

**AGENDA
TOWN OF JUPITER ISLAND
BEACH PROTECTION DISTRICT MEETING
TUESDAY, OCTOBER 28, 2025
ISLAND ROOM – TOWN HALL – 2 BRIDGE ROAD**

1. **Consent Agenda**
 - a. Minutes of the September 16, 2025, 1st Budget Hearing
 - b. Minutes of the September 19, 2025, Beach Protection District Meeting
 - c. Minutes of the September 19, 2025, 2nd Budget Hearing
 - d. Monthly Finance Report
2. **Beach District Goals & Objectives**
3. **Letter to FEMA Review Council**
4. **Federal Permit Status**
5. **Sea Turtle Lighting Ordinance Update***
6. **Offshore Borrow Site Expansion Update***
7. **Beach Status***
8. **Other Items***

** No advanced materials provided*

Town Commission

Penny Townsend, Mayor
Anne Scott, Vice Mayor
Marshall Field VI, Commissioner
Patricia Warner, Commissioner
Joseph Taddeo, Commissioner

Town Staff

Town Manager, Robert Garlo
Town Attorney, Thomas J. Baird
Town Clerk, Kimberly Kogos

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the

meeting. Please contact the Town Hall, 2 Bridge Road, Hobe Sound, FL 33455, telephone (772) 545-0103.

**MINUTES
TOWN OF JUPITER ISLAND
BEACH PROTECTION DISTRICT 1ST BUDGET HEARING
TUESDAY, SEPTEMBER 16, 2025**

TIME: Tuesday, September 16, 2025 – 5:01 PM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

1. Open Public Hearing

a. Discussion - Percentage Change in Millage Rate Over/Under the Rolled-Back Rate Necessary to Fund the FY 2025-2026 Beach Protection District Fund Budget

Director Pazanski began the public hearing pertaining to the tentative millage rate and budget by announcing the Beach Protection District's tentative FY 2025-2026 millage rate of .9593, with an 7.63% increase over the rolled back rate. He explained this millage will generate \$3,655,318 in budgeted Ad Valorem revenue to cover the operating and capital costs of the Beach Protection District.

b. Discussion of the FY 2025-2026 Beach Protection District Fund Budget

Director Pazanski reviewed the proposed 2025-2026 Beach Protection District revenues and estimated expenditures in the amount of \$3,880,318.

c. Public Comments

Mayor Townsend opened the floor to public comments. There was no public comment.

2. Close Public Hearing

Mayor Townsend closed the public hearing at 5:11pm.

3. Adopt Tentative FY 2025-2026 Beach Protection District Fund Millage Rate

MOTION: *Commissioner Field/Commissioner Taddeo moved to adopt the tentative Beach Protection District millage rate of .9593.*

ACTION: *Motion Passed 5-0.*

4. Adopt Tentative FY 2025-2026 Beach Protection District Fund Operating Budget

MOTION: *Commissioner Warner/Commissioner Field moved to adopt the tentative Beach Protection District Fund Operating Budget of \$3,880,318.*

ACTION: *Motion Passed 5-0.*

5. Other Items

Mayor Townsend adjourned the meeting at 5:13pm.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
BEACH PROTECTION DISTRICT MEETING
FRIDAY, SEPTEMBER 19, 2025**

TIME: Friday, September 19, 2025 – 11:15 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

1. Consent Agenda

- a. Minutes of the July 22, 2025, Beach Protection District Meeting
- b. Monthly Finance Report

2. Resolution No. 934 Local Government Funding Request

Director Duchock explained that Resolution No. 934 is in support of the FY 2026/27 Local Government Funding Request application (LGFR) made to the state requesting grant funding to offset the costs of monitoring the Town's beach project.

MOTION: *Commissioner Field/Commissioner Taddeo moved to approve Resolution No. 934 as presented.*

ACTION: *Motion Passed 5-0.*

3. Ecological Associates, Inc - Change Order Request

Director Duchock provided an explanation of the change request for Ecological Associates, Inc. which is directly associated with the increased number of turtle nests:

3707 - Loggerhead

5218 - Green

439 - Leatherback

He explained the cost for monitoring nesting activity and noted the nesting season started earlier than normal this year. A change order to the original work authorization is required to complete turtle and shorebird monitoring for this season.

Director Duchock stated that staff requests a change order in the amount of \$55,618.83, increasing the original amount from \$368,100.01 to \$423,718.84.

MOTION: *Commissioner Field/Commissioner Taddeo moved to approve a change order request in the amount of \$55,618.83.*

ACTION: *Motion Passed 5-0*

4. Reporting Requirement for Special Districts

Director Duchock provided information and background information regarding the special district reporting requirements mandated last year through House Bill 7013, with performance measures

beginning December 1, 2025. He noted that the Towns Beach Protection District (BPD) has developed an expanded and detailed list, and the legislation does not require such detail. He explained that staff is seeking direction regarding the publication and reporting of BPD goals, objectives and performance measures. Discussion ensued.

The Commission agreed that staff will provide what is currently prepared in-house, which is more than is required. Director Duchock will provide a draft for Commission review before submitting.

5. FEMA Reimbursement Update

Director Duchock provided an update pertaining to FEMA reimbursements. To date, SB4A (Combined Ia/Nicole) funds totaling \$3,385,874.72 and FEMA (Ian) funds totaling \$93,439.15 have been received. FEMA funds (Nicole) totaling \$23,666,698.10 is still pending, although the Town recently received the first reimbursement request of \$10,278,130.27 and anticipates the additional funds to be received in the upcoming months.

6. Beach Status*

Director Duchock explained the current beach conditions, noting that there is minor to moderate erosion along most of the nourished beach with losses associated with offshore storm wave impacts and profile adjustment. He added that there are moderate escarpment formations. Specific hotspots include 65 South Beach Road to 185 South Beach Road.

Director Duchock provided aerial views and ground photographs of the shoreline, and explained the beach conditions.

7. Sea Turtle Lighting Review Discussion*

Director Duchock addressed the recently discussed topic of the sea turtle lighting ordinance, noting that staff is actively engaged with the Sea Turtle Conservancy on a review of the Town's ordinance. A redline markup of the Town's current code is under review and will be presented for Commission consideration during the October 28 meeting.

Town Manager Garlo requested an update on the current Federal permits. Director Duchock provided background information and noted that due to his proactive actions, the Town will be granted an extension of the permit and will continue progress.

Mayor Townsend asked if an updated draft FEMA letter will be provided in October for consideration. Director Duchock confirmed and noted an update on the offshore borrow site will be provided as well.

8. Other Items*

Commissioner Warner stated that she attended a presentation regarding the Coral Reef Tract Project on the Florida coastline and provided supportive comments.

No other items were discussed.

Mayor Townsend adjourned the meeting at 1:04pm.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
BEACH PROTECTION DISTRICT 2ND BUDGET HEARING
FRIDAY, SEPTEMBER 19, 2025**

TIME: Friday, September 19, 2025 – 5:01 PM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo (remotely), Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

1. Open Public Hearing*

a. Discussion - Percentage Change in Millage Rate Over/Under the Rolled-Back Rate Necessary to Fund the FY 2025-2026 Beach Protection District Fund Budget

Director Pazanski began the public hearing pertaining to the final millage rate and budget. He announced the proposed Beach Protection District's FY 2025-2026 millage rate is .9593, with an 7.63% increase over the rolled back rate. This millage will generate \$3,655,318 in budgeted Ad Valorem revenue to cover the operating and capital costs of the Beach Protection District.

b. Discussion of the FY 2025-2026 Beach Protection District Fund Budget

Director Pazanski reviewed the final 2025-2026 Beach Protection District revenues and estimated expenditures in the amount of \$3,880,318.

c. Public Comments

Mayor Townsend opened the floor to public comments. There was no public comment.

2. Close Public Hearing*

Mayor Townsend closed the public hearing at 5:55pm.

3. Resolution No. 938 - Adopt Final FY 2025-2026 Beach Protection District Fund Millage Rate

Mayor Townsend read Resolution 938 by title.

MOTION: *Commissioner Field/Commissioner Warner moved to approve Resolution 938 as presented.*

ACTION: *Motion Passed 5-0*

4. Resolution No. 939 - Adopt Final FY 2025-2026 Beach Protection District Fund Operating Budget

Mayor Townsend read Resolution 939 by title.

MOTION: *Commissioner Field/Commissioner Taddeo moved to approve Resolution 939 as presented.*

ACTION: *Motion Passed 5-0*

5. Other Items*

There were no other items.

