

By Senators Hukill, Book, Hutson, and Mayfield

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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

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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.

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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, 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

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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 based
104 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

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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 coordination
133 to conserve sand source resources and reduce project costs.

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

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

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

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

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146 b. The percentage of linear footage within the project
147 boundaries that is zoned:

148 (I) As recreational or open space;

149 (II) For commercial use; or

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

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

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

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

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

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

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

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

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

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175 implementation;

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

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

197
198 If ~~In the event that~~ more than one project qualifies equally
199 under the provisions of this subsection, the department shall
200 assign funding priority to those projects shown to be most ~~that~~
201 are ready to proceed.

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

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204 161.101 State and local participation in authorized
205 projects and studies relating to beach management and erosion
206 control.-

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

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

222 1. Except as provided in subparagraph 2., if there is
223 surplus funding, the department must provide a notification and
224 supporting justification shall be provided to the Executive
225 Office of the Governor and the Legislature to indicate whether
226 surplus additional dollars are intended to be used for inlet
227 management projects pursuant to s. 161.143 or for beach
228 restoration and beach nourishment projects, offered for
229 reversion as part of the next appropriations process, or used
230 for other specified priority projects on active project lists.

231 2. For surplus funds for projects that do not have a
232 significant change, the department may use such funds for the

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

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

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

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

255 161.143 Inlet management; planning, prioritizing, funding,
256 approving, and implementing projects.-

257 (2) The department shall establish annual funding
258 priorities for studies, activities, or other projects concerning
259 inlet management. Such inlet management projects constitute the
260 intended scope of this section and s. 161.142 and consist of
261 ~~include, but are not limited to,~~ inlet sand bypassing,

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262 improvement of infrastructure to facilitate sand bypassing,
263 modifications to channel dredging, jetty redesign, jetty repair,
264 disposal of spoil material, and the development, revision,
265 adoption, or implementation of an inlet management plan.
266 Projects considered for funding pursuant to this section shall
267 be considered separate and apart from projects reviewed and
268 prioritized in s. 161.101(14). The funding priorities
269 established by the department under this section must be
270 consistent with the requirements and legislative declaration in
271 ss. 161.101(14), 161.142, and 161.161(1)(b). In establishing
272 funding priorities under this subsection and before transmitting
273 the annual inlet project list to the Legislature under
274 subsection (4) ~~(5)~~, the department shall seek formal input from
275 local coastal governments, beach and general government
276 associations and other coastal interest groups, and university
277 experts concerning annual funding priorities for inlet
278 management projects. In order to maximize the benefits of
279 efforts to address the inlet-caused beach erosion problems of
280 this state, the ranking criteria used by the department to
281 establish funding priorities for studies, activities, or other
282 projects concerning inlet management must include equal
283 consideration of:

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

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

290 (c) The overall significance and anticipated success of the

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291 proposed project in mitigating the erosive effects of the inlet,
292 balancing the sediment budget of the inlet and adjacent beaches,
293 and addressing the sand deficit along the inlet-affected
294 shorelines.

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

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

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

318 (g) The degree to which the proposed project will enhance
319 the performance and longevity of proximate beach nourishment

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320 projects, thereby reducing the frequency of such periodic
321 nourishment projects.

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

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

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

348 ~~(a) Determine, calculate, refine, and achieve general~~

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349 ~~consensus regarding net annual sediment transport volumes to be~~
350 ~~used for the purpose of planning and prioritizing inlet~~
351 ~~management projects; and~~

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

355 ~~(4)~~(5) The department shall annually provide an inlet
356 management project list, in priority order, to the Legislature
357 as part of the department's budget request. ~~The list must~~
358 ~~include studies, projects, or other activities that address the~~
359 ~~management of at least 10 separate inlets and that are ranked~~
360 ~~according to the criteria established under subsection (2).~~

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

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

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

373 (b) The department shall include inlet monitoring
374 activities ranked on the inlet management project list as one
375 aggregated subcategory on the overall inlet management project
376 list ~~make available at least 50 percent of the funds~~
377 ~~appropriated for the feasibility and design category in the~~

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378 ~~department's fixed capital outlay funding request for projects~~
379 ~~on the current year's inlet management project list which~~
380 ~~involve the study for, or design or development of, an inlet~~
381 ~~management project.~~

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

393 ~~(5)(d) The Legislature shall designate one of the three~~
394 ~~highest projects on the inlet management project list in any~~
395 ~~year as the Inlet of the Year. The department shall update and~~
396 ~~maintain an annual annually report on its website to the~~
397 ~~Legislature concerning the extent to which each inlet project~~
398 ~~designated by the Legislature as Inlet of the Year has succeeded~~
399 ~~in balancing the sediment budget of the inlet and adjacent~~
400 ~~beaches and in, mitigating the inlet's erosive effects on~~
401 ~~adjacent beaches. The report must provide an estimate of the~~
402 ~~quantity of sediment bypassed, transferred, and transferring or~~
403 ~~otherwise placed placing beach-quality sand on adjacent eroding~~
404 ~~beaches, or in such beaches' nearshore area, for the purpose of~~
405 ~~offsetting the erosive effects of inlets on the beaches of this~~
406 ~~state.~~

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

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

416 161.161 Procedure for approval of projects.—

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

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

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

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

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

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

441 ~~1. dune elevation and width and revegetation and~~
442 ~~stabilization requirements,~~ + and

443 ~~2. beach profiles~~ profile.

