

MINUTES REPORT
EAGLE TECHNICAL ADVISORY COMMITTEE (ETAC)
Tuesday, November 14, 2023

Committee Members Present:

Ed Elms

Betsie Hiatt, Vice-Chair

Kyle Philpot

Jacob Taminosian

Excused/Absent:

Laura Greeno, Chair

Lee County Government Staff Present:

Nic DeFilippo, Planning

Janet Miller, DCD Admin

Call to Order:

Ms. Betsie Hiatt, Vice Chair, called the meeting to order at 3:09 p.m. in the First Floor Conference Room 1B, of the Community Development/Public Works Building, 1500 Monroe Street, Ft. Myers, Florida. Introductions were made.

Agenda Item 2 – Approval of Meeting Minutes from September 12, 2023

Ms. Hiatt stated that all references in the minutes to Ms. Herreraa needed to be replaced with Ms. Herrerao.

Ms. Hiatt referred to the heading on Page 1 of 7 for Agenda Item 2 and noted the word “Prevent” should be replaced with “Present.”

Mr. Philpot referred to Page 3 of 7 where it states, “*Mr. Philpot stated there was not.*” He felt it should be expanded by adding “*within this phase of development.*” The sentence should read, “*Mr. Philpot stated there was not within this phase of development.*”

Mr. Taminosian made a motion to approve the September 12, 2023 meeting minutes with the above corrections. The motion was seconded by Mr. Elms. The motion was called and passed 4-0.

Agenda Item 3 – 2022-2023 Nesting Season Summary

Mr. DeFilippo reminded the Board that this item was initially on their September 12th agenda and the nesting season summary was included in their packets, but it had not been reviewed. It was placed on today’s agenda in the hopes that the Board had a chance to review it and could advise staff of any questions they may have and/or any changes/corrections. Mr. DeFilippo also stated he had completed the GIS layer. At a previous meeting, he brought a GIS map that summarized the nesting summaries from 2017 to present day. He is working with GIS staff to make a GIS on-line map that can be accessible to the public instead of shapefiles. Once it is complete, staff will present it to ETAC.

Mr. Elms referred to Page 1, LE-018 (Manatee Bay), which is one of his assigned nests. He reported that the nest activity status of “inactive” is correct. He acknowledged that the nest had been in poor shape, but in addition to that, he had not seen the tree or nest last year or this year.

Mr. DeFilippo stated he would bring this nest back to ETAC if the nest meets the lost or abandoned criteria.

Mr. Taminosian referred to Page 2, LE-070 (Jonathon Harbour), and stated the note in the comments section was correct that the nest came down as a result of Hurricane Ian. However, in addition to that, the tree was cut down as well.

Mr. DeFilippo stated he was unaware of that and would update his records.

Mr. Taminosian referred to the other note in the Comments section where it states that a new nest was constructed near the Causeway. He asked for more specifics on that.

Mr. DeFilippo stated the Sanibel Captiva Conservation Foundation (SCCF) have been monitoring the nest. They discovered the new nest located near the Causeway as they come on and off the island. They continue to monitor it.

Ms. Hiatt asked why the Jonathon Harbour tree was cut down.

Mr. Taminosian stated the tree was at an angle and was a human safety issue. He referred to Page 2, LE-071A (Pub and Pickle). He asked if staff had been aware that a fence was erected.

Mr. DeFilippo stated staff was aware of it and had been in communication with the property owner. The property owner wants to potentially remove some trees, but it has not been started or completed yet.

Mr. DeFilippo stated he forgot to add LE-040 to the list, which is a nest located at the end of Winkler Road. It had two fledglings last year.

Mr. Elms referred to the last page, LE-109, LE-109B, and LE-109C (West Cape Estates Circle), and noted it is actually located at the end of Tropicana, but he believed they were calling it West Cape Estates Circle because there is a small subdivision near there. He noted the tree was in bad shape during nesting season, but it was still a strong tree. He was not certain why the City of Cape Coral decided to cut the tree down, but it was removed as soon as the nesting season was over. He noted there is a development being constructed in that area called “Seven Islands.” The City of Cape Coral has plans for a marina, condos, restaurants, hotels, etc. This nest was at one end of where this development will be. The area where the nest used to be will be turned into a small city park/playground.

Mr. DeFilippo stated he did not know any details on that. It was included on this list because his contact, Justin Heller, provided this information to him. It is not something the County monitors or permits.

Mr. Elms stated that in the past he used to be involved with some monitoring with Justin. Mr. Elms stated he might reach out to him to find out more specifics.

