



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

**July 30, 2008
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Ron Hight
Ross Hinkle
Randy Parkinson
Paul Schmalzer

EEL PROGRAM STAFF

Xavier DeSeguin
Sandy Carnival
Laura Clark
Mike Knight
Dean Vanderbleek

THE NATURE CONSERVANCY

Anne Birch
Anne Mayer
Rebecca Perry

GUESTS

Susan Gosselin, Brevard County Natural Resources Management Office
Rodney Honeycutt, citizen
Dale Morris, citizen
Suzanne Valencia, Sierra Club
David Keith Winston, Brevard Zoo

*Protecting and Preserving Biological Diversity
Through Responsible Stewardship of Brevard County's Natural Resources*

*July 30, 2008
Approved September 16, 2008*



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

July 30, 2008
Meeting Minutes

CALL TO ORDER:

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

PUBLIC COMMENT:

None.

MINUTES:

The June 17, 2008 minutes were presented for approval.

Ross Hinkle asked for comments to the June minutes.

Paul Schmalzer commented:

- Page 7 - incomplete information related to soils type should read "Floridana, Chobee and Felda soils flooded..."
- Page 9 – second line of second paragraph, change from "item" to "items".
- Page 12 – in recap of motions, 4th bullet, change from "Man" property to "Mann".
- Page 12 – in recap of motions, 5th bullet, change from "list" to "lost".
- Page 12 – in recap of motions, extra "s" under the last bullet should be removed.

Ross asked for additional comments to the June minutes.

MOTION ONE

Randy Parkinson moved to approve the June 17, 2008 minutes as amended.

Ron Hight seconded the motion.

The motion carried unanimously.

ADMINISTRATIVE REVIEW:

The Administrative Review was reviewed.

Ross stated that he would like to thank EEL Program and TNC staff for all their work in getting the Boyd and DiChristopher properties on the table and before the Board of County Commissioners (BOCC). He also expressed his appreciation for the BOCC approval of the acquisitions.

Mike Knight provided clarification that the Boyd and DiChristopher Sykes Creek properties closed on July 24, 2008, and that a request to renew the TNC contract would be presented to the Board of County Commissioners (BOCC) on August 19, 2008.

Mike stated that the Balkany property acquisition had been approved by the Board the previous day.

Information was provided that the US Fish and Wildlife Service permit related to the pending Cochran donation had expired, which affected the pending Balkany purchase. Further information will be provided on this item in the future.

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A letter from the SMC to the BOCC that Ross had drafted regarding SMC support of the Ag Ventures and Scottsmoor Partners was distributed for signature during the meeting.

Mike explained that he had accompanied a group of citizens on a visit to the Ag Ventures and Scottsmoor Partners properties and that he had attended two citizen informational meetings.

Public Comment

None.

REAC UPDATE

Additional information has been received regarding the request for the proposed paved trail at the Malabar Scrub Sanctuary. It is anticipated that the information will be distributed to both the REAC and SMC prior to the August 14, 2008 REAC meeting, when the REAC committee will reconsider the request.

Clarification was provided that it has been more than a year since the Malabar Scrub Sanctuary Management Plan was first sent to the State.

SMC REPORTS

Ross mentioned that information was being gathered regarding ecosystem services such as carbon sequestration and that this was a rapidly developing activity in the state.

Ron Hight mentioned that he had a recent discussion with The Conservation Fund on this topic and that long term management needs and goals were an important part of the considerations.

STAFF REPORTS:

Rx Fire

Dean Vanderbleek provided an overview of recent events related to Prescribed Fire including:

- Burning since the start of the year
 - January - Touch up burn at Jordan. Cooperative effort with Town of Malabar Fire Department.
 - March - Prescribed Fire at South Lake Conservation area over 2 days in an area that is surrounded by development on three sides. Subsequent mop ups. No smoke complaints.
 - May - Wildfires in South Region.
 - July - Dicerandra Scrub Sanctuary. City of Titusville assisted. 4 smoke complaints received.
- Future burns planned after the rainy season
 - North of Malabar Road at Malabar Scrub Sanctuary
 - Department of Forestry Mitigation Team work at Malabar Scrub Sanctuary
 - Buck Lake Conservation Area
 - Malabar West

Mike showed the pictures that were included in the recent press release on the wildfires in the South Region.

North Region

Xavier De Seguin provided an overview of recent events in the North Region including:

- New maintenance building at the Enchanted Forest is complete.

