

# **Erosion Control Line and Mean High Water Fact Sheet**

## Mean High Water Line

- Mean high water (MHW) is an elevation established based upon the average height of the high tide over a 19-year period.
- The mean high water line (MHWL) is a survey of the MHW elevation across a property at the date the survey was conducted.
- The MHWL is established in accordance with accepted surveying practices and principles and is reviewed and approved by the Florida Division of Surveying and Mapping.
- The MHWL is the proposed ECL.

## Erosion Control Line

- An erosion control line (ECL) is required prior to the construction of a beach restoration project (161.141, Florida Statutes).
- The ECL is established at the mean high water line, recognized in Florida as the boundary between private upland property and submerged state owned lands (161.161 (5), F.S.).
- There is no taking of private lands through the establishment of an ECL (161.141,F.S.).
- Upland property owners will continue to enjoy all of their common-law riparian rights (161.201, F.S.).
- No structure shall be allowed to be erected upon the newly created beach except those necessary for erosion control (161.201, F.S.).
- No activities shall be allowed on the newly created beach that may be injurious to the upland property owner (161.201, F.S.).
- Any additions of sand to the upland property landward of the ECL shall remain the property of the uplands owner (161.141, F.S.).
- An erosion control line can be repealed if the beach restoration project is not constructed (161.211(1), F.S.).