Mayor Townsend adjourned the meeting at 5:58pm.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

BEACH EROSION DISTRICT
 INTERIM REVENUE AND EXPENDITURE REPORT
 PERIOD ENDING 9/30/2025

GL NUMBER	DESCRIPTION	2024-25	2024-25	YTD BALANCE	AVAILABLE	% BDGT
		ORIGINAL BUDGET	AMENDED BUDGET	09/30/2025	BALANCE	USED
Fund 101 - BEACH PROTECTION DISTRICT						
Revenues						
Dept 000						
101-000-311.000	AD VALOREM TAXES	3,380,769.00	3,380,769.00	3,378,492.52	2,276.48	99.93
101-000-331.391	FEMA REIMBURSEMENT	23,666,698.00	23,666,698.00	23,666,698.00	0.00	100.00
101-000-334.500	STATE DISASTER RELIEF	3,380,957.00	3,380,957.00	3,380,957.00	0.00	100.00
101-000-337.302	COUNTY GRANT - PHYSICAL ENVIRONMENT	0.00	0.00	6,969,000.00	(6,969,000.00)	100.00
101-000-361.100	INTEREST	200,000.00	500,000.00	592,799.27	(92,799.27)	118.56
101-000-381.001	TRSNR-UNDESIGNATED/UNRESERVED	807,539.00	5,033,283.00	0.00	5,033,283.00	0.00
Total Dept 000		31,435,963.00	35,961,707.00	37,987,946.79	(2,026,239.79)	105.63
TOTAL REVENUES		31,435,963.00	35,961,707.00	37,987,946.79	(2,026,239.79)	105.63
Expenditures						
Dept 211 - BEACH PROTECTION ADMINISTRATION						
	PERSONNEL AND BENEFITS	442,443.00	309,050.00	260,120.13	48,929.87	84.17
	OPERATING	293,520.00	293,520.00	299,796.04	(6,276.04)	102.14
Total Dept 211 - BEACH PROTECTION ADMINISTRATION		735,963.00	602,570.00	559,916.17	42,653.83	92.92
Dept 221 - BEACH PROTECTION PROJECTS						
Total Dept 221 - BEACH PROTECTION PROJECTS		30,700,000.00	35,359,137.00	34,590,309.22	768,827.78	97.83
TOTAL EXPENDITURES		31,435,963.00	35,961,707.00	35,150,225.39	811,481.61	97.74
Fund 101 - BEACH PROTECTION DISTRICT:						
TOTAL REVENUES		31,435,963.00	35,961,707.00	37,987,946.79	(2,026,239.79)	105.63
TOTAL EXPENDITURES		31,435,963.00	35,961,707.00	35,150,225.39	811,481.61	97.74
NET OF REVENUES & EXPENDITURES		0.00	0.00	2,837,721.40	(2,837,721.40)	100.00

BEACH EROSION DISTRICT
INTERIM BALANCE SHEET
PERIOD ENDING 9/30/2025

GL Number	Description	Balance
Fund 101 - BEACH PROTECTION DISTRICT		
*** Assets ***		
101-000-101.000	CASH IN BANK-SEACOAST NATIONA	581,460.59
101-000-101.001	MONEY MARKET-SEACOAST NATIONA	11,782,579.62
101-000-101.152	INVESTMENT POOL	22,856.23
101-000-101.154	INVESTMENT- FL PALM	10,032.31
101-000-101.155	INVESTMENT-SBA	105,841.85
101-000-133.001	DUE FROM STATE OF FLORIDA	332,050.76
101-000-133.002	DUE FROM FEMA	12,588,947.98
101-000-155.000	PREPAID ITEMS	1,035.34
	Total Assets	25,424,804.68
*** Liabilities ***		
101-000-207.001	DUE TO GENERAL FUND	6.50
	ACCRUED PAYROLL/BENEFITS	7,166.85
	Total Liabilities	7,173.35
*** Fund Balance ***		
101-000-280.001	NONSPENDABLE PREPAID	2,723.00
101-000-284.000	FUND BALANCE	22,577,186.93
	Total Fund Balance	22,579,909.93
	Beginning Fund Balance	22,579,909.93
	Net of Revenues VS Expenditures	2,837,721.40
	Ending Fund Balance	25,417,631.33
	Total Liabilities And Fund Balance	25,424,804.68



TOWN OF JUPITER ISLAND

MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 2 – District Goals & Objectives

Date: 10/10/2025

Background:

In response to the requirements established in House Bill 7013, the Beach Protection District must annually publish a report describing the goals, objectives, and performance measures beginning December 1, 2025. Attached to this memorandum is a draft of the Fiscal Year 2025 District Goals & Objectives for Commission consideration.

Recommendation:

Town staff is seeking Commission approval of the draft as presented and recommends passage of a Resolution adopting the goals and objectives during the November 19, 2025 meeting.

**TOWN OF JUPITER ISLAND – BEACH PROTECTION DISTRICT
FISCAL YEAR 26 GOALS, OBJECTIVES, AND PERFORMANCE MEASURES**

In accordance with the requirements of Florida Statute Chapter 189.0694, *beginning October 1, 2024, or by the end of the first full fiscal year after its creation, whichever is later, each special district must establish goals and objectives for each program and activity undertaken by the district, as well as performance measures and standards to determine if the district's goals and objectives are being achieved. By December 1 of each year thereafter, each special district must publish an annual report on the district's website describing: (a) The goals and objectives achieved by the district, as well as the performance measures and standards used by the district to make this determination. (b) Any goals or objectives the district failed to achieve.*

District Background and Purpose:

On April 9, 1982, House Bill No. 709 was enacted by the State Legislature and Governor establishing the Town of Jupiter Island Beach Protection District (District). The boundaries of the District are coterminous with the Town limits, encompassing all residents. Being a dependent tax district, the Town Commission also sits as the Commission of the Beach Protection District. The authority of the District as enacted in the legislature, *“providing authority for the protection of the beach and lands within the district from erosion and damage from storms, waves, currents and high water, subject to state and federal permitting requirements; providing for the levy of a special erosion tax; providing for the levy of a special tax for construction and maintenance of erosion control structures on particular properties within the district”*. The purpose of the District is to take actions necessary to protect the interests of the citizens from damage to beaches caused by erosion, storms, tidal waves, tidal currents or high water, subject to state and federal permitting requirements.”

Fiscal Year 2025 Goals & Objectives:

District Operations:

Goal: Conform to the Jupiter Island Beach Protection District enabling legislation and Town Charter

Objective: Protect the interests of the citizens from damage to beaches caused by erosion, storms, tidal waves, tidal currents or high water, subject to state and federal permitting requirements

Performance Measure:

Conduct itself in conformance with its Charter (yes/no)

Maintain all necessary state and federal permits (yes/no)

District Administration:

Goal: Administer the District program through prudent management and planning of all program elements.

Objective: Develop and maintain resources capable of executing all aspects of the District program.

Performance Measure:

Maintain a registered agent for the District (yes/no)

Maintain highly qualified staff with experience in coastal processes and projects (yes/no)

Retain highly qualified consultants with experience in coastal process and projects (yes/no)

Retain highly qualified construction contractors with experience in coastal projects (yes/no)

Goal: Promote transparency of District activities

Objective: Keep resident taxpayers and general public aware of ongoing and future District activities and programs

Performance Measure:

Conduct monthly public meetings (yes/no)

Publish District meeting agenda, materials, and minutes (yes/no)

Hold public outreach meetings and workshops for major projects (yes/no)

Goal: Remain compliant with Florida Laws for all District meetings and public business

Objective: Notice all District regular, special, and public hearing meetings in conformance with Florida Laws

Performance Measure:

Develop and publish District's annual goals and objectives (yes/no)

Publicly notice all meetings as required (yes/no)

Conduct all activities in conformance with Florida Sunshine Laws (yes/no)

Retain all records as required by law (yes/no)

District Finance:

Goal: Remain compliant with Florida Laws for all District financing activities

Objective: Notice and submit required millage and budget hearing schedule and documents. Adopt ad-valorem millage rate and fiscal year budget. Coordinate and submit annual financial audit(s)

Performance Measure:

Notice budget hearings as required (yes/no)

Adopt ad-valorem millage rate by formal resolution (yes/no)

Adopt fiscal year budget by formal resolution (yes/no)

Conduct and submit annual independent financial audit(s) as required (yes/no)

Goal: Remain eligible for federal and state grant programs

Objective: Continue to manage beaches in accordance with federal and state standards

Performance Measure:

Conduct all bidding and contracting in accordance with all Town, federal, and state procurement requirements (yes/~~no~~)

Conduct all engineering, surveying, and monitoring requirements in accordance with federal and state requirements, including FEMA Public Assistance Program and Policy Guide or update thereof (yes/~~no~~)

Retain designation as an “engineered beach” in accordance with FEMA standards (yes/~~no~~)



TOWN OF JUPITER ISLAND

MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 3 – Letter to FEMA Review Council

Date: 10/16/2025

Background:

In response to the reorganization of the Federal Emergency Management Agency (FEMA) implemented earlier this year, future funding of Category G "Parks, Recreation, Other" projects following a declaration of emergency has come into question. Category G projects include engineered beaches, and the Town's beach nourishment program has qualified for significant funding through this funding source. The convening of a "FEMA Review Council" was initiated under the direction of the current administration with the purpose to advise the President on how to improve FEMA's ability to handle disasters and recommend changes to better serve the national interest.

