



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

**WEDNESDAY, MAY 25, 2016
11:00 am**

1. Call to Order
2. Approval of Meeting Minutes– May 10, 2016
3. Kris Bowman with Kevin Erwin Consulting Ecologist to discuss QRS Ventures Proposed Bald Eagle Management Plan for LE-081
4. Member Reports

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.

Persons with disabilities who need an accommodation to participate in this meeting should contact Angela Dietrich, 1500 Monroe St., 2nd floor, Fort Myers, 33901 (239) 533-8389 or Adietrich@leegov.com. To ensure availability of services, please request accommodation as soon as possible but preferably five or more business days prior to the event. Persons using a TDD may contact Angela Dietrich through the Florida Relay Service, 711.



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MINUTES REPORT EAGLE TECHNICAL ADVISORY COMMITTEE (ETAC) Tuesday, May 10, 2016

Committee Members Present:

Laura Greeno, Chairman Betsie Hiatt, Vice Chairman
Mike Myers Ed Elms

Lee County Government & Representatives Present:

Becky Sweigert, DCD Planning, Principal Environmental Planner
Angela Dietrich, DCD Admin., Recording
Neysa Borkert, County Attorney's Office

Introduction

Ms. Laura Greeno called the meeting to order at 3:00 p.m. in the second floor conference room 2A of the Community Development/Public Works Center, 1500 Monroe Street, 2nd Floor, Ft. Myers, Florida.

Approval of Minutes – February 16, 2016

Mr. Mike Myers made a motion to approve the minutes with no changes. Ms. Betsie Hiatt 2nd the motion.

Public Input

No additional public presence

New Nest – Summerlin and Bass Road

On March 17th, 2016 Ms. Becky Sweigert observed the nest she saw the adult in incubating posture. Mr. Mike Myers has been out to the nest twice since that time and has not observed any bald eagles at this site.

Staff updates on LE-040, LE-010 and LE-047

LE- 010 - Quail Trail – Ms. Sweigert believes that she found this pair again and they have moved back further from the house.

LE-040 – Nest still in Australian Pine

LC-047 – Nest reported active, one chick at CROW

Chick at Crow from Capri in LE-047

A chick was found on Capri Lane in Bokeelia. The owner of the land where the eagles have their nest found the chick on the ground and called CROW. The chick was malnutrition and dehydrated. The chick has since been released back at the nest. Ms. Sweigert talked to the property owner and she seemed very receptive to the ETAC committee monitoring the nest.

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Bank of America Nest

This now a dermatology office and the dermatology office want to enclose in the drive-thru. They have submitted preliminary plans for t his work but Ms. Sweigert has asked them for some revisions. This work needs to be approved by the ETAC committee and the Board of County Commissioners. Ms. Sweigert is going to ask them supply the new plans by May 17th, 2016. If this gets done then she is requesting that ETAC has a meeting May 25, 2016 so that these plans can get on the June BOCC agenda. The meeting has been tentatively scheduled for 11:00 am on May 25, 2016.

Member Reports

Laura Greeno gave her nest updates as noted below:

Lucket Rd – Has not seen any Eagles around

Lehigh – 2 Juveniles have fledged. No adults were observed in the area.

Ed Elms gave his nest updates as noted below:

Moody River – No activity in either nest

Riverbend / Singing Pines – had looked like they were incubating but since April there has been no activity

Donald Rd (Bayshore) – Observed 1 Juvenile in the nest tree. The 2nd Juvenile had an accident with an owl and is missing at this time.

Ida's – No activity

Betsie Hiatt gave her nest updates as noted below:

Bank of America – Both Juveniles have fledged.

Pacosin Lane – 1 Juvenile fledged

Helen Rd – No activity at either of the 2 nests.

Quailtrail – No activity

Pinehurst – Cannot find nest from last year.

Cobb – No activity

Gloria – No activity.

Barrancas – nest came down.

Cindy Bear was not in attendance to give her monitoring reports.

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Mike Myers gave his nest updates as noted below:

St. Charles Harbour – Juvenile fledged the nest. Adult was not observed.

Coconut Point – No activity nest is pretty much gone.

Davis Road – No activity. Monitoring complete for the season.

