



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

**April 29, 2009
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Ross Hinkle
Randy Parkinson
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Jenny Ashbury
Sandy Carnival
Laura Clark
Xavier De Seguin Des Hons
Mike Knight
Katrina Morrell
Scott Taylor

THE NATURE CONSERVANCY

Keith Fountain
Anne Mayer

GUESTS

Susan Gosselin, Brevard County Natural Resources Management Office
Lisa Smith, Titusville citizen
Arlynn Baker, Titusville citizen
Richard Jermain, citizen
Vince Lamb, Citizen
Eric Munsenmerger, District 3
Doug Sphar, REAC Committee
Richard Stillwagon, City of Titusville
Suzanne Valencia, Sierra Club

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

*April 29, 2009
Approved June 25, 2009*



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

April 29, 2009
Meeting Minutes

CALL TO ORDER:

Ross Hinkle called the meeting to order at 1:05 PM.

PUBLIC COMMENT:

None.

MINUTES:

The February 24, 2009 minutes were presented for approval. Ross asked for comments on these minutes.

Paul Schmalzer noted the following items:

- There is an area within the minutes which is highlighted and still in tracked changes. Staff has provided clarification this is intentional and is used to indicate changes to part of a record.
- Page 10 – first line: most of the TICO Scrub Sanctuary property is located west (not east) of the runway.
- Pages 15 -16: regarding the Viera Property and the Viera CDD. The donation would be from the CDD, not the Viera Corporation.

MOTION ONE:

Paul Schmalzer moved to approve the February 24, 2009 minutes as amended.

Dave Breininger seconded the motion.

The motion carried unanimously.

The March 27, 2009 minutes are incomplete. It is anticipated the March minutes will be presented for approval at the next meeting.

ADMINISTRATIVE REVIEW:

The Administrative Review was reviewed.

Ron Hight resignation

Mike informed the SMC that Ron Hight has retired from the Merritt Island National Wildlife Refuge and that he has also resigned from the Selection and Management Committee. Staff will begin the process of advertising for a new committee member in the near future.

Clarification was provided that a call for applications will be advertised, and that each appointment is considered to be an At-Large appointment from the Commissioners as a group. It was noted that the Board of County Commissioners will not meet during the month of June.

Randy Parkinson requested that a letter of thanks be sent to Ron for his service to the EEL Program. Staff will prepare a draft letter for SMC members to review.

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Jordan Scrub Sanctuary Mitigation Parcel Status

Mike provided updated map information on a parcel of land which is adjacent to the Coastal Jewell property, in the area of the Jordan Scrub Sanctuary in Malabar. Staff is in communication with Lisa Toland regarding the status of this possible, pending donation to the EEL Program.

Dave Breininger asked if guidelines were in place to ensure that the SMC has an opportunity to review and consider pending donations early in the process.

Mike clarified that the guidelines were in place.

Supertrack Update

Mike explained that there had been a fire with the Supertrack mulching machine, and the quick thinking of staff prevented a possible wildfire. The piece of equipment is considered to be a total loss. There were no personal injuries during the fire. It is anticipated that the machine will be replaced through insurance.

TICO Airport Request Update

Mike explained that on April 28, 2009, the Board approved the EEL Program to enter into a contract to sell the 52+ acre TICO Scrub Sanctuary property to the TICO Airport Authority at a sale price equal to the most recent appraisal value of January 16, 2009, and contingent upon final review of the contract by the SMC, County Attorney, and County Manager.

Cooperation Agreement with Malabar – Facilities

Mike explained that on April 28, 2009, the Board approved a cooperation agreement between the Town of Malabar and the EEL Program, with the intent to reduce the design and construction costs of each entity's respective project, through the use of a common A&E and construction firm. The agreement is contingent upon the final approval to construct an EEL Program Management and Education Center at Malabar Scrub.

Florida Forever Program

Information on the pending status of the Florida Forever Program was reviewed. It is uncertain whether or not the Program will be approved for the State's next fiscal year's budget.

