

**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM  
SELECTION & MANAGEMENT COMMITTEE (SMC)  
August 18, 2003  
Attendance List**

***SELECTION & MANAGEMENT COMMITTEE MEMBERS***

Dave Breininger  
Ron Hight  
Ross Hinkle  
Randy Parkinson  
Paul Schmalzer  
Kim Zarillo

***EEL PROGRAM STAFF***

Anne Birch  
Laura Clark  
Ray Mojica

***THE NATURE CONSERVANCY***

Angela Klug

***GUESTS***

Scott Carr, Titusville-Cocoa Airport Authority  
Dan Click, Brevard County, Parks and Recreation Construction  
Jonathan Douglas, VOA Associates  
Dave Edwards, Titusville-Cocoa Airport Authority  
Barbara Hoelscher, Friends of the Enchanted Forest  
Chuck Nelson, Brevard County, Parks and Recreation  
Donna Oddy, Brevard County, Office of Natural Resources Management  
Martha Pessaro, Friends of the Enchanted Forest  
Ken Rivard, Merritt Island resident  
Maureen Rupe, Port St. John resident  
Carlos Zarate, Brevard County, Parks and Recreation Construction

*August 18, 2003  
Approved on September 22, 2003*

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

**August 18, 2003**

**Meeting Minutes**

**CALL TO ORDER:**

Ross Hinkle called the meeting to order at 1:04 p.m. and asked everyone to introduce themselves.

**PUBLIC COMMENT:**

Ross asked if any of the members of the audience would like to provide comment. No one requested to speak at that time.

**MINUTES:**

The May 27 and July 7, 2003 Selection and Management Committee (SMC), and June 2, 2003 SMC / Procedures Committee (PC) minutes were presented for review.

Ross asked for comments on the May 27 minutes.

**Motion One:**

Paul Schmalzer moved to approve the May 27, 2003 minutes as presented.

Ron Hight seconded the motion.

The motion carried unanimously.

Ross called for comments to the June 2, 2003 minutes.

**Motion Two:**

Paul moved to approve the June 2, 2003 minutes as presented.

Ron seconded the motion.

The motion carried unanimously. These minutes will also be presented for review at the next PC meeting on August 21, 2003.

Ross called for comments to the July 7, 2003 minutes.

Paul stated the July 7 minutes required the addition of motion seven regarding the Cochran property to the summary section. The minutes will be revised to include this information.

**Motion Three:**

Paul moved to approve the July 7, 2003 minutes, as amended.

Ron seconded the motion.

The motion carried unanimously.

**ADMINISTRATIVE REVIEW:**

The Administrative Review was reviewed. A copy is included with these minutes.

Anne Birch will be meeting with State staff in Tallahassee on September 3<sup>rd</sup> for several meetings including Barrier Island Ecosystem Center permitting, and to discuss the option of adding the Indian Mound Station #8 BR9 property to the Brevard Coastal Scrub Ecosystem project.

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### **THE NATURE CONSERVANCY:**

Angela Klug provided an overview of the July 18, 2003 Acquisition Summary. A copy is included with these minutes.

### **OLD BUSINESS:**

#### **Enchanted Forest Sanctuary Tree Trimming**

Anne introduced Dave Edwards, Executive Director of the Titusville-Cocoa Airport Authority (TCAA), who has requested to come before the SMC with new information regarding the Space Coast Regional Airport's request to trim trees in the Enchanted Forest Sanctuary. Dave thanked the SMC for allowing him to present his information and indicated his presentation was for information only and that he would not be requesting any decision from the SMC at this time.

Dave gave a slide show presentation that highlighted different options for the trimming of trees in the Enchanted Forest. He stated he was not going to provide a history of events that led up to this point, but rather, would highlight events that have occurred since he became Executive Director of the Airport.

