

1 A bill to be entitled
2 An act relating to coastal management; amending s.
3 161.101, F.S.; revising the criteria to be considered
4 by the Department of Environmental Protection in
5 determining and assigning annual funding priorities
6 for beach management and erosion control projects;
7 specifying tiers for such criteria; requiring tiers to
8 be given certain weight; requiring the department to
9 update active project lists on its website; redefining
10 the term "significant change"; revising the
11 department's reporting requirements; specifying
12 allowable uses for certain surplus funds; revising the
13 requirements for a specified summary; requiring that
14 funding for certain projects remain available for a
15 specified period; amending s. 161.143, F.S.;
16 specifying the scope of certain projects; revising the
17 list of projects that are included as inlet management
18 projects; requiring that certain projects be
19 considered separate and apart from other specified
20 projects; revising the ranking criteria to be used by
21 the department to establish certain funding priorities
22 for certain inlet-caused beach erosion projects;
23 revising provisions authorizing the department to
24 spend certain appropriated funds for the management of
25 inlets; deleting a provision authorizing the

26 department to spend certain appropriated funds for
27 specified inlet studies; revising the required
28 elements of the department's report of prioritized
29 inlet management projects; revising the funds that the
30 department must make available to certain inlet
31 management projects; requiring the department to
32 include specified activities on the inlet management
33 project list; deleting provisions requiring the
34 department to make available funding for specified
35 projects; deleting a requirement that the Legislature
36 designate a project as an Inlet of the Year; requiring
37 the department to update and maintain a report
38 regarding the progress of certain inlet management
39 projects; revising the requirements for the report;
40 deleting certain temporary provisions relating to
41 specified appropriations; amending s. 161.161, F.S.;
42 revising requirements for the comprehensive long-term
43 management plan; requiring the plan to include a
44 strategic beach management plan, a critically eroded
45 beaches report, and a statewide long-range budget
46 plan; providing for the development and maintenance of
47 such plans; deleting a requirement that the department
48 submit a certain beach management plan on a certain
49 date each year; requiring the department to hold a
50 public meeting before finalization of the strategic

51 beach management plan; requiring the department to
 52 submit a 3-year work plan and a related forecast for
 53 the availability of funding to the Legislature;
 54 amending s. 375.041, F.S.; requiring certain funds
 55 from the Land Acquisition Trust Fund to be used for
 56 projects that preserve and repair state beaches;
 57 providing effective dates.

58

59 Be It Enacted by the Legislature of the State of Florida:

60

61 Section 1. Effective July 1, 2019, subsection (14) of
 62 section 161.101, Florida Statutes, is amended to read:

63 161.101 State and local participation in authorized
 64 projects and studies relating to beach management and erosion
 65 control.—

66 (14) The intent of the Legislature in preserving and
 67 protecting Florida's sandy beaches pursuant to this act is to
 68 direct beach erosion control appropriations to the state's most
 69 severely eroded beaches~~7~~ and to prevent further adverse impact
 70 caused by improved, modified, or altered inlets, coastal
 71 armoring, or existing upland development. In establishing annual
 72 project funding priorities, the department shall seek formal
 73 input from local coastal governments, beach and general
 74 government interest groups, and university experts. The
 75 department shall adopt by rule a scoring system to determine

76 annual project funding priorities. The scoring system must
 77 consist of the following criteria equally weighted within the
 78 following specified tiers ~~criteria to be considered by the~~
 79 ~~department in determining annual funding priorities shall~~
 80 ~~include:~~

81 (a) Tier 1 must account for 20 percent of the total score
 82 and consist of the tourism-related return on investment and the
 83 ~~severity of erosion conditions, the threat to existing upland~~
 84 ~~development, and recreational and/or economic impact of the~~
 85 project. The return on investment of the project is the ratio of
 86 the tourism-related tax revenues for the most recent year to the
 87 amount of state funding requested for the proposed project. The
 88 economic impact of the project is the ratio of the tourism-
 89 related tax revenues for the most recent year to all county tax
 90 revenues for the most recent year. The department must calculate
 91 these ratios using state sales tax and tourism development tax
 92 data of the county having jurisdiction over the project area. If
 93 multiple counties have jurisdiction over the project area, the
 94 department must assess each county individually using these
 95 ratios. The department shall calculate the mean average of these
 96 ratios to determine the final overall assessment for the
 97 multicounty project ~~benefits.~~

