



MINUTES – September 19, 2023

ENVIRONMENTAL LAND ACQUISITION PANEL (ELAP)

Minutes of the
Environmental Land Acquisition Panel
Indian River County Administration Complex,
Building B, Conference Room B1-501
1800 27th Street, Vero Beach, FL
5:30 PM Tuesday, September 19, 2023

9 members/7 for quorum

1. Call to Order

Vice Chair Roland DeBlois called the September 19, 2023 meeting of the Environmental Land Acquisition Panel (ELAP) to order at 5:30 PM.

A full recording of this meeting is available in the office of the Board of County Commissioners.

2. Roll Call

Members Present:

Sammy McGee	District 1 Appointee
Janice Broda	District 2 Appointee
Jeff Beal	Natural Resources Representative
Heather Stapleton	Natural Resources Representative
John Orcutt	Real Estate or Finance Representative
Roland DeBlois	Planning or Engineering Representative
Daniel Bott	District 3 Appointee (arrived at 5:39 PM)

Members Absent:

Peter O'Bryan	District 4 Appointee
James Connaughton	District 5 Appointee

Staff Present:

Joseph Earman	Commissioner, BCC Liaison
Wendy Swindell	Conservation Lands Manager
Beth Powell	Interim Assistant County Administrator, Parks & Rec Director
John Titkanich	County Administrator
Michael Zito	Deputy County Administrator
Andy Sobczak	Interim Community Development Director
Susan Prado	Deputy County Attorney
Maura Stokes	BCC Recording Secretary

Minimum Quorum requirements were met upon arrival of Member Daniel Bott.

3. Discussion Items

a. Proposed changes to the Environmental Lands Program Guide – Draft

Vice Chair DeBlois suggested that the Panel review the draft guide chapter by chapter to discuss any possible change.

Ms. Swindell noted that a large part of the Guide was derived from the original bond referendum which has given the panel a base to work from.

The ELAP proceeded to review the guide, chapter by chapter. Ms. Swindell gave a brief summary of each chapter then opened it to the Panel for discussion. Ms. Swindell reminded the Panel that a large part of this document was taken from the original bond referenda. The Panel proceeded to review the Guide beginning with Chapter 1. The following is an itemization of the proposed changes, additions and/or deletions to the ELAP Draft guide as discussed by the ELAP:

CHAPTER I – PURPOSE, OBJECTIVES & POLICIES

Page 5 – Add new Definition - Line 11 – Acquisition Consultant

“Acquisition Consultant. A consultant retained by the County to provide services to implement the County's environmental lands acquisition program in coordination with the Indian River County Environmental Lands Acquisition Panel (ELAP) and County advising staff. This involves contacting the property owner(s), identifying cost-share opportunities, selecting appraisers, reviewing appraisals, developing an acquisition strategy, and negotiating the sale. Once negotiations have been successfully concluded and an option contract executed, other pre-acquisition activities, such as selecting surveyors, conducting surveys, managing environmental assessments, developing management plans, and others, are undertaken. In conjunction with county staff, the acquisition consultant will undertake and manage the above referenced activities.”

CHAPTER II – RESPONSIBILITIES / RELATIONSHIPS

(no changes)

POINT OF ORDER

Daniel Bott, District 3 Appointee, arrived at 5:39 pm.

CHAPTER III – ENVIRONMENTAL RESOURCE PROTECTION METHODS

Page 14 – Chapter III - Line 11 – Insert the following wording before the period:

... “fee simple or less than fee simple conservation easements which may include transfer of development rights.”

CHAPTER IV – FUNDING - FINANCING

Page 16 – Chapter IV – Lines 3 – 5 - Update the wording in first two sentences to specify the date of statistics:

“There are approximately 10.69 million acres of conservation land in Florida in 2022, 96.9 percent is publicly-owned (10.37 million acres). Among the publicly-owned conservation lands, 54.9 percent is owned by the state government, 40.2 percent is owned by the federal government, and 4.90 percent is owned by the local government (2023 *Annual Assessment of Florida’s Conservation Lands*, Florida Office of Economic & Demographic Research).”

Page 16 – Chapter IV – Line 14 - Add section for “Federal Funding” prior to “State Funding”.

The following three amendments to the Environmental Lands Program Guide-Draft regarding Federal Funding subcategories were voted on separately during the meeting discussion:

Page 16 – Chapter IV – under new section for “Federal Funding” add three subcategories:

U.S. Fish & Wildlife Service (FWS) – Coastal Program: The Coastal Program is a voluntary, community-based program that provides technical and financial assistance through cooperative agreements to coastal communities, conservation partners, and landowners to restore and protect fish and wildlife habitat on public and private lands. Coastal Program projects must support the missions of the U.S. Department of the Interior (DOI), FWS, and the Coastal Program, and be based on biological principles and the best available science. The Coastal Program takes an adaptive approach to designing and implementing coastal habitat protection and restoration strategies that anticipate and ameliorate the impacts of climate change and other environmental stressors. Coastal Program habitat improvement projects strive to increase coastal resiliency by improving the ability of coastal ecosystems to adapt to environmental changes and supporting natural and nature-based infrastructure projects to protect and enhance coastal habitats. Eligible projects include the acquisition of real property interest in coastal lands or waters and the restoration, enhancement, or management of coastal wetlands ecosystems.

