

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Environment and Natural Resources

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BILL: SB 7016

INTRODUCER: Infrastructure and Security Committee

SUBJECT: Statewide Office of Resiliency

DATE: January 10, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	<u>Price</u>	<u>Miller</u>		<b>IS Submitted as Committee Bill</b>
1.	<u>Schreiber</u>	<u>Rogers</u>	<u>EN</u>	<b>Pre-meeting</b>
2.	_____	_____	<u>AP</u>	_____

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**I. Summary:**

SB 7016 establishes the Statewide Office of Resiliency within the Executive Office of the Governor. The office must be headed by a Chief Resilience Officer, appointed by and serving at the pleasure of the Governor.

The bill creates the Statewide Sea-Level Rise Task Force, adjunct to the Statewide Office of Resiliency, to recommend consensus projections of the anticipated sea-level rise and flooding impacts along Florida's coastline. The bill provides for task force membership and requires all appointments be made by August 1, 2020. The Chief Resilience Officer must chair the task force and convene it no later than October 1, 2020, after which it must meet upon the call of the chair.

The task force must develop and recommend consensus baseline projections of the expected sea-level rise for planning horizons designated by the task force. The task force is authorized to designate technical advisory groups to inform its decision-making and to request the Department of Environmental Protection (DEP) to contract for services to assist in developing the recommended baseline projections. DEP must serve as contract administrator for such contracts.

The task force must submit its recommended projections to the Environmental Regulation Commission (Commission) for adoption or rejection by January 1, 2021. If adopted, the task force's projections must serve as the state's official estimate of sea-level rise and flooding impacts along Florida's coastline for the purpose of developing future state projects, plans, and programs. The task force must review the adopted projections as it deems appropriate and submit any recommended revisions to the Commission. The bill repeals the provisions relating to the task force on July 1, 2023.

For Fiscal Year 2020-2021, the bill appropriates \$500,000 in nonrecurring funds from the General Revenue Fund to DEP for the authorized contracting and for task force administrative expenses.

## II. Present Situation:

### Sea-Level Rise and Coastal Flooding

With 1,350 miles of coastline and relatively low elevations, Florida is particularly vulnerable to coastal flooding.<sup>1</sup> There are three primary ways that climate change influences coastal flooding: sea-level rise, storm surge intensity, and rainfall intensity and frequency.<sup>2</sup>

Sea-level rise is an observed increase in the average local sea level or global sea level trend.<sup>3</sup> The two major causes of global sea-level rise are thermal expansion caused by the warming of the oceans (water expands as it warms) and the loss of land-based ice (ice sheets and glaciers) due to melting.<sup>4</sup> Since 1880, the average global sea level has risen about 8 to 9 inches, and the rate of global sea-level rise has been accelerating.<sup>5</sup> The National Oceanic and Atmospheric Administration (NOAA) utilizes tide gauges to measure changes in sea level, and provides data on local sea-level rise trends.<sup>6</sup> Analysis of this data shows some low-lying areas in the southeastern U.S. experience higher local rates of sea-level rise than the global average.<sup>7</sup>

Florida's coastal communities are experiencing high-tide flooding events, sometimes referred to as "sunny day" or "nuisance" flooding, with increasing frequency because sea-level rise increases the height of high tides.<sup>8</sup> The areas of the state most at risk from sea-level rise include the 35 coastal counties that contain approximately 76% of Florida's population.<sup>9</sup> In the U.S., sea-level rise and flooding threaten an estimated \$1 trillion in coastal real estate value, and analyses estimate that there is a chance Florida could lose more than \$300 billion in property value by

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<sup>1</sup> Florida Division of Emergency Management, *Enhanced State Hazard Mitigation Plan, State of Florida*, 107-108, 162 (2018) [hereinafter *SHMP*], available at [https://www.floridadisaster.org/globalassets/dem/mitigation/mitigate-fl--shmp/shmp-2018-full\\_final\\_approved.6.11.2018.pdf](https://www.floridadisaster.org/globalassets/dem/mitigation/mitigate-fl--shmp/shmp-2018-full_final_approved.6.11.2018.pdf). This measurement of Florida's coastline increases to over 8,000 miles when considering the intricacies of Florida's coastline, including bays, inlets, and waterways.

