



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

**April 27, 2010
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Sue Hann
Ross Hinkle
Paul Schmalzer
Kim Zarillo

PROCEDURES COMMITTEE MEMBERS

Ralph McCoig
Pat Pasley
Rocky Randels
Diane Stees
Kim Zarillo

EEL PROGRAM STAFF

Laura Clark
Mike Knight

THE NATURE CONSERVANCY

Anne Mayer

GUESTS

Jim Durocher, REAC Committee
Jack Lembeck, Brevard Historical Society
Linda Mannier, District 3 Commission Office
Doug Sphar, REAC Committee
Suzanne Valencia, Citizen



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION & MANAGEMENT COMMITTEE (SMC)
PROCEDURES COMMITTEE (PC)
April 27, 2010
Minutes**

CALL TO ORDER:

Rocky Randels called the meeting to order at 2:53 PM.

PUBLIC COMMENT:

None.

MINUTES:

The March 16, 2010 Procedures Committee meeting minutes were presented for approval.

Rocky asked for comments to the minutes.

Diane Stees provided the following:

- Attendance List: Remove Kim Zarillo's name as she was not at meeting and add Pat Pasley's name as she was in attendance.
- Pg 1 – 2nd sentence after (SMC): Remove "members" - already included earlier in the sentence.
- Pg 2 – Next to last paragraph, 4th line down: change "choose" to "chose".
- Pg 4 – Top of page, 2nd line: "Universities" does not need to be capitalized.
- Pg 4 – 2nd paragraph: Remove apostrophe from "American's" (non-possessive).
- Pg 4 – 5th paragraph of Additional Discussion: Add a comma after "recent PC appointment".
- Pg 5 – 6th paragraph: Change "have a true understanding" to "possess a true understanding".

Kim Zarillo provided clarification that she did attend the SMC meeting on March 16th, but that she was not in attendance for the SMC/PC meeting. Confirmation was provided that Pat Pasley was in attendance.

It was determined that the changes that were discussed would be incorporated into the draft minutes in tracked changes format and the document would be redistributed. Additional comments may be received when the March PC minutes are presented for review and approval again at the next PC meeting.

AGENDA ITEMS:

SMC Membership Criteria and Appointment Process

Mike Knight, EEL Program Manager, confirmed that staff had included pages in the meeting handouts from the on-line Land Acquisition Manual (LAM) which can be found on the EEL Program's Web Site. The on-line document includes all revisions to the LAM which have occurred since the most recent LAM printing in 1997.

He explained that information on the discussion from the March 16th minutes was provided in two formats, one set showing current language and revisions in tracked changes form, the other set representing what the final document would look like if the tracked changes were processed.

Mike suggested consideration of reviewing the pages in tracked changes format. The group agreed.

The group discussed LAM Page 2-17, 6.a.

Existing Language and Suggested Revision:

The qualifications of all applicants or nominees responding to a call by the County Commissioners for EEL Selection and Management Committee volunteers shall be reviewed by ~~a Qualifying Committee consisting of the EEL Program Manager, Director of the Parks and Recreation Department, Director of the Natural Resources Management Office~~ EEL staff; the Chairman of the Procedures Committee, (or their designee), and the Director of Human Resources (or their designee). A qualified Staff will present the list of all applicants / nominees to the Procedures Committee including identification of those applicants / nominees that staff has determined to be qualified. shall be established from the available pool of applicants / nominees through a majority vote of the Qualifying Committee. Qualifications for EEL Selection and Management Committee members are outlined in this manual (page 2-18). The Procedures Committee will review the list of applicants presented by staff and verify the final list of qualified applicants / nominees through a majority vote. County EEL staff will provide the list of ~~all~~ qualified applicants / nominees to the Board for review and ranking.

Kim Zarillo stated that she serves on both the PC and the SMC and that although she believes it is beneficial to have a person serving on both committees, she also felt there could be a conflict of interest issue related to someone reviewing their own SMC application, if that PC member was currently applying for an SMC opening. Kim said that she personally would not want to participate in that review, and that she felt the situation would qualify anyone in that circumstance to abstain from a vote on their own application.

The group discussed Kim's comments. It was determined that in the event described above, it would be best for a PC member applying for a position on the SMC to abstain from all voting regarding any of the SMC applications.

