

**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION & MANAGEMENT COMMITTEE (SMC)
March 25, 2003 Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Mark Bush
Ross Hinkle
Randy Parkinson
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Anne Birch
Laura Clark

THE NATURE CONSERVANCY

Angela Klug
Lori Thoms

GUESTS

None

*March 25, 2003
Approved April 22, 2003*

**ENVIRONMENTALLY ENDANGERED LANDS PROGRAM
SELECTION AND MANAGEMENT COMMITTEE
March 25, 2003 Meeting Minutes**

CALL TO ORDER:

Ross Hinkle called the meeting to order at 1:03 PM and asked everyone to introduce themselves.

MINUTES:

The February minutes are pending approval. Ross asked for comment to the minutes. No concerns regarding the minutes were expressed.

MOTION ONE:

Paul Schmalzer moved to approve the February 25, 2003 minutes.
Mark Bush seconded the motion.
The motion carried unanimously.

ADMINISTRATIVE REVIEW:

Pine Island Conservation Area (PICA)

Ross asked when we would learn the results of the grant application for the restoration of the Sams House in the Pine Island Conservation Area (PICA). Anne Birch replied we would find out approximately March 26th. Further information will be provided as it is received.

Barrier Island Ecosystem Center (BIEC)

Anne provided additional information on the need to construct a new building at the Barrier Island Ecosystem Center (BIEC). Regulations require the County to place the building 25 feet back from the original coastal construction set back line as more than 50% of the value of the building is being renovated. A new design will be developed and the building will be placed within the currently disturbed area and meet the established budget of \$2 million dollars. Parks and Recreation Construction is working with the Architectural & Engineering (A & E) firm in revising the contract to indicate they will be designing a new building instead of renovating the old one.

Prescribed Fire

Ross commented that he visited the Dicerandra Scrub Sanctuary following the prescribed burn and that he was pleased with the results. Anne advised the Selection and Management Committee (SMC) that Zach Prusak has received approval from the City of Rockledge to conduct a prescribed fire at the Helen & Allan Cruickshank Sanctuary.

EEL REPORTS:

The Land Management, Volunteer Program, and Education Specialist Reports were provided to the SMC for their review. Copies are included with these minutes.

Paul asked for additional information regarding the Waterfowl Hunt at PICA. Staff will prepare a report for presentation to the SMC.

Randy Parkinson asked about the salary expense for the Enchanted Forest. Paul asked about visitation. Staff will e-mail the information to the SMC. Anne reported that a volunteer guide training class was recently completed at the Enchanted Forest and thanked the members of the SMC who assisted with the training.

Paul asked for information on communications with the Town of Malabar. Anne reported that she and Zach meet with Ed Booth, the Town Administrator, on a monthly basis and attend a meeting of the Town Council on a quarterly basis to provide updates. Anne & Zach last met with the Town Council on March 17th.

Anne reported a new team of AmeriCorps members arrived to work with the EEL Program from February 25th through March 14th. The team completed a large amount of work under the direction of Mike Knight. Ross commented that the tremendous work done by volunteers for the EEL Program was a real benefit for the organization.

This year's Volunteer Appreciation Dinner was held at the Enchanted Forest on January 24th.

THE NATURE CONSERVANCY:

Angela Klug provided an overview of the Acquisition Summary Categories and reviewed the new format with the group. The Acquisition and Reimbursement Summary was distributed for review.

Anne reported that she has confirmed through the County Attorney's Office that Brevard County could not legally pay the Community Development District (CDD) Assessment on the 12.7-acre Viera Company property. Representatives from the City of Rockledge have indicated they are considering the possibility of assisting with payment of this assessment. Further information will be provided as it is received from the City.

Angela reported that Mr. Reynolds has indicated that his property is under contract with a third party. Anne clarified that staff will not proceed with a boundary amendment request to the BCSE project for this property unless negotiations resume with Mr. Reynolds.

Anne reported that she has submitted a US Senate appropriations request and is in the process of submitting a US House appropriations request for reimbursement of the Indian River No. 1 Developers LLC property. The request includes confirmation that funds received would be put back into land acquisition within the Archie Carr National Wildlife

Refuge (ACNWR), if suitable property can be found, or back into land acquisition in other areas in the County in the event suitable Refuge land can not be located. She indicated that she has support from the US Fish and Wildlife Service (USFWS) on a local level and has invited the Commissioners to contact the Senate and House members regarding the reimbursement. Staff will provide the SMC with information on how to contact the Senate and House Representatives. Randy requested clarification regarding a time frame for finding suitable land within the ACNWR. Anne will research the question and provide additional information. Anne also stated that she received clarification that any reimbursement that might be received could only be used for land acquisition and not for the Barrier Island Ecosystem Center, which was a consideration.

