



**EAGLE TECHNICAL ADVISORY COMMITTEE
Community Development/Public Works Center
1500 Monroe Street, Ft. Myers, Florida 33901
First Floor Conference Room 1B**

**TUESDAY, OCTOBER 14, 2025
3:00 P.M.**

AGENDA

- 1) Call to Order
- 2) Barrett Stejskal with BearPaws Environmental Consulting to Present Bald Eagle Management Plan for LE-124 Park 41/Cabana Commons
CPD/RPD DCI2025-00007
- 3) Approval of Meeting Minutes - July 8, 2025
- 4) Member Reports
- 5) Public Input
- 6) Adjournment – Next Tentative Meeting Date: To Be Determined

To view a copy of the agenda, go to www.leegov.com/dcd/calendar.

For more information, contact Janet Miller (239) 533-8583 or jmiller@leegov.com. In accordance with the Americans with Disabilities Act, Lee County will not discriminate against qualified individuals with disabilities in its services, programs, or activities. To request an auxiliary aid or service for effective communication or a reasonable modification to participate, contact Ranice Monroe, (239) 533-0255, ADArequests@leegov.com or Florida Relay Service 711. Accommodation will be provided at no cost to the requestor. Requests should be made at least five business days in advance.

CALOOSA COMMONS

BALD EAGLE (*HALIAEETUS LEUCOCEPHALUS*) MANAGEMENT PLAN – NEST LE-124

Lee County STRAP #'s: 34-43-24-00-00001.3040, 34-43-24-00-00007.0000, 34-43-24-00-00008.0000, 34-43-24-00-00009.0000, & 35-43-24-00-00001.1030

August 2025

Prepared For:

Lennar - Southwest Florida Division
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Introduction

The 134.35± acre Caloosa Commons project site is located in portions of Sections 34 & 35, Township 43S, and Range 24E, of Lee County, Florida. More specifically, the site is located immediately south of Littleton Road, west of North Tamiami Trail (Business 41), east of North Cleveland Avenue (US 41), and north of Pine Island Road, in Cape Coral, Florida. Please see the attached Project Location Map (Exhibit A).

There is a bald eagle (*Haliaeetus leucocephalus*) nest located at 26.697254 N, 81.892471 W. The nest was located on a cell tower off Littleton Road. This bald eagle management plan is being proposed to be approved for the LE-124 nest by Lee County, as a portion of the proposed project will be within the 330-foot eagle buffer zone. This management plan has been modified from the original plan created by Atwell in March 2024; that BEMP was proposed and approved by ETAC last year. This BEMP is being prepared at the request of the County, due to current request proposing new activities within the 660-foot buffer zone that were not previously reviewed and included in the Atwell BEMP dated March 2024. The MCP showing the 330-foot and 660-foot buffer zones is included as Exhibit D.

Site Conditions

The Caloosa Commons property previously consisted of a mosaic of native pine flatwoods, palmetto prairie, impacted wet prairies, and freshwater marshes. The majority of this site has been disturbed by permitted development activities and off-road vehicle traffic. A substantial number of homeless camps were present and large amounts of trash has been dumped on the parcel. South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) 36-04782-P has been issued for this project and expires August 8, 2026; under this permit, a majority of the project (excluding the preserve areas) has been cleared. The property on which Nest LE-124 is located (16021 Oneal Drive, North Fort Myers) consists of developed land.

Site Observations

A bald eagle (*Haliaeetus leucocephalus*) constructed a nest (LE-124) in a cellular communications tower, located approximately 270 feet southeast of the northern property line, and approximately 970 feet east of Moody Road. The nest was active during the 2018-2019, 2019-2020, 2020-2021, 2021-2022, and 2022-2023 nesting seasons; however, the nest came down at the end of the 2022-2023 season and has not been rebuilt. There have been no signs of the bald eagles, since that season.

There have been several vegetation associations that were identified using the Florida Land Use, Cover and Forms Classification System (FLUCFCS). Exhibit B depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCFCS Code. A brief description of each FLUCFCS Community is also provided below.

FLUCFCS Codes & Community Descriptions

Uplands

The following community areas have been designated as upland habitats. Uplands are any area that does not qualify as a wetland because the associated hydrologic regime is not sufficiently wet enough to elicit development of vegetation, soils, and/or hydrologic characteristics associated with wetlands.

FLUCFCS 411 Pine Flatwoods – 7.71± Acres

This upland community type occupies approximately 7.71± acres of the property. The canopy is dominated by slash pine (*Pinus elliottii*), with scattered melaleuca (*Melaleuca quinquenervia*), live oak (*Quercus virginiana*), earleaf acacia (*Acacia auriculiformis*), and java plum (*Syzygium cumini*). The sub-canopy contains cabbage palm (*Sabal palmetto*), Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), tar flower (*Bejaria racemosa*), rusty lyonia (*Lyonia ferruginea*), and myrsine (*Rapanea punctata*). The ground cover is dominated by saw palmetto (*Serenoa repens*), with scattered coco plum (*Chrysobalanus icaco*), dog fennel (*Eupatorium capillifolium*), pennyroyal (*Piloblephis rigida*), pawpaw (*Asimina* sp.), caesar weed (*Urena lobata*), false buttonweed (*Spermacoce verticillata*), and other various opportunistic weedy species. Commonly observed vines include grapevine (*Vitis rotundifolia*), poison ivy (*Toxicodendron radicans*), greenbriar (*Smilax* sp.), and creeping oxeeye (*Sphagneticola trilobata*). This community would be considered uplands by the regulatory agencies.

FLUCFCS 420 Mixed Upland Forest – 7.78± Acres

This upland community type occupies approximately 7.78± acres of the property. The canopy contains live oak (*Quercus virginiana*), with slash pine (*Pinus elliottii*), java plum (*Syzygium cumini*), earleaf acacia (*Acacia auriculiformis*), and mimosa (*Albizia julibrissin*). The sub-canopy contains cabbage palm (*Sabal palmetto*), Brazilian pepper (*Schinus terebinthifolius*), wild coffee (*Psychotria nervosa*), and beauty-berry (*Callicarpa americana*). The groundcover contained Spanish needle (*Bidens alba*), false buttonweed (*Spermacoce floridan*), cogon grass (*Imperata cylindrica*), caesar weed (*Urena lobata*), dog fennel (*Eupatorium capillifolium*), ragweed (*Ambrosia artemisiifolia*), broomsedge (*Andropogon virginicus*), and bahia grass (*Paspalum notatum*), with various other opportunistic weedy species. Commonly observed vines include air potato (*Dioscorea bulbifera*), greenbriar (*Smilax* sp.), grapevine (*Vitis rotundifolia*), Virginia creeper (*Parthenocissus quinquefolia*), peppervine (*Ampelopsis arborea*), and poison ivy (*Toxicodendron radicans*). This community would be considered uplands by the regulatory agencies.

