

Fact Sheet on 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. Below is a summary of the key provisions of the BEACH Act.

Maps and Acreage

- **The BEACH Act adopted 195 new or revised maps for 454 units of the CBRS in 13 states** (listed below). The revised maps were produced by FWS through the [Hurricane Sandy Remapping Project](#) and other efforts and are available through the [CBRS Mapper](#). The numbers of affected CBRS units in each state are identified below.

Affected States and Units

- New Hampshire (1 unit)
- Massachusetts (106 units plus part of RI Unit D01)
- Rhode Island (32 units)
- Connecticut (30 units plus part of RI Unit D08)
- New York (96 units, all on Long Island)
- New Jersey (26 units)
- Delaware (11 units)
- Maryland (59 units)
- Virginia (77 units)
- North Carolina (1 unit)
- South Carolina (6 units)
- Florida (3 units)
- Louisiana (6 units)

	Fastland Acres ¹		Associated Aquatic Habitat Acres ²		Total Acres		Total Structures ³	
	System Units	OPAs	System Units	OPAs	System Units	OPAs	System Units	OPAs
Addition to the CBRS	3,309	8,381	71,193	211,140	74,502	219,521	65	210
	Total: 11,690		Total: 282,333		Total: 294,023		Total: 275	
Deletion from the CBRS	560	438	269	128	829	566	708	247
	Total: 998		Total: 397		Total: 1,395		Total: 955	
Net Reclassified⁴	(7,963)	7,963	(21,001)	21,001	(28,964)	28,964	N/A	N/A
	Total: 0		Total: 0		Total: 0		N/A	
Net Change	(5,214)	15,906	49,923	232,013	44,709	247,919	(643)	(37)
	Total: 10,692		Total: 281,936		Total: 292,628		Total: (680)	

¹ Land above mean high tide

² Associated aquatic habitat includes wetlands, marshes, estuaries, inlets, and open water landward of the coastal barrier, but does not include open water seaward of the shoreline. This information is derived from National Wetlands Inventory data.

³ Approximate structure count derived from base map imagery. Gas and liquid storage tanks, structures without walls and a roof (e.g., picnic shelters), structures with fewer than 200 square feet, structures that are not affixed to a permanent site (e.g., recreational vehicles), and structures that are not located principally above ground are not included in this structure count because they do not meet the statutory definition of a “structure” (16 U.S.C. 3503(g)(2)).

⁴ Reclassified areas are areas that were within the CBRS as one type of unit (i.e., OPA or System Unit) and were reclassified to the other type of unit (i.e., System Unit or OPA).

Removals From the CBRS

- The revised maps remove about 1,400 acres and about 955 structures from the CBRS. These removals correct mapping errors made in the past due to outdated mapping technology. The removed structures are now eligible for federal flood insurance and other programs (provided they meet any other existing eligibility standards).
- Individuals whose structures were removed from the CBRS may use the [CBRS Validation Tool](#) to obtain the documentation needed to seek federal flood insurance or other forms of federal financial assistance.

Additions to the CBRS

- The revised maps expand the CBRS by about 294,000 acres and add 275 structures (more than half of which are park-related) to the CBRS.

Restrictions for New Federally Funded Projects

- **Most new federal funding and financial assistance is prohibited on or after November 25, 2024, for projects and activities in areas added to [System Units](#) by the BEACH Act.** However, there are [exceptions](#) in the law that may allow certain types of projects and activities after [consultation](#) between the funding agency and the appropriate FWS field office. Learn more about CBRA's [prohibitions](#) on federal expenditures. Questions concerning specific projects may be directed to the appropriate FWS [field office](#).
- Note that in cases where federal funds were specifically appropriated for a project before an area's addition to the CBRS, CBRA does not apply to that particular expenditure (though it may apply to subsequent expenditures). See [16 U.S.C. 3504\(b\)](#). The same is true for projects where a legally binding commitment (e.g., a construction contract) was made prior to the addition to the CBRS; those already committed federal funds are not subject to CBRA. The date of an area's designation as a System Unit is labeled in the [CBRS Mapper](#) as the "SU Date."