#### **Background Information**

- Runway #18-36 runs north/south and is the primary runway for the Space Coast Regional Airport. This runway currently utilizes a 34:1 approach slope. The total runway length is 7,320 feet but the full length of the runway is not being utilized.
- Currently, there are many penetrations (which may be one tree, or a clump of trees) into the 34.1 approach slope (68 penetrations not greater than 10 feet above the controlling surface and 25 penetrations greater than this). The largest penetration is 21 feet above the controlling surface.
- The Airport Authority has indicated a change from a 34:1 to a 20:1 approach slope will reduce some of the need for tree cutting while allowing for the reactivation of the non-precision approach. There are an estimated 3 penetrations at a 20:1 slope using the full extent of the runway. There are no penetrations at a 20:1 slope if the airport continues to operate the runway as currently used.
- The Airport Authority staff met with representatives from the Federal Aviation Administration (FAA) in January of 2003. As a result of this meeting, the Airport received conditional approval from the FAA to modify the approach slope for the 18-36 runway to a 20:1 ratio. This conditional approval was based on the Airport Authority receiving permission from Brevard County to maintain the newly defined 20:1 approach in perpetuity (trim trees that grow into the 20:1 approach slope).
- In March 2003, the Airport Authority Board gave its approval for Airport staff to modify the approach slope, dependent on the Airport Authority Board receiving permission from Brevard County to allow the Airport to perpetually maintain the new approach.

#### **Suggested Solutions**

- Dave presented a short-term solution to the SMC of changing the approach slope for the 18-36 runway from 34:1 to 20:1 and continued use of the displaced runway. Based on an analysis by the Airport Authority's consultant, this change would result in no penetrations into the approach surface.
- Dave also presented a long-term solution of removing the displaced threshold on the runway, allowing for full use, while maintaining the 20:1 approach ratio and allowing the

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Airport to maintain that threshold in perpetuity. This would result in an estimated 3 penetrations with the greatest being 3.8 feet and an unknown number of future penetrations.

Ron asked if there were actually two issues being presented:

- (1) Angle of approach slope
- (2) Point of contact with runway

Dave clarified that the first issue was a possible change of the angle of the approach slope (from 34:1 to 20:1). He also stated that the Airport was considering removing the displaced threshold, which would provide full utilization of the runway to the north by 320 feet.

Ross asked if there had been an analysis of how many trees could be expected to penetrate the 20:1 approach slope in the future. Dave stated the Airport Authority hired the US Department of Agriculture to perform a study to determine the extent of impact to the trees in the Sanctuary. The Airport Authority will share this information with the SMC if the USDA is given permission to enter the sanctuary to conduct the study.

Randy Parkinson asked what advantage was provided to the Airport by removing the displaced threshold at the north end of Runway 18-36

Dave said although the runway with the existing displaced threshold can be used for aircraft take off, it is not used for all landings. Removing the displaced threshold would provide for full use of the runway in the future.

Kim Zarillo asked what would happen if there was no agreement between the Airport Authority and Brevard County.

Dave replied that he did not want to talk about that because he thought everyone should be able to come to some type of agreement in order to protect the community's assets of both the Enchanted Forest and the Airport.

Kim stated her understanding that the Airport had received grant money from the FAA to modify runway 18-36 and asked if concerns regarding that process (environmental assessment) had been addressed.

Dave stated it would be counterproductive to debate the past. He clarified his purpose at the meeting was to provide information to the SMC that the Airport considered potential solutions to their concerns, and that he hoped to find a way to move forward in a positive manner.

Ross provided clarification that the role of the SMC in the land acquisition phase was to provide an assessment and analysis of properties to be purchased as part of the EEL Program. In addition, the SMC provides scientific input into the long-term management and maintenance of property that has been acquired. As volunteers, the SMC make recommendations to the Board of County Commissioners (BOCC). He stressed the importance for the SMC to have a full understanding of what activities might occur within these properties and emphasized the need for a complete understanding of options.

Ron asked at what percentage of capacity the Airport was currently operating.

Dave stated approximately 60%.

Ron asked what method had been used to determine penetrations into the approach slope. Dave clarified aerial photography of the entire area and infrared topography had been used.

Ron asked how many IFR landings were done on runway 18-36.

Dave said the number was small, possibly 2% of all instrument approaches.

Randy commented that some of the parameters used to conduct the Environmental Assessment were not the same parameters that the SMC considers when they make evaluations. He stated findings based on an EEL environmental assessment might be very different from the findings shown in the Airport's assessment.

Dave did not address this statement. He said he would be happy to discuss an agreement in the future with the SMC that may be agreeable to the Airport and the County. He stated the FAA would need to approve of any agreement as well.

Information on the presentation was distributed for review.

The SMC thanked Dave for coming to the meeting. Dave Edwards and Scott Carr left the meeting.

Anne introduced Ken Rivard who had asked for time on the agenda in regard to the same issue.