FLUCFCS 740 Disturbed Lands (Previously Cleared) – 108.10± Acres

This upland area occupies a majority of the site, approximately 108.10± acres of the property. Per the Lee County Development Order and SFWMD Permit, a majority of this community has been cleared of the native vegetation. The canopy is mostly open with scattered slash pine (*Pinus elliotti*) along the edges. The sub-canopy is also mostly open with scattered Brazilian pepper (*Schinus terebinthifolius*) and cabbage palm (*Sabal palmetto*). The ground cover is mostly open, but includes broomsedge (*Andropogon virginicus*), Spanish needle (*Bidens pilosa*), dog fennel (*Eupatorium capillifolium*), false buttonweed (*Spermacoce verticillata*), ragweed (*Ambrosia trifida*), caesar weed (*Urena lobata*), hairy beggar-ticks (*Bidens alba*), bahia grass (*Paspalum notatum*), St. Augustine grass (*Stenotaphrum secundatum*), and other various opportunistic weedy species. Commonly observed vines include greenbriar (*Smilax* sp.), grapevine (*Vitis rotundifolia*), and poison ivy (*Toxicodendron radicans*). This community would be considered uplands by the regulatory agencies.

Wetlands

The following community areas have been designated as wetland habitats. Wetlands are any areas that under normal circumstances have hydrophytic vegetation, hydric soils, and wetland hydrology.

FLUCFCS 618 Willow Wetland – 0.35± Acres

This wetland community type occupies approximately 0.35± acres of the property. The canopy is dominated by Carolina willow (*Salix caroliniana*), with scattered laurel oak (*Quercus laurifolia*), and bald cypress (*Taxodium distichum*). The sub-canopy contains wax myrtle (*Myrica cerifera*) and buttonbush (*Cephalanthus occidentalis*), with Brazilian pepper (*Schinus terebinthifolius*) along the perimeter of the wetland. The ground cover vegetation includes swamp fern (*Blechnum serrulatum*), yellow-eyed grass (*Xyris floridana*), rosy camphorweed (*Pluchea rosea*), dollar weed (*Hydrocotyle umbellata*), little blue maidencane (*Amphicarpum muhlenbergianum*), frog fruit (*Phyla nodiflora*), false buttonweed (*Spermacoce verticillata*), swamp lily (*Crinum americanum*), mock bishop's weed (*Ptilimnium capillaceum*), smart weed (*Polygonum hydropiperoides*), pickerel weed (*Pontederia cordata*), arrowhead (*Sagittaria latifolia*), fire flag (*Thalia geniculata*), and white-top sedge (*Rhynchospora colorata*), with various other grasses and sedges. Commonly observed vines include greenbriar (*Smilax* spp.) and Japanese climbing fern (*Lygodium japonicum*). This community does contain some transitional wetland vegetation, advantageous rooting, water line staining, and algal matting, as well as other signs in this community that would be classified as wetlands. This community would be considered wetlands by the regulatory agencies.

FLUCFCS 641 Freshwater Marsh – 1.48± Acres

This wetland community type occupies approximately 1.48± acres of the property. The canopy is mostly open with scattered Carolina willow (*Salix caroliniana*), melaleuca (*Melaleuca quinquenervia*), and slash pine (*Pinus elliottii*). The sub-canopy contains scattered cabbage palm (*Sabal Palmetto*), wax myrtle (*Myrica cerifera*), Carolina willow (*Salix caroliniana*), primrose willow (*Ludwigia peruviana*), myrsine (*Rapanea punctata*), and Brazilian pepper (*Schinus terebinthifolius*) along the perimeter of the wetland. The ground cover includes asiatic pennywort (*Centella asiatica*), spikerush (*Eleocharis interstincta*), cat-tail (*Typha latifolia*), smart weed (*Polygonum hydropiperoides*), yellow-eyed grass (*Xyris floridana*), pickerel weed (*Pontederia cordata*), arrowhead (*Sagittaria latifolia*), torpedo grass (*Panicum repens*), white-top sedge (*Rhynchospora colorata*), maidencane (*Panicum hemitomon*), corkwood (*Leitneria floridana*), mermaid weed (*Proserpinaca pectinata*), and water hyssop (*Bacopa monnieri*). Commonly observed vines include climbing hempvine (*Mikania scandens*). This community does contain wetland vegetation, advantageous rooting, water line staining, and algal matting, as well as other signs in this community that would be classified as wetlands. This community would be considered wetlands by the regulatory agencies.

FLUCFCS 643 Wet Prairie – 2.40± Acres

This wetland community type occupies approximately 2.40± acres of the property. Exotic species such as melaleuca (*Melaleuca quinquenervia*), Brazilian pepper (*Schinus terebinthifolius*), primrose willow (*Ludwigia peruviana*), and torpedo grass (*Panicum repens*), occupy approximately 50-74% of this community. The canopy is mostly open with scattered melaleuca (*Melaleuca quinquenervia*). The sub-canopy contains scattered primrose willow (*Ludwigia peruviana*), wax myrtle (*Myrica cerifera*), melaleuca (*Melaleuca quinquenervia*), and Brazilian pepper (*Schinus terebinthifolius*). The ground cover includes torpedo grass (*Panicum repens*), yellow-eyed grass (*Xyris floridana*), cat-tail (*Typha latifolia*), rosy camphorweed (*Pluchea rosea*), sand cordgrass (*Spartina* sp.), dog fennel (*Eupatorium capillifolium*), little blue maidencane (*Amphicarpum muhlenbergianum*), tickseed (*Coreopsis floridana*), mermaid-weed (*Proserpinaca palustris*), asiatic pennywort (*Centella asiatica*), dollar weed (*Hydrocotyle umbellata*), frog fruit (*Phyla nodiflora*), maidencane (*Panicum hemitomon*), mock bishop's weed (*Ptilimnium capillaceum*), white-top sedge (*Rhynchospora colorata*), and cogon grass (*Imperata cylindrica*), with other various grasses and sedges. This community does contain some transitional wetland vegetation, advantageous rooting, water line staining, and algal matting, as well as other signs in this community that would be classified as wetlands. This community would be considered wetlands by the regulatory agencies.