While no specific actions have been taken to restrict Category G funding, the concern over future support of engineered beaches continues. Advocates for coastal communities, including the Florida Shore & Beach Preservation Association, have formally expressed concern and support for beach restoration, highlighting the economic and environmental return on investment that beach restoration projects present to the local community – beyond the direct benefit of storm protection. Staff has prepared a matching letter of support, highlighting these benefits.

Recommendation:

Staff requests Commission authorization for the Mayor to sign and submit the attached letter on behalf of the Town, supporting future funding of engineered beach projects.

TOWN OF JUPITER ISLAND

2 BRIDGE ROAD
HOBE SOUND, FLORIDA 33455

TELEPHONE
(772) 545-0100

FAX
(772) 545-0188

October 29, 2025

FEMA Review Council

Dear Council Members,

As a barrier island community in the State of Florida, the Town of Jupiter Island is on the forefront of combatting the impacts of hurricanes and is well-versed in the intensive planning and execution required to maintain a healthy, robust, and resilient coastal community. The key to maintaining and preserving the barrier island for its residents and the community at large has been the Town's commitment to design, construct, and maintain an engineered beach. The Town's beach nourishment program has successfully provided protection from the impacts of flood as a natural buffer to storms, while also enhancing and preserving the beach and dune ecosystem and supporting habitat for a multitude of threatened and endangered species.

It is well understood that the State of Florida is among the most exposed to the damages and devastation linked to the impacts of hurricanes. Vulnerable coastal communities have experienced heavy personal, private, and public losses as hurricanes and other storms have damaged beaches, homes, businesses, and infrastructure – upending lives and livelihoods. Florida's beach communities are among the most robust and resilient communities in the country and maintaining a healthy beach system in accordance with FEMA's definition of an engineered beach has been a dedicated priority of the Town for decades.

Our beaches serve as the first line of defense against storm. They provide significant increases in protective value for private properties and public infrastructure, and overall economic and environmental value. Without question, beach restoration projects have effectively mitigated damages and generated a tremendous return on investment when considering all beach-related costs and benefits. As stated by the Florida Shore & Beach Preservation Association, "every \$1 invested in beach nourishment generates approximately \$3,000 in economic output".

The Town of Jupiter Island strongly believes that our engineered beach projects provide substantial risk reduction and returns on investment that cannot be understated. Our beaches are an essential component of our infrastructure. The Town respectfully requests the Council assess the costs and benefits of restored beaches as a critical infrastructure element, protecting coastal communities from the devastating impacts of storms. Your consideration and attention in this matter is greatly appreciated. Thank you.

Sincerely,

Penelope Townsend, Mayor

cc: Florida Shore & Beach Preservation Association
Martin County Board of County Commissioners



TOWN OF JUPITER ISLAND

MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 4 – Federal Permit Status

Date: 10/20/2025

Background:

The Town is required to maintain "Joint Coastal Permits" (JCP) from both the State (Florida Department of Environmental Protection - FDEP) and the Federal government (U.S. Army Corps of Engineers - USACE) for beach nourishment activities. The Town initiated a major permit modification request with both agencies in April 2023, requesting a design change to add a second feeder beach section to the Town's beach nourishment template. The FDEP reviewed and approved the Town's JCP on July 8, 2024, extending the permit expiration date through June 20, 2033.

The USACE review of the Town's JCP modification request has not been advanced due to various USACE administrative issues, and this came to the Town's attention in early 2025. A coordination meeting was held with the USACE project manager and regulatory office manager in July 2025, during which the Town was assured that the modification process would advance and that a 2-year extension to the Town's existing permit would be issued prior to the permit expiration date of November 13, 2025.

Without further progress or response from the regulatory division, Town staff contacted the head of the Jacksonville District (Colonel Bowman) to express concerns regarding the lack of response and pending permit expiration. The initial response from the Colonel was that the permit would be processed and an extension granted prior to the permit expiration date.

As of the date of this memo, an e-mail response from the USACE project manager was received, indicating that the extension should be finalized the week of October 20-24.

Recommendation:

If a permit extension is not received prior to October 29th, Town staff is recommending further contact with Congressman Mast's office and other legislators (if necessary) to assist with expediting the Town's request.

John Duchock

From: Baehre, John M CIV (USA) <John.M.Baehre@usace.army.mil>
Sent: Friday, October 17, 2025 5:36 PM
To: John Duchock
Cc: Mike Jenkins; Bell, Cory J MAJ USARMY CESAJ (USA); Palmer, John C CIV USARMY CESAJ (USA)
Subject: RE: [Non-DoD Source] RE: SAJ-1992-01740 // Jupiter Island Beach Renourishment// 9/25 Meeting Follow-up

External Email - Use Caution

John,

I have a few comments pending internal coordination, but I hope to have the extension completed early next week. I do have time to meet Monday or Wednesday if you would like; however, John Palmer will be away from the office until the following week.

Sincerely,

John Baehre
Project Manager
Cocoa Section
U.S. Army Corps of Engineers
400 High Point Drive, Suite 600
Cocoa, FL 32926
o 321-504-3771 extension 0013
c 321-666-1153
john.m.baehre@usace.army.mil



**US Army Corps
of Engineers**®
Jacksonville District



▶ May 14
ASK THE EXPERTS
1-4 PM

▶ May 15
WORKSHOP
8 AM - 4:30 PM



From: John Duchock <jduchock@tji.martin.fl.us>
Sent: Friday, October 17, 2025 10:42 AM
To: Bowman, Brandon L COL USARMY CESAJ (USA) <Brandon.L.Bowman@usace.army.mil>
Cc: Mike Jenkins <mjenkins@appliedtm.com>; Baehre, John M CIV (USA) <John.M.Baehre@usace.army.mil>; Palmer, John C CIV USARMY CESAJ (USA) <John.Palmer@usace.army.mil>; Bell, Cory J MAJ USARMY CESAJ (USA) <Cory.J.Bell@usace.army.mil>
Subject: [Non-DoD Source] RE: SAJ-1992-01740 // Jupiter Island Beach Renourishment// 9/25 Meeting Follow-up

Colonel Bowman:

Understanding that the federal government shutdown is likely impacting your operations, please advise if we can arrange a discussion on the requested permit modification and extension. I am available at your convenience. Thank you.

Regards,
John

John Duchock

Asst. Town Manager/Beach District Dir.
Town of Jupiter Island
2 Bridge Road
Hobe Sound, FL 33455
p: (772) 545-0187

From: John Duchock

Sent: Monday, October 13, 2025 1:05 PM

To: Brandon.L.Bowman@usace.army.mil

Cc: Mike Jenkins <mjenkins@appliedtm.com>; Baehre, John M CIV (USA) <John.M.Baehre@usace.army.mil>; Palmer, John C CIV USARMY CESAJ (USA) <john.palmer@usace.army.mil>; Cory.J.Bell@usace.army.mil

Subject: RE: SAJ-1992-01740 // Jupiter Island Beach Renourishment// 9/25 Meeting Follow-up

Importance: High

Colonel Bowman:

Following up on our past communication regarding the Town's JCP and our discussion at the resilience conference last month, we are at a stand still on progress and wish to set up a time to discuss how to best expedite an extension to the permit and avoid a potential lapse. As I've relayed to the project manager below, we have increasing concern about the expiration (now a month away) which is being compounded by severe erosion caused by the recent king tides and prolonged heavy seas.

We are available at your convenience for a call or meeting to resolve this and appreciate your support and assistance.

