

## 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 2012

**Implementation:** Staff of the Environmental Division and the Recreation and Parks Department, Beach Services maintained detailed records of activities conducted in support of the HCP/ITP. The County contacted USFWS periodically regarding unusual and potentially problematic situations on County beaches as deemed necessary.

As previously mentioned in Section 5: Implementation Measures, 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 Office (SJSO). Coordination of enforcement and education of such policies is done so throughout the year by the Beach Law Enforcement Coordinator, one full time Deputy and three Natural Resource Deputies (NRDs). The role and responsibility of the NRDs is to implement, enforce, and educate individuals on the rules and regulations of the HCP and provide a safe public beach for all to enjoy. The staff for Beach Patrol are posted at the annex station office located in Crescent Beach near the vehicular access ramp. Additional enforcement is provided through the Sheriff's department by deputies seeking “over time” duties. Between March 1<sup>st</sup> and Labor Day weekend SJSO provides 2-6 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. During designated spring break periods and popular holidays such as Memorial Day, July 4<sup>th</sup> and Labor Day enforcement staff is increased any where 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, one full time Deputy, and three Natural Resource Deputies.

In May of 2010, the Environmental Division employed a full time Environmental Technician that acts as the Beach Lighting Officer and HCP support staff outside of the sea turtle nesting season. Duties included enforcement of the Beach Lighting Management Plan year round and act as supporting staff outside of nesting season.

Additional support staff includes the Beach Manager, Beach Enforcement Specialist, Beach Enforcement Technician and Field Assistants. The Beach Manager is a full time position dedicated solely to management of St. Johns County beaches. This position works closely with the Environmental Coordinator and other staff to ensure that implementation is followed through.

**Assessment:** In 2012, Beach Patrol dedicated a total of 14,622.5 hours to enforcement of the HCP, Beach Code and other County ordinances. These hours are exclusive of annual leave, sick time, special team training, in service training and out of season patrol duties. Law enforcement views the implementation of the rules and regulations as an opportunity to educate the public through verbal and written warnings. Repeat or blatant offenders were issued a citation or provided a date to appear in court. In 2009, prior to the initiation of NRDs and other committed law enforcement personnel 171 HCP violations were recorded from March 1 to October 31. Since then improvements have been made through committed law enforcement staff, year round coverage, daily entries of law enforcement activity, and more formal training of personnel. From January 1<sup>st</sup> to December 31<sup>st</sup> Beach Patrol recorded 2,775 verbal warnings, 1,530 written warnings and 561 citations with a grand total of 4,866 recorded violations. (Section 5:Implementation Measures, Table 9).

**Program Improvements:** Having consistent law enforcement and support staff personnel on the beaches has proven to be effective and sustainable. The Habitat Conservation Section would like to further improve this by maintaining consistent law enforcement staff as opposed to over time deputies that are seeking additional hours.