Restrictions on Federal Funding and Financial Assistance for New Structures

- **Most new buildings constructed on or after November 25, 2025, in areas added to the CBRS by the BEACH Act will not be eligible for future federal funding or financial assistance.** However, there is an exception for park-related structures in Otherwise Protected Areas (OPAs).
- CBRA does not prohibit new development conducted with private, state, or local funds.
- A property's location within or outside of a CBRS does not impact whether local floodplain management requirements apply. Local [floodplain management](#) requirements apply to properties within the regulatory floodplain.

Grandfathering for Existing Structures

- **The BEACH Act established a grandfathering provision for insurable structures (i.e., walled and roofed buildings) in areas added to the CBRS on or after the date of enactment (November 25, 2024).** Eligible structures include:
 - Any insurable structures [already built](#) before being added to the CBRS by the BEACH Act on November 25, 2024, are exempt from CBRA's prohibitions on federal financial assistance, including (but not limited to): federal flood insurance, disaster relief, Veterans Administration or Federal Housing Administration mortgages, and hazard mitigation programs.
 - Additionally, insurable structures that were not built by November 25, 2024, [but are walled and roofed before November 25, 2025](#), will also be grandfathered and exempt from CBRA's prohibitions on federal financial assistance.
- Grandfathering of eligible structures is unaffected by property sales or other transfers.
- Individuals can use the [CBRS Validation Tool](#) to determine whether a specific property is within the CBRS.
- This new grandfathering provision is broader than what exists for structures added to the CBRS through previous laws, such as the Coastal Barrier Resources Act of 1982 or the Coastal Barrier Improvement Act of 1990. The BEACH Act makes no changes to the grandfathering rules for structures that were added to the CBRS in the past.
- For questions about flood insurance eligibility, please contact any flood insurance provider.

Reclassifications

- The revised maps reclassify certain areas from System Units to Otherwise Protected Areas and vice versa. [Learn more](#) about the differences between these two types of units.

New and Updated Exceptions

Aquaculture

- The BEACH Act created 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](#).

Certain Coastal Storm Risk Management Projects

- The BEACH Act created 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 the CBRS at least once between December 31, 2008, and December 31, 2023; and
 - The prior 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.
- Based on [House Report 118-667](#) and the [Congressional Record](#), this exception applies to the following four projects:
 - Townsends Inlet to Cape May Inlet, New Jersey project for coastal storm risk management and emergency response purposes
 - Wrightsville Beach, North Carolina coastal storm risk management
 - Carolina Beach and vicinity, North Carolina coastal storm risk management
 - Folly Beach, South Carolina coastal storm risk management
 - According to the House Report referenced above, to the best of the Corps' knowledge, no other projects would be included now or in the future.

Emergency Actions

- The BEACH Act 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).

CBRS Disclosure Requirement

- The BEACH Act 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.

Improving Federal Agency CBRA Compliance

- The BEACH Act requires all agencies affected by CBRA to revise or issue regulations and guidance as necessary to ensure compliance with CBRA, as amended. The statutory deadline is November 25, 2025.
- The BEACH Act 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.

Evaluation of Coastal Ecosystem Dynamics

- The BEACH Act directs FWS and the U.S. Geological Survey to prepare a report to Congress that includes a scientific evaluation of the dynamics of coastal barrier ecosystems and the impacts of coastal hazards (e.g., flooding, storm surge, wind, erosion, and sea level rise) on coastal barriers. The report is to include case studies of various coastal barrier areas and provide recommendations to Congress for furthering the goals of the 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.

For more information, please visit our [website](#) or refer to the [section-by-section summary](#) of the BEACH Act.

U.S. Fish and Wildlife Service

Ecological Services

5275 Leesburg Pike

Falls Church, VA 22041

703-358-2171

cbra@fws.gov

<https://www.fws.gov/program/coastal-barrier-resources-act>

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

December 6, 2024

