

**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM  
RECREATION AND EDUCATION ADVISORY COMMITTEE  
March 14, 2007  
Attendance List**

***RECREATION AND EDUCATION ADVISORY COMMITTEE MEMBERS***

Jim Durocher  
Murray Hann  
Mark Nathan  
Eve Owens  
Beverly Pinyerd  
Paul Saia

***SUB-COMMITTEE MEMBERS***

Barbara Meyer, Brevard County, Bicycle/Pedestrian Trail Program Coordinator  
Paul Schmalzer, Selection and Management Committee

***EEL PROGRAM STAFF***

Sandy Carnival  
Laura Clark  
Mike Knight  
Brad Manley  
Chris O'Hara

***GUESTS***

John Ide, Citizen  
Hans Kimmler, Town of Malabar  
Mary Spahr, Citizen  
Kim Zarillo, Selection and Management Committee

*March 14, 2007  
Approved May 10, 2007*

**ENVIRONMENTALLY ENDANGERED LANDS PROGRAM  
RECREATION AND EDUCATION ADVISORY COMMITTEE**

**March 14, 2007  
Meeting Minutes**

**CALL TO ORDER:**

Murray Hann called the meeting to order at 6:07 PM.

**PUBLIC COMMENT:**

None

**MINUTES:**

None

**AGENDA ITEM**

**Proposed Amendment to the Malabar Scrub Sanctuary Public Access Plan**

A request has been received to reconsider having a dual use, paved linear trail that would function as the Malabar Scrub Sanctuary's northern and eastern boundary fire lines and also provide for passive recreational opportunities.

Mike Knight, EEL Program Manager distributed information regarding a request for a pilot project paved linear trail in the Malabar Scrub Sanctuary. This information was compiled at the request of the EEL Program's Selection and Management Committee (SMC) for consideration by the EEL Program's Recreation and Education Advisory Committee (REAC).

Mike explained that staff would be recommending that the REAC Committee pass a motion in support of the pilot project trail under the circumstances outlined in the document being distributed at the meeting.

Clarification was provided that prior to the development of the trail, several issues need to be addressed to ensure that the ecological impacts to the site are given consideration. It is anticipated that EEL Program Staff will work in conjunction with the Linear Trail Project Coordinator to develop a plan that would allow for the placement of a pilot project trail on part of the sanctuary's fire line, while addressing all of the EEL Program's concerns regarding ecological impacts, management and monitoring requirements.

Mike provided information on the Public Access Plan as previously approved on February 6, 2006 and the proposed pilot project trail. He informed the group that questions and comments would be welcome during the presentation. The following was noted:

- It is understood that this would be a dual-purpose trail that would serve as a fire line and for passive recreational purposes.

- The proposed trail would be 4,800± feet long and 10± feet wide in most places. This calculates to a total impact zone of 1.1± acres. This calculation does not include additional pervious stabilization to protect the edge of the pavement, or drainage swales that may be required. In staff's discussion with Barbara Meyer, it is understood that there is a process in place to request waivers regarding federal funding to reduce trail width in sensitive landscapes to minimize site impacts related to drainage requirements. It is anticipated that the trail will run along the eastern sanctuary boundary near Marie St.
- It is felt that the trail can be located on the existing fire line.
- The existing fire line is a sandy, mineral soil cleared line.
- The fire line along the east border of the sanctuary would be paved to allow for access to the area by people with strollers and in-line skaters, plus bicyclists and others who do not have the ability to traverse a dirt trail.
- Consideration was given to impervious surfaces, but it was determined that they might not support the weight of the fire equipment that would be using the trail during management activities.
- There are current plans to relocate the existing fire line in a few areas. The EEL Program can absorb the cost of clearing the trail line in these areas.
- Clarification was provided it would not be appropriate to spend EEL Program funds for paving or management of the trail.
- Clarification was provided that one of the reasons this project was not included in previous public access plans is that when EEL Program staff determines the level of passive recreation in each site, consideration is given to available staff resources that are required to maintain trails and monitor the impact to the natural resource.
- An inter-local agreement in which the County's Parks & Recreation Department would take the lead on applying for grants, coordinating construction, and continuing management of the trail.
- Issues with day-to-day use, trail users and trash of the trail will likely fall to P&R.
- Clarification was provided that the EEL Program would not be paying P&R for their participation in this project.
- The EEL Program will maintain and mow along side the paved trail edges which would be native vegetation only.
- The paved trail will be built to specifications that would allow fire equipment to use the trail as needed.
- The paved trail will be closed at times to allow for sanctuary maintenance and management, including, at times, the use of prescribed fire.

