

From: [Robert Weber](#)
To: [Margaret Zeidman](#)
Cc: [Kirk Blouin](#); [Paul Brazil](#); [Patricia Straver](#)
Subject: FW: Sea Turtle Nest Marking on Palm Beach Island
Date: Friday, June 10, 2022 2:27:00 PM
Attachments: [image001.png](#)

Ms. Zeidman,

Good afternoon. Yes, the marking protocol 10 feet from the tideline (seaweed line) is adhered to within the Town of Palm Beach and we are in compliance with monitoring in support of beach cleaning efforts. The point that Dr. Trindell was making both in her email and during her presentation in Council Chambers on Tuesday was that the general public should not be marking nests and should leave this activity only for the approved permit holders to perform. Our permit holder, Chris Perretta of DB Ecological, has provided a long response below.

If you have any other questions, please let me know.

Thank you,

Robert Weber
Coastal Program Manager

Town of Palm Beach
Public Works Department
951 Okeechobee Road, Suite A
Office Phone: 561-838-5440
Desk Phone: 561-227-7026
www.townofpalmbeach.com

From: dbeco@bellsouth.net <dbeco@bellsouth.net>
Sent: Friday, June 10, 2022 12:57 PM
To: Robert Weber <RWeber@TownofPalmBeach.com>
Subject: RE: Sea Turtle Nest Marking on Palm Beach Island

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Hi Rob

In the areas of the Town where we are conducting the required sea turtle monitoring for mechanical beach cleaning nests are marked in accordance with the FWC and DEP requirements for nest marking for mechanical beach cleaning. All the areas where we are performing that additional monitoring are in compliance with the state requirements.

Based on the emails I have been asked to respond to it appears that some residents have concerns this season on the mechanical beach cleaning activities occurring within the Town. I can provide that there have been no changes in the sea turtle protection we are conducting in areas with

mechanical beach cleaning from any other year previously. We are conducting the same sea turtle nest marking activities for these operations as required and as we have for decades. As the marine turtle permit holder for this area and professional marine biologist who has worked on sea turtle conservation activities for closing on 40 years I understand the concerns some of the residents have. We are happy to support the Town and its residents however they choose to keep the beaches clean. It is important to mention that the DEP Permit conditions for mechanical beach cleaning operations were developed with FWC scientists to make this activity possible while protection nesting sea turtles, eggs and hatchlings.

As you are aware should we identify any equipment operation (beach cleaning or otherwise), or any other activities occurring on the beach that could impact sea turtles, nests or habitat we report those activities immediately to you, FWC, DEP and FWS as required. I am in close coordination with FWC, FWS and DEP continually throughout the sea turtle season on the Town's beach projects as well as the other beaches that my staff and I conduct sea turtle conservation efforts on.

In addition, each season we work with FWC staff to set a "beach cleaning line". This is a staked line we work with FWC staff to establish to mark a clear definable line for the mechanical beach cleaners to follow. This line makes it clear where the average tide line is during the summer months so that equipment operation stays low on the beach and out of sea turtle nesting habitat.

This is an activity that I worked with FWC on to implement in the Town many years ago as an extra precaution to ensure equipment operation stays low and out of sea turtle nesting habitat. This line has been very well received by the beach cleaners, residents and FWC as it eliminates any questions on where the equipment operation can occur during nesting season. It has been so well received that other communities have started asking FWC to do the same in their areas. This established line helps to prevent mistakes from happening on higher tide events where it may become difficult to read the beach and decide where the average tide line is located. Mechanical beach cleaners simply stay east of the established line and there is no confusion on where the equipment can operate during those higher tide events.

We have been waiting for beach conditions to correct to a typical summer beach profile to set the beach cleaner line. As you know the early season has had a lot of wind and wave action making it impossible to place the line in the early season. We typically set this line with FWC staff in June and anticipate that occur soon.

Let me know if I may provide any further information or clarification.

Thanks,
Chris

Christine Perretta
DB Ecological Services, Inc.

