



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION & MANAGEMENT COMMITTEE (SMC)
September 18, 2009
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Mark Bush
Dave Breininger
Ross Hinkle
Randy Parkinson
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Jenny Ashbury
Laura Clark
David Demeyer
Mike Knight
Brad Manley
Chris O'Hara
Scott Taylor

THE NATURE CONSERVANCY

Keith Fountain
Anne Mayer

GUESTS

Debbie Franklin, Town of Malabar
Vince Lamb, Friends of Ulumay
Jack Lembeck, Friends of Ulumay
Jack Masson, Parks and Rec
Suzanne Valencia, Sierra Club
Bonnie Wilbanks-Free, Town of Malabar

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

*September 18, 2009
Approved March 2, 2010*



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION & MANAGEMENT COMMITTEE (SMC)
September 18, 2009
Meeting Minutes**

CALL TO ORDER:

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

PUBLIC COMMENT:

None.

MINUTES:

The June 25, 2009 and August 10, 2009 minutes were presented for approval.

Ross asked for comments on the June 25, 2009 minutes.

MOTION ONE:

Paul Schmalzer moved to approve the June 25, 2009 minutes as presented.

Dave Breininger seconded the motion.

The motion carried unanimously.

Ross asked for comments on the August 10, 2009 minutes.

MOTION TWO:

Paul Schmalzer moved to approve the August 10, 2009 minutes as presented.

Dave Breininger seconded the motion.

The motion carried unanimously.

ADMINISTRATIVE REVIEW:

The Administrative Review was reviewed.

TICO Property Sale

The sale of the TICO properties (52±) acres to the TICO Airport Authority closed on August 28, 2009. The sale brought in \$1,560,000 for future land acquisitions.

SMC Vacancy Status

The SMC vacancy has been advertised with a deadline for submittal of qualifications of September 15, 2009. Five applicants have submitted qualifications so far. It is anticipated that the BOCC will rank the qualified applicants at their October 20, 2009 meeting.

Management Plan Review Process

Ross Hinkle mentioned that he has requested staff provide additional information on management plans before they are submitted to the SMC for review. He stated that he felt it would be helpful if the SMC could receive a presentation which provided clarification of what the Land Manager sees as the long and short term needs in addition to important issues that could arise, so that the SMC can provide input, and offer suggestions of where staff might get help with specific needs.

Mark Bush said that he felt it would be good to identify potential problems before the Program is long into the management plan process and that it would be helpful to discuss issues when they are first identified.

Mike indicated that it is anticipated that the additional information may be presented as an expanded presentation of the Interim Management Plan, and that he would be distributing a revised Management Plan process for review and discussion.

Grant Farm Island

Mike stated that the Program has recently been approached by the owners of the southern end of Grant Farm Island to see if the EEL Program or any other agencies might have an interest in acquisition of this property. He said that the property includes two houses and that he had explained that he doubted that the SMC would be interested in requesting a willing-seller application for the site, but that he would relay the information to the group in the event that they, or anyone they knew, might be interested.

Paul stated that the Program has had previous requests about Grant Farm Island, but that it is not located within any current EEL Program project boundaries. He suggested that the USFWS might have interest in the site, through Pelican Island.

Ross agreed that he remembered the previous requests.

1928 Aerial Photographs

Mike explained that aerial photographs from 1928 which cover a significant amount of Brevard County have been obtained and that he has prepared copies for each of the SMC members. A photograph of the area near the Ulumay Wildlife Sanctuary was displayed.

A copy of the information will also be provided to Bonnie Wilbanks-Free, Town of Malabar Administrator.

REAC REPORTS

None.

SMC REPORTS

Paul Schmalzer reported that he would be leading field trips to EEL Program sites for the Native Plant Society on October 17th (South Lake) and November 14th (Dicerandra Scrub Sanctuary).

STAFF REPORTS:

None.

THE NATURE CONSERVANCY:

Keith Fountain reviewed The Nature Conservancy's September 18, 2009 Report to the SMC.

