed to the SMC and other Management Plan Advisory Group members.
- ❖ Steve Rivet stated he felt that the plans did not include specific information regarding plans for fencing or prescribed fire; on how to address concerns regarding illegal uses like hunting and ATV activity; and that they did not include timeframes for accomplishing work.
- ❖ Steve stated the fuel that has accumulated on the sites was a strong concern for residents bordering the sanctuary.
- ❖ Anne suggested that the Management Plans be used as a means for recording the acquisition history, the management history, and relationships with state and local municipalities at each site.
- ❖ Anne spoke of the importance of adequate parking.
- ❖ Bob Day suggested that EEL staff consider including comments and other specific information that had been requested as appendices to the Management Plan.
- ❖ Ron Hight asked if there were plans to provide equipment fueling at the sanctuary.

Chris explained that although specific information was not always included in the Management Plans, fencing plans were included with the firebreak information and that it was anticipated that the fencing for the Malabar West section would be going out to bid in a few weeks. A plan for prescribed fire is currently included in the appendices. Additional information will be included in the Plan's appendices or as amendments.

Chris explained that the EEL Program was working closely with the Agriculture/Marine Officer at the Sheriff's Office and with Fish and Wildlife Conservation Officers related to illegal activity at the sites. Steve said that the Town of Malabar would be willing to discuss funding in that area.

There are no plans to provide equipment fueling capabilities at the Malabar Scrub Sanctuary.

Chris explained that a restoration plan for the western portion was going to be written and that the public would be notified and given an opportunity to provide comment as the restored area will be quite different from the way the site looks now.

David Drake explained that EEL Program and Parks & Recreation staff were currently working on a land acquisition database that would track acquisition and management plan activity and he invited anyone with experience with this type of database to provide suggestions.

### **Jordan Scrub Sanctuary Draft Management Plan Review**

Chris provided information on the Jordan Scrub Sanctuary Draft Management Plan. This is a Category II site with minimal capital development.

#### ❖ **Public Access Plans**

- No facilities will be constructed at this site.
- Trail use.
- Small boardwalks, possibly an overlook tower or observation deck in the future.

#### ❖ **Security**

- Staff continues work to end illegal use – ATV activity, illegal dumping.
- Fence installed in 2004 has required approximately \$5,000 in repairs.
- Sheriff's Dept. and FWC law enforcement now getting involved.
- Habitat in some areas is recovering as a result of the decrease in illegal use, especially in the wetland areas.

#### ❖ **Restoration**

- Some restoration complete.
- Additional restoration to reduce the overall height of the sand pine and the scrub will be partially funded through mitigation.
- This sanctuary will be managed for Scrub-Jays and other scrub species.

#### ❖ **Parking**

- Parking needs and provisions are being clarified.
- Possible Memo Of Understanding with Town of Malabar.

Mike stated the next step would be for Chris to review all comments, incorporate those that were appropriate, and re-distribute the Draft Management Plan back to the Advisory Committee Members and the SMC with the hope of coming back to the SMC for approval or recommendation at their next meeting.

Ross recommended that staff document the comments and responses as part of the Management Plan, perhaps in the appendix. Mike confirmed that comments would be documented, whether they were incorporated into the Plan, or not.

Steve indicated he felt communication between the EEL Program and the Town of Malabar was improving but needed a great deal of work. He said that in his opinion, the biggest irritant they had was that Malabar was not consulted regarding possible EEL Program acquisitions, and that they did not have veto over the acquisition of large amounts of land. He suggested the EEL Program consider establishing a maximum amount of land to be

acquired within the Town boundaries and stop when acquisition reached that point. He suggested continuing communication efforts and stated that in the long term, the Program and the Town should be working together, and that he thinks they can.

### **Other Discussion**

Ross explained that the order of the meeting agenda was being shifted slightly to allow for all items requiring a second majority vote to be presented first, due to time constraints.

