



**EAGLE TECHNICAL ADVISORY COMMITTEE
Community Development/Public Works Center
1500 Monroe Street, 2nd Floor, Conf. Room 2C**

**TUESDAY, NOVEMBER 14, 2017
3:00 pm**

1. Call to Order
2. Approval of Meeting Minutes– August 24, 2017
3. Elections for Chair and Vice-Chair
4. 2016-2017 Final Season Summary Report
5. Update on FWC Species Action Plan Webinar
6. Member Reports
7. Next Meeting – December 12, 2017

To appeal a decision made at this hearing, a record of the proceedings will be needed. The person appealing the decision is required to ensure that a verbatim record is made.

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MINUTES REPORT
EAGLE TECHNICAL ADVISORY COMMITTEE (ETAC)
Tuesday, August 24, 2017

Committee Members Present:

Mike Myers, Chairman
Ed Elms

Cindy Bear

Lee County Government & Representatives Present:

Becky Sweigert, DCD Planning, Principal Environmental Planner
Beth Workman DCD Zoning, Planner
Michael Jacob, Assistant County Attorney
Amanda Swindle, Assistant County Attorney
Pam Hendry, DCD Admin., Recording

Public Participants:

Gary Nychyk, Johnson Engineering
Tyler Sharpe, Johnson Engineering
Ron Strich, 5F LLC

Jeff Johnson, 5F LLC
Michael P. Haymans, Atty. for 5F LLC

Introduction

Mr. Mike Myers called the meeting to order at 3:06 p.m. in the first floor conference room 1A of the Community Development/Public Works Center, 1500 Monroe Street, 2nd Floor, Ft. Myers, Florida.

Draft Bald Eagle Management Plan for LE-072 (Boca Grande)

Ms. Sweigert said we have a variance requested for this development and with the ordinance changes we made, the management plan would have to be approved before the ordinance could be finalized. So, we're taking them simultaneously and this is the first step today, the presentation of the management plan to ETAC.

Mr. Gary Nychyk showed an exhibit the three variances they're requesting: a reduction in the landscape buffer width from the access way to the property lines, a reduction from the five foot required retaining wall setback, and a reduction of the required width of the vegetative buffer from the mean high water line. Mr. Johnson said the variances are necessary because of the physical condition of the isthmus that comes across there.

Ms. Sweigert gave a summary of the nest location history.

Mr. Nychyk said right now the project is really limited, the access is a gated road but there are vehicles that use this path. He said he's been out there three or four times over the last couple of years and when the eagles were there they seemed fairly used to the level of activity. He said the road in its proposed condition is a little more than 230 feet from the nest. He said it is an existing use and that is the reason a federal eagle permit isn't required from FWS. The nest tree is an Australian pine tree with exposed roots and

pretty rough. There's a boat channel just to the south. He said it's as busy as you can get in the middle of Boca Grande. He said they've agreed to not doing any kind of construction within 660 feet of the nest during nesting season and included some mitigation standards. We'll keep the staging areas, water management facilities, etc. away from the nest. Any new lighting proposed will be shielded away from the nest.

Mr. Myers said he thought it was a very well written plan. He asked about the inter-connection to the street. He asked if there are many Australian pines in the coastal wetlands there. Mr. Nychyk said not really, there are some interior, but we're going to run into similar issues on individual platted lots and address those as they come up. Ms. Sweigert said none of the trees are great for a structure, and if you're wondering about the lots, they'll be subject to the single family restrictions during nesting season.

Ms. Bear asked about the open ended construction activities in the plan. Mr. Nychyk said there are a lot of variables involved, but it will definitely be scheduled outside of the nesting season and from the north down, if they can. Ms. Bear asked if there are any native pines. Mr. Sharpe said if there might some out there, but if they're there, they'll stay there. Ms. Sweigert said it's a tough spot because there's not a lot of native habitat.

Mr. Helms made a motion to accept the eagle management plan. Ms. Bear seconded. The motion carried unanimously.

Mr. Haymans asked Ms. Workman about a request for additional information regarding enhanced wildlife buffering landward of the existing dock within lot 99 to provide perch trees and protection for the eagle. Ms. Workman said she was preparing them for this meeting in case something could be incorporated into the buffer to provide some sort of native tree as an alternative eventually if the eagles wanted to nest in a better tree. Mr. Haymans asked if it's required. Ms. Workman said ETAC just approved the management plan and didn't put any additional conditions on it.

Approval of Minutes – May 9, 2017

Mr. Helms moved to approve the May 9, 2017 meeting minutes. Ms. Bear seconded. The motion carried unanimously.

Members Reports

Ms. Sweigert she will bring the finalized eagle information to the next meeting.

Ms. Sweigert said at the next meeting we'll talk about assignments, we may do voting for the Chair, Vice Chair, or maybe do it in October. Ms. Bear said she can't attend September 12th.

Ms. Bear said she was surprised that the Vacation Lane nest is down.

Ms. Sweigert said she's been getting some reports from some neighborhoods that are seeing eagles, particularly Moody River Estates. She said the issue there where the alternate nest tree was cut down has been moved to a Federal criminal case, and the

house will go back under construction complying with our regulations.