Regards,
John

John Duchock

Asst. Town Manager/Beach District Dir.
Town of Jupiter Island
2 Bridge Road
Hobe Sound, FL 33455
p: (772) 545-0187
c: (772) 349-8487

From: John Duchock
Sent: Thursday, October 9, 2025 10:23 AM
To: Mike Jenkins <mjenkins@appliedtm.com>; Baehre, John M CIV (USA) <John.M.Baehre@usace.army.mil>
Subject: RE: SAJ-1992-01740 // Jupiter Island Beach Renourishment// 9/25 Meeting Follow-up
Importance: High

Good morning Mr. Baehre,

At your earliest convenience, please provide an update on the request to extend the Town's permit. As I write this message, we are experiencing severe tides, waves, erosion and do not wish to be unable to respond if conditions deteriorate. If I do not hear from you before the end of the week, I will seek to elevate this issue further. I understand that you likely have a lot of priorities/fires, but respectfully request an e-mail response including a path forward for the Town. Thank you.

Regards,
John

John Duchock

Asst. Town Manager/Beach District Dir.
Town of Jupiter Island
2 Bridge Road
Hobe Sound, FL 33455
p: (772) 545-0187

From: Mike Jenkins <mjenkins@appliedtm.com>
Sent: Monday, September 29, 2025 3:59 PM
To: Baehre, John M CIV (USA) <John.M.Baehre@usace.army.mil>
Cc: John Duchock <jduchock@tji.martin.fl.us>
Subject: RE: SAJ-1992-01740 // Jupiter Island Beach Renourishment// 9/25 Meeting Follow-up

External Email - Use Caution

Good afternoon John,

Thank you again for reaching out regarding the Jupiter Island Beach Nourishment Permit Modification.

It is my understanding based on our call that you have the information you need at the moment and will reach out to me if there is anything in addition you may need.

I also understand that it is unclear at this point to what extent consultation with other commenting agencies will be required and this may affect the timeline for issuance.

As the permit will expire on November 13, 2025, I understand that the expiration date of the existing permit will be extended for two years to facilitate this effort.

Regarding this last point, I would additionally note that the Town is particularly concerned that the permit will expire. Along these lines it has been conveyed to me that if the extension has not occurred within 30 days of expiration (October 13) the Town will elevate the issue by all avenues available. As such it would be very helpful to expedite the extension prior to this date.

Again, really appreciate your efforts regarding this matter. Please let me know if any further clarification regarding the above is warranted and feel free to reach out to me if you need anything from our end.

Regards,

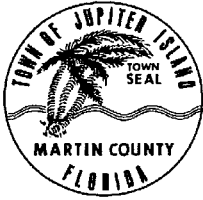
Michael Jenkins, PhD, PE_(FL)

Senior Principal, Geosyntec

Direct: 561-472-2144

Cell: 561-351-8213

This email was scanned by Bitdefender



TOWN OF JUPITER ISLAND

MEMORANDUM

To: Mayor & Town Commission

Through: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

From: John Duchock, Asst. Town Manager

RE: Agenda Item No. 5 – Sea Turtle Lighting Ordinance Discussion

Date: 10/17/2025

Background:

The Town is actively engaged with the Sea Turtle Conservancy (STC) for a review and proposed modification to the Town's existing sea turtle lighting ordinance. Following initial discussions between Town staff and STC, a preliminary draft of changes to the Town's existing code of ordinances (Part II, Chapter 3, Article II Sea Turtles) has been prepared and is attached to this memorandum for Commission review and discussion. The proposed ordinance language changes are primarily based on the increased protective standards reflected in the State's "model" lighting ordinance.

Senior Lighting Specialist, Emily Wooley, with the STC will provide a presentation to the Commission outlining the various changes and reasoning behind the model ordinance standards.

Recommendation:

The preliminary draft ordinance language is presented for Commission discussion and consideration. Proposed changes will be advanced by staff and STC for future consideration and possible adoption by the Commission.

ARTICLE II. SEA TURTLES¹

Sec. 3-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Artificial light: ~~means~~ any source of light emanating from a manmade device, including, but not limited to, fluorescent, incandescent, mercury vapor, metal halide or sodium lamps, spotlights, streetlights, vehicular lights, construction or security lights.

Beach: ~~means~~ the zone of unconsolidated material that is contiguous with the waters of the Atlantic Ocean and extends landward from the mean low-water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation; usually the effective limit of storm waves.

Directly visible: occurs when glowing elements, lamps, globes, or reflectors of an artificial light source can be seen by an observer standing anywhere on the beach.

Dune: ~~means~~ a mound or ridge of loose sediments lying landward of the beach and deposited by any natural or artificial mechanism and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

Floodlight: ~~means~~ an unshielded reflector type outdoor light.

Foot-candle: the English unit for measuring illuminance; the uniform illumination of a surface one foot away from a point source of one candela; one lumen per square foot; equal to 10.76 lux.

Frontal dune: the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

Full cutoff: a lighting fixture constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the light, is projected at or above 90° as determined by photometric test or certified by the fixture manufacturer.

Fully shielded: a lighting fixture constructed in such a manner that the glowing elements, lamps, globes, or reflectors of the fixture are completely covered by an opaque hood or screen which confines the projection of light to nonregulated areas and prevents light from being directly visible from the beach. Any structural part of the light fixture providing this shielding must be permanently affixed.

Ground-level barrier: ~~means~~ any natural or artificial structure rising above the ground that prevents beachfront lighting from shining directly onto the beach-dune system.

Indirectly visible: light reflected from glowing elements, lamps, globes, reflectors, or from grouped sources of artificial light that can be seen by an observer standing anywhere on the beach without the light source being directly visible.

Long wavelength: a lamp or light source emitting light wavelengths of 560 nanometers or greater and absent wavelengths below 560 nanometers.

¹Cross reference(s)—Marine activities, ch. 7.

Low profile luminaire means a light fixture set on a base which raises the source of the light no higher than 428 inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

Nesting season: means the period from March 1 through October 31 of each year.

Nesting zone means that area of beach and other uplands extending inland from mean high water a distance of 300 feet, and any other area known to be utilized by sea turtles for nesting purposes.

Nighttime: the locally effective time period between sunset and sunrise.

Non-egress lighting: exterior lighting that is not being used to light a distinct route or meet minimum requirements for emergency access to or from a building, including but not limited to decorative lights (e.g. strobe lights, string lights, etc.), balcony lights, landscape lights, and up lights.

Outdoor area: any portion of a property that could have an artificial light source not attached to a permanent structure, including but not limited to pathway lighting, landscape lighting, pool lighting, etc.

Sea turtle: any turtle, including all life stages from egg to adult, of these species: Green (*Chelonia mydas*), Leatherback (*Dermochelys coriacea*), Loggerhead (*Caretta caretta*), Hawksbill (*Eretmochelys imbricata*), and Kemp's ridley (*Lepidochelys kempii*). For the purposes of this Ordinance, the term sea turtle is synonymous with marine turtle.

Sea turtle nesting habitat: all sandy beaches adjoining the waters of the Atlantic Ocean, the Gulf, and the Straits of Florida in all coastal counties and all inlet shorelines of those beaches. Nesting habitat includes all sandy beach and unvegetated or sparsely vegetated dunes immediately adjacent to the sandy beach and accessible to nesting female turtles.

Shielded means fitted with an opaque hood or screen which confines the projection of light to nonregulated areas.

Temporary lighting: any non-permanent light source that may be hand-held or portable including but not limited to tiki torches, lanterns, flashlights (including cell phone flashlights), candles, flash photography, etc.

Tinted glass: glass modified via tinting, film or other material to reduce the inside to outside light transmittance value and achieve a visual light transmittance value of 30 percent or less.

Visible from the beach means visible within a line of sight extending landward from any point at mean low water and plus one foot elevation.

(Ord. No. 208, § 1, 20265-13-92)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

Sec. 3-32. - Purpose.

The purpose of this Ordinance is to protect nesting and hatchling sea turtles on the beaches in the Town of Jupiter Island by ensuring that their nesting habitat is not degraded by artificial light.

(Ord. No. 208, § 2, 2026)

Sec. 3-33. - Applicability.

- (1) This Ordinance applies to all properties within the Town of Jupiter Island that may produce artificial light directly or indirectly visible from any portion of the beach, regardless of whether those properties are beachfront properties.

(2) The provisions of this Ordinance apply to new and existing artificial lighting visible from the beach during sea turtle nesting season from all buildings and related infrastructure, including but not limited to streetscapes, parking lots, outdoor areas, landscaping, as well as public parks and recreational areas.

(Ord. No. 208, § 3, 2026)

Sec. 3-34. – Annual Public Notice.