SMC REPORTS

Dave Breininger reminded the group of the Adaptive Resource Management Workshop which is being held July 27th and 28th at the Brevard Zoo. Some of the top national experts are expected to participate. The purpose of the workshop is to develop modeling criteria that will enable regional consideration of management needs and goals related to Florida Scrub-Jays and habitat management.

Confirmation was provided that the SMC agrees to be a co-sponsor of this workshop.

These meetings will be publically noticed as it is anticipated that more than one SMC member may be attending each day of the meeting.

STAFF REPORTS:

Central Region

Scott Taylor, Land Manager for the EEL Program's Central Region provided an update on events in his area including:

- Pine Island Conservation Area
 - Sams House and cabin renovations continuing
 - Historic picture of members of the family at the cabin will be part of the exhibits
- Johnson property
 - Initial work on treatment of invasive exotics is almost complete
 - Pile burns pending
- Kabboord Sanctuary
 - All pepper south of Hall Road has been treated
 - Dike in Kings Park (north of Hall Road) cleared
- Thousand Islands Conservation Area
 - Management Plan approved by City of Cocoa Beach, and BOCC
- Miscellaneous
 - Land Management Tech receiving Prescribed Fire Training
 - Capron Ridge Sanctuary Public Access Plan Public Meeting held
 - Kings Park/Kabboord Sanctuary recreational access meetings
 - Tom Penders is compiling information to submit to Florida Anthropologist regarding Sams House

Education Update

Katrina Morrell, EEL Program Education Coordinator, provided information on recent events regarding education, including:

- Major Accomplishments
 - Completion of Pine Island Conservation Area Exhibit Plan
 - Formation of Interpretation Team
 - New Bumper Sticker
 - New header on EEL Program Educational Display
- In the Works
 - Malabar Scrub Sanctuary Management and Education Center Needs Assessment
 - Get Outdoors Florida! Partnership
 - Service Learning partnership with the School Board
 - Teacher Workshops (January and June)
 - Grant
- Barrier Island Center
 - Walkins – 11,709
 - Festivals – 2,900
 - Study Trips – 872
 - Center Programs – 597
 - Special Events – 262
 - Guided Hikes – 234
 - Room Use – 131
 - Training – 87
 - Off Site Programs 73

- Tours – 14
- Enchanted Forest Sanctuary
 - Hike Desk Sign-ins – 6175
 - Study Trips – 1153
 - Special Events – 1096
 - Center Programs – 318
 - Festivals – 200
 - Guided Hikes – 162
 - Off Site Programs – 137
 - Cart Tours – 35
 - Tours - 22
 - Training – 0

Additional Discussion

Katrina explained that on April 20th, Ross Hinkle had given a presentation at the Biology Auditorium of Florida Tech on “*Why Conservation Lands Matter*” regarding the science behind land conservation and why it is important to preserve our local natural resources. This talk was presented by the Space Coast Science Educators and the Atlantic Coast Section of the American Planning Association.

THE NATURE CONSERVANCY:

Keith Fountain reviewed The Nature Conservancy’s April 29, 2009 Report to the SMC:

Maytown Flatwoods – Honey Hole Ranch, LLC: Appraisals completed February 27, 2009 for both easement and fee simple values. Appraisals are still in review.

NIRL-Xynidis: Willing seller application received April 8, 2009. TNC to meet with landowner this afternoon.

Fox Lake Inholdings – RJM Land, LLC and Wasileski: Negotiations appear to have been terminated.

Rockledge – Florida Power and Light: Willing seller application received April 14, 2009.

Jordan Blvd – Coastal Jewell, LLC (fka Skora): TNC sent counter offer, on terms only, on March 4, 2009. Purchase price will be negotiated following negotiation of terms.

Additional Discussion:

FIND Exchange

Mike explained that staff was preparing an agenda report to submit to the Board for consideration at their May 19th meeting regarding the general concept behind the proposed Florida Inland Navigational District (FIND) land exchange. This action is being undertaken in an effort to bring the conceptual idea for discussion by the Board, and to determine what issues they might think are important to address as the plan moves forward. Clarification was provided that a copy of the most recent version of the draft agenda report was included in the meeting packet. Mike asked the SMC for any final input they might want to provide.

