**Flagler County Board of County Commissioners**
**Consent: BOCC Departments / Agenda Item 7.a.**

**Meeting Date:** October 5, 2026
**Department Contact:** Jonathan Lord, Emergency Management Director
**Subject:** **Ratification and Approval of Proclamations Extending the Local State of Emergency Due to Severe Coastal Erosion and Vulnerability**.

**Overview/Summary:**
Flagler County has been under a declared state of local emergency due to Hurricane Matthew since October 4, 2016. During that time, other storms have struck the County exacerbating the damage to the dune system and compounding the exposure of public and private property on the barrier island to future storms and flooding. The County also declared local states of emergency for Hurricane Irma (2017), Hurricane Dorian (2019), Hurricane Isaias (2020), and Hurricanes Ian and Nicole (2022).

Due to the cumulative effect of the storms as well as tidal events, Nor'easters, and erosion, Flagler County continues to be in the most precarious position relative to ocean flooding and storms in its history. Although the County has completed a series of emergency protective berm projects since Hurricane Matthew, public and private property on the barrier island remain vulnerable to catastrophic storm damage without further and sustained protective efforts.

As part of addressing the emergency, the Board adopted a long-term beach management plan assisted by an independent coastal engineer, the County's engineering staff and with input from residents and local HOAs. Continuing the state of local emergency will help the County with its ongoing and future efforts and allow the County to take any necessary emergency measures, including expedited emergency procurement and the issuance of emergency administrative orders, as necessary.

**Strategic Plan:**
Public Safety & Health
Goal 3 – Improve Public Safety Response and Service Delivery Capabilities

**Funding Information:**
Funding in accordance with grant agreements with the Army Corps of Engineers, FEMA, FDOT and DEP.

**Recommendations:**
Staff recommends that the Board ratify the Proclamations Extending the Local State of Emergency for Hurricanes Matthew, Ian and Nicole.

**Attachments:**

1. 2026 09 21 Emergency Proclamation - Extending LSE - Hurricane Matthew, Ian & Nicole
2. 2026 09 28 Emergency Proclamation - Extending LSE - Hurricane Matthew, Ian & Nicole
3. 2026 10 05 Emergency Proclamation - Extending LSE - Hurricane Matthew, Ian & Nicole

**FLAGLER COUNTY, FLORIDA**
**PROCLAMATION EXTENDING**
**STATE OF LOCAL EMERGENCY**
**(Hurricanes Matthew, Ian and Nicole)**

**September 21, 2026**

**WHEREAS,** Flagler County has been under a continuing State of Local Emergency since October 2016 due to Hurricane Matthew and thereafter with Hurricane Irma (2017), Hurricane Dorian (2019), Hurricane Isaias (2020), and with Hurricanes Ian and Nicole (2022), with the state of emergency proclamation being extended in accordance with Florida Chapter 252 and Flagler County Code of Ordinances Section 12-34; and

**WHEREAS,** these storms have severely damaged the entire dune system of the County, flooding hundreds of homes through dune breaches and over wash, and damaging public infrastructure and other public and private property along the coastline; and

**WHEREAS,** the damage from these hurricanes has been compounded by intervening Nor'easters and other tidal events, most recently 2024's Hurricane Milton, which further eroded the beach, leaving public and private property at critical risk of further damage; and

**WHEREAS,** due to the prolonged and continuing vulnerability of the shoreline and the risk of property loss since Hurricane Matthew, the Board of County Commissioners by unanimous vote has ratified each of the Proclamations Extending the State of Local Emergency from October 2016 to and including this date; and

**WHEREAS,** the prior Proclamations detail the progressive damage to the shoreline of Flagler County since Hurricane Matthew, and the present situation remains precarious; and

**WHEREAS,** the Board of County Commissioners has authorized repair and recovery efforts based on projects funded and secured through a variety of sources since Hurricane Matthew, and such efforts are likewise detailed in the prior Proclamations; and