At least thirty days prior to the commencement of every sea turtle nesting season, the Town of Jupiter Island shall provide notice to affected persons within the Town of the provisions contained in this Ordinance.

(Ord. No. 208, § 4, 2026)

Sec. 3-35. General lighting provisions

- (1) The following standards for artificial light sources are intended to help minimize harmful effects of light pollution in sea turtle nesting habitat. Exterior building lighting both affixed and not affixed to the structure are included in these standards if the source of light is directly or indirectly visible from the beach.
- (2) New development refers to all new construction of or additions and alterations to buildings, pools, pavement, other structures, landscape areas or lighting systems, including the change or resumption of land use. The most protective lighting standards apply to new construction visible from the beach.
- (3) Existing artificial lighting refers to lighting fixtures, sources and systems operating prior to the effective date of this Ordinance. Existing lights and light sources that are visible from the beach shall be replaced or modified to conform to standards given in Section 3-37. In order to bring existing lighting systems into future compliance with this Ordinance, standards for new coastal construction shall be applied when permits are sought for new structures or the alteration, movement, enlargement, replacement or installation of new lighting systems.

(Ord. No. 208, § 5, 2026)

Sec. 3-36~~3~~. Lighting for new development.

All new structures directly or indirectly visible from the beach built within the nesting zone after May 13, 1992, including parking areas, lots, and dune walkovers, pool areas, piers projecting over the beach or water, and any outdoor lighting associated with construction or development within the nesting zone, shall comply with the following lighting standards:

- (1) All lighting affixed and not affixed to the exterior of new permanent structures, construction or additions, shall be long wavelength, downward directed, full cutoff, fully shielded and mounted as close to the ground or finished floor surface as possible to achieve the required foot-candles.
- (2) Floodlights and non-egress point lightings may be affixed to the landward exterior of permanent structures provided they are shall be long wavelength and positioned or shielded in such a way that so they are not directly or indirectly visible from any portion of the beach and do not illuminate surfaces that are visible from the beach, or shall be turned off not later than 9:30 p.m. during each night of the nesting season and left off during the remainder of the night.
- (3) Lighting at egress points should be limited to the minimum number of foot-candles necessary to meet federal, state, and local safety requirements. The use of motion detector switches that keep lights off except when approached and that switch lights on for the minimum duration possible are preferred. Wall-mounted light fixtures shall be mounted or fitted with hoods in such a way that the light therefrom does not illuminate the beach and is not visible from the beach.

Commented [EW1]: If new development constitutes replacement of a certain percentage of the existing structure or any other specified standards, please add this information here or reference where these requirements can be found.

- (4) Pole lighting ~~must~~ shall be long wavelength, downward directed, full cutoff, fully shielded, and mounted to the minimum level required to maintain compliance with federal, state, and local laws. in such a way that no generated light illuminates the beach. Pole light should not be directly or indirectly visible from any portion of the beach.
- (5) Low profile ~~lights~~ luminaires shall be utilized when possible to illuminate beachfront parking areas, and ~~equipped with these shall be positioned or shielded so that light is not directly or indirectly visible in such a way that no generated light illuminates from~~ the beach.
- (6) ~~Lighting on dune crosswalks must~~ shall be located and configured to only illuminate areas landward of the beach and frontal dune. Dune crosswalks must utilize long wavelength, downward directed, full cutoff, fully shielded fixtures that are not be directly or indirectly visible from the beach. utilize low-profile shielded luminaires only.
- (7) ~~Lighting on balconies that is visible from the beach shall be shielded in such a way that lights will not illuminate the beach. Lighting of pool decks, pool facilities, and underwater pool and spa lights must be long wavelength and fully shielded. Light should not be directly or indirectly visible from any portion of the beach.~~
- (8) Temporary ~~security~~ lights at construction sites visible from the beach in the nesting zone during nesting season shall be restricted to the minimum amount necessary and shall incorporate all of the standards of this section unless specifically allowed by state or federal permit. Lights must not be mounted more than 15 feet above the ground, shall not spread beyond the boundary of the property, and in no case shall these lights directly illuminate be directly or indirectly visible from the beach.
- (9) ~~Property owners are encouraged to shield interior light bulbs if so situated that they are visible from the beach and to use window treatments for windows facing the Atlantic Ocean to prevent interior lights from illuminating the nesting zone. All glass windows, walls, railings, and doors on the seaward and shore-perpendicular sides of any new construction shall use tinted glass with an inside to outside light transmittance value of 30 percent or less. Light screens, shades, or curtains should be used with tint to fully block interior lights from being directly or indirectly visible from the beach.~~
- (10) Emergency lights are not subject to the above standards if on a separate circuit and activated only during power outages or other situations in which emergency lighting is necessary for public safety.

(Ord. No. 208, § 62, 20265-13-92)

Sec. 3-373. Lighting for ~~existing development~~.

Artificial lighting from existing structures that are directly or indirectly visible from the beach located within the nesting zone shall be turned off at nighttime or repositioned, modified or replaced as necessary in order to comply with the following lighting standards:

~~(1) Lights illuminating buildings or associated grounds shall be shielded or screened in such a way that they are not visible from the beach, or shall be turned off no later than 9:30 p.m. during each night of the nesting season and left off during the remainder of the night.~~

~~(2) Lights illuminating dune crosswalks or any areas oceanward of the dune line shall be turned off no later than 9:30 p.m. during each night of the nesting season and left off during the remainder of the night or must be modified to conform with the requirements for new development.~~

~~(3) Security lighting may be employed throughout the night so long as low-profile luminaires are used and shielded in such a way that these lights do not illuminate the beach.~~

(1) Replace fixtures having an exposed light source with fully shielded fixtures;

Commented [EW2]: Options to address existing problematic lights:

1. Outreach campaign to let residents know that the ordinance has been updated so they can prepare prior to nesting season. Any problematic lights that have not been corrected would then be addressed at that time.
2. Potential grace period in which existing development has a predetermined amount of time to adjust and come into compliance (2-5 years for example).
3. When a property is making modifications to their fixtures, require standards are met as part of permit review process.

- (2) Replace any light source, light bulb or lamp that is not long wavelength (e.g. incandescent, fluorescent, or high intensity lighting) with the lowest wattage long wavelength (e.g. LED or low-pressure sodium) light source or lamp available for the specific application;
- (3) Replace non-directional fixtures with directional fixtures that point down and away from the beach;
- (4) Provide shields for fixtures visible from the beach and not practical to immediately be replaced. Beachside shields are to cover 270 degrees and extend below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
- (5) Replace pole lamps with low-profile, low-level lights so that the light source or any reflective surface of the light fixture is not visible from the beach;
- (6) Plant or improve vegetation buffers between the light source and the beach to screen light from the beach;
- (7) Construct a ground level barrier landward of the beach and frontal dune to shield light sources from the beach. Ground-level barriers are to be considered a last resort when no other remediation of the light source is feasible. Ground level barriers may be subject to state coastal construction control line regulations under section 161.053, Florida Statutes, and must not interfere with sea turtle nesting or hatchling emergence, or cause short- or long- term damage to the beach and dune system;
- ~~(1)~~(8) Permanently remove or permanently disable any fixture which cannot be brought into compliance with the provisions of these standards.
- (9) ~~(4)~~ Property owners are encouraged to shield interior lightbulbs if so situated that they are visible from the beach and to use window treatments for windows facing the Atlantic Ocean to prevent interior lights from illuminating the nesting zone. Take one or more of the following measures to minimize interior light emanating from doors and windows within line-of-sight of the beach:
 - a. Apply window tint or film that meets the light transmittance standards for tinted glass;
 - b. Rearrange lamps and other moveable fixtures away from windows;
 - c. Use opaque shades or room darkening window treatments (e.g., blinds, curtains, screens) to shield interior lights from the beach.
 - d. Turn off unnecessary lights and lights that are not in use during nesting season.

(Ord. No. 208, § 73, ~~20265-13-92~~)

Sec. 3-384. Publicly owned lighting.

Streetlights, ~~and~~ lighting at parks, and other publicly owned beach access areas shall comply with the following:

- (1) Streetlights shall be so located that the bulk of their illumination will travel away from the beach. These lights shall be long wavelength, downward directed, and equipped with full cutoff shades or shields that will prevent backlighting and render them not invisible from the beach. Fixtures should be mounted to the minimum level required to maintain compliance with federal, state and local law.
- (2) Lights at parks or other public access points shall be located and configured so as to only be visible from areas landward of the beach and frontal dune. All lighting of beach access points shall be long wavelength, downward directed, full cutoff, and fully shielded so that light is not directly or indirectly visible from the beach, or shall not be utilized during nesting season. or shaded, or shall be turned off not later than 9:30 p.m., during each night of the nesting season and left off during the remainder of

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(Supp. No. 19, Update 4)

~~the night. Lights are allowable on dune walkovers or elevated boardwalks only as required for building code purposes and may only be installed landward of the frontal dune. Walkover lighting shall not be directly or indirectly visible from the beach.~~

(Ord. No. 208, § ~~84~~, ~~20265-13-92~~)

Sec. 3-~~39~~5. Design of vehicular circulation and parking areas.