Other Surface Waters (OSW)

The following community area has been designated as other surface waters. Surface waters are waters on the surface of the earth, contained in bounds created naturally or artificially.

FLUCFCS 742 Borrow Lake – 6.53± Acres

This “other surface water” (OSW) community occupies approximately 6.53± acres and consists of several borrow lakes. The canopy is mostly open. The sub-canopy is dominated by Brazilian pepper (*Schinus terebinthifolius*), with scattered Carolina willow (*Salix caroliniana*), primrose willow (*Ludwigia peruviana*), wax myrtle (*Myrica cerifera*), and saltbush (*Baccharis halimifolia*) along the edges. The ground cover contains cat-tail (*Typha latifolia*), includes swamp fern (*Blechnum serrulatum*), yellow-eyed grass (*Xyris floridana*), water hyssop (*Bacopa monnieri*), maidencane (*Panicum hemitomon*), white-top sedge (*Dichromena colorata*), water hyacinth (*Eichhornia crassipes*), beak rush (*Rhynchospora spp.*), dotted smartweed (*Polygonum punctatum*), spikerush (*Eleocharis spp.*), flatsedge (*Cyperus ligularis*), and torpedo grass (*Panicum repens*). This community was artificially created and would be considered “other surface waters” by the regulatory agencies.

Table 1. FLUCFCS Community Table

FLUCFCS Code	Community Description	Habitat Type	Acres
411	Pine Flatwoods	Upland	7.71± Ac.
420	Mixed Upland Hardwoods	Upland	7.78± Ac.
618	Willow Wetland	Wetland	0.35± Ac.
641	Freshwater Marsh	Wetland	1.48± Ac.
643	Wet Prairie	Wetland	2.40± Ac.
740	Disturbed Lands (Previously Cleared)	Upland	108.10± Ac.
742	Borrow Lake	OSW	6.53± Ac.
Total			134.35± Ac.

General Development Guidelines

The protection measures outlined below have been designed utilizing the FWS’s *National Bald Eagle Management Guidelines* (FWS 2007a) and Section 14-111 through 14-120 of the Lee County Land Development Code. These proposed restrictions and requirements apply only to the Caloosa Commons project and are not binding on any other property in the vicinity of Bald Eagle Nest LE-124.

If Lee County Division of Environmental Sciences (DES) determines that Nest LE-124 has been abandoned, construction activities may commence upon confirmation of those conditions by DES. If the nest is not active by March 15th or as confirmed by DES, then the nesting season for Nest LE-124 shall be considered over and the construction restrictions shall not apply. A determination that the nest is not active shall be consistent with the *Bald Eagle Monitoring Guidelines* (FWS 2007b) and Lost or Abandoned definition outlined LDC 14-112.

A. 330-Foot Buffer Zone Activities and Restrictions

Approximately 1.32± acres of the property are within the 330-foot buffer of Nest LE-124. This area will consist of work including the installation of a 20-foot wide “Type D” buffer, residential building/construction, and roadway installation. The restrictions described below are only applicable to the portion of the property within the 330 feet of nest LE-124.

1. Major construction activities such as residential building/construction and roadway installation shall only be conducted during the non-nesting season (i.e., May 16th - September 30th) and when the nest is not actively being used for nesting.

B. 660-Foot Buffer Zone Activities and Restrictions

Approximately 7.65± acres of the property are between the 330-foot and 660-foot buffer of Nest LE-124. This area will consist of work including the installation of both “Type A” and “Type D” buffers, excavation of several storm water lakes, residential building/construction, and roadway installation. The restrictions described below are only applicable to the portion of the property within 660-foot buffer of Nest LE-124.

1. Major exterior construction activities, such as major earth work, excavation of several storm water lakes, residential building/construction, and roadway installation, may occur during the nesting season provided that the activities do not disturb the nesting bald eagles as defined by the *Bald Eagle Monitoring Guidelines*. Monitoring consistent with the *Bald Eagle Monitoring Guidelines* shall be required during these construction activities.
2. The use of any chemicals that are known to be toxic to wildlife shall be prohibited within 660± feet of the bald eagle nest. The use of all chemical will be in accordance with labeling instructions.
3. Outdoor lighting installed within 660± feet of the bald eagle nest shall be subdued, shielded, and directed away from the nest tree.

C. Greater Than 660-Foot Zone Activities and Restrictions

The proposed uses of the property, greater than 660± feet from the Bald Eagle Nest LE-124, consist of the remainder of site clearing for future development. Construction activities and activities will be allowed outside of 660-foot buffer of the bald eagle nest throughout the year.

Implementation

The landowner and/or developer will be responsible for following this Bald Eagle Management Plan. Coordination was made with Ms. Ulgonde Kirkpatrick of USFWS via email on April 8, 2024, by Atwell. The USFWS stated that the project appears to be fairly low risk to the eagles. Since the eagles are no longer nesting on the tower, the minimization measures from the National Bald Eagle Management Guidelines would no longer be needed. A permit would not be needed, since disturbance to nesting eagles is unlikely to occur. This is assuming the pair does not rebuild on the tower. If the birds were to rebuild their nest, the USFWS recommend either following the National Bald Eagle Management Guidelines or consider applying for a permit. As of August 2025, the nest has not been rebuilt in the cell tower.

A qualified ecologist will monitor Nest LE-124 (if work as described by Item B.1 above is undertaken during the nesting season, consistent with the *Bald Eagle Monitoring Guidelines*) and will submit the reports to DES on a monthly basis. DES staff will review these reports and may also inspect the site to verify compliance with the conditions of this Bald Eagle Management Plan. Any violation of these conditions may result in a Stop Work Order being issued to halt all construction activity during the bald eagle nesting season, including building inspections, until the violation is resolved.

All of the management practices will remain in effect until the nest is deemed abandoned or lost by DES pursuant to Section 14-112 of the Land Development Code. None of these management practices will be required after the nest is deemed abandoned or lost. The nest will be defined as abandoned if the nest is intact or partially intact but has been inactive through five or more consecutive nesting seasons. The nest will be defined as lost if the nest is destroyed by natural causes (e.g. nest that fell apart or was blown out of a tree/structure, or the tree/structure itself was lost) and is not rebuilt in the same tree within three nesting seasons. Should the eagles not rebuild their nest, following this 2025-2026 season, the nest would be declared “lost”, and none of these management activities would be required any further.

