

Committee on Environment and Natural Resources

CS/CS/HB 1489 — Designation of Brevard Barrier Island Area as Area of Critical State Concern

by Infrastructure Strategies Committee; Agriculture, Conservation, and Resiliency Subcommittee; and Rep. Altman and others (CS/CS/SB 1686 by Rules Committee; Environment and Natural Resources Committee; and Senator Wright)

This bill designates the Brevard Barrier Island Area as an area of critical state concern. The bill provides Legislative findings regarding the necessity of designating the Brevard Barrier Island Area as an area of critical state concern. These findings include environmental, economic, and safety considerations. The bill provides that the Legislature intends to:

- Establish a land use management system that protects the natural environment of the southern Brevard Barrier Island Area;
- Establish a land use management system that promotes orderly and balanced growth in accordance with the capacity of existing public facilities and services;
- Protect and improve the Indian River Lagoon ecosystem, including improving water quality of the Brevard Barrier Island Area by funding water quality improvement projects; and
- Ensure that the population of the Brevard Barrier Island can be safely evacuated.

The bill provides guiding principles for development within the Brevard Barrier Island Area that focus on protecting sea turtle habitat, restoring water quality, safeguarding against the adverse impacts of flooding and storm surge, and limiting the adverse impacts of development.

The bill also allows for the removal of the Brevard Barrier Island Area's designation as an area of critical state concern if the state land planning agency determines that all local land development regulations and comprehensive plans are adequate to protect the Brevard Barrier Island Area and are in compliance with the principles for guiding development. The bill provides criteria that must be met before the state land planning agency may recommend removing the area of critical state concern designation.

Beginning November 30, 2030, the state land planning agency must submit an annual written report to the Administration Commission, which consists of the Governor and members of the Cabinet, on the progress of the Brevard Barrier Island Area toward achieving the legislative intent and implementing the guiding principles for development.

The bill provides that the designation of the Brevard Barrier Island Area as an area of critical state concern does not affect any existing zoning or use of land in effect within the Brevard Barrier Island Area before July 1, 2023.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 38-0; House 115-0