

MINUTES REPORT
EAGLE TECHNICAL ADVISORY COMMITTEE (ETAC)
Tuesday, October 14, 2025

Committee Members Present:

Edward Elms
Kyle Philpot, Vice Chair

Jacob Taminosian

Members Absent:

Laura Greeno, Chair

Betsie Hiatt

Lee County Government Staff Present:

Nic DeFilippo, Planning
William Lange, Planning

Janet Miller, DCD Admin
Amanda Swindle, Assistant County Attorney

Outside Consultants:

Barrett Stejskal, BearPaws Environmental Consulting
Christina Stejkal, BearPaws Environmental Consulting

Agenda Item 1 - Call to Order:

Mr. Philpot, Vice Chair, called the meeting to order at 2:57 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 – Barrett Stejskal with BearPaws Environmental Consulting to Present Bald Eagle Management Plan for LE-124 Park 41/Cabana Commons CPD/RPD DCI2025-00007.

Mr. Barrett Stejskal from BearPaws Environmental Consulting provided an overview of the Bald Eagle Management Plan for LE-124 Park 41/Cabana Commons CPD/RPD (DCI2025-00007). It was noted that the nest previously located on this property is no longer in place. No activity has been seen or documented since the 2022-2023 nesting season.

Mr. Elms referred to references in the document that say “*commercial/residential.*” He asked if it was located in the area within the 330-foot eagle buffer zone.

Mr. Stejskal stated that was correct.

Mr. Elms asked for confirmation that it was across the street from where the cell tower is.

Mr. Stejskal stated that was correct.

Mr. Elms asked how close the construction would be to the cell tower.

Mr. Stejskal stated it would be approximately 200 feet away.

Mr. Taminosian stated that if it is multi-family, ETAC looks into height sometimes.

Mr. Elms asked for more clarity on what type of residential would be constructed (i.e. single-family, multi-family, high rises, etc.)

Mr. Stejskal stated that unfortunately, the engineer who had that type of breakdown, was not able to attend today's meeting.

Mr. DeFilippo stated that from reviewing what was submitted, he believed there would be multi-family and townhomes in one location and single-family and two-family attached in another. He noted that in the section closest to the nest it says, "*all residential*," so he believed it would allow any of those types of residential.

Mr. Elms stated it appeared that the residential would be two-story, possibly three-story dwellings.

Mr. DeFilippo stated that was correct. He also noted there would be no work done during nesting season including in the 330-foot eagle buffer zone.

Mr. Stejskal stated that was correct. No work will be done during nesting season in the 330-foot eagle buffer zone. He noted that many of these items are conceptual until someone purchases the property and decides what type of residential they want. Mr. Stejskal stated he would adjust the proposal and include another buffer zone showing the distance from the center of the nest to the start of construction. Mr. Stejskal also stated that he would include what type of residential would be constructed on the site plan if the type of residential use is narrowed down. He also noted that if, at that time, the nest is still inactive with no activity documented, the nest would be declared lost or abandoned.

Mr. Taminosian stated that in the Bald Eagle Management Plan there is reference that the nest was destroyed by "*natural causes*," but in the July 8th ETAC meeting minutes, it was unclear whether it was natural causes or if there had been a Take Permit for Telecom to remove it. If they did receive a Take Permit, then the 3-year period will be honored.

Mr. DeFilippo believed Telecom did get a Take Permit, but he would look into it further. He also noted that if it is deemed abandoned or lost, it will be brought back before ETAC before any determination is made.

Mr. Taminosian stated that he never saw the revised version of what Atwell submitted, but ETAC had some stipulations. One of them was that correspondence with the USFWS be submitted to Lee County staff. He asked if that had been done.

Mr. DeFilippo confirmed that this information was provided to staff.

Mr. Taminosian asked for clarification that the correspondence from the USFWS was when the developer was only contemplating clearing land under their development order.

Mr. DeFilippo stated that was correct. They had a development order that allowed them to do some clearing and to dig some lakes. It required a new configuration on this plan.

Mr. Stejskal stated they increased the size of that preserve on the Southwest corner, but it is not shown on this latest plan.

Mr. Taminosian stated there used to be a little strip along the bottom, but he did not believe it was ever under an easement or something along those lines.

Mr. Stejskal confirmed it was not under any type of easement. He stated it was a Type B buffer on the south, but this preserve area is more elongated now to where it comes out a little further.

Mr. Taminosian stated that if the nest was there, they should reapproach USFWS, but in this case, the nest has had no activity for almost 3 years.

Mr. Stejskal stated he realized that if the nest comes back, there will need to be some changes to the plan.