Should there be any construction or land use changes or modifications proposed within the 330-foot or 660-foot buffer zone, this Bald Eagle Management Plan will be amended and re-submitted to Lee County for review.

Bald Eagle Management Plan Modifications

Any changes to this Bald Eagle Management Plan must be reviewed and approved by Lee County Division of Environmental Sciences staff through the planned development administrative amendment process. Any future owners of the Caloosa Commons project that are affected by this Bald Eagle Management Plan will be provided with a copy of this plan. At the time of platting, the Bald Eagle Management Plan will be included in the property association documents.

References

Florida Fish and Wildlife Conservation Commission. 2008. Bald Eagle Management Plan. 60p.

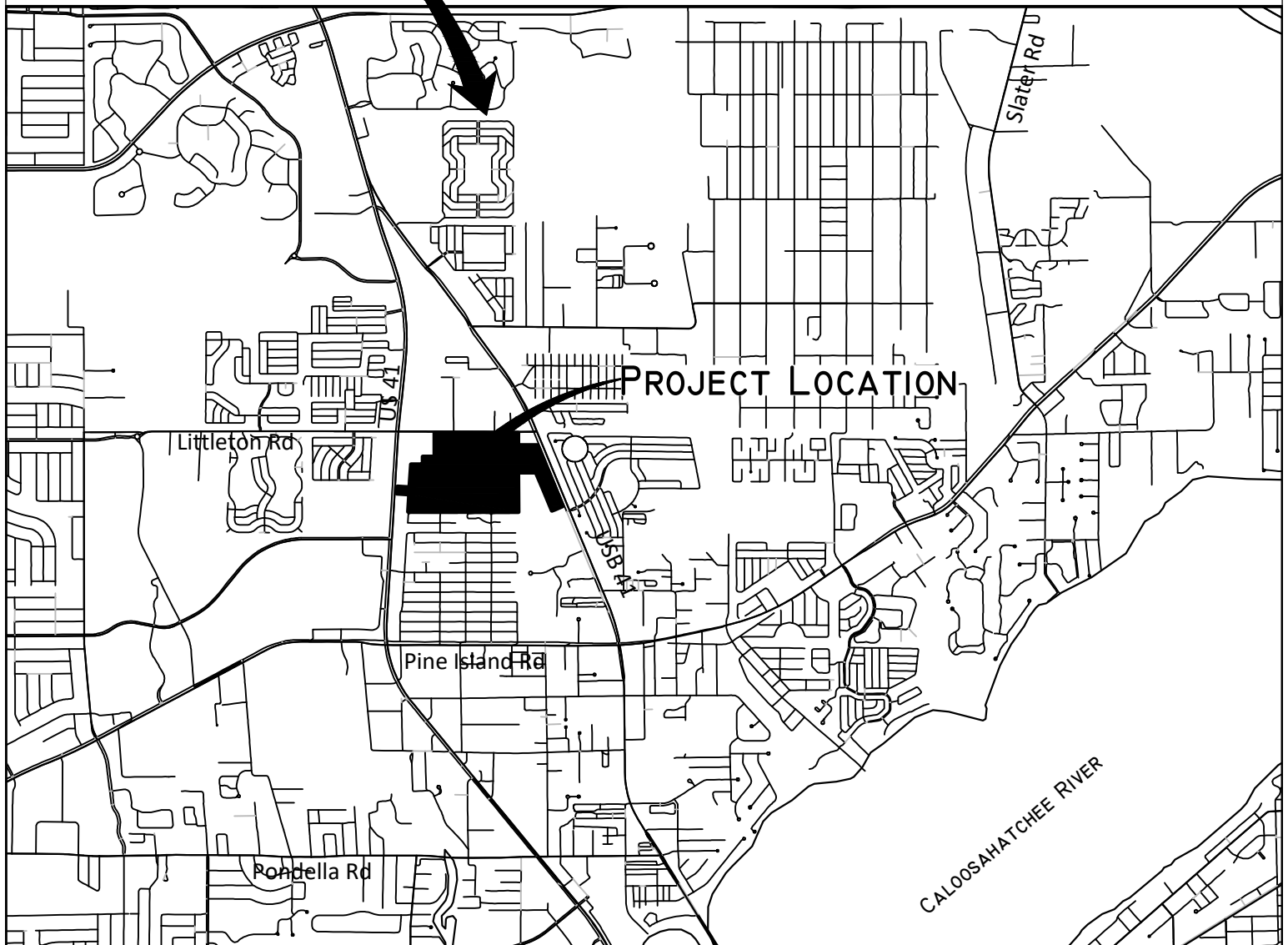
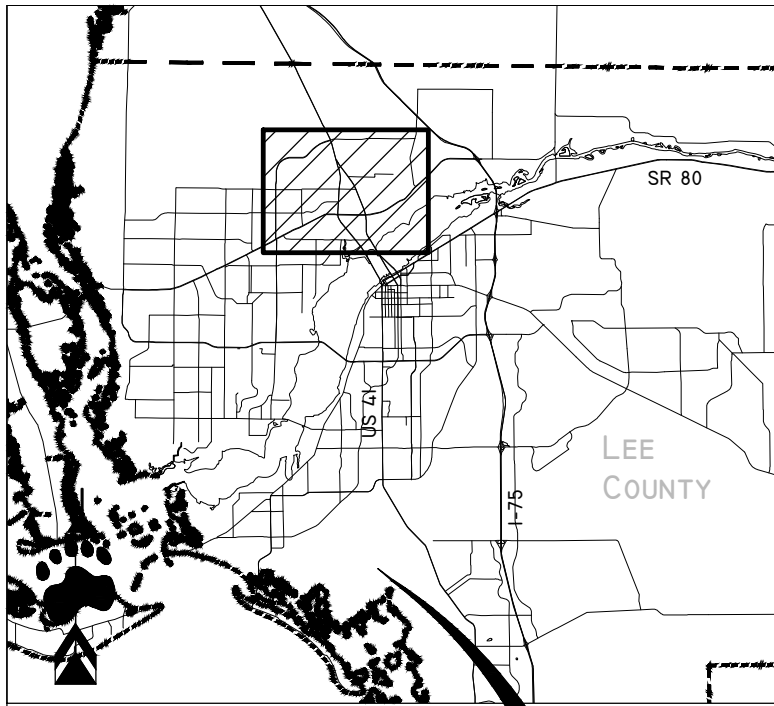
Florida Fish and Wildlife Conservation Commission. 2017. Historical Bald Eagle Nesting Areas.

