

Equestrian Trails & Facilities Referendum Committee

Appointed by the North Brevard Commission on Parks and Recreation (NBCPR)

Meeting of November 28, 2005, 6:00 p.m., at the Mims-Scottsmoor Library

Committee Members Present

Donna McCone, Chairman

Sabrina Jeffers

Kay Miller

Mary Page, Vice Chairman

Carol Thompson

Winnie Woods

Gigi Henkel, NBCPR Liaison

Committee Members Absent

Susan Canada

Connie Carswell

Jennifer Hill

Staff Present

Mike Knight, Environmentally Endangered Lands Program Manager

Terry A. Lane, North Area Parks Operations Manager

Judy Inman, Administrative Secretary

I. CALL TO ORDER

Chairman McCone called the meeting to order at 6:04 p.m.

II. ROLL CALL

Susan Canada was excused. Connie Carswell and Jennifer Hill were also absent, however whether or not they are excused is pending.

III. APPROVAL OF MINUTES OF SEPTEMBER 19, 2005

Sabrina Jeffers clarified her comment recorded in the next to last paragraph under Old Business regarding being young enough to ride. She noted for committee members who were not present that she is fully aware we do things for future generations as Mr. Nelson stated. Her main concern is that if the whole thing falls through, is there going to be land available and are we going to be able to afford it? She wants to do what is best for the community and the project.

Motion by Sabrina Jeffers, seconded by Mary Page to approve the minutes of September 19 2005.

AYE: Jeffers, McCone, Miller, Page, Thompson, Woods

NAY: None

Carried 6-0

IV. STAFF REPORTS

Chairman McCone introduced Mike Knight, Program Manager for Environmentally Endangered Lands (EEL) who reported the focus of the program is to identify and acquire environmentally significant lands. On the map presented at the meeting the green colors represent acquisitions through program or in partnership. Other lands marked are of high conversation value and designated as such by selection identification committee, although the particular land owner may not have been targeted. It is what the habitat represents in a greater landscape.

Mr. Knight stated he assumed the group was interested in what kinds of lands and where are the lands the EEL program is considering purchasing in North Brevard from the Enchanted Forest, north. Terry Lane reported this group has been focusing from Garden Street north to the County line.

Mr. Knight proceeded to project images of parcels:

- Buck Lake--green
- Hearst property with Indian mound and eagle nest--yellow L shape near Holder Road

- South Lake conservation area—blue off of Dairy Road.
- The vast majority of the pink area is owned by Miami Corp.
- North Indian Lagoon area along edge of river. EEL is in negotiation with a variety of land owners. The green areas were acquired awhile ago. The yellow borders represent high priority areas identified by the EEL committee and are in the process of canvassing the area to determine willing sellers.
- Right of Way for FEC Corridor. EEL was brought into some of the discussions about acquisitions to see if there was a way to expand the corridor to provide a greater wildlife corridor through that area. EEL is exploring opportunities to make headway with Miami Corp. There is a significant amount of property set aside as a mitigation back through Miami Corp which is already protected.

Chairman McCone reviewed that the committee had discussed the trailhead in direct proximity to the FEC railway system. At the last meeting the committee talked about establishing an equestrian trailhead in the Buck Lake area and asked if any of the mitigation property is bordering Buck Lake and what is being done in negotiations with Miami Corp.

Mr. Knight indicated it is not fair to say EEL is at a particular level of negotiations with Miami Corp. Miami Corp asked the EEL committee to draw line on the map of how wide the corridor should be along the FEC right of way. The committee wants to discuss with Miami Corp how much EEL can consider as parameters for Appraisal. It is not in the form of negotiation at this time.

Chairman McCone asked for more insight into acquiring the FEC corridor for the rails to trails, and reviewed the committee was looking at having the trailhead for long length of uninterrupted equestrian trail. She would like to know advantage of looking at Buck Lake if the trail is only short. No one can say definitely what is happening with FEC railway.

Mike gave a history as follows: EEL has had this identified for several years but it is not in the state program as yet. EEL was largely unaware and uninvolved with the efforts to protect the FEC right of way. Only recently EEL was contacted for insight for the width of corridor should be from a wildlife perspective, which is difficult to answer because it is dependent on the species. The first request was to draw the line. The committee didn't do that, but wanted to talk to Miami Corp about their potential interest. The Forest Land Stewardship Program, which is basically a conservation easement, allows a landowner to identify endangered species. That asset can be exchanged for a mixed use, higher level density use in other portions of the property. It is a little different than mitigation which Mr. Knight further explained.

In response to questions from Carol Thompson, related to permitted uses in the protected area, Mike Knight responded generally equestrian, hiking, mountain biking, passive recreation, non motorized are permitted and a permit could be issued to mark trails/maintenance, similar to Buck Lake. EEL restrictions are related to the habitat and to protect wetlands.

Sabrina Jeffers noted the committee wants to have enough land for future development such as an arena and a place for trailer parking. Mike Knight reported generally the land is identified because of the conservation value, so EEL tries not to buy disturbed land unless absolutely necessary to make the deal work. In those cases there is opportunity for that kind of development.

