

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

January 12, 2006

Attendance List

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Mark Bush
Ron Hight
Ross Hinkle
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Laura Clark
Judy Gregoire
Mike Knight
Scott Taylor

THE NATURE CONSERVANCY

Danika Feodoroff
Keith Fountain

GUESTS

Carie Exline, Brevard County Clerk of Courts, Internal Audit
Susan Gosselin, Brevard County Natural Resources Management Office
Ron Pritchard, Commissioner, District 1
Brian Toland, Toland Environmental Consulting

*January 12, 2006
Approved march 16, 2006*

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

**January 12, 2006
Meeting Minutes**

CALL TO ORDER:

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

PUBLIC COMMENT:

None

MINUTES:

The October 21, 2005 and December 1, 2005 minutes were presented for approval.

Ross asked for comments to the October minutes.

MOTION ONE:

**Paul Schmalzer moved to approve the October 21, 2005 minutes as presented.
Ron Hight seconded the motion.
The motion passed unanimously**

Ross asked for comments to the December 1, 2005 minutes.

MOTION TWO:

**Paul Schmalzer moved to approve the December 1, 2005 minutes, as presented.
Ron Hight seconded the motion.
The motion passed unanimously.**

ADMINISTRATIVE REVIEW:

Mike commented that several meetings have been held with the Miami Corp. representative to discuss EEL land acquisition interests. The Miami Corp. is currently considering submittal of an application for 400 + acres east of the old FEC right of way. They are also considering developing a Rural Lands Stewardship Plan for the entire 57,000 acres of Miami Corp. lands in Brevard and Volusia Counties. Dave commented that efforts to set aside land for conservation needed emphasis on potential habitats, and not just inhabited territories.

STAFF REPORTS:

North Region

Mike introduced Judy Gregoire, who was hired as the North Area Land Manager in November. Judy gave a power point presentation on recent events in the North Region including:

- The Enchanted Forest Sanctuary, Titusville
 - Has expanded their hours and are now open 7 days a week (except Thanksgiving and Christmas) from 9:00 AM to 5:00 PM.

- Phase II exhibits are complete.
 - The “Forest Festival” celebration last November which celebrates the Management and Education Center’s original opening in November 2001. This one day event was attended by approximately 500 people.
 - Open staff positions for Naturalist, Assistant Land Manager, and Maintenance Techs.
 - Two wheel chairs have been obtained for use by persons with limited mobility.
 - Strong volunteer effort at the Butterfly Garden.
 - Continuing removal of exotic plant species and overgrown grape vine.
 - Kris Brown’s work with Gopher Tortoises and a possible “Adopt a Tortoise” plan under consideration.
- Dicerandra Scrub Sanctuary, Titusville,
 - Management Plan recently submitted to SMC for their review.

Central Region

Mike introduced Scott Taylor, the Central Region Land Manager. Scott gave a presentation on recent events in the Central Region.

- Kabbord Sanctuary, Merritt Island
 - Draft Public Access Plans reviewed and supported by the REAC Committee.
 - Public access road improved.
 - Completion of prescribed fire
- Pine Island Conservation Area, Merritt Island
 - Permits have been issued for Phase I of the Sams House restoration including securing the roof and exterior siding of the big house. A meeting will be held next week to begin negotiations with the architect on Phase II.
 - Work continues on the archeological dig at PICA.
 - PICA Restoration Project doing well. At least 9 species of extinct mammals have been identified from fragments of material found at the site.
- Helen and Alan Cruickshank Sanctuary, Rockledge
 - Work continues on the draft public access plan.

THE NATURE CONSERVANCY:

Keith Fountain provided information on the TNC report.

OLD BUSINESS:

Thousand Islands

Mike reported that appraisals are expected to be completed on January 19, 2006. Preliminary discussions regarding partnership opportunities have been held. A second majority vote is needed to proceed with negotiations.

Mike confirmed that the title work indicates significant ownership of submerged lands, which is being addressed. The Conservation Fund is coordinating negotiation efforts on these properties. Additional discussion included discussion on whether or not the land could be developed. Mark Bush voiced concern regarding whether or not the purchase was a good investment for the EEL Program.

MOTION THREE:

Paul Schmalzer moved to approve a second majority vote on the Thousand Islands sites.

Kim Zarillo seconded the motion.

The motion passed unanimously.

NEW BUSINESS:

Boeing Property Mitigation Donation, Titusville

Mike provided information on approximately 100 acres of property that is being offered to the EEL Program as a mitigation donation. Property on the west side of the Indian River near the intersection of US1 and SR 405 has been purchased and is scheduled for development for single family homes with high rise condominiums along the river. Two mitigation parcels, one of approximately 54 acres on that site, and one parcel of approximately 45 acres near South Lake and adjacent to St. Johns River Water Management property are being offered. Brian Toland, of Toland Environmental Consultants previously provided a report to the SMC for their review. Paul Schmalzer's written comments to the report were also distributed. Although both areas are within established Project boundaries, staff felt that SMC review was warranted, due to the size and location of the donated parcels and possible management difficulties associated with each. The developer seemed agreeable to deed restrictions. A management fee of \$1,200.per acre would be included with the donation. There are scrub jays on site at the riverside property.