FWS - NAWCA 2024 US Small Grants: The U.S. Small Grants Program is a competitive, matching grants program that supports public-private partnerships carrying out projects in the United States that further the goals of the North American Wetlands Conservation Act. Projects must involve only long-term protection, restoration, enhancement and/or establishment of wetland and associated upland habitats to benefit migratory birds. The program requires a 1:1 non-federal match and research funding is ineligible. This program supports the Department of Interior (DOI) and FWS mission of protecting and managing the nation's natural resources by collaborating with partners and stakeholders to conserve land and water and to expand outdoor recreation and access.

Office for Coastal Management – National Oceanic and Atmospheric Administration (NOAA) – Coastal and Estuarine Land Conservation Program: This program is authorized as part of the Coastal Zone Management Act to protect coastal lands that are ecologically important or possess other coastal conservation values, such as historic features, scenic views, or recreational opportunities. From 2002 to 2019, the Coastal and Estuarine Land Conservation Program (CELCP) protected more than 110,000 acres through funds to state and local governments to purchase threatened coastal and estuarine lands or obtain conservation easements, including over 16,000 acres protected as in-kind matching contributions.

ON MOTION made by Janice Broda and SECONDED by Daniel Bott, the Environmental Lands Acquisition Panel approved adding the US Fish & Wildlife Service (FWS) – Coastal Program; FWS – NAWCA 2024 US Small Grants; and, Office for Coastal Management – National Oceanic and Atmospheric Administration (NOAA) Coastal and Estuarine Land Conservation Program under the newly added “Federal Funding” on Page 16 of the Environmental Lands Program Guide-Draft. The motion passed unanimously.

CHAPTER V – LAND ACQUISITION PROCESSES & PROCEDURES

Page 23 – Chapter V – Line 15 – add the word “approximate”.

Page 23 – Chapter V – Line 22 – add the word “approximate”.

Page 24 – Line 10 – add wording:

“The County will provide notification of ELAP meetings, agenda, and other related documents on the County’s website. The County also will provide the public with notifications of milestones and announcements related to the land acquisition process on social media and public service announcements, as applicable.

Page 24 – Line 14 – 21 – These two paragraphs will be revisited at the next meeting regarding wording that would reflect two six-month cycles of processing and reviewing applications. **The Panel agreed to remove the reference to “in 2023, application” on Line 14.**

Page 25 – Line 40 – clerical – Remove the word “or”

Page 33 – Line 20 – clerical wording: Change “planning” to “Conservation”

Page 28 – Line 14 and throughout document – clerical wording: The ELAP members discussed the term “exotic species” and “invasives.” Staff will review the language and bring this item back to the next meeting. For now, the term “exotic” will be replaced with “invasive”.

Discussion concluded at the end of Chapter V. The Panel will resume review of the remainder of the Guide as well as the changes made herein at the next meeting.

ON MOTION made by Samantha McGee and SECONDED by Janice Broda, the Environmental Lands Acquisition Panel approved the changes as discussed to the Environmental Land Program Guide – Draft as listed above. The motion passed unanimously.

d. Commissioner Matters

None

4. Adjournment

The next meeting of ELAP will be held October 17, 2023. Vice Chair Roland DeBlois adjourned the meeting at 7:22 PM.

Respectfully submitted,

Maura Stokes

A copy of the full meeting recording is kept on file in the office of the Board of County Commissioners.

Additional Edits made to the Environmental Lands Program Guide-Draft by Staff post-meeting:

Page 18 – Chapter IV – Line 37 – add after Florida Wildlife Corridor Act another subcategory:

Coastal Partner Initiative (CPI) Grant. Administered by the FDEP, this funding was developed to protect and effectively manage Florida’s coastal resources. This grant is funded through National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act funds available on a competitive basis to local government. Awards are limited to \$60,000 for construction projects, habitat restoration, invasive exotic plant removal or land acquisition. The grant requires a 1:1 cash or in-kind match.

Page 18 – Line 22 – Clerical - Capitalize the letter “r” in Recreation.

Page 18 – Lines 10 – 14 – Clerical Move “Indian River Lagoon National Estuary Program” paragraph to be under “Federally Funded Programs” in Chapter IV.

Page 16 – Line 18 – Clerical Remove wording – “The federally funded National Estuary Program (NEP) funding opportunity for land acquisition has been included in this section”

Page 17 – Line 3 – Clerical – change acronym from “(DEP)” to “(FDEP)”

Page 17 – Line 11 – Clerical – add acronym (SJRWMD) after the word “District”

Page 24 – Line 10 – Add wording: after the last sentence, please add an additional sentence:

The County will provide notification of ELAP meetings, agenda, and other related documents on the County’s website. The County also will provide the public with notifications of milestones and announcements related to the land acquisition process on social media and public service announcements, as applicable.

Global Search & Replace: Search for exotic or exotics, Replace with invasive or invasives.