Mr. Taminosian stated that there was mention of visiting the area in August, but he asked if anyone had visited the site since the nesting season started.

Mr. Stejskal stated he visited the site last week, but no activity was observed.

Mr. Elms stated he was also in this vicinity last week, not specifically for this reason, but he did take down notations that he did not observe any activity in this nest.

Mr. Taminosian asked if Mr. Stejskal knew what would be planted on the Type D buffer because sometimes ETAC proposes that there be extra pine trees or cabbage palms planted.

Mr. Stejskal stated he did not have this information on the plans, but it is something he could add to both of the buffer zones (Type A and D) as far as what type of plant species there will be.

Mr. Taminosian was in favor of there being pine trees in excess of what is required in their zoning, if that is allowable, because eventually, in theory, it would create a visual buffer. However, in this instance, there is an inactive nest.

Mr. Elms agreed that it might be a moot point because this is the second season that the nest is not in place. He expressed concern about the residential and commercial buildings being so close to the nest.

Mr. Philpot stated it was mentioned earlier that no work would be done within the 330-foot eagle buffer zone during the nesting season.

Mr. Stejskal stated that was correct. No work has been taking place other than mowing.

Mr. Philpot stated that if the eagles do not reestablish a nest in this area during this season, it will be determined as lost by the end of this season and the 330-foot buffer conditions will no longer apply.

Mr. Stejskal stated that was correct. The plan will become void at that point.

Mr. DeFilippo pulled up an aerial and showed that the distance between where the commercial/residential area would take place was approximately 230-250 feet away from the nest.

Mr. Taminosian stated that although the USFWS was consulted and there was correspondence from Ulgonda Kirkpatrick from USFWS stating that no further action is needed, he still felt that since there would be vertical development, USFWS should be consulted again.

Mr. Stejskal stated he had no issue with doing that if the nest were there, but he felt it was a moot point with having no nest there and they have not changed anything from what has been proposed to what is being proposed now.

Mr. DeFilippo concurred that correspondence from Ulgonda Kirkpatrick stated that since there is no nest, no action needed to take place with the USFWS.

Mr. Taminosian made sure Mr. Stejskal was aware that if the nest gets reestablished, they will need to reach out to the USFWS again and submit a new Bald Eagle Management Plan.

Mr. Stejskal stated he was aware of that and agreed with it.

Mr. Taminosian stated he was satisfied with language in the Plan that reads, *"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."*

Mr. Taminosian made a motion to approve the Bald Eagle Management Plan for nest LE-124 (Caloosa Commons project) with the stipulations that: 1) the distance from the former nest location to the perimeter of the project be indicated on the drawings; 2) that the type of residential development be indicated to the extent possible on the drawings; 3) that if the nest is to be reestablished, the developer reapproach ETAC with an updated Bald Eagle Management Plan as well as approach the USFWS which is contemplated in this Plan. The motion was seconded by Mr. Elms.

Mr. Stejskal stated he would also include in the Plan the plantings that would be in the Type A and D buffers.

Mr. Taminosian amended his motion to include the stipulation that they also include the Type A and D buffer plantings. The amended motion was seconded by Mr. Elms.

The final motion is as follows:

Mr. Taminosian made a motion to approve the Bald Eagle Management Plan for nest LE-124 (Caloosa Commons project) with the stipulations that: 1) the distance from the former nest location to the perimeter of the project be indicated on the drawings; 2) that the type of residential development be indicated to the extent possible on the drawings; 3) that if the nest is to be reestablished, the developer reapproach ETAC with an updated Bald Eagle Management Plan as well as the USFWS which is contemplated in this Plan; and 4) include in the Plan the plantings that will be in the Type A and D buffers. The motion was seconded by Mr. Elms. The Vice Chair called the motion, and it passed 3-0.

Agenda Item 3 – Approval of Meeting Minutes from July 8, 2025

Mr. Taminosian made a motion to approve the July 8, 2025 meeting minutes. The motion was seconded by Mr. Elms. The Vice Chair called the motion, and it passed 3-0.

Agenda Item 4 – Member Reports

Mr. Philpot stated that he would be submitting his member reports to staff either this week or next week.

Edward Elms

Pine Island Flatwoods Trail

Mr. Elms stated this property is located on 2020 Conservation Land and is part of the Galt Preserve. He noted the trail was currently too wet to be able to visit the site without boots and the vegetation is overgrown. He planned to visit the site before ETAC's next meeting.

Galt Preserve

Mr. Elms clarified that this nest is located in the park area where there are amenities. There has been no eagle activity at this site, but there is still hope that the eagles might return to the site.

Helipad Nest

This nest is in good condition. It appears that there has been some activity as the nest has been built up slightly from how it was at the end of last nesting season, but no eagles have been observed at the site.