<sup>2</sup> *Id.* at 107.

<sup>3</sup> DEP, *Florida Adaptation Planning Guidebook*, Glossary (2018) [hereinafter *DEP Guidebook*], available at <https://floridadep.gov/sites/default/files/AdaptationPlanningGuidebook.pdf>; see NASA, Facts, *Vital Signs: Sea Level*, <https://climate.nasa.gov/vital-signs/sea-level/> (last visited Dec. 20, 2019).

<sup>4</sup> *DEP Guidebook*, at Glossary; NOAA, *Climate Change: Ocean Heat Content*, <https://www.climate.gov/news-features/understanding-climate/climate-change-ocean-heat-content> (last visited Dec. 19, 2019). More than 90 percent of the warming that has happened on Earth over the past 50 years has occurred in the ocean; IPCC, *The Ocean and Cryosphere in a Changing Climate*, SPM-8, SPM-10, SPM-19, SPM-21, SPM-23, 1-14, 4-3, 4-4, 4-14 (Sept. 2019) [hereinafter *IPCC Ocean and Cryosphere*], available at [https://report.ipcc.ch/srocc/pdf/SROCC\\_FinalDraft\\_FullReport.pdf](https://report.ipcc.ch/srocc/pdf/SROCC_FinalDraft_FullReport.pdf). Uncertainty regarding projected sea-level rise by 2100 is mainly determined by ice sheets, especially in Antarctica and Greenland, which are losing ice at increasing rates. The sum of glacier and ice sheet contributions is now the dominant source of global mean sea-level rise.

<sup>5</sup> U.S. Global Change Research Program, *Fourth National Climate Assessment*, 757 (2018) [hereinafter *NCA4*], available at [https://nca2018.globalchange.gov/downloads/NCA4\\_2018\\_FullReport.pdf](https://nca2018.globalchange.gov/downloads/NCA4_2018_FullReport.pdf); IPCC *Ocean and Cryosphere*, at SPM-10, 4-3.

<sup>6</sup> NOAA, *What is a Tide Gauge?*, <https://oceanservice.noaa.gov/facts/tide-gauge.html> (last visited Dec. 19, 2019); NOAA, *Tides and Currents, Sea Level Trends*, <https://tidesandcurrents.noaa.gov/sltrends/> (last visited Dec. 19, 2019); see *DEP Guidebook*, at 8, 16.

<sup>7</sup> *NCA4*, at 757.

<sup>8</sup> *SHMP*, at 108, 101, available at [https://www.floridadisaster.org/globalassets/dem/mitigation/mitigate-fl--shmp/shmp-2018-full\\_final\\_approved.6.11.2018.pdf](https://www.floridadisaster.org/globalassets/dem/mitigation/mitigate-fl--shmp/shmp-2018-full_final_approved.6.11.2018.pdf); NOAA, *High-Tide Flooding*, <https://toolkit.climate.gov/topics/coastal-flood-risk/shallow-coastal-flooding-nuisance-flooding> (last visited Dec. 19, 2019).

<sup>9</sup> *DEP Guidebook*, at III, available at <https://floridadep.gov/sites/default/files/AdaptationPlanningGuidebook.pdf>.

2100.<sup>10</sup> Sea-level rise affects the salinity of both surface water and groundwater through saltwater intrusion, posing a risk particularly for shallow coastal aquifers.<sup>11</sup> Sea-level rise also pushes saltwater further upstream in tidal rivers and streams, raises coastal groundwater tables, and pushes saltwater further inland at the margins of coastal wetlands.<sup>12</sup>

Storm surge intensity and the intensity and precipitation rates of hurricanes are generally projected to increase,<sup>13</sup> and studies suggest the overall extent of destruction from hurricanes is also rising.<sup>14</sup> Higher sea levels will cause storm surges to travel farther inland and impact more properties than in the past.<sup>15</sup> Stronger storms and sea-level rise are likely to lead to increased coastal erosion.<sup>16</sup>

Increases in evaporation rates and water vapor in the atmosphere increase rainfall intensity and extreme precipitation events, and the sudden onset of water can overwhelm stormwater infrastructure.<sup>17</sup> As sea levels and groundwater levels rise, low areas drain more slowly, and the combined effects of rising sea levels and extreme rainfall events are increasing the frequency and magnitude of coastal and lowland flood events.<sup>18</sup>