Maytown Flatwoods – In holdings: Owners of 12 in holdings within the Scottsmoor Flatwoods Sanctuary have been identified and are being contacted to determine their interest in being a willing seller.

Maytown Flatwoods – Honey Hole Ranch, LLC: Pending resolution of appraisal questions, should be able to begin negotiations soon.

Indian River Lagoon: 6 tracks eligible to be appraised.

- Xynidis -Currently drafting conservation easement to present to family who has not yet determined if they are interest in an easement, or fee simple sale.

Pine Island – The Nature Conservancy: On agenda for today’s discussion.

Rockledge - Two properties off Barnes Blvd: Ready for appraisal.

Malabar – Bappi Investments, LLC/Rahman: On agenda for today’s discussion.

Hog Point Properties – Vistar, Fleis, and Eason: On agenda for today’s discussion.

FIND Exchange: No significant change in terms of procedural steps, but staff and TNC are working on various issues there.

Additional Discussion

Clarification was provided that if the owner’s of the Honey Hole Ranch accept an offer for a conservation easement, the property would be managed by the owner, with oversight provided EEL Program.

Public Comment

None.

AGENDA ITEMS:

Coastal Jewel Property - dedication of Right of Way and Trail Easement to Town of Malabar

Mike explained that he thought it would be helpful for the SMC to review a portion of the Board’s recent discussion prior to beginning their final review of the Town of Malabar’s request for a right of way (ROW) and easement along the western side of the Coastal Jewel property.

The following was noted during the BOCC meeting discussion:

- The Board requested and received clarification that there is a general desire on the part of the SMC to allow the Town of Malabar to create the trail, which will be a continuation of the Al Tuttle Trail while working through the details.
- Clarification was provided that the Coastal Jewel property was being purchased by the EEL Program using bond dollars, which have restrictive guidelines.
- Clarification was provided that the US Air Force will be providing \$900,000 in partnership funding as part of the acquisition and that they will be receiving a conservation easement over part of the property for their contribution.
- A review of possible environmental impacts will need to be worked out as part of the permitting process for the trail that the Town of Malabar desires to place on the easement.
- If the Board chooses to grant the ROW and easement, a determination would need to be made regarding the Board’s preference of granting the ROW and easement, with the Town providing reimbursement to the EEL Program, or if the Board desires to donate the ROW and easement to the Town.

Mike stated that he felt the survey for the Coastal Jewel acquisition contract and the US Air Force partnership funding agreement which the SMC had voted to approve on August 10, 2009, and

which would be presented to the Board in the near future, would be more simple if authorization for the Town's requested ROW and easement could be coordinated with the acquisition closing as it would cost more if they had to resurvey the property after closing.

Bonnie Wilbanks-Free, provided confirmation that the Town plans to use mulch for the trail and does not have any interest in paving the trail.

Debbie Franklin, from the Town of Malabar, confirmed that in other areas in Malabar, as in many parts of the County, these rights of way were generally established when the areas were platted, but that this was not done in this specific area.

Ross stated it was his understanding that the SMC needed to make a determination regarding whether or not granting the ROW and easement would create any extraordinary loss of conservation value, or impact to the property, which was being purchased as an addition to the Jordan Scrub Sanctuary. He also stated that it was important to ensure that any granting of the ROW and easement prior to acquisition did not set a precedent that would impact future acquisition efforts for other properties.

Mike stated the Town of Malabar has expressed an interest in working together on a trail head in this area which is a continuation of the Al Tuttle Trail.

Ross suggested consideration of utilizing pull in parking on the ROW instead of taking additional habitat.

Keith Fountain provided clarification that with a ROW, ownership of the property would be conveyed to the Town of Malabar; a trail easement would be a grant of certain rights, on property the EEL Program would continue to own, but the Town would have certain rights to do certain activities.

Ross thanked Keith for the clarification.

Bonnie Wilbanks-Free suggested that the SMC enter their concern regarding not having the trail paved in the granting of the easement language.

