CITY OF
CAPE CANAVERAL
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City of Cape Canaveral Beach Management Guidelines*

Community and Economic Development Department



Figure 1. The City of Cape Canaveral has a nearly two-mile stretch of beachfront along the Atlantic Ocean.

The City of Cape Canaveral (City) is a barrier island community adjacent to the Atlantic Ocean. The City's location affords it a stretch of beautiful beach about two miles in length from Johnson Avenue to Jetty Park in Port Canaveral. Proper beach management is vital to the resilience and sustainability of the City's local economy, biodiversity, and coastal protection from tropical storms and hurricanes. This guidance packet is designed to help residents and visitors better understand best management practices related to the beach, identifies important rules and regulations, and contains contact information for various available resources.

It is important to note that the City is not the regulatory government agency responsible for the maintenance and upkeep of the beach and its associated dune system. The Florida Department of Environmental Protection (FDEP) is the responsible entity for any regulatory guidance east of the Coastal Construction Control Line (CCCL). To determine where your property is in association to the CCCL, please visit the FDEP's website below.

FDEP CCCL Map

CCCL Dune Plant Maintenance Guidelines

These guidelines provide best management practices for maintenance of seagrapes and other salt tolerant dune plants protected seaward of the CCCL by state law 161.053 (2) (a), Florida Statutes.

Sea oats, seagrapes, and other plants growing on Florida dunes give significant benefits to beaches, dunes, upland properties, and wildlife. Salt tolerant dune plants:

- Build protective dunes by trapping and stabilizing wind-blown beach sand,
- Reduce erosion losses by wind and storms,
- Provide a buffer against storm surge, high winds, and salt spray,
- Provide shelter for native wildlife, and
- Block light pollution for nesting and hatchling sea turtles.

Dune plants are resilient and adapted to survive storms and grow back through natural recovery processes. At the same time, dune plants can be easily damaged by construction and human activities, and require long recovery times. It is important to conduct dune plant maintenance so that the plants are not permanently damaged and dune systems are protected.

What are Dune Plants?



Figure 2. Sea oats.

Dune plants are those native trees, shrubs, grasses, groundcovers and other plants found in beach dune, coastal berm, coastal grassland, coastal strand and maritime hammock natural communities as described by the Florida Natural Areas Inventory (see Guide to the Natural Communities of Florida – 2010 Edition). Native plants are those species documented as native or endemic in the Atlas of Florida Vascular Plants maintained by the Institute for Systematic Botany. Nuisance or Invasive Exotic Plant Species are those species listed in the Florida Exotic Pest Plant Council's List of Category I and II Invasive Species. Plants that have been intentionally planted or installed, or inadvertently introduced into the dune system for purposes other than for dune restoration, are considered to be ornamental or landscape plantings.

What Permits, if any, are Required to Cut Dune Vegetation?

Cutting dune vegetation seaward (east) of the CCCL requires a CCCL permit from the Florida Department of Environmental Protection (FDEP) unless the activity qualifies as a minor activity as determined by the department, to not have an adverse effect on the coastal system, such as "maintenance of existing beach-dune vegetation" exempted in state law. Vegetation maintenance that does not damage native dune plants includes trimming, shearing, pruning, dead heading and other accepted horticultural practices, and does not require a CCCL permit pursuant to section 161.053(11), F.S. An exemption of the work from CCCL permitting requirements does not shield the property owner from his or her responsibility for following other laws or from enforcement action taken by other local, state, or federal agencies. Furthermore, proper arboricultural and horticultural practices must be followed to ensure that the native beach-dune plants are not damaged or destroyed from the maintenance. Trespassing onto another's property, or on City property, to remove vegetation without the property owner's approval is also not allowed. It is prohibited to enter into the dunes under state law without a permit or proper authorization.

CCCL staff are available to assist property owners in determining if the dune maintenance project is exempt, or if not exempt, in processing the proper CCCL permit. CCCL field inspectors can schedule site visits to meet on the property, discuss projects over the phone, and issue CCCL Field Permits as needed. Additionally, property owners can send dune maintenance project information (i.e. address, description of work, photographs and plans) to a CCCL permit manager in a consultation request emailed to cccl@dep.state.fl.us. The permit manager can assist with the processing of a CCCL Individual Permit application as needed. Both CCCL field inspector and permit manager contact information is located at the FDEP CCCL webpage or by calling (850) 245-2094 and asking for the CCCL staff member assigned to the county of the project.

General Dune Plant Maintenance Guidance

- The City recommends contacting the proper office at the FDEP prior to conducting any maintenance or trimming to ensure permitting requirements or exemptions are met.
- Work is to be conducted in a way that does not alter or damage dune topography or beach-dune vegetation, require new beach access, disturb marked sea turtle nests or known nest locations, obstruct public access, cause excavation of the ground or damage adjacent properties.
- Any disturbance of the beach or soil surface must be restored to a stable, pre-work condition.
- Removal of beachfront vegetation must not result in the increase of the visibility of artificial light from the beach, nor additional exposure of salt-sensitive plants or property to increased salt spray.

