

**MINUTES**  
**FORT MYERS BEACH**  
**MARINE & ENVIRONMENTAL**  
**RESOURCES TASK FORCE**  
Town Hall Council Chambers  
2731 Oak Street  
Fort Myers Beach, FL 33931  
**Wednesday, June 12, 2024**

**I. Call to Order**

The meeting was called to order by Chair Johnson.

**II. Invocation and Pledge of Allegiance**

**III. Roll Call**

Members present: Bill Althoff, Robert Howell, Steve Johnson, Rose Larkin, David Nusbaum (virtually), Jennifer Rusk and Mary Rose Spalletta.

Staff: Environmental Projects Manager Chadd Chustz

Council Liaison: John King

**MOTION:** MERTF Member Howell moved to allow MERTF Member Nusbaum to participate virtually, seconded by MERTF Member Althoff.

**VOTE:** The motion carried unanimously.

**IV. Approve The Agenda**

**MOTION:** MERTF Member Nusbaum moved to approve the agenda, seconded by MERTF Member Spalletta.

**VOTE:** The motion carried unanimously.

**V. Approve Previous Meeting Minutes – April 10, 2024**

Add that Beach Talk Radio just received a MERTF award last year.

Clarification on the vote under A. regarding rebuilding in the EC zone:

**MOTION:** Chair Johnson recommended to the Town Council to follow the purposes of the comp plan and the land development code and discourage supporting variances for any and all construction in the EC zone, seconded by MERTF Member Spalletta.

**VOTE:** The motion carried 5-2, with MERTF Members Althoff and Nusbaum dissenting.

**MOTION:** MERTF Member Spalletta moved to approve the amended minutes, seconded by MERTF Member Larkin.

**VOTE:** The motion carried unanimously.

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

## VII. Current Items

### A. Beach Grooming & Mechanical Raking

Environmental Administrator Ginger Shirah participated virtually and is responsible for handling all CCCL (Coastal Construction Control Line) permit compliance actions regarding issued permits and enforcing violations of state CCCL regulations for unauthorized activities. She displayed and reviewed the beach cleaning permit conditions for counties. She noted that Kelly Cramer was the field inspector for Fort Myers Beach and handled beach cleaning applications, which were also accepted online at the portal. Ms. Shirah displayed the beach cleaning questionnaire and noted there were no limits on how many times per day the beach could be raked. Rakers were supposed to stay ten feet from the vegetation line. She added that they would not pursue enforcement if the emergency berm was raked because it was considered temporary, although it was not advised.

The FDEP (Florida Department of Environmental Protection) policy on mechanical raking from the water edge to the ECL (Erosion Control Line) did not require a special permit, but it did require authorization through state lands, which was part of the permitting process.

Projects Manager Chustz described the Joint Control Permit (JCP) issued in November 2022 as part of the renourishment project. MERTF Member Nusbaum received confirmation from Projects Manager Chustz that beach rakers were allowed to clean up the wrack line after a storm. Chair Johnson read from the code that stated a DEP permit was required. Projects Manager Chustz reviewed the rest of the code section and the definition of wrack line. He noted that MERTF Member Nusbaum was referring to a different situation when a permit was not necessarily needed. Discussion ensued concerning the definition of a wrack line in the code.

Projects Manager Chustz had to leave to attend another meeting. Operations & Compliance Director Frankie Kropacek was in attendance to answer questions. Director Kropacek verified that the town contracted five rakers for the town. He addressed complaints regarding the rakers and suggested that complaints be forwarded to him along with Projects Manager Chustz for follow-up. He described the new barber rake and how it would be used on the beach.

### B. Sea Grant Resiliency Study

Chair Johnson noted that Projects Manager Chustz added this item to the agenda. The grant involved hiring a consultant to perform an assessment.