A & W Bulb Rd – Juvenile fledged the nest. Adult was not observed.

Lexington Middle School – No activity.

Devonwood – No activity.

Daniels Marketplace – Both Juveniles have fledged . No Adults were observed in the area. The nest was completely gone.

Rabalo – All 3 Juveniles have fledged. No Adults were observed in the area.

Jonathan Harbor – Both Juveniles have fledged. No adults were observed in the area. The nest was completely gone.

Waltrous Plantation – No activity..

College and Winkler Cell Tower – No activity.

Alico Rd – Juvenile fledged the nest. No adults were observed in the area. The nest was gone except for a few sticks.

Lakes Park – No activity,

Pub & Pickle – Both Juveniles fledged the nest. No Adult was observed in the area.

Ms. Becky Sweigert heard that one of the chicks from this nest has been taken to CROW on April 22, 2016. This chick was found on the ground dehydrated and malnutrition.

ADJOURNMENT

There was no further discussion and no new business. Ms. Greeno adjourned the meeting at 4:06 p.m.

The next meeting is tentatively scheduled for May 25, 2016.

BALD EAGLE MANAGEMENT PLAN

For

Eagle Nest LE-081

Located at

**5041 Pine Island Road NW, Bokeelia,
Lee County, Florida**

May 2016

Prepared By:

Kevin Erwin Consulting Ecologist, Inc.
2077 Bayside Parkway
Fort Myers, Florida 33901
(239) 337-1505

INTRODUCTION

This bald eagle (*Haliaeetus leucocephalus*) management plan is proposed in conjunction with the proposed construction/remodeling work at the Cambio Dermatology & Management professional office located at 5041 Pine Island Road NW, Bokeelia. The subject property is approximately 5 acres in size and is located within Section 28, Township 44 South, Range 22 East, Lee County, Florida (Figures 1 and 2).

Plans are currently being proposed to remodel and build out the “drive-through teller” area of the single onsite building (this building was a Bank of America prior to its current use). A pre-application meeting occurred with Lee County Planning staff in the fall of 2015 and a Bald Eagle Management Plan was requested for this project at that time.

Bald eagle nest LE-081 is an active nest that was first built around 2011. It has been active nearly every nesting season since that time. Currently, this eagle pair’s territory is active, but the nest itself is empty. Based on personal communication with Lee County staff, the nest has recently been active with two chicks. In addition, during the field assessment for this plan on April 20, 2016, one eagle fledgling was perching in a large Australian pine (*Casuarina equisetifolia*) to the south of the nest tree, a second fledgling was suspected as it was heard calling in the distance, and one adult eagle was perching in the nest tree above the nest and subsequently flying around the territory. No disturbance to either the fledgling(s) or adult(s) was observed during the site visit. Two photos of the eagle nest are provided in this document.

Existing Site Conditions

The site consists of 4.844 acres of land with a one story 3,694 sq. ft. building and a 28,811 sq. ft. asphalt parking lot. The building also has a covered drive through at its south end. The remaining 4.08 acres consists of permitted landscape areas and undeveloped land with primarily exotic vegetation and remnants of natural vegetation. The current use of the building is for medical office space and its hours of operation are from 8:00 a.m. to 5:00 p.m.

Proposed Project Improvements

The scope of the project will be to infill 935 sq. ft. medical offices with three new exterior walls under an existing wood truss roof at the south end of the building. This area used to be a drive through when the use of the building was a bank. There are no parking lot or utility improvements being proposed. The exterior improvements will include installing a temporary silt fence for erosion control, installing a 935 sq. ft. concrete floor slab and foundation, constructing three exterior walls, and constructing a new handicap ramp at the exterior exit. Landscaping improvements will include planting some small shrubs and adding mulch to planting beds at east and west sides of building perimeter. Also, three sides of landscape screening will be installed around the existing dumpster enclosure. Specifically, shrubs will be planted around the two sides and the rear perimeter of the

existing dumpster enclosure. In addition, the existing dumpster enclosure's chain-link gates will be replaced with vinyl gates.