Additional Discussion

Ralph McCoig asked for clarification regarding whom the TDC or EDC would appoint to the committee if we decided to go in that direction. Mike said that when he had spoken with the agencies regarding what they would do if that came to pass, he found out that they would most likely appoint a designee and recommend that person to the Board. Then the Board as a whole

could approve the appointment as SMC members are at-large appointments, not district specific. He confirmed that he had received confirmation that the appointment would likely not be a staff member, but someone who was on one of their committees or a volunteer within their organizations.

The group determined that the committee who would review the applications would be formally referred to as the Qualifying Committee.

Sue Hann requested clarification of the duties of the HR Director/designee and clarification of the process for passing the group of SMC applications to the PC for review.

Mike said that it was his understanding that the EEL Program Manager, the Procedures Committee Chair/designee and the Director of Human Resources/designee would review the applications to determine who was qualified and that EEL Program staff would pass the information to the Procedures Committee for their review.

Kim asked if the Procedures Committee should be ranking the applications.

Mike said the PC would confirm whether or not the applicants were qualified and the Board would rank them.

Pat Pasley suggested consideration of using a flow chart to diagram the steps for this action along with other sections of the LAM.

Mike said staff could prepare a flow chart for this process, but it would be extremely difficult to attempt to redo the entire LAM with flow charts because of the many checks and balances that are written into it.

Kim and Ross stated they thought a flow chart would provide a good reference point for this part of the LAM.

Diane stated that it would be helpful if each box of the flow chart referenced the appropriate text from the LAM.

Staff will provide a draft flow chart regarding the process noted above for review by the Committee.

Rocky asked if the group was ready to move on to the next section. The group agreed.

Public Comment

None.

The group discussed revisions to LAM Page 2-17, 6.b.

Existing Language

...In cases of tied scores, the Board Chairperson will choose members or alternatives by drawing names of those with tied scores from a box.

Diane suggested changing the word "alternatives" to "alternates" as this appeared to be a typographical error. The group concurred.

The group discussed LAM Page 2-17, 6.c.

Existing Language

If replacement EEL Selection and Management Committee members are required, the Board has the option to choose from the existing pool of alternates or...

Diane suggested adding the word “qualified” before “alternates”, and adding “as defined by 6.b. above”. The group concurred

The group discussed LAM Page 2-17, 6.d.

Existing Language and Suggested Revision:

“New appointments and reappointments of EEL Selection and Management Committee members (as outlined in a., b. and c. above) can occur at the discretion of the Board without additional review or new rankings by selecting from the existingmost recent (not exceeding two (2) years) pool of qualified applicants / -nominees. Appointment procedures will be consistent with county policies for advisory board appointments, as specified in the Uniform Advisory Board Ordinance, Ordinance 95-31.”

A suggestion was received to clarify that in the event that new appointments or reappointments of SMC members was required, the applications should not exceed two (2) years old. The group concurred.

Mike explained that he has included a suggestion for the slight rewording of the last sentence in this section to change “will follow” to “will be consistent with” county policies. The group concurred.

Additional Discussion

Ralph McCoig asked for clarification regarding why Mike had suggested adding an eighth member to the SMC.

Mike stated that he had previously suggested to the PC that it might be beneficial to add someone with a real estate background to the SMC, not as someone with scientific criteria, but with expertise in real estate. He confirmed that the PC had decided not to incorporate that suggestion as there is a detailed process in place to determine economic value through independent appraisals, appraisal reviews, and the Land Acquisition Review Committee. Appraisals are confidential until the final step of this process, and a person with real estate background on the SMC would add nothing to the process.

Staff requested confirmation that it was the PC’s intent to remove the existing language “A knowledge of other land acquisition programs in the State is highly desirable.” from Page 2-18, prior to the SMC criteria, from the LAM.

Diane asked for comments from the group.

Mike stated that the dilemma was that staff had faced was that if the statement wasn’t going to become one of the numbered criteria, as he had suggested, it didn’t make any sense to him that it should be included in the LAM. He said that it was nice to have someone with that experience in the group, but he didn’t see any way to give a candidate extra credit for having the experience.

Rocky asked if the item had been used in the past as part of the scoring technique.

Mike stated that the ranking had been done a little differently each time, but that he had used the item in the most recent ranking.