Concerns were expressed regarding the viability of the jay population on the small riverside site as the donated parcel will be surrounded by development. The SMC asked if there was a possibility that the northern boundary line could be smoothed out to help make management a little less difficult. Clarification was provided that the property would need to be managed with the application of prescribed fire. The SMC asked if restrictions could be included regarding outside cats and in the surrounding area to keep it from becoming a dense forest. Management of this site will be challenging. The following deed restrictions will apply:

1. Prohibition of cats in the out of doors unless on a leash. This will prevent the unnatural death of native animals such as scrub jays due to predatory behavior.
2. This deed restriction shall address the fact that a nature sanctuary is adjacent to the homeowner and preserved as part of the development requirement; that the natural area will required periodic prescribed fires in order to maintain the integrity of the natural area; and that smoke will be a product of this activity. Prescribed burns will primarily be conducted during the winter season with some limited potential for spring and summer season burns. Partial burns (10-14 acres each) of the site will likely occur approximately every two (2) years.
3. Dumping. This deed restriction shall state that no dumping of yard waste or any other refuse onto the subject property is allowed.
4. Landscape Vegetation. This deed restriction shall prohibit the planting of invasive species within the development and prohibit the growth of vegetation, adjacent to the parcel boundary, from extending over the parcel boundary and overshadowing the fire management lines. The removal or trimming of prohibited vegetation must be performed by homeowner and at the homeowner's expense.

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5. Access. Landowners shall access the property only via the entrances designated by the EEL Program. These entrances may also be used to access the subject property for legal users by the public who are not residents or landowners within the development.

MOTION FOUR:

Paul Schmalzer moved to accept the proposed Boeing property mitigation donation with the stipulation that the language be negotiated for conservation easement to include the issues as discussed.

Dave Breininger seconded the motion.

The motion passed unanimously.

Additional Discussion

Mark Bush expressed concern regarding the acceptance of donation parcels at the end of the process when it was difficult to have input on items that could affect the conservation value of the properties being donated. He asked if arrangements could be made for the EEL Program to be involved during the planning stage of the mitigation donation process. Other members of the SMC agreed and asked what steps could be taken to provide a process for scientific input into the planning stages. Staff will research and provide additional information at a future meeting.

Johnson Property, Hall Road, Merritt Island

The EEL Program has received an application for consideration of 100 acres of property owned by Joyce Johnson. This property is located along the north side of Hall Road and is in the vicinity of both the Kabbord Sanctuary and the Merritt Island National Wildlife Refuge. Clarification was provided that the property is in the Phase 2 Blueway Project. The SMC determined that a site visit would be appropriate. Arrangement will be made for the SMC to visit this site.

DiChristopher Property – Sykes Creek, Merritt Island

Boyd Property – Sykes Creek, Merritt Island

Mike provided information on a parcel of land on the east side of Sykes Creek near the Ulumay Sanctuary. This 160 acre parcel is adjacent to the Boyd property which was previously reviewed and declined by the SMC. The SMC was asked to consider whether or not the two properties together might be acceptable for consideration. A potential funding partnership exists with the SJRWMD. It was determined that the two parcels together would be appropriate for consideration. A site visit will be scheduled to both properties.

MOTION FIVE:

Paul Schmalzer made a motion for a first majority vote on the DiChristopher Sykes Creek property.

Ron Hight seconded the motion.

The motion passed unanimously.

MOTION SIX:

Paul Schmalzer made a motion for a first majority vote on the Boyd Sykes Creek Property.

Kim Zarillo seconded the motion.

The motion passed unanimously.

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Maritime Hammock Management Plan

The Maritime Hammock Management Plan was distributed to the SMC for review prior to the meeting. Comments received have been incorporated into the document.

MOTION SEVEN:

Kim Zarillo moved to approve the Maritime Hammock Management Plan.

Paul Schmalzer seconded the motion.

The motion passed unanimously.

I-95 Widening Project Retention Ponds (MEP Project)

The Department of Transportation has approached the EEL Program with a request to place retention ponds on property owned by the County and on some small parcels in the mega parcel area. The SMC indicated that additional information would be required before a decision could be made. Staff will research and provide information at a future meeting.

Public Comment:

Commissioner Ron Pritchard indicated he has recently been in contact with the owner of the part of the Indian Burial Mound that is located on the Sams house property on Merritt Island. Ron will set up a meeting to include the owner, Mike Knight and the Commissioner in an effort to identify the owner's concerns with the hopes that they can be resolved. Several options for protecting the mound were discussed.

NEXT MEETING:

The next meeting will be held February 12, 2006. Location to be determined.

ADJOURNED:

The meeting was adjourned at 4:06 PM.

SUMMARY OF MEETING MOTIONS:

- Motion to approve the October 21, 2005 minutes.
- Motion to approve the December 1, 2005 minutes.
- Motion for second majority vote on Thousand Islands Property.
- Motion to accept the proposed Boeing property mitigation donation with the stipulation that the language be negotiated for conservation easement.
- Motion for a first majority vote on the DiChristopher Sykes Creek property.
- Motion for a first majority vote on the Boyd Sykes Creek property.
- Motion to approve the Maritime Hammock Management Plan.

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