Description of the Nest Territory and Landscape

Bald eagle nest LE-081 is located approximately 50 feet high in a large 60-70± foot tall Australian pine located at the west-central portion of the 5-acre subject property (Figure 1). The nest tree is within approximately 100 feet of the onsite parking lot and within approximately 175 feet of the onsite medical building (the closest portion of which is the drive-through teller area on the south side of the building).

Pine Island Road borders the north side of the subject property (Figure 1). Across Pine Island Road to the north is undeveloped private land (Calusa Cay) that is currently being cleared in the southwest corner of that parcel (Figure 2). Immediately east of the subject property is an undeveloped private property along Pine Island Road. Lee County lands exist to the north (across Pine Island Road), east and south of that parcel. East of those Lee County lands is Pine Island Creek and then the Little Pine Island Mitigation Bank across the creek to the east, which exists on State-owned property. The property immediately to the south of the subject property is undeveloped private land. To the south of that parcel exist additional small, private, undeveloped lots and Lee County Mosquito Control District lands that contain an artificial waterbody/pond. The property immediately to the west of the subject property consists of an abandoned gas station/convenience store adjacent to Pine Island Road. Existing developments located within 1,500 feet of the nest tree include various small businesses immediately to the west and northwest (e.g., art gallery, bicycle shop, automobile repair shop, etc.); the Greater Pine Island Water Association and scattered single family homes to the west near Betsy Parkway; and a church, the Pine Island Elementary School and residential duplexes to the northwest across Pine Island Road. Currently, as described above, all lands within 1,500 feet to the east are either undeveloped or in public ownership.

As discussed above, observations during the recent property assessment on April 20, 2016 have confirmed that the nest territory is currently active, although the nesting cycle has recently been completed. One fledgling and one adult eagle were clearly observed on this day. A second fledgling was suspected as it was thought to be heard calling in the distance to the south, and separate from the known location of the first fledgling. It is also suspected that both adults were perching and flying around the territory, however only one adult was observed at any given time during the site visit.

There are many potential perch trees onsite and in the surrounding area. These primarily consist of large, up to 65+ foot tall Australian pines (similar to the nest tree itself). A few representative potential perch trees are identified on Figure 1. Observed flight patterns are depicted on Figure 2.

This eagle pair has the option of flying in multiple directions to reach the nearest suitable foraging areas. These are to the northeast, east, and southeast to Matlacha Pass (approximately 2, 2.5, and 3 miles away, respectively); to the immediate southeast to Pine

Island Creek (approximately 1,600 feet away); and to the west to Pine Island Sound (approximately 1 mile away). All of these locations have the potential to provide optimal foraging habitat to bald eagles due to the overall coastal landscape.

Onsite Habitat Mapping

The following Florida Land Use, Cover and Forms Classification System (FLUCFCS) codes were used to map the site (Figure 1):

174-Medical and Health Care

This is an active medical clinic called Cambio Dermatology. It consists of one single-story building with surrounding parking lot. This building was formerly a Bank of America and plans are currently being proposed to remodel and build out the “drive-through teller” area.

514-Drainage Canal

This canal is approximately 30+ feet wide and it is located along the southern boundary of the property. An approximate 10-foot-wide berm exists along the edge of this canal. Mature melaleuca (*Melaleuca quinquenervia*), Australian pine and Brazilian pepper (*Schinus terebinthifolius*) are dense along this berm and they overhang the stagnant water in the canal.

619-Exotic Wetland Hardwoods

This wetland habitat type occupies the majority of the site. Coverage of exotic vegetation within this forested wetland is nearly 100%. The canopy is dominated by 30-50 foot tall Australian pines, with some up to 60-70+ feet. Canopy cover is approximately 50%. The midstory is dominated by mature Brazilian pepper, smaller Australian pines (10-20 feet tall), and widely scattered 15± foot tall carrotwood (*Cupaniopsis anacardioides*), buttonwood (*Conocarpus erectus*), and strangler fig (*Ficus aurea*). Midstory cover is very dense at approximately 95%. The ground consists primarily of bare ground/straw with a few sprouting Brazilian peppers and carrotwoods, and widely scattered leather fern (*Acrostichum aureum*) and swamp fern (*Blechnum serrulatum*). Percent vegetative ground cover is approximately one percent.

