

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

**September 26, 2006**

**Attendance List**

***SELECTION & MANAGEMENT COMMITTEE MEMBERS***

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

***EEL PROGRAM STAFF***

Jenny Ashbury  
Sandy Carnival  
Laura Clark  
Mike Knight  
Brad Manley  
Ray Mojica  
Chris O'Hara  
Scott Taylor

***THE NATURE CONSERVANCY***

Danika Feodoroff  
Keith Fountain

***GUESTS***

Bob Day, St. Johns River Water Management District  
Susan Gosselin, Brevard County Natural Resources Management Office  
Suzanne Kennedy, Floravista  
William Riley, Citizen  
Mark Ryan, City of Titusville

*September 26, 2006  
Approved October 17, 2006*

**ENVIRONMENTALLY ENDANGERED LANDS PROGRAM  
SELECTION AND MANAGEMENT COMMITTEE  
September 26, 2006  
Meeting Minutes**

**CALL TO ORDER:**

Ross Hinkle called the meeting to order at 1:03 PM.

**PUBLIC COMMENT:**

None.

Ross asked if there were objections to a change in the agenda order by moving the TNC report to follow the Administrative Review. There were no objections. Ross clarified that information on the PICA Indian Mound would be included in Scott Taylor's report on the Central Region.

**ADMINISTRATIVE REVIEW:**

The Administrative Review was discussed. Mike provided clarification that the application for partnership funding with the Florida Communities Trust (FCT) grant for the Thousand Islands, which was submitted by the City of Cocoa Beach, had been approved. The FCT's contribution will be based on their review of the appraisals and their determination of the appraised value, as was the contribution approved by St. Johns Water Management District, because they felt that if the County chose to pay above what would be considered the appraised value, then the County should be responsible for that portion of the funding.

The application for FCT funding on the Parrish Holder Land Corp. (Hersch) property was not funded during the last cycle, but it has been suggested by FCT that the application be resubmitted with a few changes during the next cycle.

**MINUTES:**

The August 1, 2006 minutes were presented for approval.

Ross asked for comments to the August minutes.

Paul Schmalzer noted the following:

- ❖ Page 5, Sentence before motion seven, needs a period.
- ❖ Page 9, Summary of Motions, Gall Property, correct the spelling of the word "or".
- ❖ Page 9, Summary of Motions, Storey Property, correct the spelling of the word "funding".

Ron Hight noted the following:

- ❖ Page 2. Clarification is required to show that the three members of the Friends of the Enchanted Forest received nominations for Titusville Community Service awards for their work at the Sanctuary, not the actual awards.
- ❖ Page 5. Itily Property, correct the spelling of the word "eight".

Kim Zarillo noted that she had been at the meeting, but was not included on the attendance sheet.

**MOTION ONE:**

**Paul Schmalzer moved to approve the August 1, 2006 minutes as amended.  
Ron Hight seconded the motion.  
The motion carried unanimously.**

Ross asked for comments to the September 8, 2006 minutes.

Paul asked if the final land acquisition priorities map would be included in the September 26, 2006 meeting minutes. Mike clarified that the information would be presented at the current meeting, and maps would be part of the September's meeting minutes.

Mark Bush noted that he had been at the meeting, but was not included on the attendance sheet.

**MOTION TWO:**

**Mark Bush moved to approve the September 8, 2006 minutes as amended.  
Paul Schmalzer seconded the motion.  
The motion carrier unanimously**

**THE NATURE CONSERVANCY:**

Keith Fountain reviewed the monthly TNC report.

**REAC UPDATE:**

Brad Manley reported that he had recently reviewed and provided the status of all REAC motions to date with the Committee. Public stakeholder meetings for several sanctuaries are planned in the near future, and once these occur, conceptual public access plans for each site will be presented to the REAC for their input.

Ray Mojica provided information on plans for public access in the South Beach Region at the last meeting. Kim commented that Ray had provided an excellent presentation to the REAC Committee.

**STAFF REPORTS:**

**Central Region**

Scott Taylor, Central Region Land Manager provided information on recent events in his area including:

- ❖ Pine Island Conservation Area
  - Exterior renovations, including a new roof, at Sam's House are complete.
  - Geological survey by Coastal Technology.
  - Continued fossil finds.
  - Bureau of Invasive Plants Management grant work.
  - Scott would like the SMC to visit the PICA restoration site and provide input.
- ❖ Cruickshank
  - Successful prescribed fire.
  - Florida Scrub-Jay's observed on site.

