

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 1297](#)

**TITLE:** Beach Management

**SPONSOR(S):** Greco

**COMPANION BILL:** [CS/SB 636](#) (Leek)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Natural Resources & Disasters](#)

16 Y, 0 N, As CS

[Intergovernmental Affairs](#)

12 Y, 0 N

[State Affairs](#)

## SUMMARY

### Effect of the Bill:

The bill requires the Department of Environmental Protection (DEP) to review certain information when designating critically eroded beaches and requires beaches meeting certain criteria to be designated as critically eroded.

The bill authorizes DEP to require coastal local governments to develop local strategic beach management plans and specifies what must be included in such plans. The bill also authorizes these local strategic beach management plans to be incorporated into the state strategic beach management plan.

The bill includes coastal inland areas meeting certain requirements to the areas that may be designated as an area of critical state concern.

### Fiscal or Economic Impact:

None.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill requires the Department of Environmental Protection (DEP), when designating critically eroded beaches, to review data related to beaches that have been preemptively and repeatedly repaired to avoid complete erosion and for which private funding, local government funding, and state or federal grants have been expended to stop or mitigate such erosion. (Section 1)

The bill provides that if a local government with jurisdiction over a beach has a financial plan that ensures the preservation of funding for inclusion in the state strategic beach management plan, such beach must be designated as critically eroded if:

- The local government possesses a perpetual easement that requires the local government to assume maintenance responsibilities for shoreline parcels and develop and implement a design that manages shoreline retreat to protect inland developments.
- The beach's geological features result in repeated inland flooding or structural damage. (Section 1)

The bill authorizes the Secretary of DEP to require coastal local governments to develop local strategic beach management plans. The bill provides that local strategic beach management plans must include an identification of the most visited shoreline recreational facilities, university research centers, and shoreline protection areas. The plan must also include an analysis of:

- Compound flooding near the county's beaches.
- Assessed values of upland properties and developments.

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- Environmentally sensitive lands and waters.
- Any recommendation from a certified coastal engineer or coastal engineering specialist.
- Any recommendation from the United States Army Corps of Engineers. (Section 1)

The bill authorizes these local strategic beach management plans to be incorporated into the state strategic beach management plan. (Section 2)

The bill expands the types of areas that may be designated as an [area of critical state concern](#) to include low elevation sections immediately inland of the dune and beach that have been repeatedly breached or overtopped by seawater flowing into an interconnected stormwater system or which have been designated in a local emergency declaration for a prolonged period. (Section 3)

The bill takes effect July 1, 2026. (Section 5)

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Coastal Erosion](#)

Coastal erosion is the loss of coastal lands due to the ocean activity, which causes beaches to become narrower and lower in elevation.<sup>1</sup> Sand naturally drifts along the shore due to waves, currents, and tides.<sup>2</sup> Storms and storm waves can cause significant changes to beaches by carrying the sand offshore and depositing sand and sediment in large sandbars.<sup>3</sup> Coastal erosion may also result from human activities, including the creation and maintenance of inlets and the development and placement of infrastructure near the shore.<sup>4</sup> Changing sea levels are also a contributing factor to coastal erosion.<sup>5</sup>

#### [Critically Eroded Beaches](#)

A critically eroded shoreline is a segment of the shoreline where natural processes or human activity have caused or contributed to erosion and recession of the beach or dune system to such a degree that upland development, recreational interests, wildlife habitat, or important cultural resources are threatened or lost.<sup>6</sup> Critically eroded shorelines may also include adjacent segments or gaps between identified critically eroded areas which, although they may be stable or slightly erosional now, their inclusion is necessary for continuity of management of the coastal system or for the design integrity of adjacent beach management projects.<sup>7</sup>

DEP's coastal engineering staff uses qualitative assessments and quantitative data to determine if a segment of shoreline is critically eroded.<sup>8</sup> If data are limited at the time of an investigation, staff utilizes professional

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<sup>1</sup> U.S. Geological Survey, [Coastal Change Hazards: Hurricanes and Extreme Storms, Beach Erosion](#) (last visited Feb. 1, 2026).

<sup>2</sup> Department of Environmental Protection, [Strategic Beach Management Plan: Introduction](#), May 2023, p. 1 (last visited Feb. 1, 2026).

<sup>3</sup> Department of Environmental Protection, [Strategic Beach Management Plan: Introduction](#), May 2023, p. 1 (last visited Feb. 1, 2026) and U.S. Geological Survey, [Coastal Change Hazards: Hurricanes and Extreme Storms, Beach Erosion](#) (last visited Feb. 1, 2026).

