



Florida Department of Environmental Protection (DEP)
Division of Water Resource Management
Bureau of Beaches and Coastal Systems
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FREQUENTLY ASKED QUESTIONS ABOUT THE COASTAL CONSTRUCTION CONTROL LINE

WHAT IS THE RELATIONSHIP BETWEEN THE BEACH AND SHORE PRESERVATION ACT AND THE COASTAL CONSTRUCTION CONTROL LINE (CCCL) PROGRAM?

The purpose of the Florida Beach and Shore Preservation Act (pursuant to Parts I and II of Chapter 161, Florida Statutes) is to preserve and protect Florida's sandy beaches and adjacent beach and dune systems. Beaches and dunes are vital components of the dynamic coastal system that surround most of Florida. The beach and dune system protects upland properties from storm damage, provides recreation for Florida residents and visitors, and provides habitat for wildlife. Imprudent development reduces the system's ability to provide these benefits.

The CCCL Program is one of three interrelated components of the Beach and Shore Preservation Act which work in concert to preserve and protect Florida's beaches. The CCCL Program protects the beach and dune system from imprudent upland construction that could weaken, damage or destroy the integrity of the beach and dune system. The remaining two components contained in the Act are the Beach Erosion Control Program, which provides for the restoration and maintenance of critically eroding beaches, and the Joint Coastal Permitting Program, which protects the shoreline from activities which could contribute to erosion.

WHAT IS THE PURPOSE OF THE CCCL PROGRAM?

The CCCL Program (which is an integral component of the state's Beach and Shore Preservation Act) protects Florida's beaches and dunes from imprudent construction jeopardizing the beach/dune system, accelerating erosion, threatening upland structures and property, and interfering with public beach access while allowing reasonable use of private property. Improperly sited and designed construction can destabilize or destroy the beach/dune system resulting in loss of this natural resource and its important values for recreation, upland property protection and environmental habitat. Construction activities seaward of the control line are not prohibited, but must meet special siting and design criteria.

WHAT FACTORS ARE USED TO ESTABLISH A CONTROL LINE?

Historical weather data (including past hurricanes which have impacted the area under study, tide cycles, offshore bathymetry, erosion trends, upland topography, and existing vegetation and structures) are evaluated using appropriate engineering predictive models and scientific principles to determine the upland limits of the effect of a one-hundred year coastal storm. It is important to note that some major storm effects, including wind and flooding may penetrate much farther inland than the control line, however the magnitude of the forces associated with those effects is considerably less than those which are anticipated seaward of the control line.

CAN I BUILD OR REBUILD SEAWARD OF THE CONTROL LINE?

YES!

DOES REBUILDING AN EXISTING STRUCTURE OR A STRUCTURE DAMAGED BY A STORM REQUIRE A PERMIT FROM THE DEPARTMENT?

Yes. Maintenance, repairs, or modifications of existing structures are generally exempted from the Department's permitting requirements as long as the activity does not involve additions to, repairs of, or modifications to the foundation. Routine maintenance of the foundation is also exempt and minor repairs may also be exempted after Department review. Chapter 62B-33, Florida Administrative Code, outlines other specific activities that are or may,

after review, be exempt. Otherwise, construction activities will require either a field or an administrative permit from the Department. Unless the storm has altered the shoreline such that a viable building site landward of the beach no longer exists, structures damaged by a storm may be rebuilt. Structures that are being rebuilt for economic reasons may be rebuilt within or landward of the confines of the existing foundation upon compliance with appropriate standards.

DO ALL PROPOSED CONSTRUCTION ACTIVITIES SEAWARD OF THE CONTROL LINE REQUIRE A PERMIT?

No. The statute allows exemptions for certain activities that are not expected to cause any impacts or measurable interference with the coastal system. Included within this list of exemptions are improvements to existing single-family dwellings within the foundation limits not involving foundation work (e.g., replacing roofs, doors, windows, siding, second floor additions, etc.), and certain minor structures/activities located landward of seawalls or existing buildings.

WHAT DOES THE DEPARTMENT CONSIDER WHEN REVIEWING A REQUEST FOR A PERMIT?

Department permit requirements are presented in Chapter 62B-33, Florida Administrative Code. Approval or denial of a permit application is based upon a review of the facts and circumstances on the potential impacts on the beach dune/system, adjacent properties, native salt-resistant vegetation and marine turtles, and interference with public beach access. While most permit requests are approved as requested, some are modified during the permitting process to comply with siting and design criteria.

WHAT IS THE 30-YEAR EROSION PROJECTION?

The "30-year erosion projection" is the projected location of the seasonal high water line (SHWL) on the subject property thirty years following submittal of an application for a permit. The SHWL is defined by Section 161.053(6)(a)2, Florida Statutes, as "...the line formed by the intersection of the rising shore and the elevation of 150 percent of the local mean tidal range above local mean high water." The location of the 30-year erosion projection is based on documented historical shoreline changes for that area and is available from the Department. In areas with substantial seawalls, the 30-year erosion projects tolls at the wall.

WHAT ARE DEVELOPMENT AGREEMENTS AND CAN I OBTAIN ONE?

The agreement is a contract, which the Department is authorized to enter into with property owners or developers, that guarantees a permit would be issued for the proposed construction. The agreement typically outlines the siting or location of the proposed project based on negotiations with the Department prior to submittal of an application. Any property owner can request such an agreement.

WHO DO I CONTACT TO FIND OUT MORE ABOUT HOW THIS PROGRAM WILL AFFECT ME OR MY PROPERTY?

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