



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

**June 27, 2007
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Ross Hinkle
Randy Parkinson
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Jenny Ashbury
Laura Clark
Judy Gregoire
Mike Knight
Chris O'Hara

THE NATURE CONSERVANCY

Angela Klug
Rebecca Perry

GUESTS

Robert Day, SJRWMD Indian River Lagoon Program, Cocoa Beach Land Mgmt. Committee
Susan Gosselin, Brevard County Natural Resources Management Office
Tom Herbert, citizen
Hank Saunders, citizen
Lisa Smith, Cocoa Beach Land Mgmt. Committee
Dale Young, citizen

*“Protecting and Preserving Biological Diversity
Through responsible Stewardship of Brevard County’s Natural Resources”
June 27, 2007
Approved July 31, 2007*



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

June 27, 2007
Meeting Minutes

CALL TO ORDER:

Ross Hinkle called the meeting to order at 1:02 PM.

PUBLIC COMMENT:

None.

MINUTES:

The April 25, and May 23, 2007 minutes were presented for approval.

Ross asked for comments to the April 25th minutes.

Paul Schmalzer clarified that the correct ending time for the meeting was approximately 2:00 PM, due to the Procedures Committee (PC) meeting which began directly after the Selection and Management Committee (SMC) meeting. He also suggested the removal of the phrase “with some depression marsh” from the information used to describe the Myron Taylor property. Staff will amend the minutes as noted.

MOTION ONE:

Paul Schmalzer moved to approve the April 25, 2007 minutes as amended.

Kim Zarillo seconded the motion.

The motion carried unanimously.

Ross asked for comments to the May 23rd minutes.

Paul suggested the removal of the comma on page 2, line 3, after the word “that”; he confirmed that the word “Lygodium” should be underlined or italicized; and he clarified that the minutes needed to reflect that he had expressed concern during the discussion on the Wells property regarding the need for information on the acquisition strategy for the Grissom mega-parcel area.

Mike commented that staff would provide information on the Grissom mega-parcel acquisition strategy in the near future.

Randy Parkinson stated that during the May 23rd meeting he had requested that one of his e-mails should become part of the permanent record for that meeting, and that the wrong e-mail had been included in the draft minutes. Staff will ensure that the correct e-mail is included with the final minutes.

Ross commented that he had provided written clarification for a few references to his comments during the discussion on the draft Translocation Policy. A copy of the information will be included in the meeting folder and staff will ensure that the minutes are revised to reflect the changes.

MOTION TWO

Paul Schmalzer moved to approve the May 23, 2007 SMC minutes as amended.

Kim Zarillo seconded the motion.

The motion carried unanimously.

EEL Program SMC Committee Meeting

June 27, 2007

Page 1 of 11

Approved July 31, 2007

Ross and Paul commented on the importance of documentation in the minutes, especially in light of the sensitive topics under consideration. Mike voiced his appreciation for the SMC member's review of draft minutes.

ADMINISTRATIVE REVIEW:

The Administrative Review was reviewed.

SMC REPORTS

REAC Update

An update from the Recreation and Education Advisory Committee (REAC) was not required as they have not held a meeting since the last SMC meeting.

Other SMC Reports

None.

STAFF REPORTS:

NORTH REGION

Judy provided an update on the North Region:

- Prescribed fire efforts continue at the Enchanted Forest and work is being done to install fence and fire lines where needed.
- Kris Brown, North Region Land Management Technician has recently resigned, but before he left he worked with volunteers in an effort to document gopher tortoises at the Sterling Forest donation site and other North Region sites.
- Approximately 100 tortoises have been tagged in the area of the Atlantic Coastal Ridge for an average distribution of 7 or 8 per acre, which is considered to be high density.
 - Ross commented on how important it was that data was being collected that can be utilized in the management decision making process.
- Friends of Enchanted Forest sponsored Earth Day with over 900 participants this year.
- Working with Dave Breininger at the Dicerandra Scrub Sanctuary to band Jays
- Invasive exotics removal at Dicerandra 300 Melaleuca plants were removed from the wetland during volunteer workday.
- Dicerandra Sanctuary's last prescribed fire was 2003. Need to implement prescribed fire to eliminate the need to mechanical treatment before next burn.
 - Paul commented that landscapes managed by prescribed fire frequently experience quick re-growth after a burn.
- Still hauling out trash at Indian Mound. There was a volunteer clean up effort a few weeks ago that was followed by a hike.
- Working on plant and animal species inventories at South Lake.
- Recently held fire-wise public educational program on prescribed fire for South Lake neighbors.
- Weekly fence repairs at North Buck Lake Sanctuary ongoing.