Clarification was provided that the Town of Malabar plans to permit, construct, and maintain the trail.

Clarification was provided that the total acreage of the ROW and easement combined would be approximately 1.5 acres of the 188± acre property.

Dave Breinger expressed concern regarding the possibility of mulch on the trail moving into wet areas of the sanctuary during times of heavy rain.

Paul suggested consideration of using board walks over the wetlands and stated there were several issues that would need to be worked out as part of the permitting process.

Bonnie Wilbanks-Free stated the Town has recently done drainage correction at the corner of Marie Street and Glatter Road.

Mark Bush asked about the possibility of invasive, exotic Brazilian pepper establishing on the ditch.

Debbie Franklin stated that the Town's Code addresses the need to curtail Brazilian pepper.

Paul asked if staff had received a legal determination on the bond funding issues from the County Attorney.

Mike confirmed a legal determination had not been received and if the Board decided to donate the ROW or easement, they would need to work with the County Attorney to decide if that is something they are allowed to do.

Paul stated that any recommendation the SMC might make to the Board would need to be contingent on the County Attorney confirming it could be done.

Mark stated that he wanted to reiterate Ross's statement about not making a precedence that would affect the process for future acquisitions.

Clarification was provided by staff that they were supportive of the trail being outside the EEL Program fence, because if it was inside the fence, there was concern that the EEL Program might be expected to be responsible for it.

Dave asked for clarification of the status of the Oakmont mitigation property

Mike explained that it was possible the site could be headed for management by the homeowner's association.

Dave commented the property in the Oakmont mitigation site was important habitat.

Public Comment

Jack Lembeck stated he felt the issue was very confusing that it was possible a precedent was being established.

Additional Discussion

Mike stated that he felt the SMC needed to make a recommendation to the Board that the ROW and easement be transferred to the Town in an appropriate manner to be determined by the BOCC.

Clarification was provided that any granting of ROW or easement would only apply to the Coastal Jewel property and all other requests would need to be considered separately.

MOTION THREE

Mark Bush moved to confer a 45' ROW on the western boundary of the Coastal Jewel property to the Town of Malabar, and that an additional 10' easement be created for the purpose of having a non-hardened pathway, immediately adjacent.

Paul Schmalzer seconded the motion.

Public Comment

None.

The motion carried unanimously.

Additional Discussion

Mike asked if there were any concerns with a change in the order of the agenda items which would allow the Hog Point and Atlantic Coastal Paladin properties to be discussed next. No concerns were received.

Property Prioritization

Hog Point Properties: Vistar, Fleis, and Eason

Mike provided clarification that the owners of the Vistar, Fleis, and Eason properties, have provided updated willing seller applications and requested that the SMC review the most recent priority 3 ranking, which is the lowest ranking for properties currently being target for acquisition.

Hank Saunders stated that he represented all three owners and he provided information on the sites. He explained that part of the properties have been targeted for development in the past, but due to recent economic events, the owners have decided to offer the properties again to the EEL Program as a group of willing seller applications. Hank explained that he felt the sites represented a wonderful opportunity to increase land in conservation.

Paul stated that he had been involved in the site visits to all sites, and although they were within the Blueways, and did have some value for conservation, the Florida Forever Project has not had funding for some time and it was not known if that would change in the near future. He explained that other properties are considered more important for conservation at this time.

Clarification was provided that if the Program was asked to be a partner in a joint acquisition with other agencies who could provide the majority of the funding, the SMC would readdress the issue.

Clarification was also provided that it was possible that the EEL Program may be able to bond additional dollars in the future and that this will increase available funding for acquisitions.

Public Comment

None.

MOTION FOUR

Paul Schmalzer moved to maintain the Hog Point properties as a Priority 3 at this time.

Mark Bush seconded the motion.

The motion carried unanimously.

Atlantic Coast Paladin

Mike explained that staff was requesting clarification regarding the SMC's priority ranking for the Atlantic Coast Paladin Property.