- ❖ Kaboord
  - Concerns related to water discharge from a pump on adjoining property.

Mike noted that Dean Vanderbleek, the EEL Program's new Fire Manager has been working with local agencies to establish a coordinated effort for prescribed fires, as well as the response to wildfires.

### **Pine Island Conservation Area (PICA) Indian Burial Mound (Jenkins property)**

Scott provided information on the Native American Indian Burial Mound that is partially located on PICA property and requested input from the SMC on their interest in possible acquisition of the mound and/or adjacent property in order to ensure protection of the mound, and due to the mound's value as an educational component in the history of the site.

The EEL Program currently owns approximately one third of the mound which has been registered by the State of Florida. Although the owner of the adjacent property where the mound is located has expressed interest in a possible sale, he has not agreed to sign a Willing Seller's Application form which is required by the Land Acquisition Manual in order for the property to be officially considered by the SMC for acquisition by the EEL Program.

The Archeological Conservancy has expressed an interest in acting as a partner to facilitate acquisition of the site, but has confirmed that they are not able to act as a funding partner. They have also confirmed that they would require simultaneous closing of any and all contracts, to include reimbursement for an appraisal they have ordered on the property owned by Mr. Jenkins.

The following was noted:

- ❖ The mound is officially recognized by the State of Florida as a Native American Burial Mound, and as a result, has some level of protection.
- ❖ There has been some destruction to the mound in recent years.
- ❖ It is possible that the mound could play an important part in the educational component of the site.
- ❖ It is possible that, if the adjacent property of approximately 1 acre was purchased, it could be restored to gopher tortoise habitat, and act as a buffer.
- ❖ County policy prohibits negotiations with anyone who is not the property owner, unless a waiver is obtained.
- ❖ It may be possible that the St. John's River Water Management District or the Brevard County Storm Water Utilities Department could be interested as funding partners.

Ross stated that in order for the property to be considered for acquisition, it would have to be brought to the SMC, through a willing seller application, and go through the first and second Majority Vote process. After that process was completed, the SMC would be able to make a recommendation to the Board of County Commissioners (Board). He stated that he was supportive of a partnership in the possible purchase of the property.

Additional information was noted:

- ❖ Kim Zarillo suggested consideration of asking the St. Johns Water Management District if they would purchase the property if the EEL Program would agree to manage it.

- ❖ Mark Bush requested confirmation of how many documented burial mounds existed in Brevard County.
- ❖ Clarification was requested to confirm possible partnership opportunities.

Mike thanked the SMC for their input and stated staff would research the requested information.

### **South Beach Region**

Ray Mojica, Land Manager for the South Beach Region gave a presentation on recent events in that area. The following was noted:

- ❖ Staff recently participated in the release of 50 Loggerhead sea turtles which were raised from eggs and use in sea turtle excluder device testing in the Panhandle.
- ❖ South Beach staff has completed Aquatic Species Collection Courses to become certified and licensed in the collection of specimens that will be used in the aquaria at the Barrier Island Center.
- ❖ Trail counters are being used to measure the number of visitors.
- ❖ FIT students are working at Hog Point to convert the old clam farm to a field station facility.
- ❖ Bike barriers recently installed at Maritime Hammock to restrict access to dirt bikes and mountain bikes that have been using hiker-only trails appear to have been successful.
- ❖ Staff will be treating torpedo grass at Maritime Hammock with a BIPM grant.
- ❖ Brevard County Storm Water Utilities Dept. will be lowering the level of one of the two ponds to assist with the treatment of exotic plants on site. Staff will replant native species when the project is completed.
- ❖ The caretaker house at Maritime Hammock that was severely damaged during the 2004 hurricane season has been demolished and will be rebuilt with funds from FEMA with the upstairs to be used as a living area and the first floor as storage.
- ❖ Groundbreaking for the Barrier Island Center (BIC) was held on August 19<sup>th</sup>.
- ❖ BIC contractor has equipment on site, and has completed the retention area south of the old building footprint.
- ❖ The theme for the BIC has been finalized: *"From Lagoon to Ocean, All Things are Connected"*.
- ❖ Work continues on copy for BIC educational material.
- ❖ Restoration of dunes damaged by 2004 hurricane season.

### **OLD BUSINESS:**

#### **Review of Land Acquisition Priority areas**

Mike reviewed the maps that were created after the September 8<sup>th</sup> prioritization workshop. These maps will be included as part of the September 26<sup>th</sup> meeting minutes and presented for approval at the October meeting. After the maps were reviewed, Ross asked for comments or questions.