Ross provided clarification that the LAM states "Familiarity with" and the hand out states "Knowledge of".

Mike stated that he felt that staff was requesting confirmation that the PC understood that existing language was being removed completely from the LAM, because it wasn't going to be used as part of the membership criteria.

Kim said that she felt that the criteria regarding the requirement for a graduate academic degree in biological or environmental sciences or demonstrated professional expertise, and the criteria for a demonstrated knowledge of Brevard County ecosystem, habitat types, and conservation land management techniques were the most important.

Diane mentioned that staff needed to provide identifiably concrete things to use as criteria.

Paul and Kim agreed that the wording was vague.

The group discussed LAM Page 2-18 regarding SMC membership criteria.

Existing Language and Suggested Revision:

"Membership shall consist of ~~eight~~^{seven} members appointed by the Board for a minimum term of two years. The Board of County Commissioners shall strive to maintain a committee membership that possesses a diversity of demonstrated expertise or experience to enhance the land acquisition and management goals of the EEL Program. ~~A knowledge of other land acquisition programs in the State is highly desirable. One voting seat on the committee will be specifically designated for an appointee representing the Economic Development Commission (EDC) with a professional background in the real estate industry. The EDC will provide a recommendation to the Chairman of the County Commission regarding the EDC's designee for appointment. The Board may appoint members that do not reside in the respective Commissioner's District. A Chair and Co-Chair shall be elected~~ annually by a majority vote of the EEL Selection and Management Committee.

All EEL Selection and Management Committee members ~~(with the exception of the EDC real estate appointee)~~ shall:

- 1. Have a willingness to serve in a voluntary capacity.*
- 2. Be willing to make a long-term commitment to the EEL Selection and Management Committee.*
- 3. Have a graduate academic degree in biological or environmental sciences OR demonstrated professional expertise (minimum 6 years) in a closely related conservation field such as ecosystem management, natural resources conservation, aquatic biology, field ecology, marine biology, botany, geology, hydrology, fire ecology, natural areas management, human use and recreation ~~on~~ in natural areas, science education, or natural area sanctuary design.*

~~4. Have demonstrated concern for and have actively participated in environmental conservation.~~

5.4. Have demonstrated knowledge of Brevard County ecosystems, and specific knowledge of habitat types and conservation land management techniques.

~~6.5. Have familiarity with other land conservation acquisition programs.~~

EEL Program Selection and Management Committee

Procedures Committee Meeting

April 27, 2010

Page 6 of 15

Approved June 8, 2010

Clarification was provided on the following:

- The current LAM provides for a seven (7) member committee.
- A previous suggestion by staff to increase the number of SMC committee members to eight (8) by adding a real estate person, was not incorporated.
- Clarification was provided that the statement regarding knowledge of other land acquisition programs, which is being removed from the LAM, has sometimes been used as a criteria for SMC qualifications in the past.
- The statement “A knowledge of other land acquisition programs in the State is highly desirable.” would not be incorporated as a new criteria and would be removed from the LAM.
- Criteria #4 (Original Criteria #5): “Have a demonstrated concern for and have actively participated in environmental conservation.” would be removed.
- Criteria #6: “Have familiarity with other land conservation acquisition programs.” would be removed. This existing language from the LAM was relocated as an additional numbered criteria in the draft language originally provided by staff. It is not being included as a criteria and is being removed from the LAM.
- Clarification that elections of SMC officers would be held annually was suggested by staff as an addition to the language.
- Additional clarification was noted that the items being removed were considered to be subjective and removal of the language should address this concern.

Ross reminded staff that Co-Chair would need to be changed to Vice-Chair any place that it might exist in the LAM. Staff will review and revise.

Diane suggested use of a consistent format relating to the presentation of numeric values. i.e. “six (6)”. Staff will review and revise.

Public Comment

None.

The group discussed LAM Page 5-45 Step 14A Contract Development and EEL Staff Review.

The following language will be added as #5: “5. As per County Administrative Order AO-37, all land purchases that have a contract price of \$750,000 or more, are reviewed by the County’s Land Acquisition Review Committee to ensure that the facts upon which the appraisals are based is accurate and that all information necessary for the Board’s consideration has been provided.

The group reviewed staff’s suggestions for the addition of information relative to County Administrative Order AO-37.

Diane suggested consideration of making 3 small grammatical changes.

