

**MINUTES  
FORT MYERS BEACH  
MARINE RESOURCES TASK FORCE  
Town Hall  
2525 Estero Boulevard  
Fort Myers Beach, FL 33931  
Wednesday, August 10, 2022**

**I. Call to Order**

The meeting was called to order at 2:00 p.m. by Chair Johnson.

**II. Invocation and Pledge of Allegiance**

**III. Roll Call**

Members present: Greg Fossum, Steve Johnson, Rose Larkin and Mary Rose Spalletta.  
Excused: Wendy DeGaetano, Robert Howell and Jennifer Rusk.  
Staff: Environmental Services Project Manager Chadd Chustz  
Council liaison: Bill Veach

**MOTION:** MERTF Member Spalletta moved to approve the excused absences; second by Chair Johnson.

**VOTE:** Motion passed unanimously.

**IV. Approve The Agenda**

**MOTION:** Chair Johnson moved to move items E. and I. to next month; second by MERTF Member Spalletta.

**VOTE:** Motion passed unanimously.

**V. Approve Previous Meeting Minutes – July 13, 2022**

MERTF Member DeGaetano seconded the motion to put the information concerning the invasive plant project on the website by MERTF Member Howell on page 2.

**MOTION:** Chair Johnson moved to approve the minutes as amended; second by MERTF Member Larkin.

**VOTE:** Motion passed unanimously.

**VI. Public Comment – no public comment.**

**VII. Current Items**

**A. Staff Report**

Project Manager Chustz reported that the nesting season for shorebirds was winding down and more migratory species were arriving. Half of the posted area was tilled. He noted that the beach was darker than in seasons past. Continuing issues included interior lights at resorts, single-family residences, condos, and exterior and interior lights at Times Square and Old San Carlos. There were still issues with vendors and beach obstructions, but many properties were working to come into compliance. Lighting continued to be a challenge. Project Manager Chustz stated that he distributed the turtle-friendly flashlights to people on the beach at night and educated them regarding how the lights affected the turtles. Approximately 220 warnings were issued over May, June and July to properties and 45 have had one or more citations issued. He reported that as of today, there were seven turtle disorientations. Staff contacted the condo associations and requested that they perform due diligence. Interior lights were one of the leading causes of disorientation. Project Manager Chustz described how condo associations were making enforcement complicated, so the staff started issuing interior lighting violations directly to condo owners.

Chair Johnson questioned how many properties were self-regulating. Project Manager Chustz replied that he thought about 10% of the properties, although the condo association talked about forming a group to walk the beach at night. He discussed successful lighting mitigating strategies. He noted that the Fish & Wildlife Conservation Commission (FWC) was investigating how darker tints than 45% affected hatchling orientations and results should be available in the fall. He encouraged Town Council to wait for the results before specifying a 45% tint in the ordinance. Discussion was held regarding identifying individual condo owners from the beach at night. Project Manager Chustz stated that the first lighting violation was \$250.00 and the second was \$500.00.

#### B. Beach Renourishment – Review of Project Design & Dune Management Plan

Project Manager Chustz noted that he emailed the dune management plan to MERTF. Staff removed the pond segment from the renourishment project and the CWA was excluded from the dune management plan. Temporary irrigation protocol was addressed and watering along the seaward side of the dune should be done by hand on an as-needed basis. Concerning beach raking during nesting season, FWC requested that all marked turtle nests be avoided and raking within 10 feet of the dune vegetation during turtle nesting season be done by hand. Project Manager Chustz highlighted other changes and indicated that Lee County preferred that sand not be added to Bowditch Park because sand accreted in that area. He reviewed the proposed revised construction schedule to address Florida Department of Environmental Protection (FDEP) and FWC concerns. Discussion was held regarding creating dunes and input from property owners. MERTF Member Larkin questioned why a water-absorbing polymer gel product would be placed in plant holes. She stated the product was not biodegradable and offered to research a natural alternative.

