

STORAGE NAME: h1005.ep

DATE: March 9, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
ENVIRONMENTAL PROTECTION
ANALYSIS**

BILL #: HB 1005

RELATING TO: Beach Management Funding

SPONSOR(S): Rep. Jones

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) ENVIRONMENTAL PROTECTION
 - (2) GENERAL GOVERNMENT APPROPRIATIONS
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

HB 1005 provides for allocating funds for projects that best address the state's beach erosion problems and requires the significance of a project to be measured by its contribution to managing beach erosion. In addition, the bill identifies activities that are ineligible for cost-sharing.

HB 1005 does not have a fiscal impact on state or local government.

HB 1005 provides that the act shall take effect on July 1, 2000.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- 1. Less Government Yes No N/A
- 2. Lower Taxes Yes No N/A
- 3. Individual Freedom Yes No N/A
- 4. Personal Responsibility Yes No N/A
- 5. Family Empowerment Yes No N/A

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Florida has approximately 800 miles of sandy beaches, one-third of which are considered by the Department of Environmental Protection to be in a state of critical erosion. There are two principal economic benefits of beach restoration and maintenance. First, Florida's beaches contribute to the tourism industry, generating over \$20 billion annually for the state's economy. Second, well-maintained beaches provide storm protection for real estate located along the coast.

The Beach Erosion Control Assistance Program is a grant-in-aid and matching fund program administered by the department for the purpose of working with local, state, and federal government entities to protect, preserve, and restore sandy coastal beach resources of the state. Projects are funded by line item appropriations, providing up to 50 percent of the non-federal share of funding for eligible projects. The Legislature addressed this issue in 1998, by passing HB 3427 providing an annual \$30 - \$35 million dedicated funding source for state cost-sharing in erosion control projects. The legislative intent is to ensure that a long-term strategy will successfully target Florida's eroding beaches

in a cost-effective manner, resulting from the availability of increased state funding.

Two additional requirements of HB 3427 are that;

- 1) the department, when determining funding priorities, to consider whether local or regional sponsors have agreed to coordinate the planning, design, and construction of projects; and
- 2) the workshops be held with federal, state and local government representatives, and concerned interests with the objective being for members to submit a report with recommendations provided for consideration before the regular 2000 legislative session.

C. EFFECT OF PROPOSED CHANGES:

The proposed changes found in HB 1005 are a result of the beach management workshop project's recommendations. In regard to the beach management program and its funding, HB 1005 provides legislative intent in appropriating funds for the implementation of those projects that significantly address the state's beach erosion problems.

HB 1005 provides legislative intent and criteria in determining certain annual funding for beach erosion projects. HB 1005 requires projects funded from legislative appropriations to have beach erosion control or beach preservation benefits, that maintain or enhance sand in the system. Projects or activities which are designed to be used for recreational or other purposes exclusively, shall not be funded by the department.

Ineligible activities for certain cost-share funding include, but are not limited to:

- ▶ recreational structures (piers, decks, boardwalks);
- ▶ park activities and facilities (except erosion control facilities);
- ▶ aesthetic vegetation;
- ▶ traditional local government treatment-related-only components of stormwater discharge systems;
- ▶ experimental or demonstration projects (unless projects are favorably peer-reviewed or scientifically documented);
- ▶ hard structures (unless structures are designed for erosion control or to enhance beach nourishment or inlet sand bypassing performance);
- ▶ operations and maintenance (with exception of beach nourishment);
- ▶ maintenance and repair of overwalks; and
- ▶ navigation construction, operation, and maintenance activities (except those that keep sand on adjacent beaches).

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends section 161.091, F.S., in order to add legislative intent.

Section 2: Amends section 161.101, F.S., requiring activities to have a beach erosion control or beach preservation benefit as well as identifying projects or activities that are ineligible for cost-sharing.

Section 3: Amends section 161.161, F.S., in order to define the procedure for approval of projects.

Section 4: Provides an effective date upon becoming law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. **Revenues:**

N/A

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2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

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B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON ENVIRONMENTAL PROTECTION:

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