- It appears there may be a reduction in damage by the Bromiliad Weevil as a result of the recently introduced parasitic fly. Research is continuing and additional information will be provided as it is received.
- Prescribed fire plans.
- Feral Hog Control.
- Eagle Scout project installing steps to control trail erosion.
- REAC supported the proposed Fox Lake Sanctuary (fka Hunters Brooke) Interim Management Plan as presented by staff.
- Guide training at Enchanted Forest Sanctuary.
- Plant and bird surveys continuing.
- Working with law enforcement on damage to sanctuary fences.

THE NATURE CONSERVANCY:

Rebecca Perry reviewed The Nature Conservancy's July 30, 2008 Report to the SMC.

Ag Ventures and Scottsmoor Partners properties – contracts executed, scheduled for BOCC review on August 5th.

Boyd and DiChristopher properties – closed July 24th.

Balkany – BOCC accepted assignment, should close in approximately 3 months.

Coastal Jewell – appraisers selected.

Ross commented that he felt it would be appropriate for the SMC to revisit land acquisition prioritization at the next meeting.

Additional Discussion

Dave Breininger requested an update on discussions regarding the Viera scrub conservation area. Mike explained that discussions have occurred regarding the possible donation of the 300 – 400 acres of scrub habitat near the Capron Ridge subdivision. Paul stated that this property had been identified as important habitat in 1991, but that acquisition efforts in the area had been unsuccessful. Ross suggested this item be included for discussion in a future agenda.

Ross asked if there would be any concern with a change in the order of the items of the agenda. No concerns were received.

AGENDA ITEMS:

Grissom Road Mitigation Donation Request

Mike provided clarification that the EEL Program has authorization to accept donated property outside a Project area if the Selection and Management Committee approves the donation.

Information was provided on a proposed donation of 3 parcels of property located on the east side of Grissom Road that have been offered to the EEL Program as a mitigation donation. The 3 properties are not contiguous. They are not adjacent to or near any other property acquired by the EEL Program, and they are outside any current Project boundary. The area was originally included in the application footprint for the Brevard Coastal Scrub Ecosystem, but it was later removed because the project was considered to be too large. The lots are in the general area of the Smith property, which was previously reviewed and declined by the SMC.

Discussion ensued regarding management responsibilities, if the property was accepted for donation. Sue Gosselin from Natural Resources clarified that this donation was mitigation required under the County Landscape and Clearing guidelines, as opposed to occupied scrub mitigation.

Paul stated he was willing to visit the property, but he had concerns regarding long term viability of the habitat in the area due to increasing industrialization.

Randy stated the area being discussed was not considered a high priority for acquisition at this time.

Paul agreed and stated that it was more important to fill in the mega parcel area where management efforts could be consolidated.

Susan Gosselin from the Natural Resources Management Offices provided overview information on mitigation requirements that included requirements of mitigating "like for like" which clarifies that wetland parcels can not be accepted as mitigation for scrub habitat.

Ross asked about the options for connectivity. Ownership in the nearby area will be researched.

Randy expressed his concern regarding possibly expending efforts to establish connectivity in an area that was not considered to be an existing high priority.

Dave expressed interest in the possibility of acquiring additional scrub habitat in that area through mitigation.

Sue explained that there were no timeframe guidelines for the establishment of management for this type of mitigation and that it was getting hard to find scrub for mitigation.

Mr. Honeycut explained that Mr. Morris owns 28 lots in the area, so there could be other properties available.

Ron Hight asked about the possible options of someone else acquiring a larger parcel as a mitigation bank and the donation coming to the EEL Program as a larger donation.

Dave asked for updated information on acquired parcels in the area to allow for consideration on a regional perspective.

Staff will schedule a site visit to this property.

CELP Grant Proposal

The SMC reviewed information provided by Anne Birch regarding a federally funded Coastal Estuarine Land Conservation Program (CELP) grant by the National Oceanic and Atmospheric Administration (NOAA) for the purpose of acquiring and protecting coastal areas. The grant program is administered in Florida by the Department of Environmental Protection (DEP).

The Nature Conservancy prepared a grant proposal requesting \$3,000,000 in matching funding for protection of the North Indian River Lagoon (NIRL), which is one of the most biologically diverse estuaries in North America. The properties included in the grant application are already targeted for acquisition within the North Indian River Lagoon portion of the Indian River Lagoon Blueways Project. A future potential for funding exists, because the Blueways Project is currently on the State's Florida Forever "A" list, but there are limited funds available in that Program at this time.

If the grant application receives federal approval, up to \$3,000,000 would become available in matching funding for the acquisition and protection of coastal areas near the North Indian River Lagoon.