Clarification was provided that the SMC's previous motion had been to table further consideration of the Atlantic Coast Paladin property until Coastal Jewel acquisition closed.

Additional clarification was provided that although the site would be adjacent to the Coastal Jewel property on the west side, it would be isolated on the north and south, and that the site contained road frontage on US 1 which meant it could be very expensive.

MOTION FIVE

Paul Schmalzer moved to defer further consideration of the Atlantic Coast Paladin property until the Coastal Jewel acquisition closing is complete.

Dave Breininger seconded the motion.

The motion carried unanimously.

Additional Discussion

Ross mentioned that there had been a request to move the Sykes Creek / Ulumay Wildlife Sanctuary to the next item the Committee should review and he asked if there were any concerns with a change in the order of the agenda items.

No concerns were received.

Sykes Creek / Ulumay Conceptual Management Proposal Boyd and DiChristopher Interim Management Plan Amendment

Public Comment

None.

Mike explained that the SMC had previous discussion during June about bringing some details to the Committee regarding the possibility of the EEL Program's taking management responsibility for the Sykes Creek Basin / Ulumay Wildlife Sanctuary region and that an addendum to the Boyd and DiChristopher Interim Management Plan had been distributed to the SMC for their review and approval prior to the meeting as part of the meeting package information. He stated that the Ulumay Wildlife Sanctuary was donated to the County in the 1960's and that it was formally designated at the State level as a bird sanctuary. He added that he has received some information on House Bill #1551, but he has not yet done a thorough review of the information.

Mike stated that there had been some historical concerns that the EEL Program might be taking control of management which another county department might be responsible for. He explained that the addendum document had identified the primary entities, which includes Mosquito Control, Natural Resources, and Parks and Recreation, and those departments have confirmed they have no management responsibility, their name just happens to be on the sites under asset management for the purpose of mosquito control.

Mike stated that after working with Parks & Rec. and Mosquito Control, everyone's responsibility for each area had been outlined in the Addendum and the EEL Program would be primarily dealing with removal of Brazilian pepper and other invasive exotic species, and assisting the Mosquito Control Department with the opening and closing of dikes. He asked the SMC to keep in mind that this was an Addendum to the Interim Management plan, and that the final details would be worked out during the Management Plan process.

Dave Breininger stated he felt that it would be appropriate from a biodiversity perspective for the EEL Program to offer some support, but he could not support the EEL Program becoming the whole County's agent for removal of invasive, exotic species because the Program's mission is biodiversity and exotic species control is only a small part of conservation. He asked if the County had an ordinance regarding the control of exotic invasive species.

Mike stated he was not aware of an ordinance of that type.

Scott Taylor, the EEL Program's Central Region Land Manager stated that he was not aware of an ordinance, at least not on private property.

Jack Mason, from Parks and Rec. stated that he was not aware of a County Ordinance regarding the control of invasive, exotic species. He stated that there is a goal within Parks and Rec. to control invasives on Park properties and that this is usually accomplished with a cooperative effort through Keep Brevard Beautiful or other organizations where volunteers were involved in Pepper Busts.

Paul Schmalzer stated that one of the concerns he has is that the EEL Program is being asked to take over management responsibilities for lands that were not acquired by the Program and are not part of the EEL Program sanctuary network, and that funding from the 1990 and 2004 referendums does not contemplate the EEL Program being the County's Land Manager. He stated that there was discussion during the June meeting regarding the potential for whether lands that met the EEL Program acquisition criteria could be transferred by donation to the EEL Program, but he did not see that as proposed in the addendum and he was not comfortable with the Program taking the lead on management for other County lands.

Ross asked for input from Scott Taylor.

Scott stated that the EEL Program currently owns about one third of the 1,200 acre impoundment there and that he felt that a cohesive management strategy could be beneficial. He also stated that he had great interest in burning the marshes. He also added that EEL Program staff could assist the Mosquito Control Department with opening the culverts.