98 (b) Tier 2 must account for 45 percent of the total score
 99 and consist of the following criteria:

100 1. The availability of federal matching dollars,

101 considering federal authorization, the federal cost-share
102 percentage, and the status of the funding award;—

103 2. The storm damage reduction benefits of the project
104 based on the following considerations:

105 a. The current conditions of the project area, including
106 any recent storm damage impact, as a percentage of volume of
107 sand lost since the most recent beach nourishment event or most
108 recent beach surveys. If the project area has not been
109 previously restored, the department must use the historical
110 background erosion rate;

111 b. The overall potential threat to existing upland
112 development, including public and private structures and
113 infrastructure, based on the percentage of vulnerable shoreline
114 within the project boundaries; and

115 c. The value of upland property benefiting from the
116 protection provided by the project and its subsequent
117 maintenance. A property must be within one-quarter mile of the
118 project boundaries to be considered under the criterion
119 specified in this sub-subparagraph; and

120 3. The cost-effectiveness of the project based on the
121 yearly cost per volume per mile of proposed beach fill
122 placement. The department shall also consider the following when
123 assessing cost-effectiveness pursuant to this subparagraph:

124 a. The existence of projects with proposed structural or
125 design components to extend the beach nourishment interval;

126 b. Existing beach nourishment projects that reduce upland
127 storm damage costs by incorporating new or enhanced dune
128 structures or new or existing dune restoration and revegetation
129 projects;

130 c. Proposed innovative technologies designed to reduce
131 project costs; and

132 d. Regional sediment management strategies and
133 coordination to conserve sand source resources and reduce
134 project costs.

135 (c) Tier 3 must account for 20 percent of the total score
136 and consist of the following criteria: ~~The extent of local~~
137 ~~government sponsor financial and administrative commitment to~~
138 ~~the project, including a long term financial plan with a~~
139 ~~designated funding source or sources for initial construction~~
140 ~~and periodic maintenance.~~

141 1. ~~(d)~~ Previous state commitment and involvement in the
142 project, considering previously funded phases, the total amount
143 of previous state funding, and previous partial appropriations
144 for the proposed project;

145 2. The recreational benefits of the project based on:

146 a. The accessible beach area added by the project; and

147 b. The percentage of linear footage within the project

148 boundaries that is zoned:

149 (I) As recreational or open space;

150 (II) For commercial use; or

151 (III) To otherwise allow for public lodging
 152 establishments;~~-~~

153 ~~(c) The anticipated physical performance of the proposed~~
 154 ~~project, including the frequency of periodic planned~~
 155 ~~nourishment.~~

156 3.(f) The extent to which the ~~proposed~~ project mitigates
 157 the adverse impact of improved, modified, or altered inlets on
 158 adjacent beaches; and~~.~~

159 ~~(g) Innovative, cost-effective, and environmentally~~
 160 ~~sensitive applications to reduce erosion.~~

161 ~~(h) Projects that provide enhanced habitat within or~~
 162 ~~adjacent to designated refuges of nesting sea turtles.~~

163 ~~(i) The extent to which local or regional sponsors of~~
 164 ~~beach erosion control projects agree to coordinate the planning,~~
 165 ~~design, and construction of their projects to take advantage of~~
 166 ~~identifiable cost savings.~~

167 4.(j) The degree to which the project addresses the
 168 state's most significant beach erosion problems as a function of
 169 the linear footage of the project shoreline and the cubic yards
 170 of sand placed per mile per year.

171 (d) Tier 4 must account for 15 percent of the total score
 172 and consist of the following criteria:

173 1. Increased prioritization of projects that have been on
 174 the department's ranked project list for successive years and
 175 that have not previously secured state funding for project

176 implementation;

177 2. Environmental habitat enhancement, recognizing state or
178 federal critical habitat areas for threatened or endangered
179 species which may be subject to extensive shoreline armoring or
180 recognizing areas where extensive shoreline armoring threatens
181 the availability or quality of habitat for such species. Turtle-
182 friendly designs, dune and vegetation projects for areas with
183 redesigned or reduced fill templates, proposed incorporation of
184 best management practices and adaptive management strategies to
185 protect resources, and innovative technologies designed to
186 benefit critical habitat preservation may also be considered;
187 and

188 3. The overall readiness of the project to proceed in a
189 timely manner, considering the project's readiness for the
190 construction phase of development, the status of required
191 permits, the status of any needed easement acquisition, the
192 availability of local funding sources, and the establishment of
193 an erosion control line. If the department identifies specific
194 reasonable and documented concerns that the project will not
195 proceed in a timely manner, the department may choose not to
196 include the project in the annual funding priorities submitted
197 to the Legislature.

