

Village of Tequesta

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VILLAGE OF TEQUESTA SEA TURTLE PROTECTION PROGRAM - FAQs

Why are sea turtles so important?

Sea turtles are a “keystone species”, which means they are an important part of the environment and influence other species around them; playing a crucial role in balancing the oceans’ food chain. Sea turtles are vital in maintaining the health of the world’s oceans, including maintaining productive coral reef ecosystems and transporting essential nutrients from the oceans to beaches and coastal dunes, helping to control erosion.

How can I help protect the sea turtles?

When you visit the beach during sea turtle nesting season, please remove all portable items (chairs, cabanas, etc.) to ensure sea turtles can easily navigate along the beach. Ensure that you do not use flashlights or phones on the beach. Use sea turtle friendly light bulbs and light fixtures. Ensure that no direct or indirect light is visible from the beach, including drawing curtains closed at night to shield bright indoor lights.

When is Sea Turtle Nesting Season?

Sea Turtle Nesting Season runs annually from March 1st through October 31st.

Is there a State Model Sea Turtle Lighting Ordinance?

Yes. Sea turtles are protected under the Endangered Species Act of 1973 and Florida's Marine Turtle Protection Act (379.2431, Florida Statutes). Ninety percent of all sea turtle nests in the U.S. are deposited along Florida’s coast. In 1993, the State of Florida, per F.S. Sec. 161.163, required the Florida Department of Environmental Protection (FDEP) to establish guidelines for local government regulations related to beachfront lighting to protect nesting and hatchling sea turtles. In December of 2020, the FDEP adopted an updated Model Lighting Ordinance for Sea Turtle Protection (Rule 62B-55.004) that reflects improvements in lighting technology.

What are the new lighting standards?

The new standard is the Florida Fish and Wildlife Conservation Committee’s (FWC) sea turtle friendly Certified Wildlife Lighting, which criteria can be found at:

<https://myfwc.com/conservation/you- conserve/lighting/criteria/>

Has the Village of Tequesta updated its sea turtle protection ordinance?

Yes, the Village of Tequesta has updated its sea turtle protection ordinance to meet the state model requirements.

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What are the differences between the Village’s current sea turtle protection code and the new code?

The new code contains the updated FWC lighting standards. The new code also applies to the entire R-3 District, not only to the beachfront. In addition, while the current Village code requires a Sea Turtle Protection Plan (STPP) to be submitted along with a permit application for new construction, the updated code requires that a STPP also be provided along with a permit application for new glass windows, glass doors and new artificial lighting on existing buildings.

What does the Village’s updated sea turtle protection ordinance apply to?

The Village’s sea turtle protection ordinance applies to existing artificial lighting, new lighting, and new construction, within the R-3 district, which must be in compliance with the Florida Fish and Wildlife Conservation Commission’s Certified Wildlife Lighting.

What is considered new construction?

New construction refers to all new construction of, or additions and alterations to, buildings, pools, pavement, other structures, landscape areas and lighting systems.

What is considered existing artificial lighting

Existing artificial lighting refers to lighting fixtures, sources and systems operating prior to the effective date of the updated sea turtle protection ordinance. Existing artificial light sources must be repositioned, modified, or replaced with modern alternatives so that the source of light is not directly visible from the beach and/or does not directly illuminate areas seaward of the dune.

What about replacement lighting?

The replacement or installation of new lighting systems on existing structures is required to be in compliance with the FWC lighting requirements.

Are the sea turtle protection requirements in force only during Sea Turtle Nesting Season?

No, while sea turtle lighting is enforced by Code Enforcement only during sea turtle nesting season, per the below, a Sea Turtle Protection Plan (STPP) is required in the R-3 District for new construction, new windows, new glass doors, and new artificial lighting on existing buildings year-round.

How does artificial light effect turtles?

Sea turtle hatchlings rely on their instincts to make it to the ocean and seek out the brightest light they can find. Usually, the most prominent source of light is the ocean’s reflection off the night sky. However, the glaring brightness of artificial light can easily trigger their light-seeking instinct, misdirecting them away from the water. This often results in a confused hatchling being lost to dehydration, overheating or predators. Millions of sea turtles are estimated to die every year due to light pollution in the U.S. For this reason, the implementation of turtle friendly lighting is crucial for their survival. Sea turtle’s light-sensing ability is less sensitive to warmer, amber colored light. So the safest range of artificial light for sea turtles is red, amber or orange which is light with a wavelength of around 560 nanometers or more.

Can sea turtles see long wavelength lighting (red, amber or orange)?

