

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

**August 1, 2006**

**Attendance List**

***SELECTION & MANAGEMENT COMMITTEE MEMBERS***

Dave Breininger  
Mark Bush  
Ron Hight  
Ross Hinkle  
Paul Schmalzer

***EEL PROGRAM STAFF***

Sandy Carnival  
Laura Clark  
Xavier de Sequin des Hons  
Joanie Faulls  
Judy Gregoire  
Mike Knight

***THE NATURE CONSERVANCY***

Keith Fountain  
Rebecca Perry

***GUESTS***

Susan Gosselin, Brevard County Natural Resources Management Office  
Jack Ippel, Jack Ippel Commercial Realty  
Liz Lackovich, District 1 Commission Office  
Mark Ryan, City of Titusville  
Ray Rivera, Coldwell Banker  
Paul Schlueb, Citizen

*August 1, 2006  
Approved September 26, 2006*

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

**August 1, 2006  
Meeting Minutes**

**CALL TO ORDER:**

Ross Hinkle called the meeting to order at 1:06 PM.

**PUBLIC COMMENT:**

None

**MINUTES:**

**May 25, 2006**

The May 25, 2006 Selection and Management Committee (SMC) meeting minutes were presented for approval.

Ross asked for comments to the May minutes.

Paul Schmalzer provided comments on three items:

1. Two names were listed on one line on the attendance sheet.
2. The second paragraph on page three should end in a period instead of a comma.
3. The last sentence in the second paragraph on page three was confusing.

Staff will revise the draft minutes.

*(Re: Item 3 - Sentence changed from "The issues are really a project of the policy that we have to work under," to "The issues are really a product of the policy that we have to work under.")*

**MOTION ONE:**

**Paul Schmalzer moved to approve the May 25, 2006 minutes as amended.**

**Ron Hight seconded the motion.**

**The motion carried unanimously.**

**June 30, 2006**

Ross asked for comments to the June 30, 2006 draft meeting minutes.

Paul Schmalzer provided comments on several items:

1. Page 2, Staff reports, Brad. Bullet 1. Remove period after the word "plus".
2. Page 2 Staff reports. Katrina, Add comma after "Coordinator".
3. Page 7, Boyd, Project Design report structure. Consider rewording.
4. Page 11, Summary of Motions. Clarify that second majority vote on Betrock property was tabled until after the site visit.

Staff will revise the draft minutes.

*(Re: Item 3 – Changed from: "Has confirmation of partnership funding amount been confirmed, and if not, what steps will be taken to confirm this funding", to "Has partnership funding amount been confirmed".*

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*(Re: Item 4 – Changed from: “Motion for a second majority vote on the Betrock property” was changed to “Motion for a second majority vote on the Betrock property was tabled until after a site visit could be arranged”)*

**MOTION TWO:**

**Paul moved to approve the June 30, 2006 minutes as amended.**

**Ron seconded the motion.**

**The motion carried unanimously.**

**ADMINISTRATIVE REVIEW:**

The Administrative review was reviewed.

**STAFF REPORTS:**

**North Region**

Judy Gregoire gave an informative presentation on recent events in the North Region. Highlights included:

- ❖ Upcoming prescribed burns at Sterling Forest, Enchanted Forest Sanctuary Scrub area, South Lake Conservation Area.
- ❖ Forest Funday Events.
- ❖ Earth Day Events – approximately 500 visitors.
- ❖ Night time and early morning hikes for Advanced Forest Guide Training.
- ❖ Barbara Hoelscher, Martha Pessaro, and Suzanne Meyer of the Friends of the Enchanted Forest received Titusville Community Service Awards for their volunteer work at the Sanctuary.
- ❖ Gopher Tortoise work continues.
- ❖ Pending Amendment to Enchanted Forest Sanctuary Management Plan – Public Meeting August 15, 2006 at the Forest.
- ❖ Work continues on Indian Mound Station Sanctuary Interim Management Plan

**THE NATURE CONSERVANCY:**

Keith Fountain provided the acquisition report to the Selection and Management Committee.

