

MINUTES
FORT MYERS BEACH
MARINE & ENVIRONMENTAL RESOURCES TASK FORCE
The Mound House – 451 Connecticut St.
Fort Myers Beach, FL 33931
Wednesday, October 11, 2023

I. Call to Order

The meeting was called to order at 10:00 a.m. by Chair Johnson.

II. Invocation and Pledge of Allegiance

III. Roll Call

Members present: Bill Althoff, Robert Howell, Steve Johnson, Rose Larkin, David Nusbaum and Mary Rose Spalletta.

Excused: Jennifer Rusk

Council Liaison: Bill Veach

Staff: Environmental Project Manager Chadd Chustz

Town Attorney: Becky Vose

IV. Approve The Agenda

MOTION: MERTF Member Spalletta moved to approve the agenda; second by MERTF Member Nusbaum.

VOTE: Motion carried unanimously.

V. Sunshine Law/Public Records

Town Attorney Vose reviewed Sunshine Laws and public records.

VI. Elect MERTF Chair

MOTION: MERTF Member Spalletta nominated Steve Johnson as Chair, second by MERTF Member Howell.

VOTE: Motion carried unanimously.

VII. Elect MERTF Vice Chair

MOTION: MERTF Member Larkin nominated Mary Rose Spalletta as Vice Chair; second by Chair Johnson.

VOTE: Motion carried unanimously.

VIII. Approve Previous Meeting Minutes – September 13, 2023

Under C. on page 2, MERTF Member ~~Howell~~ Larkin will address vegetation.

MOTION: MERTF Member Nusbaum moved to approve the minutes as amended; second by MERTF Member Althoff.

VOTE: Motion carried unanimously.

IX. Public Comment – no public comment.

X. Current Items – Draft MERTF Priorities for Town Council Approval

Project Manager Chustz read the objectives of MERTF. He advised members to create one to three priorities so staff could prepare a report for the Town Council. Town Attorney Vose described SB 250 as preventing municipalities from creating more restrictive or burdensome regulations. Discussion was held regarding restricting planting invasive plants and Town Attorney Vose advised them to change the language or wait until October 1, 2024, when SB 250 expires. MERTF Member Nusbaum suggested that they educate the community regarding any changes. Discussion was held concerning tabling the ordinances for a year and educating the public and landscapers regarding preferred plants to use. MERTF Member Larkin commented that the Let's Go FMB Facebook page had directions on locating plant information on the town's website. MERTF Member Nusbaum brought up creating a simple list of native and invasive species to present to the Council so people know what to plant and what to avoid.

MERTF Member Nusbaum discussed the turtles preferring new sand and a Supreme Court decision concerning public sand on private property. He presented an idea for condo owners to create a 501(3)(c) to privately buy sand and create a berm for their beach annually. Town Attorney Vose stated that publicly funded sand on the beach did not turn it into a public beach. MERTF Member Nusbaum will forward the Supreme Court information to the town attorney.

MERTF Member Larkin's priorities were to get the word out on vegetation, focus on fertilizers, and distribute cards to landscapers and residents again. Her other priorities were the coloring book created by summer camp students and the MERTF brochure.

MERTF Member Althoff suggested that if the easement paperwork is changed from 15 years to 5 years, more people may sign them and his second priority is to focus on promoting recovery.

MERTF Member Spalletta was concerned about lighting on the beach and keeping private canals private. Town Attorney Vose replied that the zoning districts gave businesses the right to use the canals and used water taxis as an example. MERTF Member Spalletta brought up completing the brochure.

MERTF Member Howell's priority was environmental education and outreach. He suggested funding to visit schools to educate children and volunteered his time. He felt the town needed to be more proactive in enforcing ordinances on the beach. Raking and lighting were also priorities. Chair Johnson questioned the prioritization of staff's use of state-funded sand. Other priorities were beach accesses and beach obstruction compliance.

XI. Members' Items and Reports

MERTF Member Nusbaum read a report from the FWC (Fish & Wildlife Conservation) describing the success of nesting birds on the beach this year.

MERTF Member Larkin set dates for the pop-up tent. October 27, November 10, 24, December 8 and December 22 from 8-1:00 p.m. at the Farmer's Market in Times Square. She typed up directions for free soil testing done by the Lee County Extension Service and picked up 50 soil

testing kits to include with the information at the pop-up events. She noted that the University of Florida also tested soil, but there was a charge.

MERTF Member Althoff brought up shortening the easement terms and working on education for compliance with rules.

MERTF Member Spalletta stated there were a total of 71 turtle nests this year and she will share final statistics when they are released.

MERTF Member Howell reported that Lee County had 87 manatee deaths and lost over 21,000 acres of seagrass since Ian. FGCU (Florida Gulf Coast University) has programs that might be helpful with outreach to elementary children involved with programs along with the Sanibel Water School. Water quality is another priority.

Chair Johnson stated that the PTO asked MERTF to participate in Fright Night events at Bay Oaks on October 20, 2023.

Staff Report

Project Manager Chustz reported on water quality reports and noted they were good now. Staff attended the Florida Shoreline and Beach Preservation Conference and the takeaway was the faster the beach could be cleaned, the better. He described the debris removed from the beach after Idalia and noted that the contractor dealt with it quickly. The beach will be under construction with renourishment from December 2023 until May 2024. The town heard positive feedback from FEMA regarding adding more sand to the southern berm. The Town was working toward restoring beach accesses and filling scours. He explained that damage from Idalia set them back a bit, but they were moving forward on permitting for mobi mats.

XII. Public Comment – no public comment.

XIII. MERTF Award

Project Manager Chustz nominated Jason Clark, Bill Perry and Chris Weber for cleaning the beach and making a huge difference. MERTF Member Nusbaum agreed and described everything they have done since Ian to keep the beach clean.

Chair Johnson nominated Lisa DePalma, a CROW volunteer, for attending to an injured Egret.

A consensus was reached to award Lisa DePalma the MERTF.

Liaison Veach described the Shoreline Spotlight articles. MERTF Member Nusbaum volunteered to write an article about the successful season for nesting birds in October and another in May. MERTF Member Althoff will write articles for February and September.

XIV. Set Agenda for Next Meeting – will be created based on the list of priorities discussed.

XV. ADJOURNMENT

MOTION: MERTF Member Spalletta moved to adjourn; second by MERTF Member Nusbaum.

VOTE: Motion carried unanimously.

The meeting was adjourned at 11:58 a.m.

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