Dave suggested that a Google map of the area might be beneficial in showing how the current area proposed for the FIND spoil containment basin is situated in the middle of the scrub landscape. Dave confirmed that this site allows this area to function as a source for Florida Scrub-

Jay recruitment exceeding mortality, for one of the two largest subpopulations that remain along the Atlantic Coastal Ridge. He stated that the SMC have been in objection to the currently planned FIND spoil containment site since it was identified in 1991.

Ross stated that this area has always been of extremely high interest.

Paul clarified that the SMC had passed a motion to support a possible exchange of property which would protect this site in 1998 and that the biological evidence that supports the idea has only gotten more compelling since that time.

Dave mentioned an area to the north of the FIND site which is the only place left along the Atlantic Coastal Ridge where you can look down at scrub and flatwoods without seeing US 1 and the railroad tracks.

Paul stated that the EEL Program property which is being considered for exchange as part of a 3-way exchange has some conservation value, but that the FIND property contains the highest quality scrub habitat left on the Atlantic Coastal Ridge and that at least two rare plant species have been identified within the FIND footprint.

Kim mentioned that she felt the back up for the report was well done.

Clarification was provided that it is possible that some funding may need to be provided by the EEL Program regarding a possible redesign of the containment site, but that this information had been included in the agenda report.

Clarification was provided that the EEL Program property included in the FIND exchange was received as a mitigation donation and that Fish and Wildlife Service have provided a letter of support regarding the exchange. A letter of support has also been received from the Department of Environmental Protection regarding this item.

Kim stated she was supportive of the proposed exchange.

Ross stated that the FIND site is an important source for the protection of the Florida Scrub-Jay.

MOTION TWO

Paul Schmalzer moved that the SMC should support the proposed concept of the FIND scrub land exchange.

Dave Breininger seconded the motion.

The motion passed unanimously.

AGENDA ITEMS:

Citizen Presentation: Falcon Woods Property

The Falcon Woods (*aka Tortoise Ridge, aka Tract at I-95 and Garden Street*) property is approximately 95 acres of land located near Garden Street and I-95 in Titusville.

On April 6, 2007, the SMC received a request from citizens for consideration of participating as a funding partner in a Florida Communities Trust (FCT) grant (*Tortoise Ridge*) on this property. The group did not have a willing seller application at that time. There was also concern that some of the plans for the site did not seem to be compatible with EEL Program goals. The SMC moved to table consideration of this project for 6–12 months.

On May 13, 2008, Richard Stillwagon, a representative from the City of Titusville, Lisa Smith, citizen, and Arlynn Baker, citizen, provided updated information on applications for potential

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funding assistance for the acquisition of this parcel. Clarification was provided at that time, that a public hearing was held on May 5th, when representatives from the ARC Council visited the site and received input from local citizens. Additional clarification was received that the owner was now a willing seller, and had indicated he would entertain a sale of the property for \$10 million dollars. Confirmation was provided to the citizens that EEL Program available funding had been encumbered by existing highest priority properties that have willing sellers, but members of the SMC were interested in receiving additional information about the plans for the project if it received approval from the State, and that the SMC was interested in review of possible participation with other partners in a possible funding match of some type, if funding was available in the future.

An SMC Site Visit to the property was held on August 1, 2008.

At the September 16, 2008 SMC meeting, Richard Stillwagon explained that the FCT application had not been approved, but that they were hopeful that Florida Forever would be willing to do at least one appraisal. He also explained that the landowner had proceeded with engineering plans for development of part of the site along Garden Street, as the owner is considering building apartments on the site. Clarification was provided that when Florida Forever added this project to the Brevard Coastal Scrub Ecosystem Project Boundary, the City of Titusville was named as the applicant and managing entity, and that the EEL Program was not obligated to participate as a funding partner. The SMC recommended requesting that the State order an appraisal for the Falcon Woods property, and for the Committee to then consider incorporating any matching funds to come from future bonding.