Kim asked about the status of a booklet with a green cover that has been distributed in the past at the Enchanted Forest. Judy will provide information in the near future.

THE NATURE CONSERVANCY:

Rebecca Perry reviewed The Nature Conservancy's June 27, 2007 Report to the SMC.

AGENDA ITEMS:

Public Comment

None.

Micco Scrub Sanctuary FP&L Easement Request

Mike reminded the group that at the last meeting, the SMC authorized a realignment of the FPL easement previously approved on February 27, 2007 by 20 feet to the south to accommodate the probable future expansion of Micco Road. During subsequent discussion with FPL representatives, staff has become aware that relocation of the easement will also result in a larger easement footprint, because the street was previously considered part of the required area for the power lines. He explained that FPL had requested a temporary easement that would not provide compensation for the change unless Micco Road was actually widened, but staff had indicated this was not an acceptable suggestion. Mike provided information on the management issues. He explained that vegetation under the power lines would be limited and that easement language would need to be rewritten.

Public Comment

None

MOTION THREE

Paul Schmalzer moved to approve staff to renegotiate the FPL Micco Sanctuary easement language to reflect the larger footprint that moving the easement 20 feet to the south would require.

Kim Zarillo seconded the motion.

Additional Discussion

Clarification was provided that the EEL Program received notification of the possible widening of Micco Road from the Brevard County Transportation and Engineering Department and that this motion was not to be considered an endorsement by the EEL Program to allow the sanctuary to be impacted from the future widening of the road.

The motion carried unanimously.

EEL Program Translocation Policy

Mike explained that comments received on the draft Translocation Policy had been incorporated into the document and that it was being presented for a final vote. After the policy is approved by the SMC, the next step will be to incorporate the EEL Program policy in to the County's policy, which will then be presented to the Board of County Commissioners for approval.

Paul stated that it was important to get the policy in place as the continued development of land within the County would increase the pressure for public lands to accept threatened or endangered species for relocation.

Mike stated that there appeared to be a number of private citizens who showed an interest in accepting tortoises on their property as part of the County's plans for translocation.

Clarification was provided that the EEL Program policy would be brought back to the SMC if there were any changes while it was being incorporated into the County policy.

Mike stated that proposals for determining the carrying capacity of any species which might be identified as appropriate for possible translocation were being received from several groups and if the EEL Program did not receive a proposal that could be approved, the EEL Program would determine the appropriate method.

MOTION FOUR

Paul Schmalzer moved to approve the June 5, 2007 EEL Program Translocation Policy.

Dave Breininger seconded the motion.

The motion carried unanimously.

Kim suggested a cooperative effort with other groups who were planning this type of activity.

Dave expressed concern that the science for determining carrying capacity may not have been developed yet and that additional research could be needed.

Clarification was provided that continual monitoring would be an important part of the process.

Dave suggested that this might be a good long term student project.

Judy informed the group that consideration was being given to releasing a fly (biological control) in the Enchanted Forest in the hopes that it would reduce some of the extensive damage being done to the bromeliads by the bromeliad weevil, which is an invasive, exotic species. Additional information will be provided in the future on this plan.

Thousand Islands Management Plan, Cocoa Beach

Public Comment

Lisa Smith and Bob Day thanked the EEL Program for their efforts to conserve the Thousand Islands as a natural area and expressed their support for a cooperative effort in development of the Thousand Islands Management Plan.

Additional Discussion

Mike explained that he recently met with the City of Cocoa Beach and it had been determined that the EEL Program would not present a Management Plan for the Thousand Islands for approval to the City of Cocoa Beach until the Exotic Species Strategic Plan can be completed.

A Management Plan for the Thousand Islands in Cocoa Beach has been distributed to the SMC for their review and comments were incorporated prior to this meeting.