Paul stated he agreed with the goal, his concern was with the process and he ask for clarification of how the areas would be titled.

Mike stated that he would envision a formal transfer of asset to the EEL Program and everything would show up as becoming part of the sanctuary network.

Paul stated he did not feel the Addendum agreement was clear on that part of the process.

Scott stated that he had thought the asset transfer to the EEL Program sanctuary network was included in the Addendum.

Mike agreed. He stated that as an Addendum to the Interim Management Plan, the document expresses the Committee's willingness to work towards that goal with the understanding, which could be clearly stated in the motion, that the Management Plan must include the formal transfer into the EEL Program's sanctuary network to ensure protection in perpetuity, and that all the details would be worked out as part of the Management Plan process.

Ross asked if there were any current uses on the sites which would have to change drastically if the sites were transferred to the EEL Program.

Public Comment

Vince Lamb stated that when the Friends of Ulumay was formed, citizens felt that the entire Sykes Creek Basin was environmentally important and that the Friends felt that the EEL Program was the agency which could best provide a cohesive management strategy for the entire area. He stated that they have spoken with representatives from Mosquito Control who have confirmed that they are not allowed to spend funds on anything that is not directly tied to the mosquito control function and so they have no part in the protection of biodiversity. He added that the group has volunteers willing to assist with Pepper Busts and other efforts which would benefit the Sanctuary.

Jack Lembeck stated that his group has been working on the project for over a year and a half and that he was inspired by discussions with Scott during a field trip to the Pine Island Conservation Area. He stated he felt the first step was a conceptual plan and that Scott's experience in wetlands, his former work with the Mosquito Control Department, and his abilities as the Central Region Land Manager made him the best person to oversee this effort.

Additional Discussion

Ross stated he felt that everyone thought a cohesive management strategy for the Sykes Creek Basin was a good idea; the issue would be in making sure that they met statutes. He reminded the group that the EEL Program used to be part of Natural Resources, and that when the Program was moved under Parks & Rec, Margaret Hames was adamant that if the Program became under Parks & Rec, it was important that the EEL Program should not take over management of the parks system or park lands. He explained that she had emphasized that it was very important to spend EEL Program funds appropriately and within the context of the referendum and bonding guidelines.

Ross stated that he believed if the mechanism was there to do it, he thought everyone believed it could be beneficial, it just needed to be done appropriately and within the context of the referendum and the guidelines for the responsibilities of the Program.

Mike stated that it was still a little gray under current administration guidelines, on how to move forward, but that a change of custodianship was probably the way to go.

Scott confirmed he was not a fan of inheriting more pepper trees, but basically that was what he was advocating, because of the long term benefits.

Mike stated that what was needed was a motion that the Committee is willing to have this concept considered as part of the development of the Management Plan, because eventually the Management Plan was what the SMC would be voting on. He stated that a motion of this sort would give him comfort in getting the Ulumay Friends agreement moving forward and the details could be worked out as the Management Plan progressed.

Dave Breininger stated he was concerned about the possibility of worrying more about pepper busting than the entire ecosystem function and that he was concerned about the functionality of the system.

Scott confirmed that it was understood that the pepper would not be removed immediately and that it would have to be done as funding, staffing, and opportunities with volunteers permitted.

Mike noted that it had come to staff's attention that one of the islands located within the footprint of the map in the Amendment has historically been used for dredge spoil and that there may be an interest in the future to continue using it for that purpose.

Scott, Dave, and Ross mentioned that they were aware of occurrences where birds have used new spoil locations for foraging, and for nesting.

Ross asked if the group was ready to make a motion.

Paul stated he was still not sure what the SMC was being asked to vote one.

Ross stated that the SMC would be voting on the general idea, not voting on the mechanism, because that had not been established yet.

Mike stated that all staff really needed was an expressed interest from the Committee in having staff explore the concept and the group did not need to commit to everything right now.

General discussion ensued regarding possible language for the motion.