Bald Eagle Protection and Biology

The U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission no longer list the bald eagle as a threatened or endangered species. The bald eagle is still protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. In Florida, the bald eagle nesting season is usually from October 1st to May 15th (USFWS 1987). Preferred nest sites tend to occur in the crown of tall native pine or cypress trees, which exceed 50 feet in height. Bald eagles will also select large exotic trees for their nest location, as is the case with the subject nest. Typical clutch size is two eggs, but can vary between one and three eggs. The duration of egg incubation is approximately 32 to 35 days. Bald eagle nestlings fledge at approximately 10 to 12 weeks after hatching. Eagles are most susceptible to disturbance

during the early portion of the nesting period (roughly the first 12 weeks of the nesting cycle).

BALD EAGLE PROTECTION ZONES

According to the most recent guidelines produced by the USFWS (National Bald Eagle Management Guidelines, May 2007), bald eagle nest LE-081 will have an Existing Development radius of 100 feet. This is the distance to the closest existing development (i.e., the paved parking lot next to the onsite medical building). No activities will occur within this 100-foot protection zone during the nesting season.

The active nest tree will be protected up to 660 feet (see Bald Eagle Protection Measures below). This eagle protection zone is associated with the active nest tree. If a new nest is built in another tree and is active, the zone will apply to that tree.

Nest LE-081 may be removed from the active list and listed as “abandoned” if eagles have not used it for five consecutive nesting seasons, or “loss of nest” if it has fallen from the tree and not been rebuilt for three consecutive nesting seasons. This management plan shall not apply if the nest is removed from the active list. This management plan will apply to all active nest trees that are within 660 feet of the subject property.

PROPOSED EAGLE MANAGEMENT PLAN

This proposed management plan is applicable to only the 5± acre subject property. It is not binding on any other properties adjacent to the subject property. It is the responsibility of the property owner to retain and implement this plan for as long as it is required, including educating others (e.g., contractors, future owners, tenants, etc.) about the specific requirements of this eagle management plan and the State and Federal eagle protection laws. Any amendment to this management plan shall require review and approval by the Eagle Technical Advisory Committee or any successor body.

Bald Eagle Protection Measures

Details of the eagle management plan, prepared to provide reasonable assurance that impacts to the eagle nest will be avoided while allowing the project to move forward, are as follows:

1. All exterior construction activities (including exotic vegetation removal/maintenance) within 660 feet of the nest will only be carried out during the non-nesting season (May 16th through September 30th), or after nestling eagles have fledged. In the event that the eagles have not initiated nesting activity by February 1st, construction and exotic removal/maintenance activities may occur.

2. All new exterior lighting shall be positioned/shielded in such a way that little to no light illuminates the bald eagle nest tree or its surrounding area (i.e., the cone of light shall fall, substantially, within the perimeter of the development).
3. Interior finish work may be conducted throughout the subject property during the nesting season without eagle nest monitoring.
4. Typical day-to-day commercial operations shall be allowed throughout the year beyond 100 feet of the nest on the subject property.
5. No native tree cutting (other than as may be allowed by State and/or Federal permits, with County approval), logging, mining, or use of chemicals toxic to wildlife shall be permitted within the subject property.
6. In the event that bald eagle nest LE-081 has been lost for three consecutive nesting seasons or abandoned for five consecutive nesting seasons, this nest shall be de-listed (as "loss of nest" or "abandoned nest", respectively) and the requirements of this management plan shall be terminated.

REFERENCES

- Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Third Edition. 93 pp.
- Florida Fish and Wildlife Conservation Commission. 2008. Bald Eagle Management Plan. 74 pp.
- United States Fish and Wildlife Service. 1987. Habitat Management Guidelines for the Bald Eagle in the Southeast Region. U.S. Department of the Interior. 9 pp.
- United States Fish and Wildlife Service. 1999. South Florida Multi-Species Recovery Plan.
- United States Fish and Wildlife Service. 2007. Bald Eagle Monitoring Guidelines. 20 pp.
- United States Fish and Wildlife Service. 2007. National Bald Eagle Management Guidelines. 25 pp.