198
199 If ~~In the event that~~ more than one project qualifies equally
200 under the provisions of this subsection, the department shall

201 assign funding priority to those projects shown to be most ~~that~~
202 ~~are~~ ready to proceed.

203 Section 2. Subsection (20) of section 161.101, Florida
204 Statutes, is amended to read:

205 161.101 State and local participation in authorized
206 projects and studies relating to beach management and erosion
207 control.—

208 (20) The department shall maintain active project lists,
209 updated at least quarterly, ~~listings~~ on its website by fiscal
210 year in order to provide transparency regarding those projects
211 receiving funding and the funding amounts, and to facilitate
212 legislative reporting and oversight. In consideration of this
213 intent:

214 (a) The department shall notify the Executive Office of
215 the Governor and the Legislature regarding any significant
216 changes in the funding levels of a given project as initially
217 requested in the department's budget submission and subsequently
218 included in approved annual funding allocations. The term
219 "significant change" means a project-specific change or
220 cumulative changes that exceed the project's original allocation
221 by \$500,000 or that exceed ~~those changes exceeding~~ 25 percent of
222 the ~~a~~ project's original allocation.

223 1. Except as provided in subparagraph 2., if there is
224 surplus funding, the department must provide a notification and
225 supporting justification ~~shall be provided~~ to the Executive

226 Office of the Governor and the Legislature to indicate whether
227 surplus ~~additional~~ dollars are intended to be used for inlet
228 management projects pursuant to s. 161.143 or for beach
229 restoration and beach nourishment projects, offered for
230 reversion as part of the next appropriations process, or used
231 for other specified priority projects on active project lists.

232 2. For surplus funds for projects that do not have a
233 significant change, the department may use such funds for the
234 same purposes identified in subparagraph 1. The department shall
235 post the uses of such funds on the project listing web page of
236 its website. No other notice or supporting justification is
237 required before the use of surplus funds for a project that does
238 not have a significant change.

239 (b) The department shall prepare a summary of ~~specific~~
240 ~~project activities for the current fiscal year,~~ their funding
241 status, and changes to annual project lists for the current and
242 preceding fiscal year. ~~shall be prepared by~~ The department shall
243 include the summary and ~~included~~ with the department's
244 submission of its annual legislative budget request.

245 (c) Funding for specific projects on annual project lists
246 approved by the Legislature must remain available for such
247 projects for 18 months. A local project sponsor may at any time
248 release, in whole or in part, appropriated project dollars by
249 formal notification to the department. The department, ~~which~~
250 shall notify the Executive Office of the Governor and the

251 Legislature of such release and. ~~Notification must~~ indicate in
252 the notification how the project dollars are recommended
253 ~~intended~~ to be used after such release.

254 Section 3. Subsections (2) through (5) of section 161.143,
255 Florida Statutes, are amended to read:

256 161.143 Inlet management; planning, prioritizing, funding,
257 approving, and implementing projects.—

258 (2) The department shall establish annual funding
259 priorities for studies, activities, or other projects concerning
260 inlet management. Such inlet management projects constitute the
261 intended scope of this section and s. 161.142 and consist of
262 ~~include, but are not limited to,~~ inlet sand bypassing,
263 improvement of infrastructure to facilitate sand bypassing,
264 modifications to channel dredging, jetty redesign, jetty repair,
265 disposal of spoil material, and the development, revision,
266 adoption, or implementation of an inlet management plan.
267 Projects considered for funding pursuant to this section shall
268 be considered separate and apart from projects reviewed and
269 prioritized in s. 161.101(14). The funding priorities
270 established by the department under this section must be
271 consistent with the requirements and legislative declaration in
272 ss. 161.101(14), 161.142, and 161.161(1)(b). In establishing
273 funding priorities under this subsection and before transmitting
274 the annual inlet project list to the Legislature under
275 subsection (4) ~~(5)~~, the department shall seek formal input from

276 local coastal governments, beach and general government
277 associations and other coastal interest groups, and university
278 experts concerning annual funding priorities for inlet
279 management projects. In order to maximize the benefits of
280 efforts to address the inlet-caused beach erosion problems of
281 this state, the ranking criteria used by the department to
282 establish funding priorities for studies, activities, or other
283 projects concerning inlet management must include equal
284 consideration of:

285 (a) An estimate of the annual quantity of beach-quality
286 sand reaching the updrift boundary of the improved jetty or
287 inlet channel.

