

1 A bill to be entitled
 2 An act relating to beach management and erosion
 3 control; amending s. 161.101, F.S.; revising criteria
 4 to be considered by the Department of Environmental
 5 Protection in determining and assigning annual funding
 6 priorities for beach management and erosion control
 7 projects; requiring such criteria to be considered in
 8 a specified order; providing an effective date.

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

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 12 Section 1. Subsection (14) of section 161.101, Florida
 13 Statutes, is amended to read:

14 161.101 State and local participation in authorized
 15 projects and studies relating to beach management and erosion
 16 control.—

17 (14) The intent of the Legislature in preserving and
 18 protecting Florida's sandy beaches pursuant to this section ~~aet~~
 19 is to direct beach erosion control appropriations to the state's
 20 most severely eroded beaches, and to prevent further adverse
 21 impact caused by improved, modified, or altered inlets, coastal
 22 armoring, or existing upland development. In establishing annual
 23 project funding priorities, the department shall seek formal
 24 input from local coastal governments, beach and general
 25 government interest groups, and university experts. Criteria to
 26 be considered by the department in determining annual funding

27 priorities shall include items of primary consideration pursuant
28 to paragraphs (a)-(f), items of secondary consideration pursuant
29 to paragraphs (g)-(i), and items for additional consideration
30 pursuant to paragraphs (j) and (k):

31 (a) The tourism-related severity of erosion conditions,
32 the threat to existing upland development, and recreational
33 and/or economic benefits of the project. Using data for the
34 county in which the project is located, the return on investment
35 shall be considered as a ratio of tourism-related tax revenues
36 for the most recent year to the amount of state funding
37 requested for the project and a ratio of the tourism-related tax
38 revenues as a percentage of all county tax revenues.

39 (b) The recreational benefits of the project determined by
40 calculating the percentage of linear footage of property zoned
41 for recreational or open space or commercial or public lodging
42 establishments within the project area.

43 ~~(c)-(b)~~ The availability of federal matching dollars for
44 the project, considering federal authorization, the federal cost
45 share percentage, and the status of the funding award.

46 (d) The storm damage reduction benefits of the project,
47 considering:

48 1. Current conditions, including any recent storm damage
49 impacts, as a percentage of volume of sand lost since the most
50 recent nourishment event or most recent survey. If the project
51 has not been restored, the historical background erosion rate
52 will be used; and

53 2. Potential threat to existing upland development,
 54 including public and private structures and infrastructure,
 55 based on the percentage of vulnerable shoreline within the
 56 project boundaries.

57 ~~(e) The extent of local government sponsor financial and~~
 58 ~~administrative commitment to the project, including a long-term~~
 59 ~~financial plan with a designated funding source or sources for~~
 60 ~~initial construction and periodic maintenance.~~

61 (e)(d) The previous state commitment and involvement in
 62 the project, considering previously funded phases, project
 63 eligibility, and previous partial appropriations for the
 64 project.

65 (f) The cost effectiveness of the project based on the
 66 cost per volume per mile per year of proposed beach fill
 67 placement and recognition of projects with proposed structural
 68 or design components to extend the nourishment interval;
 69 proposed innovative technologies designed to reduce project
 70 costs or proposed regional sediment management strategies; and
 71 coordination to reduce project costs.

72 ~~(e) The anticipated physical performance of the proposed~~
 73 ~~project, including the frequency of periodic planned~~
 74 ~~nourishment.~~

75 (g)(f) The extent to which the proposed project mitigates
 76 the adverse impact of improved, modified, or altered inlets on
 77 adjacent beaches.

78 (h) The readiness of the project to proceed, considering

79 construction phase, status of required permits, easement
80 acquisition, availability of local funding sources, and
81 establishment of an erosion control line. If the department
82 identifies specific and documented concerns that the project
83 will not proceed, the department may choose not to include the
84 project in the annual funding priorities submitted to the
85 Legislature.

86 (i) The extent to which the project addresses the state's
87 most significant beach erosion problems as a function of project
88 length.

89 (j) The increased prioritization of projects that have
90 been on the department's ranked list for successive years
91 without success in securing state funding for project
92 implementation.

93 (k) The environmental habitat enhancement of the project,
94 recognizing state or federal critical habitat areas for
95 threatened or endangered species which in the near term may be
96 subject to erosion that threatens the availability or quality of
97 habitat for such species. Turtle-friendly designs, proposed
98 incorporation of best management practices and adaptive
99 management strategies to protect resources, and innovative
100 technologies designed to benefit critical habitat preservation
101 may also be considered.

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

104 ~~(h) Projects that provide enhanced habitat within or~~

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105 ~~adjacent to designated refuges of nesting sea turtles.~~

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

110 ~~(j) The degree to which the project addresses the state's~~
111 ~~most significant beach erosion problems.~~

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113 If ~~In the event that~~ more than one project qualifies equally
114 ~~under the provisions of~~ this subsection, the department shall
115 assign funding priority to those projects that are most ready to
116 proceed.

117 Section 2. This act shall take effect July 1, 2016.