Florida Department of Environmental Protection
Office of Resilience and Coastal Protection
Coastal Construction Control Line Program
www.FloridaDEP.gov/CCCL
(850) 245 -8570

CCCL Post-Storm Public Information Handout

Emergency Permitting Guidance for Local Governments, State Agencies and Public Utilities

In response to widespread property damage and other emergency conditions created by coastal storms, the Florida Department of Environmental Protection (DEP) issues Emergency Final Orders (EFO) that establish emergency permitting procedures seaward of the state of Florida Coastal Construction Control Line (CCCL). These procedures cover post-storm recovery activities such as removing storm debris, making structural repairs, bringing in beach compatible sand and installing temporary coastal protection structures. Under the EFO, local governments, state agencies and public utilities are approved to conduct specific storm recovery activities without the need for an individual CCCL permit. In addition, CCCL emergency procedures provide a role for local governments to help expedite post-storm coastal construction permitting. CCCL permits are not required for certain recovery activities by private entities that have been properly permitted by a local government under the conditions of the EFO.

This document details CCCL emergency permit requirements for local governments, state agencies and public utilities engaged in post-storm response and recovery. Emergency procedures are detailed by activity in Table 1, including a description of the work, location of the work, type of emergency permit, exemption or other authorization that applies to the activity, and the conditions under which the activity must be conducted. The state of Florida's regulatory authority over these activities is from Sections 161.053 and 161. 085, Florida Statutes(F.S.), Rule Chapter 62B-33, Florida Administrative Code (F.A.C.), and sections C. 3., a. and b. of the EFO issued by the Department for Emergency Authorization of Repairs, Replacements, Restoration and Certain Other Measures issued for each major storm.

Activities not approved under Post-Storm Emergency Permitting Procedures

The Department EFO for emergency post-storm work seaward of a CCCL does **NOT** approve:

- construction of permanent structures that did not exist prior to the emergency;
- installation of geotextile containers as the core of a reconstructed dune for the purposes of temporary armoring;
- beach scraping or obtaining sand from the beach, near shore, or below the mean high water line seaward of a CCCL without specific authorization from the Department;
- harm to endangered or threatened species of wildlife such as nesting sea turtles or shorebirds;
- repair, replacement, or reconstruction of any type of unauthorized or illegal structure;
- other structures and activities listed in the section h. of Table 1 below titled "WORK SEAWARD OF A CCCL NOT AUTHORIZED UNDER EMERGENCY PERMITS."

Temporary Coastal Armoring and Emergency Permit Notification Requirements

Governmental entities must notify the Department's Office of Resilience and Coastal Protection within three (3) working days of issuing emergency permits under the provisions of the EFO and of installing or authorizing the installation of any armoring pursuant to section 161.085, Florida Statutes, and Rule 62B-33.0051, F.A.C., with an email to CCCL@FloridaDEP.gov including:

1. A description of the structure, including a sketch and location;
2. The name and address of the property owner; and,
3. The date of installation.

Sand Specifications

Sand from storm overwash deposits returned to the beach and dune system, and sand used to restore grades or dunes must not cover storm generated or construction debris. No sand may be obtained from the beach, near shore, or below the mean high water line seaward of the CCCL without written Department approval. Fill sand for dune restoration or restoring ground elevations and grades must be from an upland source and meet the Department's Post-Hurricane Recovery Sand Specification.

Coastal Wildlife Conservation

Prior to entering the beach, all work within sea turtle nesting season on sea turtle nesting beaches, including the frontal dune, or within shorebird or seabird habitats **must** be coordinated with the Florida Fish and Wildlife Conservation Commission (FWC). The nature, timing, and sequence of recovery activities must be conducted in such a manner as to provide protection to, and so as to not disturb, dune features, native salt-resistant vegetation, and listed species and their habitat, including threatened or endangered sea turtles, endangered manatees, endangered beach mice, endangered plant communities, and migratory shorebirds. The Department's EFO and emergency permits do not authorize the taking, attempted taking, pursuing, harassing, capturing or killing of any species (or the nests or eggs of any species) listed under Rule 68A-27, F.A.C., or the federal Endangered Species Act.

Sea turtle nesting season is May 1 through October 31, or for Brevard, Indian River, St. Lucie, Martin, Palm Beach and Broward Counties, March 1 through October 31. For sea turtle conservation recommendations, contact FWC at marineturtle@myfwc.com, call 850-922-4330 or go to the Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section website for general information. For help coordinating post-storm activities on the beach with an FWC-authorized Marine Turtle Permit Holder, email MTP@MyFWC.com.