U.S. Fish and Wildlife Service. 2007a. National Bald Eagle Management Guidelines. 23p.

U.S. Fish and Wildlife Service. 2007b. Bald Eagle Monitoring Guidelines. 20p.

EXHIBIT A

Project Location Map



DRAWN BY:	DATE:	CATEGORY
BWS	3/31/25	LOCATION
JOB NUMBER		SCALE:
		NTS
S/T/R		COUNTY
34,35/43S/24E		LEE

Caloosa Commons

Location Map



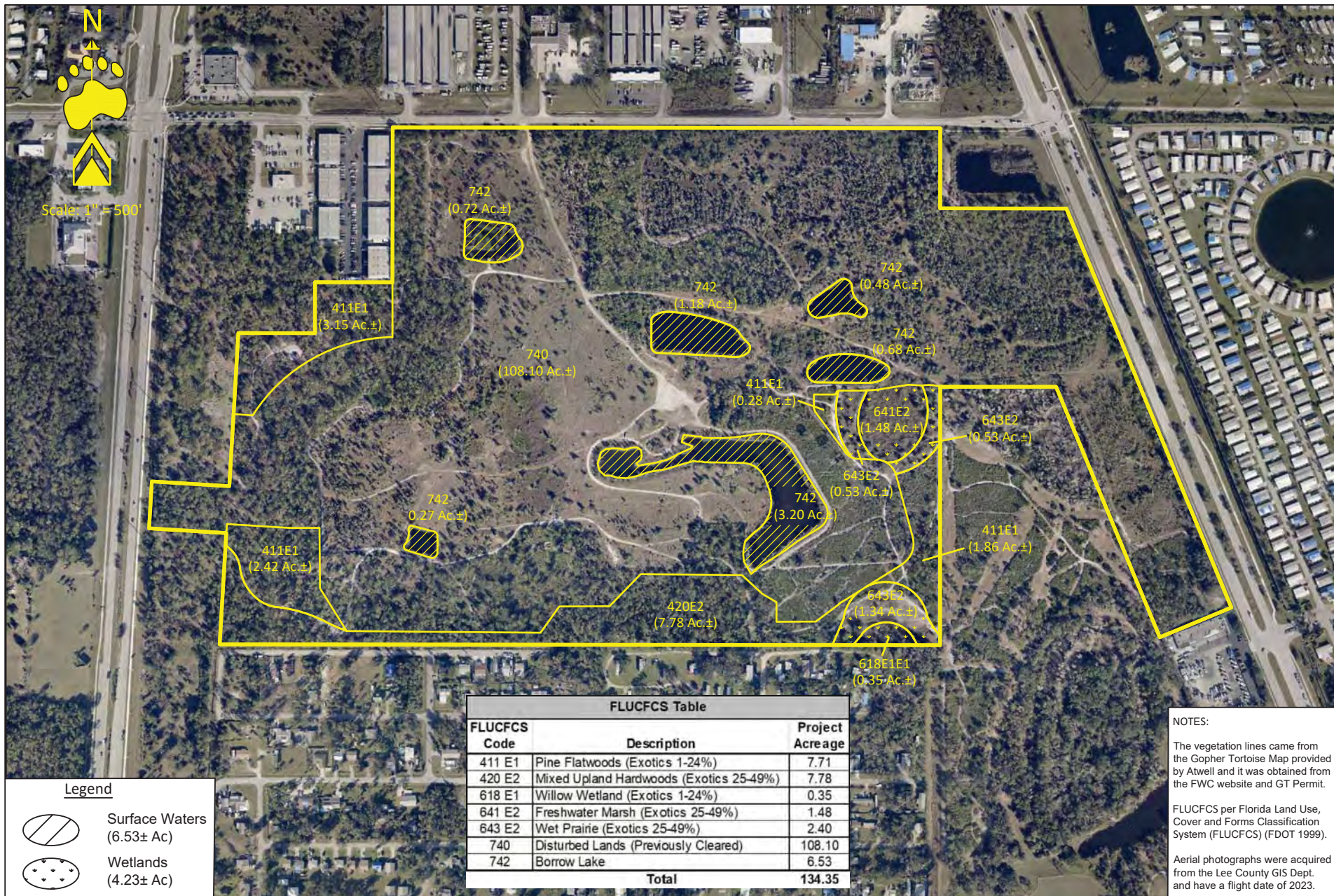
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EXHIBIT

1599 COVINGTON CIRCLE EAST, FORT MYERS, FL 33919
(239) 340-0678 BEARPAWS.ENV.CONSULTING@GMAIL.COM

EXHIBIT B

Aerial FLUCFCS Map



Revisions	Date:	Drawn By:	Date:	Caloosa Commons Aerial FLUCFCS Map	Category	 1599 Covington Circle East, Fort Myers, FL 33919 (239) 340-0678 bearpaws.gov consulting@gmail.com	Page
		BWS	5/22/25		FLUCFCS		-
		Job Number			Scale:		Exhibit
		S/T/R			1" = 500'		
		34,35/43S/24E			County		
				Lee	-		

EXHIBIT C

Protected Species Survey Map with Bald Eagle Buffer Zones



Legend	
	Surface Waters (6.53± Ac)
	Wetlands (4.23± Ac)
	Protected Species Survey Transects

FLUCFCS Table		
FLUCFCS Code	Description	Project Acreage
411 E1	Pine Flatwoods (Exotics 1-24%)	7.71
420 E2	Mixed Upland Hardwoods (Exotics 25-49%)	7.78
618 E1	Willow Wetland (Exotics 1-24%)	0.35
641 E2	Freshwater Marsh (Exotics 25-49%)	1.48
643 E2	Wet Prairie (Exotics 25-49%)	2.40
740	Disturbed Lands (Previously Cleared)	108.10
742	Borrow Lake	6.53
Total		134.35

Notes:

The vegetation lines came from the Gopher Tortoise Map provided by Atwell and it was obtained from the FWC website and GT Permit.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Aerial photographs were acquired from the Lee County GIS Dept. and have a flight date of 2023.