Mike explained that staff was requesting approval of the Management Plan so that the funding request to the Florida Communities Trust (FCT), who had agreed to partner in the purchase, could be submitted. Mike clarified that the requested approval came with the stipulation that the demonstration site concept was subject to approval in the Exotic Species Strategic Plan, which would come after the EEL Program had the opportunity to estimate costs and determine if the demonstration site concept was financially feasible.

Mike informed the group that he had informed the City of Cocoa Beach that the EEL Program would not move forward with the planned acquisition of the Reynolds portion of the Thousand Islands until the Exotic Species Strategic Plan had been approved by the City of Cocoa Beach because it was imperative that the Program be allowed to follow established management

practices on all acquired properties. The islands are being purchased for the purpose of protecting biodiversity.

The Australian pine is categorized as a Category I Invasive Exotic Species by the Florida Exotic Pest Plant Council which means that these plants invade natural communities, displace native species, disrupt ecosystem processes or hybridize with native species. Australian pines also establish dense stands which exclude other species, creating a monoculture habitat.

Ross stated that the purpose of buying land for conservation was to optimize biodiversity.

Kim asked who should be submitting the ongoing monitoring plan reporting.

Mike stated that the EEL Program had the lead on this project and would be responsible for submitting the monitoring reports.

Dave Breininger asked about the possibility of managing some of the islands as habitat for shore birds because that habitat is some of the rarest in the region.

Kim stated she had been involved in preparing the FCT application and that managing some of the islands as habitat for shore birds had been included in the original application packet.

Clarification was provided that using verbiage relating to a phased approach for the removal of invasive exotic species would be used.

Concern was expressed regarding the potential cost impact if a seed source remained for an extended period of time.

A concern was received regarding the development of a management plan that included plans for property that was not yet acquired by the Program. Mike confirmed that the plan had been written with the understanding that both properties (Crawford and Reynolds) would be acquired.

It was noted that concerns have been received from some Cocoa Beach residents who have expressed their displeasure with EEL Program plans to remove the Australian Pine trees located on some of these islands, because they like the way the islands look now, and fear that if the trees are removed, the islands will appear unsightly for an extended period of time. Discussion ensued regarding these concerns and ways to work toward a management goal that would address the concerns while complying with the Cocoa Beach Comprehensive Plan, which requires the eradication of invasive exotic species on public lands, and EEL Program's established management practices

Clarification was provided that environmental education would be an important part of communicating with the public regarding the management of the Thousand Islands.

Kim suggested getting clarification from Amy Adams regarding FCT requirements.

MOTION FIVE

Randy Parkinson moved to approve the Thousand Islands Management Plan for the purpose of submitting a request for the approved FCT funding allocation, and without the Exotic Species Strategic Plan which will be submitted for approval to the SMC as an amendment to the Management Plan before being forwarded to the Board.

Kim Zarillo seconded the motion.

The motion carried unanimously.

EEL Program SMC Committee Meeting

June 27, 2007

Page 5 of 11

Approved July 31, 2007

Property Exchange Request, Parks & Rec. W. W. James Park

The Brevard County Parks & Recreation Department has requested consideration of a possible exchange of land they own north of the Enchanted Forest Sanctuary in Titusville for part of the Vero-Pittsburg Partners, LLC property which the EEL Program currently has under contract. The SMC reviewed maps of possible exchange scenarios.

Members of the SMC indicated that they were agreeable to the overall concept but that additional information would be required. It was determined that a site visit to the area would be appropriate. A site visit will be scheduled and additional information will be provided at a future meeting.

Daniel & Judy Bornstein Property

Mike provided overview information on the 1.25± acre Bornstein property in Canaveral Groves which was being presented for a 2nd Majority Vote. The property is in the SR 528 mega-parcel area which is proposed as an amendment to the BCSE Project. The EEL Program has not made acquisitions in this area, but there are lands acquired by USFWS for the Dusky Seaside Sparrow. Ross asked if a method could be worked out so that properties like this one could be presented to the SMC and, if approved, appraised as a group.

MOTION SIX

Kim Zarillo moved to table further consideration of the Bornstein property until a process was in place to appraise isolated properties in this area.

Paul Schmalzer seconded the motion.

Public Comment

None

The motion carried unanimously.