Storm recovery activities can also disturb beach nesting, resting or feeding shorebirds and seabirds. For information on conservation measures for protected shorebirds and seabirds, go to Living-With-Beach-nesting-Shorebirds website or email imperiledspecies@myfwc.com.

CCCL Emergency Permitting Resources

- CCCL Program: www.FloridaDEP.gov/CCCL; email CCCL@FloridaDEP.gov; phone 850-245-2094
- CCCL Program Administrator: Doug Aarons, email; phone 850-245-7672
- CCCL Environmental Administrator: Celora Jackson, email; phone 850-245-7668
- Coastal Armoring Permits: Ana Seidel, email; phone 850-245-8419
- CCCL Permit Managers: contact information
- CCCL Beach Inspectors: contact information
- CCCL Emergency Permitting Page: www.FloridaDEP.gov/CCCL
- CCCL Post-Storm Public Information Handout: Emergency Permitting Guidance for Private Property Owners and Managers
- Guidance to Local Governments for Emergency Temporary Coastal Armoring and Other Measures Seaward of the CCCL
- Post-Hurricane Recovery Sand Specification

TABLE 1

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES

Categories of Recovery Activities

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b. Repair/Replacement Page 4
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RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES

Table 1.a – Debris Removal

Activity	Location	Permits Needed	Conditions
Cleanup and removal of upland storm debris	Landward of beach, wrack line or dunes	No CCCL permit required	Separate sand from debris and keep sand onsite Dispose of debris landward of CCCL in DEP authorized Solid Waste Disaster Debris Management Site No excavation or damage to dunes or dune vegetation allowed
Removal of storm debris, stranded vessels and navigation markers, including where excavation is required to extract the debris	Open sandy beach, intertidal and nearshore waters seaward of mean high waterline	No CCCL permit required	Use existing beach access Separate sand from debris and keep sand onsite Dispose of debris landward of CCCL in DEP authorized Solid Waste Disaster Debris Management Site No excavation or damage to dunes or dune vegetation allowed Consult FWC before entering sea turtle nesting or shorebird habitat areas

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.b – Repair / Replacement**			
Activity	**Location**	**Permits Needed**	**Conditions**
Shoring up damaged foundations with temporary piles, bracing or sand fill	Existing structures and buildings	Local building permit and/or CCCL Emergency Permit	Temporary measures only Sand must meet FDEP sand specs . Consult FWC before entering sea turtle nesting or shorebird habitats
Repair or replacement – non-structural (windows, doors, cladding and sheathing, decking and handrails)	Existing structures and buildings	No CCCL permit required	Follow building codes. Follow standards in Model Sea Turtle Lighting Ordinance, Rule Chapter 62B-55, F.A.C.
Repair or replacement – minor accessory structures and service utilities (access stairs, landings, equipment pads, sewer, water and electrical lines)	Landward of beach and dunes	Local building permit and/or CCCL Emergency Permit (decks, gazebos, retaining walls)	Not to exceed size or capacity of original structure Must be located landward of beach and dunes Work must be complete in 1 year
Permanent foundation repair **"Substantially damaged"** refers to structures which are no longer functionally intact or for which the repair cost is 50 percent or more of the structure's market value before the emergency occurred	Within building foundation footprint	Local building permit and/or CCCL Emergency Permit	Structure cannot be substantially damaged Not to exceed size or capacity of original Must be located landward of beach and dunes Work must be complete in 1 year

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.c – Beach Access, Dune Walkovers and Ramps**			
Activity	**Location**	**Permits Needed**	**Conditions**
Repair of utilities, roads, and beach access points.	Seaward of CCCL, landward MHWL	No CCCL permit required	All permanent repairs must conform to current state and federal codes/standards and must not extend beyond the limits of the original structure Work must be complete in 1 year Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings
Repair dune walkovers and beach access ramps; replace damaged stair stringers and treads, support posts, stringers, bents, handrails and decking **"Substantially damaged"** refers to structures which are no longer functionally intact or for which the repair cost is 50 percent or more of the structure's market value before the emergency occurred	No more than 10 feet seaward of post-storm dune or vegetation line	Local building permit and/or CCCL Emergency Field Permit	Minor repairs only; structure cannot be substantially damaged Adjust seaward end for changed beach conditions Use existing beach access No excavation or damage to dunes or dune vegetation allowed Work must be complete in 1 year Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings Follow FDEP Dune Walkover Guidelines.
Replacement or reconstruction of substantially damaged dune walkovers and beach access ramps	No more than 10 feet seaward of post-storm dune or vegetation line	Local building permit and/or CCCL Emergency Field Permit	Follow repair conditions Follow FDEP Dune Walkover Guidelines. **Replacement** of walkovers, decks, gazebos, retaining walls and similar structures is **not** covered under the EFO and may only be rebuilt landward of the dune Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings Work must be complete in 1 year