#### **MOTION THREE**

**Paul Schmalzer moved to approve the land acquisition priority areas as presented.**

**Dave Breininger seconded the motion.**

**The motion carrier unanimously.**

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## **Additional Discussion**

Ross thanked everyone for their efforts in reviewing the land acquisition priorities as the information would be used to drive the focus of areas that would be targeted. Mike stated that although it was understood that everything could not be pursued at once, identification of key parcels and the larger areas which were most valuable would allow for the focus of energy on the most important parcels. Ross asked if priority information could be included when future properties were discussed. Staff will provide priority information when presenting future properties.

Kim Zarillo asked if anyone minded in a change to the order of the agenda to allow the Burklund and Vero-Pittsburg properties to be considered next, as Mark Ryan from the City of Titusville, was in attendance at the meeting relative to those two items. There was no objection to a change in the order of the agenda.

## **Burklund**

Paul reviewed the report from August 15<sup>th</sup> site visit. This 76± acre property is located in Titusville at the corner of Barna and Columbia. There are areas of scrub and wetlands on site and it is expected that the scrub area is approximately one third of the landscape. It is very overgrown. No evidence of Scrub-Jays or gopher tortoises was observed during the site visit. It is not adjacent to any conservation land and is in an urban location. There is a high expectation of value in the asking price. Paul stated that he felt the property had a low conservation value.

Ross stated he concurred with Paul's findings, and that the site was quite disturbed. He said that they were not able to confirm that the wetlands had native wetlands value due to species composition and changes in natural hydrology and that he would consider it a very low priority.

### **MOTION FOUR**

**Mark Bush moved to not consider the Burklund property for acquisition.**

**Ron Hight seconded the motion.**

**The motion carried unanimously.**

## **Vero Pittsburg Partners, LLC (New Business)**

Paul reviewed the report from the September 21<sup>st</sup> site visit. This 41± acre property is north of and directly adjacent to the Enchanted Forest in Titusville and includes three parcels. It has been identified as a high priority for acquisition. The habitat is similar to that of the Forest. There is some disturbance with exotic species along a sand road that runs through the property, but it is in good shape overall. There has been significant development around Sisson Road and it is thought that acquisition of this property may be the last chance to expand the Forest boundaries.

Mike reported that the property is adjacent to an area south of W.W. James Park where the Parks & Recreation Dept. (P&R) have plans for facility expansion. He stated that P&R staff has indicated a willingness to protect a portion of the site.

Kim asked about possible quarrying that may have done on the site previously.

Paul clarified that there has been some coquina extraction but that overall the site was in good shape.

Ross commented that the area would be a good buffer to the Enchanted Forest.

## **MOTION FIVE**

**Paul Schmalzer moved to proceed with a 1<sup>st</sup> Majority Vote on the Vero-Pittsburg Partners, LLC property.**

**Mark Bush seconded the motion.**

**The motion carried unanimously.**

### **Smit Property**

Paul reviewed the report from the August 29<sup>th</sup> site visit which indicated that the property is located near Grant in southern Brevard County and includes 26± acres. It is west of US 1 and west of Old Dixie Highway. The Valkaria Scrub Sanctuary is to the north and west of the property and private land is to the south. The site directly adjoins the Valkaria Scrub Sanctuary.

The following was noted:

- ❖ Vegetation on the property is primarily improved pasture.
- ❖ This property is currently operated as an equestrian center. There is a residence with an adjacent concrete-block horse barn. There are two modern wooden horse barns, storage buildings, and a covered pavilion for equestrian events.
- ❖ It is very feasible to use the existing structures and property as a Management facility for the South Region due to its location and proximity to EEL Program sanctuaries in the south part of the County.
- ❖ This may not be a good location for the Education Center which is scheduled to be located in the South Region, but it is not mandatory that the two facilities be together.
- ❖ It may be possible that P&R would be interested in operating an equestrian center at this location, and if so, might be a possible funding partner.
- ❖ Some of the property might be suitable for camping if a partnership was formed with P&R.
- ❖ There is evidence that three Florida Scrub-Jay families and gopher tortoises used the property in the past.
- ❖ The property might help create a buffer to the proposed Florida Inland Navigational District (FIND) property if the pending land swap could be arranged.
- ❖ The property might be able to be used as a trail head for equestrian use in the Valkaria Scrub Sanctuary.
- ❖ There was concern that adjacent property owners might object to a maintenance center in their area.