**WHEREAS,** the County Commission has completed a project installing emergency sand in the northern part of the county shoreline using FEMA and FDEP funding to mitigate against any further losses that may occur during upcoming storm seasons; and

**WHEREAS,** the Army Corps of Engineers has completed the initial installment of the Flagler County Coastal Storm Risk Management Project ("CSRM Project"), a beach renourishment project stretching from the northern boundary of Gamble Rogers State Park to North 7th Street in the City of Flagler Beach, in collaboration with the City, the Army Corps of Engineers, the FDOT, the FDEP, and other stakeholders; and

**WHEREAS,** the County Commission is identifying funding sources and is working with coastal municipalities, state and federal agencies, and community stakeholders to implement the County's beach management plan, beginning with the portion immediately north of the CSRM Project, but with the goal of eventually renourishing the entire 18-mile coastline of Flagler County; and

**WHEREAS,** through the adoption of "customary use" ordinances in accordance with Florida law, Flagler County and its coastal municipalities have guaranteed the right of the general public to access and use the entire 18-mile dry sand beach of the Flagler County coastline, including privately owned portions of the beach; and

**WHEREAS,** the County Commission has enacted other regulatory ordinances to enhance the safety and enjoyment of visitors to the County's beaches including the prohibition of driving on the beach, the prohibition of the removal of coquina from the beach, the protection of nesting sea turtles, the prohibition on bonfires during sea turtle nesting season, the prohibition of cigarette smoking and non-sanctioned camping in County-owned beach parks, and the permitting of beach horseback riding; and

**WHEREAS,** the County Commission, pursuant to the ongoing state of local emergency, previously adopted emergency administrative order 2018-03, and recently adopted 2024-01, prohibiting persons from traversing the dunes of Flagler County except in designated access points to protect dune vegetation and prevent erosion; and

**WHEREAS,** the protection of the public's customary use of the beach and the other regulatory measures of the County to protect the safety and enjoyment of visitors to the beach validates the expenditures of public funds to renourish the beach, including privately owned portions thereof, and assists the County in applying for and securing outside agency funding for beach renourishment; and

**WHEREAS,** the County Commission is entering into agreements with landowners to access and renourish privately owned portions of the Flagler County's beaches and is evaluating the purchase of certain beachfront lands in the northern portion of Flagler County, all with the goal of mitigating losses from future storm events; and

**WHEREAS,** there is a necessity for the County to remain under a local state of emergency to facilitate these projects all along the shoreline of the County, including the authority to undertake emergency procurement and other actions to protect public and private property; and

**WHEREAS,** neighborhoods and businesses along the shoreline are presently exposed to the ocean without adequate protection from natural dune structures; and

**WHEREAS,** taking stock of the losses sustained by the County to date, using analysis of independent coastal engineers, the County has estimated the aggregate present damage to the Flagler beaches to be $150 Million; and

**WHEREAS,** the vulnerability of the beaches is such that even weather events with heightened tides, not even classed as storm events, can take their toll on the beaches,

leading to further scarping and dune berm collapses and resulting damage to public and private property and infrastructure; and

**WHEREAS,** extending the local emergency declaration facilitates the County's ability to continue to respond to emergency conditions along the beaches and within lands containing public and private property and infrastructure, all with the goal of mitigating future losses.

**NOW THEREFORE,** in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, Flagler County hereby proclaims that:

1. The states of local emergency initially declared on October 4, 2016 (Hurricane Matthew), and expanded on September 26, 2022 (Hurricane Ian) and again on November 8, 2022 (Hurricane Nicole), all extended by emergency proclamations thereafter in accordance with Section 252.38(3), Florida Statutes, and duly ratified by the Board of County Commissioners, are hereby extended for an additional 7 days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.

2. All emergency powers authorized by the foregoing Proclamations declaring a state of local emergency, and extended every seventh day thereafter, are hereby retained and continued for the duration of this Proclamation.

