

From: [Robert Weber](#)
To: hkinzelberg@sequelcapital.com
Cc: [Kirk Blouin](#); [Paul Brazil](#); [Patricia Strayer](#); [Barbara Meister](#); [Les Daniels](#); bmoore@mbrfirm.com
Subject: FW: Turtle Nest
Date: Monday, May 23, 2022 4:33:00 PM
Attachments: [zones_16-18.pdf](#)
[zones_13-15.pdf](#)

Mr. Kinzelberg,

Good afternoon. In response to your emails over the weekend, I asked our sea turtle nesting monitor to provide some details to the Town's complex BMA-required sea turtle nesting monitoring system. I expect that the Florida Fish & Wildlife Conservation Commission will also provide commentary at some point as they too have been provided your emails. Once I have received any additional communication from FWC, I will forward to you as well.

Thank you for your continued interest in the Town's Coastal Management Program.

Regards,

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: Monday, May 23, 2022 1:37 PM
To: Robert Weber <RWeber@TownofPalmBeach.com>
Cc: Trindell, Robbin <robbin.trindell@MyFWC.com>; 'Marine Turtle Permits' <mtp@MyFWC.com>
Subject: RE: Turtle Nest

*****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.*****

Rob,

I'm happy to provide some information and clarification as you have requested on marine turtle nest marking within the Town of Palm Beach. I have also copied Florida Fish & Wildlife Conservation Commission (FWC) staff on this email so that they may also provide further detail and information on marking of marine turtle nests.

As you know I am authorized to conduct specific activities pertaining to marine turtles within Palm Beach under an FWC Marine Turtle Permit. I am (along with my personnel) authorized to conduct

daily marine turtle surveys and other associated activities. The 2022 daily surveys in the Town are primarily being conducted for the required post construction monitoring for the various Town coastal construction projects as authorized by the Department of Environmental Protection (DEP) under the Beach Management Agreement (BMA).

Marking of marine turtle nests is performed for specific reasons which I will clarify below.

The most common reason we mark nests within the Town of Palm Beach is for data collection to be able to provide hatching success data to FWC. This nest marking allows us to be able to track that particular nest throughout incubation, recording any observations for that nest on a daily basis up to the nest hatching. We mark a percentage of nests in certain areas then collect data from those nests as outlined by FWC protocol and authorized under my FWC Marine Turtle Permit.

We also mark nests for protection for authorized coastal construction activities or other authorized activities that require heavy equipment use on the beach during nesting season. We mark nests for protection in this type of situation typically for a limited period of time until the construction is completed and heavy equipment use is finished or as required for mechanical beach cleaning operations.

It is a common misconception that marine turtle nests left to incubate on the beach without some associated marking are in peril because they not marked in some fashion. This is simply not the case. Perhaps FWC staff can offer further information on this to help reassure the Town residents that have this concern.

I also believe the email from the resident that had concerns regarding areas within the Town where nest marking may not be occurring. The email from the resident stated "No turtle nests are being marked from Sunrise to Los Incas, NONE." The statement is not entirely correct as we do have nest marking in a portion of that area. I offer the following information for clarity on that concern.

FWC staff worked to develop the marine turtle monitoring study that has been in place since the BMA was initiated many years ago. The BMA study area with regard to marine turtles extends throughout the entire Island of Palm Beach from the Lake Worth Inlet to South Lake Worth Inlet. The BMA area is divided up into numerous zones which were further designated as either marking zones or non-marking zones by FWC for purposes of the study.

There are numerous areas (zones) within the Town that do not have any nest marking occurring for the study nor are there any associated activities that would require marking for marine turtle protection. There are also numerous areas (zones) within the Town that do have specific marking of nests occurring for the study.

Regardless of the designation of the zone as "marking" or "non-marking" the same data collection occurs each day on the morning survey in all zones throughout the Town as required by the BMA and under the Town Contract. The only thing that does not occur in non-marking zones is nests are not marked to for FWC hatchling success data.

Again, to clarify the statement “No turtle nests are being marked from Sunrise to Los Incas, NONE.” I have attached 2 maps illustrating the area referenced in the below email. Maps titled zones 13-15 and zones 16-18 have purple lines illustrating marking zones and no line associated with non-marking zones. In Map zones 13-15 in the vicinity of R 90 (Zone 15) you can see Via Los Incas just to the south. This area is in a FWC non-marking zone which extends southward to just south of Everglade to R92 (Zone 17). Zone 17 becomes a marking zone that extends south of Sunset where we have marked nests in place. This is indicated in Map zones 16-18 showing the area is a marking zone and a percentage of nests are marked here per the FWC study.

I would clarify the statement from the resident’s email by saying some nests are being marked in the area from Sunrise to Via Los Incas per the BMA study and established protocol.

The Town conducts various beach construction projects and activities authorized under the Beach Management Agreement (BMA) by Florida Department of Environmental Protection (DEP).

I am speculating that the residents in this area are recalling the nest marking activities for marine turtle nest protection that they saw in place during the last Midtown Beach Nourishment Project and are concerned as to why that marking protocol is still not in place. The simple reason is that once the construction activities ended so did the need for that type of protective marking. We returned to the FWC designated study guidelines and strategy that had been in place for several years prior to the last Midtown Beach Nourishment Project construction activities.