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.d – Sand Placement**			
Activity	**Location**	**Permits Needed**	**Conditions**
Return of storm **overwashed** sand (sand that was deposited in the upland by the storm) back to the beach or dune area	Unvegetated beach or dune area above the waterline	Local building permit and/or CCCL Emergency Field Permit **Note:** Return of clean windblown sand to the beach from paved roads and parking areas, beach access ramps, pools, patios, walkways, or decks is exempt from CCCL permit requirements	No beach scraping is allowed Sand must be cleaned of storm or construction debris prior to use Use existing beach access Site must be cleared of debris prior to sand placement No dune or dune vegetation damage allowed Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings No sand is to be placed seaward of marked sea turtle nests
Restoration of dunes or ground elevations with beach compatible sand from an upland source	Landward of pre-storm dune, bulkhead or vegetation line	Local building permit and/or CCCL Emergency Field Permit	No beach scraping is allowed Sand must meet FDEP sand specs. Follow conditions for overwash sand. Use existing beach access Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings Work must be complete in 1 year
Beach scraping	Beaches and dunes	CCCL administrative permit required	Requires DEP approval of a local government request with project justification and engineering assessment of beach condition, sand availability, and recovery potential Use existing beach access Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.e Coastal Armoring**			
Activity	**Location**	**Permits Needed**	**Conditions**
Minor repairs of armoring components (vertical wall members, whalers, wall caps, tiebacks and other anchoring system components; revetment rock rubble, chinking stones and underlayment; backfill)	Within limits of existing coastal armoring or bulkhead line	Local building permit or CCCL Emergency Permit	Must comply with CCCL Armoring Rule 62B-33.0051, FAC, for minor reconstruction Sand must meet FDEP sand specs. No dune or dune vegetation damage allowed Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings
Note: Complete or partial replacement or major reconstruction of damaged armoring (seawalls, revetments, bulkheads, retaining walls, (or other similar rigid coastal structures)	Within limits of existing coastal armoring or bulkhead line	CCCL Emergency Permit and Local building permit	Must comply with CCCL Armoring Rule 62B-33.0051, FAC, for major reconstruction Sand must meet FDEP sand specs No dune or dune vegetation damage allowed Avoid sea turtles, nests and hatchlings
New coastal armoring (seawalls, revetments, bulkheads, retaining walls, or other similar rigid coastal structures)	As landward as practicable	CCCL Administrative Permit and Local Government building permit	Must comply with CCCL Armoring Rule 62B-33.0051, FAC, for new coastal armoring Sand must meet FDEP sand specs No dune or dune vegetation damage allowed Avoid sea turtles, nests and hatchlings
Temporary armoring (wood retaining walls, cantilever sheet-pile walls, sandbags)	Determined on a case-by-case basis	Local building permit or CCCL Emergency Permit	Not to be reinforced with seawall caps, tiebacks or anchoring systems. Use existing beach access **Remove within 60 days** or apply for CCCL permit to keep in place Sand must meet FDEP sand specs. Consult FWC before entering sea turtle nesting or shorebird habitats No dune or dune vegetation damage allowed

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.f Temporary Flood Relief**			
Activity	**Location**	**Permits Needed**	**Conditions**
Placement of temporary pipes, hoses or pumps used for flood relief	Barren areas seaward of the CCCL	No CCCL permit required Rule 62B-33.004(2)(c)12., FAC, provides best management practices	No excavation allowed No dune or dune vegetation damage allowed Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings Secure discharge point seaward of waterline Remove equipment and restore areas immediately

