

RESOLUTION BY THE TOWN OF FORT MYERS BEACH URGING THE DENIAL
OF ANY REQUEST WHICH WILL IMPACT THE WETLANDS ON THE KELLY-
HIGGINS PROPERTY
RESOLUTION NUMBER 02- 20

WHEREAS, the Town of Fort Myers Beach recognizes the importance of preserving the few remaining environmentally sensitive lands on Estero Island, and as adopted in 'Objective 6-D Wetlands', of the Comprehensive Plan, seeks to preserve all remaining wetlands; protect them from further degradation; and improve their condition and natural functions; and

WHEREAS, a wetland is identified as an area inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils; and

WHEREAS, the 2.37 acres, commonly known as the Kelly-Higgins property, identified on the attached Exhibit A, lie completely within the Town of Fort Myers Beach Wetland Future Land Use category, which allows a maximum of one dwelling unit per 20 acres; and

WHEREAS, wetlands are among the most biologically productive natural ecosystems in the world and support a diversity of species equal to those found in tropical rain forests and coral reefs; and

WHEREAS, the U.S. Fish and Wildlife Service estimates that up to 43% of the threatened and endangered species rely directly or indirectly on wetlands for their survival; and

WHEREAS, wetlands provide food for insects, shellfish and forage fish and nutrients for plants and algae, which in turn feed commercial and recreational fish, mammals, reptiles and amphibians; and

WHEREAS, wetlands buffer shorelines from erosion, and improve water quality, including drinking water, by intercepting surface runoff and removing or retaining its nutrients, processing organic wastes, and reducing sediment before it reaches open water; and

WHEREAS, the Lee County Conservation 2020 advisory board and the Lee County Board of County Commissioners recognized the property as environmentally critical and as such recommended the property be purchased for the purpose of conservation and preservation; and

WHEREAS, the Kelly-Higgins property is adjacent to approximately 6.6± acres of wetlands subject to an existing conservation easement; and

WHEREAS, an easement was granted to the Sea Grape condominium providing for a nature trail across the Kelly-Higgins property between Mango Street and Chapel Street; and

WHEREAS, wetlands provide all of the aforementioned benefits to the estuarial waters surrounding Estero Island and into the Gulf of Mexico, directly contributing to the quality of life for all residents and visitors in the Town of Fort Myers Beach;

NOW THEREFORE BE IT RESOLVED, that the Fort Myers Beach Town Council is opposed to any activity on the Kelly-Higgins property which is inconsistent with Objective 6-D of the Comprehensive Plan, which in part seeks to preserve all remaining wetlands; such activities include all commercial or residential construction, filling or excavation; and furthermore requests that the permitting agency, which may include the Department of Environmental Protection and South Florida Water Management, deny all requests to impact the wetland habitat on the Kelly-Higgins property.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

| | |
|------------------------|------------|
| Howard Rynearson | <u>aye</u> |
| Daniel Hughes | <u>aye</u> |
| Bill Thomas | <u>aye</u> |
| W. H. "Bill" Van Duzer | <u>aye</u> |
| Terry Cain | <u>aye</u> |

Adopted this 6th day of May, 2002.

ATTEST:

By: 
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: 
Dan Hughes, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney

Exhibit 'A'

