



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION AND MANAGEMENT COMMITTEE (SMC) MEETING
November 15, 2018**

**Environmentally Endangered Lands (EEL) Program Selection and Management
Committee (SMC) Meeting**

Attendance

SELECTION AND MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Oli Johnson
Tammy Foster
Paul Schmalzer
Laurilee Thompson
Kim Zarillo

EEL PROGRAM STAFF

Laura Clark
David DeMeyer
Evan Hall
Steve McGuffie
Ray Mojica
Chris O'Hara

GUESTS

Kevin Pinkerton, Tropical Group Investments, Two, LLC
Robin Sobrino, Brevard County Natural Resources Management Office (NRMO)

Meeting Minutes

CALL TO ORDER

Oli Johnson, Vice-Chairman, called the meeting to order at 1:15 PM.

PUBLIC COMMENT

None.

MINUTES

September 5, 2018 SMC/PC

It was noted that the September 5, 2018 SMC/PC minutes had been approved, as amended by the PC on November 1, 2018 with the following changes:

- Page 5, top, 1st bullet, line break on 3rd line out of place.
- Page 5, last bullet, 1990 referendum EEL Program millage rate was 0.25 and 2004 referendum was 0.2085.

MOTION ONE

Paul Schmalzer moved to approve the September 5, 2018 SMC/PC minutes, as corrected.

Kim Zarillo seconded the motion.

The motion carried unanimously.

October 5, 2018 SMC

The October 5, 2018 SMC minutes were presented for approval.

- Kim Zarillo noted the need to correct the spelling of John and Pam LaSalle's last name.

MOTION TWO

Paul Schmalzer moved to approve the October 5, 2018 SMC minutes, as corrected.

Tammy Foster seconded the motion.

The motion carried unanimously.

ADMINISTRATIVE REVIEW

Board of County Commissioner (BOCC) Items

SMC Reappointments

It is anticipated that the SMC reappointments will be considered by the Board on December 18, 2018.

Review of October 15, 2018 Action Items

Item #2: Commissioner Isnardi input at September 25th BOCC Budget Hearing.

Staff heard back from Commissioner Isnardi's Office regarding her comments at the September 25th Budget Hearing about improving access to EEL lands. The District 5 Office noted they have received a number of comments about trails being overgrown. They did not feel any direct action is needed other than looking at the trails from time to time.

Item #3: Comparison of lands proposed versus acquired from 2004 referendum.

Staff will provide maps based on lands proposed for acquisition as part of the 2004 referendum, which show what has been acquired, along with properties which have been removed from the proposed list.

Item #5: Did the last SMC priority ranking only include properties with willing sellers?

The January 17, 2017 ranking included mixed groups of properties: willing sellers, those who were not interested, and some where negotiations have ceased.

Item #7: Staff to review scrub parcel matrix for prioritization recommendations.

Review complete. Information has been forwarded to Dave Breininger. Send to SMC when Dave's comments are received.

Item #8: Tree thinning needs proposal for Todd Mecklenborg, US Fish and Wildlife Service (USFWS).

Staff is considering two options for the tree thinning:

- Amend Memo of Agreement (MOA) with Florida Forest Service and have them handle the entire timber project. MOA has been under review by County Attorney's Office but information was received today that they have signed off on the agreement. Next step present to BOCC. Target date December 18th.
- Apply to USFWS for land management funding.

Item #9: Removal of trees along north border of Micco Scrub Sanctuary.

Originally only one bid was received. Responses eventually received from three additional vendors confirming they did not want to bid. A purchase order request has been submitted to Parks and Recreation Finance for this project.

Additional Discussion – Action Items

Mike noted that the items discussed are the ones with activity since the last meeting, but if anyone had questions on any of the others, he would be happy to discuss them. He added that if the Committee feels receiving the information as part of the Administrative Review is helpful, staff will continue to present information in this manner. The committee noted their agreement with the new process.

COMMITTEE MEMBER REPORTS

Paul provided information on the Florida Native Plant Society Field Trip he led at the Dicerandra Scrub Sanctuary, in Titusville, on October 27, 2018. He stated that he was pleased to see preparations being made for prescribed fire. He also noted that a population of *Chamaesyce cumulicola* (sand mat) which has existed in the fire line near the northwest corner of the sanctuary for many years was plowed up during the disking of the fire lines and he noted his concerns regarding the lack of monitoring for rare species. It was noted that this plant is also found at the Cruickshank and Enchanted Forest Sanctuaries. Tammy Foster noted that sometimes the plant, which is not obvious if you're not looking for it, comes and goes. Staff will continue efforts to learn the locations of existing populations of rare plants on EEL Program sanctuaries.

Paul also explained that he represents the SMC as a sub-committee member on the Recreation and Education Advisory Committee (REAC) and he noted recent difficulty in maintaining a quorum at these meetings. It was noted that all Procedures Committee (PC) and REAC appointments will expire 12/31/2018.