**DONE AND ORDERED** in Flagler County, Florida, this 21st day of September 2026.

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS**

Leann Pennington, Chair

**CONCURRENCE:**

Adam Mengel
Interim County Administrator

Jonathan Lord
Emergency Management Director

**APPROVED AS TO FORM:**

Sean S. Moylan
Deputy County Attorney

**FLAGLER COUNTY, FLORIDA**
**PROCLAMATION EXTENDING**
**STATE OF LOCAL EMERGENCY**
**(Hurricanes Matthew, Ian and Nicole)**

**September 28, 2026**

**WHEREAS,** Flagler County has been under a continuing State of Local Emergency since October 2016 due to Hurricane Matthew and thereafter with Hurricane Irma (2017), Hurricane Dorian (2019), Hurricane Isaias (2020), and with Hurricanes Ian and Nicole (2022), with the state of emergency proclamation being extended in accordance with Florida Chapter 252 and Flagler County Code of Ordinances Section 12-34; and

**WHEREAS,** these storms have severely damaged the entire dune system of the County, flooding hundreds of homes through dune breaches and over wash, and damaging public infrastructure and other public and private property along the coastline; and

**WHEREAS,** the damage from these hurricanes has been compounded by intervening Nor'easters and other tidal events, most recently 2024's Hurricane Milton, which further eroded the beach, leaving public and private property at critical risk of further damage; and

**WHEREAS,** due to the prolonged and continuing vulnerability of the shoreline and the risk of property loss since Hurricane Matthew, the Board of County Commissioners by unanimous vote has ratified each of the Proclamations Extending the State of Local Emergency from October 2016 to and including this date; and

**WHEREAS,** the prior Proclamations detail the progressive damage to the shoreline of Flagler County since Hurricane Matthew, and the present situation remains precarious; and

**WHEREAS,** the Board of County Commissioners has authorized repair and recovery efforts based on projects funded and secured through a variety of sources since Hurricane Matthew, and such efforts are likewise detailed in the prior Proclamations; and

**WHEREAS,** the County Commission has completed a project installing emergency sand in the northern part of the county shoreline using FEMA and FDEP funding to mitigate against any further losses that may occur during upcoming storm seasons; and

**WHEREAS,** the Army Corps of Engineers has completed the initial installment of the Flagler County Coastal Storm Risk Management Project ("CSRM Project"), a beach renourishment project stretching from the northern boundary of Gamble Rogers State Park to North 7th Street in the City of Flagler Beach, in collaboration with the City, the Army Corps of Engineers, the FDOT, the FDEP, and other stakeholders; and

**WHEREAS,** the County Commission is identifying funding sources and is working with coastal municipalities, state and federal agencies, and community stakeholders to implement the County's beach management plan, beginning with the portion immediately north of the CSRM Project, but with the goal of eventually renourishing the entire 18-mile coastline of Flagler County; and

**WHEREAS,** through the adoption of "customary use" ordinances in accordance with Florida law, Flagler County and its coastal municipalities have guaranteed the right of the general public to access and use the entire 18-mile dry sand beach of the Flagler County coastline, including privately owned portions of the beach; and

**WHEREAS,** the County Commission has enacted other regulatory ordinances to enhance the safety and enjoyment of visitors to the County's beaches including the prohibition of driving on the beach, the prohibition of the removal of coquina from the beach, the protection of nesting sea turtles, the prohibition on bonfires during sea turtle nesting season, the prohibition of cigarette smoking and non-sanctioned camping in County-owned beach parks, and the permitting of beach horseback riding; and

**WHEREAS,** the County Commission, pursuant to the ongoing state of local emergency, previously adopted emergency administrative order 2018-03, and recently adopted 2024-01, prohibiting persons from traversing the dunes of Flagler County except in designated access points to protect dune vegetation and prevent erosion; and

**WHEREAS,** the protection of the public's customary use of the beach and the other regulatory measures of the County to protect the safety and enjoyment of visitors to the beach validates the expenditures of public funds to renourish the beach, including privately owned portions thereof, and assists the County in applying for and securing outside agency funding for beach renourishment; and