MLCI/David Lee Property

Mike provided overview information on the 760± acre MLCI/David Lee property which is located South of Micco Road between the state's St. Sebastian River Buffer Preserve and the EEL Program's Grant Flatwoods Sanctuary (formerly known as MEP). This property received a 1st Majority Vote on February 27, 2007 and is being presented for a 2nd Majority Vote. It was considered to be of the highest acquisition priority by the SMC.

The February 9, 2007 site visit report indicates that the property consists of four adjacent parcels. The current vegetation of the site is improved pasture throughout. There are numerous low ditches through the site. These are the result of the site being bedded for citrus. The water table has also been lowered by some larger ditches. The owner indicated that citrus was abandoned in the 1980s. When the citrus trees were cleared, the land was planted to improved pasture for cattle.

Brazilian pepper, an invasive exotic, is present along the ditch on the south side of the site between it and the State Park. Cattail occurs in some of the larger ditches.

Sandhill Cranes were observed using the Pasture.

These properties are within the Brevard Coastal Scrub Florida Forever Project. They were added to this project because they offered connectivity between two major conservation areas. There is the potential to restore these sites to flatwoods and wetlands over time. The process would take time and resources. Maintaining a mowing or perhaps grazing regime to keep Brazilian pepper from colonizing the pastures may be necessary until restoration could be accomplished.

Dave Breininger asked if there was a feeling for the approximate cost of the property. Mike indicated that was unknown.

Kim suggested consideration of not purchasing the entire area. Mike stated it was his understanding that the owner wanted to sell all the property at the same time.

Paul stated that the property represented a potential connection between the Buffer Preserve and EEL Program lands.

MOTION SEVEN

Paul Schmalzer moved to approve a 2nd Majority Vote for the MLCI/David Lee property.

Kim Zarillo seconded the motion

The motion carried unanimously.

Gail Morris Property

Mike provided information on the 1.01+ acre Morris property which is located in Mims and was being presented for a 2nd Majority Vote. This property is adjacent to the North Buck Lake Sanctuary. It is located on the south side of Cinnamon Teal Drive and consists of scrub and depression marsh. A site visit specific to this property was not required because it was viewed during the site visit for the White, Taylor, Espinoza & Jefferys properties and it is known to have the same habitat as those sites. This property is considered to be of high conservation priority by the SMC.

MOTION EIGHT

Kim Zarillo moved to approve a 2nd Majority Vote on the Gail Morris property.

Paul Schmalzer seconded the motion.

The motion carried unanimously.

Jay Wells Property

Mike reviewed a new willing-seller application on the 1.55 acre Wells property which is located near Grissom Parkway within the Brevard Coastal Scrub Ecosystem (BCSE) Florida Forever Project. The parcel is west of SR 528 and east of the Veronica Estates – Lawhon property.

Paul mentioned his previous request for information on an acquisition strategy for this area. This property was tabled at the May 23, 2007 pending input from Keith Fountain regarding the State funding potential for the mega-parcel project.

Sue Gosselin mentioned that Natural Resources has received inquiries from people looking for property that could be purchased and donated for mitigation purposes and that she was keeping a list of possibilities.

Dave Breininger stated that the property was within the BCSE project boundary, but that it could also have value as a mitigation donation. This property is considered to be of high priority by the SMC.

MOTION NINE

Paul Schmalzer moved to approve a 1st Majority Vote on the Jay Wells property.

Dave Breininger seconded the motion.

The motion carried unanimously.

Clarification was provided that staff should keep in mind that the site would make a good mitigation donation.

Hunter's Brook Property, Titusville

The Hunter's Brook property consists of 10 parcels west of Fox Lake Park in Titusville. It is part of an area previously referred to as the Moehle or Modern Inc. property which was included in the Coastal Scrub Ecosystem Initiative BCSE boundary amendment of 1996. The EEL Program received an updated willing seller application from a new owner on March 14, 2007 for 3,253+ acre acres of property. Site visit reports from May 8, 1992 (as Moehle) and June 13, 2007 were reviewed.

This property includes several terrestrial plant communities, including scrubby flatwoods, mesic to hydric flatwoods, flatwoods ponds/marshes, live oak hammocks, cabbage palm savannas, and floodplain marshes. In addition, the aquatic communities of Fox Lake and South Lake are included. Drainage from South Lake/ Fox Lake flows through a slough on the property to the St. Johns River, forming an important hydrological connection.

