ISIMINGER & STUBBS ENGINEERING, INC.

PRINCIPALS:
Charles C. Isiminger, P.E.
Darwin C. Stubbs, P.E.

COASTAL • ENVIRONMENTAL • MARINE
Celebrating 34 Years in Business

PRINCIPALS:
Mark A. Powell, P.E.
Matthew D. Butler, P.E.

April 23, 2026

MEMORANDUM

TO: Joe DiMauro

FM: Darwin C. Stubbs, P.E.

RE: Florida Department of Environmental Protection Coastal Armoring Rule
Proposed Seawall Permitting Feasibility
4023 S. Ocean Blvd., Highland Beach, Palm Beach County

This memorandum summarizes the Florida Department of Environmental Protection (DEP) regulation of ocean frontage coastal armoring (e.g., seawalls, revetments, bulkheads, etc.). This is followed by a discussion of the feasibility of obtaining a DEP permit for a seawall at the subject property.

DEP Armoring Regulation

Section 161.085, Florida Statutes, provides for DEP regulation of ocean frontage coastal armoring under the Coastal Construction Control Line (CCCL) program. These regulations are codified in Chapter 62B-33, Florida Adminstrative Code. DEP recognizes the need for coastal armoring to protect structures from the effects of coastal erosion. However, coastal armoring may have negative impact on the integrity and natural functioning of the beach and dune system and may increase the vulnerability of adjacent properties to erosion. As such, the DEP armoring rule is prohibitive. In the case of an unarmored shoreline, which is the circumstance at the rreferenced property, coastal armoring is only permitted as a last resort alternative. The armoring must be for the protection of habitable structures that are not designed to current coastal standards and imminently at risk.

In order for a property along an unarmored shoreline to qualify for a permit for a seawall, the following two conditions must be met:

1. There must be an eligible structure to be protected by the seawall. Eligible structures are habitable structures that are not designed to withstand the predicted conditions (including erosion) of a 100-year return interval storm. Effectively, a residence that predates current coastal construction standards (including a pile foundation) is eligible.
2. The eligible structure to be protected must be vulnerable to damage from a 15-year return interval storm. The assessment of vulnerability is typically based on erosion modelling and should consider the effects of long term shoreline change rates and natural coastal features.

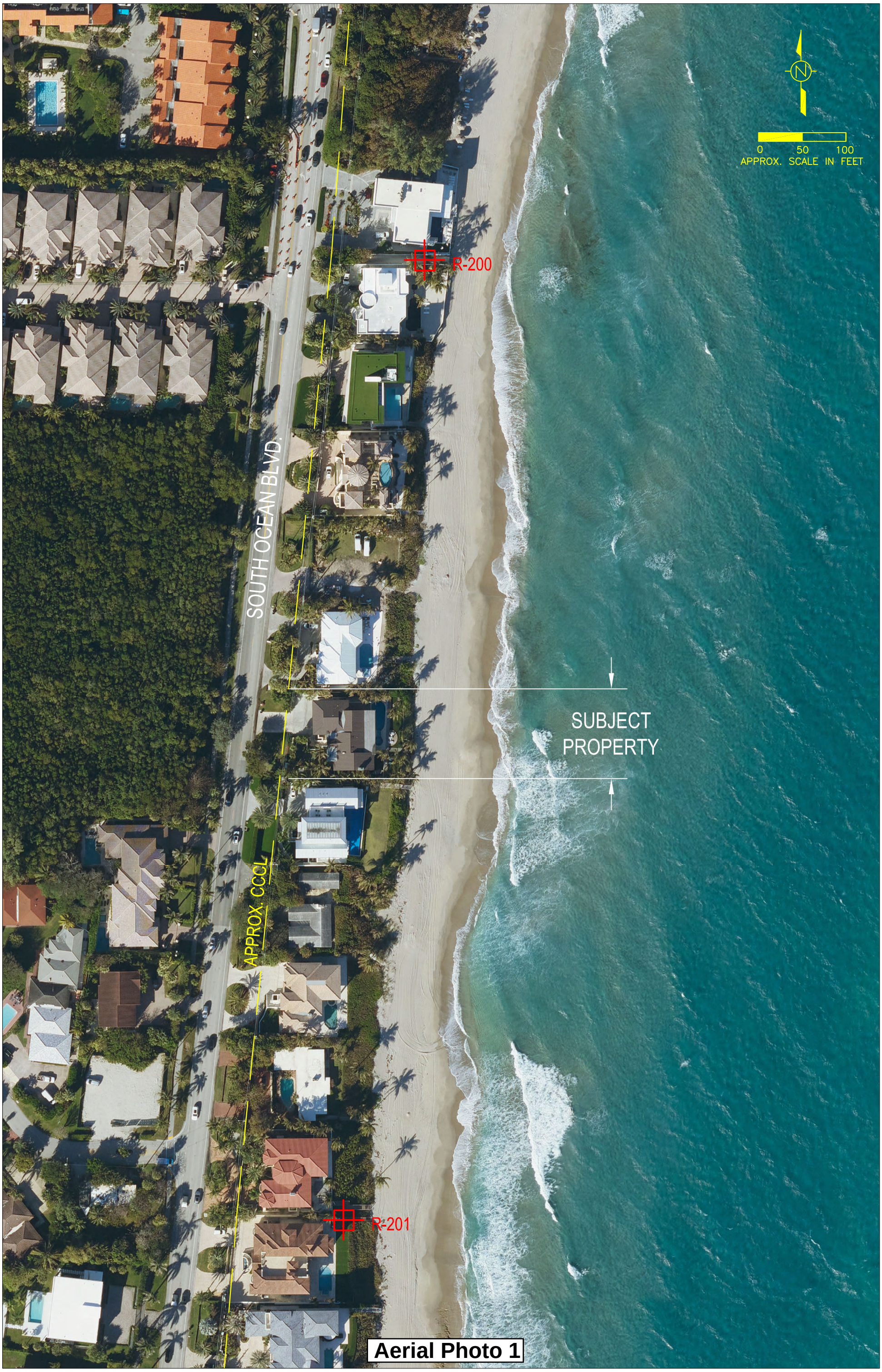
It is important to note that both of the criteria noted above must be met to qualify for a permit for a seawall.