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<sup>10</sup> *NCA4*, at 324, 758; Zillow, *Climate Change and Housing: Will a Rising Tide Sink All Homes?* (2017), <https://www.zillow.com/research/climate-change-underwater-homes-12890/> (last visited Dec. 20, 2019) (stating that by 2100 \$883 billion in U.S. homes are at risk of being underwater with the total value of potentially underwater properties in Florida at \$413 billion); Union of Concerned Scientists, *New Study Finds 1 Million Florida Homes Worth \$351 Billion Will Be At Risk From Tidal Flooding* (2018), <https://www.ucsusa.org/about/news/1-million-florida-homes-risk-tidal-flooding> (last visited Dec. 20, 2019).

<sup>11</sup> *SHMP*, at 106, available at [https://www.floridadisaster.org/globalassets/dem/mitigation/mitigate-fl--shmp/shmp-2018-full\\_final\\_approved.6.11.2018.pdf](https://www.floridadisaster.org/globalassets/dem/mitigation/mitigate-fl--shmp/shmp-2018-full_final_approved.6.11.2018.pdf).

<sup>12</sup> *Id.* at 108.

<sup>13</sup> *Id.* at 106, 141; *IPCC Ocean and Cryosphere*, at 6-21, available at [https://report.ipcc.ch/srocc/pdf/SROCC\\_FinalDraft\\_FullReport.pdf](https://report.ipcc.ch/srocc/pdf/SROCC_FinalDraft_FullReport.pdf); *NCA4*, at 95, 97, 116-117, 1482, available at [https://nca2018.globalchange.gov/downloads/NCA4\\_2018\\_FullReport.pdf](https://nca2018.globalchange.gov/downloads/NCA4_2018_FullReport.pdf).

<sup>14</sup> See Aslak Grinsted et. al., *Normalized US Hurricane Damage Estimates Using Area of Total Destruction, 1900-2018*, Proceedings of the National Academy of Sciences Nov. 2019, 116 (48) 23942-23946, available at <https://www.pnas.org/content/116/48/23942>.

<sup>15</sup> *NCA4*, at 758; *SHMP*, at 107; see also NOAA, *Florida Marine Debris Emergency Response Guide: Comprehensive Guidance Document* (Jan. 2019), available at [https://marinedebris.noaa.gov/sites/default/files/publications-Files/FL\\_Marine\\_Debris\\_Emergency\\_Response\\_Guide\\_2019.pdf](https://marinedebris.noaa.gov/sites/default/files/publications-Files/FL_Marine_Debris_Emergency_Response_Guide_2019.pdf).

<sup>16</sup> *NCA4*, 331, 340-341, 833, 1054, 1495; *SHMP*, at 108, 221; *IPCC, Climate Change and Land*, 4-44-4-45 (Aug. 2019), available at <https://www.ipcc.ch/site/assets/uploads/2019/08/Fullreport-1.pdf>.

<sup>17</sup> *SHMP*, at 99, 106, 116, 141, 181; *NCA4*, at 88, 762-763; see Florida Senate, Committee on Infrastructure and Security, *Meeting Packet for October 14, 2019*, 16-20, 23, available at [http://www.flsenate.gov/Committees/Show/IS/MeetingPacket/4649/8266\\_MeetingPacket\\_4649\\_2.pdf](http://www.flsenate.gov/Committees/Show/IS/MeetingPacket/4649/8266_MeetingPacket_4649_2.pdf).

<sup>18</sup> *SHMP*, at 106; *NCA4*, at 763.