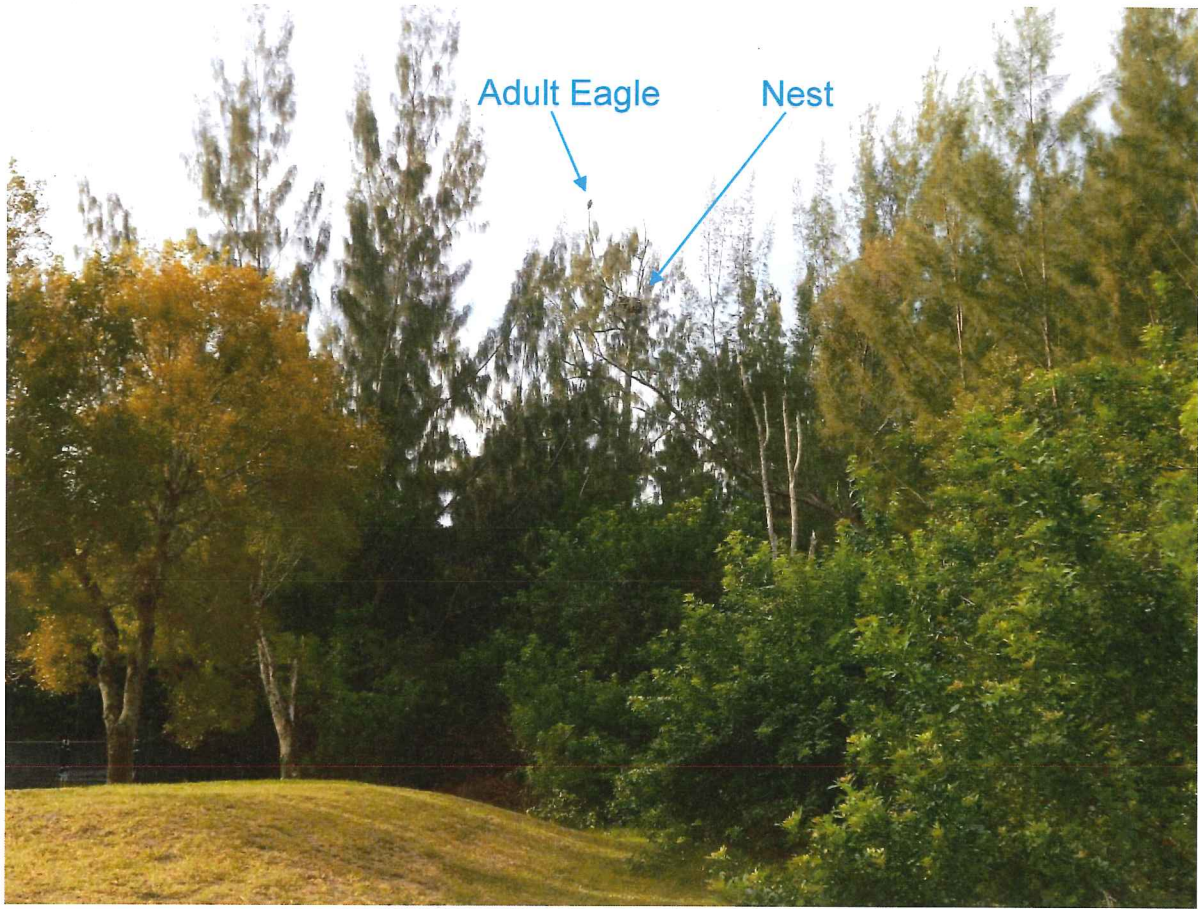