Parking lots and roadways ~~within the nesting zone visible from the beach~~, including any paved or unpaved area upon which motorized vehicles will operate, shall be so designed or positioned that vehicular headlights will ~~not cast light toward~~ be shielded from the beach. ~~The nesting zone may be shielded from vehicular lighting through the use of Ground level barriers, hedges, dune preferably vegetative on buffers, or other ground level barriers, must not interfere with sea turtle nesting and hatchling emergences, cause short or long-term damage to the beach or dunes, and should be as long as these are continuous and~~ maintained to a minimum height of four feet above the surface of the parking area.

(Ord. No. 208, § ~~95~~, ~~20265-13-92~~)

Sec. 3-40. Prohibited activities during nesting season

- ~~(1) Lighting associated with a special event that may directly or indirectly be visible from any portion of the beach shall not be authorized at nighttime during sea turtle nesting season unless permitted by the Town of Jupiter Island.~~
- ~~(2) The operation of all motorized vehicles, except emergency and law enforcement vehicles or those permitted on the beach for sea turtle conservation in accordance with Florida Statute 379.2431 (1), or other research and conservation, shall be prohibited on the beach at nighttime during sea turtle nesting season.~~
- ~~(3) Within sea turtle nesting season, temporary work zone lighting for roadway construction and during declared emergencies shall be directed away from the beach to avoid illumination of or direct visibility from the beach. Work zone lights shall be shielded to avoid lighting areas outside of the immediate construction area.~~
- ~~(4) Handheld and other portable temporary lighting used by the public. Entities approved by federal, state, and local government to conduct work on the beach at night may use handheld temporary lighting, fitted with long wavelength lamps, only as necessary and cannot direct the lights toward or use in a manner that disturbs sea turtles or other coastal wildlife. Handheld and other portable temporary lighting used by first responders in emergency situations is not subject to the above standards.~~
- ~~(5) Fire pits and bonfires are prohibited within sea turtle nesting habitat during sea turtle nesting season.~~

(Ord. No. 208, § 10, 2026)

Sec. 3-41. Compliance and Enforcement Procedures

- ~~(1) It shall be the duty of the Town of Jupiter Island Building Department to enforce this Ordinance. Personnel shall have the necessary training, technical knowledge, and resources to enable them to effectively carry out the duties of this office.~~
- ~~(2) The Building Department or appointed personnel acting on behalf of the Town of Jupiter Island, shall be responsible for:~~

(Supp. No. 19, Update 4)

Created: 2025-08-04 14:09:47 [EST]

- a. Inspecting the entire beach within the jurisdictional boundaries of the Town of Jupiter Island regularly during sea turtle nesting season to determine the extent of compliance with this Ordinance.
- b. In the event of the finding of a violation at a particular public or private property, conducting further inspections at the property at any time beginning on the night after the deadline date given on the written notice of violation. Responsibilities may also include preparation of reports, issuance of non-compliance notices, outreach and education, supporting administrative actions before a review board or special magistrate, or attending building permit pre-application and preconstruction conferences.
- (3) It shall be unlawful for any person to interfere with, or in any manner hinder personnel acting on behalf of the Town of Jupiter Island, while in the discharge of their duties under the terms of this Ordinance.
- (4) It shall be unlawful for any person to knowingly conceal or disable any lighting on a property before it has been inspected by the Building Department or any personnel acting on behalf of the Town of Jupiter Island.

(Ord. No. 208, § 11, 2026)

Sec. 3-42. Notice of Violation

- (1) Upon finding any violation of this Ordinance, the Town shall deliver a written notice of the violation of this Ordinance to the property owner and direct said owner to promptly remove or remediate lighting not in compliance with this Ordinance.
- (2) The time allowed for making the repairs shall be stated in the notice and should the responsible party neglect or refuse to remove or remediate non-compliance within the specified time stated in the notice, the party so offending shall commit a violation of this Ordinance and be penalized as provided in Subsection 3-43 of this Ordinance.

(Ord. No. 208, § 12, 2026)

Sec. 3-~~43~~6. Penalties.

The violation of this article shall be punished, upon conviction, as stated in section ~~1-14~~. All penalties incurred as a result of violation of this Ordinance shall continue to accrue until such violations are cured.

(Ord. No. 208, § 13, 2026)

Sec. 3-44. Other Clauses.

If this Ordinance conflicts with any other Ordinance or requirement of the Town of Jupiter Island, then this Ordinance shall control during sea turtle nesting season. Deviations from this Ordinance shall be subject to the variance procedures as established by the Town of Jupiter Island.

(Ord. No. 208, § ~~146~~, ~~20265-13-92~~)

Commented [EW3]: The Model has a section for a Sea Turtle Fund. All fines collected are deposited into this fund which can be used to assist property owners with purchasing fixtures/bulbs needed to come into compliance with the ordinance, outreach materials to educate the community on wildlife lighting, equipment needed to enforce the ordinance, etc. If you are interested in adding this section, please let us know.

Commented [EW4]: Specify which section these violations fall under so residents know what penalties are applicable.

Town of Jupiter Island Draft Ordinance Language

Beach District Meeting
October 28, 2025

Emily Wooley, NAILD LS-1
Senior Lighting Project Specialist
Sea Turtle Conservancy



Retrofits

355

Properties retrofitted

> 36,000

Individual lights changed

100%

Reduction in disorientation rate

(In front of select properties)



Outreach

2,279

Personnel educated through
targeted workshops

28

Local governments expressed
interest in an ordinance update

8

Ordinances updated

Why Our Lighting Decisions Matter for Sea Turtles

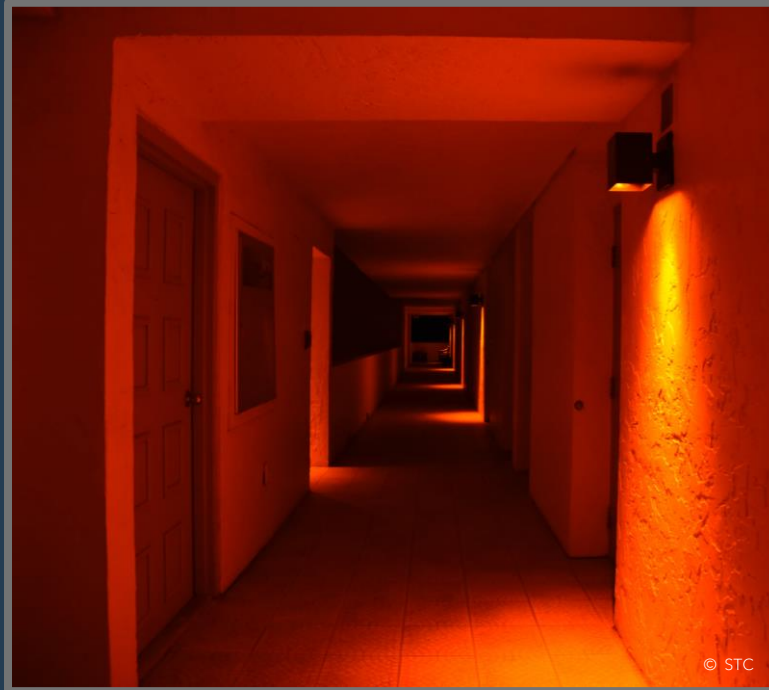
- Disrupts natural orientation cues
- Fewer nests
- Disorientations
- Mortality