- Remove “As” at the beginning of the 1st sentence.
- Remove comma after \$750,000.
- Change “is” accurate to “are” accurate

The group concurred.

Revisions to Recreation and Education Advisory Committee

Mike provided overview information on staff and committee member suggestions for revisions regarding changes to the EEL Program's Recreation and Education Advisory Committee (REAC) which were discussed by the PC at their last meeting.

Resolution # 05-053

Existing Language and Staff's suggested revisions

"The Recreation and Education Advisory Committee shall be governed by the terms and conditions of the Resolution and the Board approved EEL Sanctuary Management Manual.

The Recreation and Education Advisory Committee shall act solely in an advisory capacity to the EEL Selection and Management Committee (SMC) and EEL Program Staff and shall provide recommendations for public access, passive recreation and environmental education assessments for EEL managed conservation lands.

The structure of the Recreation and Education Advisory Board will be composed of ten (110) citizens:

- a. Each commission district shall appoint two (2) district or at large committee members. Citizens being appointed to the committee should have interest and/or experience in public access and recreation uses such as hiking, nature observation, photography, primitive camping, fishing, hunting, horseback riding, bicycling, wildlife observation, canoeing, kayaking, eco-tourism and environmental education.*
- b. One voting seat on the committee will be specifically designated for an appointee recommended by the Tourism Development Council (TDC) for the purposes of promoting opportunities for eco-tourism on EEL managed nature sanctuary network.*
- c. A representative from the EEL Selection and Management Committee, Americans With Disabilities Act Compliance Department, Metropolitan Planning Office, Parks and Recreation, [Economic Development Commission](#) or other appropriate agencies will be asked from time to time to participate in a non-voting, advisory capacity."*

Sanctuary Management Manual

Mike reviewed that during the meeting on March 16th, a suggestion was presented by the PC to add a representative from the Tourism Development Council (TDC) as a voting member of the REAC, instead of to the SMC, and to remove the TDC representative from the non-voting subcommittee, while leaving the representative from the Economic Development Commission as a non-voting participant.

Clarification was provided that suggestions from the current meeting would be incorporated into the draft language and it would be presented for review and discussion.

During the discussion, clarification was provided that guidelines for the REAC committee are included in the EEL Program's Sanctuary Management Manual (SMM) and that the SMC has the responsibility for approval of revisions to the SMM, not the PC.

The group discussed Page 32 & 33: 4.3.5 Structure: 5th Paragraph:

*EEL Program Selection and Management Committee
Procedures Committee Meeting
April 27, 2010
Page 8 of 15
Approved June 8, 2010*

“The REAC committee should promote optimal citizen input from knowledgeable individuals representing key areas of interest or constituencies. Collectively, the members of the REAC committee should represent a broad spectrum of experience and expertise that relate to EEL Program information needs.

The structure of the REAC committee will be composed of ten (~~10~~11) citizens: Each commission district shall appoint two (2) district or at large committee members. The Board Chairman will appoint one additional citizen (for a total of 3) to represent eco-tourism through the Tourism Development Council. Citizens being appointed to the committee should have interest and/or experience in public access and recreation uses such as hiking, nature observation, photography, primitive camping, fishing, hunting, horseback riding, bicycling wildlife observation, canoeing, kayaking, eco-tourism, and environmental education.”

Page 33: 4.3.5 Structure: 3rd Paragraph:

“A representative from the EEL Selection and Management Committee, Americans with Disabilities Act Compliance Department, Metropolitan Planning Office, ~~Tourist Development Council~~, Parks and Recreation, Economic Development Council or other appropriate agencies will be asked from time to time to participate in a non-voting advisory capacity.”

Confirmation was provided that the revisions should include clarification that:

- REAC committee membership is being changed from ten (10) members to eleven (11).
- Board Chairman will appoint one (1) additional member to represent eco-tourism through the Tourism Development Council (TDC).
- One voting seat will be specific to TDC for purpose of promoting opportunities on eco-tourism on the EEL managed nature sanctuary network.
- TDC representative is being changed from a non-voting member to a voting member.
- The reference to Economic Development “Council” needs to be changed to “Commission”.

It was determined that the draft information which had been compiled so far should be provided to the SMC for their review and consideration.

Public Comment

Jim Durocher stated that he would like to provide comment as a current member of the REAC.