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Public Comment

Suzanne Valencia asked how much of the NIRL Project area was already in public ownership. Clarification was provided that some properties had been acquired from willing sellers, but all the properties included in the grant proposal are already within an existing Project area.

MOTION TWO

Paul Schmalzer moved to approve the EEL Program's participation in the CELP Grant Proposal.

Dave Breininger seconded the motion.

Ross asked for public comment.

There was none.

The motion carried unanimously.

Florida Scrub-Jay Translocation Request

Mike Knight and Keith Winston from Brevard Zoo provided information on a request for the translocation of imperiled Florida Scrub-Jays from a Melbourne site that will be developed, to the South Lake Conservation Area in Mims. Dave Breininger is also working closely on this project. Clarification was provided that the Malabar Scrub Sanctuary is closer to the Jay's current location, but translocation requirements state that an approved management plan must be in place before species can be translocated to an EEL Program Sanctuary, and the Malabar Scrub Sanctuary Management Plan approval has been held up due to the request for paved trail issue.

The following was noted during the discussion:

- This is the first application for species translocation that the EEL Program has received.
- One family unit (four birds) is proposed for translocation.
- Original Location: Corner of Pineda Causeway and Wickham Road.
- Property Owner: Brevard County.
- Reason for requested translocation: An extension of Pineda Causeway is under construction. The habitat/scrub Jay has been mitigated for and the surviving family of four Jays is in peril due to loss of habitat.
- Proposed Translocation Site: South Lake Conservation Area.
- Experimental learning process on birds that will be extirpated (become locally extinct) due to loss of habitat.
- Additional information requested by Paul Schmalzer memo of July 28, 2008 will be included in translocation project documentation. The memo is provided as an attachment to these minutes.
- BOCC recent approval for Natural Resources Management Office to authorize translocations from public projects to public properties. The Natural Resources Office has confirmed that this approval is not intended to supersede EEL Program procedures for translocations to EEL sanctuaries.
- Need to determine other EEL Program sites where translocation might be appropriate and include this information in Sanctuary Matrix and Management Plans.
- It has been determined that there is sufficient unoccupied habitat at this sanctuary to accommodate the translocated birds.
- Each request must be reviewed on an individual basis.

MOTION THREE

Paul Schmalzer moved to approve the July 23, 2008 EEL Program Species Translocation Application request submitted by the Brevard Zoo.
Ron Hight seconded the motion.
The motion carried unanimously.

**AG Ventures, LLC / Honeybrook Development Corporation Property – Final Review and
Scottsmoor Partners, LLC Property – Final Review
TNC Property Donation
TNC Grant
Scottsmoor Partners, LLC Cattle Lease**

Mike provided overview information on the acquisition history for these two properties and clarified that this would be the third time they will be presented to the BoCC. He explained that the contracts have been renegotiated, appraisals have been updated, and that a couple of things had changed since the last time option agreements were presented.

At the last presentation to the BOCC, two option agreements were submitted: One for Ag Ventures, and one for Scottsmoor Partners; along with a \$3,000,000 donation facilitated by The Nature Conservancy, from the US Fish and Wildlife Service, for the protection of Florida Scrub-Jay habitat. A cattle lease on the Scottsmoor Partners property was also presented.

The current submittal to the BOCC includes an option agreement for 540± acres from Ag Ventures, and an option agreement for 852± acres from Scottsmoor Partners. The Nature Conservancy will purchase the 129± acre Ag Ventures/Saddlebrook property and donate it to Brevard County at the time that the properties are closed. In addition, The Nature Conservancy plans to donate approximately \$1,000,000 on behalf of the US Fish and Wildlife Service. The cattle lease is also being resubmitted.

A complete history will be provided in the Agenda Reports when this item is resubmitted to the Board on August 5, 2008.

A brief discussion recapping the importance of the acquisition of these properties ensued, including clarification that additional information was contained in previous SMC minutes.

Ross asked if there was any additional discussion.

MOTION FOUR

Paul Schmalzer moved to approve the general terms of the Ag Ventures LLC/Honeybrook Development Corp. acquisition contract and authorize the EEL Program to submit the contract to the BoCC for final approval.

Dave Breininger seconded the motion.

Ross asked if there was additional comment.

There was none.

The motion carried unanimously.

MOTION FIVE

Paul Schmalzer moved to approve the general terms of the Scottsmoor Partners property acquisition contract and authorize the EEL Program to submit the contract to the BoCC for final approval.

Dave Breininger seconded the motion.

Ross asked if there was additional comment.

There was none.

The motion carried unanimously.