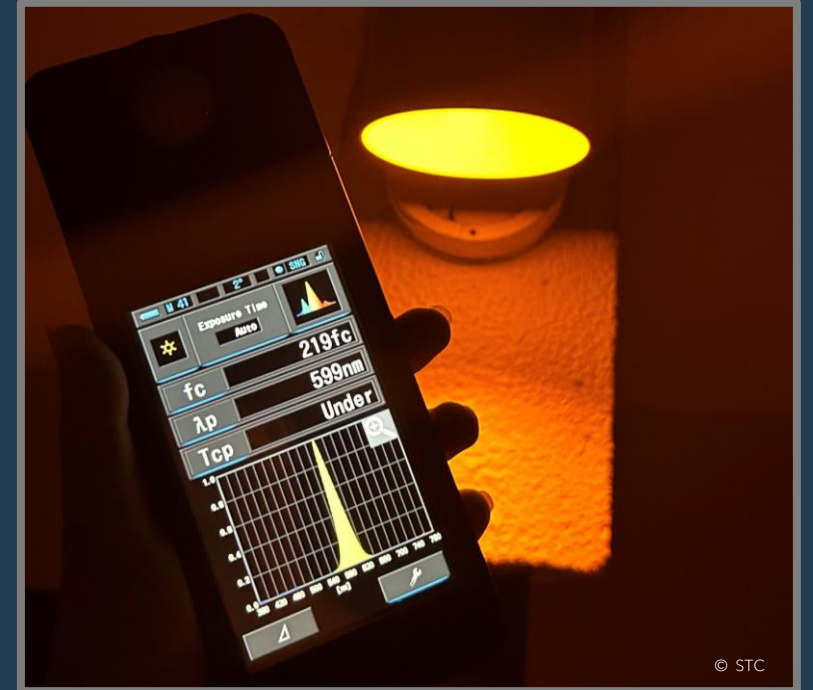
Rules of Wildlife Lighting



1. Keep it LOW

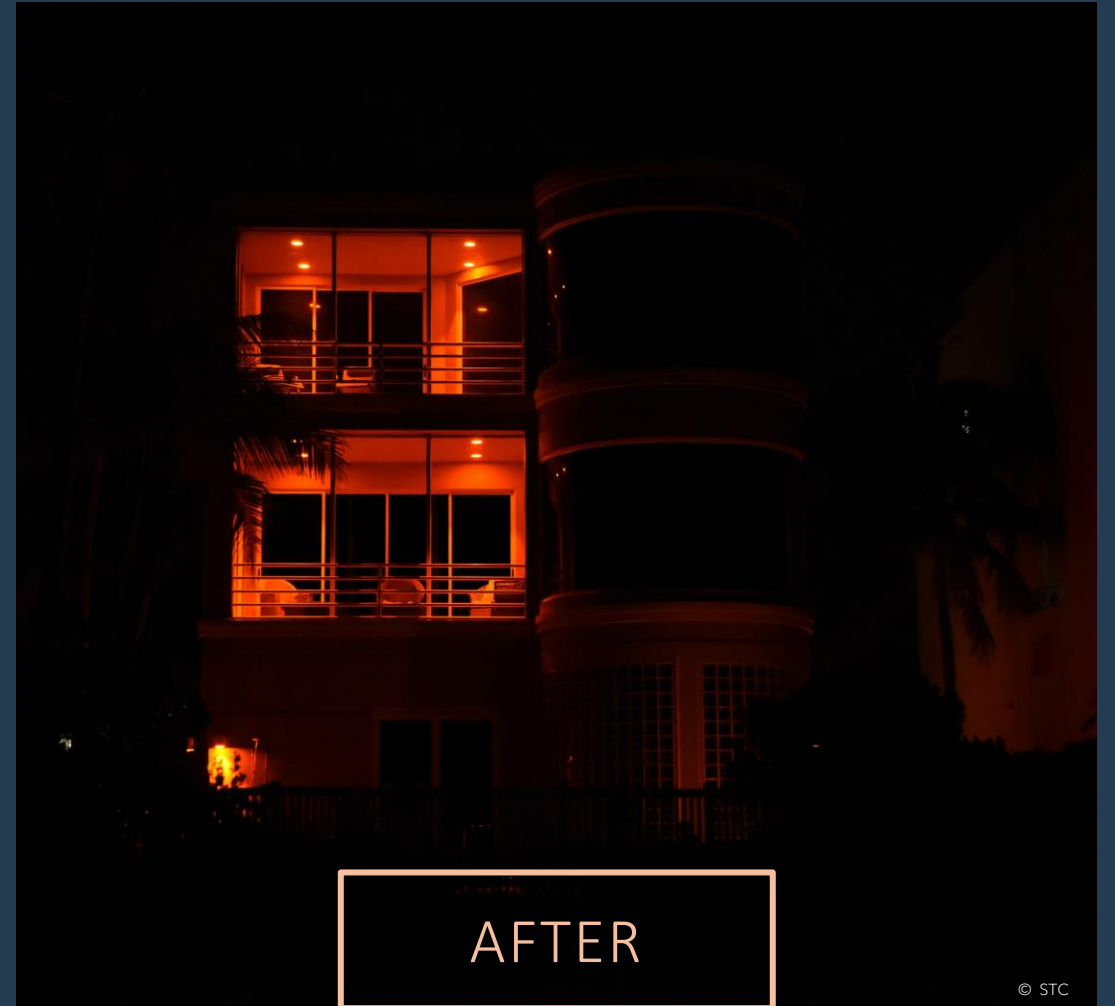
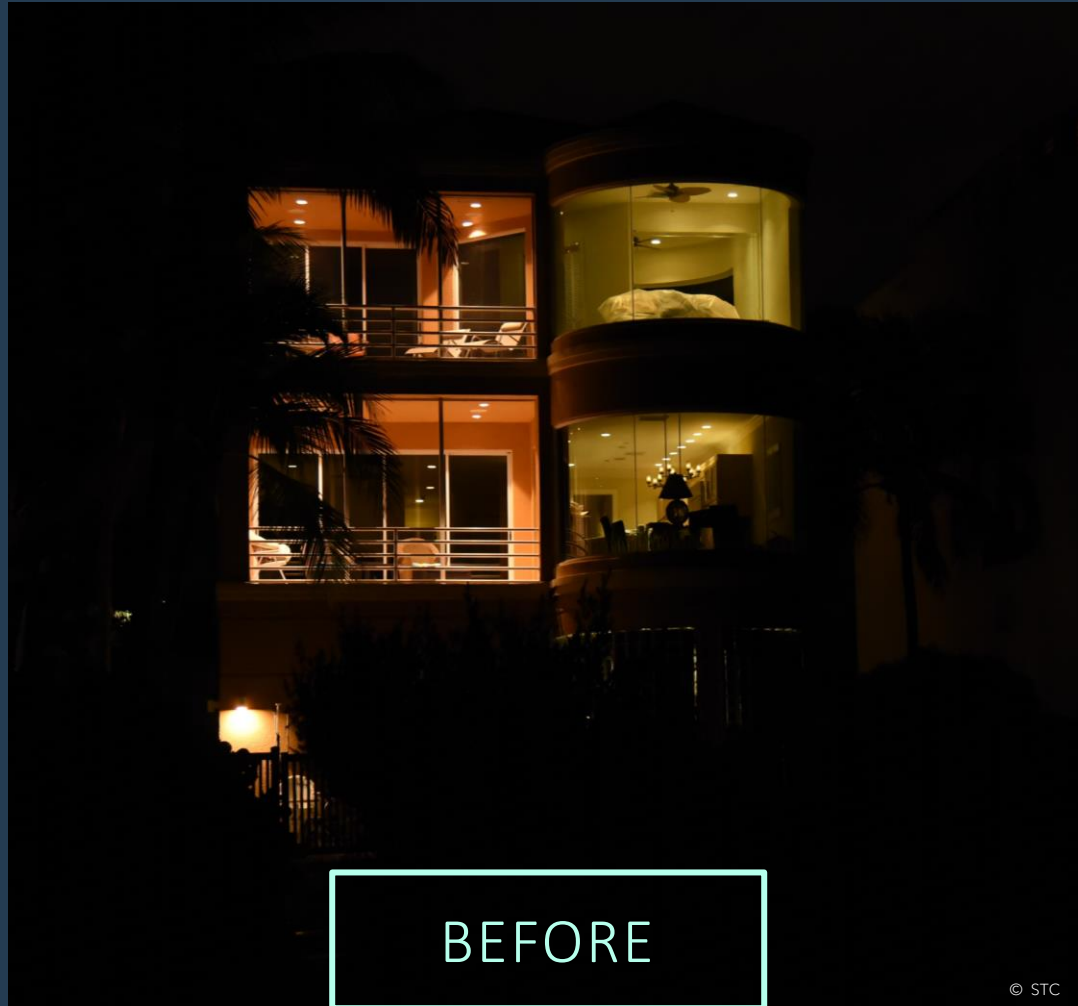