#### C. MERTF Budget FY22

Chair Johnson stated that the pamphlet would probably have to carry over to next year. Giveaways for beach clean-up events were discussed. Chair Johnson brought up the fact that flashlights were banned in the ordinance and questioned whether they wanted to look into providing a flare or an IR scope to compliance officers. He indicated that YR22 funds could be used to replenish pop-up supplies.

**MOTION:** Chair Johnson moved that for FY22 MERTF funds, printing expenses will be moved to pop-up replenishment as needed; in addition, the committee items could be targeted for beach clean-up activities for items to support volunteers and that they investigate the use of the IR scope for sea turtle lighting compliance and authorize the purchase of that by The Town with MERTF funds to compliance officers; second by MERTF Member Spalletta.

**VOTE:** Motion passed unanimously.

D. MERTF Budget FY23

Chair Johnson stated the pamphlet, pop-up and the event would be included. MERTF Member Larkin brought up funds for purchasing advertising. MERTF Member Spalletta noted it was decided that ads could not be bought; however, she was not sure who rejected the idea. She pointed out that MERTF Member DeGaetano suggested an outreach event next year with a souvenir. Project Manager Chustz indicated that the budget for all advisory committees was projected to be \$5,000.00. Chair Johnson discussed funding the pamphlet and pop-up events throughout the year. He questioned requesting more money and MERTF Member Larkin noted it would be a good idea to present a detailed itemized budget of money spent.

**MOTION:** Chair Johnson moved that he would attend the next Council meeting and request funding for the pop-up booth at \$4,000.00 and the brochure at \$6,000.00 for a total budget request of \$10,000.00; second by MERTF Member Spalletta.

**VOTE:** Motion passed unanimously.

Project Manager Chustz had to leave the meeting.

E. MERTF Projects – remove from agenda.

F. Dark Skies

Chair Johnson discussed the lights installed at Bayside Park and indicated they would light up the sky despite regulations in the ordinance.

G. Invasive Plant Project

MERTF Member Larkin created and discussed a timeframe of the project and indicated the data was still not on the website. Chair Johnson stated that he would request that the information be added.

H. Good Citizen Award, aka the “Murphie”

Chair Johnson indicated that Penny Jarrett provided information regarding shorebird stewards at Castle Beach condos and MERTF Member Spalletta revealed there was an article regarding one of the members in The Observer. MERTF Member Spalletta described a cluster of turtle nests

south of Smuggler's Cove. She will take another picture and check to see if the condo had any lighting violations.

**MOTION:** MERTF Member Fossum moved to award the Murphie to the shorebird stewards; second by MERTF Member Spalletta.

**VOTE:** Motion passed unanimously.

**VIII. Members' Items and Reports**

MERTF Member Spalletta commended Nathan Mayberg, who wrote the article on turtles in The Observer and encouraged everyone to read the article.

MERTF Member Larkin stated that coconut palms were very close to the water and artificial grass was installed throughout the interior.

Chair Johnson brought up the Sunshine Law and stated that it was legal for members to send items to staff to be distributed to all other members. He commented that he was not interested in pursuing the cigarette butt recycling project and MERTF Member Spalletta agreed.

MERTF Member Spalletta stated that beach clean-up events should include the filthy dune areas and volunteers should wear appropriate protection.

No items from other members.

**IX. Public Comment** – no public comment.

**X. Set Agenda for Next Meeting**

Add MERTF pamphlet and propeller guards.

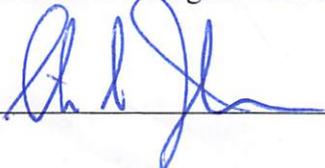
**XI. ADJOURNMENT**

**MOTION:** MERTF Member Fossum moved to adjourn; second by Chair Johnson.

**VOTE:** Motion passed unanimously.

The meeting was adjourned at 3:47 p.m.

Adopted 9-14-22 with/without changes. Motion by Rose Larkin  
(DATE)

Vote: 5-0 Signature: 

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