### **Miami Corporation Site Visit Report Review**

Mike explained that he, David and Paul had attended a Miami Corporation Site Visit which was coordinated by Miami Corporation on June 20, 2006. The group reviewed Paul's report of the trip. Mike explained that the Miami Corporation has requested that the SMC review maps and attempt to indicate a conceptual environmental corridor system that they could consider during their planning process. Mike stated that he realized that it could be difficult to come up with something quickly, but if the SMC could determine a general idea of the areas that it was most important to protect, it was anticipated that additional information regarding a potential environmental corridor would be requested from the SMC in the future.

The SMC discussed a variety of proposals and determined a corridor that they felt would be a good starting point for discussion. Their suggestion included the areas currently set aside by the Miami Corporation as a mitigation bank, plus an additional preservation zone running north to south along the old FEC right of way.

### **Sereno Pointe Property - Parcel ID # 22-35-05-00-262**

This 383.93 ± acre parcel is located near Titusville. The SMC site visit was held on May 10, 2006. The SMC reviewed the Project Design Report (PRD) for the Sereno Pointe Property and discussed the property boundaries and habitat quality while reviewing the maps provided.

#### **MOTION ONE**

**Paul moved to proceed with the second majority vote on the Sereno Pointe Property. Dave Breininger seconded the motion. The motion carried unanimously.**

Ross provided clarification for the audience that many of these properties have been discussed extensively at previous meetings.

### **North Indian River Lagoon Project Expansion**

Paul provided an overview of the information included in the June 15, 2006 SMC site visit to the North Indian River Lagoon Project Expansion properties. The SMC reviewed and discussed the reports. These properties are all along the lagoon, and help to extend the Chain of Lakes Project protected area. Habitats are mostly hydric and mesic hammock, with some Brazilian pepper in disturbed areas along the rail road tracks. Although the properties are not available for current matching funds from the State, it is anticipated that an amendment to the North Indian River Lagoon Project Boundary will be prepared to include these areas, along with several others.

## **MOTIONS TWO THROUGH NINE**

**Mark made a motion for a first majority vote on the Itily Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote on the Medilands Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote on the Gal Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote on the Cherven Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote on the Storey Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote for a conservation easement on a portion of the Praxair Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote on the Bohne/Coleman Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

**Mark made a motion for a first majority vote on the JJ Parrish Jr. Estate Property.**

**Paul seconded the motion.**

**The motion carried unanimously.**

### **Boyd Property – Parcel ID# 24-36-24-00-2**

This 120 ± acre property is located on the east side of Sykes Creek, in Merritt Island. An SMC site visit was done on February 9, 2006. The SMC reviewed the Project Design Report and discussed the property's habitat and other areas in conservation that were adjacent to the property.

Clarification of some of the items on the Project Design report was requested and provided:

- ❖ Assessed value – taken from Property Appraiser's Web Site.
- ❖ Perceived Value – environmental perceived value.

Suggestions were provided for the report's format:

- ❖ Input regarding the perceived value would be beneficial.
- ❖ Asking price for the property.
- ❖ Identification of funding sources and clarification of project area and project phase.
- ❖ Has partnership funding amount been confirmed.
- ❖ Removal of the TNC name from the funding part of the report that shows partnership funding.

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- ❖ Clarification whether a property being considered for acquisition already has a conservation easement in place.

#### **MOTION TEN**

**Paul made a motion, with the above clarifications, to move forward with a second majority vote on the Boyd Property.**

**Ron Hight seconded the motion.**

**The motion carried unanimously.**

The group discussed the boundaries of the Blueways Indian River Lagoon Project, Phase 1 and possible Phase 2, and GIS issues associated with representing the map information correctly.

#### **DiChristopher Property Parcel ID# 24-36-24-00-1**

This 148.06 ± acre property is adjacent to the Boyd property on the east side of Sykes Creek in Merritt Island. An SMC site visit was done on February 9, 2006. The SMC reviewed the Project Design Report and discussed the property's habitat. Purchase of the Boyd and DiChristopher properties will fill a gap in a conservation area that exists adjacent to Parks and Recreation's Ulumay Sanctuary.