**MOTION:** MERTF Member Howell moved to continue the discussion next month, seconded by MERTF Member Spalletta

**VOTE:** The motion carried unanimously.

### C. Children's Activity Book

MERTF Member Rusk reviewed the layout and noted that 10,000 copies would be printed. Distribution was discussed. She indicated that the wording had to be changed to Bay Oaks Summer Camp kids rather than the Beach School Elementary kids.

## **VIII. Members' Items**

MERTF Member Rusk noted that the Fort Myers Beach Community Foundation awarded MERTF \$3,500.00. She thought part of the funds could go to a resilience day where MERTF distributed free plants. She distributed manatee information cards for boaters and flyers. She encouraged interested parties to visit the Town Hall to pick up the information.

MERTF Member Nusbaum commented that at least three new Snowy Plover nests were discovered, some of which had hatched. He congratulated Chris Weber for finding the first nest and added that several Least Terns and Skimmers were on the south end. He stated that MERTF voted to recommend that the town look at seawalls facing the Gulf, given what MERTF learned from the professor at the resiliency meeting. Chair Johnson apologized for missing the vote when he presented to the town council and will bring it up at the next town council meeting.

MERTF Member Larkin suggested that the list of invasive plants on the website be replaced with the 2023 list. She noted that she was working with master garden volunteers in Sanibel, and a PowerPoint presentation on Florida-friendly landscaping for barrier islands will be held on Thursday, June 27, 2024, at the Sanibel library at 1:30 p.m. She added that Haley Cox, the coastal resilience program coordinator, also contributed.

MERTF Member Howell stated he was giving a free talk at the Riverdale public library about the Caloosahatchee and described planning an event similar to a TED talk every two months.

Chair Johnson addressed the Master's thesis about raking provided by MERTF Member Nusbaum. He read statements from marine biologist Blair Witherington, who explained why beach raking was not advantageous for marine sea turtle nesting. He added statements from Dr. Trindell, who concurred with Mr. Witherington.

MERTF Member Spalletta discussed people letting their dogs off the leash and harassing the birds. She thought six people were responsible for allowing their dogs off leash daily and asked what they could do. She indicated that officers had to photograph offenders in real time before fines were issued, but the people knew they could let the dogs off leash when code enforcement was not around, because there were no consequences. Warnings did no good. MERTF Member Rusk discussed how filthy the beach was from DiamondHead going south.

## **IX. Staff Update – no update.**

## **X. Public Comment**

Bill Perry, beach raker, noted there were several factors regarding sea turtle nesting and the rakers did whatever they could to protect the turtles and the beach.

## **XI. MERTF Award**

The Pink Shell Resort was nominated for being certified as sea turtle-friendly by the Turtle Conservancy. Don Davids was nominated for picking up trash around the library. Fort Myers Beach Community Foundation was nominated for its donation to MERTF.

The Pink Shell Resort won the vote for the MERTF award. The other two were added to the bank. The Spotlight article schedule is Chair Johnson for June, MERTF Member Nusbaum in July, MERTF Member Howell for August, MERTF Member Rusk in September, MERTF Member Spalletta in November and MERTF Member Althoff in December.

## **XII. Set Agenda for Next Meeting – July 10, 2024**

MERTF Member Nusbaum suggested taking July off since the town council was. MERTF Member Howell noted they had last month off.

After surveying members, the majority decided to hold a meeting in July. MERTF Member Rusk stated she would not be at the meeting. MERTF Members Althoff and Nusbaum preferred to take July off.

Keep sea grant resiliency, add the community foundation donation and mangrove protections.

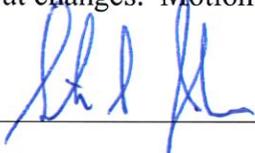
### XIII. Adjournment

**MOTION:** MERTF Member Spalletta moved to adjourn, seconded by MERTF Member Althoff.

**VOTE:** The motion carried unanimously.

The meeting was adjourned at 11:50 p.m.

Adopted 7/10/24 with/without changes. Motion by Spalletta/2nd Althoff  
(DATE)

Vote 6-0 Signature 

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