- Vegetation maintenance, trimming, or removal requires the approval of the property owner or if on public property, the approval of the responsible government resource management agency.
- Native dune plants damaged by unauthorized maintenance activities must be replaced to the approval of the Department.
- The City does not require a permit to remove invasive species, but please consult with the FDEP before doing so seaward (east) of the CCCL.

Property owners and others maintaining native vegetation seaward (east) of the CCCL must consider possible harm to sea turtles. Removal of beachfront vegetation increases the potential for disorientation and subsequent injury or mortality of hatchling sea turtles, which are attracted to light. Pruning or trimming removes vegetation from the canopy that often blocks lights from shining on the beach and thus protects sea turtle nesting habitat. Vegetation maintenance that increases lighting of the beach must be in compliance with section 379.2431, Florida Statutes, "Marine Turtle Protection Act." Information on lighting issues is provided in the publication "Sea Grape Trimming and Sea Turtles," available on the CCCL webpage or by visiting the Florida Fish and Wildlife Conservation Commission sea turtle conservation program website. The Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section can be reached at (850) 922-4330 or marineturtle@myfwc.com.

- If reducing the tree crown or canopy of the dune vegetation, the property owner must evaluate existing or potential sources of light visible from the beach and take appropriate measures to eliminate the possibility of increased light cast on the nesting beach. Before cutting down vegetation seaward of a beach house, property owners can protect sea turtle nesting habitat by replacing light fixtures that are visible from the beach with shielded "can" type or other fixtures.
- Operation, transportation, or storage of equipment or materials, including skid steers, cherry pickers and other equipment on the beach or frontal dune must be scheduled outside sea turtle nesting season, or coordinated with CCCL and FWC staff if proposed during nesting season. This may require engaging the services of a state permitted biologist to ensure that proposed activities avoid all sea turtle nesting, nests and hatchlings.

Sea Turtle Nesting Season

Brevard County, Florida is the nesting site of several endangered sea turtle species, including the Loggerhead, green, and leatherback species. Each season, there can be thousands of nests beachside. Important things to remember are:

- Sea turtle nesting season in the City runs annually from March 1 to October 31.
- Please keep your distance from any sea turtle-related activities. Do not disturb sea turtles on the sand or in the ocean, eggs, hatchlings, or nest markers.
- Turn off all lights visible from the beach including flashlights, camera lights, and cellphone screens. Please close all window shades. Exterior lights must be turtle-friendly, shielded, or turned off.
- Leave only footprints. No dogs are allowed on the beach, no fireworks are allowed on the beach, no bonfires are allowed on the beach, and no motor vehicles are allowed on the beach.
- To report injured wildlife, report incidents online or call 888-404-FWCC (3922). Cellphone users can also call *FWC or #FWC, or send a text to Tip@MyFWC.com.

Seaweed (Sargassum)

The beaching of seaweed – also known as sargassum or beach wrack – is a common occurrence in the City. While sometimes unsightly and a little smelly, it is important to remember the vital role that beach wrack plays in the ecological systems of the beach. "Wrack'' is the broad term used to describe a collection of seaweed (sargassum), surfgrass, driftwood, and other organic materials produced by coastal ecosystems that wash ashore on the beach. Wrack can help anchor dunes by trapping and storing windborne sand - creating hummocks and dunes - and providing the structure needed for land plants to take root and grow on the upper portions of the beach. These dunes not only support a unique ecosystem of plants and animals; they also act as natural barriers to large waves and storm surge, making them instrumental in the protection of coastal communities from flooding and erosion.

Wrack feeds many creatures that live on and in the sand; these creatures in turn provide a food source for other animals, including migratory and shore birds. Wrack decomposes over time, releasing essential nutrients into the beach, acting as rich fertilizer for surrounding ecosystems. One scientific study found that land plants near wrack grow 70% faster than plants without wrack nearby.

Mechanical removal of beach wrack risks disturbing the nests of endangered sea turtles species and shore birds. It is not uncommon for sea turtle hatchlings to take shelter in beach wrack as they make their way to the ocean for the first time. Removal of this material could inadvertently remove them as well.

Unless a sargassum beaching event is deemed a risk to human health by appropriate state and county authorities, it is the City's policy not to remove wrack from the beach. To find out more

about beach wrack, please utilize the Florida Fish and Wildlife Conservation Commission's website here:

Beach Wrack Information

***This pamphlet is for informational purposes only, and while the City believes the information contained in this pamphlet is accurate, each user of this pamphlet understands that they are responsible for conducting their own due diligence. It is recommended that if you plan any activity on or near the dunes, you contact FDEP directly via the contact information contained herein. The City of Cape Canaveral disclaims any liability for any damages in connection with unauthorized activities on or near the dunes.**