Ken introduced himself and provided information on his extensive background in aviation. He submitted information for consideration by the SMC that he believes indicates that there is not a need to cut any of the trees at the Enchanted Forest Sanctuary.

Ross thanked Ken for his presentation and said that the information he provided was very important, particularly to the County as it would be their responsibility to determine all of the possible options and/or alternatives in this issue.

Randy agreed with Ross's statement and said that while it is not the SMC's mandate to review alternatives, it was important to know if there were options in addition to the ones being presented by the Airport Authority. He emphasized the SMC's role in this issue would be to provide information (to the County and State) on what effect the cutting, or trimming of trees in the Enchanted Forest would have on the ecological integrity of the area, in the event that choice is made.

Chuck Nelson stated his recommendation that he and Anne work with Ken to prepare questions that the Airport Authority could address. He stressed the importance of understanding the history of how the current circumstances came about and researching each step of the process in order to provide a complete and correct overview of the situation, and, in order to ensure that all possible alternatives were considered.

Anne advised the group that she and Chuck had been invited to attend a meeting with representatives from the State, Department of Transportation, and FAA at the Airport's request.

Ross suggested that in addition to Ken Rivard, the County might want to bring in a consultant on FAA rules and regulations.

Ron reminded the group that the County has pilots in the Mosquito Control Department that are based in that area and suggested that someone from that group might be of assistance. Ron recently received information on laws affecting federal agencies that allow for disputes or positions of conflict to be addressed. He will forward that information to Anne, as there may be a way to dispute some of the past conclusions that have been reached regarding this issue.

Anne asked the group what questions they felt should be posed to the Airport Authority.

Randy stated that in his opinion, questions about the number of trees that the Airport wanted to cut, or how much cutting or trimming might be required, were not appropriate at this point as the determination had not been made that there were no other options available.

Ross suggested that clarification of the Airport's FAA grant requirements for the runway extension should be requested and reviewed.

Randy suggested a letter be prepared that summarized the need for additional information and clarified that consideration of any cutting or trimming of trees would not be done until all required information was received and all available alternatives had been fully considered.

Anne and Chuck will meet with the Airport Authority. Further information will be provided as it is received.

### **Sales Tax Referendum Update**

Anne informed the SMC that the Sales Surtax Referendum ordinance had been passed by the BOCC with \$50 million dollars allocated for Green Space Acquisition. This funding is listed as a continuation of the EEL Program with all Green Space acquisitions meeting EEL land acquisition criteria. Further discussion of the Referendum will be held at the Procedures Committee meeting on August 21, 2003.

### **NEW BUSINESS:**

#### **Property prioritization and remaining budget – Armoon Property**

Anne asked the SMC for guidance regarding the consideration of the Armoon property, which is adjacent to the WGML/PRN property in Malabar. She informed the SMC that the Malabar's Town Manager stated that the Town might object to this acquisition. The SMC members reaffirmed that the property meets EEL land acquisition criteria and is within the Brevard Coastal Scrub Ecosystem project and should, therefore, continue to be considered for acquisition.

#### **Barrier Island Ecosystem Center Conceptual Plan - Jonathan Douglas**

Jonathan Douglas, from VOA, Inc. gave a presentation on the conceptual plan for the Barrier Island Ecosystem Center (BIEC) and asked for feedback from the SMC.

Randy expressed his pleasure with the overview that was provided. He asked if it might be possible for visitors to have an opportunity to see across the barrier island to view the ocean and lagoon from the Center. VOA indicated that this was discussed with staff and he will continue to research that possibility.

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Ron expressed concerns regarding lighting on the beach during turtle nesting season, maintenance of the relatively flat roof, and the classroom being separated from the rest of the facility. Ray Mojica explained that the building will be darkened during turtle nesting season and one of the reasons the classroom was separate was to allow for classroom activities to be held away from the main facility.

Ross provided information on a closed septic system that might be used at BIEC. He will provide additional informal information to VOA.

**Public Comment**

There were no members of the public in attendance.

***NEXT MEETING:***

The next meeting will be held on September 22, 2003 from 1:00 – 4:00 PM. Location to be determined.

***ADJOURNED:***

The meeting was adjourned at 4:15.

***SUMMARY OF MEETING MOTIONS:***

- Motion to approve the May 27, 2003 minutes.
- Motion to approve the June 2, 2003 minutes. The PC will also review the minutes on August 21, 2003.
- Motion to approve the July 7, 2003 minutes, as amended.