

Section-by-Section Summary of the BEACH Act

Amendments to the Coastal Barrier Resources Act

On November 25, 2024, President Joe Biden signed the Bolstering Ecosystems Against Coastal Harm Act or BEACH Act ([Pub. L. 118-117](#)). This law reauthorizes and amends the [Coastal Barrier Resources Act](#) (CBRA), including revisions to the official John H. Chafee Coastal Barrier Resources System (CBRS) maps.

CBRA is administered by the U.S. Fish and Wildlife Service (FWS) and affects all Federal agencies that spend funds or provide financial assistance along the coasts that affect the designated areas. A description of the changes made to CBRA by each section of the BEACH Act follows.

Section 101 – Definitions

- Creates separate definitions for the terms “coastal barrier” and “undeveloped coastal barrier,” breaking up the existing definition into two separate definitions.
- Adds the word “bluff” to the examples of geologic features that are included in the term “coastal barrier.”
- Revises the definition for Otherwise Protected Areas (OPAs) to clarify such areas are predominantly (but not exclusively) held for conservation or recreation at the time of designation.
- Adds a savings clause to clarify that nothing in the definitions section of the law supersedes the official maps of the CBRS (which are adopted by Congress and maintained by FWS per section 4 of CBRA).

Section 102 – Technical Amendments to CBRA

- Clarifies that OPAs are part of the CBRS and are delineated on the set of official maps referenced in 16 U.S.C. 3503(a).
- Incorporates new BEACH Act maps into the official set of CBRS maps referenced in section 4(a) of CBRA.
- Amends an existing provision allowing FWS to administratively add excess Federal property to the CBRS by removing the requirement that such property be “undeveloped.”
- Changes a requirement that FWS provide a “copy” of revised maps to certain parties to a “notification of availability” of revised maps. This change recognizes that the maps are now available on the internet.

Section 103 – Disclosure Requirement

- Requires FWS, in consultation with the Department of Housing and Urban Development, to establish regulations that require disclosure in real estate transactions (sales and leases) for properties located in a community affected by CBRA. This requirement will not take effect until such regulations are finalized (the statutory deadline is November 25, 2026).

Section 104 – Exceptions to Limitations on Expenditures

- Makes minor changes to an existing emergency exception intended to allow additional debris removal conducted under section 407 the Stafford Act (42 U.S.C. 5173), remove a reference to a provision of the National Flood Insurance Act that was repealed in 1994, and add the word “applicable” before “emergency.”
- Creates a new exception for certain types of aquaculture operations (shellfish, micro-algae or macro-algae, or other forms of aquaculture that do not require the use of aquaculture feed). This exception requires adherence to best management practices and conservation measures recommended by FWS through the CBRA [consultation](#) process and that the project or action be consistent with the [purposes of CBRA](#).
- Creates a new exception for the sourcing of sediment resources within the CBRS for certain U.S. Army Corps of Engineers (Corps) coastal storm risk management projects. Following consultation with FWS, the Corps may utilize sand from within System Units to nourish adjacent beaches outside of the CBRS provided that:
 - The project (or its predecessor project) had previously used a borrow site within a System Unit to nourish adjacent beaches outside of the CBRS at least once between December 31, 2008, and December 31, 2023; and
 - The use of the System Unit for sand was conducted pursuant to section 5 the Flood Control Act of 1941 in response to an emergency situation.
- Establishes a grandfathering provision for insurable structures (i.e., walled and roofed buildings) that are on the ground in the newly added areas within one year of the BEACH Act’s enactment (i.e., by November 25, 2025) so that they will remain eligible for all Federal programs.
- Clarifies in CBRA that structures in OPAs that are “used in a manner consistent with the purpose for which the area is protected” (e.g., park-related structures) are eligible for Federal flood insurance, regardless of their date of construction. This exception already exists in the National Flood Insurance Act (42 U.S.C. 4028) and is consistent with how CBRA has been administered since OPAs were first created in 1990.
- Clarifies that, aside from the prohibition on new Federal flood insurance coverage, CBRA’s prohibitions on Federal expenditures and financial assistance do not apply within OPAs. This is consistent with how CBRA has been administered since OPAs were first created in 1990.

Section 105 – Improve Agency Compliance with CBRA

- Requires all agencies affected by CBRA to revise or issue regulations and guidance as necessary to ensure compliance with CBRA, as amended by the BEACH Act. The statutory deadline is November 25, 2025.
- Requires FWS, in consultation with the Corps, to develop and finalize guidance relating to an exception in [section 5](#) of CBRA for projects to address emergency situations that threaten life, land, and property immediately adjacent to a System Unit of the CBRS. The statutory deadline is November 25, 2025.

Section 106 – Evaluation of Coastal Ecosystem Dynamics

- Requires FWS and the U.S. Geological Survey to conduct a scientific evaluation of the dynamics of coastal barrier ecosystems and their hazard impacts and prepare a report to Congress. The report is to include case studies of various coastal barrier areas and provide recommendations to Congress for furthering the goals of CBRA, including potential changes to the mapping criteria. This report will undergo public review. The statutory deadline for submission of the report to Congress is November 25, 2026.

Section 107 – Authorization of Appropriations

- Reauthorizes CBRA through FY 2031.
- Changes the annual authorization of appropriations for the administration of CBRA from \$2 million to \$1.962 million, an amount equal to the President’s Budget Request for FY 2025.

Section 201 – Changes to the CBRS Maps

- Adopts 184 replacement maps and 11 entirely new maps into the official set of CBRS maps referenced in section 4(a) of CBRA, extending CBRA’s prohibitions on Federal expenditures to new areas, reclassifying some areas from System Unit to OPA or vice versa, and removing some areas from the CBRS.
- Requires FWS to keep the BEACH Act maps on file in accordance with section 4(b) of CBRA.
- Renames Massachusetts “Squaw Island Unit C14” to “Halls Island Unit C14.”

For More Information

Please refer to the BEACH Act [fact sheet](#) or visit our [website](#) for additional information.

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