**WHEREAS,** the County Commission is entering into agreements with landowners to access and renourish privately owned portions of the Flagler County's beaches and is evaluating the purchase of certain beachfront lands in the northern portion of Flagler County, all with the goal of mitigating losses from future storm events; and

**WHEREAS,** there is a necessity for the County to remain under a local state of emergency to facilitate these projects all along the shoreline of the County, including the authority to undertake emergency procurement and other actions to protect public and private property; and

**WHEREAS,** neighborhoods and businesses along the shoreline are presently exposed to the ocean without adequate protection from natural dune structures; and

**WHEREAS,** taking stock of the losses sustained by the County to date, using analysis of independent coastal engineers, the County has estimated the aggregate present damage to the Flagler beaches to be $150 Million; and

**WHEREAS,** the vulnerability of the beaches is such that even weather events with heightened tides, not even classed as storm events, can take their toll on the beaches,

leading to further scarping and dune berm collapses and resulting damage to public and private property and infrastructure; and

**WHEREAS,** extending the local emergency declaration facilitates the County's ability to continue to respond to emergency conditions along the beaches and within lands containing public and private property and infrastructure, all with the goal of mitigating future losses.

**NOW THEREFORE,** in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, Flagler County hereby proclaims that:

1. The states of local emergency initially declared on October 4, 2016 (Hurricane Matthew), and expanded on September 26, 2022 (Hurricane Ian) and again on November 8, 2022 (Hurricane Nicole), all extended by emergency proclamations thereafter in accordance with Section 252.38(3), Florida Statutes, and duly ratified by the Board of County Commissioners, are hereby extended for an additional 7 days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.

2. All emergency powers authorized by the foregoing Proclamations declaring a state of local emergency, and extended every seventh day thereafter, are hereby retained and continued for the duration of this Proclamation.

**DONE AND ORDERED** in Flagler County, Florida, this 28th day of September 2026.

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS**

Leann Pennington, Chair

**CONCURRENCE:**

Adam Mengel
Interim County Administrator

Jonathan Lord
Emergency Management Director

**APPROVED AS TO FORM:**

Sean S. Moylan
Deputy County Attorney

**FLAGLER COUNTY, FLORIDA**
**PROCLAMATION EXTENDING**
**STATE OF LOCAL EMERGENCY**
**(Hurricanes Matthew, Ian and Nicole)**

**October 5, 2026**

**WHEREAS,** Flagler County has been under a continuing State of Local Emergency since October 2016 due to Hurricane Matthew and thereafter with Hurricane Irma (2017), Hurricane Dorian (2019), Hurricane Isaias (2020), and with Hurricanes Ian and Nicole (2022), with the state of emergency proclamation being extended in accordance with Florida Chapter 252 and Flagler County Code of Ordinances Section 12-34; and

**WHEREAS,** these storms have severely damaged the entire dune system of the County, flooding hundreds of homes through dune breaches and over wash, and damaging public infrastructure and other public and private property along the coastline; and

**WHEREAS,** the damage from these hurricanes has been compounded by intervening Nor'easters and other tidal events, most recently 2024's Hurricane Milton, which further eroded the beach, leaving public and private property at critical risk of further damage; and

**WHEREAS,** due to the prolonged and continuing vulnerability of the shoreline and the risk of property loss since Hurricane Matthew, the Board of County Commissioners by unanimous vote has ratified each of the Proclamations Extending the State of Local Emergency from October 2016 to and including this date; and

**WHEREAS,** the prior Proclamations detail the progressive damage to the shoreline of Flagler County since Hurricane Matthew, and the present situation remains precarious; and

**WHEREAS,** the Board of County Commissioners has authorized repair and recovery efforts based on projects funded and secured through a variety of sources since Hurricane Matthew, and such efforts are likewise detailed in the prior Proclamations; and

**WHEREAS,** the County Commission has completed a project installing emergency sand in the northern part of the county shoreline using FEMA and FDEP funding to mitigate against any further losses that may occur during upcoming storm seasons; and