Sea turtles are highly attracted to short wavelengths of light, but are less disturbed by long wavelengths of light. The monochromatic amber wavelengths do not confuse hatchling turtles that rely on an instinctual attraction of cool-white moonlight reflecting off the ocean as a guide to the safety of the sea. Sea turtles are not attracted to, and are less disturbed by, long wavelength lighting 560 nanometers or greater.

What makes the FWC's Certified Wildlife Lighting sea turtle friendly?

The FWC's Certified Wildlife Lighting is designed to help property owners avoid and minimize lighting impacts to sea turtles. There are 3 golden rules: 1) Lights must be kept low, 2) Lights must be kept long wavelength, and 3) lights must be shielded.

What does Low Lighting Mean?

Lowering outdoor lights to ground level is a way to avoid distracting sea turtle hatchlings. This prevents light from being viewed from anywhere sea turtles might be nesting. Accordingly, fixtures must be mounted as low as possible and still be appropriate for the needed purpose, and bulbs must produce the lowest wattage/lumens necessary for the needed purpose.

What does Long Lighting Mean?

Lamps/bulbs must produce only long wavelength light (560 nanometers or greater) which is amber, orange, or red.

What does Shielded Lighting mean?

Fixtures must be completely downward-directed. Fixtures must be able to shield the bulb, lamp, or glowing lens from the beach.

Where can I buy FWC Certified sea turtle friendly lighting?

You can find FWC Certified Lighting at the following website:

<https://myfwc.com/conservation/you-serve/lighting/criteria/certified/>

Can we still have lighting for pedestrian walkways?

Yes, lighting for pedestrian traffic must comply with the FWC lighting requirements and must be shielded so that they are not directly visible from the beach. Lighting of paths, walkways and building access routes must use low level fixtures such as step, paver, path, recessed wall or bollard lights.

What lighting must be used for parking areas?

Ground-level, downward-directed fixtures, equipped with interior dark-colored, non-reflective baffles or louvers, mounted either with a wall mount, on walls or piles, facing away from the beach, or bollard-type fixtures no more than 42 inches in height.

What lighting must be used for pool areas?

Lighting for pool areas must be long wavelength and fully-shielded. Underwater lighting must not produce light that is directly indirectly or cumulatively visible from any portion of the beach.

What lighting must be used for special events?

During sea turtle nesting season, lighting associated with a special event cannot directly, indirectly or cumulatively be visible at nighttime from any portion of the beach. Horseback riding and motorized vehicles (except emergency vehicles) are prohibited on the beach during sea turtle nesting season.

Are there any other lighting requirements I should be aware of?

Yes, there are other special lighting restrictions in place during nesting season: All external light sources illuminating areas seaward of the dune must be turned off each night between 11:00 p.m. - 7:00 a.m.

Can I use window treatments?

Yes, to prevent interior lights from illuminating the beach, window treatments are required on all windows and blackout draperies or shade screens are preferred. Alternatively, window tint may be applied to beachfront windows. Additionally, turning out all unnecessary interior lights during nesting season is encouraged.

What are the requirements for new construction?

A permit application and sea turtle protection plan (STPP) must be provided to the Village of Tequesta Building Department for all new construction. The Building Department will liaise with Palm Beach County Environmental Resources Management (ERM) regarding the STPP which will be reviewed by ERM.

What are the requirements for new glass windows and doors, and replacement of existing lighting?

A permit application and STPP must be provided to the Village of Tequesta Building Department for all new glass windows, glass doors, and new artificial lighting on existing buildings. The Building Department will liaise with Palm Beach County Environmental Resources Management (ERM) regarding the STPP which will be reviewed by ERM.

What happens after my application is approved?

For new construction only, after work is completed pursuant to an approved application, a site inspection including a night survey is required by a State of Florida registered architect, landscape architect, environmental professional, or professional engineer, with all of the beachfront lighting turned on to the highest illumination levels. The inspector must then prepare and report the inspection findings in writing to ERM certifying that the beachfront lighting does not cause direct or indirect illumination that is visible from the beach.

Who will enforce the Village’s Sea Turtle Protection Ordinance?

The Village of Tequesta’s Beach Lighting Inspector performs beach inspections during sea turtle nesting season to ensure compliance. The Code Enforcement Special Magistrate has jurisdiction to enforce the Code requirements and assess penalties.

What is the enforcement process for the Village’s Sea Turtle Protection Ordinance?

Noncompliant property owners must implement the appropriate protective measures in consultation with the Building Official, to mitigate against potential negative impacts to sea turtles. Together with the required mitigative measures, applicable penalties and fines may be assessed.