288 (b) The severity of the erosion to the adjacent beaches
289 caused by the inlet ~~and the extent to which the proposed project~~
290 ~~mitigates the erosive effects of the inlet.~~

291 (c) The overall significance and anticipated success of
292 the proposed project in mitigating the erosive effects of the
293 inlet, balancing the sediment budget of the inlet and adjacent
294 beaches, and addressing the sand deficit along the inlet-
295 affected shorelines.

296 (d) The extent to which ~~existing~~ bypassing activities at
297 an inlet would benefit from modest, cost-effective improvements
298 when considering the volumetric increases from the proposed
299 project, the availability of beach-quality sand currently not
300 being bypassed to adjacent eroding beaches, and the ease with

301 which such beach-quality sand may be obtained.

302 (e) The cost-effectiveness of sand made available by a
303 proposed inlet management project or activity relative to other
304 sand source opportunities that would be used to address inlet-
305 caused beach erosion ~~The interest and commitment of local~~
306 ~~governments as demonstrated by their willingness to coordinate~~
307 ~~the planning, design, construction, and maintenance of an inlet~~
308 ~~management project and their financial plan for funding the~~
309 ~~local cost share for initial construction, ongoing sand~~
310 ~~bypassing, channel dredging, and maintenance.~~

311 (f) The existence of a proposed or recently updated ~~The~~
312 ~~previous completion or approval of a state-sponsored inlet~~
313 ~~management plan or a local-government-sponsored inlet study~~
314 addressing concerning the inlet addressed by the proposed
315 ~~project, the ease of updating and revising any such plan or~~
316 ~~study, and the adequacy and specificity of the plan's or study's~~
317 ~~recommendations concerning the mitigation of an inlet's erosive~~
318 ~~effects on adjacent beaches.~~

319 (g) The degree to which the proposed project will enhance
320 the performance and longevity of proximate beach nourishment
321 projects, thereby reducing the frequency of such periodic
322 nourishment projects.

323 (h) The project-ranking criteria in s. 161.101(14) to the
324 extent such criteria are applicable to inlet management studies,
325 projects, and activities and are distinct from, and not

326 duplicative of, the criteria listed in paragraphs (a)-(g).

327 (3) The department may pay from legislative appropriations
328 up to 75 percent of the construction costs of an initial major
329 inlet management project component for the purpose of mitigating
330 the erosive effects of the inlet to the shoreline and balancing
331 the sediment budget. The remaining balance of such construction
332 costs must be paid from other funding sources, such as local
333 sponsors. All project costs not associated with an initial major
334 inlet management project component must be shared equally by
335 state and local sponsors in accordance with, ~~pursuant to s.~~
336 ~~161.101 and notwithstanding s. 161.101(15), pay from legislative~~
337 ~~appropriations provided for these purposes 75 percent of the~~
338 ~~total costs, or, if applicable, the nonfederal costs, of a~~
339 ~~study, activity, or other project concerning the management of~~
340 ~~an inlet. The balance must be paid by the local governments or~~
341 ~~special districts having jurisdiction over the property where~~
342 ~~the inlet is located.~~

343 ~~(4) Using the legislative appropriation to the statewide~~
344 ~~beach management support category of the department's fixed~~
345 ~~capital outlay funding request, the department may employ~~
346 ~~university-based or other contractual sources and pay 100~~
347 ~~percent of the costs of studies that are consistent with the~~
348 ~~legislative declaration in s. 161.142 and that:~~

349 ~~(a) Determine, calculate, refine, and achieve general~~
350 ~~consensus regarding net annual sediment transport volumes to be~~

351 ~~used for the purpose of planning and prioritizing inlet~~
352 ~~management projects; and~~