**WHEREAS,** the Army Corps of Engineers has completed the initial installment of the Flagler County Coastal Storm Risk Management Project ("CSRM Project"), a beach renourishment project stretching from the northern boundary of Gamble Rogers State Park to North 7th Street in the City of Flagler Beach, in collaboration with the City, the Army Corps of Engineers, the FDOT, the FDEP, and other stakeholders; and

**WHEREAS,** the County Commission is identifying funding sources and is working with coastal municipalities, state and federal agencies, and community stakeholders to implement the County's beach management plan, beginning with the portion immediately north of the CSRM Project, but with the goal of eventually renourishing the entire 18-mile coastline of Flagler County; and

**WHEREAS,** through the adoption of "customary use" ordinances in accordance with Florida law, Flagler County and its coastal municipalities have guaranteed the right of the general public to access and use the entire 18-mile dry sand beach of the Flagler County coastline, including privately owned portions of the beach; and

**WHEREAS,** the County Commission has enacted other regulatory ordinances to enhance the safety and enjoyment of visitors to the County's beaches including the prohibition of driving on the beach, the prohibition of the removal of coquina from the beach, the protection of nesting sea turtles, the prohibition on bonfires during sea turtle nesting season, the prohibition of cigarette smoking and non-sanctioned camping in County-owned beach parks, and the permitting of beach horseback riding; and

**WHEREAS,** the County Commission, pursuant to the ongoing state of local emergency, previously adopted emergency administrative order 2018-03, and recently adopted 2024-01, prohibiting persons from traversing the dunes of Flagler County except in designated access points to protect dune vegetation and prevent erosion; and

**WHEREAS,** the protection of the public's customary use of the beach and the other regulatory measures of the County to protect the safety and enjoyment of visitors to the beach validates the expenditures of public funds to renourish the beach, including privately owned portions thereof, and assists the County in applying for and securing outside agency funding for beach renourishment; and

**WHEREAS,** the County Commission is entering into agreements with landowners to access and renourish privately owned portions of the Flagler County's beaches and is evaluating the purchase of certain beachfront lands in the northern portion of Flagler County, all with the goal of mitigating losses from future storm events; and

**WHEREAS,** there is a necessity for the County to remain under a local state of emergency to facilitate these projects all along the shoreline of the County, including the authority to undertake emergency procurement and other actions to protect public and private property; and

**WHEREAS,** neighborhoods and businesses along the shoreline are presently exposed to the ocean without adequate protection from natural dune structures; and

**WHEREAS,** taking stock of the losses sustained by the County to date, using analysis of independent coastal engineers, the County has estimated the aggregate present damage to the Flagler beaches to be $150 Million; and

**WHEREAS,** the vulnerability of the beaches is such that even weather events with heightened tides, not even classed as storm events, can take their toll on the beaches,

leading to further scarping and dune berm collapses and resulting damage to public and private property and infrastructure; and

**WHEREAS,** extending the local emergency declaration facilitates the County's ability to continue to respond to emergency conditions along the beaches and within lands containing public and private property and infrastructure, all with the goal of mitigating future losses.

**NOW THEREFORE,** in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, Flagler County hereby proclaims that:

1. The states of local emergency initially declared on October 4, 2016 (Hurricane Matthew), and expanded on September 26, 2022 (Hurricane Ian) and again on November 8, 2022 (Hurricane Nicole), all extended by emergency proclamations thereafter in accordance with Section 252.38(3), Florida Statutes, and duly ratified by the Board of County Commissioners, are hereby extended for an additional 7 days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.

2. All emergency powers authorized by the foregoing Proclamations declaring a state of local emergency, and extended every seventh day thereafter, are hereby retained and continued for the duration of this Proclamation.

**DONE AND ORDERED** in Flagler County, Florida, this 5th day of October 2026.

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS**

Leann Pennington, Chair

**CONCURRENCE:**

Adam Mengel
Interim County Administrator

Jonathan Lord
Emergency Management Director

**APPROVED AS TO FORM:**

Sean S. Moylan
Deputy County Attorney