Mr. DeFilippo referred to the last page, LE-93B (Orange River Nest), and noted the nest number was provided by Audubon. He explained it was a new nest in Buckingham east of Neal Road. Staff will monitor the site soon in an attempt to build some nest history.

Ms. Hiatt made three corrections. 1) She referred to the last page, LE-125 (Esther), and stated that this nest came down post Hurricane Ian. The summary sheet shows the nest condition as "Good," but there is no nest; 2) She referred to Page 2, LE100 (Barrancas Drive), and noted that nest was gone as well; and, 3) She referred to Page 1, LE-010 (Quail Trail), and noted the nest condition is listed as "Gone." She stated the eagles attempted to nest last season, so the nest condition was "Good," but they were not successful at fledging chicks.

Mr. DeFilippo stated he would update this summary to reflect these changes.

The Board had no other comments/changes/corrections.

Agenda Item 4 – Chair and Vice Chair Elections

Ms. Hiatt announced that Ms. Greeno had communicated to Lee County staff that she would be willing to serve as Chair for ETAC for 2024. Regarding the Vice Chair position, Ms. Hiatt stated she was willing to continue serving as Vice Chair for another year, but extended the opportunity to other Board members.

Mr. Taminosian and Mr. Philpot stated they would rather defer serving as an officer on ETAC for another year. It can be readdressed after next year.

Mr. Elms made a motion to keep the current officers for 2024 (Laura Greeno as Chair and Betsie Hiatt as Vice Chair). The motion was seconded by Mr. Taminosian. The motion was called and passed 4-0.

Agenda Item – Member Reports

Ms. Hiatt stated that all the nests in her territories came down due to Hurricane Ian except for Quail Trail. Other than Quail Trail, no nests have been rebuilt. She gave the following report for her territories:

Quail Trail: The nest has been rebuilt; however, she has not spotted any eagles yet. It is clear they have tended to the nest. Being that it is early in the season and it has been hot lately, the eagles may surface at another time.

Barrancas Drive: One of the adult eagles is missing. The pair of eagles nested about two years ago and had at least one chick. However, since then, she has only spotted one adult eagle and no fledgling. She noted that Mr. Elms had received reports from neighbors that spotted some Great Horned Owls in the nest. Ms. Hiatt stated she believed one of the eagles may have lost its mate. No new nest has been found in this particular territory. She will continue to monitor the area.

Esther: The nest came down as a result of Hurricane Ian. She was unable to determine if the actual nest tree is standing due to the area being dense with the remaining Australian Pines. Ms. Hiatt stated she had seen one adult fly out of one of the Australian Pines, so there may be a nest that she is unable to visibly see at this point.

The rest of her sites show no sign of eagles.

Ms. Hiatt noted there was a new nest to report. It is located near where the Pacosin Drive eagles used to be located. She reviewed it with the Board along with a PowerPoint slide. She noted the eagles do not seem disturbed by human activity, which is similar behavior as the Pacosin Drive pair. She expressed concern over a power pole near the fence line that goes past the nest tree. She stated staff may want to investigate whether the power pole would be a risk for the eaglets should this pair end up having any.

Mr. Elms asked for an update on the Bank of America territory.

Ms. Hiatt stated those eagles were her territory for 20 years and there are a couple of good pine trees available, but to-date, there has been no siting of eagles or a nest.

Mr. Taminosian gave the following report for his territories:

St. Charles Harbor: The nest was near where a large home was being constructed. Most of the exterior stucco work, etc. appears to be completed; however, the pool might still require some construction. While monitoring the site, it looked as if the pine trees in the cul-de-sac were removed. Mr. Taminosian believed the trees were dying, so they were removed. This took place since last nesting season. Mr. Taminosian stated he had not spotted any eagles by this site; however, neighbors have reported seeing eagles in the area. He will continue monitoring the site.

Robalo: The nest tree was cut down after Hurricane Ian. He has not discovered another nest that was rebuilt. He will continue monitoring the site.

Mr. DeFilippo stated the property owners had gotten guidance from the US Fish and Wildlife Service regarding this tree and they also had an arborist that stated the tree was a hazard. Since no nest was in the tree, the US Fish and Wildlife Service approved the removal.

Jonathon Harbour: This was discussed during the Nesting Season Summary agenda item. The trees in the patch just past the guard gate are mostly gone. Mr. Taminosian stated he had a photo that he would provide to staff via an e-mail.