**Sea-Level Rise Projections**

Below is a table of projections for future sea-level rise, globally and in regions of Florida:

Sea-Level Rise Projections				
Source	Scale	Years	Low (feet)	High (feet)
Intergovernmental Panel on Climate Change <sup>19</sup>	Global	2046-2065	0.79	1.05
		2081-2100	1.28	2.32
		2100	1.41	2.76
U.S. Global Change Research Program <sup>20</sup>	Global	2030	0.3	0.6
		2050	0.5	1.2
		2100	1	4.3
Southeast Florida Regional Climate Change Compact Sea Level Rise Work Group <sup>21</sup>	Southeast Florida	2030	0.5	0.83
		2060	1.17	2.83
		2100	2.58	6.75
Tampa Bay Climate Science Advisory Panel <sup>22</sup>	Tampa Bay Region	2050	1	2.5
		2100	2	8.5

As seen in these projections, there are considerable variations in estimates of future sea-level rise. In addition, certain research indicates that current sea-level rise projections significantly underestimate future coastal exposure to impacts associated with rising sea levels.<sup>23</sup> Although some local governments and state agencies have adopted sea-level rise estimates for planning purposes, the State of Florida has no officially-established estimates of projected sea-level rise for use by state agencies in developing, planning, and implementing their respective duties and responsibilities.

**State, Regional, and Local Programs**

Many state, regional, and local programs and policies are in place that address issues relating to sea-level rise and coastal flooding. Examples include the following:

<sup>19</sup> IPCC Ocean and Cryosphere, at SPM-7, 4-4, CCB9-21, AI-23. These projected ranges are based on climate models using “representative concentration pathways (RCPs),” which are scenarios of future emissions and concentrations of the full suite of greenhouse gases and aerosols and chemically active gases, as well as land use/land cover.

<sup>20</sup> NCA4, at 406, 758, available at [https://nca2018.globalchange.gov/downloads/NCA4\\_2018\\_FullReport.pdf](https://nca2018.globalchange.gov/downloads/NCA4_2018_FullReport.pdf).

<sup>21</sup> Southeast Florida Regional Climate Change Compact Sea Level Rise Work Group, *Unified Sea Level Rise Projection, Southeast Florida*, 4-5 (2015), available at <https://southeastfloridaclimatecompact.org/wp-content/uploads/2015/10/2015-Compact-Unified-Sea-Level-Rise-Projection.pdf>. These projections are compared to the mean sea level in 1992; see SFRCCC, *Unified Sea Level Rise Projections*, <https://southeastfloridaclimatecompact.org/resources/unified-sea-level-rise-projections/> (last visited Dec. 19, 2019). The SFRCCC will soon release updated projections.

<sup>22</sup> Tampa Bay Climate Science Advisory Panel, *Recommended Projections of Sea Level Rise in the Tampa Bay Region*, 1, 7 (Apr. 2019), available at [http://www.tbrpc.org/wp-content/uploads/2019/05/CSAP\\_SLR\\_Recommendation\\_2019.pdf](http://www.tbrpc.org/wp-content/uploads/2019/05/CSAP_SLR_Recommendation_2019.pdf).

<sup>23</sup> See Scott A. Kulp & Benjamin H. Strauss, *New Elevation Data Triple Estimates of Global Vulnerability to Sea-Level Rise and Coastal Flooding*, *Nature Communications* 10, 4844 (Oct. 2019), available at <https://www.nature.com/articles/s41467-019-12808-z.pdf>.

- The Department of Environmental Protection’s (DEP) Office of Resilience and Coastal Protection implements numerous programs related to sea-level rise and coastal issues, including the Coastal Construction Control Line Program and the Beach Management Funding Assistance Program.<sup>24</sup>
- DEP’s Florida Resilient Coastlines Program helps prepare coastal communities and habitats for the effects of climate change, especially sea-level rise, by offering technical assistance and funding to communities dealing with coastal flooding, erosion, and ecosystem changes.<sup>25</sup>
- Other state agencies are working on coastal resilience in Florida, including the following examples. The Department of Transportation plans for resilience to prepare Florida’s transportation system for potential hazards.<sup>26</sup> The Department of Economic Opportunity assists communities with adaptation planning and works with DEP on the Community Resiliency Initiative.<sup>27</sup> The Fish and Wildlife Conservation Commission is Florida’s lead agency on addressing the impacts of climate change on fish and wildlife, including adaptation strategies for Florida’s coastal ecosystems.<sup>28</sup> The Department of Agriculture and Consumer Services develops Florida’s energy policy and works on climate change issues.<sup>29</sup> The Division of Emergency Management in the Executive Office of the Governor maintains a statewide emergency management program, and its roles include administering federal mitigation grant programs and serving as Florida’s state coordinating agency for the National Flood Insurance Program.<sup>30</sup>
- The water management districts address flood protection as a core part of their respective missions, and many of their activities are related to resilience efforts. For example, the St. John’s River Water Management District provides resources and cost-sharing to increase community resilience.<sup>31</sup> The South Florida Water Management District is implementing comprehensive plans for addressing sea-level rise, including a flood protection level of service program, incorporating sea-level rise projections into planning, conducting vulnerability assessments, and assisting local governments.<sup>32</sup>
- In 2010, through a proactive regional collaboration to address climate change, the four counties of Broward, Miami-Dade, Monroe, and Palm Beach formed the Southeast Florida