353 ~~(b) Appropriate, assign, and apportion responsibilities~~
354 ~~between inlet beneficiaries for the erosion caused by a~~
355 ~~particular inlet on adjacent beaches.~~

356 ~~(4)-(5)~~ The department shall annually provide an inlet
357 management project list, in priority order, to the Legislature
358 as part of the department's budget request. ~~The list must~~
359 ~~include studies, projects, or other activities that address the~~
360 ~~management of at least 10 separate inlets and that are ranked~~
361 ~~according to the criteria established under subsection (2).~~

362 (a) The department shall designate for ~~make available at~~
363 ~~least 10 percent of the total amount that the Legislature~~
364 ~~appropriates in each fiscal year for statewide beach management~~
365 ~~for the three highest-ranked projects on the current year's~~
366 ~~inlet management project list, in priority order, an amount that~~
367 ~~is at least equal to the greater of:~~

368 1. Ten percent of the total amount that the Legislature
369 appropriates in the fiscal year for statewide beach management;
370 or

371 2. The percentage of inlet management funding requests
372 from local sponsors as a proportion of the total amount of
373 statewide beach management dollars requested in a given year.

374 (b) The department shall include inlet monitoring
375 activities ranked on the inlet management project list as one

376 aggregated subcategory on the overall inlet management project
377 list ~~make available at least 50 percent of the funds~~
378 ~~appropriated for the feasibility and design category in the~~
379 ~~department's fixed capital outlay funding request for projects~~
380 ~~on the current year's inlet management project list which~~
381 ~~involve the study for, or design or development of, an inlet~~
382 ~~management project.~~

383 ~~(c) The department shall make available all statewide~~
384 ~~beach management funds that remain unencumbered or are allocated~~
385 ~~to non-project specific activities for projects on legislatively~~
386 ~~approved inlet management project lists. Funding for local-~~
387 ~~government-specific projects on annual project lists approved by~~
388 ~~the Legislature must remain available for such purposes for a~~
389 ~~period of 18 months pursuant to s. 216.301(2) (a). Based on an~~
390 ~~assessment and the department's determination that a project~~
391 ~~will not be ready to proceed during this 18-month period, such~~
392 ~~funds shall be used for inlet management projects on~~
393 ~~legislatively approved lists.~~

394 (5) (d) ~~The Legislature shall designate one of the three~~
395 ~~highest projects on the inlet management project list in any~~
396 ~~year as the Inlet of the Year. The department shall update and~~
397 ~~maintain an annual annually report on its website to the~~
398 ~~Legislature concerning the extent to which each inlet project~~
399 ~~designated by the Legislature as Inlet of the Year has succeeded~~
400 ~~in balancing the sediment budget of the inlet and adjacent~~

401 beaches and in, mitigating the inlet's erosive effects on
402 adjacent beaches. The report must provide an estimate of the
403 quantity of sediment bypassed, transferred, and transferring or
404 otherwise placed ~~placing beach-quality sand~~ on adjacent eroding
405 beaches, or in such beaches' nearshore area, for the purpose of
406 offsetting the erosive effects of inlets on the beaches of this
407 state.

408 ~~(c) Notwithstanding paragraphs (a) and (b), and for the~~
409 ~~2016-2017 fiscal year only, the amount allocated for inlet~~
410 ~~management funding is provided in the 2016-2017 General~~
411 ~~Appropriations Act. This paragraph expires July 1, 2017.~~

412 Section 4. Effective July 1, 2019, subsection (1) and
413 present subsection (2) of section 161.161, Florida Statutes, are
414 amended, a new subsection (2) is added to that section, and
415 present subsections (2) through (7) are redesignated as
416 subsections (3) through (8), respectively, to read:

417 161.161 Procedure for approval of projects.—

418 (1) The department shall develop and maintain a
419 comprehensive long-term beach management plan for the
420 restoration and maintenance of the state's critically eroded
421 beaches fronting the Atlantic Ocean, Gulf of Mexico, and Straits
422 of Florida. In developing and maintaining this ~~the beach~~
423 ~~management plan,~~ the department shall:

424 (a) Address long-term solutions to the problem of
425 critically eroded beaches in this state.