Ms. Hiatt stated she would do the same and provide staff with a photo of the new nest she discovered.

Lakes Park Cell Tower: Mr. Taminosian stated he was monitoring the vicinity, but has not seen any eagles on the tower or the pines within Lakes Park. He will continue monitoring the site.

Pub and Pickle: This was also discussed during the Nesting Season Summary. He has not spotted any eagles in this location. However, a neighbor who lives very close to the nest reported the eagles are rebuilding their nest. There were reports that there had been some Great Horned Owl activity, but he had not spotted any owls when monitoring the site, so he was uncertain if the owl siting by neighbors was accurate. Mr. Taminosian stated he was keeping tabs on the developer who has spray painted certain trees to indicate he would like to remove them. He believed the trees are dead.

Mr. DeFilippo stated the property owner is working with Code Enforcement and other staff. Since the property is zoned commercial, there are extra layers the owner has to work through.

Mr. Taminosian asked for confirmation that the owner had erecting a fence without getting permission from the County.

Mr. DeFilippo stated the property owner had coordinated with staff on the fence. It was erected before nesting season.

Lexington Middle School: Mr. Taminosian stated the nest looked good. It has been difficult to tell if they are bringing in new stick material, but the nest looks better than last year, so he assumed there has been activity there. He has not spotted any bald eagles, but anticipated being able to spot them easier once they start incubating.

Sora Drive: This entire neighborhood got devastated by the storm. However, he did spot two bald eagles. He assumed they were a pair because they did not antagonize each other. He noted the tree was still in place. There has been no construction on the lot immediately adjacent to it, but the nest has not been built upon. He was uncertain whether the pair relocated.

Tortuga: The nest looks good. They might be bringing in material, but he has not spotted any eagles. He will continue monitoring the site.

Mr. Philpot gave the following report for his territories:

Bayshore Commons: He spotted one eagle from outside the neighborhood. He was unable to get into the area because the gates are closed. He felt the gates being closed could be a good sign that the developer is not actively doing any construction.

Mr. DeFilippo stated he would provide him with the code and confirmed that no construction is taking place right now.

Donald Road/Pritchett: He spotted two adult eagles and noted the nest is in good shape.

Moody River: He has not spotted any eagles yet.

Cell Tower Littleton Road: There was no nest and no sign of a nest. In the past there was an active pair of eagles in this area.

Mr. Elms stated he felt it looked as if someone came in and cleaned the area out.

Mr. Philpot concurred.

Mr. DeFilippo stated he did not recall any permits coming in to do work on the tower, but on Corkscrew Road there was a cell service company that came in and did a similar project where they had to remove the nest to make some improvements, so something like that may have taken place. They had a federal permit, etc. to do the work.

Alico Road: He spotted two adult eagles that are currently doing nest repairs. This is one that was presented in September by Laura Herrero. The site to the north already has a BEMP and development order in place. He noticed when monitoring the site that the pair would actually go

onto the construction site to gather nesting material while work was taking place on the site. They were flying in to grab sticks and leaving. They seem unbothered by the activity.

Oriole Road: The nest is in good shape. There are two adults doing nest repair. They also seem unbothered by the construction.

Creekside Preserve: There is still no nest in this area. However, he saw two adults active in the area that were foraging.

Mr. Elms gave the following report for his territories:

Pine Island Flatwoods Preserve Trail: Although he has not spotted any eagles, the nest is in too good condition for there to be no eagle activity. The nest appears to be repaired. He will continue monitoring the site.

Galt Preserve: He spotted one adult eagle two weeks ago and another sitting this past Sunday. However, there has been no movement in the nest, so they are not incubating yet. The adult is perched about 10 feet above the nest.

5th Street and Palm: He is assuming it is the same pair as the one that used to be at Vacation Lane. It is too close by (about a block away) not to be the same pair. He saw both eagles at the nest rebuilding and the nest looks good. He noticed they were working on the nest around the middle of October. He saw the adults on the 24th of October. They are not incubating yet, but he hoped they would be soon.

Manatee Bay: There is no activity in this area. There was no activity last year either. He saw an adult perched on the cell tower across the street from this location. It could be one of the eagles from the St. Jude nest.

St. Jude: He is continuing to try and find the St. Jude Eagles. Again, he hoped the one he saw on the cell tower was one of them.

Agenda Item 8 – Public Input

No members of the public were present, so there was no public input.

Agenda Item 9 – Adjournment – Next Tentative Meeting Date: December 12, 2023

The meeting adjourned at 3:54 p.m.