



MINUTES – June 17, 2025

ENVIRONMENTAL LAND ACQUISITION PANEL (ELAP)

Minutes of the
Environmental Land Acquisition Panel
Indian River County Administration Complex,
Building A, Commission Chambers
1801 27th Street, Vero Beach, FL
5:30 PM Tuesday, June 17, 2025

9 members/6 for quorum

1. **Call to Order**

Chair Roland DeBlois called the June 17, 2025, 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:

Samantha McGee	District 1 Appointee
Janice Broda	District 2 Appointee
Heather Stapleton	Natural Resources Representative
Roland DeBlois	Planning or Engineering Representative
John Orcutt	Real Estate or Finance Representative
Joseph Earman	Commissioner, BCC Liaison

Members Absent:

Jeff Beal	Natural Resources Representative (Resigned)
Daniel Bott	District 3 Appointee
Patrick Pitts	District 4 Appointee
James Connaughton	District 5 Appointee

Others Present:

Wendy Swindell	Conservation Lands Manager
Beth Powell	Director - Parks, Recreation & Conservation
Kimberly K. Moirano	BCC Recording Secretary
CE Swindell	Public

Minimum Quorum requirements were not met.

4. Discussion Items

a. Discussion of Terra Estates Nomination

Staff advised that the owner of the Terra Estates property has sold the eastern two-thirds of the site into two separate lots which are being turned into homes. The panel needs to consider whether to continue pursuing the acquisition of the remaining western portion of the Terra Estates property. Given the change in the parcel, the focus now would be to decide whether or not that is still something to pursue. The western remaining portion is floodplain wetlands so it's not extremely vulnerable to development. Ms. Swindell stated that there is still an access point. The property is within the City of Sebastian. Mr. DeBlois stated that the Terra Estates is on Tier 1, Period 1 and is one of the approved lots. He stated that if there is a substantial change to a ranked property, it would seem appropriate for ELAP to re-rank the property in its current condition before proceeding with acquisition. He stated that if the owner is still a willing seller for conservation, maybe it's worth looking at it again through the next period. He stated the remaining western portion is probably less than five acres. The question of whether the property condition has changed to the extent that the previous ranking should be reconsidered.

Another ranked property that's not on the agenda which was recently altered is the 93rd Lane Property, which has been illegally cleared of vegetation. Ms. Swindell stated that the difference is 93rd Lane has an active violation and that's going to be tied up with DEP and that's going to take a while to resolve. Until that resolution comes to bear, there really isn't anything that the Board can do on that property. Mr. DeBlois stated that if the regulatory agencies require restoration, the restoration would have an effect on the objective of the acquisition.

Heather Stapleton felt it goes back to the scoring process and the question is does the property even qualify anymore. She thought that the review/ranking process should go all the way back to square one. Mr. DeBlois stated we don't have a quorum to vote officially but it sounds like the consensus is don't proceed with it as a Tier 1 acquisition project because of the changes that have occurred. If there is still an owner who is adamant about the County considering buying it then at that time it needs to start from square one. Ms. Swindell stated if we don't get quorum tonight, she asked whether they bundle these discussions into the next meeting to at least get a formal agreement. Mr. DeBlois stated that it would be his recommendation and put it on the agenda for the next meeting. The committee plans to revisit the discussion on the Terra property in the next meeting to provide a more comprehensive summary and evaluation criteria. The panel agreed to re-evaluate property rankings due to significant changes in conditions, particularly for Terra Estates and 93rd Lane, and decided to bundle these discussions for the next meeting.

On a separate note, Ms. Stapleton asked with Mr. Beal's resignation, does that change ELAP's quorum to five or does the quorum remain at six. Ms. Swindell stated it's just a vacant position. They were discussing the need to go ahead and promote the position more so they can get the position filled.

Concerns were raised about legal access to the Terra property and illegal lane clearing at 93rd Lane, which necessitated further investigation. The committee also addressed permitting issues related to construction without permits and the complexities of property compliance involving multiple agencies. Discussions on property conservation, appraisal processes, and the upcoming project ranking meeting highlighted the need for clear guidelines and the urgency of property nominations due to bond timelines.

Regarding the 93rd Lane property, Ms. Swindell stated that a meeting has been officially set to meet on-site with all jurisdictional agency representatives to begin the permitting process. Mr. DeBlois stated that it looks like the owner filled in one of the ponds. Ms. Swindell stated that they made one pond and filled all the others in, and they cleared the mangroves around the other pond. Ms. Swindell stated that if you drive down U.S. 1 now you can see where they've put some new rip rap in right along U.S. 1 and they were just doing ditch

maintenance which legally they're allowed to do but then it got down to the piece next to it. Ms. Swindell stated that it does take a while to go through the DEP Code Enforcement and the County's Code Enforcement, and the Army Corps of Engineers (ACOE) has jurisdiction. There's a lot of agencies that have jurisdiction over this area. From the perspective of the Hale Grove conglomeration of parcels, she thought they had talked about the meetings all along about that it still makes sense without having the direct water access. However, certainly this changes the options for what you can do out there but regardless of that she is looking for some direction from the ELAP on us basically putting this aside until compliance.