- The Malabar Scrub Sanctuary is a Category I site, which means it is geared to a higher level of public access and education than most of the EEL Program Sanctuaries. A Management and Education Center is planned for this site in the future.
- Staff has determined that there is one wetland along the upper portion of Marie Street that would require approximately 200 linear feet of boardwalk to traverse.
- The EEL Program will not be responsible for funding of the boardwalk.
- On February 9, 2007, EEL Program staff and Paul Schmalzer, Selection and Management Committee member, completed an assessment of the proposed trail layout and determined that no sensitive plant species would be directly impacted by the trail. Staff does not feel there would significant impacts to animal species beyond the current impacts of the fire line.
- This trail is being developed as a pilot project, specific to the Malabar Scrub Sanctuary only, and it is not a blanket endorsement of paved trails on EEL Program Sites.
- Committee members made a request to review the Greenways and Trails progress and future plans.
- As required in the EEL Program's Sanctuary Maintenance Manual, there will be continual management and monitoring of the impacts to the ecosystems and sites within the natural areas.
- Concern was expressed regarding possible additional damage to habitat by paving equipment. Clarification was provided that this concern would be addressed by the language of the paving contract.
- Concern was expressed that in some areas, the only undeveloped land that is left is designated as conservation land, and that other interests, i.e. storm water management, recreation, utility easements, etc. would be continually placing more and more demands on lands that were supposed to be set aside for conservation.
- Concern was expressed that in the event that the activities of other interests do impact conservation lands, there should be mitigation payment to the conservation area.
- Concern was expressed that the primary function of conservation lands should be conservation.

Mike explained that if the motion was passed by the REAC Committee, it was anticipated that the amended management plan would be presented to the SMC on March 28, 2007 and to the Board of County Commissioners on April 10, 2007. If passed by those two groups, the amended management plan will be sent to the State's Acquisition and Restoration Council for their review, as the State was a funding partner in the purchase of this land and therefore holds title, with the EEL Program as managing entity.

## **Motion One**

**Eve Owens moved to support the proposed pilot project paved linear trail at the Malabar Scrub Sanctuary under the criteria as documented in the handout that was provided by staff at the meeting, as follows:**

- **Staff has determined that there is one wetland along the upper portion of Marie Street that would require approximately 200 linear feet of boardwalk to traverse.**
- **Staff believes it is possible to locate the trail within the fire line. The current width of the fire line varies and will increase in some locations due to the relocation of the fire line to the boundary. As design moves forward, staff will work with the trail planners to identify construction options that have the least amount of impact to the ecological resources of the site. The required inter-local agreement and the revised management plan will need to specify that there will be EEL management activities that from time to time that will temporarily impact the use of the trail (fire operations, fire line maintenance, etc.)**
- **Asphalt appears to be the most logical option as long as it is built to appropriate specifications to accommodate the weight of a BCFR brush truck with a full water tank.**
- **The priorities for EEL staff need to remain resource protection, habitat restoration, and managing and monitoring current public use. Therefore, the EEL Program should not be responsible for: a) obtaining or managing grants to fund this project; b) obtaining permits, if needed, from regulatory agencies; c) compensation or mitigation due to trail construction, if required, and d) repairing or maintaining the linear trail. All costs of construction, upkeep, and ensuring issues of enforcement, e.g. trash-dumping, ATV abuse, are dealt with by Partners, not the EEL Program.**
- **Staff agrees that management of the trail needs to fall to another agency so that staff time is not taken away from natural resource based management activities. The EEL Program can maintain existing mowing activities along the edges of the trail, but should not be responsible for added expense of blowing or clearing debris that collects on the trail. A management option that satisfies staff's concerns related to management could specify that the County P&R Department become the primary managing entity of the trail under the EEL Program's ecological requirements, with an inter-local agreement between P&R and the Town of Malabar specifying that the Town provide the day to day management of the trail (trash, debris, signage, vandalism, user issues, etc.) It also needs to be clearly specified that pets will not be allowed within the sanctuary boundary as per County ordinance. Staff has had initial discussions with Parks & Recreation (County) staff and everyone agrees that P&R is the logical managing entity of the trail.**
- **Each future trail request should be dealt with on a case-by-case basis by the EEL Program.**

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- The good will generated by participation in this project is very important to the support of the EEL Program long term.
- In addition, staff is proposing that the paved trail be locating on the existing dirt road that enters the property illegally from the Marie St. right-of-way. EEL staff will make every attempt to solve the right-of-way issue prior to the design of the trail. If the issue can be solved within the design time frame, this dirt road would be relocated to the existing legal right-of-way so that landowners to the north can continue to access their property.
- Consideration needs to be given to edge effects associated with the trail. For example, it needs to be understood that vegetation management associated with the ecological goals of the site are a primary consideration. This includes periodic mechanical cutting of oaks, and thinning and or removal of other trees and other vegetation. Staff agrees and this will be included in the revision to the management plan and any associated agreements.

Jim Durocher seconded the motion.

The motion carried by a vote of 5 to 1.

***NEXT MEETING:***

The next meeting will be held May 10, 2007

***ADJOURNED:***

The meeting was adjourned at 7:55 PM.

***SUMMARY OF MEETING MOTIONS:***

- Motion to support the proposed pilot project paved linear trail at the Malabar Scrub Sanctuary under the criteria as documented above.