From: Robert Weber <RWeber@TownofPalmBeach.com>

Sent: Friday, June 10, 2022 11:37 AM
To: Christine Perretta <dbeco@bellsouth.net>
Subject: Fwd: Sea Turtle Nest Marking on Palm Beach Island

From: Kirk Blouin <KBlouin@townofpalmbeach.com>
Date: June 10, 2022 at 10:58:41 AM EDT
To: Robert Weber <RWeber@townofpalmbeach.com>
Cc: Paul Brazil <PBrazil@townofpalmbeach.com>
Subject: FW: Sea Turtle Nest Marking on Palm Beach Island

Rob,

Can you reply to Maggie. Thx - Kirk

Kirk Blouin
Town Manager



Town of Palm Beach
360 South County Road
Palm Beach, FL 33480
561-838-5410

From: Margaret Zeidman <MZeidman@TownofPalmBeach.com>
Sent: Friday, June 10, 2022 10:43 AM
To: Kirk Blouin <KBlouin@TownofPalmBeach.com>
Subject: Re: Sea Turtle Nest Marking on Palm Beach Island

Kirk,

Please see first bullet under “if nest marking can harm nests, why is it allowed?”; specifically, “mechanical beach cleaning in these counties.....all nests within 10 feet of the tideline must be marked....”. Are they marked and are we in compliance with mechanical beach cleaning limited to the daily tideline or seaward?

Thanks,
Maggie

On Jun 9, 2022, at 3:28 PM, Kirk Blouin
<KBlouin@TownofPalmBeach.com> wrote:

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Mayor and Town Council,

FYI

Kirk Blouin
Town Manager

<image001.png>

Town of Palm Beach
360 South County Road
Palm Beach, FL 33480
561-838-5410

From: Kirk Blouin
Sent: Thursday, June 02, 2022 11:27 AM
To: jzisson@gmail.com
Cc: Robert Weber <RWeber@TownofPalmBeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Patricia Strayer <PStrayer@TownofPalmBeach.com>
Subject: FW: Sea Turtle Nest Marking on Palm Beach Island

Mr. Zisson,

Please see the information contained below. I hope you find this communication to be helpful.

Regards, Kirk

Kirk Blouin
Town Manager

<image001.png>

Town of Palm Beach
360 South County Road
Palm Beach, FL 33480
561-838-5410

From: Robert Weber <RWeber@TownofPalmBeach.com>
Sent: Thursday, June 02, 2022 10:26 AM
To: Kirk Blouin <KBlouin@TownofPalmBeach.com>
Cc: Paul Brazil <PBrazil@TownofPalmBeach.com>; Patricia Strayer <PStrayer@TownofPalmBeach.com>
Subject: FW: Sea Turtle Nest Marking on Palm Beach Island

Kirk,

In response to recent emails from residents regarding the marking of sea turtle nests, FWC, specifically Dr. Robbin Trindell, Biological Administrator of Imperiled Species Management, offered the following information below. Please note that all the work done by the Town and our contractors continue to be performed consistent with our Beach Management Agreement. Dr. Trindell will be at the annual BMA meeting next Tuesday in Town Council Chambers to present monitoring results and can also provide any further clarification with respect to the Town's sea turtle nesting monitoring program.

In addition, I have forwarded recent emails from residents regarding ATV use to both FWC and our sea turtle nesting monitoring. Please see the following clarification provided by our sea turtle nesting monitor regarding ATV use:

Hi Rob

As you requested I have provided below the information regarding ATV use for marine turtle surveys. This is language from the FWC Marine Turtle Conservation Handbook that is a component of the Marine Turtle Permit that we work under. The language is not very specific, we are allowed to use the ATV as necessary to conduct the survey and use it to address each crawl in the way we determine to be best for us so that we do not duplicate crawls from survey to survey. We typically cross crawls either perpendicular to the crawl high up toward the apex of the crawl or we drive up and down the crawl to eliminate the tracks.