It was agreed to monitor the situation and keep everyone updated at each meeting regarding the property owner's decisions and any development.

b. Presentation of Environmental Reports received for Nomination Period 2

Ms. Swindell stated Ms. Ashley put together a spreadsheet that shows what was nominated for Ranking Period 2 and Ranking Period 3. Of those, we have just two. The Consultant is working on the reports where the ELAP has told them to go ahead and start doing that, but they only have two to present out of the seven. They're only doing the ones that are willing sellers. They're going to show the Blue Cypress and the Linus property. The reports for the two properties will be uploaded to the Hub within the next week, with the last report expected in one to two weeks, prior to the next meeting. They're trying to move this to a good pace so that they can get the next ranking meeting going in a quick format. They have the qualitative factors and the purchase management and then each of the slides addresses all of those considerations.

The first one is the South Prong Linus property. This piece is on the river, 39 acres. You can see what the current zoning is, its proximity to Dillinger Park and the Cypress Bend conservation area, and you can see the access off Roseland Road. Mr. DeBlois had some points at the last meeting about legal access to the property and how that affects the fair market value. Natural community wise, about 20 acres of it is urban rural forested and about 45 percent of it is floodplain swamp. There are different soil types out there. The level of invasive plants is unknown, but it is assumed based on Cypress Bend that there are some hedge effects along the boundaries and you probably have some evasive species in there, but it doesn't look on the aerial like it's much. Based on the 1943 aerial, the property has changed quite a bit since 1943 but pretty much everything in the whole County has. Over time, in 2005 there apparently was land alteration on the eastern part. Potential habitat wise, one of the points that has been brought out from this report, is the ability for scrub habitat restoration in close proximity to the State Park and the very many jays that the State Park has been able to get just across the river. There's other species that would be looked at in terms of tortoises and the wading birds for the wetland portion of it. From a corridors and greenways perspective, you can see its proximity to the State Park. Cypress Bend is to the south. Lots of conservation areas are adjacent to this parcel. Mr. DeBlois stated that between the Cypress Bend and this parcel is the Scout Camp which is quasi conserved. Ms. Swindell stated landscape water resource wise you're looking at probably the eastern part having a lot more opportunity for recharge given that than the western part which is wetland.

Regarding recreational and educational opportunities, the Linus property would have opportunities similar to Cypress Bend (trails and such). Purchase need versus alternative, it seems that there is an opportunity at least for the upland portion to be developed but once again as Mr. DeBlois mentioned at their last meeting that it would be subject to what development would be allowed given limited access. The future land use designation on the upland portion is Conservation 3. Mr. DeBlois stated Conservation 3 was established back when the St. Sebastian Preserve was still privately owned, and it was an effort to protect scrub along the Sebastian River. This subject property, the Linus property, if it contains remnant scrub along the river, that's where the zoning drops in or the land use designation to limit development in the context of the scrub along the Sebastian River. Ms. Swindell stated that the owner would have the option of trying to go to the Planning & Zoning Board and rezoning it if they wanted to. Funding sources that staff think would be potential are grants either through restoration work or possibly for acquisition. A meeting has been set up with the Water Management District to discuss potential funding for restoration work.

The Blue Cypress property consists of 38.85 acres directly adjacent to the lake and Middleton's Fish Camp. The current land use is undeveloped lands. Corridors and greenways: the site is adjacent to the lake and all of the conservation area meets that criteria. The whole parcel is mapped as a floodplain. Recreation and education: it's adjacent to Blue Cypress Lake; how education and recreation would be incorporate that into the parcel itself is unclear at this point. Purchase needs versus alternative: that will be something for the ELAP to discuss given the current coverage on the site being wetlands. Land management: the consultant report is going to come back and say there is definitely some land management that could be done. The level of effort for that will be more detailed in the report and you'll be able to see whether or not that should greatly affect the decision-making process on ranking.

The team will consider rolling the current nominations into one ranking period to expedite the process, rather than waiting for the end of period three. The next step involves having a discussion before the next ranking meeting to ensure all members are aligned on the re-ranking process and guidelines. The panel plans to review all willing seller properties in the next meeting and discuss further actions based on the nominations received.

5. Public Comment:

No public comment.

The group agreed to poll members for scheduling the August meeting to ensure quorum.

6. Next Meeting:

The next scheduled meeting of ELAP is July 15, 2025, at 5:30 PM in Building B, Room B1-501.

7. Adjournment: Chair Roland DeBlois adjourned the meeting at 6:35 PM.

Respectfully submitted,
Kimberly K. Moirano

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