In the 1990s, land use of the property included cattle grazing at low densities and salvage logging of pines killed by wildfires. Cattle are not currently on the property, and there does not appear to have been recent logging of pines. Hydrology of the area has been altered to some extent by drainage canals installed in the past.

The flora of the site is predominantly native. Some Brazilian pepper was seen along the entrance road and some Chinese tallow-wood occurred along a power line right-of-way. The extent of invasive exotic plant populations is lower than often encountered.

The conservation values of this property remain very high. The landscape is dominated by natural communities. Landscape connections between uplands and wetlands remain intact. The habitat condition of many communities has been reduced by fire exclusion, but can be restored with prescribed burning along with fuel reduction treatments where necessary.

The primary management needs are prescribed burning of scrub, flatwoods, and marshes. Some hydrological restoration such as filling or blocking ditches and canals may be required. There appear to be relatively minor exotic plant problems. The extent of the feral pig population is undetermined, but may require control

This property is west of Fox Lake and adjoins part of South Lake. The Salt Lake Wildlife Management Area owned by the St. Johns River Water Management District (SJRWMD) and the State of Florida borders it on the north. The Seminole Ranch Conservation Area (SJWMD) is to the west, and the St. Johns National Wildlife Refuge, (US Fish and Wildlife Service) is to the south. There are some private lands to the west and south, and a few small in holdings of other private lands within the general boundaries.

Mike asked the SMC to consider re-confirming the 1st and 2nd Majority Votes for this property.

Ross stated that the EEL Program had been trying to purchase the property for a long time. This property is considered to be of the highest priority by the SMC.

MOTION TEN

Paul Schmalzer moved to approve a 1st Majority Vote for the Hunter's Brook property.

Dave Breinger seconded the motion.

The motion carried unanimously.

MOTION ELEVEN

Paul Schmalzer moved to approve a 2nd Majority Vote for the Hunter's Book property.

Dave Breininger seconded the motion.

The motion carried unanimously.

Sanctuary Management Manual Review

Staff provided the following information relative to possible revisions to the EEL Program's Sanctuary Management Manual:

New language to consider for the Sanctuary Management Manual

For possible insertion on or about page 15, Chapter 3.2 *Management Plan Development*.

Background

The EEL Program was established to protect and preserve biological diversity in Brevard County as one of the major goals supporting the referendum. To accomplish this goal, the BOCC carefully selected members of the SMC who have extensive practical and scientific experience with the "best practices" for land management for these purposes. With this important goal in mind, the following process will be used to ensure input and discussion to achieve these goals:

Implementation

The Board may approve or deny any Site Specific Management Plan proposed by the EEL Selection and Management Committee. However, the Board may not expand the management or public use activities within the Site Specific Management Plan without review and recommendation of approval by the EEL Program Selection and Management Committee.

Prior to presenting a Site Management Plan to the Board of County Commissioners, staff will present the complete Plan with amendments and appendixes, to the Selection and Management Committee for final review and authorization to proceed to the Board. The plan should include all REAC recommendations, stake holder input, and public comment. During SMC review and discussion the primary question to be answered is: Does the Site Management Plan meet the Program objectives and needs and should the EEL Program SMC recommend that the BOCC approve the Plan? Only those plans, plan amendments, and changes in management or land use that have been approved by the SMC shall be brought before the BOCC for approval.

Mike explained that he wanted to quickly reconfirm the status of the pending revisions to the Sanctuary Management Manual in order to tighten the language to the same level that exists in the Land Acquisition Manual. He stated that he believes there will be additional requests for incompatible uses of EEL Sanctuaries and that the Program needed to be prepared for that. He also stated that he needed to clarify his role as Program Manager. Mike indicated his personal feeling was that the Program should be focused on science relative to the management of EEL Program sites, but that he believed that the perception existed with some people that his job as Program Manager was to receive input from the Citizen Advisory Committees, hear what the Commissioners have to say and find a solution somewhere in the middle, and that he did not believe that was how the Program was set up to be run.