Laurilee Thompson explained preparations for the January Birding and Wildlife Festival are going well and noted a section on the EEL Program will be included in the 2019 Festival Program.

STAFF REPORTS

None.

LAND ACQUISITION STATUS UPDATE

Mike noted that the Florida Inland Navigation District (FIND) spoil basin project may have additional mitigation requirements and staff will be meeting with Taylor Engineering to put together some possible mitigation projects on EEL sanctuaries for consideration by FIND. The land exchange between FIND and the EEL Program, which is being done in order to protect some of the last remaining highest quality scrub in the County, will include EEL giving FIND 70 acres and receiving 83 in return. The exchange, which has been a long time priority of the SMC, has been approved by the Board, but the title changes will not take place until FIND has all their permits and are ready to move forward with construction, which is anticipated to occur in a year, or two.

AGENDA ITEMS

Scrub Parcel Prioritization Matrix

Mike explained that discussion on this agenda item occurred earlier during the Administrative Review of 10/5/2018 Action Item #7.

Additional Discussion – Change in order of Agenda Items

Mike noted that a citizen's request for consideration of a property exchange with the EEL Program was on the agenda and asked if anyone had concerns with discussion on that item occurring next. No concerns were received.

Pinkerton Land Exchange Proposal

Mike provided preliminary information on a request from Kevin Pinkerton, Tropical Group Investments, Two, LLC, to exchange seven parcels he owns in the south mega-parcel area with four parcels in the south mega-parcel area which are in State title. The following was noted:

- Property exchanges of this type are being considered by the EEL Program as a possible way to consolidate management boundaries.
 - Responsibility for management of parcels being received would fall to Florida Fish and Wildlife Conservation Commission (FWCC) if the exchange is approved.
 - It is anticipated that an additional parcel would need to be added to meet the State's general 2:1 acre exchange ratio. Additional information will be provided on an additional parcel in the future.
- The State will need to determine if the differences in assessed values will be an issue, or not.
- Mr. Pinkerton explained that he and his wife are requesting the exchange because they want to build a home, do hydroponic gardening, and raise their three sons in a rural environment.
- Mike has had casual conversations with the State regarding the previous exchange proposals received from Mr. Buroker, Mr. Galbraith, and the current request from Mr. Pinkerton and it is his understanding they would favor a 2:1 acre exchange rationale versus conservation easements.
- Paul noted the exchange will advance the Program's goal of establishing a manageable landscape.
- Kim Zarillo requested clarification of when the proposal would be reviewed by the Board of County Commissioners and suggested submitting the proposal to the County Attorney's Office for review. Mike agreed that was a good idea.
- It was noted that two of the street names on the map will need to be switched.

MOTION THREE

Paul Schmalzer moved to approve a 1st Majority Vote on a conceptual property exchange between the EEL Program and Kevin Pinkerton (Tropical Group Investments, Two, LLC), with the understanding that an additional 8th parcel will be identified and included in the exchange.

Laurilee Thompson seconded the motion.

The motion carried unanimously.

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Approved January 9, 2019

Pinkerton (Tropical Group Investments, Two, LLC)
Conceptual Land Exchange for 1st Majority Vote

History

The County, under the EEL Program, purchased parcels 294238 in 2002 and 2942436 in 2004. These parcels were transferred to the State. The State directly purchased parcels 2942437 and 2942406 in 2003. All parcels are currently under the management of the EEL Program.

Pinkerton parcels 2957457, 2941457, 2942736 and 2942737 were purchased in 2005. Parcel 2942249 was purchased in 2006 and 2941984 and 2941988 were purchased in 2007.

Current Assessed Value (According to Brevard County Property Appraiser, November, 2018):

State Parcels

Parcel ID	Assessed Value	Size
2942437	\$10,500	1.40 Acres
2942384	\$10,500	1.38 Acres
2942436	\$10,350	1.38 Acres
2942406	\$10,500	1.40 Acres

- **TOTAL ACRES: 5.56 Acres**
- **TOTAL STATE PARCELS ASSESSED VALUE: \$41,850.**

Pinkerton Parcels

Parcel ID	Assessed Value	Size
2957457	\$1,400	1.40 Acres
2941457	\$1,400	1.40 Acres
2942736	\$ 980	1.40 Acres
2942737	\$ 980	1.40 Acres
2941984	\$1,400	1.40 Acres
2941988	\$1,330	1.33 Acres
2942249	\$1,360	1.36 Acres

- **TOTAL ACRES: 9.69 Acres**
- **TOTAL PINKERTON PARCELS ASSESSED VALUE: \$8,850.**

Justification

The exchange of the proposed properties will allow EEL to add some interior parcels to further assist in consolidating management boundaries.