Mr. Myers said FWC is having a webinar. Ms. Sweigert said the rules will be open August 30th until September 17th for viewing and comment.

Ms. Bear asked about the Florida Audubon doing eagle nest watch training. Ms. Sweigert said they have a new coordinator, Shawnlei Breeding, who contacted her saying they'd like to have a meeting with the southwest Audubon and they're doing one at Corkscrew Swamp Sanctuary, having two meetings to see if they could get any interest. She said she reported that Lee County doesn't need any more help with monitoring, but Bonita could use some help and Collier and Charlotte counties could probably use volunteers. She said she was not able to attend the meetings and she didn't hear how it went, but she heard the turnout was very good on the 17th. She said she will follow up with Ms. Breeding to get more information to know what nests they were monitoring so we could be part of the discussions.

ADJOURNMENT

The meeting adjourned at 3:31 p.m.

The next meeting is tentatively scheduled for September 12, 2017.

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2016-2017 Lee County Eagle Technical Advisory Committee (ETAC) Bald Eagle Nesting Season Summary

Nest Number	Nest Name	Location	Nest Activity	Fledgling #	Nest Condition	Nest Tree Species	Comments
LE-002	St. Charles Harbor	34-45-23	Active	1	Good	Slash pine	
LE-006K	Singing Pines	31-43-25	Inactive	0	Small	Dead Slash Pine	No activity, nest tree is dead and nest is small with vegetation starting to grow over it
LE-006K	Bayshore Commons	31-43-25	Active	1		Slash pine	new nest found in Bayshore Commons.
LE-010	Quail Trail	31-43-22	Inactive	0	Gone	Australian pine	unable to locate the nest and didn't observe
LE-018A	Manatee Bay	26-45-22	Active	1	Good	Slash Pine	
LE-020A	St. Jude	35-45-22	Inactive	0	Good	Austrailian Pine	Adults present but no chicks raised
LE-023	Post Office/St. James Preserve	26-45-22	Active	1	Good	Slash Pine	slash pine died from pine boring beetles
LE-026B	Donald Rd/Pritchett	30-43-25	Active	1	Good	Slash Pine	
LE-028C	Coconut Point Timeshare	06-47-25	Inactive	0	Bad	Slash Pine	Nest pretty much gone
LE-038C	Temple Judea	29-45-24	Active	2	Good	Australian Pine	Australian Pine tree is dead
LE-043B	Moody River Estates	15-44-24	Inactive	0	Good	Slash Pine	The alternate nest located near lot 40 within Moody River Estates was cut down on 6/16/2017. Orginal nest is gone but tree is good shape.
LE-044A	Devonwood	35-45-24	Inactive	0	Gone	Slash Pine	declared lost in 2016
LE-045	Ida's	22-43-24	Inactive	0	Gone	Slash Pine	no activity
LE-047	Capri Ln	07-44-22	Active	1	Good	Slash Pine	
LE-053	Vacation Lane	02-46-22	Active	2	Good	Australian Pine	
LE-056	Lehigh Acres WWTP	30-44-27	Active	0	Good	Slash Pine	No activity
LE-057	Pinehurst	31-43-22	Inactive	0	Gone	Australian Pine	unable to locate a nest
LE-058	Daniels & I75	22-45-25	Fail	0	Good	Slash Pine	One chick was observed on Jan 5, 2017 and then was not reported thereafter.
LE-061	Gloria & Cubles	16-44-22	Active	1	Good	Slash Pine	
LE-063	I-75/Luckett	14-44-25	Inactive	0	Small	Slash Pine	no activity. Nest is small.
LE-069	Robalo	10-45-24	Active	2	Good	Slash Pine	
LE-070	Jonathon Harbour	10-46-23	Inactive	0	Small	Slash Pine	Adults present and some attending to the nest but no incubation observed.
LE-071	Watrous	36-45-23	Inactive	0	Gone	Australian Pine	Adjacent homeowner indicates the nest and nest tree are gone.
LE-071A	Pub and Pickle	31-45-24	Active	2	Good	Slash Pine	Given the old Watrous Number by FWC during the 2015-2016 nesting season. One chick was taken to CROW on April 22, 2016. The chick was on the ground malnourished and dehydrated. Returned to nest in May 2016.
LE-072	Boca Grande	14-43-20	Inactive	0	Poor	Australian Pine	nest on Jose Gaspar Island declared lost nest in 2016
LE-072A	Three Sisters	12-43-20	unknown			Australian Pine	
LE-081	Bank of America	28-44-22	Active	2	Good	Australian Pine	
LE-087	Captiva Dr. (Captiva)	02-46-21	Active	1	Good	Australian Pine	

Nesting Season	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
Active Nests	39	41	44	41	41	40	49	44	43	32	29	19
Failed Nests	17	2	1	1	13	5	2	2	2	5	3	1
Fledged Chicks	36	22	28	25	48	46	70	59	59	39	37	25
Young fledged per Active Nest	0.92	0.53	0.64	0.6	1.17	1.15	1.42	1.34	1.37	1.21	1.27	1.31