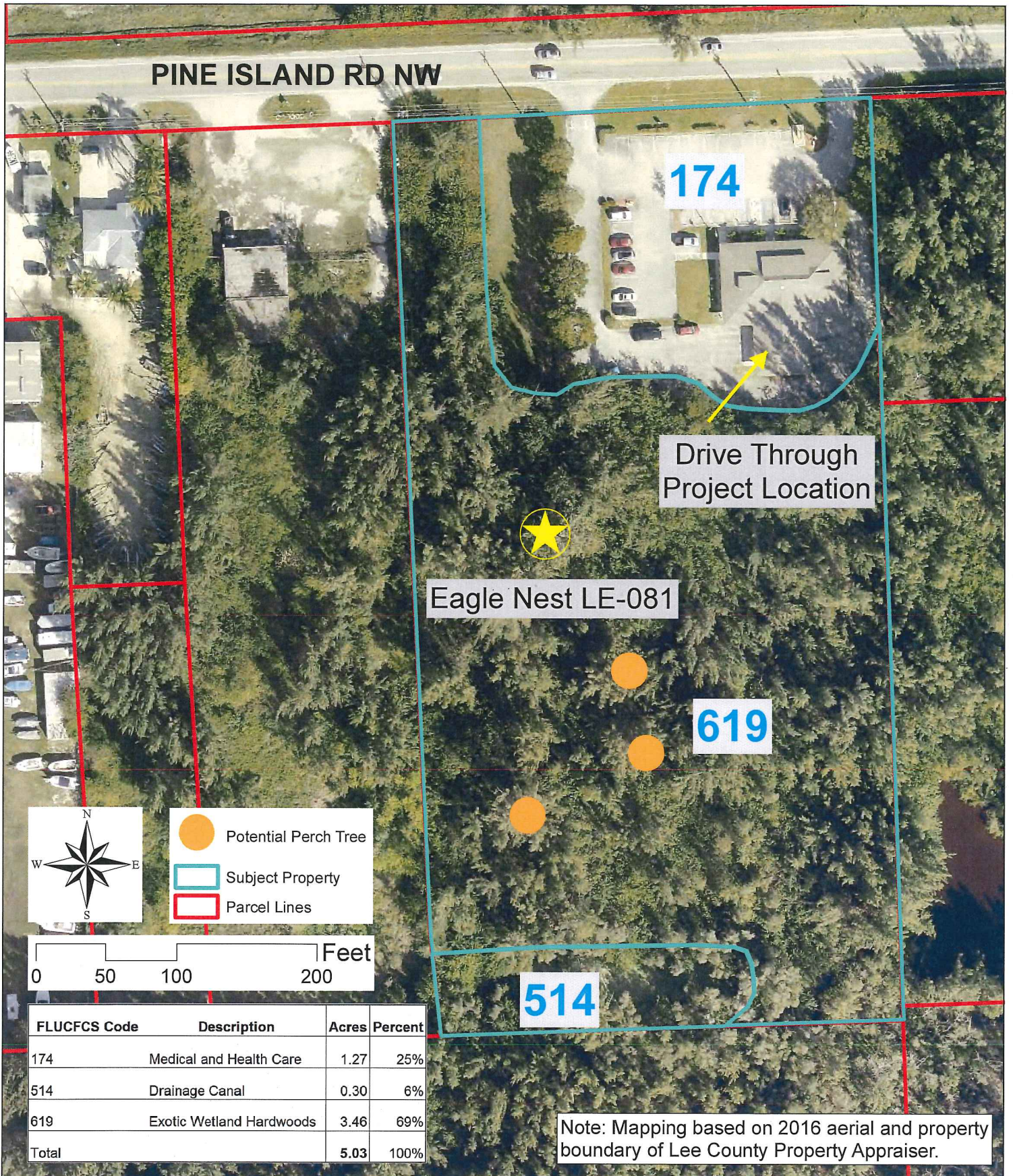