The ATVs we use are standard for this work across Florida beaches. We exercise extreme caution while conducting our daily survey work to do no harm to nesting sea turtle we often encounter in the mornings or to sea turtle eggs incubating on the beach. The ATVs have extremely low tire pressure so that if a nest were accidentally crossed the ATV would do no harm to that incubating nest. In addition to that the Marine Turtle Permit we work under affords us protection if there should be some impact associated with our authorized activities. We have never had any negative sea turtle interaction or impact associated with us performing our work.

As you know we are also the entity that conducts shorebird surveys in the area and we conduct our daily surveys activities with a focus on shorebird protection as well.

“Surveyors should traverse the beach along (and seaward of, if possible) the most recent high tide line. This is important not only for ensuring that turtle crawls are not obscured before they can be evaluated, but also for avoiding impacts to nesting shorebirds and chicks. Other key points about ATV use include: • avoid the wrack (where shorebirds might be taking cover), • minimize ruts by using a light-weight vehicle with low tire pressure (10 psi or less), • drive slowly (less than 10 mph), • survey in daylight only, • respect areas posted for shorebird nesting, • access the beach through existing pathways, not through the dunes or vegetated areas, and • be observant for shorebird eggs and chicks.”

If you need any other information to help your conversations with residents, please let me know.

Thank you,

Robert Weber
Coastal Program Manager

Town of Palm Beach
Public Works Department
951 Okeechobee Road, Suite A
Office Phone: 561-838-5440
Desk Phone: 561-227-7026
www.townofpalmbeach.com

From: Trindell, Robbin <robbin.trindell@MyFWC.com>

Sent: Friday, May 27, 2022 12:59 PM

To: mimijanetty@gmail.com

Cc: Christine Perretta <dbeco@bellsouth.net>; Robert Weber <RWeber@TownofPalmBeach.com>; Koperski, Meghan <Meghan.Koperski@MyFWC.com>; Barrett, Sarah <Sarah.Barrett@MyFWC.com>; LaVere, Ashley <Ashley.LaVere@MyFWC.com>; Reinert, Thomas <Thomas.Reinert@MyFWC.com>; Karen Frutchey <karen_frutchey@fws.gov>; Ceriani, Simona <Simona.Ceriani@MyFWC.com>; Foley, Allen <Allen.Foley@MyFWC.com>; Mongiovi, Beth <Mary.Mongiovi@MyFWC.com>

Subject: Sea Turtle Nest Marking on Palm Beach Island



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Thank you for contacting the Florida Fish and Wildlife Conservation Commission (FWC) with your concerns that sea turtle nests on the Town of Palm Beach shoreline are not being marked. As we discussed last week, the FWC does not require all sea turtle nests be marked. FWC staff considers each request for activities on the beach and for nest marking to find the proper balance between the risk associated with marking nests and the need for the activity that requires nest marking. It is best to leave the nests in their natural state, without any marking, but that is not always possible. More discussion below.

- Nest marking typically consists of embedding one to four stakes in the sand (open beach or dune) and encircling the stakes with string or ribbon to delineate an area where a sea turtle may have deposited a nest.

Isn't it important to mark all sea turtle nests to protect them from harm?

No.

- Sea turtles have specific nesting behaviors that protect the nests.
 - Nests are typically deposited from one to several feet underground where they are protected from surface disturbances, such as foot traffic.
 - Each sea turtle species has specific “nest camouflaging” behaviors to protect the nests from predators.

Can markers on the beach harm the nest or nesting and hatchling sea turtles?

Yes.

- Embedding stakes into the sand in an area where sea turtles are nesting can damage eggs close to the surface, either in the nest being marked or an adjacent nest that was not identified.
 - While eggs are typically placed at depth below the surface, a sea turtle with an injury may not be able to dig a very deep nest. Also a sea turtle that is disturbed while nesting may not dig deep enough or cover the eggs adequately.
- Any structure on the beach, including stakes or cones, can interfere with nesting and hatchling sea turtles crawling on the beach.
- On some beaches, predators, both human and mammalian (coyotes and raccoons), have learned to use nest markings to locate sea turtle nests, which they then excavate and remove all

or some of the eggs.

If nest marking can harm nests, why is it allowed?