**OLD BUSINESS:**

**Dicerandra Scrub Sanctuary Management Plan Approval**

An updated Dicerandra Scrub Sanctuary Management Plan, which was recently redistributed to the SMC for their review was presented for approval.

Paul Schmalzer commented that Judy had done a good job of responding to comments on the previous draft and suggested updating one of the maps as a final change to the document.

*Staff will update the map as requested.*

**MOTION THREE**

**Ron Hight moved to approve the Dicerandra Scrub Sanctuary Management Plan, as presented, with a change out of one map.**

**Paul Schmalzer seconded the motion.**

**The motion carried unanimously.**

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

Mike explained that there may have been some confusion during the June 30, 2006 meeting when the Viera Blvd. Commerce Park Property was presented for a second majority vote. Clarification was provided that a second majority vote requires a super majority (5 of 7) to pass. A vote was taken, but only four of the votes were in support of a second majority vote for this property. There was one vote in opposition of the second majority vote.

Although the June minutes correctly indicated that the motion did not pass, Mike asked the Committee for suggestions on how to proceed in order to provide clarification in the event that the discussion had not been clear to everyone in attendance at the meeting,

It was determined that discussion on the Viera Blvd. Commerce Park Property would be tabled until after the September 8, 2006 prioritization workshop.

### **MOTION FOUR**

**Paul Schmalzer moved to table the Viera Blvd. Commerce Property until after the prioritization workshop.**

**Ron Hight seconded the motion.**

**The motion carried unanimously.**

## **Betrock Property (fka Markogiannakis)**

The Betrock Property was presented for a second majority vote.

As the SMC reviewed the Project Design Report (PDR) for this property, Mike commented that staff had added comments from land management staff on perceived conservation value of the property, in the context of the rest of the EEL network of sanctuaries.

Paul Schmalzer reviewed the site visit report which was included with the PDR and commented that clarification of funding sources and/or acquisition partners was not listed in the current PDR, as previously requested.

Kim Zarillo commented that she believed she had asked for clarification of whether or not the Fish and Wildlife Service was still acquiring any property in the area.

Keith Fountain provided clarification that the Betrock property is in the Florida Forever Blueways Project.

Mike requested clarification from Paul regarding his preference in having properties submitted at all without the information on the funding sources, as that information is sometimes not easy to obtain.

Paul stated that if a property has been in a project, then he felt staff should try to determine if the property remains in the project, as the availability of matching funding is an important consideration.

Clarification was provided that even if properties are in Project areas, there is no longer a guarantee of matching funding.

Keith suggested consideration of going ahead and negotiating, in some extraordinary cases.

David Drake clarified that the second majority vote was required to begin negotiations.

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Mike stated that if the Program goes through the appraisal process, it is best to at least negotiate, because we really don't know where we stand with a potential funding partner, unless we have clarification of a purchase price.

Paul Schmalzer stated that the property met criteria for acquisition in that it contained plant communities of limited distribution, with one rare plant on the disturbed portion of the site, and that it was adjacent to an existing EEL Program Sanctuary. He suggested consideration of allowing negotiations to move forward, to see what type of cost would be involved. He stated that if the price was too high, the property might not rank as high priority on cost benefit analysis, but that we could not know that in any detail without going through negotiations. The group expressed their agreement.

#### **MOTION FIVE**

**Paul Schmalzer moved to approve a second majority vote on the Betrock property.**

**Kim Zarillo seconded the motion.**

**The motion carried unanimously.**

#### **Additional Discussion**

The group discussed some of the complexities of land acquisition in the current market and possible methods for consideration of overall cost/benefit. Provisions exist within the Land Acquisition Manual for contracts to be brought back to the SMC for additional consideration after price negotiation and before providing a final recommendation to the Board of County Commissioners for approval. EEL Staff is in the process of creating a flow chart to assist in clarifying the acquisition process.