426 (b) Evaluate each improved, modified, or altered inlet and
 427 determine whether the inlet is a significant cause of beach
 428 erosion. With respect to each inlet determined to be a
 429 significant cause of beach erosion, the plan shall include:

430 ~~1.~~ the extent to which such inlet causes beach erosion and
 431 recommendations to mitigate the erosive impact of the inlet,
 432 including, but not limited to, ~~recommendations regarding inlet~~
 433 sediment bypassing; improvement of infrastructure to facilitate
 434 sand bypassing; modifications to channel dredging, jetty design,
 435 and disposal of spoil material; establishment of feeder beaches;
 436 and beach restoration and beach nourishment; ~~and~~

437 ~~2.~~ ~~Cost estimates necessary to take inlet corrective~~
 438 ~~measures and recommendations regarding cost sharing among the~~
 439 ~~beneficiaries of such inlet.~~

440 (c) Evaluate ~~Design~~ criteria for beach restoration and
 441 beach nourishment projects, including, but not limited to, ~~÷~~

442 ~~1.~~ dune elevation and width and revegetation and
 443 stabilization requirements, ~~†~~ and

444 ~~2.~~ beach profiles ~~profile~~.

445 (d) Consider ~~Evaluate~~ the establishment of regional
 446 sediment management alternatives for one or more individual
 447 beach and inlet sand bypassing projects ~~feeder beaches~~ as an
 448 alternative to ~~direct~~ beach restoration when appropriate and
 449 cost-effective, and recommend the location of such regional
 450 sediment management alternatives ~~feeder beaches~~ and the source

451 of beach-compatible sand.

452 (e) Identify causes of shoreline erosion and change,
453 determine ~~calculate~~ erosion rates, and maintain an updated list
454 of critically eroded sandy beaches based on data, analyses, and
455 investigations of shoreline conditions ~~and project long-term~~
456 ~~erosion for all major beach and dune systems by surveys and~~
457 ~~profiles.~~

458 (f) ~~Identify shoreline development and degree of density~~
459 ~~and~~ Assess impacts of development and coastal protection
460 ~~shoreline protective~~ structures on shoreline change and erosion.

461 (g) Identify short-term and long-term economic costs and
462 benefits of beaches to the state of Florida and individual beach
463 communities, ~~including recreational value to user groups, tax~~
464 ~~base, revenues generated, and beach acquisition and maintenance~~
465 ~~costs.~~

466 (h) Study dune and vegetation conditions, identify
467 existing beach projects without dune features or with dunes
468 without adequate elevations, and encourage dune restoration and
469 revegetation to be incorporated as part of storm damage recovery
470 projects or future dune maintenance events.

471 (i) Identify beach areas used by marine turtles and
472 develop strategies for protection of the turtles and their nests
473 and nesting locations.

474 (j) Identify alternative management responses to preserve
475 undeveloped beach and dune systems and ~~r~~ to restore damaged beach

476 and dune systems. In identifying such management responses, the
477 department shall consider, at a minimum, and to prevent
478 ~~inappropriate development and redevelopment on migrating~~
479 ~~beaches, and consider~~ beach restoration and nourishment,
480 armoring, relocation ~~and abandonment~~, dune and vegetation
481 restoration, and acquisition.

482 (k) Document procedures and policies for preparing post-
483 storm damage assessments and corresponding recovery plans,
484 including repair cost estimates ~~Establish criteria, including~~
485 ~~costs and specific implementation actions, for alternative~~
486 ~~management techniques.~~

487 (l) Identify and assess ~~Select and recommend~~ appropriate
488 management measures for all of the state's critically eroded
489 ~~sandy beaches in a beach management program.~~

490 ~~(m) Establish a list of beach restoration and beach~~
491 ~~nourishment projects, arranged in order of priority, and the~~
492 ~~funding levels needed for such projects.~~

493 (2) The comprehensive long-term management plan developed
494 and maintained by the department pursuant to subsection (1) must
495 include, at a minimum, a strategic beach management plan, a
496 critically eroded beaches report, and a statewide long-range
497 budget plan. The long-range budget plan must include a 3-year
498 work plan for beach restoration, beach nourishment, and inlet
499 management projects that lists planned projects for each of the
500 3 fiscal years addressed in the work plan.