<sup>24</sup> DEP, *Beaches*, <https://floridadep.gov/rcp/beaches> (last visited Dec. 19, 2019).

<sup>25</sup> DEP, *Florida Resilient Coastlines Program*, <https://floridadep.gov/rcp/florida-resilient-coastlines-program> (last visited Dec. 19, 2019).

<sup>26</sup> DOT, *Florida Transportation Plan (FTP): Resilience*, <http://www.floridatransportationplan.com/resilience.htm> (last visited Dec. 19, 2019); DOT, *Florida Transportation Plan (FTP): Resilience Subcommittee Members*, [http://www.floridatransportationplan.com/resilience\\_committee.htm](http://www.floridatransportationplan.com/resilience_committee.htm) (last visited Dec. 19, 2019).

<sup>27</sup> DEO, *Adaptation Planning*, <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/adaptation-planning> (last visited Dec. 19, 2019).

<sup>28</sup> FWC, *What FWC is Doing*, <https://myfwc.com/conservation/special-initiatives/climate-change/fwc/> (last visited Dec. 19, 2019); FWC, *A Guide to Climate Change Adaptation for Conservation*, 6-81–6-108, 9-35–9-51 (2016), available at <https://myfwc.com/media/5864/adaptation-guide.pdf>.

<sup>29</sup> DACS, *Office of Energy*, <https://www.fdacs.gov/Divisions-Offices/Energy> (last visited Dec. 19, 2019).

<sup>30</sup> DEM, *Mitigation*, <https://www.floridadisaster.org/dem/mitigation/> (last visited Dec. 19, 2019); DEM, *State Flood Plain Management Program*, <https://www.floridadisaster.org/dem/mitigation/floodplain/> (last visited Dec. 19, 2019).

<sup>31</sup> St. John’s River Water Management District, *Sea-Level Rise*, <https://www.sjrwm.com/localgovernments/sea-level-rise/#projects> (last visited Dec. 19, 2019).

<sup>32</sup> Akintunde Owosina, South Florida Water Management District, Governing Board Meeting, June 13, 2019, Chief, Hydrology and Hydraulics Bureau, *Impact of Sea Level Rise on the SFWMD Mission, Focus on Flood Protection*, 2, 6-10 (June 13, 2019), available at <https://apps.sfwmd.gov/webapps/publicMeetings/viewFile/21964>.

Regional Climate Change Compact.<sup>33</sup> The Compact’s innovative work includes developing a Regional Climate Action Plan and developing a Unified Sea-Level Rise Projection.<sup>34</sup> Many local governments in southeast Florida have incorporated the Compact’s projections into their planning documents and policies.<sup>35</sup>

- Florida’s local governments in coastal areas must have in their comprehensive plans a coastal management element that uses principles to reduce flood risk and eliminate unsafe development in coastal areas.<sup>36</sup> In certain coastal areas, local governments are authorized to establish an “adaptation action area” designation in their comprehensive plan, to develop policies and funding priorities that improve coastal resilience and plan for sea-level rise.<sup>37</sup>

In January of 2019, Governor DeSantis issued Executive Order 19-12, creating the Office of Resilience and Coastal Protection to help prepare Florida’s coastal communities and habitats for impacts from sea-level rise by providing funding, technical assistance, and coordination among state, regional, and local entities.<sup>38</sup> In August of 2019, the Governor appointed Florida’s first Chief Resilience Officer, which will report to the Executive Officer of the Governor and collaborate with state agencies, local communities, and stakeholders to prepare for the impacts of sea-level rise and climate change.<sup>39</sup>