Photo 1. Bald Eagle Nest LE-081




Photo 2. Bald Eagle Nest LE-081 (Close-up of Photo 1)



FLUCFCS Code	Description	Acres	Percent
174	Medical and Health Care	1.27	25%
514	Drainage Canal	0.30	6%
619	Exotic Wetland Hardwoods	3.46	69%
Total		5.03	100%

Note: Mapping based on 2016 aerial and property boundary of Lee County Property Appraiser.

Figure 1. 5041 Pine Island Road FLUCFCS Map	FILE NAME	Pine Island Road	KEVIN ERWIN CONSULTING ECOLOGIST INC. 2077 Bayside Parkway, Fort Myers, Florida 33901 Phone: +1 239-337-1505; Fax: +1 239-337-5983 www.environment.com	 KEVIN ERWIN Consulting Ecologist, Inc.
	LOCATION	JAPEL101, #2		
	DWG DATE	04-26-2016		
PROJECT / FILE NUMBER	BY	Kevin Erwin		
JAPEL101, #2	TECH	Vince Wang		

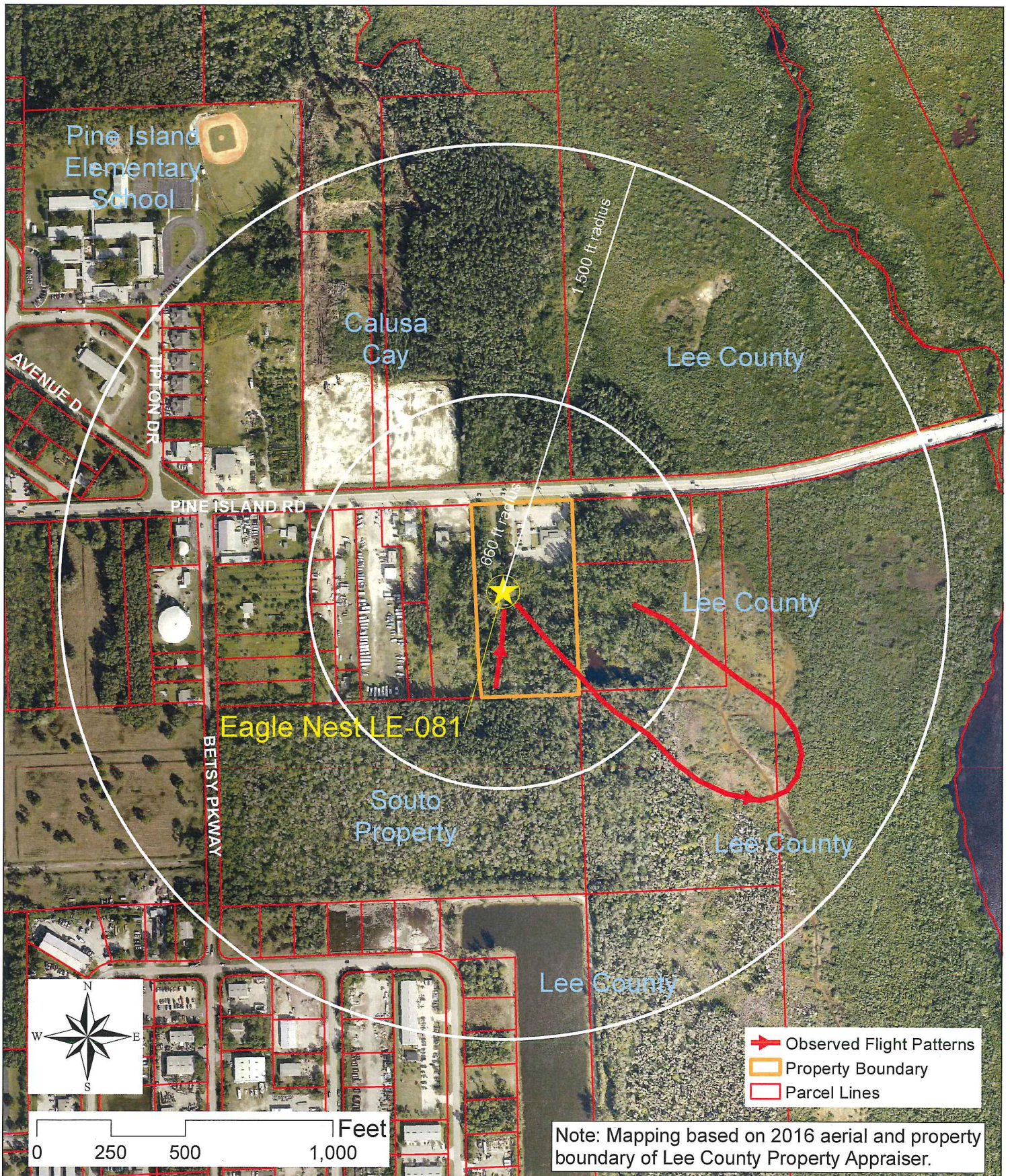


Figure 2. Bald Eagle Nest LE-081 and Surrounding Area

FILE NAME	Pine Island Road	
LOCATION	JAPL101, #2	
DWG DATE	04-26-2016	
PROJECT / FILE NUMBER	BY	Kris Bowman
JAPL101, #2	TECH	Vince Wang

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