- The FWC authorizes nest marking for two reasons:
 - First, to allow nests to be avoided in areas where the Florida Department of Environmental Protection (DEP) has authorized activities to occur on the beach during sea turtle nesting season as allowed under Florida Statute (FS) 379.2431 (1) and 161.053.
 - Such authorizations must include measures, such as daily morning surveys and nest marking, to ensure the potential for impacts to the nest from equipment and activities on the beach are minimized.
 - Activities such as mechanical beach cleaning or raking and special events are allowed on beaches during sea turtle nesting season where it is possible to locate and mark most nests. *
 - On higher density nesting beaches (Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward Counties), it is not possible to mark all the nests as there are so many.
 - Mechanical beach cleaning in these counties is limited to the daily tideline or seaward and all nests within ten feet of the tideline must be marked for protection during sea turtle nesting season (March 1 through October 31).
 - Second, the FWC authorizes marking a specific number of nests for each sea turtle species statewide to assess reproductive success – the proportion of eggs that hatch and number of hatchlings that emerge from the nest – on Florida’s beaches each year. This information is critical to monitoring sea turtle populations and progress towards recovery.
 - FWC staff works with statisticians to determine the appropriate number of nests to be marked on each beach for a statically valid assessment of reproductive success.
 - Because there are potential impacts during nest marking, and not all nests need to be marked to assess reproductive success, the FWC does not require or authorize all nests to be marked for this assessment-on high density beaches.

Who can mark sea turtle nests in Florida?

- Under the federal Endangered Species Act 1973, as amended (16 U.S.C. 1531 et seq.), and the Florida Marine Turtle Protection Act (FS 379.2431(1)), only individuals who are reviewed, approved, trained, and permitted by the FWC are allowed to mark sea turtle nests in Florida.
- Because marking can harm the nest, or other, adjacent nests, the FWC must authorize all nesting marking activity as required under FS 379.2431 (1) and Florida Administrative Code Rule 68E-1, the Marine Turtle Permit Rule.
 - FWC requires Marine Turtle Permit Holders authorized to mark nests attend annual training on appropriate marking methods to minimize the potential for impacts.

What are the consequences for marking turtle nests without an FWC Marine Turtle Permit?

- Marking nests without a permit and appropriate training can cause unintended harm to sea turtle nests or nesting and hatchling sea turtles.
 - Inexperienced and untrained individuals may embed stakes into an existing nest and penetrate the eggs.
 - Other markers such as cones may be placed over a nest cavity, thereby blocking hatchlings from exiting the nest.
 - Unnecessary markers can interfere with nesting and hatchling sea turtles crawling on the beach.
- Marking nests without an FWC Marine Turtle Permit may violate federal and state law protecting turtles.
 - Violations of these laws may result in civil and criminal charges and fines.

What should a citizen do if they are worried about protecting the sea turtle nests on their beach?

- Keep the beach free of obstacles such as beach furniture, posts, boats, or other items during sea turtle nesting season.
- Avoid altering the beach environment during nesting season.
 - Ensure property lighting is well-managed and not visible from the nesting beach.
 - Ensure crossover or seawall repairs are conducted before nesting season begins.
 - Minimize mechanical cleaning of the beach during the nesting season.
- Support the Marine Turtle Permit Holder who surveys the beach, as they are working hard to locate and protect sea turtle nests in accordance with their FWC Marine Turtle Permit.
 - Wait until the morning nesting survey is completed each day before conducting activities that alter the beach

surface and could obscure sea turtle tracks before they can be properly counted.

*Because sea turtles nest at all times of the night, even occasionally at dusk and dawn and during rain storms that obliterate the nesting female's tracks and nest site, it is not possible to locate and identify every nest on any beach in Florida. Thus, there are always unidentified nests in the sand on all Florida shorelines during nesting season.

Please let me know if you have additional questions or if I can be of further assistance.

Sincerely,

Robbin N. Trindell, Ph.D.
Biological Administrator
Imperiled Species Management
Florida Fish and Wildlife Conservation Commission
1875 Orange Avenue East
Tallahassee, FL 32311
Phone: 850-922-4330

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.