At the March 27, 2009 SMC meeting, Lisa Smith, requested that the SMC reconsider participating as a funding partner at their next meeting.

Lisa Smith, Arlynn Baker, and Richard Stillwagon attended the April 29, 2009 SMC meeting and explained that the group has provided new information on plans for the site. Lisa explained that all the planned activities were included in the new information that had been provided, and she emphasized the importance the proposed project could have to the citizens of Brevard County, along with the Birding and Wildlife Festival that is held annually.

The group considered the new information. Discussion ensued regarding:

- Activities in the information packet include
 - Observation Deck/Astronomy Area
 - Wildlife Observation Platform
 - Hiking Trails
- It is believed the property could serve as a water recharge area.
- Future funding from FCT and Florida Forever are uncertain, even for projects that have been added to BCSE and other approved projects.
- FCT grants require a 25% match.
- The City of Titusville does not have funding to put towards this acquisition.
- The group continues to look for additional funding partners, but has not identified any at this time.
- Clarification was provided that if a non-profit organization submits the FCT application, the matching funds requirement is waived.
- A recent appraisal of the property valued the site at below \$3.5 million dollars.

Paul stated that he understood the City of Titusville's position, but the circumstances of the project were wide open and the EEL Program had limited funding, as well.

Discussion ensued regarding the availability of acquisition funding.

Randy expressed his support for a funding contribution from the EEL Program.

Paul stated that the property did have some conservation value, but that it was small and surrounded by urban development. He stated that the property will require prescribed fire; it currently has a high fuel load; and, will be difficult to manage for biodiversity. He emphasized his feeling that the property was not a bad choice, but that he felt there were other priorities.

Randy stated that the project had been tabled repeatedly with no motion for a commitment, and the group had expended a large amount of effort trying to make the project work.

Kim stated she felt the SMC needed to make a decision on whether or not they wanted to participate as a funding partner and suggested consideration of a specific dollar amount that the SMC could determine. She suggested consideration of a \$300,000.00 contribution by the EEL Program.

Kim suggested the group contact a non-profit organization, like the Marine Resources Council, or the Brevard Nature Alliance to see if they could submit the FCT application, because if the application was approved, the matching funding requirement would be waived.

Dave stated that the site was very small, and that it was not connected to any other conservation area. He stated that he was very respectful of the effort the group had expended, but that the primary focus should be the protection of biodiversity.

Ross stated that the site also serves as a groundwater recharge area. He explained that he could not be supportive of the EEL Program providing all of a 25% match, but that he could be supportive of a donation of \$300,000 - \$500,000.

Randy stated he would be supportive of a larger contribution.

Chris O'Hara, EEL Program South Region Land Manager asked if it was possible the St. Johns Water Management District (SJRWMD) might be interested as a funding partner.

Clarification was provided that SJRWMD has confirmed they are not interested in participating as a funding partner, and that they do not purchase land for water recharge.

Arlynn Baker, citizen, stated their group had spoken with all five Commissioners and that they felt the project had value, especially for water recharge.

Lisa Smith, citizen stated that children who have the opportunity to play in the woods during their early years become the conservationists of the future.

MOTION THREE

Kim Zarillo moved to approve a funding contribution of \$400,000 to the Falcon Woods, FCT or Florida Forever Project, should the City of Titusville submit the application.

Randy Parkinson seconded the motion.

Additional Discussion

Ross asked if there were any additional questions or comments. None were received.

The motion carried unanimously.

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Mike reminded everyone that the final approval for any action the SMC might recommend had to come from the Board of County Commissioners.

Joe Anderson Property

Mike explained that a willing seller application had been submitted by a landowner in the Grissom Parkway megaparcels acquisition area in Port St. John for a 1.25± acre parcel and that the property was being presented for consideration of a 1st Majority Vote.

Dave requested clarification regarding which agency was responsible for management of the Grissom megaparcels area. Mike explained that the Florida Fish and Wildlife Conservation Commission (FWCC) is the managing entity for both the Grissom and Valkaria Megaparcels areas as they were purchased in a partnership with the State.