The SMC expressed interest in exploring a possible acquisition funding partnership with the Parks & Recreation Department.

Ross asked if there were additional questions or comments.

## **MOTION SIX**

**Ron Hight made a motion for a 1<sup>st</sup> Majority Vote on the Smit property.**

**Dave Breininger seconded the motion.**

**The motion carried unanimously.**

### **North Buck Lake Additions:**

**Taylor 1 parcel / Darryl White, 4 parcels / John White, 2 parcels / Espinoza 1 parcel / Jeffereys 1 parcel**

Paul reviewed the reports from the August 15<sup>th</sup> site visits. These small properties are all near the north border of Buck Lake near Mims. The flora is primarily native and would require the application of prescribed fire. There is a small depression marsh that is partially on EEL Program property which is adjacent to two of the properties owned by John White.

It was determined that parcels three and four of the Darryl White parcels should not be included.

#### **MOTION SEVEN**

**Mark Bush moved for a 1<sup>st</sup> Majority Vote on the Taylor, Espinoza, Jeffereys, John White, and Darryl White parcels #1 and #2 properties.**

**Kim Zarillo seconded the motion.**

**The motion carried unanimously.**

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

Mike reminded the group 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. A vote was taken, but only four of the votes were in support of a second Majority Vote to proceed with acquisition of this property. There was one vote in opposition of the second Majority Vote. Clarification was provided that a second Majority Vote requires a super majority (5 of 7) to pass.

Although the June minutes correctly indicated that the motion did not pass, Mike explained that during the August 1<sup>st</sup> meeting when the oversight was discussed, it was determined that the vote should be retaken after the land acquisition prioritization workshop.

The group discussed consideration of a 2<sup>nd</sup> Majority Vote on the Viera Blvd. Commerce Park property. The following was noted:

- ❖ The site is located south of Viera Blvd., directly west of US 1, and is approximately 50 acres.
- ❖ It is within an industrial park and has commercial zoning.
- ❖ Adjacent property to the south has been developed and a commercial facility is under construction southeast of the site.
- ❖ The Viera DRI Scrub Reserve is located northwest of this site and the Capron Ridge mitigation site is west of this site. There is little other scrub remaining in this area.
- ❖ Vegetation of the site is primarily sand pine scrub and some scrubby flatwoods which is restorable, but would require extensive work.
- ❖ It is estimated that the cost of the property could consume a large portion of the new referendum's funding.
- ❖ It is expected that the property would be difficult to manage.
- ❖ Funds have been expended for appraisals.
- ❖ If the 2<sup>nd</sup> Majority Vote was approved, the property would come back to the Committee for review before being presented to the Board.

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- ❖ Although the property is within the Brevard Coastal Scrub Ecosystem Project, there is no guarantee for partnership funding and there are also limited resources for land negotiation.

#### **MOTION EIGHT**

**Paul Schmalzer moved to decline further consideration of the Viera Blvd. Commerce Park property.**

**Ron Hight seconded the motion.**

**The motion carried by vote of 5 to 1.**

#### **Additional discussion**

Dave Breininger asked if the SMC could be provided with additional information on the Viera Mitigation Conservation properties. Ross asked if the topic could be put on the agenda of a future meeting. Staff will provide the requested information and schedule the topic for a future meeting.

#### **NEW BUSINESS:**

##### **Vero Beach Estates**

Paul reviewed the report from the September 22, 2006 site visit. This 197± acre, property is located in the Grant/Valkaria area, south of Micco Road, west of US Highway 1 and north of the St. Sebastian River Preserve. It is a relatively large site. Other public lands are nearby. Prescribed burning and controlling exotic plants and feral pigs would be some of the management issues.

#### **MOTION NINE**

**Mark Bush moved for a 1<sup>st</sup> Majority Vote on the Vero Beach Estates Property.**

**Dave Breininger seconded the motion.**

**The motion carried unanimously.**

#### **Challenger Memorial Parkway Properties**

##### **Port St. John Investments Mitigation Donation / ELM Mitigation Donation**

Suzanne Kennedy provided information on the Port St. John Investments 36± acre property which is being offered to the EEL Program as a mitigation donation.

Mike provided information on the 10± ELM property which is also being offered to the EEL Program as a mitigation donation.

Paul reviewed the report from the September 21<sup>st</sup> site visit to both properties which are located on the west side of SR 407 north of SR 528.