#### **Hatcher Property**

The Hatcher Property was presented for a second majority vote.

The SMC reviewed the PDR Report for this property. Ross and Paul visited the site and prepared site visit reports which were included in the PDR. This property contains habitat that is consistent with other Barrier Island conservation sites. It appears that the site would be manageable, and would fit within the context of the Barrier Island ecosystem.

The group discussed the possibility of having the state as a funding partner through the Archie Carr National Wildlife Refuge.

#### **MOTION SIX**

**Paul Schmalzer moved to approve a second majority vote on the Hatcher Property, contingent on receiving partnership funding through the State of Florida, or other State matching funds.**

**Kim Zarillo seconded the motion.**

*Discussion:*

Ron Hight asked if the property had beach access. Clarification was provided that there was a five foot path to the beach, which was presently overgrown. The group discussed possible issues in maintaining that type of path.

**The motion carried unanimously.**

#### **Vistar 2 Property**

The Vistar 2 property was presented for a first majority vote.

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The group reviewed the site visit reports which were prepared by Ross and Paul.

Ross stated he felt this property was heavily degraded, with a large amount of exotic plant species. He stated that the property has both wetland and upland areas, but is not impressive from an ecological perspective and that it would take a great deal of work to restore the property to a natural barrier island habitat.

Paul said that the existing plants were mostly Brazilian pepper and Australian pine with a few native species but that no rare plants had been identified.

Information on the public road extension within the property was provided

### **MOTION SEVEN**

**Paul Schmalzer moved to decline a first majority vote on the Vistar 2 Property.**

**Mark Bush seconded the motion**

**The motion carried unanimously.**

### **North Indian River Lagoon (NIRL) Project Expansion**

Ross explained that all the properties listed under the North Indian River Lagoon (NIRL) Project Expansion heading of the current agenda had already received first majority votes. Site Visit and PRD Reports from July 15, 2006 were reviewed.

Keith informed the group that The Nature Conservancy is considering submitting a five county boundary amendment to the Indian River Lagoon State Project and that Anne Birch is working with different agencies regarding management issues associated with an expansion of the project boundaries. TNC staff is also meeting with St. Johns River Water Management District (SJRWMD) personnel who have indicated that the SJRWMD may also be a potential funding partner for acquisition in this area.

Paul Schmalzer stated that these properties were mostly hydric hammock with some mesic hammock, and that although there were some differences in species lists, all had high conservation value and were adjacent to, or near to the lagoon.

Ron Hight spoke of the long term storm water issues associated with the lagoon.

Each site received consideration individually.

### **Itily Property**

#### **MOTION EIGHT**

**Paul Schmalzer moved for a second majority vote on the Itily property, contingent on receipt of matching funds from a State agency or the St. Johns River Water Management District.**

**Ron Hight seconded the motion**

*Discussion:*

Ross asked if there was additional discussion.

Mark Ryan, from the City of Titusville stated that he was attending the meeting on behalf of the City Manager. He said that he was not there to speak for, or against the acquisition, but that the City of Titusville would like to be aware of the process and involved in the discussion.

Ross asked if there was any more discussion. There was none.

**The motion carried unanimously.**

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## **Mediland Property**

### **MOTION NINE**

**Mark Bush moved to approve a second majority vote on the Mediland Property with the contingency of receiving matching funds from a State agency or the SJRWMD. Dave Breininger seconded the motion.**

#### *Discussion:*

Kim Zarillo asked if it was known if the Chain of Lakes Project would impact this particular property. Clarification was provided that it was anticipated that the Chain of Lakes project would not impact the Mediland property. It was noted that part of this property is considered submerged lands.