He spoke of the importance of having REAC committee members with first-hand knowledge of EEL Program lands and stressed that that he feels it is important that committee members be actively involved in meetings, passive recreation opportunities and REAC field trips to EEL Program sanctuaries so they can make informed decisions and recommendations regarding public access opportunities.

Land Sale Language

Clarification was provided that the PC had completed only a brief discussion of staff's suggested revisions to language regarding the sale of EEL Program property at the last meeting due to time constraints, and that the only change to staff's originally recommended language has been the addition of sub-titles for the steps to be taken.

Clarification was also provided that there would have been a need to change the number of votes required for a super majority, if the number of SMC members would have been increasing, but since the PC had decided not to add the real estate person, the number goes back to what is currently stated in the LAM, which is five (5) out of seven (7).

Paul reviewed that there is some language in the current LAM related to potential sale of property, but the language is not as explicit as it could be, and during the Board's consideration of the possible sale of the TICO property, they had asked that this language be clarified.

The group discussed staff's proposed new language clarifying the process for the consideration of sale of land which will be included as new language on LAM Page 4-31.

New Language

Sale / Exchange of land:

In certain circumstances it may be appropriate to sell property previously purchased under the EEL Program where the conservation value has diminished, or management constraints have increased since the property was acquired. In these situations, the EEL SMC may recommend the sale or exchange of property if they determine that such a sale would provide a greater opportunity to further achieve the conservation goals of the EEL Program. The value for the sale of any property will be based on its fair market value, and be consistent with County Policies related to the sale of real property.

The following sequential steps will be followed when considering land sales:

Step 1: Super Majority Vote from SMC

All lands considered for sale / exchange will be carefully evaluated by the SMC, and must receive a extraordinary majority vote (at least 5~~(6)~~ out of 7~~(8)~~ affirmative votes) in support of the sale / exchange to authorize staff to prepare a Board Agenda Request for consideration by the Board of County Commissioners. In some cases, internal exchanges of real property assets among Brevard County government departments may only require County Manager approval. Regardless of the final approval level, an affirmative extraordinary majority vote of the Selection and Management Committee is required.

Step 2: County Commission Consideration and Approval

EEL Staff will prepare an Agenda Request to present the land sale / exchange to the Board for consideration. Upon consideration of the recommendation from the SMC, the Board, through a super-majority vote, will determine the most appropriate course of action for the disposition of the property including the determination of fair market value, negotiations, and method of sale, in accordance with County Ordinance Chapter 2, Article VIII and Florida Statutes 125.35 and 125.38.

Step 3: Contract Negotiations

Based on the direction provided by the County Commission, staff will take the necessary steps to obtain a contract for sale / exchange for approval by either the County Commission or if so directed by the Board, the Chairman of the County Commission.

Prior to presenting the sale / exchange contract to the Board, EEL staff will present the general contract terms to the SMC for final review and authorization to proceed to the Board. The basic question to be answered in the discussion is: "Does the proposed sale / exchange meet the

Program objectives and needs and should the SMC recommend the sale / exchange for Board approval?”

Paul stated that it was his feeling that the sections for Sale of Land, and Exchange of Land should be separate areas of the LAM because trying to keep them together could become very confusing.

The group discussed this suggestion. It was determined that in the section of the draft land sale language which currently says “Sale / Exchange of Land”, the “/ Exchange” would be removed, and the sections would be identified separately.

Paul also suggested consideration of additional language which clarified that proceeds from the sale of EEL Program land must be used to acquire comparable conservation lands. The group concurred.

Kim suggested consideration of revision to the language at the beginning of the section which indicates that it might be appropriate to sell land “...where the conservation value has diminished, or management constraints have increased since the property was acquired”, as she felt that this could be taken very broadly. Ross agreed, and stated that management constraints could come in many forms.

It was determined that the wording “or management constraints have increased” should be removed.

Pat suggested consideration of adding an additional heading, and the need for possible review of layout as the information being discussed is currently listed under “Common Methods of Land Acquisition” beginning on Page 4-29. The group concurred. Staff will review and revise headings and layout as necessary.