### **The Environmental Regulation Commission**

The Environmental Regulation Commission (Commission) is an unpaid citizen board within DEP.<sup>40</sup> Under specified statutory provisions and with certain exceptions, the Commission must exercise the standard-setting authority of DEP - approving, modifying, or disapproving proposed rules that contain standards.<sup>41</sup> In exercising its authority, the Commission must consider scientific and technical validity, economic impacts, and relative risks and benefits to the public and the environment.<sup>42</sup>

<sup>33</sup> Regional Climate Leadership Summit, *Southeast Florida Regional Climate Change Compact* (2010), available at <http://southeastfloridaclimatecompact.org/wp-content/uploads/2014/09/compact.pdf>; SFRCCC, *What is the Compact?*, <http://southeastfloridaclimatecompact.org/about-us/what-is-the-compact/> (last visited Dec. 19, 2019).

<sup>34</sup> SFRCCC, *Regional Climate Action Plan*, <http://southeastfloridaclimatecompact.org/regional-climate-action-plan/> (last visited Dec. 19, 2019).

<sup>35</sup> See SFRCCC, *ST-1: Incorporate Projections Into Plans*, <http://southeastfloridaclimatecompact.org/recommendations/incorporate-projections-into-plans/> (last visited Dec. 20, 2019).

<sup>36</sup> See ss. 380.24, 163.3177(6)(g), and 163.3178(2)(f), F.S.; see Ch. 2015-69, Laws of Fla.

<sup>37</sup> See ss. 163.3177(6)(g)10. and 163.3164(1), F.S.; see Ch. 2011-139, Laws of Fla.

<sup>38</sup> State of Florida, Office of the Governor, *Executive Order Number 19-12*, 5 (2019), available at <https://www.flgov.com/wp-content/uploads/2019/01/EO-19-12-.pdf>.

<sup>39</sup> Governor Ron DeSantis, News Releases, *Governor Ron DeSantis Announces Dr. Julia Nesheiwat as Florida’s First Chief Resilience Officer* (Aug. 1, 2019), <https://flgov.com/2019/08/01/governor-ron-desantis-announces-dr-julia-nesheiwat-as-floridas-first-chief-resilience-officer/> (last visited Dec. 19, 2019).

<sup>40</sup> Section 20.255(6), F.S.; DEP, *Environmental Regulation Commission*, <https://floridadep.gov/ogc/ogc/content/environmental-regulation-commission> (last visited Dec. 19, 2019).

<sup>41</sup> Sections 403.803(13), 403.804, and 403.805(1), F.S. “Standard” is defined as any DEP rule relating to air and water quality, noise, solid-waste management, and electric and magnetic fields associated with electrical transmission and distribution lines and substations. The term does not include rules relating to internal management or procedural matters.

<sup>42</sup> Section 403.804, F.S.

The Commission is composed of seven state residents appointed by the Governor, subject to confirmation by the Senate.<sup>43</sup> The appointees must provide reasonable representation from all sections of the state, and be representative of agriculture, the development industry, local government, the environmental community, lay citizens, and members of the scientific and technical community who have substantial expertise related to water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering.<sup>44</sup> Most issues that go before the Commission relate to air pollution, water quality, or waste management.<sup>45</sup> Generally, the Commission meets on the last Thursday of each month, and the public is encouraged to attend and participate.<sup>46</sup>

### III. Effect of Proposed Changes:

**Section 1** creates s. 14.2031, F.S., entitled “Statewide Office of Resiliency.” The bill establishes the Statewide Office of Resiliency within the Executive Office of the Governor. The office must be headed by a Chief Resilience Officer. The Chief Resilience Officer is appointed by and serves at the pleasure of the Governor, and must perform duties and responsibilities assigned by the Governor.

Adjunct to the Statewide Office of Resiliency, the bill creates the Statewide Sea-Level Rise Task Force.<sup>47</sup> The purpose of the task force is to recommend consensus projections of the anticipated sea-level rise and flooding impacts along Florida’s coastline.

