

Section 20

Enforcement

Purpose

The U.S. Fish and Wildlife Service is the federal agency responsible for monitoring the County's implementation and enforcement of HCP provisions as stipulated in the ITP.

Relevant ITP Condition –I.

Enforcement. “At least annually, the U.S. Fish and Wildlife Service will consider available information to determine whether the Permittee has responsibly fulfilled conditions of this Permit, and progressed towards meeting the biological goals of the HCP. The U.S. Fish and Wildlife Service may make unannounced visits to County beaches to evaluate the effectiveness of the Permittee's implementation of the terms and conditions of this Permit and the provisions of the HCP. The U.S. Fish and Wildlife Service will also review enforcement issues reported by the Permittee pursuant to Condition 11.O of this Permit as well as any other information requested or obtained by the U.S. Fish and Wildlife Service. Upon receipt of written documentation or knowledge of a substantive enforcement issue, the U.S. Fish and Wildlife Service will notify the Permittee in a timely manner and request that corrective action be taken or that the Permittee provide a written summary of any action already taken to resolve the enforcement issue. In the event the U.S. Fish and Wildlife Service determines that the Permittee has not acted responsibly in the effective implementation of the terms and conditions of this Permit or the provisions specified in the HCP or has not undertaken requested corrective actions, the U.S. Fish and Wildlife Service may suspend or revoke this Permit pursuant to 50 CFR 13.27 and 13.28 respectively.”

HCP Performance During 2008

Implementation: Staff of the Environmental Department and the Recreation and Parks Division of Beach Services maintained records of activities conducted in support of the HCP and have provided any required information upon request. The County contacted USFWS periodically regarding unusual and potentially problematic situations on County beaches as deemed necessary.

As previously mentioned in Section 5 Implementation Staff, the responsibility for enforcement of all beach driving policies and procedures within the unincorporated beaches of St. Johns County belongs to the St. Johns County Sheriff's Department. The City of St. Augustine Beach police department is responsible for enforcement on City beaches. The Beach/PSA Coordinator and one full time deputy are responsible for the coordination of enforcement and education of such policies Between March 1 and Labor Day weekend, the County provides four Deputy Sheriffs and up to four Public Service Assistants (PSAs) to physically patrol the 14.7 miles of

public driving beaches and enforce beach driving policies. Additional enforcement is provided through the Sheriff's department by deputies seeking "over time" duties. During designated spring break periods and popular holidays such as Memorial Day, July 4th and Labor Day enforcement staff is increased anywhere from 4 to 19 deputies to aid in alleviating public safety issues that may arise. After Labor Day weekend through February, enforcement is the responsibility of the Beach/PSA Coordinator and one full time Deputy Sheriff assigned to patrol the beach and corresponding upland zone.

Assessment: Conditions both in and out of control of the County including but not limited to localized beach erosion, unauthorized beach driving, maintaining CZ signage and limited resources have resulted in complexity with the enforcement of the HCP. However, even with the complexity of enforcement the County has not received any notification from the U.S. Fish and Wildlife Service that the County implement any corrective actions to the implementation of the HCP.

Program Improvements: The County will continue to evaluate and improve, where deemed appropriate, the conditions and biological goals of the HCP/ITP.