<sup>4</sup> Department of Environmental Protection, [Strategic Beach Management Plan: Introduction](#), May 2023, p. 1 (last visited Feb. 1, 2026). An "inlet" is a coastal barrier waterway connecting a bay, lagoon, or similar body of water with the ocean; improved, altered or modified inlets are those where stabilizing rigid coastal structures have been constructed, or where inlet related structures or features such as channels have been constructed or are actively maintained and the channel depth is greater than the inlet system would support in a natural state. See Rule 62B-36.002(7), F.A.C.

<sup>5</sup> Department of Environmental Protection, [Strategic Beach Management Plan: Introduction](#), May 2023, p. 1 (last visited Feb. 1, 2026).

<sup>6</sup> Rule 62B-36.002(5), F.A.C.

<sup>7</sup> *Id.*

<sup>8</sup> Department of Environmental Protection, [Critically Eroded Beaches in Florida](#), August 2025, p. 6 (last visited Feb. 1, 2026). DEP uses quantitative data that includes beach and offshore profiles, upland topography, nearshore and offshore bathymetry, historical shoreline position changes, storm tide frequency, beach and dune erosion, recent storm damage, design adequacy

engineering judgment based upon reasonably accepted standards and practices in evaluating the erosion condition of a shoreline.<sup>9</sup> When new data is available, DEP updates the analysis accordingly.<sup>10</sup>

The placement of beach and dune fill material has restored many critically eroded beaches, improving shorelines compared to their pre-project conditions.<sup>11</sup> Although these projects and subsequent maintenance have mitigated critical erosion conditions, these shorelines retain their critical erosion designation in order to retain funding eligibility for long-term management, maintenance, and monitoring.<sup>12</sup> DEP's 2025 Critically Eroded Beaches Report included 451.1 miles of critically eroded beach.<sup>13</sup>

### **Beach Management**

Florida has 825 miles of sandy coastline.<sup>14</sup> The Dennis L. Jones Beach and Shore Preservation Act regulates beach and inlet management in Florida and designates DEP as the beach and shore preservation authority for the state.<sup>15</sup> As part of its responsibilities for beach and shore preservation, DEP is required to identify critically eroded beaches and develop and maintain comprehensive long-term management plans for their restoration.<sup>16</sup> Long-term management plans have several components, including the Critically Eroded Beaches Report, the Strategic Beach Management Plan, local government funding requests, inlet management plans, and the long-range budget plan.<sup>17</sup>

The Strategic Beach Management Plan (SBMP) is a set of beach management plans, developed at the regional level, which identify management strategies for critically eroded beaches and inlets, taking into account areas of greatest need and probable federal and local funding.<sup>18</sup> As part of the SBMP, DEP must:

- Address long-term solutions to the problem of critically eroded beaches and assess appropriate management measures for those beaches.
- Elevate each improved, modified, or altered inlet and determine whether the inlet is a significant cause of beach erosion.
- Evaluate criteria for beach restoration and beach nourishment projects.
- Identify causes of shoreline erosion and assess the impacts of development on erosion.
- Identify short-term and long-term economic costs and benefits, regional sediment management alternatives, and alternative management responses to preserve and restore beach and dune systems.
- Study dune and vegetation conditions.
- Identify beach areas used by marine turtles and develop protection strategies for those areas.<sup>19</sup>

The Strategic Beach Management Plan is a dynamic management tool for use by private individuals and federal, state, and local officials.<sup>20</sup> The plan is updated periodically as new strategies are identified and implemented.<sup>21</sup>

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and proximity of upland development, infrastructure, wildlife habitat, and important cultural resources to the anticipated effects of a 25-year storm event.

<sup>9</sup> Department of Environmental Protection, [Critically Eroded Beaches in Florida](#), August 2025, p. 6 (last visited Feb. 1, 2026).

<sup>10</sup> *Id.*

<sup>11</sup> Department of Environmental Protection, [Critically Eroded Beaches in Florida](#), August 2025, p. 1 (last visited Feb. 1, 2026).

<sup>12</sup> *Id.*

<sup>13</sup> Department of Environmental Protection, [Critically Eroded Beaches in Florida](#), August 2025, p. 5 (last visited Feb. 1, 2026).

<sup>14</sup> Department of Environmental Protection, [Beaches](#) (last visited Feb. 1, 2026).

<sup>15</sup> [S. 161.011, F.S.](#) and [s. 161.101\(2\), F.S.](#)

<sup>16</sup> [S. 161.101\(1\), F.S.](#) See also Department of Environmental Protection, [Beaches](#) (last visited Feb. 1, 2026).

