



CCCL Dune Plant Maintenance Guidelines

These guidelines provide best management practices for maintenance of seagrapes and other salt tolerant dune plants protected seaward of a coastal construction control line by state law 161.053 (2)(a), Florida Statutes.

Beach – Dune Vegetation

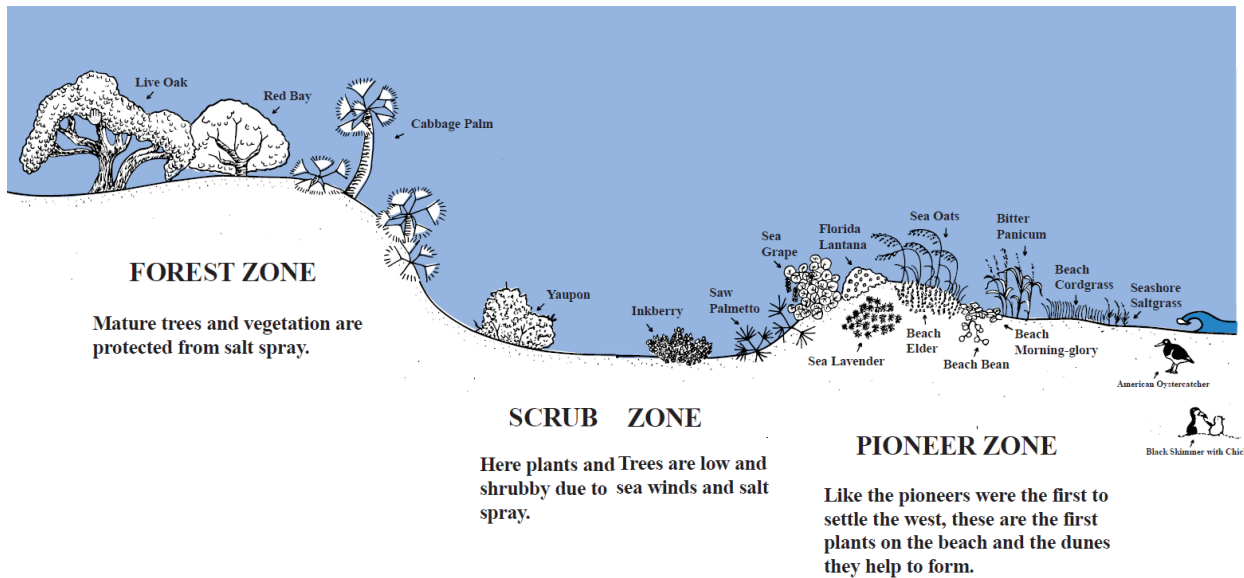


Figure 1: Diagram of pioneer, scrub (or strand) and forest zones of dunes within a typical Florida beach and dune system.

Sea oats, seagrapes and other plants growing on Florida dunes give significant benefits to beaches, dunes, upland properties and wildlife. Salt tolerant dune plants:

- build protective dunes by trapping and stabilizing wind-blown beach sand,
- reduce erosion losses by wind and storms,
- provide a buffer against storm surges and salt spray,
- provide shelter for wildlife, and
- block light pollution for nesting and hatchling sea turtles.

Dune plants are resilient and adapted to survive storms and grow back through natural recovery processes. At the same time, dune plants can be easily damaged by construction and other human activities and require much longer recovery times. It is important to conduct dune plant maintenance so that the plants are not permanently damaged and sea turtles and dune systems are protected.

What are Dune Plants?

Dune plants are those native trees, shrubs, grasses, groundcovers and other plants found in beach dune, coastal berm, coastal grassland, coastal strand and maritime hammock natural communities as described by the Florida Natural Areas Inventory (see [Guide to the Natural Communities of Florida – 2010 Edition](#)). Native plants are those species documented as native or endemic in the [Atlas of Florida Vascular Plants](#) maintained by the Institute for Systematic Botany. Nuisance or Invasive Exotic Plant Species are those species listed in the Florida Exotic Pest Plant Council's [List of Category I and II Invasive Species](#). Plants that have been intentionally planted or installed, or inadvertently introduced into the dune system for purposes other than for dune restoration are considered to be ornamental or landscape plantings.

What are the State Laws related to Dune Plant Maintenance?

Beach-dune plant damage or removal located seaward of a state of Florida coastal construction control line (CCCL) is regulated under section 161.053, Florida Statutes (F.S.). Additional protections for sea oats, *Uniola paniculata*, and seagrapes, *Coccoloba uvifera*, are found in section 161.242, F.S. CCCL regulations do not supersede more stringent requirements of other laws or jurisdictions that may be in effect, or the protection of endangered, threatened or commercially exploited plants regulated under Chapter 581 of the Florida Statutes, and Rule Chapter 5B-40, of the Florida Administrative Code.

In recognition of the storm buffer services of dune plants, Florida law states that no person, firm, corporation, or governmental agency shall damage or cause to be damaged sand dunes or the vegetation growing on them without a permit from the Florida Department of Environmental Protection (FDEP) (subparagraph 161.053(2)(a), Florida Statutes). Consequently, FDEP Coastal Construction Control Line Program (CCCL) rules in Chapter 62B-33, Florida Administrative Code, protect these important native salt-tolerant dune plants from damage. On dune systems seaward of the Department's Coastal Construction Control Line, property owners or their agents cannot cut down or damage beach dune plants without a CCCL permit. Landscape plant maintenance activities that target ornamental or introduced non-native species or do not damage native beach-dune vegetation or involve excavation do not require CCCL permits and are exempt from CCCL permit application requirements under subparagraph 161.053(11)(c)2, F.S.