#### **MOTION ELEVEN**

**Paul moved for a second majority vote on the DiChristopher property.**

**Mark Bush seconded the motion.**

**The motion carried unanimously.**

#### **Vistar Property Parcel ID# 29-38-10-00-250, 29-38-10-25C, 29-38-10-25D, 29-38-10-25E**

This 78.50 ± acre property is located on the Indian River Lagoon near the EEL Program's Hog Point Sanctuary. An SMC site visit was done on August 25, 2005. Part of the existing impoundment is on County property. The group reviewed the Project Design Report for the Vistar property.

Clarification was provided that the current motion only covered the Vistar Property and that consideration of the nearby Fleis and Eason properties were contingent on acquisition of the Vistar parcel. The Vistar property is within the Florida Forever Blueways Project Boundaries so it may be possible that the State could partner in this acquisition.

Ross asked if access was a concern. Keith confirmed that there was access through the neighborhood to the north.

#### **MOTION THIRTEEN**

**Mark moved for a second majority vote on the Vistar property.**

**Dave seconded the motion.**

**The motion carried unanimously.**

#### **Johnson Property Parcel ID# 29-36-36-00-255, 29-36-36-00-504**

This 100.10± acre property is located on the north side of Hall Road, on Merritt Island. An SMC site visit was done on February 9, 2006. The property is near, but not adjacent to existing conservation lands in the area. The SMC reviewed the Project Design Report for the Johnson property.

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Ron asked if any of the other property owners in the area had been contacted to determine if they were willing sellers. Keith stated some of the other property owners in the area had expressed a possible interest in using their lands for mitigation.

#### **MOTION**

**Paul moved for a second majority vote on the Johnson property.**

**Ron seconded the motion.**

**The motion carried unanimously.**

#### **Viera Blvd. Commerce Park Property**

##### **Parcel ID# 25-36-35-TG-1, 26-36-02-TG-2, 26-36-01-TG-3**

The Viera Blvd. Commerce Park Property is within the original Brevard Coastal Ecosystem Project boundary, and is located on Silicon Avenue in Viera, south of Viera Blvd. and east of US 1. Staff requested input from the SMC to determine if the area should still be considered for acquisition due to the amount of development that has occurred in the immediate area. An SMC site visit was done on June 8, 2006. The site visit report was reviewed.

The following comments were noted:

- ❖ It is anticipated that the cost for this property would be very high.
- ❖ Although, the property is one of the last pieces of available scrub within the original Brevard Coastal Scrub Ecosystem project boundaries, there is no confirmation that the State would be a willing funding partner.
- ❖ The property is primarily sand pine scrub and scrubby flatwoods.
- ❖ Concern was expressed because of the clearing that has taken place on the site.
- ❖ The property is located in a proposed industrial park.
- ❖ A portion of the property which was being considered for acquisition has been sold, so the amount of property that is available for purchase has been reduced from what was originally discussed. The original area was approximately 75 acres. It is anticipated that approximately 50 acres may remain available for purchase.
- ❖ Concerns were expressed regarding the amount of development in the area.
- ❖ There are potential plans to build three 5 story office buildings nearby.
- ❖ Conservation areas, near, but not adjacent to this property include:
  - Viera DRI Conservation - 500 acres
  - EEL Program's Cruickshank Sanctuary – 140± acres
  - Capron Ridge Mitigation Donation – 21 acres
- ❖ A possible mitigation donation that would provide a connection to an existing conservation area for this site was previously being considered for donation to the EEL Program, but that donation may not come to fruition.
- ❖ It is possible that there may be an eagle's nest, along with evidence of gopher tortoises on the property.
- ❖ There are no Scrub-Jays on the site, but it could be restored to appropriate Jay habitat with the proper management.
- ❖ Any additional conservation of scrub landscape in this area could have a positive impact on the conservation of the region.
- ❖ It would be very difficult to confirm that the property would be a viable conservation landscape without a connection to another conservation area.
- ❖ There has been no report of rare or unusual scrub plants on this property.