Ron Hight asked for clarification regarding when the City of Titusville would be involved in the process. Mike explained that the Land Acquisition Manual stated that the EEL Program should notify a municipality regarding possible purchase within their boundaries. Board of County Commissioners (Board) has directed the EEL Program to include information on whether or not a municipality is supportive of a particular acquisition at the time that negotiations are complete and the contract is presented to the Board for final approval. Mr. Ryan stated that the City is in strong support of protecting the environment and they would like to be able to suggest properties to be considered for acquisition by the Program. Mike stated that he is available to meet with Mr. Ryan to further discuss the process.

Ross clarified that the previous discussion did not change the motion and called for a vote.

**The motion carried unanimously.**

## **Gal Property**

### **MOTION TEN**

**Paul Schmalzer moved for a second majority vote on the Gall Property with the contingency of receipt of matching funds from a State agency or the St. Johns River Water Management District.**

**Mark Bush seconded the motion.**

#### *Discussion:*

Mark Ryan stated that he didn't have information on this parcel, but that his comments on the other properties would stand. Clarification was provided that this property may be outside the municipality boundaries and that this vote just moves the process to the next step. Mark stated they would still like to be involved. Ross clarified that the previous discussion did not change the motion and called for a vote.

**The motion carried unanimously.**

## **Cherven Property**

### **MOTION ELEVEN**

**Ron Hight moved for a second majority vote on the Cherven Property. Kim Zarillo seconded the motion.**

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*Discussion:*

Paul Schmalzer asked if the vote was being made with the same contingencies as the other motions. Ron agreed that it was. **Ross Hinkle clarified that Ron's motion included partnership contingencies.** Laura Clark asked for clarification as to whether or not partnership contingency and matching funds were the same thing. Clarification was received that they are the same.

Ross called for additional discussion. There was none. Ross called for a vote.  
**The motion carried unanimously.**

## **Storey**

### **MOTION TWELVE**

**Paul Schmalzer moved for a second majority vote on the Storey property to include matching partnership contingencies.**

**Ron Hight seconded the motion.**

*Discussion:*

Mark Ryan stated that the City's comments would stand for this parcel, as well.

**The motion carried unanimously.**

## **Praxair Property (Easement)**

Mike Knight provided that this vote was for a conservation easement on a portion of the Praxair property and that the lakes were not included.

Paul Schmalzer asked if there was any interest from Praxair in donating the conservation easement. Keith Fountain will provide additional information in the future.

### **MOTION THIRTEEN**

**Paul Schmalzer moved to approve a second majority vote for a conservation easement on the Praxair property.**

**Mark Bush seconded the motion.**

*Discussion:*

Mark Ryan stated that if the property was in close proximity to the City of Titusville, his comments would remain the same.

David Drake asked if this motion included partnership contingencies. Clarification was provided that the motion did not include partnership contingencies.

**The motion carried unanimously.**

## **Bohne/Coleman**

### **MOTION FOURTEEN**

**Mark Bush moved to approve a second majority vote on the Bohne/Coleman property contingent on matching partnership.**

**Ron Hight seconded the motion**

**The motion carried unanimously.**

## **JJ Parrish Jr. Estate**

### **MOTION FIFTEEN**

**Paul Schmalzer moved to approve a second majority vote on the JJ Parrish, Jr. Estate property contingent on matching partnership.**

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**Dave Breininger seconded the motion**  
**The motion carried unanimously.**

### **Additional Discussion – Indian River Lagoon Boundary Amendment**

The group briefly discussed plans for the IRL boundary amendment.

#### **MOTION SIXTEEN**

**Paul Schmalzer moved that the SMC request TNC and EEL staff to work toward a North Indian River Lagoon Project boundary amendment that would incorporate the areas as discussed earlier in the meeting.**

**Ron Hight seconded the motion.**

#### *Discussion:*

Keith Fountain asked if the boundary amendment would incorporate the Sykes Creek Properties. Clarification was provided that the Sykes Creek Properties would be included in a separate amendment.