Dave stated that he had heard that they considered the area too fragmented to be managed by fire. Mike stated that was his understanding, as well, and that FWCC has an interest in having the EEL Program as the managing entity, but that the EEL Program would face the same challenges as FWCC, if that occurred, and that it was the same situation as in the Valkaria area.

Dave stated he felt the Valkaria megaparcels area situation was very different than the Grissom megaparcels area.

Paul stated that it was his recollection that between the original 600 acres purchased by the State, plus the properties purchased near Veronica Estates, and J&S Curb, there were approximately 1,000 acres in the Grissom megaparcels area and the Program needed to look at how to reduce fragmentation to get to a manageable landscape. He stated he understood that the discussion required was beyond the time available in today's meeting.

Paul clarified that during the time when Anne Birch was Program Manager, an agreement was reached that the EEL Program would be responsible for managing the urban areas, like the Enchanted Forest, and Malabar Scrub Sanctuary and FWCC would manage the megaparcels areas.

MOTION FOUR

Paul Schmalzer moved to approve a 1st Majority Vote on the Joe Anderson property, contingent on staff coming back to the SMC prior to ordering appraisals.

Randy Parkinson seconded the motion.

The motion carried unanimously.

Outstanding Initial Exotic Treatment Cost Estimates

Mike explained that the Commission has asked for a summary of what the EEL Program has outstanding for the initial treatment of invasive, exotic plants on properties acquired by the Program and that staff has provided information that Mike is compiling into a report to send back to the Board. Additional information will be provided on this item in the future.

Windover Preserve Property Management Concept

On October 8, 2008 the SMC reviewed a willing seller application on the Windover Preserve site which was submitted by the Preservation and Education Trust, Inc. The SMC declined acquisition of this site during that meeting because, although it is a very important archaeological site, it did not meet the environmental criteria for acquisition by the EEL Program.

At the March SMC meeting, the SMC discussed the possibility of the EEL Program accepting management responsibility for the Windover Archeological Site in Titusville, if the site was acquired by the State's Florida Forever Program. The SMC expressed their interest in this possibility and requested that staff compile a report which outlined anticipated plans for the site related to management and public access responsibilities. This report was reviewed at the meeting.

Mike stated that staff feels that the site is basically intact. There are not a lot of invasive, exotic plants on site, although there is some grape vine that needs control, and that the primary issue will be managing for public use. It is anticipated that most of the costs could be covered in-house, and that grant funding will be considered where it would be appropriate.

Xavier de Seguin des Hons, North Region Land Manager, provided additional information on the report, which was distributed to the SMC for review, prior to the meeting. There are plans for a parking lot, an overlook, and signage. It is anticipated that plans will incorporate the assistance of volunteers. There is already a trail on site, and it is currently being maintained by a volunteer group.

Dave stated that it was important to ensure that taking on this responsibility would not take away from land management activities.

Xavier stated that of the two parking lot options that were included in the report, the option which placed the parking lot directly off the road was preferred by staff because it could include a gate and a walkthrough which would be visible to the neighborhood and this would enhance security of the site. There are plans to add some trees at the parking lot to enhance its appearance.

The Windover site is located approximately 5 miles from the Enchanted Forest Sanctuary.

Consideration of including the Windover Homeowner's group and the Brevard Museum during the planning for the site was suggested.

Xavier clarified that there would be a stakeholder's meeting to review public access plans for the site, as part of the Management Plan process.

Public Comment

None.

Mike reminded the group that the action will require final approval from the Board.

MOTION FIVE

Randy Parkinson moved to approve that the EEL Program accept management of the Windover Archaeological site, if it is acquired by the State.

Kim Zarillo seconded the motion.

The motion carried unanimously.