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

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

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

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

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

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

473 (j) Identify alternative management responses to preserve
474 undeveloped beach and dune systems and, to restore damaged beach
475 and dune systems. In identifying such management responses, the
476 department shall consider, at a minimum, and to prevent
477 inappropriate development and redevelopment on migrating
478 beaches, and consider beach restoration and nourishment,
479 armoring, relocation and abandonment, dune and vegetation
480 restoration, and acquisition.

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

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

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

492 (2) The comprehensive long-term management plan developed
493 and maintained by the department pursuant to subsection (1) must

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494 include, at a minimum, a strategic beach management plan, a
495 critically eroded beaches report, and a statewide long-range
496 budget plan. The long-range budget plan must include a 3-year
497 work plan for beach restoration, beach nourishment, and inlet
498 management projects that lists planned projects for each of the
499 3 fiscal years addressed in the work plan.

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

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523 ~~through a publicly noticed webinar. The plan submission schedule~~
524 ~~shall be submitted to the secretary for approval. Any revisions~~
525 ~~to such schedule must be approved in like manner.~~

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

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

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

549 2. A long-range plan that identifies projects for inclusion
550 in the fourth and fifth ensuing fiscal years. These projects may
551 be presented by region and do not need to be presented in

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552 priority order; however, the department should identify issues
 553 that may prevent successful completion of such projects and
 554 recommend solutions that would allow the projects to progress
 555 into the 3-year work plan.

556 (3) ~~(2)~~ Annually, The secretary shall annually present the
 557 3-year work plan to the Legislature. The work plan must be
 558 accompanied by a 3-year financial forecast for the availability
 559 of funding for the projects, based on funds dedicated in s.
 560 375.041 ~~recommendations for funding beach erosion control~~
 561 ~~projects prioritized according to the criteria established in s.~~
 562 ~~161.101(14).~~

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

565 375.041 Land Acquisition Trust Fund.—

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

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

574 (b) Of the funds remaining after the payments required
 575 under paragraph (a), but before funds may be appropriated,
 576 pledged, or dedicated for other uses:

577 1. A minimum of the lesser of 25 percent or \$200 million
 578 shall be appropriated annually for Everglades projects that
 579 implement the Comprehensive Everglades Restoration Plan as set
 580 forth in s. 373.470, including the Central Everglades Planning

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581 Project subject to Congressional authorization; the Long-Term
582 Plan as defined in s. 373.4592(2); and the Northern Everglades
583 and Estuaries Protection Program as set forth in s. 373.4595.
584 From these funds, \$32 million shall be distributed each fiscal
585 year through the 2023-2024 fiscal year to the South Florida
586 Water Management District for the Long-Term Plan as defined in
587 s. 373.4592(2). After deducting the \$32 million distributed
588 under this subparagraph, from the funds remaining, a minimum of
589 the lesser of 76.5 percent or \$100 million shall be appropriated
590 each fiscal year through the 2025-2026 fiscal year for the
591 planning, design, engineering, and construction of the
592 Comprehensive Everglades Restoration Plan as set forth in s.
593 373.470, including the Central Everglades Planning Project, the
594 Everglades Agricultural Area Storage Reservoir Project, the Lake
595 Okeechobee Watershed Project, the C-43 West Basin Storage
596 Reservoir Project, the Indian River Lagoon-South Project, the
597 Western Everglades Restoration Project, and the Picayune Strand
598 Restoration Project. The Department of Environmental Protection
599 and the South Florida Water Management District shall give
600 preference to those Everglades restoration projects that reduce
601 harmful discharges of water from Lake Okeechobee to the St.
602 Lucie or Caloosahatchee estuaries in a timely manner. For the
603 purpose of performing the calculation provided in this
604 subparagraph, the amount of debt service paid pursuant to
605 paragraph (a) for bonds issued after July 1, 2016, for the
606 purposes set forth under paragraph (b) shall be added to the
607 amount remaining after the payments required under paragraph
608 (a). The amount of the distribution calculated shall then be
609 reduced by an amount equal to the debt service paid pursuant to

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610 paragraph (a) on bonds issued after July 1, 2016, for the
611 purposes set forth under this subparagraph.

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

624 3. The sum of \$5 million shall be appropriated annually
625 each fiscal year through the 2025-2026 fiscal year to the St.
626 Johns River Water Management District for projects dedicated to
627 the restoration of Lake Apopka. This distribution shall be
628 reduced by an amount equal to the debt service paid pursuant to
629 paragraph (a) on bonds issued after July 1, 2016, for the
630 purposes set forth in this subparagraph.

631 4. The sum of \$64 million is appropriated and shall be
632 transferred to the Everglades Trust Fund for the 2018-2019
633 fiscal year, and each fiscal year thereafter, for the EAA
634 reservoir project pursuant to s. 373.4598. Any funds remaining
635 in any fiscal year shall be made available only for Phase II of
636 the C-51 reservoir project or projects identified in
637 subparagraph 1. and must be used in accordance with laws
638 relating to such projects. Any funds made available for such

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639 purposes in a fiscal year are in addition to the amount
640 appropriated under subparagraph 1. This distribution shall be
641 reduced by an amount equal to the debt service paid pursuant to
642 paragraph (a) on bonds issued after July 1, 2017, for the
643 purposes set forth in this subparagraph.

644 5. A minimum of the lesser of 7.6 percent or \$50 million
645 shall be appropriated annually for projects that preserve and
646 repair the state's beaches as provided in s. 161.091(3). The
647 calculation provided in this subparagraph shall be performed
648 using the same formula as described in subparagraph 2.
649 ~~Notwithstanding subparagraph 3., for the 2017-2018 fiscal year,~~
650 ~~funds shall be appropriated as provided in the General~~
651 ~~Appropriations Act. This subparagraph expires July 1, 2018.~~

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