Paul suggested consideration of review regarding the last two sentences under Step 1: Super Majority Vote from SMC, which reads “In some cases, internal exchanges of real property assets among Brevard County government departments may only require County Manager approval. Regardless of the final approval level, an affirmative extraordinary majority vote of the Selection and Management Committee is required.” He confirmed that all of the acquisitions and sales the Program has done have required Board approval and expressed concern that if the County Manager could authorize the transfer of land in to the Program, there could be a perception that the County Manager might be able to transfer land out of the Program, without Board approval, which could be a concern. Ross agreed. The group concurred that the last two sentences under Step 1, as noted above, should be removed.

Sue Hann asked for clarification of votes needed for a super majority vote, relative to the number of SMC members who might be in attendance at any given meeting.

Clarification was provided that for the purpose of the EEL Program LAM, a super majority vote requires five (5) votes, regardless of the number of committee members present at a meeting, and that if five (5) votes are not possible because only four (4) committee members are attending, or if five (5) affirmative votes are not received, regardless of the number of committee members in attendance, the item does not pass.

Diane suggested clarifying that the extraordinary majority vote referenced in Step 1 is actually an extraordinary (super) majority vote. Mike confirmed that staff would ensure the presentation of the information is consistent with what is currently listed in the LAM.

Kim suggested consideration of indicating the Step 2 Board vote should just require a majority vote, and not a super majority vote, because she felt the SMC review and approval requirements were substantial and the Board could choose to approve the recommendation, or decline it. The group agreed that the Step 2 language indicating the requirement for approval of a super majority vote from Board to sell land should be removed.

Mike asked if there were any comments on the headings. No comments were received.

Sue requested clarification regarding when it would be appropriate for her to express her ideas on language related to sale of land.

Rocky provided clarification that she was free to express her opinion at any time.

Staff will provide separate documents for review by the committee related to any changes that may be required for the section on exchange of land at the next meeting.

Consideration of trail concerns from Sue Hann

Mike explained that at the joint SMC/PC meeting on January 8, 2010, Sue Hann presented a memo for consideration by the SMC and PC regarding concerns related to trails. At the March 16, 2010 PC meeting, staff reviewed the written response to the concerns. Although there was discussion by the PC related to the January 8th memo, no motion was made by the Committee related to the issues. Mike also explained that because Sue was not in attendance at the March 16th PC meeting when the responses were presented, he wanted to be sure that the issues were addressed and that he would like to request some sort of consideration from the committees regarding how they wanted to proceed with the concerns.

Kim asked Sue for clarification on why she felt that the items in the memo were within the context of the Procedures Committee as opposed to the Selection and Management Committee.

Sue said that she had felt that some of the items might have implications for revisions to the LAM.

Paul stated that the LAM, which is within the purview of the SMC and PC, deals with land acquisition, but the SMM, which is within the purview of the SMC, deals with land management and public access issues.

Sue stated that her memo had included a suggestion to add a section to the LAM related to trails that exist prior to acquisition, firebreaks, and trail construction. She stated that she wanted both committees to consider things that have come up during her experiences in dealing with some of the EEL Program properties.

Rocky stated that he felt her concerns had been received, and that he felt that the Program's intent was not to lay firebreaks over trails whenever possible.

Sue said that she understood that, but as far as she could tell, the Program really didn't have too many policies on how to handle these items. She added that she feels staff has been great recently in trying to be considerate of trail users, along with the conservation issues. She stated that she felt comfortable that things were moving in the right direction, but she did not feel that there is anything in any of the Program's documents that really deals with the issues she has raised.

Ross stated that the Sanctuary Management Manual provides guidance for the processes used to develop management plans and for management activities. He confirmed that the REAC is in place to make recommendations to the SMC regarding passive recreation opportunities, and the SMC evaluates those in terms of conservation impact. He added that there may be specific issues on specific sites that should be discussed in terms of the SMM and development of each management plan, but a process was in place.

Sue said she didn't disagree with that, but her experience had been that sometimes management activities, which resulted in some of the issues she had raised, had been completed before a management plan was approved.

Paul provided clarification that the established management plan process calls for staff to provide the SMC with an Interim Management Plan shortly after acquisition; there are meetings for the purpose of receiving public input, a 30-day public review period, a REAC review of the draft Public Access Plan and staff updates to the SMC; before the draft management plan ever comes to the SMC for first review, so there are many established opportunities for citizens to express their views along the way.