**The motion carried unanimously.**

### **NEW BUSINESS:**

#### **Smit Property – new application**

Mike Knight provided information on a 26 ± acre property in the South Region. The following was noted:

- ❖ The property is with the Brevard Coastal Scrub Ecosystem Project
- ❖ It is possible that the property might provide a buffer in the event a FIND swap is able to be arranged.
- ❖ It is possible that the existing facilities on site could be used as a South Region Management and Education Center.
- ❖ There are equestrian facilities on site, and it is anticipated that Parks and Recreation might consider a funding partnership with the EEL Program on this property.
- ❖ The property is degraded, but has potential for restoration.

Jack Ippel, of Ippel Commercial Realty provided information on the surrounding area.

A site visit will be scheduled to the Smit Property in the near future.

#### **Burklund Property – new application**

Mike provided preliminary information on a 76 ± acre property near highway 407 in Titusville. Ray Rivera from Coldwell Bankers provided additional information. The City of Titusville has expressed their interest a possible cooperative effort for the conservation of this property. The group discussed possible acquisition of the property. The following was noted:

- ❖ It is possible that this might be appropriate for a Florida Communities Trust grant.
- ❖ Approximately 60% of the property is affected by the City of Titusville well field.
- ❖ The wells on the property have been affected by development in the area, and it is anticipated that the wetlands may have been affected also.
- ❖ There was some concern that the ecological value of the property would not match the current asking price.
- ❖ EEL staff will gather information regarding the requirements for permitting the property as well as approximate price information on acquiring appraisals.

A site visit will be scheduled in the near future.

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## **Prady Property – new application**

Mike informed the group that an owner who had property adjacent to the Dicerandra Scrub Sanctuary had approached the EEL Program regarding possible acquisition of his property and the group discussed possible acquisition. The following was noted:

- ❖ This property is adjacent to the northern edge of the Sanctuary and it includes an old roller rink building.
- ❖ The property is not currently within an existing project boundary.
- ❖ There is a wetland area with many native species that may be appropriate as an addition to the existing sanctuary.
- ❖ The owners' application listed the entire property, but if the SMC was interested in only a portion, that information could be included as part of any motion they might make.

A site visit will be scheduled for the near future.

## **Public Comment:**

None.

## **NEXT MEETING:**

The next meeting will be held September 8, 2006 at 1:00. Location to be determined.

## **ADJOURNED:**

The meeting was adjourned at 4:15 PM.

## **SUMMARY OF MEETING MOTIONS:**

- Motion to approve the May 25, 2006 minutes as amended.
- Motion to approve the June 30, 2006 minutes as amended.
- Motion to approve the Dicerandra Scrub Sanctuary Management Plan, as presented, with a change out of one map.
- Motion to table the Viera Blvd. Commerce Property until after the prioritization workshop.
- Motion to approve a second majority vote on the Betrock property,
- Motion to approve a second majority vote on the Hatcher Property, contingent on receiving partnership funding through the State of Florida, or other State matching funds.
- Motion to decline a first majority vote on the Vistar 2 property.
- Motion to approve a second majority vote on the Itily property, contingent on receipt of matching funds from a State agency, or the St. Johns River Water Management District.
- Motion to approve a second majority vote on the Mediland Property, with the contingency of receiving matching funds from a State agency or the SJRWMD.
- Motion for a second majority vote on the Gall Property, with the contingency of receipt of matching funds from a State agency or the SJRWMD.
- Motion for a second majority vote on the Cherven Property.
- Motion for a second majority vote on the Storey to include matching partnership contingencies.
- Motion to approve a second majority vote for a conservation easement on the Praxair property.
- Motion to approve a second majority vote on the Bohne/Coleman property, contingent on matching partnership.
- Motion to approve a second majority vote on the JJ Parrish Jr. Estate Property, contingent on matching partnership.
- Motion that the SMC request TNC and EEL staff to work toward a boundary amendment that would incorporate the areas as discussed earlier in the meeting.

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