MOTION SIX

Paul Schmalzer moved to accept the TNC Property Donation of the Ag Ventures/Saddlebrook property and forward the information to the BOCC for final approval.

Dave Breininger seconded the motion.

Ross asked if there was additional comment.

There was none.

The motion carried unanimously.

Willow Creek Property

Mike reviewed a map of this 8± acre property located west of Grissom Road and south of TICO Airport.

Paul said that he felt the site is small and distant from other existing EEL Program property.

Ross said that he did not feel that the property met criteria for acquisition.

Randy asked about the difference in this property and the other property discussed earlier in the meeting.

Dave stated that the general area had been originally targeted for acquisition but there has been so much development near this site that there was now a dramatic difference in the potential of the two sites.

MOTION SEVEN

Paul Schmalzer moved to decline a 1st Majority Vote on the Willow Creek Property.

Randy Parkinson seconded the motion.

The motion carried unanimously.

Fox Lake Conservation Area (fka Hunters Brooke) Interim Management Plan

Xavier DeSeguin, North Region Land Manager provided information on the Interim Management Plan for the Fox Lake Conservation Area including:

- 2,358.5 acres acquired December 2007 from Hunters Brooke Titusville LLC using EEL Program funding.
- Within Brevard Coast Scrub Ecosystem Project Footprint.
- Category 2 site.
- Includes a property donation that is covered by an easement.
- Adjacent to Salt Lake Wildlife Management Area, bordered by South Lake and Seminole Ranch Conservation Area.
- Inholdings need to be considered for acquisition.

- Immediate Management Needs:
 - Prescribed Fire and fire lines – need to plan for power lines.
 - Access issues.
 - Trailheads.

- Need to determine how ditches affect hydrology. Ross suggested checking with St. Johns River Water Management District regarding restoration efforts.
- Aquatic management will be required.
- Strong potential for additional Florida Scrub-Jay habitat once management is done.
- Changes will include:
 - Comments from Paul Schmalzer per Memo of July 28, 2008
 - Name change from Fox Lake Conservation Area to Fox Lake Sanctuary
 - Map changes to clarify Sanctuary Boundary should be red.

MOTION EIGHT

Paul Schmalzer moved to approve the Interim Fox Lake Sanctuary Management Plan as amended.

Randy Parkinson seconded the motion.

The motion carried unanimously.

Additional Discussion

Clarification was provided that the Micco Scrub Sanctuary would be the next sanctuary reviewed by the SMC during the sanctuary overviews.

NEXT MEETING:

The next meeting will be held on August 28, 2008.

ADJOURNED:

The meeting was adjourned at 3:55 PM

SUMMARY OF MEETING MOTIONS:

- Motion to approve the June 17, 2008 minutes as amended.
- Motion to approve the EEL Program's participation in the CELP Grant Proposal.
- Motion to approve the July 23, 2008 EEL Program Species Translocation Application request submitted by the Brevard Zoo.
- Motion to approve the general terms of the Ag Ventures, LLC property acquisition contract and authorize the EEL Program to submit the contract to the BoCC for final approval.
- Motion to approve the general terms of the Scottsmoor Partners property acquisition contract and authorize the EEL Program to submit the contract to the BoCC for final approval.
- Motion to accept the TNC Property Donation of the Ag Ventures/Saddlebrook property and forward the information to the BoCC for final approval.
- Motion to decline a 1st Majority Vote on the Willow Creek Property.
- Motion to approve the Interim Fox Lake Sanctuary Management Plan as amended.

Review Comments on Request for Florida Scrub-Jay Translocation to South Lake Conservation Area
 Paul A. Schmalzer, Ph.D.

July 28, 2008

What has been the success of translocation of Florida Scrub-Jays elsewhere? What lessons have been learned? Is there published literature available? The scientific basis for this request should be better documented.

Page 1, Reason for Requested Translocation.

The rationale should include reestablishment of Florida Scrub-Jays in restored habitat. See EEL Species Translocation Policy, Page 3, Translocation Guidelines A.

Page 2, Proposed method of release, par. 3.

“At the time of release... “Is that from the hack cage?”

Page 2, Proposed species monitoring.

Will the jays be color-banded before release? If so, that should be stated. Who will be conducting the monthly censuses and other monitoring? What is the duration of monitoring?

Page 3. Transfer Location

What are the current habitat conditions on the South Lake Conservation Area? Suitability for release should be documented. Is there additional management required?

Page 3. Permits

Are copies of the permits available?

Are there any Brevard County permits required?

Page 3, Population Study.

What is the date of the population survey, and who conducted it?

Page 3, When was the management plan for South Lake Conservation Area approved?