Conservation Value and Current Habitat Conditions

The current EEL parcels owned by the State are not currently managed due to lack of connectivity of larger landscapes within the Grant-Valkaria lotted area.

Proposal for Exchange for 2nd Majority Vote Pinkerton (Tropical Group Investments, Two, LLC)

Current Use, Existing Management, and Required Management Obligations

All four State owned parcels are vacant upland habitat land. There is not any existing management being conducted on these parcels due to lack of connectivity of larger landscapes within the Grant-Valkaria lotted area.

All of the Pinkerton parcels are vacant wetland habitat land. There are currently no management activities being conducted on these parcels. There are no existing easements in place from information provided to staff and no required management.

It is assumed that if the 4 State parcels were exchanged at the proposed 2:1 ratio, they would be developed.

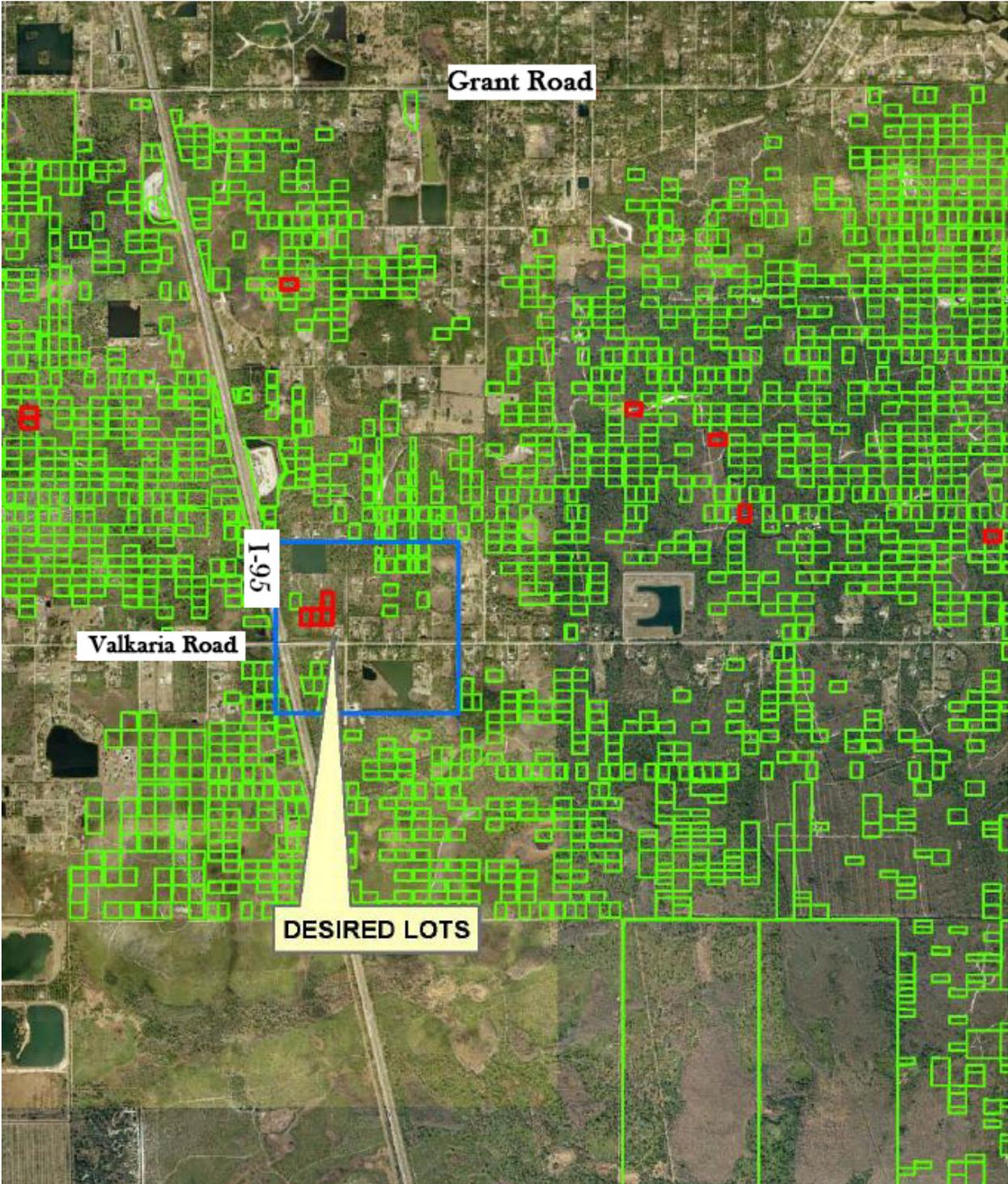
Management Needs, Estimated Costs and Potential Partnership Opportunities

Currently there are no management actions planned for these areas due to the fragmented ownership of the landscape. As more parcels become acquired and management boundary lines established, staff will begin the process of managing and monitoring exotic species. Staff does coordinate with the Florida Forest Service as opportunities arise to conduct wildfire prevention burns in the area.