Carol noted the committee wants to look at something attached or adjacent to Buck Lake.

Chairman McCone asked if any of the mitigation land borders Buck Lake, the other properties just pointed out, or the southern area of what Miami Corp owns.

Mr. Knight checked the area on the computer and reported appears a large portion of the mitigation bank area connects to the north of Buck Lake. He is unsure who would manage the mitigation bank. If Miami Corp manages it, there could be restrictions on access. If managed by EEL, there shouldn't be a problem with trails as long as it doesn't impact the purpose of the mitigation.

Carol Thompson noted the committee's desire for a bath house and camping area.

Chairman McCone asked if are there other agencies EEL is working within Brevard County to influence the Miami Corp or find out what they are doing. Mike Knight reported not other than the Nature Conservancy which is the primary group to deal with that. At this time he doesn't consider them a willing seller because so much is undefined.

Chairman McCone stated she understands the FEC railway portion is not up for negotiation and the committee has been taking it for granted that is part of the Rails-to-Trails Program. Question now is how much of the former FEC railway is off the table for negotiation which neither the Miami Corp or the County can influence. Mr. Knight reported he has not been involved in that and the only thing he understands is there is some debate over the ownership and FEC has chosen not to contest that ownership Miami Corp.

Chairman McCone asked if there was anything else Mr. Knight thought the committee should know. He suggested keeping in mind Buck Lake was a joint purchase with Brevard County and St. Johns River Water Management District (SJRWMD). SJRWMD is the primary manager of that site. EEL manages only 350 acres of scrub in the central, east portion of the property. Mr. Knight pointed out what EEL calls the Continental Acreage property which is an acquisition through EEL, directly adjacent to Buck Lake, and managed by EEL. The only other potentials are the Indian Mound property and South Lake property which are much smaller. Mr. Knight offered to keep the committee aware of anything else that is identified.

Questions from Public for Mr. Knight & Public Comment:

Louis Morehead of Scottsmoor noted his early involvement in the Rails-to-Trails program and inquired about the status of the program. Chairman McCone responded it seems as if there is a portion that is owned by the Miami Corp and is remaining in their ownership. It appears as if that is a blocking point for this particular program. Unfortunately, the committee has no influence on that, but is just trying to find out how to best use the money appropriated for a trailhead and facility and where it should be located. The dream of a really long fabulous trail is not a reality and over which the committee has no control. The committee is now looking for other options for the highest and best use to have the best equestrian experience possible. About 1.5 miles of the rail bed in the north of Brevard County is owned by Miami Corp. The committee's understanding now there is the possibility Miami Corp might be willing to offer that in exchange for other considerations for other uses of their property such as mixed density.

Mr. Morehead reported the City of Titusville bought an easement all the way to the County line and asked if they also have an easement with the Miami Corp.

Walter Pine reported regarding the City of Titusville, their signed contract is with FEC, have a signed agreement. Railroad beds were taken by eminent domain early on and if it goes back, it goes back to the original owner or to the community. If FEC is conceding it, the community may have a right to challenge that.

Mr. Pine stated he was assured in the past this wouldn't be a wildlife corridor. Human activity becomes a negative impact on a wildlife corridor. He suggested a written agreement in perpetuity for trail use.

Was his understanding that when EEL purchases disturbed lands, they can be used for other purposes, which you might be able to use at a lower cost. Suggest get County to define where the disturbed lands are. Re EEL program, while we have a lot of lands up here, you really need to look at the currently existing standards for the lands and allowed activities. You cannot have only non-motorized access, violation of ADA, must have equal access for persons with disabilities.

Chairman McCone noted EEL likes to purchase as little disturbed land as possible and thanked Mr. Pine for his comments.

Thelma Roper asked Mr. Knight if EEL is looking at any particular parcel that owner may not be willing to split that could be something like 20 acres of grove and 100 acres of conservation land. Mike Knight stated there isn't anything out there right now because they looked at impact of habitat. EEL is trying to get an east/west corridor for wildlife which may or may not be in the north end. Location depends on

willingness of sellers. That is when you might see more of those type of opportunities for trail heads, etc. Mr. Knight agreed to keep the committee informed if he comes across something like that.

Chairman McCone requested the committee be included in reports to the County, about the state negotiations, or when to look for changes. Mr. Knight agreed and suggested when identifying particular areas the committee is interested in, they can be brought to his committee for consideration.

V. OLD BUSINESS

Potential Properties—Mr. Lane reported Mr. Nelson had a last minute emergency. Other potential properties were identified in the past, Mr. Lane doesn't think there is anything new. He does like the idea of Mr. Knight keeping the committee in mind when looking at properties, particularly close to the railroad.

VI. NEW BUSINESS

Chairman McCone stated she is still trying to assimilate the information. She inquired, as equestrians, what is the best use for the money, and what does the County want the committee to do? Is it best to keep waiting around for the Miami Corp if there eventually is a long trail? Remember they want to develop the area.