2. Keep it SHIELDED



3. Keep it LONG

Interior Light



Interior Light



Using these Resources to Help Local Governments

- Discussing language and enforcement scores
- Providing comments to draft language
- Using real-world lighting retrofit experience to inform suggestions
- Presenting at or attending committee/commission meetings
- Assisting with educating the community about the ordinance update



Language and Enforcement Scores

Jupiter Island Ordinance Language and Implementation Scores

Language score: 10 (out of 23.5)

Categories
4 (most ideal) = 17.628 - 23.50
3 (somewhat ideal) = 11.752 - 17.627
2 (less ideal) = 5.876 - 11.751
1 (least ideal) = 0 - 5.875
0 = No Ordinance

Implementation score: 12 (out of 26.5)

Categories
4 (most ideal) = 19.878 - 26.5
3 (somewhat ideal) = 13.252 - 19.877
2 (less ideal) = 6.626 - 13.251
1 (least ideal) = 0 - 6.625
0 = No Ordinance/Enforcement
Null = didn't take survey

TOTAL score: 22 (out of 50)

Categories
4 (most ideal) = 37.7 - 50.2
3 (somewhat ideal) = 25.2 - 37.6
2 (less ideal) = 12.6 - 25.1
1 (least ideal) = 0 - 12.5
0 = No Ordinance/No Implementation



Comments on Draft Language – Definitions

- Expanded existing definitions and included additional definitions to reflect advances in research and technology included in the Model.
- Notable adjustments:
 - Included - long wavelength LEDs and visual light transmittance values for tinted glass
 - Expanded - visibility criteria from the beach and shielding information
 - Modified - timing of ordinance

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Outdoor area: ~~any portion of a property that could have an artificial light source not attached to a~~
permanent structure, including but not limited to pathway lighting, landscape lighting, pool lighting, etc.

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Kemp's ridley (Lepidochelys kempii). For the purposes of this Ordinance, the term sea turtle is synonymous with
marine turtle.

Sea turtle nesting habitat: ~~all sandy beaches adjoining the waters of the Atlantic Ocean, the Gulf, and the~~
Straits of Florida in all coastal counties and all inlet shorelines of those beaches. Nesting habitat includes all sandy
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Tinted glass: glass modified via tinting, film or other material to reduce the inside to outside light
transmittance value and achieve a visual light transmittance value of 30 percent or less.

Visible from the beach: ~~means visible within a line of sight extending landward from any point at mean low water~~
and plus one foot elevation.

(Ord. No. 208, § 1, ~~2026-13-92~~)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

Comments on Draft Language – Introduction

- Added sections at the beginning to provide basis for ordinance before listing specific lighting standards
 - Purpose, Applicability, public notice, general lighting provisions
- Specifies jurisdictional boundary based on lights visible from the beach rather than defined setback
- Defines new development vs existing artificial lights



Comments on Draft Language – New Development

- Updated terminology and lighting standards consistent with definitions
- Provides clarity by including criteria for different lighting applications
- Ensures new properties are meeting best standards to protect sea turtles

Sec. 3-363. Lighting for new development.

All new structures directly or indirectly visible from the beach built within the nesting zone after May 13, 1992, including parking areas, slots, and dune walkovers, pool areas, piers projecting over the beach or water, and any outdoor lighting associated with construction or development within the nesting zone, shall comply with the following lighting standards:

- (1) All lighting affixed and not affixed to the exterior of new permanent structures, construction or additions shall be long wavelength, downward directed, full cutoff, fully shielded and mounted as close to the ground or finished floor surface as possible to achieve the required foot-candles.
- (2) Floodlights and non-egress spot lightings may be affixed to the landward exterior of permanent structures provided they are shall be long wavelength and positioned or shielded in such a way that so they are not directly or indirectly visible from any portion of the beach and do not illuminate surfaces that are visible from the beach, or shall be turned off not later than 9:30 p.m. during each night of the nesting season and left off during the remainder of the night.
- (3) Lighting at egress points should be limited to the minimum number of foot-candles necessary to meet federal, state, and local safety requirements. The use of motion detector switches that keep lights off except when approached and that switch lights on for the minimum duration possible are preferred. Wall-mounted light fixtures shall be mounted or fitted with hoods in such a way that the light therefrom does not illuminate the beach and is not visible from the beach.
- (4) Pole lighting must shall be long wavelength, downward directed, full cutoff, fully shielded, and mounted to the minimum level required to maintain compliance with federal, state, and local laws. in such a way that no generated light illuminates the beach. Pole light should not be directly or indirectly visible from any portion of the beach.
- (5) Low profile lights luminaires shall be utilized when possible to illuminate beachfront parking areas, and equipped with these shall be positioned or shielded so that light is not directly or indirectly visible in such a way that no generated light illuminates from the beach.

Comments on Draft Language – Existing Development

- Fixtures must be turned off at nighttime or be modified, repositioned, or replaced to meet standards
- Includes ways to modify fixtures, address interior lights, and natural barriers to further shield light
- Important component as most properties within the Town will fall into this category

Sec. 3-373. Lighting for existing development.

~~Artificial lighting~~ from existing structures ~~that are directly or indirectly visible from the beach located within the nesting zone~~ shall be turned off at nighttime or repositioned, modified or replaced as necessary in order to comply with the following lighting standards:

- (5) Replace pole lamps with low-profile, low-level lights so that the light source or any reflective surface of the light fixture is not visible from the beach;
- (6) Plant or improve vegetation buffers between the light source and the beach to screen light from the beach;
- (7) Construct a ground level barrier landward of the beach and frontal dune to shield light sources from the beach. Ground-level barriers are to be considered a last resort when no other remediation of the light source is feasible. Ground level barriers may be subject to state coastal construction control line regulations under section 161.053, Florida Statutes, and must not interfere with sea turtle nesting or hatchling emergence, or cause short- or long- term damage to the beach and dune system;
- (8) Permanently remove or permanently disable any fixture which cannot be brought into compliance with the provisions of these standards.
- (9) (4) — Property owners are encouraged to shield interior lightbulbs if so situated that they are visible from the beach and to use window treatments for windows facing the Atlantic Ocean to prevent interior lights from illuminating the nesting zone. Take one or more of the following measures to minimize interior light emanating from doors and windows within line-of-sight of the beach:
 - a. Apply window tint or film that meets the light transmittance standards for tinted glass;
 - b. Rearrange lamps and other moveable fixtures away from windows;
 - c. Use opaque shades or room darkening window treatments (e.g., blinds, curtains, screens) to shield interior lights from the beach.
 - d. Turn off unnecessary lights and lights that are not in use during nesting season.

(Ord. No. 208, § ~~73~~, ~~20265-13-92~~)

Comments on Draft Language – Compliance

- Information on compliance procedures, violations, and penalties
- Ensures property representatives are aware of process for dealing with problematic lights

Sec. 3-41. Compliance and Enforcement Procedures

- (1) It shall be the duty of the Town of Jupiter Island Building Department to enforce this Ordinance. Personnel shall have the necessary training, technical knowledge, and resources to enable them to effectively carry out the duties of this office.
- (2) The Building Department or appointed personnel acting on behalf of the Town of Jupiter Island, shall be responsible for:
 - a. Inspecting the entire beach within the jurisdictional boundaries of the Town of Jupiter Island regularly during sea turtle nesting season to determine the extent of compliance with this Ordinance.
 - b. In the event of the finding of a violation at a particular public or private property, conducting further inspections at the property at any time beginning on the night after the deadline date given on the written notice of violation. Responsibilities may also include preparation of reports, issuance of non-compliance notices, outreach and education, supporting administrative actions before a review board or special magistrate, or attending building permit pre-application and preconstruction conferences.
- (3) It shall be unlawful for any person to interfere with, or in any manner hinder personnel acting on behalf of the Town of Jupiter Island, while in the discharge of their duties under the terms of this Ordinance.
- (4) It shall be unlawful for any person to knowingly conceal or disable any lighting on a property before it has been inspected by the Building Department or any personnel acting on behalf of the Town of Jupiter Island.

(Ord. No. 208, § 11, 2026)



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Comments on Draft Language – Other

- Updated terminology in publicly owned lights and vehicular lighting sections for consistency throughout ordinance
- Included information on special events, motorized vehicles, construction work zones, temporary lights, and fire pits



Considerations Moving Forward

- How to bring existing properties into compliance?
 - Outreach campaign
 - Potential grace period
 - Incorporate into permit review process
- Model includes section for a Sea Turtle Fund as an option to offset costs
- Next Steps
 - Incorporate comments from Commission
 - Prepare for first reading
 - Timeframe?



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QUESTIONS?

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Partners and Funding



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