The following was noted:

- ❖ Both properties are wetlands where the hydrology of the area has been affected by construction of SR 407 on the east side.
- ❖ The sites do not adjoin public lands, but the surrounding areas are too wet for development. Currently, lands to the north and west are grazed for cattle.
- ❖ Restoration to the native marsh conditions would require chopping of the wetland vegetation followed by prescribed burning.

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- ❖ Mike reminded the SMC that the Board has authorized the EEL Program to accept donations of land that are inside, or outside, of Project areas, as long as the SMC is supportive of the donation.
- ❖ It was suggested that the property be accepted for donation, with an ultimate goal of transferring management of donated properties in that area to the SJRWMD, if that became a possibility.
- ❖ Kim Zarillo requested clarification of whether or not management fees would be received, if the donations were accepted.

**MOTION TEN**

**Paul Schmalzer moved to accept the Port St. John Investments and ELM mitigation donations with the stipulation that staff would negotiate management fees.**

**Kim Zarillo seconded the motion.**

**The motion carried unanimously.**

**Hafizi Property**

Paul Schmalzer reviewed the report from the September 21<sup>st</sup> site visit. The following was noted:

- ❖ The property consists of 267± acres of land west of SR 407 and north of SR 528.
- ❖ These lands are primarily wetlands that are managed for grazing and are part of the floodplain of the St. Johns River.
- ❖ The marshes have been roller-chopped periodically to reduce shrub cover and burned.
- ❖ The flora is primarily native.
- ❖ It appears there is a low threat of development.
- ❖ The parcel is interesting, but not considered to be a high priority at this time.
- ❖ It is possible the parcel could be used for mitigation.

**MOTION ELEVEN**

**Paul Schmalzer moved to decline the 1<sup>st</sup> Majority Vote on the Hafizi property with stipulation that staff should contact the St. Johns River Water Management District to see if they might have an interest in acquiring the property.**

**Kim Zarillo seconded the motion.**

**The motion carried unanimously.**

**Cronin Properties 1 & 2**

Paul reviewed the report from the September 21<sup>st</sup> site visit to the Possum Bluff Property which is 175± acres and located south and west of the junction of SR 528 and SR 407 extending to the St. Johns River.

The following was noted:

- ❖ The site is currently grazed by cattle and also leased for hunting.
- ❖ The area is better drained than most of the surrounding property.
- ❖ Much of the site burned in the spring of 2006.
- ❖ The flora is primarily native.
- ❖ The areas is currently used for recreation with some unauthorized off road vehicle use.
- ❖ Clarification was requested regarding the possibility of funding partners and staff was directed to contact the Department of Transportation to determine if the land could be used for mitigation if SR 528 or SR 407 are widened.

- ❖ Consideration of St. Johns River Water Management District as a potential partner was discussed.
- ❖ All options for protection are under discussion.

No vote was taken. It was determined that it might be beneficial for an SMC member to meet with the owners. Kim Zarillo volunteered represent the SMC. A meeting will be arranged.

**Public Comment:**

William Riley, citizen spoke of his concerns regarding access to his property, which is located in the EEL Program's South Region. His concerns were noted, and staff will assist him in getting his questions answered.

**NEXT MEETING:**

The next meeting will be held on October 17, 2006.

**ADJOURNED:**

The meeting was adjourned at 5:00 PM.

**SUMMARY OF MEETING MOTIONS:**

- Motion to approve the August 1, 2006 minutes as amended.
- Motion to approve the September 8, 2006 minutes as amended.
- Motion to approve the land acquisition priority areas as presented.
- Motion to not consider the Burklund property for acquisition.
- Motion to proceed with a 1<sup>st</sup> Majority Vote on the Vero-Pittsburg Partners, LLC property.
- Motion for a 1<sup>st</sup> Majority Vote on the Smit property.
- Motion for a 1<sup>st</sup> Majority Vote on the Taylor, Espinoza, Jeffreys, John White, and Darryl White parcels #1 and #2 properties.
- Motion to decline further consideration of the Viera Blvd. Commerce Park property.
- Motion for a 1<sup>st</sup> Majority Vote on the Vero Beach Estates property.
- Motion to accept the Port St. John Investments and ELM mitigation donations with the stipulation that staff would negotiate management fees.
- Motion to decline the 1<sup>st</sup> Majority Vote on the Hafizi property with stipulation that staff should contact the St. Johns River Water Management District to see if they might have an interest in acquiring the property.

Attachments: Land Acquisition Priority Maps (3)