Revisions	Date:	Drawn By:	Date:
		BWS	5/22/25
		Job Number	
		S/T/R	
		34,35/43S/24E	

Caloosa Commons

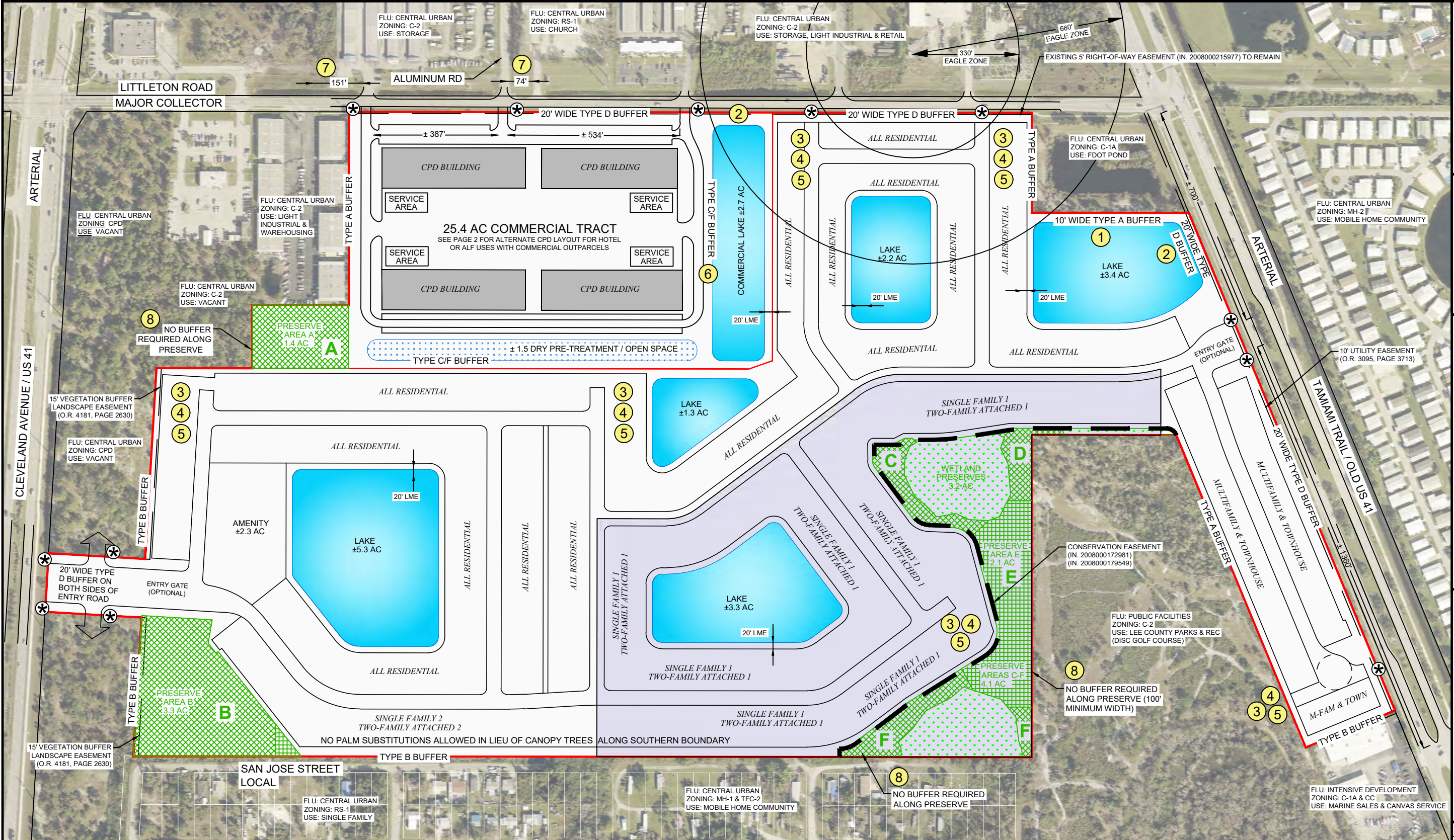
Aerial PSS Map

Category	PSS
Scale:	1" = 500'
County	Lee

1509 Covington Circle East, Fort Myers, FL 33919
(239) 340-0678 bearpaws.env.consulting@gmail.com

Page	-
Exhibit	-

EXHIBIT D
Master Concept Plan



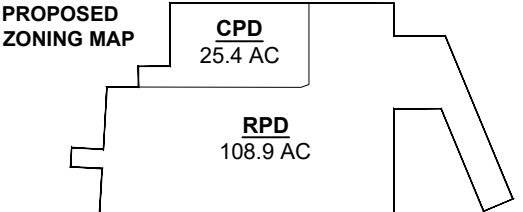
N

1" = 300'
@ 11" X 17"

UNILAND DEVELOPMENT
COMPANY & LENNAR
HOMES

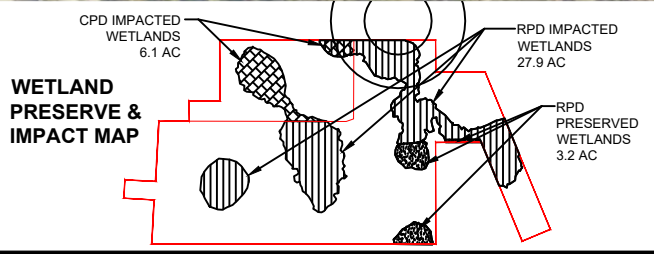
PARK 41 / CALOOSA
COMMONS
CPD / RPD

6-19-25	SUFFICIENCY #1
9-2-25	SUFFICIENCY #2
MASTER CONCEPT PLAN	
444	1 OF 2



ALLOWABLE DENSITY CALCULATION

CPD 25.4 AC	NO DENSITY PROPOSED	PROPOSED DENSITY
RPD 108.9 AC		
WETLAND IMPACTS AT 1 UNIT PER 10 ACRES 27.9 AC X 1 UNIT/20 AC		1 UNIT
CENTRAL URBAN UPLANDS & PRESERVED WETLANDS (77.8 AC + 3.2 AC) = 81.0 AC X 10 DU/AC		810 UNITS
		TOTAL: 811 UNITS



LEGEND

	UPLAND PRESERVE
	WETLAND PRESERVE
	DEVIATION
	PEDESTRIAN ACCESS

MINUTES REPORT
EAGLE TECHNICAL ADVISORY COMMITTEE (ETAC)
Tuesday, July 8, 2025

Committee Members Present:

Edward Elms
Laura Greeno, Chair

Kyle Philpot, Vice Chair
Jacob Taminosian

Members Absent:

Betsie Hiatt

Lee County Government Staff Present:

Nic DeFilippo, Planning
William Lange, Planning

Janet Miller, DCD Admin

Outside Consultants:

Shane Johnson (Passarella & Associates) Andy Holland (Pulte Homes)
Kat Hammond (Passarella & Associates) Richard Young (Pulte Homes)

Agenda Item 1 - Call to Order:

Ms. Greeno, Chair, called the meeting to order at 3:00 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 – Shane Johnson with Passarella & Associates to Present Bald Eagle Management Plan for LE-068A Del Webb Oak Creek DOS2024-00032

Mr. Shane Johnson from Passarella & Associates provided an overview of the Bald Eagle Management Plan for LE-068A Del Webb Oak Creek (DOS2024-00032).