<sup>17</sup> Department of Environmental Protection, [Strategic Planning and Coordination](#) (last visited Feb. 1, 2026).

<sup>18</sup> [S. 161.161\(2\)\(a\), F.S.](#) See also Department of Environmental Protection, [Strategic Beach Management Plan: Introduction](#), May 2023, p. 2 (last visited Feb. 1, 2026).

<sup>19</sup> [S. 161.161\(1\), F.S.](#)

<sup>20</sup> Department of Environmental Protection, [Strategic Beach Management Plan: Introduction](#), May 2023, p. 3 (last visited Feb 1, 2026).

<sup>21</sup> *Id.*

## Areas of Critical State Concern

The 1972 Florida Environmental Land and Water Management Act created the Areas of Critical State Concern (ACSC) Program.<sup>22</sup> The program's purpose is to protect resources and public facilities of major statewide significance, within designated geographic areas, from uncontrolled development that would cause substantial deterioration of such resources.<sup>23</sup> The Administration Commission gives the ACSC designation to areas that contain natural resources of regional or statewide importance, areas that are or will be significantly affected by major public facilities, or areas of major development potential.<sup>24</sup> Florida Commerce, as the state land planning agency, may recommend an area for the ACSC designation.<sup>25</sup>

Current law provides that an ACSC may be designated for any area containing, or having a significant impact upon, environmental or natural resources of regional or statewide importance, such as state or federal parks, forests, wildlife refuges, wilderness areas, aquatic preserves, major rivers and estuaries, state environmentally endangered lands, Outstanding Florida Waters, and aquifer recharge areas.<sup>26</sup> For designating these types of lands, the Administration Commission considers the economic and ecological value of the area, whether the area is a critical habitat for endangered or threatened species, and whether the area is susceptible to substantial development or if planned development will affect the area.<sup>27</sup>

Following an ACSC designation, any local government that is wholly or partially located within the area must conform its previously adopted comprehensive plan to the principles for guiding development of the ACSC.<sup>28</sup> In addition, all state agencies with rulemaking authority for programs that affect a designated ACSC must review those programs for consistency with the purpose of the designation and principles for guiding development, and must adopt specific permitting standards and criteria applicable in the designated area, or otherwise amend the program, as necessary to further the purpose of the designation.<sup>29</sup>

Areas currently designated as ACSCs include the Big Cypress Area,<sup>30</sup> the Green Swamp Area,<sup>31</sup> the Florida Keys Area,<sup>32</sup> the Brevard Barrier Island Area,<sup>33</sup> and the Apalachicola Bay Area.<sup>34</sup>

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<sup>22</sup> See [s. 380.012, F.S.](#)

<sup>23</sup> Florida Commerce, [Areas of Critical State Concern Program](#) (last visited Feb. 1, 2026). See also [s. 380.05, F.S.](#)

<sup>24</sup> [S. 380.05\(2\)\(a\)-\(c\), F.S.](#) See also The Green Swamp, [History](#), (last visited Feb. 1, 2026). The Administration Commission consists of the Governor and the Cabinet. [S. 380.031\(1\), F.S.](#) Local governments and regional planning agencies may submit recommendations to the department for the areas within their jurisdictions that meet the statutory criteria for ACSC designation. [S. 380.05\(3\), F.S.](#)

<sup>25</sup> [S. 380.031\(18\), F.S.](#)

<sup>26</sup> [S. 380.05\(2\)\(a\), F.S.](#)

<sup>27</sup> *Id.*

<sup>28</sup> [S. 380.05\(14\), F.S.](#)

<sup>29</sup> [S. 380.05\(22\), F.S.](#)

<sup>30</sup> [S. 380.055, F.S.](#)

<sup>31</sup> [S. 380.0551, F.S.](#)

<sup>32</sup> [S. 380.0552, F.S.](#)

<sup>33</sup> [S. 380.0553, F.S.](#)

<sup>34</sup> [S. 380.0555, F.S.](#)

## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Natural Resources &amp; Disasters Subcommittee</a>	16 Y, 0 N, As CS	2/4/2026	Skinner	Jones
THE CHANGES ADOPTED BY THE COMMITTEE:	Clarified the provision that requires certain beaches, whose local government preserved funds for a certain purpose and that possess certain features, to be designated as critically eroded by specifying the local government must possess a certain perpetual easement to satisfy a required condition.			
<a href="#">Intergovernmental Affairs Subcommittee</a>	12 Y, 0 N	2/12/2026	Darden	Burgess
<a href="#">State Affairs Committee</a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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