We are grateful that the Town residents are advocating for marine turtles and their protection. Regrettably, we have documented activity in the area of Root Trail where person(s) have chosen to insert themselves into the marine turtle survey and have marked nests on their own. Unfortunately without proper training knowledge or authorization this activity can be extremely harmful to nesting marine turtles, nests and hatchlings. We have documented several occasions over the last few years of these activities and we have submitted the information to proper state agency staff.

We have also tried on numerous occasions to educate residents on the work that we are conducting and that they should not take it upon themselves to implement measures that they deem to be appropriate for marine turtle protection as they actually have the opposite affect and can be harmful. This has resulted in my staff being detained to repeatedly address the same concerns over and over again trying to educate residents to not intervene in the nesting survey activities. These repeated slowdowns during the survey diminish our ability to conduct the services for the Town in the most efficient manner that we can. It also makes it difficult for my staff to complete their required work timely before temperatures on the beach reach dangerous levels for the physically demanding work that we perform.

I am hopeful that this email as well as any input from FWC staff may be passed along by you to the residents who have concerns in the area of Root Trail so that it may alleviate their concerns and eliminate their intervention in the marine turtle survey.

We continue to work very closely with FWC and Town staff on the BMA marine turtle survey and study to ensure all survey requirements are being fulfilled on behalf of the Town of Palm Beach and

the residents.

Thank you,
Chris

Christine Perretta
DB Ecological Services, Inc.

From: Robert Weber <RWeber@TownofPalmBeach.com>
Sent: Sunday, May 22, 2022 9:56 AM
To: Christine Perretta <dbeco@bellsouth.net>
Subject: Fwd: Turtle Nest

Chris,

Good morning. Please provide me with some clarity with respect to marking nests so that I can forward to the folks inquiring.

It is my understanding that the residents in the Reach 3 area are marking nests themselves with cones and the like. If you can, please comment on that as well.

Thank you for your help.

Rob

Robert Weber
Coastal Program Manager
Town of Palm Beach

Begin forwarded message:

From: Harvey Kinzelberg <hkinzelberg@sequelcapital.com>
Date: May 21, 2022 at 9:21:14 PM EDT
To: Robert Weber <RWeber@townofpalmbeach.com>, stoiaart@mac.com, "Leslie B. Daniels" (<LDaniels@Cleapartners.com>) <ldaniels@cleapartners.com>, bmoore@mbrfirm.com
Cc: Paul Brazil <PBrazil@townofpalmbeach.com>, Kirk Blouin <KBlouin@townofpalmbeach.com>
Subject: RE: Turtle Nest

*****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.*****

Rob,

I just noticed that Barbara's email was from a year ago, but nothing has changed. My comments about NO turtle nests markings are current and up to today 5/21/22. So please direct someone in the Town to start marking at least some of the nests so we don't lose all the leatherback turtle eggs and add to their extinction.
Harvey

From: Harvey Kinzelberg

Sent: Saturday, May 21, 2022 9:13 PM

To: RWeber@townofpalmbeach.com; stoiaart@mac.com; Leslie B. Daniels (LDaniels@Cleapartners.com) <ldaniels@cleapartners.com>; bmoore@mbrfirm.com

Cc: PBrazil@TownofPalmBeach.com; Kirk Blouin (PB Town Council) <kblouin@townofpalmbeach.com>

Subject: FW: Turtle Nest

Rob,

Your answer below is totally untrue and you know it. No turtle nests are being marked from Sunrise to Los Incas, NONE. I walk this beach frequently and have not seen any turtle nest markers. I believe this is against State Law and should be reported. I have two large unmarked turtle nests on my property also and they too are unmarked. Your excuse below shows is incompetent and a lie. NO TURTLE NESTs are marked and thus the Town has used ZERO stakes on this stretch of beach. I used to have confidence in our beach management skills and honesty.

Harvey Kinzelberg

> President & CEO

> Sequel Capital, LLC

> Cell: (312) 720-4000

> email: hkinzelberg@sequelcapital.com

From: Robert Weber <RWeber@townofpalmbeach.com>

Date: May 3, 2021 at 8:25:02 AM EDT

To: Barbara Stoia Meister <stoiaart@mac.com>

Cc: dbeco@bellsouth.net, Rick Weisfisch <Rick@maxwelle.com>, Kirk Blouin <KBlouin@townofpalmbeach.com>

Subject: Re: Turtle Nest

Ms. Meister,

Good morning. I assure you that the Town and our sea turtle nesting

monitor perform all regulatory requirements with respect to nests. Please note that we do not mark all nests. If we did, there would be thousands of stakes in the ground.

Regards,

Robert Weber
Coastal Program Manager
Town of Palm Beach

On May 2, 2021, at 11:26 AM, Barbara Stoia Meister
<stoiaart@mac.com> wrote:

*****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.*****

To whom it may concern:

This morning a new turtle nest was noticed which is not marked in front of the Weisfisch house. I have attached two images of the nest. I have also attached three screenshots from March 14, 2021, March 21, 2021 and April 30, 2021 of beachgoers digging enormous holes with garden shovels from Everglades Avenue to Wells Road. Can someone please see that this turtle nest gets protection for obvious reasons.

Thank you for your help.

Barbara Stoia Meister

[cid:2A58D040-5BC6-4F06-ADBB-5C5BBD931581]
[cid:23104F9E-0590-4F0D-8998-A9481637799D]
[cid:5CCF1A20-2D93-46DF-B638-AB7FED7ED248]
[cid:55AC06FA-8129-42A2-A5A6-3A5DE41ED6D4]
[cid:C2A0767A-CC46-41A2-BFCD-71603A456EB8]

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.

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.