

Sebastian Inlet Tax District Local Bill

- The Sebastian Inlet Tax District is an independent special district created in 1919 by special act of the Florida Legislature.
- The District's boundaries encompass all of Brevard and Indian River Counties and its mission is to maintain the inlet between the Atlantic Ocean and the Indian River Lagoon, known as the Sebastian Inlet.
- The District is governed by a board of popularly-elected commissioners, three from the county with the larger population (Brevard) and two from the other county (Indian River).
- Currently confusion exists between the District and state agencies such as the Fish and Wildlife Conservation Commission and the Department of Environmental Protection regarding ownership of certain inlet facilities and responsibility for maintenance and security. The legislation clarifies the confusion.
- The District is requesting legislation authorizing it to implement security measures to protect District facilities and ensure safety for public recreation associated with boaters and shore-bound fishermen utilizing the adjacent state park and District facilities.

Points for Legislative Delegation

- The Inlet District pre-dates the State Park over 50 years. The District built and maintained the jetties for almost 100 years.
- The jetties are not within the Park boundary. DEP acknowledges this.
- Funding for the north jetty was funneled through the Division of Parks in 2000. This legislation will clear up confusion on responsibility for the jetties.
- State Park lost enforcement capability in 2012. They can no longer provide security.
- The Park has not been interested in a concession on the jetty or hiring security. Legislation will allow us to work together to provide security solutions.
- Primary purpose of jetties is stabilizing inlet for safe navigation. Secondary purpose is fishing, bird watching, sightseeing, nature, etc. The District wants to maintain those uses but reserve the right to reconfigure jetties if necessary. Will coordinate with DEP.
- DEP does not want to budget for replacing or repairing jetties. The District has that mechanism in place.
- Population growth and popularity of Sebastian Inlet has exploded in last five years. Security presence is critical.

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1 A bill to be entitled
 2 An act relating to the Sebastian Inlet Tax District,
 3 Indian River and Brevard Counties; amending ch. 2003-
 4 373, Laws of Florida, as amended; authorizing the
 5 district to install and maintain security and safety
 6 devices to maintain district facilities, control
 7 public access to district facilities, and cooperate
 8 with local and state law enforcement authorities;
 9 providing an effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Section 17 of section 3 of chapter 2003-373, as
 14 amended by chapter 2012-238, Laws of Florida, is amended to
 15 read:

16 Section 17. (a) The Board is authorized to vacate any
 17 easement or transfer fee simple interest in any real property
 18 which it holds to any unit of local, state, or federal
 19 government. Prior to such vacation or transfer, the Board shall
 20 conduct a public hearing and determine if it is in the public
 21 interest to authorize the vacation or transfer. At such hearing,
 22 the Board shall consider what effect, if any, the vacation or
 23 transfer shall have on public access to the inlet for fishing
 24 and recreation purposes and what action best serves the public
 25 health, safety, and welfare.

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26 (b) The District holds both fee simple title from third
 27 parties and easements from the Trustees of the Internal
 28 Improvement Trust Fund over those areas of the Sebastian Inlet
 29 Tax District where the north jetty, south jetty, and revetments
 30 have been constructed and a spoil disposal area is maintained.
 31 The primary purpose of the north and south jetties is to serve
 32 as navigation devices. Fishing from the decks of these
 33 navigation devices is a secondary activity. Maintenance of all
 34 navigation structures on pilings or rock ribs, including, but
 35 not limited to, decking, grates, vents, railings, lights,
 36 monitoring devices, or other appurtenances, are the sole
 37 responsibility of the District. The fishing walkways and
 38 sidewalks west of these devices are maintained by the State
 39 Park. In order to protect and maintain District facilities and
 40 ensure the peaceful, recreational use of District facilities by
 41 patrons of the adjacent State Park, the District is empowered to
 42 install and maintain security and safety devices, including, but
 43 not limited to, fences, gates, or similar barriers or devices
 44 that control or prevent public access to all or portions of the
 45 District jetties. The District is also empowered to establish
 46 and enforce hours of access to its facilities, install
 47 monitoring devices, and integrate its surveillance activities
 48 with local law enforcement agencies, the Florida Department of
 49 Environmental Protection, and the Florida Fish and Wildlife
 50 Conservation Commission.

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51 | Section 2. This act shall take effect upon becoming a law. |