Permitting Feasibility for Armoring

In our opinion, the subject property would not qualify for a seawall permit from DEP. Although the existing single-family residence is likely an eligible structure based upon the date of construction, we do not believe it is "vulnerable". The residence is not vulnerable due to the current conditions of the beach and dune, the natural shoreline protection afforded by a nearby rock formation and nearshore reef, and the long-term stability of the subject shoreline.

Currently the beach and dune system is relatively healthy. This is evident in Aerial Photos 1 and 2 (2025) and recent Ground Photos 1 through 4 of the project area. The beach fronting the subject property and extending north is relatively wide. There is a continuos vegetated dune immediately landward of the beach. This dune is intact and shows no evidence of recen erosion. Furthermore, there is a natural rock formation along the shoreline immediately south of the subject property and a nearshore reef immediately north. This rock formation is evident in Photo 4. The rock formation and nearshore reef is evident in the Exhibit 2, a 2025 Google Earth aerial photo of the the project vicinity.

These natural features provide long-term erosion protection and shoreline stability. This is evident in the DEP's Historical Shoreline Data for Palm Beach County (latest update: 3/4/24). The mean high water shoreline documented at the two nearest DEP reference monuments (R-200 and R-201), accreted an average of 25' from 1990 to 2022. The location of these DEP monuments are shown on Exhibit 1. 2022 is the most recent data available in the DEP database.



Aerial Photo 1

ISIMINGER & STUBBS ENGINEERING, INC.

IMAGE FROM 2025 PALM BEACH COUNTY AERIALS

Aerial Photo 2: 2025 Google Earth Image

Ground Photo 1 (April 17, 2026)

Gound Photo 2 (April 17, 2026)

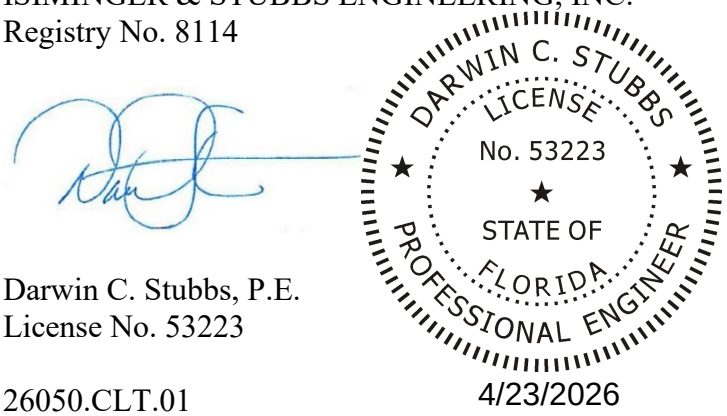
Gound Photo 3 (April 17, 2026)

Gournd Photo 4 (April 17, 2026)

The existing residence is located approximately 120 feet landward of the mean high water line per a recent survey of the property conducted on April 12, 2026 (Caulfield & Wheeler, Inc.). Based on the distance of the residence from the shoreline, the condition of the beach and dune system, the presence of natural protective coastal features, and the documented long-term shoreline accretion rate in the project area, we do not believe the residence is vulnerable to damage from a 15-year return interval storm. As such, it is our opinion that it does not qualify for a CCCL permit from DEP.

We trust this memorandum is helpful. Please contact us if you have any questions. Thank you.

ISIMINGER & STUBBS ENGINEERING, INC.
Registry No. 8114



Darwin C. Stubbs, P.E.
License No. 53223

26050.CLT.01

This item has been digitally signed and sealed by Darwin C. Stubbs, P.E. on the date adjacent to the seal. Signature must be verified on any electronic copies.