Town of Malabar Cooperative Agreement

Mike explained that Doug Sphar, who was in attendance at the SMC meeting, had also attended the Board meeting when the Malabar Scrub Sanctuary Management Plan was presented for approval. Mike stated that during the Board meeting, Doug had brought up his concerns about the importance of cooperation between the EEL Program and the Town of Malabar to ensure that the best opportunity is available to manage the landscapes. Mike explained that the Board asked him to report back on Doug's concerns, which focused mainly on the Cameron Preserve.

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Mike stated that he had brought a copy of the 1998 Management Plan for the 100 acre Cameron Preserve in Malabar, to today's meeting, and that he hadn't made a lot of extra copies, but he would send one out by e-mail to anyone who wanted it. Mike explained that he highlighted language that refers to cooperative management effort, that he reviewed that information with Doug, and that Doug has provide some good feedback. Mike also noted that that he met with representatives from the Town, and they all felt that there was a lot of language in the Management Plan that refers to a cooperative management effort.

The following examples were provided:

- Brevard County EEL Program supports efforts to protect scrub lands and create greenway connections between existing sanctuaries.
- Brevard County and the Town of Malabar work cooperatively together in the management of this open space corridor.
- References to Brevard County EEL Program staff and scrub habitat.

A letter from the Town that confirms that they wish to continue in the spirit of this plan has been received by the EEL Program.

Mike stated that he would be putting a report together, and including the Management Plan document, and that he would circulate the report to the SMC so they could see it.

Paul requested an e-mailed copy of the Cameron Preserve Management Plan. He stated that having the language in place was a good thing, but that getting the management on the ground would be required to actually benefit the species. He stated he had visited the Malabar Scrub Sanctuary recently, and there were still management needs on the eastern part, which had been purchased earlier than the western portion.

Ross stated that it looked like a cooperative management agreement was in place and he asked if Mike needed anything from the Committee.

Mike stated he had just wanted to bring the item to the SMC's attention because the Board had requested that, but that he would send his report out to the SMC via e-mail so the SMC could have a chance to see it and comment on it before he sent it back to the Board.

Dave Breininger stated that the new information seemed like a major step forward.

Public Comment

Doug Sphar stated that this item originated from a motion by the REAC Committee. He confirmed he had attended the Board meeting and that Mike had graciously agreed to forward all of the documents being discussed to him for review. He stated he had reviewed the information and it was his opinion that the information seemed to satisfy the intent of their concerns. Doug mentioned his support for Paul's statement that it was good to have a plan, but that now we needed to get working on things from the staff level. He also indicated he would be willing to attend another Board meeting to confirm his concerns were resolved, if that would be beneficial.

Ross thanked Doug for his comments.

Viera CDD Cooperative Management Agreement Concept

Mike explained that the EEL Program was approached by the Viera CDD to see if the Program wanted to accept donation of approximately 300 acres of property that is covered by a conservation easement. He explained that during the processing of the donation, a concern was

raised regarding the process, and clarification was provided by the County Attorney's office that the EEL Program cannot take over management without formal action by the Board. The County Attorney's office has indicated that there is a difference between the EEL Program accepting management responsibility on a first time donation, which comes with some management fees, and accepting management responsibility on a property being donated by someone who already has the responsibility to manage the site for conservation in perpetuity, even if the donation comes with management dollars.

Mike also explained that there are concerns from the County Manager's Office that there may be a perception that the entity currently responsible for management of the property may be trying to pass the property to the EEL Program to get out from under that responsibility and that this would not be well received by the Board.

Paul stated that although the property might not fit the criteria of a mitigation donation, it could still be accepted as a regular donation, with Board approval, and that the SMC had voted to accept the donation, which is within the Brevard Coastal Scrub Ecosystem Project, in October of 2008.

Kim stated that perhaps it could just be a regular donation that came with funds.

Mike reiterated that there are concerns that there may be a perception that the entity currently responsible for management of the property may be trying to pass the property to the EEL Program to get out from under that responsibility and that this would not be well received by the Board. He explained that at the normal mitigation fee rate, management fees for this site would be \$400,000.

Dave asked who was currently responsible for enforcing that the Viera CDD conservation area is managed appropriately.