MOTION SIX

Mark Bush made a motion that the Management Plan for the Boyd and DiChristopher properties should include ecosystem function for the area from SR 528, to and including the Ulumay Wildlife Sanctuary.

Dave Breininger seconded the motion.

The motion carried unanimously.

Windover Archaeological Site

Mike explained that a Public Meeting had been held to provide information to local residents as a few citizens had expressed concerns regarding the possibility of detrimental impact to the sensitive site and surrounding neighborhood if the EEL Program became responsible for management. During the meeting, EEL Program staff provided information on plans for the site to the group and received input from citizens.

As a result of the meeting, changes have been made to the plans for public access, including removal of a planned bird watching platform, confirmation that the site will not be included as part of the Space Coast Birding and Wildlife Festival, criteria requested by Sandra Clinger in her correspondence to the Board, and an overall all change from Category 2 to Category 3. Mike provided clarification that additional information on changes to the management prospectus had been provided to the SMC for review as part of the meeting packet.

Public Comment

None.

MOTION SEVEN

Dave Breininger moved to approve changing the Windover Archaeological Site from a Category 2 to a Category 3, if the property is purchased by the State and the EEL Program becomes the managing entity.

Mark Bush seconded the motion.

Additional Discussion

Clarification was provided that the change from Category 2 to Category 3 represented all of the issues identified in the revised management prospectus.

The motion carried unanimously.

Memorandum of Agreement between Terrestrial Habitat Conservation and Restoration Section of the Florida Fish and Wildlife Conservation Commission (FWCC) and EEL Program

Mike explained that Xavier has been working closely with representatives from the FWCC on a cooperative management agreement for sharing resources used at the FWCC Salt Lake Conservation Area and the EEL Program's South Lake Sanctuary. A copy of the agreement was provided to the SMC for review prior to the meeting.

The EEL Program's South Lake Sanctuary is adjacent to the South Lake Conservation Area on the South Lake Sanctuary's northern border.

Confirmation was provided that it is expected that this agreement will provide for the resource sharing of each agency for the common good of both agencies.

Public Comment

None.

MOTION EIGHT

Paul Schmalzer moved to approve the Memo of Agreement between the FWCC and EEL Program.

Mark Bush seconded the motion.

The motion carried unanimously.

Additional Discussion

Dave asked if the SMC could be provided with a copy of the management plan for the Salt Lake Conservation Area.

Xavier de Seguin des Hons will provide the requested management plan copies to the SMC.

Kyle McLaney Property

Mike provided overview information on the 5.4± acre Kyle McLaney property which is located south of SR 528 and between property owned by the Brevard County Mosquito Control and Road and Bridge Departments, and which was brought to the EEL Program through an unsolicited willing seller application. According to the application, it is anticipated that the majority of the site is wetlands.

Clarification was provided that there is no direct access to the site from SR 528.

Paul stated that it seemed the site had a low risk of development.

MOTION NINE

Mark Bush moved to decline a 1st Majority Vote on the Kyle McLaney Property and suggested that it might be an appropriate mitigation donation.

Paul Schmalzer seconded the motion.

The motion carried unanimously.

Bappi Investments, LLC (fka Akhter Hossain, fka Azizur Rhaman) Property, Town of Malabar – Final Contract Review

Mike discussed the history of this 1.47+ acre acquisition which will assist in rounding out the borders of the Malabar Scrub Sanctuary in the Town of Malabar. He confirmed that the SMC had reviewed and approved the original acquisition contract for this property in September of 2007, and that when the contract was forwarded to the Board for their consideration, the Board took no action which allowed the contract to lapse.

A new contract price, in the amount of \$10,000 less than the original contract was negotiated by TNC. The renegotiated contract was provided to the SMC for their review and approval.

Mike reminded the group that it was anticipated that a sliver (less than .21 acre) of the property on the south side of Malabar Road would be transferred to the Town of Malabar for their use in a roadway and utility easement as part of the closing process.

MOTION TEN

Mark Bush moved to approve the acquisition contract for the Bappi Investments, LLC property and forward it to the Board for final approval.