The task force is composed of the following nine members:

- The Chief Resilience Officer, serving as the chair of the task force;
- The Department of Environmental Protection’s (DEP’s) Chief Science Officer, serving as vice-chair of the task force;
- One member appointed by the President of the Florida Senate;
- One member appointed by the Speaker of the Florida House of Representatives; and
- One representative each, appointed by their respective agency head, division director, executive director, or commission chair, from:
  - The Department of Transportation;
  - The Division of Emergency Management;
  - The Department of Agriculture and Consumer Services;
  - The Fish and Wildlife Conservation Commission; and
  - The Department of Economic Opportunity.

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<sup>43</sup> Section 20.255(6), F.S.

<sup>44</sup> *Id.*

<sup>45</sup> DEP, *Environmental Regulation Commission*, <https://floridadep.gov/ogc/ogc/content/environmental-regulation-commission> (last visited Dec. 19, 2019).

<sup>46</sup> *Id.*

<sup>47</sup> Section 20.03(8), F.S. The bill defines the task force using the following definition: “an advisory body...created by specific statutory enactment for a time not to exceed 3 years and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its assignment”; s. 20.052, F.S. Except as otherwise provided in the bill, the bill requires the task force to operate in a manner consistent with s. 20.052, F.S., which specifies requirements for the establishment, evaluation, and maintenance of certain bodies created by specific statutory enactment as an adjunct to an executive agency.

All appointments to the task force must be made no later than August 1, 2020. The bill requires that any vacancy on the task force be filled in the same manner as the original appointment.

The bill requires the Chief Resilience Officer to convene the task force by no later than October 1, 2020, and the task force must meet thereafter upon the call of the chair. The task force must develop official scientific information, from appropriate sources as determined by the task force, necessary to recommend consensus baseline projections, or a range of projections, of the expected rise in sea level along the state's coastline for planning horizons designated by the task force. The projections may address various geographic areas of the state, as determined by the task force.

DEP must provide administrative support to the task force. The bill authorizes the task force to request DEP to contract for services to assist in developing the recommended official baseline projections. DEP must serve as the contract administrator for any such contracts. The task force is also authorized to designate technical advisory groups, as it deems necessary, to assist in the gathering of scientific data to inform the task force's decision-making.

The bill requires the task force to submit its recommended consensus baseline projections to the Environmental Regulation Commission (Commission) by January 1, 2021. The task force must include in its report supporting data and assumptions it used in developing the recommended projections. The Commission must adopt or reject the task force's recommended projections. Following adoption by the Commission, the projections must serve as the state's official estimate of sea-level rise and flooding impacts along the state's coastline and must be used for developing future state projects, plans, and programs. The task force must review the adopted consensus baseline projections as it deems appropriate, and submit any recommended revisions to the projections to the Commission.

The bill repeals all of the provisions regarding the task force on July 1, 2023. However, the provisions establishing the Statewide Office of Resiliency and the Chief Resilience Officer will remain in effect after that date.

**Section 2** contains an appropriation. For Fiscal Year 2020-2021, the bill appropriates \$500,000 in nonrecurring funds from the General Revenue Fund to DEP to fund any contracts for services that DEP enters into to assist the task force in developing its recommended official baseline projections and for the administrative expenses of the task force.

**Section 3** states that the bill will take effect July 1, 2020.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.



C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill creates a new office within the Executive Office of the Governor, and a new position within that office. This will cause the Executive Office of the Governor to require indeterminate additional funding.

The bill requires the Chief Resilience Officer to convene the Statewide Sea-Level Rise Task Force composed of the identified members. Indeterminate but likely insignificant expenses may be incurred by the entities appointing members to the task force. If the task force designates technical advisory groups as authorized by the bill, the entities represented by members of such a group may incur indeterminate expenses.

The bill authorizes the task force to request DEP to contract for services to develop the recommended projections and requires the specified report be submitted to the Commission. The task force may decide to recommend revision of the projections before expiration of the task force on July 1, 2023. In addition, the bill requires DEP to provide administrative support to the task force. DEP will incur indeterminate expenses for any authorized contracts and for providing such support.

The Commission will incur indeterminate expenses to review and adopt or reject the task force's initial recommendations and, if the task force recommends revisions, will incur indeterminate expenses for the same purposes.

For Fiscal Year 2020-2021, the bill contains an appropriation for \$500,000 in nonrecurring funds from the General Revenue Fund to DEP for the expenses associated

with contracting for services to develop the projections and for task force administrative expenses.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 14.2031 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.