Clarification was provided that the Brevard County Natural Resources Department has that responsibility and that the project was an open DRI.

Dave stated that, right now, the Florida Scrub-Jays at the Viera CDD conservation area are the second largest subpopulation of contiguous families that remain on the mainland of the Atlantic Coast and that this habitat is rapidly going downhill. He expressed his concern that a homeowner's association may not have the expertise required to manage the property in a manner that will provide the best possible habitat for the Jays, and he asked what method would be used to ensure that the area was managed properly.

Mike stated that it was his understand that the County had the authority to enforce the requirement that the property be managed appropriately.

Dave reiterated that the quality of the habitat has been declining for the last 2 years and that he has strong concern that the last two large Jay populations that are left in Brevard County are both located on locations that are somewhat at risk.

Paul stated his understanding that the issue of whether or not to accept a donation that had been recommended by the SMC was up to the Board.

Mike stated that it was.

Paul said that it was his understanding that the issue has not been to the Board, so they have not yet said no.

Mike said that was correct.

Ross stated that the long term success of the EEL Program acquired property in that area would be jeopardized if the Viera CDD conservation easement property was not maintained as healthy habitat and that maybe accepting the donation and doing it right yourself was part of the cost of doing management.

Kim suggested consideration of accepting the donation with the contingency that part of the management funds be provided by the homeowners.

Mike stated that he felt it would be best to present several options to the Board when requesting that they approve the acceptance of the donation, and that there was an option for an interlocal agreement for management, which, if they could not accept a straight donation, might be a good option. He stated he felt it would take a little more time to clarify what the options were, but that he had spoken with the Viera CDD folks and they have expressed an interest in an interlocal agreement and he asked the SMC if there was a general feeling of support for an interlocal agreement from the SMC.

Paul stated he felt the ability of a homeowner's association to be responsible for management of a site of this size in the long term was dubious.

Kim agreed.

Dave said that he agreed with Paul, and that having the property come to the EEL Program would provide a greater reassurance that the habitat could be managed appropriately, but if an interlocal agreement was the only way to make it work, he would consider it.

Randy asked if the homeowner's association had funds set aside for this purpose.

Mike stated that they were required to set aside funds for management, but a set amount was not stated.

Ross suggested consideration of setting up an agreement where the EEL Program would manage the site, the homeowner's association would provide the funding that they have, to help offset the cost, but if additional funds were required, the EEL Program would provide them. He stated the Program could ensure the habitat was managed properly, and that the homeowner's association's obligation would be to give the Program permission to do the work, and to provide what resources are generated in perpetuity for management as an offset to the cost of doing the work.

Paul stated that perhaps that could be a solution.

Ross mentioned that their costs will increase substantially if they have a wildfire in the area.

Randy suggested the funding accumulated so far could be used to help offset the cost to get the area back into good habitat, and the future funding could be used to help keep it that way.

Mike mentioned that the Sanctuary Management Manual includes information that is supportive of cooperative efforts.

Ross stated he believed that he was hearing the group was supportive of consideration of a cooperative effort regarding the management of the Viera CDD property, but that there had to be contingencies to make sure that the management decisions and management activities are done professionally, and that he felt the homeowners in the area would be very relieved if a professional land management group was taking care of the site.

Public Comment

Doug Spahr stated that one issue that would need clarification was what to do in the event of differences of opinion.

NEXT MEETING:

Staff will poll SMC members to determine the date of the next SMC meeting.

ADJOURNED:

The meeting was adjourned at 4:07 PM.

SUMMARY OF MEETING MOTIONS:

- Motion to approve the February 24, 2009 minutes, as amended.
- Motion that the SMC should support the proposed concept of the FIND scrub land exchange.
- Motion to approve a funding contribution of \$400,000 to the Falcon Woods, FCT or Florida Forever Project, should the City of Titusville submit the application.
- Motion to approve a 1st Majority Vote on the Joe Anderson property, contingent on staff coming back to the SMC prior to ordering appraisals.
- Motion to approve that the EEL Program should accept management of the Windover Archaeological site, if it is acquired by the State.