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## **MOTION FOURTEEN**

**Paul moved for a second majority vote on the Viera Commerce Park Blvd. property. Dave seconded the motion.**

### **Additional Discussion**

Members of the SMC expressed concern regarding the potentially high cost of the property related to a cost/benefit ratio. Mike explained that staff reviews all potential contracts during the negotiation process and staff may come back to the SMC for advice, but that at times, staff will be making some decisions regarding which properties the EEL Program should purchase. A second majority vote authorizes negotiation of a contract, but the contract may not always be executed.

**Ross called for a vote.**

**Four SMC members voted yes, one member voted no.**

**This motion did not pass, as a second majority vote requires a supermajority (5 of 7) vote from the Committee.**

## **Betrock Property (fka Markogiannakis) Parcel ID# 29-38-10-00-501**

The Betrock property, formerly known as the Markogiannakis property has been previously considered by the SMC, but has not been able to be acquired to date. This 6.5± acre property is located on the Indian River Lagoon in south Melbourne Beach.

The property, which is directly adjacent to the EEL Program's Hog Point Sanctuary, contains a potential Indian Burial Mound. Approximately one third of the property has been cleared. Mike explained that the new owner's recently contacted the EEL Program to determine if the Program was still interested in acquisition. It is anticipated that the cost of this property will be quite high.

## **MOTION FIFTEEN**

**Paul moved to table the second majority vote on the Betrock property until after the SMC completed a new site visit.**

**Ron seconded the motion.**

**The motion carried unanimously.**

## **Other Discussion**

Dave distributed a Brevard Nature Alliance Report on Scrub-Jays for the SMC members to review. Additional information on this topic will be provided in the future.

## **NEW BUSINESS:**

### **Spangler Property**

Mike reported that the EEL Program has been approached by the owners of approximately 37 acres of property in Titusville which is located south of Garden Street between Carpenter Road and I-95. A map of the property was reviewed. The property is reported to be mostly wetlands and it appears that the area would need to be filled to be developed. The small size of the parcel, isolation from other conservation lands and fragmentation by I-95 from the Sereno Point property limits the conservation value of the property.

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## **MOTION SIXTEEN**

**Mark made a motion to decline the Spangler property from further consideration.**

**Paul seconded the motion.**

**The motion carried unanimously.**

## **Vistar Realty #2**

Mike reported that the owner of the Vistar property which was recently reviewed by the SMC has requested that the SMC also consider three additional parcels totaling approximately 11 acres located adjacent to the Hatcher property. The SMC reviewed a map of the parcels. It was determined that a site visit should be scheduled for the Committee.

## **Other Discussion**

A tentative site visit date of Friday, July 7, 2006 at 9:00 AM was set for Betrock, Hatcher, and Vistar 2 and a tentative date of Wednesday, July 19, 2006 was set for the Honey Hole Ranch. Staff will check with SMC members who were not at the meeting to determine if these dates are convenient for those who would like to attend.

## **NEXT MEETING:**

The next meeting will be held on August 1, 2006. Location to be determined.

## **ADJOURNED:**

The meeting was adjourned at 4:10 PM.

## **SUMMARY OF MEETING MOTIONS:**

- Motion for a second majority vote on the Sereno Pointe property
- Motion for a first majority vote on the Itily property
- Motion for a first majority vote on the Medilands property
- Motion for a first majority vote on the Gal property
- Motion for a first majority vote on the Cherven property
- Motion for a first majority vote on the Storey Property
- Motion for a conservation easement on a portion of the Praxair property
- Motion for a first majority vote on the Bohne/Coleman property
- Motion for a first majority vote on the J.J. Parrish, Jr. Estate property
- Motion for a second majority vote on the Boyd property
- Motion for a second majority vote on the DiChristopher property
- Motion for a second majority vote on the Vistar property
- Motion for a second majority vote on the Johnson property
- Declined motion to for a second majority vote on the Viera Blvd. Commerce Park property
- Motion for a second majority vote on the Betrock property was tabled until after the site visit
- Motion to decline from further consideration, acquisition of the Spangler property

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