Paul Schmalzer seconded the motion.

The motion carried unanimously.

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The Nature Conservancy (TNC) (fka St. Lucie Consulting) Property, Merritt Island Final Contract Review

Mike provided overview information on the acquisition history of the 11± acre TNC Property which is an inholding within the Pine Island Conservation Area. Clarification was provided that several years ago, TNC had gone ahead of the EEL Program with the purchase of this property due to time constraints in the negotiation process and that it had been anticipated that they would pursue reimbursement by the EEL Program in the future.

MOTION ELEVEN

Mark Bush moved to approve the acquisition contract for the TNC property and to present the contract to the Board for final approval.

Paul Schmalzer seconded the motion

The motion carried unanimously.

Communities Finance Property, Mims – Possible EEL Program Management

The EEL Program has been contacted by the State of Florida to determine if the Program would be able to manage this 11± acre property if the site was acquired by the State as a donation. The Communities Finance property is adjacent to the EEL Program's North Buck Lake Sanctuary's northern border.

Confirmation was provided that a one time management fee of \$13,600 would be paid by the State to assist with the management of this site, and that the land will remain under State Title.

An SMC site visit to the Communities Finance property in occurred 2007 during the SMC's consideration of acquisition of the area, but the property was not considered to be of the highest priority due to funding limitations. The property is not within the Brevard County Scrub Ecosystem Project boundary.

Public Comment

None.

MOTION TWELVE

Paul Schmalzer moved to accept management responsibilities for the Communities Finance Property and to forward the State's request that the EEL Program manage the site if it is acquired by the State to the Board for their consideration and final approval.

Dave Breininger seconded the motion.

The motion carried unanimously.

Scottsmoor Sanctuary Interim Management Plan

Xavier de Seguin des Hons, the EEL Program's North Region Land Manager provided overview information on the Scottsmoor Sanctuary Interim Management Plan which was forwarded to the SMC prior to the meeting.

Ross stated Xavier had done a fine job in preparing the Interim Management Plan for this site.

MOTION THIRTEEN

Paul Schmalzer moved to approve the Scottsmoor Sanctuary Interim Management Plan.

Dave Breininger seconded the motion.

The motion carried unanimously.

NEXT MEETING:

It was determined that the next SMC meeting will be scheduled for October 23, 2009.

ADJOURNED:

The meeting was adjourned at 4:15 PM.

SUMMARY OF MEETING MOTIONS:

- **Motion to approve the June 25, 2009 minutes as presented.**
- **Motion to approve the August 10, 2009 minutes as presented.**
- **Motion to confer a 45' ROW on the western boundary of the Coastal Jewel property to the Town of Malabar, and that an additional 10' easement be created for the purpose of having a non-hardened pathway, immediately adjacent.**
- **Motion to maintain the Hog Point properties as a Priority 3 at this time.**
- **Motion to defer further consideration of the Atlantic Coast Paladin property until the Coastal Jewell acquisition is complete.**
- **Motion that the Management Plan for the Boyd and DiChristopher properties should include ecosystem function for the area from SR 528, to and including, the Ulumay Wildlife Sanctuary.**
- **Motion to approve changing the Windover Archaeological Site from a Category 2 to a Category 3, if the property is purchased by the State and the EEL Program becomes the managing entity.**
- **Motion to approve the Memo of Agreement between the FWCC and EEL Program.**
- **Motion to decline a 1st Majority Vote on the Kyle McLaney Property with suggestion that it might be an appropriate mitigation donation.**
- **Motion to approve the acquisition contract for the Bappi Investments, LLC property and forward it to the Board for final approval.**
- **Motion to approve the acquisition contract for the TNC property and present the contract to the Board for final approval.**
- **Motion to accept management responsibilities for the Communities Finance Property, and forward the State's request that the EEL Program manage the site if it is acquired by the State to the Board for their consideration and final approval.**
- **Motion to approve the Scottsmoor Sanctuary Interim Management Plan.**