Paul asked if clarification had been received regarding whether or not the Markogiannakis property in the south beaches area was included in the Blueways project when the Maritime Hammocks Initiative CARL project closed. Anne confirmed this property is in the Blueways project.

OLD BUSINESS:

1. Brevard Hardwoods: In-depth building condition analysis

At the last meeting, the SMC asked if Parks & Recreation Construction could conduct a more in depth analysis of the condition of the Brevard Hardwoods building. Parks and Recreation Construction have suggested that the EEL Program hire a firm to perform the analysis. An estimated cost of \$5,000 was provided for the analysis. Randy voiced his support for the project. Ross stated the two issues for the analysis were: minimum requirements to establish a Land Manager office to operate from the site; and the total cost for the project long term. Members of the SMC voiced their support for obtaining a structural analysis of the building. Ross asked if the report might be able to provide a logical way to phase a restoration process and asked that the structural analysis report on the building be obtained prior to beginning negotiations with the owner.

2. Referendum / Sales Tax

Anne asked the SMC for their recommendation regarding a future referendum for the EEL Program as they had previously discussed. Members of the SMC stated their support for pursuing additional funding and requested information regarding the opportunities that might be available. Randy suggested creating a report and possible time line as points of reference so the SMC could project a united front when discussing these topics. Ross and Anne will work together to provide a report on the history of the EEL Program's accomplishments. The SMC will then determine what they see as the EEL Program's need to complete acquisition and ensure funds will be available for management in perpetuity in order to meet the Program's mission of preserving biological diversity.

Anne reminded the group that although the SMC has identified general lands outside present project areas for possible future acquisition, identification of specific properties in those areas had not yet been done. The need to include the following additional items in any budget request was identified:

- ❖ Capital improvements
 - Lands currently targeted for acquisition.
 - Additional areas that should be proposed for acquisition, both inside and outside existing project boundaries.
 - Initial management costs including site security, fencing, prescribed fire, and other items associated with providing public access to sanctuaries.
 - Possible renovation of buildings (such as Brevard Hardwoods) or establishing a Management and Education Center to the full level originally planned at the Cruickshank Sanctuary, or another part of the county.
- ❖ Funds required to ensure long-term management.

Anne asked the SMC what information they needed in order to identify specific lands to target for acquisition that were not within present project boundaries. If the SMC desired, she will contact the Natural Resources Management Office for habitat maps with parcel boundaries and a corresponding aerial with parcel boundaries for review by the SMC. Members of the SMC stated they felt that would be a good start. The SMC discussed the importance of contacting members of the Board and the County Manager to advise them of the SMC's interest in proposing a referendum, and to request their assistance in determining what type of funding request would be most favorable.

The SMC discussed the need to provide information to the public in order to gain the support needed to be successful, if the funding request moves forward. It was determined that the primary role of the SMC should be to identify the needs of the EEL Program and provide scientific data to support those needs. It was stated that the grass roots citizen support that generated the EEL Program in the beginning would be required if additional funding requests were put to a vote.

3. WGML, Palm Bay – Office of Greenways and Trails Property (fka Brookhollow West)

Angela reported there is a title issue in the State's acquisition of the 14.76 acre WGML, Palm Bay parcel adjacent to Turkey Creek. A 1920's title document shows a possible encumbrance by the Melbourne Tillman Water Control District of a portion of the land. The State will not close on the property until this title issue is resolved. Anne asked the SMC if they would recommend acquisition of the parcel without the State and that if the County proceeds with acquisition without the State, the County would be accepting responsibility for 100% of management costs, and would not receive matching State funds unless the title issue is resolved. Kim Zarillo asked if it would be possible to approach the City of Palm Bay with a partnership agreement for management of the parcel since the City was willing to accept primary management responsibility if acquired by the State and EEL Program. Anne confirmed she could approach the City prior to going to the Board, if the SMC decides to pursue 100% acquisition.

