

**Section 19****Local Ordinance Amendments****Purpose**

The powers of authority to regulate the beaches and shores of St. Johns County lies with the Board of County Commissioners. The HCP programs and ITP conditions require County rules and regulations that can only be enforced through the incorporation into existing code.

**Relevant ITP Condition - G.2.d.**

- d. Local Ordinance Amendments.** “Within twelve (12) months of the effective date of this Permit, the Permittee shall amend applicable local ordinances as described in Chapter 7 of the HCP to ensure effective implementation of the HCP and terms of the Permit.”

**HCP Performance During 2008**

**Implementation:** In September 2006 Beach Services submitted to USFWS the Proposed Ordinance Amendments for approval. The St. Johns County Board of County Commissioners adopted the Beach Code, County Ordinance 2007-19, on March 27, 2007. Pertinent Code changes included:

- Section 3.02 Restrictions on Animals on Beach. Requirement for horseback riders to complete HCP and Protected Species Training to obtain a permit for riding on St. Johns County beaches.
- Section 3.09 Litter. Prohibition of storing personal property on beach overnight.
- Section 3.13 Fireworks and Explosives. Prohibition of fireworks on County beaches unless permitted through the Board of County Commissioners.
- Section 5.02 Vehicles Authorized on Beach. Requirement for north beach drivers to complete HCP and Protected Species Training to obtain permit to drive north of Vilano beach.
  - Addition of properly permitted sea turtle personnel as having authorization to drive on County beaches for monitoring activities.
- Section 5.03 Prohibited Acts. Prohibition of All-Terrain Vehicles (ATV) on County beaches
- Section 5.05 Nighttime Driving/Parking. Prohibition of driving before 8:00 am and after 8:00 pm during sea turtle season.
  - Requirement for commercial fishermen to complete HCP and Protected Species Training to obtain permit for riding on St. Johns County beaches.
- Section 7.01 Conservation Zone. Requirement of 30-foot Conservation Zone on Porpoise Point.
  - Prohibition to store personal belongings in Conservation Zone.

- Section 7.02 Beach Lighting. Prohibition of beach lighting during sea turtle season as reflected in County Ordinance 99-33.

**Assessment:** Ordinance amendments to Beach Code 2007-19 allowed County staff, City Police and the Sheriff's Department the authority to enforce HCP/ ITP rules and regulations.

Prohibition of fireworks and the storing of personal property were additional amendments not required by the HCP and ITP. However, they will help achieve the County's goal in reducing negative impacts to our protected species.

Visitors of the beach and local residents tend to store recreational beach equipment including Catamarans and furniture on the beach for long periods of time. This situation can cause a direct impact to protected species nesting activities. In 2008, multiple reports from sea turtle patrol and local residents were made regarding the improper storage of such items. Sea turtle patrol carry flyers they can attach with rubberbands to beach gear educating them on the Beach Code 2007-19 and the removal of such items. In the event the items remain for an extended period of time the Beach/PSA Coordinator is contacted and requested to survey the beach on ATV and issue official warnings.

**Program Improvements:** Beach services will continue with public outreach programs to properly inform the public of policies and procedures of the Beach Code. County staff including members of the Sheriff's department, County Attorney, Director of the Environmental Division, Director of the Recreation and Parks Department and the HCP Coordinator are currently in the process of revising Beach Code 2007-19 to address issues that have become obvious since the approval of the HCP/ITP. A request for review will be made with USFWS prior to review by the Board of County Commissioner.