When reviewing 2.0 Existing Site Conditions, Mr. Johnson stated that construction activities are not anticipated within 330 feet of the nest. However, if there are existing homes that are already built and they want to build a pool, the work will take place during non-nesting season. He asked Mr. Young and Mr. Holland from Pulte Homes if there were any proposals so far regarding building a pool at this time. They both stated there were no pool proposals as of yet.

Mr. Elms referred to 4.0 Description of the Nest and 6.0 Proposed Eagle Management Plan and noted that both sections have a reference in them regarding “*supplemental plantings*.” Although he realized the plantings would be native plants, he asked if they could add some specifics on what those “*supplemental plantings*” would be in the preserve area (i.e. shrubs, stoppers, wax myrtles, sable palms, slash pines, or live oaks).

Mr. Johnson stated for the record that all of the initial mitigation activities, including exotic removal and plantings, have already been completed. The “*supplemental plantings*” language was included in these two sections in case there are any sort of compliance issues in the future and areas that may need to be replanted. He offered to add language such as “*The plantings will adhere to the Plan that was approved by Lee County as part of the Development Order approval.*” He noted it includes all native plants such as Slash Pines and possibly some Cypress.

Mr. Elms stated that if the plantings are to eventually provide areas for the eagles to perch, the plantings would need to be along the lines of Slash Pines, Sable Palms, or Live Oaks, etc.

Mr. Johnson stated he would add some specifications to Conditions 4 and 6 that if additional plantings are needed in the future, they will adhere to the County approved plan.

Mr. Philpot referred to earlier discussion regarding existing homes that have the option to install a pool in the future. He asked if the homeowners are under a homeowner's ownership or if they were still under Pulte Homes ownership.

Mr. Young stated they are individual homeowners.

Mr. Philpot asked for clarification on whether the Management Plan provides approval for separate property owners.

Mr. DeFilippo stated the Management Plan would apply to the community so the homes in question would fall under this Management Plan. However, Mr. DeFilippo felt this should be expanded beyond pools and should include situations where a homeowner needs a new roof, are installing pavers, or some other type of outside work. Any outside work within 330 feet of the nest will wait until the end of nesting season. Mr. DeFilippo stated this would make his job much easier.

Ms. Greeno stated it helps clarify things for the homeowners as well.

Mr. Johnson agreed to clarify that further.

Mr. Holland asked if there could be exceptions in the event of a hurricane where someone's roof is torn off.

Mr. DeFilippo stated the county has had much experience with this over the last few years. He handles it on a case-by-case basis. He works with the homeowners to help them get their permit as soon as possible.

Mr. Elms stated that although there will be an education component with the public, he suggested that some signage be included similar to what Cape Coral does. He distributed a sample. He was concerned about the homes that are between 330 and 660 feet from the nest area. There are some that are 150 feet away. Although the sample sign from Cape Coral would not be the same as what we would do, it provides a general idea of what the sign should be. Although the sign would not be a fence or physical deterrent, it is a psychological deterrent. People who see the sign will be less likely to approach the tree to get a closer look. Photographers are particularly guilty of this kind of conduct. Mr. Elms stated there would not need to be a large number of signs, but there should be some between the homes and the end of the preserve or where the nest is located.

Mr. Johnson noted that the information is included in the Management Plan and that the nests are heavily screened. He noted the nests were not visible due to thick vegetation.

Mr. Elms stated that even though there will be language included in the Management Plan, the general public has a way to find these nests and tell others about them. He recommended the signs because most likely if they see the sign as they are walking in that direction, they are less likely to disrupt activity.

Mr. Young stated he had no issue with erecting some signage.

Ms. Greeno asked if the signs were already up for the conservation easement.

Mr. Johnson stated they were and that the language for the conservation easement signs are outlined in the Development Order.

Ms. Greeno asked for clarification that the signs along the boundary of the conservation easement are delineated for the public not to enter.

Mr. Johnson stated that was correct. It is a conservation easement not a passive recreation use.

Mr. Elms stated that signs are not a complete answer, but they will serve as a deterrent for the public to a large extent.

Ms. Greeno asked for clarification that they would not be using any chemicals around the nest tree. She noted that, oftentimes, there is a ring of exotics growing around a nest tree. If no chemicals are put on them, they take over the tree. She felt this fact was particularly relevant in this case because this nest tree is a Cypress.

Mr. Johnson stated that exotics are required to be removed whether by chemicals or physical removal. All of the language is included in the Management Plan and has been approved by the various agencies.

Ms. Greeno did not feel it was clear in this Management Plan on how it will be dealt with. She suggested they add something along the lines of *"Per permit requirements, all the exotics will be taken care of up to the tree."* She believed that if someone from the public reads this, they may not understand it, so she felt it would be nice to incorporate something more in case anyone questions it.

The Committee had no further questions.

Mr. Taminosian announced that he had a voting conflict on this matter and would recuse himself from voting in favor or against this Bald Eagle Management Plan. The voting conflict is due to having business associations with the representative. The voting conflict form has been completed and submitted to Ms. Miller for the county's records.

Mr. Elms made a motion to approve the Bald Eagle Management Plan for Bald Eagle nest LE-068A, but the Management Plan is to include some physical signage as an added measure of protection for the eagles.

Mr. Philpot made an amendment to the motion by adding *"as well as adjusting protection measures in 2.0 to incorporate not just the construction of pools, but any exterior work done within 330 feet."* Mr. Elms accepted the amendment.