Sabrina Jeffers commented that at first it would get equestrians into Lake Monroe, there would be other funding, and now it is unsure because of Miami Corp. The committee has been talking about getting something adjacent to the railroad, thinking that was going to happen. She questioned how long do we wait?

Gigi Henkel gave a thought. Buck Lake is very accessible for riding, is highly used, no access use for camping. She suggested having someone from SJRWMD here for discussion of usage. Let them sort their mess out with the railway. She doesn't want to see money thrown away that would be useful later. Possibly some improvements could be made now.

Mike Knight stated he will be happy to call his contacts at SJRWMD. He asked if camping meant getting vehicles/trailers in? Mrs. Henkel responded the range is from tents to self-contained living quarters house trailers. Chairman McCone noted there is a vehicle accessible picnic area there already. Mrs. Henkel suggested possibly camping near the picnic area on a permit basis for half a dozen a weekend. It is a hike in hike out area. Chairman McCone commented SJRWMD has been willing to allow use within the limits for what is available.

Mr. Pine stated it would be very important to ask staff to do this. EEL is to preserve land; don't ask them to support activities they don't want. Chairman McCone stated she appreciated the comments, but doesn't believe anyone has hidden their agenda. She feels it would be good for Mr. Knight to contact SJRWMD. SJRWMD will present their requirements. Mr. Knight will provide contact information to Terry Lane.

Carol Thompson indicated she would like the committee to be kept informed. Mr. Knight stated he is happy to do that but must protect confidentiality of negotiations. Mike Knight stated EEL considers equestrian use as passive recreation which fits in, but EEL doesn't promote camping.

Gigi Henkel stated she now understands why equestrians were not allowed in Enchanted Forest. She also understands the information aspect, but EEL may have a different reason for purchasing property.

George Newman of Mims inquired what the access point is for the sliver purchased by EEL at Buck Lake and could the arena and camping be put there? He noted there is access to Buck Lake, except for motorized vehicles or during the 9-week hunting season. Gigi Henkel noted that is the nicest time of the year to ride. As to the mitigation land set aside by the Miami Corp, the fence line butts up to Buck Lake and cattle isn't run that far south. Chairman McCone noted there is a natural wildlife corridor there as well. Mr. Newman continued, Buck Lake has 9,000 acres and mitigation area is roughly 6000 acres. FEC railway is straight up and straight back. Carol Thompson noted at one time there was a proposed connection to Volusia County. Mr. Newman noted there is only 1.5 miles in Brevard County, but Miami Corp owns another 15 ~~acres~~ miles in Volusia County. He suggested looking at the land purchased by EEL at Buck Lake as it appears there is already a lake and road access going down into Buck Lake.

Chairman McCone asked Mr. Knight if there is disturbed land in that segment. Mr. Knight stated he is not that familiar with the level of disturbance on that particular property, but ventured there probably is not much other than historic roads. To his knowledge there hasn't been that had many deals with disturbed land. Mr. Pine stated the manager should know the level of disturbance. Chairman McCone stated she would like for Mr. Knight, as manager of the EEL program, that the committee had an incredible dream list when working with the Mims-Scottsmoor Community Center Committee. Equestrians feel their way of life is definitely threatened by development, population growth, etc. The committee was looking at everything from award winning endurance riding, champion shooters, show quarter-horses, hunting and jumping, pleasure and show riding. The committee would love to have a place where such a facility can be located as well. Disturbance is only for brief times and not much. The committee would be grateful to have a trailhead wherever possible. The committee has the dream of preserving what equestrians do. If there is any place, as little 10-15 acres, that would be more than enough for the committee to do whatever they need to do, whether it is with SJRWMD or a disturbed EEL area.

VII. PUBLIC INPUT

George Newman suggested the equestrians in community, which Chairman McCone estimated to be in the 100's, each donate enough money to purchase 30 acres around Buck Lake, donate it to the County and ask the County to build and maintain a facility.

Robert Robbins introduced discussion on the arena, private arena in the area, number of riders which was estimated in the 1000's, the huge impact economic impact of equestrians in the State of Florida.

Mr. Newman offered to donate \$100 and he doesn't even own a horse, but would want to camp on weekends. Mr. Newman pointed out all the land east of the FEC railway doesn't belong to Miami Corp. Mondex sold many 2.5 acres parcels.

Carol Thompson noted one of the committee's thoughts was to use the funds to purchase property, then hold events as fund raisers to build facilities. Chairman McCone re-emphasized the mandate is to acquire land. Sabrina Jeffers clarified the committee is hopeful to buy a piece of property large enough to have fund raisers.

Walter Pine suggested having people who know the land at the 25 acres, take a camera to find out if it is disturbed land. He also suggested putting the land into a trust and donating the trust to the County.

VIII. NEXT MEETING DATE

January 30, 6:00 p.m.

IX. ADJOURN

The meeting adjourned at 7:13 p.m. at the motion by Carol Thompson.

Respectfully submitted,

Donna McCone, Chairman jbi