501 (a) The strategic beach management plan must identify and
502 recommend appropriate measures for all of the state's critically
503 eroded sandy beaches and may incorporate plans ~~be~~ prepared at
504 the regional level, taking into account ~~based upon~~ areas of
505 greatest need and probable federal and local funding. Upon
506 approval in accordance with this section, such regional plans,
507 along with the 3-year work plan identified in subparagraph
508 (c)1., shall be components of the statewide beach management
509 ~~plan and shall~~ serve as the basis for state funding decisions
510 ~~upon approval in accordance with chapter 86-138, Laws of~~
511 ~~Florida. In accordance with a schedule established for the~~
512 ~~submission of regional plans by the department, any completed~~
513 ~~plan must be submitted to the secretary of the department for~~
514 ~~approval no later than March 1 of each year. These regional~~
515 ~~plans shall include, but shall not be limited to,~~
516 ~~recommendations of appropriate funding mechanisms for~~
517 ~~implementing projects in the beach management plan, giving~~
518 ~~consideration to the use of single county and multicounty taxing~~
519 ~~districts or other revenue generation measures by state and~~
520 ~~local governments and the private sector. Prior to finalizing~~
521 the strategic beach management ~~presenting the plan to the~~
522 ~~secretary of the department,~~ the department shall hold a public
523 meeting in the region ~~areas~~ for which the plan is prepared or
524 through a publicly noticed webinar. ~~The plan submission schedule~~
525 ~~shall be submitted to the secretary for approval. Any revisions~~

526 ~~to such schedule must be approved in like manner.~~

527 (b) The critically eroded beaches report must be developed
528 and maintained based primarily on the requirements specified in
529 paragraph (1) (e).

530 (c) The statewide long-range budget plan must include at
531 least 5 years of planned beach restoration, beach nourishment,
532 and inlet management project funding needs as identified, and
533 subsequently refined, by local government sponsors. This plan
534 shall consist of two components:

535 1. A 3-year work plan that identifies beach restoration,
536 beach nourishment, and inlet management projects viable for
537 implementation during the next 3 fiscal years, as determined by
538 available cost-sharing, local sponsor support, regulatory
539 considerations, and the ability of the project to proceed as
540 scheduled. The 3-year work plan must, for each fiscal year,
541 identify proposed projects and their current development status,
542 listing them in priority order based on the applicable criteria
543 established in ss. 161.101(14) and 161.143(2). Specific funding
544 requests and criteria ranking, pursuant to ss. 161.101(14) and
545 161.143(2), may be modified as warranted in each successive
546 fiscal year, and such modifications must be documented and
547 submitted to the Legislature with each 3-year work plan. Year
548 one projects shall consist of those projects identified for
549 funding consideration in the ensuing fiscal year.

550 2. A long-range plan that identifies projects for

551 inclusion in the fourth and fifth ensuing fiscal years. These
552 projects may be presented by region and do not need to be
553 presented in priority order; however, the department should
554 identify issues that may prevent successful completion of such
555 projects and recommend solutions that would allow the projects
556 to progress into the 3-year work plan.

557 (3)(2) Annually, The secretary shall annually present the
558 3-year work plan to the Legislature. The work plan must be
559 accompanied by a 3-year financial forecast for the availability
560 of funding for the projects, based on funds dedicated in s.
561 375.041 ~~recommendations for funding beach erosion control~~
562 ~~projects prioritized according to the criteria established in s.~~
563 ~~161.101(14).~~

564 Section 5. Subsection (3) of section 375.041, Florida
565 Statutes, is amended to read:

566 375.041 Land Acquisition Trust Fund.—

567 (3) Funds distributed into the Land Acquisition Trust Fund
568 pursuant to s. 201.15 shall be applied:

569 (a) First, to pay debt service or to fund debt service
570 reserve funds, rebate obligations, or other amounts payable with
571 respect to Florida Forever bonds issued under s. 215.618; and
572 pay debt service, provide reserves, and pay rebate obligations
573 and other amounts due with respect to Everglades restoration
574 bonds issued under s. 215.619; and

575 (b) Of the funds remaining after the payments required

576 under paragraph (a), but before funds may be appropriated,
577 pledged, or dedicated for other uses:

578 1. A minimum of the lesser of 25 percent or \$200 million
579 shall be appropriated annually for Everglades projects that
580 implement the Comprehensive Everglades Restoration Plan as set
581 forth in s. 373.470, including the Central Everglades Planning
582 Project subject to Congressional authorization; the Long-Term
583 Plan as defined in s. 373.4592(2); and the Northern Everglades
584 and Estuaries Protection Program as set forth in s. 373.4595.
585 From these funds, \$32 million shall be distributed each fiscal
586 year through the 2023-2024 fiscal year to the South Florida
587 Water Management District for the Long-Term Plan as defined in
588 s. 373.4592(2). After deducting the \$32 million distributed
589 under this subparagraph, from the funds remaining, a minimum of
590 the lesser of 76.5 percent or \$100 million shall be appropriated
591 each fiscal year through the 2025-2026 fiscal year for the
592 planning, design, engineering, and construction of the
593 Comprehensive Everglades Restoration Plan as set forth in s.
594 373.470, including the Central Everglades Planning Project, the
595 Everglades Agricultural Area Storage Reservoir Project, the Lake
596 Okeechobee Watershed Project, the C-43 West Basin Storage
597 Reservoir Project, the Indian River Lagoon-South Project, the
598 Western Everglades Restoration Project, and the Picayune Strand
599 Restoration Project. The Department of Environmental Protection
600 and the South Florida Water Management District shall give

601 preference to those Everglades restoration projects that reduce
602 harmful discharges of water from Lake Okeechobee to the St.
603 Lucie or Caloosahatchee estuaries in a timely manner. For the
604 purpose of performing the calculation provided in this
605 subparagraph, the amount of debt service paid pursuant to
606 paragraph (a) for bonds issued after July 1, 2016, for the
607 purposes set forth under paragraph (b) shall be added to the
608 amount remaining after the payments required under paragraph
609 (a). The amount of the distribution calculated shall then be
610 reduced by an amount equal to the debt service paid pursuant to
611 paragraph (a) on bonds issued after July 1, 2016, for the
612 purposes set forth under this subparagraph.

613 2. A minimum of the lesser of 7.6 percent or \$50 million
614 shall be appropriated annually for spring restoration,
615 protection, and management projects. For the purpose of
616 performing the calculation provided in this subparagraph, the
617 amount of debt service paid pursuant to paragraph (a) for bonds
618 issued after July 1, 2016, for the purposes set forth under
619 paragraph (b) shall be added to the amount remaining after the
620 payments required under paragraph (a). The amount of the
621 distribution calculated shall then be reduced by an amount equal
622 to the debt service paid pursuant to paragraph (a) on bonds
623 issued after July 1, 2016, for the purposes set forth under this
624 subparagraph.

625 3. The sum of \$5 million shall be appropriated annually

626 each fiscal year through the 2025-2026 fiscal year to the St.
627 Johns River Water Management District for projects dedicated to
628 the restoration of Lake Apopka. This distribution shall be
629 reduced by an amount equal to the debt service paid pursuant to
630 paragraph (a) on bonds issued after July 1, 2016, for the
631 purposes set forth in this subparagraph.

632 4. The sum of \$64 million is appropriated and shall be
633 transferred to the Everglades Trust Fund for the 2018-2019
634 fiscal year, and each fiscal year thereafter, for the EAA
635 reservoir project pursuant to s. 373.4598. Any funds remaining
636 in any fiscal year shall be made available only for Phase II of
637 the C-51 reservoir project or projects identified in
638 subparagraph 1. and must be used in accordance with laws
639 relating to such projects. Any funds made available for such
640 purposes in a fiscal year are in addition to the amount
641 appropriated under subparagraph 1. This distribution shall be
642 reduced by an amount equal to the debt service paid pursuant to
643 paragraph (a) on bonds issued after July 1, 2017, for the
644 purposes set forth in this subparagraph.

645 5. A minimum of the lesser of 7.6 percent or \$50 million
646 shall be appropriated annually for projects that preserve and
647 repair the state's beaches as provided in s. 161.091(3). The
648 calculation provided in this subparagraph shall be performed
649 using the same formula as described in subparagraph 2.
650 ~~Notwithstanding subparagraph 3., for the 2017-2018 fiscal year,~~

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651 | ~~funds shall be appropriated as provided in the General~~
652 | ~~Appropriations Act. This subparagraph expires July 1, 2018.~~

653 | Section 6. Except as otherwise provided in this act, this
654 | act shall take effect July 1, 2018.