Public Access and Educational Opportunities

Unless there are larger landscapes and connectivity in this area, there is not an option for public access or educational opportunities. However staff is working closely with the Town of Grant / Valkaria to develop a conceptual trail plan for the area that could be implemented in the future.

Pinkerton Owned and Desired Lots



Crane Creek Sanctuary Management Plan

Chris O'Hara, South Region Land Management Superintendent, provided an overview of the draft Crane Creek Management Plan. This 22 acre property in Melbourne was acquired in 1999. An Interim Management Plan was approved by the SMC in 2008, but the Management Plan was never completed. Development of the Plan was picked back up in 2018, with a second Stakeholder's Meeting (Public Access Plan Public Meeting) in March, 2018. The Public Access Plan was presented at Recreation and Education Advisory Committee (REAC) meetings in August and November, 2018 but a quorum was not available at either meeting.

This sanctuary will only be accessible by the public through the water. Staff is able to access the site for management purposes along a Town of Melbourne easement.

A kayak/canoe launch is located at the head of a 0.6 mile loop trail. The sanctuary has been posted with EEL Program boundary signs and a significant amount of trash has been removed. Other land management activities have generally been limited to trail maintenance and treatment of invasive, exotic plants as it would be very difficult to implement prescribed fire on this site due to the limited size, surrounding urban development, and large FPL easement. Paul stated his feeling that a full scale restoration at this site would not be cost effective. Laurilee Thompson and Oli Johnson agreed. Kim noted concerns regarding excessive fuel load in the event of an accidental fire.

It is anticipated the draft management plan will be distributed to the SMC in the next week, or so. A copy of the presentation is available upon request by calling the EEL Program Office (321) 255-4466.

Watersmark Property

Mike and Robin Sobrino, NRMO, provided overview information on a 100 acre Merritt Island property along the Indian River Lagoon. This site, which includes an abandoned citrus grove is south of the Sams House and north of Parks and Recreation's Manatee Cove Park. The County may be purchasing this area and NRMO is inquiring whether or not the EEL Program might have any interest in partnering for either acquisition or management of a portion of the area. It was noted that although the EEL Program has previously acquired multiple areas along the lagoon as part of the State's North Indian River Lagoon Blueways Project, there is currently no EEL Program funding available for acquisition and restoration of citrus grove is difficult and takes many years. A suggestion was received that perhaps the Program could accept some of the property adjacent to the lagoon as a mitigation donation and do restoration as time and funding permits. Additional information on this item will be provided in the future when it becomes available.

LAND MANAGEMENT REPORT

Mike provided confirmation that staff from the North Region was not available for the meeting because they were moving a culvert.

- SOUTH REGION, Valkaria Scrub – Paul requested an update on land management activity at the 100 acre Walmart mitigation donation site.
 - Steve McGuffey, Fire Manager, provided confirmation that staff completed a prescribed burn, but the site did not burn well. Chris O’Hara confirmed that additional work in the area is planned.
- SOUTH BEACH REGION – Paul noted that some target dates in this region were moved forward.
 - Ray Mojica, Land Management Superintendent, noted that staff is close to completing Step 3 for the Hog Point Sanctuary, but the recent red tide and resulting fish kills on the beach created unexpected delays in work flow.

PUBLIC COMMENT

None.

NEXT MEETING

The SMC next meeting will be scheduled for December 21, 2018, and the Fox Lake Sanctuary SMC Field Trip will be re-scheduled for January 5, 2019.

ADJOURNED

The meeting was adjourned at 3:30 PM.

SUMMARY OF MEETING MOTIONS

1. Motion to approve the September 5, 2018 SMC minutes, as corrected.
2. Motion to approve the September 5, 2018 SMC/PC minutes, as corrected.
3. Motion to approve a 1st Majority Vote on a conceptual property exchange between the EEL Program and Kevin Pinkerton, Tropical Group Investments, Two, LLC, with the understanding that an additional 8th parcel will be identified and included in the exchange.

ACTION ITEMS

1. Staff will continue efforts to learn the locations of existing populations of rare plants on EEL Program sanctuaries.
2. Staff to submit proposed property exchange requests to County Attorney's Office for their review.
3. Staff to distribute Draft Crane Creek Management Plan to SMC for their review.
4. Staff will provide maps based on lands proposed for acquisition as part of the 2004 referendum, which show what has been acquired, along with properties which have been removed from the proposed list.
5. Staff to pass Dave Breininger's comments on Scrub Matrix Prioritization to SMC.
6. Staff to continue tree removal at Micco Scrub Sanctuary.
7. Staff to develop possible suggestions for mitigation projects in the event FIND project requires additional mitigation options.