MOTION ONE

Paul moved to recommend proceeding with the acquisition of the WGML property within the Office of Greenways and Trails (OGT) project with the EEL Program providing 100% of acquisition costs.

Kim seconded the motion.

Discussion: Anne asked Angela if she knew if OGT would reimburse EEL at a later date, if the title issue were later resolved. Angela stated OGT had indicated that post purchase reimbursement was probable, but not confirmed. This parcel is also within Florida Forever project boundaries.

The motion carried unanimously.

4. TICO Airport Request to Trim Trees in the Enchanted Forest

Paul asked for the status on the potential tree trimming issue in the Enchanted Forest. Anne reported that she, Chuck Nelson, Director, Parks and Recreation Department, and Scott Knox, County Attorney, would be meeting tomorrow to discuss the Airport's request. Anne provided the following additional information:

- There are presently 3 penetrations into the 34:1 approach slope with a maximum penetration of 3.8 feet. A penetration can be defined as a single tree, or a clump of trees. These trees are in the interior of the Sanctuary, as opposed to being located on the edges.
- The Airport has indicated they have looked further into FAA rules and found that instead of the 34:1 approach slope, they can use a 20:1 approach slope.
- Currently there are no penetrations into the 20:1 approach slope, however, it is anticipated that there would be penetrations into the 20:1 approach slope within the next five years and the airport would want the ability to trim trees.
- The runway at issue is 1,000 feet long, but it is not being fully utilized at this time.
- The Airport was looking for a recommendation from the SMC to accept to the 20:1 approach, which will allow the cutting of any trees that penetrate that slope in the future.
- The SMC has indicated that any cutting of trees in the Enchanted Forest would have detrimental effects to the canopy and surrounding areas and has requested there be no cutting of any type.
- The airport has hired the USDA to research the impact of cutting to the Sanctuary, which the airport hopes may provide some of the additional information previously requested by the SMC.
- Staff will update to the SMC after the meeting with County staff.

NEW BUSINESS:

1. Joint SMC/PC Committee

A joint meeting of the Selection and Management and Procedures Committees was scheduled for Wednesday, May 21, 2003 from 1:00 – 4:00. Further information will be provided in the near future.

2. Management of donated lands in Rockledge area

Anne asked the SMC if they would like to consider a site visit to a 25-acre mitigation site near Rockledge that has been offered for donation to the EEL Program. The area is scrub habitat and will be connected to a wetland mitigation area. Most of the surrounding area will be developed as residential housing by Ed Fleiss. Land management activities required in the future would include fencing, mechanical treatment, construction of fire lanes around homes and prescribed fire. Anne explained that although it is more difficult to manage land in residential areas, Zach has indicated it was possible. Anne explained that the USFWS has been requiring that mitigants pay a one-time fee of \$1,000 per acre for

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land management on donated land. The SMC discussed their feeling that actual management costs should be passed on to potential donors. Ross expressed concern regarding the long-term survival of jays reported in the area due to the cats that would inhabit the area as it becomes residential. The site is within the Brevard Coastal Scrub Ecosystem but has not yet been permitted by USFWS. The SMC asked for additional information regarding plans for stormwater draining and deed restrictions to address cats and prescribed fire. Staff will arrange for a representative of the developer to attend the next meeting.

NEXT MEETING:

The next meeting will be held on April 22, 2003 from 1:00 PM– 4:00 PM. The meeting will be held at the EEL Office at 5560 North US Highway 1 in Melbourne.

ADJOURNED:

The meeting was adjourned at 4:10 PM.

SUMMARY OF MEETING MOTIONS:

- Motion to approve the February 24, 2003 minutes.

ACTION ITEMS:

- Staff will provide information on the grant application for the restoration of the Sams residence at PICA.
- Staff will prepare final report on the Waterfowl Hunt at PICA.
- Staff will provide information regarding salary expense and visitation at the Enchanted Forest.
- Staff will provide information to the SMC on how to contact the State Legislature to voice support for reimbursement of the Indian River No1 Developer LLC. property.
- Staff will begin the process to obtain a structural analysis of the Brevard Hardwoods building.
- Staff and SMC will work together to provide a progress report on the EEL Program and to document the future needs of the Program in anticipation of a possible referendum.
- Staff will arrange for Ed Fleiss and/or his consultant to attend the next SMC meeting to discuss his proposed mitigation donation.