Ms. Greeno asked if Mr. Elms wanted to include verbiage to 4.0 and 6.0 regarding the *“supplemental plantings.”* He previously mentioned wanting more specifics on what the *“supplemental plantings”* would be in the preserve area (i.e. shrubs, stoppers, wax myrtles, sable palms, slash pines, or live oaks). Mr. Elms stated he wanted that included in the motion, so he accepted the amendment.

The final motion is as follows:

Mr. Elms made a motion to approve the Bald Eagle Management Plan for Bald Eagle nest LE-068A with the following additions: 1) to include some physical signage as an added measure of protection for the eagles; 2) adjusting protection measures in 2.0 to incorporate not just the construction of pools, but any exterior work done within 330 feet; and 3) include additional language to 4.0 and 6.0 regarding *“supplemental plantings,”* by specifying what those plantings will be in the preserve area (i.e. shrubs, stoppers, wax myrtles, sable palms, slash pines, or live oaks). The motion was seconded by Mr. Philpot. The Chair called the motion, and it passed 4-0.

Ms. Greeno thanked the applicant for not putting a USFWS Incidental Take Permit option in the Management Plan and for not depending on getting an Incidental Take Permit, which is the opposite of what others tend to do in their management plans. She appreciated that they were putting forth some effort to not only protect the eagles, but to also keep them there.

Agenda Item 3 – Approval of Meeting Minutes from May 13, 2025

Mr. Taminosian referred to the section entitled *“Lexington Middle School”* on Page 7 of 9. He asked that the paragraph be changed to: *“Mr. Taminosian stated that he saw one chick and an adult. When he looked east, there were two more chicks. He had originally documented one chick, but now there are three chicks confirmed fledged, and the nest was successful.”*

Mr. Taminosian referred to the section entitled *“Sora Drive/Ovenbird Drive”* on Page 8 of 9. He asked that additional verbiage be added before the section on *“Tortuga”* as follows: *“Mr. Taminosian stated that the Sora Drive/Ovenbird Drive nest was successful for the nesting season.”*

Ms. Greeno referred to the section entitled *“Wild Turkey Strand, Yellow Fever, A& W (Tortuga), Lehigh Acres WWTP”* on Page 5 of 9. The last sentence says, *“They fly across to the golf course...”* She asked that the word *“disc”* be inserted before the words *“golf course”* to eliminate any confusion as it is not a standard golf course; it is a disc golf course.

Mr. Taminosian made a motion to approve the May 13, 2025 meeting minutes as corrected. The motion was seconded by Mr. Elms. The Chair called the motion, and it passed 4-0.

Agenda Item 4 – Nest Lost Determination for LE-096, Pine Island Flatwoods Preserve Bayside

Mr. DeFilippo stated that he meant to include this nest in the large list he provided to the Committee members at their last meeting. He pulled up an aerial of the site. Mr. DeFilippo stated that he had coordinated with Tyler Marzella, Natural Areas Coordinator, with Parks and Recreation regarding this preserve. He showed the Committee where the nest was originally located and where it was relocated to. Since the previous nesting tree is down and the eagles have relocated, the initial nest (LE-096) qualifies for a lost determination status.

Mr. Elms asked if that area is private land.

Mr. DeFilippo stated it is privately owned but belongs to the Conservation Foundation which is a non-profit. He noted they submitted for a rezoning application to rezone the area to EC, which is "*Environmentally Critical*." The land is not slated for development.

Mr. Elms asked for clarification that the nest is not visible from Stringfellow Road.

Mr. DeFilippo stated that is correct. It is off of a trail that he showed on the aerial and noted it was 2020 property.

Ms. Greeno stated it is a piece called "*Bayside*." The front portion of this parcel was initially used as a dump for the hurricane debris. The original tree was on the boundary of the two properties, but the eagles have officially moved to Lee County's side.

Mr. Taminosian asked if the alternate nest was confirmed.

Mr. DeFilippo stated that Mr. Marzella confirmed it, went out to the field, and sent him the coordinates.

Mr. Taminosian stated that since the tree came down in 2022 (3 nesting seasons ago), it fits the lost nest determination per the Lee County Ordinance. **Mr. Taminosian made a motion to approve the Lost Determination for Bald Eagle Nest LE-096. Mr. Philpot seconded the motion. The Chair called the motion, and it passed 4-0.**

Agenda Item 5 – Season Summary for 2024-2025

Mr. DeFilippo asked the Committee members to advise him if they see anything that is incorrect in this Season Summary. He noted that data from other jurisdictions is included in the Season Summary as well, so the Committee will be able to see how it compares historically.

Mr. Philpot felt the information for his eagle nests seemed to be accurate.

Mr. Elms and Mr. Taminosian felt their information was accurate as well.

Ms. Greeno asked how many nests are in place in Lee County that ETAC does not monitor.

Mr. DeFilippo stated there are 45 nests on the list that either this committee is monitoring, staff monitors, or a resident monitors for Lee County. Cape Coral has 15 nests. The SCCF has 12 nests, and Bonita has 9 nests. This means there are 36 other eagle nests that this Committee does not monitor.

Mr. Elms stated that during one of his monitoring attempts, he came upon someone from Audubon. He believed they may be monitoring some of the same nests.

Mr. DeFilippo acknowledged that Audubon does have some volunteer monitors that overlap with Lee County and possibly SCCF as well.

Mr. DeFilippo referred to the May meeting minutes where there is reference to “*Yellow Fever.*” He pulled up the area on a PowerPoint slide and discussion took place on where the nest on that site is located. Once the location was identified, Ms. Greeno stated that Jeff Anderson (Natural Areas Coordinator with Parks and Recreation) confirmed that the nest is now on Lee County’s property.

Mr. DeFilippo stated he would get in touch with Mr. Anderson to get the exact coordinates and would add this as a new nest to his list. He asked if there was any other information that this Committee felt should be captured in these season summaries.

Mr. Taminosian felt it would be helpful to show if there is a percentage increase or decrease.

Mr. DeFilippo stated the County was doing a better job at identifying where these nest locations are, so that they could compile a more complete picture of the data.

Agenda Item 6 – Member Reports

This item was mistakenly added to the agenda. We are now outside of nesting season, so there are no member reports at this point.

Agenda Item 7 – Public Input

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

Agenda Item 8 – Adjournment – Next Tentative Meeting Date: June 10, 2025

The Committee had no further items to discuss, so the meeting adjourned at 3:34 p.m.