What “Damages” Dune Plants?

Damage to vegetation refers to a material reduction in the health of plant from trampling, crushing, chopping, breaking, digging up, or excessive cutting of roots, stems, trunks, branches or leaves of beach dune plants naturally occurring or planted on-site for dune enhancement seaward of a CCCL. Excessive cutting means the removal of roots, branches, stems and leaves in exceedance of accepted horticultural practices, such as the standards published in ANSI A300 Part 1: Tree, Shrub and other Woody Plant Maintenance -Standard Practices, Pruning. Tree and landscape maintenance practices recognize exceptions to the standards and that certain coastal plants adapted to recover from breakage by damaging tropical storm force winds, such as seagrape, *Coccoloba uvifera*, are tolerant of heavy pruning or coppicing. Damage to beach and dune vegetation can be avoided, minimized or mitigated through employment of arborists and other landscape professionals and when following best management practices tailored for the unique physical conditions of coastal dune environments.

What Permits, if any, are Required to Cut Dune Vegetation?

Cutting dune vegetation seaward of a coastal construction control line requires a CCCL permit unless the activity qualifies as a minor activity determined by the department not to have an adverse effect on the coastal system, such as “maintenance of existing beach-dune vegetation” exempted in state law. Vegetation maintenance that does not damage native dune plants includes trimming, shearing, pruning, dead heading and other accepted horticultural practices, and does not require a CCCL permit pursuant to section 161.053(11), F.S. An exemption of the work from CCCL permitting requirements does not shield the property owner from his or her responsibility for following other laws or from enforcement action taken by other local, state, or federal agencies. Furthermore, proper arboricultural and horticultural practices must be followed to ensure that the native beach-dune plants are not damaged or destroyed from the maintenance. Trespass onto another’s property to remove vegetation without the property owner’s approval is also not allowed.



Figure 2: Sea oats, *Uniola paniculata*, building a dune by trapping and stabilizing windblown beach sand.

CCCL staff are available to assist property owners in determining if the dune maintenance project is exempt, or if not exempt, in processing the proper CCCL permit. CCCL field inspectors can schedule site visits to meet on the property, discuss projects over the phone, and issue CCCL Field Permits as needed. Additionally, property owners can send dune maintenance project information (eg. address, description of work, photographs and plans) to a CCCL permit manager in a consultation request emailed to cccl@dep.state.fl.us. The permit manager can assist with the processing of a CCCL Individual Permit application as needed. Both CCCL field inspector and permit manager contact information is located at the FDEP [CCCL webpage](#) or by calling 850/245-2094 and asking for the CCCL staff member assigned to the county of the project.

General Dune Plant Maintenance Guidance

- Work is to be conducted in a way that does not alter or damage dune topography or beach-dune vegetation, require new beach access, disturb marked sea turtle nests or known nest locations, obstruct public access, cause excavation of the ground or damage adjacent properties.
- Any disturbance of the beach or soil surface must be restored to a stable, pre-work condition.
- Removal of beachfront vegetation must not result in the increase of the visibility of artificial light from the beach, nor additional exposure of salt-sensitive plants or property to increased salt spray.
- Vegetation maintenance, trimming, or removal requires the approval of the property owner or if on public property, the approval of the responsible government resource management agency.
- Native dune plants damaged by unauthorized maintenance activities must be replaced to the approval of the Department.



Property owners and others maintaining native vegetation seaward of the Coastal Construction Control Line must consider possible harm to sea turtles. Removal of beachfront vegetation increases the potential for disorientation and subsequent injury or mortality of hatchling sea turtles, which are attracted to light. Pruning or trimming removes vegetation from the canopy that often blocks lights from shining on the beach and thus protects sea turtle nesting habitat. Vegetation maintenance that increases lighting of the beach must be in compliance with section 379.2431, Florida Statutes, "Marine Turtle Protection Act." Information on lighting issues is provided in the publication "Sea Grape Trimming and Sea Turtles," available on the CCCL webpage or by visiting the Florida Fish and Wildlife Conservation Commission sea turtle conservation program [website](#). The Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section can be reached at 850/922-4330 or marineturtle@myfwc.com.

- If reducing the tree crown or canopy of the dune vegetation, the property owner must evaluate existing or potential sources of light visible from the beach and take appropriate measures to eliminate the possibility of increased light cast on the nesting beach. Before cutting down vegetation seaward of a beach house, property owners can protect sea turtle nesting habitat by replacing light fixtures that are visible from the beach with shielded "can" type or other fixtures.
- Operation, transportation, or storage of equipment or materials, including skid steers, cherry pickers and other equipment on the beach or frontal dune must be scheduled outside sea turtle nesting season, or coordinated with CCCL and FWC staff if proposed during nesting season. This may require engaging the services of a state permitted biologist to ensure that proposed activities avoid all sea turtle nesting, nests and hatchlings.

References

Guide to the Natural Communities of Florida – [2010 Edition](#).

Atlas of Florida Vascular Plants [website](#) maintained by the Institute of Systematic Botany

Florida Exotic Pest Plant Council's [List of Category I and II Invasive Species](#)

Florida Beach and Shore Preservation Act, Chapter 161, Florida Statutes, (go to [Online Sunshine](#))

ANSI A300 Pruning Standard – Part 1 "Tree, Shrub, and Other Woody Plant Management – Standard Practices (Pruning)"; American National Standards Institute.

Coastal Construction Control Line Program, FDEP. (see [website](#))

Coastal Construction Control Line Program

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