



Subject: Estero Island Beach Renourishment Project

Dear Property Owner:

The Town of Ft. Myers Beach has embarked on the next Beach Renourishment Project for Estero Island. The Town has established the following goals and objectives for the Project:

- Restore and maintain critically eroding beaches using high quality sand
- Provide storm damage reduction benefits along developed shoreline through “engineered beach design”
- Enhance recreational opportunities
- Provide environmental protection and enhancement for threatened and endangered species

This letter is to request action by you to support implementation of the Project – by execution of the attached Temporary Beach Management and Access Easement for your property as routinely required whenever a public agency places sand on a private beach as part of a beach renourishment project. Also attached is “Exhibit A” which depicts the limits of the Easement. Construction of the beach on your private property requires your permission to occur.

Project construction is proposed to occur on State-owned submerged lands and on your private property. If your property is adjacent to the Critical Wildlife Area, then a Erosion Control Line (ECL) may need to be established along one section of the Island between now and the commencement of construction anticipated to be January 2023. An ECL has already been established from Bowditch Park to Lanark Ave during the last project. The ECL demarks the boundary between State-owned lands and your private property. Where the ECL is not established, the boundary exists between the approximate mean high water line (MHWL) and private property. Sand is proposed to be placed on your property to partially restore the beach system to historical conditions. Proposed fill on your property will be placed from the ECL/MHWL (were appropriate) east to: (a) the established continuous line of vegetation; (b) existing armoring; or (c) the +XXft. contour as shown on the attached Exhibit, whichever is further landward. The Easement area will cover only that portion of your property which is shown on “Exhibit A”.

The Easement is the legal document which allows the Town to place fill on your property and conduct state and federal permit required maintenance and monitoring such as tilling of the beach, leveling of escarpments, maintenance grading, and monitoring surveys for the life of the issued permits. It will not grant any access to, or over other portions of your property, or inhibit your right to quiet enjoyment of your property.

The Project is currently in review for permitting with the Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers (USACE). Upon permits being issued, the Town intends to move

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forward with construction of the Project. Future renourishment projects will be included in the permits. Placement of sand for each construction will be subject to fiscal constraints, permit constraints, beach conditions, erosion rates, and environmental conditions.

The Town respectfully requests that you review and execute the enclosed Easement form, and return it to the Town's Community Services Department for processing and recording, in the enclosed pre-addressed, stamped envelope provided for your convenience. The person who holds title to the property must sign the easement in the presence of a Notary Public and two subscribing witnesses who do not have an interest in the property. If two persons hold title to the property, both must sign the easement, with each of the signatures similarly witnessed. As an added convenience, the Town of Fort Myers Beach has several staff members that can notarize and witness your easement if necessary.

To avoid project delays, please return the signed original easement, no later than October 1, 2022 to the Town of Fort Myers Beach [Department] in the enclosed stamped, self-addressed envelope and retain the copy for your records. If you own more than one property in the project area, you will receive an easement for each property you own. Please return one signed easement for each property you own.

The Project will provide storm damage reduction benefits, increase the economic value of the beaches as a recreational asset, and increase the habitat available for sea turtle nesting and shorebirds. Your cooperation with the beach renourishment effort is greatly appreciated.

If you have any questions related to the project, please feel free to contact Chadd Chustz, Environmental Project Manager for the Town of Fort Myers Beach: chadd@fmbgov.com or (239) 765-0202 ext. 1312

Yours in the Beach,

Chadd Chustz
Environmental Project Manager
Town of Fort Myers Beach

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