5th Street and Palm

Eagles have been observed. One eagle has been observed in the nest, although not in an incubating posture. The nest is high up, which is a good sign.

Cell Tower Pine Island (North of Galt Preserve)

Two adult eagles were observed on the cell tower (approximately ½ mile north of the Galt entrance). Two adult eagles were observed in flight, and they landed on top of the cell tower. He noted that the pair he saw at the cell tower could likely be the pair that were at the Pine Island Flatwoods Trail nest.

Jacob Taminosian

Mr. Taminosian stated he submitted his report to staff, but he was prepared to provide an update at today's meeting.

Lakes Park

No eagle activity was observed at this nest.

Lexington Middle School

This nest is in good condition. Two adult eagles were observed. The pair had to drive off a couple of Ospreys and a juvenile from last year, but so far this seems to be an active nest. It is documented that these eagles were observed mating, which is a good sign.

Jonathan Harbor

This nest is located on Connie Mack Island, but it fell down in Jan. There is one big pine there that could host a nest at some point. Mr. Taminosian noted that some landscaping had been enhanced, which provides a nice visual buffer, but so far there has been no eagle activity.

Ovenbird (formerly Sora Drive)

The nest is intact. Although it is difficult to determine if the nest has been maintained since the year prior, he believed it was likely, otherwise, the nest would not still be standing. Mr. Taminosian stated that he did not observe any activity at this nest; however, the neighbor saw a couple of eagles in this nest last week. Mr. Taminosian also noted there had been no new construction around the piece of property along McGregor. The property has been cleared but no vertical construction has taken place yet.

St. Charles Harbor

Mr. Taminosian stated this nest is the one that was relocated last year. Two adult eagles were observed building up the nest. He did not document them as having mated, but the fact that they are building up the nest is a good sign.

Pickle N Pub

Although Mr. Taminosian did not personally observe eagles at this nest, someone from Audubon observed them in the area last week. He noted the nest appears to have been reconstructed a bit. He plans to revisit the site.

Tortuga

The nest is in an Australian Pine and is in good condition. However, he did not observe any eagles there. An eagle was spotted overhead, but it could have been a coincidence. Mr. Taminosian noted that the neighbor reported observing eagles in the nest within the last week.

Yorkshire Lane

The tree that this nest is located in is dead; however, the nest is in good condition and looks as if it has been somewhat rebuilt. It had some green vegetation in the nest that would have no way to get there on its own accord, so hopefully this is an indicator that the nest is in use.

Mr. DeFilippo noted that Parks and Recreation staff found a new nest at the Frank Mann Preserve yesterday morning (Lehigh Acres). The nest is active and is located in an Australian Pine. He plans to reach out to Laura Greeno to see if she could provide some additional information on this nest throughout the nesting season. Mr. DeFilippo stated that the Bayshore Commons birds are back. Staff found another nest, believed to be an alternate nest built and used last year. The

nest is in good condition. It is south of the community, but it is within the preserve area for the community. It is open space. Staff will continue observing the site to see if the eagles will use the alternate nest before they add it to the GIS layer.

Mr. Philpot asked if this nest is located just off the cul-de-sac.

Mr. DeFilippo stated the nest located off the cul-de-sac is still in place, but the eagles have not been maintaining it. It is a large nest, and the eagles have been observed hanging out there, but the one being discussed today is a new nest. It is in good condition, and it appears that the eagles are maintaining it. However, no eagles have been observed in the new nest yet. On a separate note, when it comes to construction, Mr. DeFilippo noted there have not been any permits from anyone working within any of the buffer zones for any of the nests.

Mr. Lange stated the only one he knew of was Del Webb. Although they are making inquiries, they have not applied for a permit yet.

Mr. DeFilippo stated the developer was waiting until the end of the nesting season. No construction is taking place, and no monitoring is being done at this time. Some construction might eventually take place at the Ovenbird (Sora Drive) nest, but it remains to be seen.

Mr. Taminosian stated there are some service stakes in place (just lot lines). They are building stilt (aka elevated) homes, but they appear to be outside of the buffer. The nest is more in the southern region towards McGregor, but the construction is taking place to the north of that.

Agenda Item 5 – Public Input

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

Agenda Item 6 – Adjournment – Next Tentative Meeting Date: November 4, 2025

Mr. DeFilippo stated that the next ETAC meeting would be scheduled for November 4, 2025. Veteran's Day falls on ETAC's regularly scheduled meeting date, so staff had to move the meeting to the week before. He anticipated that the November meeting would most likely be cancelled.

The Committee had no further items to discuss, so the meeting adjourned at 3:26 p.m.