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.g Emergency Permits Issued by Local Governments**			
Activity	**Location**	**Permits Needed**	**Conditions**
Temporary or remedial activities that are necessary to secure structures to remove safety hazards and prevent further damage or collapse of foundations.	Landward of beach and dunes	Local Building Permit	Emergency, temporary condition only
Temporary armoring such as wooden retaining walls, cantilever sheet pile walls (without concrete caps, tiebacks or other reinforcement), sandbags less than 100 pounds filled bag, or similar structures.	Landward of mean high-water line and Erosion Control Line	Local Building Permit	Remove temporary armoring within 60 days of installation or, Apply to the Department to keep the temporary armoring in place No geotubes or large geotextile containers can be authorized
Repair or replacement of minor ancillary structures (such as stairs, landings, and HVAC platforms) and service utilities.	Seaward CCCL	Local Building Permit	Repairs are not to exceed the size of the original structure or service utility damaged or destroyed by the storm

Repair of surviving beach/dune walkovers provided the structure is substantially intact	Landward of post-storm dune or vegetation line.	Local Building Permit	Refer to FDEP Dune Walkover Guidelines. Repair must adjust the seaward end of the walkover to a more landward location to accommodate changes from beach and dune erosion Viewing platforms as part of the walkovers may not be constructed on or seaward of the surviving or post-storm rebuilt dune system or sandy beach Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES

Table 1.g Emergency Permits Issued by Local Governments (cont.)

Activity	Location	Permits Needed	Conditions
Permanent repair of foundations for buildings that have not been substantially damaged.	Seaward of CCCL	Local Building Permit	**"Substantially damaged"** refers to structures which are no longer functionally intact or for which the repair cost is 50 percent or more of the structure's market value before the emergency occurred
The replacement or repair of caps and anchoring systems (or tiebacks) for seawalls or bulkheads.	Seaward of CCCL	Local Building Permit	Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests and hatchlings
Restoration of a dune system damaged by the storm using beach compatible sand from an upland source.	Landward of mean high-water line and Erosion Control Line Landward of surviving dunes or vegetation line	Local Building Permit	No sand may be obtained from the beach, near shore, or below mean high water seaward of the CCCL without specific written authorization from the Department Consult FWC before entering sea turtle nesting or shorebird habitats Avoid sea turtles, nests

RECOVERY ACTIVITIES FOR LOCAL GOVERNMENTS, FLORIDA DEPARTMENT OF TRANSPORTATION, OTHER STATE AGENCIES, AND UTILITY COMPANIES **Table 1.h Work Seaward of a CCCL NOT Authorized under Emergency Permits**			
Activity	**Location**	**Permits Needed**	**Conditions**
In water work regulated under the Beaches, Inlets, & Ports program (BIPP)	Seaward mean high water line or ECL	JCP (see part C.4. of the EFO)	Requires a permit pursuant to Sections 161.041, F.A.C. and/or 161.055, F.S.
Construction of permanent structures that did not exist prior to the emergency	Seaward CCCL	CCCL, Field Permit or General Permit	Refer to 62B-33.0155, or 62B-34.050, F.A.C.
Installation of geotextile containers as the core of a reconstructed dune	Dune system	CCCL 62B-56 Permit	Section 161.085, F.S.; Rule Chapter 62B-56, F.A.C.
Beach scraping or obtaining sand from the beach, near shore, or below the mean high-water line seaward of a CCCL	Excavation of the beach face, near shore or below the mean high-water line	CCCL	Requires local government request with project justification and engineering assessment of beach condition, sand availability, and recovery potential
Harm to endangered or threatened species of wildlife such as nesting sea turtles	Seaward CCCL	FWC or USFWS ITP	Contact FWC at: marineturtle@myfwc.com or call 850-922-4330 for general information
Repair, replacement, or reconstruction of any type of unauthorized or illegal structure, habitable or otherwise	Seaward CCCL	CCCL After-the-Fact-Permit or Consent Order	
Permanent repair of foundations of major structures which have been substantially damaged	Seaward CCCL	CCCL	Refer to 62B-33.0155, F.A.C.
Repair or reconstruction of coastal or shore protection structures except as allowed under subparagraph C.3.b.(5) of the EFO	Seaward CCCL	CCCL or CCCL 62B-56 Permit	Refer to 62B-33.0051, .0155, F.A.C.
Replacement of walkover structures, retaining walls, decks, gazebos, and other similar structures not meeting emergency permit criteria	Seaward CCCL	CCCL, Field Permit or General Permit	Refer to 62B-33.0155, or 62B-34.050, F.A.C.