Mike confirmed that the EEL Program, as the managing entity, has the authority to carry out certain activities, one of which is the application of prescribed fire, which requires the establishment of fire lines. He clarified that additional consideration is now being given to fire line resources being overlaid on trails and staff is trying to look at that differently. He mentioned that staff has been developing trail management guidelines that addresses trail placement, previously existing trails, diking along fire lines and being considerate of trail users and that it is anticipated the document will flow through the SMC for review.

Kim stated she thought that would be appropriate.

Rocky asked if this was something new that staff was developing.

Mike stated that the trail management guidelines were originally intended to be an internal thought process, but due to the concerns that have been received, he felt that they should at least go through the SMC process to decide if it should be incorporated into the SMM.

Paul stated he felt the document should be reviewed by the SMC. He stated that it might be appropriate to incorporate some historic trails after a property is acquired, but that historic trails are not designed in ecologically appropriate areas, they weren't engineered to avoid wetlands or to reduce wetland impacts and that they should be considered individually. He confirmed he would not be in favor of a blanket grandfathering-in of all historic trails because many were created by ATVs or other unauthorized users, without environmental consideration.

Rocky stated his understanding that the trail management guidelines would be handled through the SMC.

Kim agreed.

Ross stated that part of the role of the SMC is to review management plans and information developed by staff related to conservation issues, impact, and value. He explained that when a property is first purchased, the land manager evaluates the immediate needs, like protection, trash removal, and prescribed fire and these are some of the things included in the interim management plan.

Rocky stated that he felt the most important thing to remember is that things don't just get swept under the rug; there is a procedure to follow.

Kim emphasized that each case is different, and that decisions regarding the placement of trails and firebreaks must be made on an individual basis so it was important not to get too rigid in the management language. She explained that if there are individual issues, they can be brought to the SMC for review and that she believed it was more of a technical management issue.

Pat asked Sue if all of the items in her memo had been addressed and if she felt her questions had been answered.

Sue stated that she felt that the Program has been more receptive to addressing the issues, but she did not feel that they were institutionalized, or codified yet, but perhaps that was not necessary. She restated her desire to address qualifications for REAC members and suggested that the EEL Program also develop a relationship with the Transportation Planning Organization because they have a master plan for trail development. She stated that she thinks she is satisfied that things are being discussed and thanked everyone for their interest.

Pat stated that since Mike had stated he wanted some closure on the issue, if there was something that Sue felt needed further intense discussion, perhaps it should be placed on the next agenda, but if Sue felt that the concerns had been addressed, that was good.

Mike stated that it was his intent to place the trail management guidelines on the upcoming agenda for the next SMC meeting and he felt that would address a lot of the concerns.

Sue confirmed that she felt the trail management guidelines would address a lot of her concerns.

Public Comment

Jack Lembeck suggested to Sue that any time she had a concern, she should feel free to present it and that he, as a citizen had taken an active part in working with the Program.

Additional Discussion

Sue stated that she appreciated Jack's comments and that recently, there really hadn't been any significant issues that warranted extensive discussion.

Pat expressed her appreciation to Jack for taking the time to become involved in the Program.

Public Comment

Jim Durocher expressed his appreciation to staff for providing opportunities to visit some of the sites that are being reviewed by the REAC committee and he stated that as more management plans come into the process, the REAC will be taking a more active role in the Program.

Additional Discussion

Kim stated that she was not sure that adding a TDC or EDC member to either of the committees would really accomplish her understanding of what the Board wanted and that she felt that there were many opportunities for the EEL Program to work with the TDC and EDC in other ways. She also suggested that perhaps the Procedures Committee could work in this area to assist with furthering the Program's goals.

Additional Discussion

Pat explained that she had received an inquiry from Commissioner Infantini that related to land selection criteria in the LAM. Mike commented that her inquiry appeared to relate to an historical

concern expressed by the Clerk's Office. Mike said he would try to locate staff response to this inquiry in the past.

Confirmation was provided that the Procedures Committee has addressed the historical concerns expressed by the Clerk's Office.

Additional Discussion

Clarification was provided that staff will be updating the draft manual language revisions based on the discussion at the meeting and they will provide the information at the next meeting.

NEXT MEETING:

To be determined.

ADJOURNED:

The meeting was adjourned at 5:04 PM.

SUMMARY OF MEETING MOTIONS:

- No motions.