Kim Zarillo asked for an update on the recent citizen's request for an Administrative or County Attorney review of the authority required to present a Management Plan to the Board that did not

have the approval of the Selection and Management Committee relative to the recent decision to allow creation of a paved trail at the Malabar Scrub Sanctuary.

Mike explained that the County Manager had asked him to respond to the letter and he had reviewed the County's Comprehensive Plan and had not been able to find any language more specific than what was in the Sanctuary Management Manual.

Randy Parkinson stated that he did not believe that the citizen expected that Mike would be requested to review his own decision.

Ross stated that he believed that the intent behind the old referendum and the formation of the Selection and Management Committee was to keep those types of decisions on the table and reviewed by the science committee and that has been his understanding of the historical application.

Mike stated he felt the manuals were very clear but that what had complicated things was that the language in the Sanctuary Management Manual was not as clear as the language in the Land Acquisition Manual and that if that could be fixed, it would make his job a lot easier.

Kim expressed concern that staff had made a recommendation to the Board that was in conflict with the recommendation from the Selection and Management Committee and asked what would keep that from happening in the future.

The group stated they felt that was the intent of the last line in the revisions.

Mike replied that when he met with Mary Spahr, Susan Valencia and Maureen Rupe, they had suggested inclusion of the last line of the pending revision which reads: "Only those plans, plan amendments, and changes in management or land use that have been approved by the SMC shall be brought before the BOCC for approval."

Ross said that operationally, the issue needed to be resolved.

Randy stated that Mike had mentioned that there would be additional requests for activities on EEL Program sites and asked if he would elaborate.

Mike replied that there was continued interest in seeing paved trails through Jordan, Micco, the Mega-parcel area and Grant Flatwoods and that he had met with Barbara Meyer and Murray Hann recently in an effort to confirm the locations on EEL Program sites that were being requested. He stated that he felt that the requests should be considered and the SMC should go on the record. He also said that staff's recommendation would be that paved trails were incompatible.

Ross said that he felt that Malabar was just a test case. Kim agreed.

Mike said that there was absolutely no intention to follow suit with what's going on in Malabar where there were a whole different set of circumstances that had to be addressed. He said his concern in having us wait too long to address the issues is that this Program will be coming under pressure to make those decisions based on someone else's time table and that he thinks it is important for the issues to be dealt with.

Paul asked if the Greenways and Trails plan was going to be provided for the SMC to review.

Ross asked if the information could be e-mailed to allow for members to review the information prior to the topic being presented at a meeting and to allow for the Committee to provide comments back to Mike.

Mike stated he had received information a year ago from Barbara Meyer and met recently with her and Murray Hann to try to confirm the information was still current.

It was determined that Mike would e-mail maps of where the Greenways and Trails plan impacted EEL Program sanctuaries in the South region and that he would send shape files of the information to Dave.

NEXT MEETING:

The date of the next meeting was set for July 31, 2007. This meeting will begin with a special session on the Transportation and Engineering Department's request for a maintenance easement at the Cruickshank Sanctuary in Rockledge. The meeting will be held from 1:00 – 5:00 PM.

ADJOURNED:

The meeting was adjourned at 4:10 PM.

SUMMARY OF MEETING MOTIONS:

- Motion to approve the April 25, 2007 minutes as amended.
- Motion to approve the May 23, 2007 minutes as amended.
- Motion to allow staff to renegotiate the FPL Micco Sanctuary easement language to reflect the larger footprint that moving the easement 20 feet to the south would required.
- Motion to approve the EEL Program's Translocation Policy.
- Motion to approve the Thousand Islands Management Plan for the purpose of submitting a request for the approved FCT funding allocation, and without the Exotic Species Strategic Plan which will be submitted for approval to the SMC as an amendment to the Management Plan before being forwarded to the Board.
- Motion to table further consideration of the Bornstein property until a process was in place to appraise isolated properties in this area.
- Motion to approve a 2nd Majority Vote for the MLCI/David Lee property.
- Motion to approve a 2nd Majority Vote for the Gail Morris property.
- Motion to approve a 1st Majority Vote on the Jay Wells property.
- Motion to approve a 1st Majority Vote for the Hunter's Brook property
- Motion to approve a 2nd Majority Vote for the Hunter's Brook property.