

By Senator Hutson

7-01452-21

20211240\_\_

1                   A bill to be entitled  
2           An act relating to beach funding; amending s. 161.101,  
3           F.S.; revising the information required to be  
4           considered for Tier 3 in the scoring system for annual  
5           beach project funding priorities; amending s. 375.041,  
6           F.S.; providing a specified annual appropriation from  
7           the Land Acquisition Trust Fund to the Department of  
8           Environmental Protection to fund certain projects  
9           under the Beach Management Funding Assistance Program;  
10          requiring such funds to be awarded according to  
11          specified provisions; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15           Section 1. Paragraph (c) of subsection (14) of section  
16           161.101, Florida Statutes, is amended to read:

17           161.101 State and local participation in authorized  
18           projects and studies relating to beach management and erosion  
19           control.—

20           (14) The intent of the Legislature in preserving and  
21           protecting Florida's sandy beaches pursuant to this act is to  
22           direct beach erosion control appropriations to the state's most  
23           severely eroded beaches and to prevent further adverse impact  
24           caused by improved, modified, or altered inlets, coastal  
25           armoring, or existing upland development. In establishing annual  
26           project funding priorities, the department shall seek formal  
27           input from local coastal governments, beach and general  
28           government interest groups, and university experts. The  
29           department shall implement a scoring system for annual project

7-01452-21

20211240\_\_

30 funding priorities that consists of criteria equally weighted  
31 within the following specified tiers:

32 (c) Tier 3 must account for 20 percent of the total score  
33 and consist of all of the following criteria:

34 1. Previous state commitment and involvement in the  
35 project, considering previously funded phases, the total amount  
36 of previous state funding, and previous partial appropriations  
37 for the proposed project.

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

39 a. The accessible beach area added by the project, as  
40 applicable; and

41 b. The percentage of linear footage within the project  
42 boundaries which is zoned:

43 (I) As recreational or open space;

44 (II) For commercial use; or

45 (III) To otherwise allow for public lodging establishments.

46 3. The extent to which the project mitigates the adverse  
47 impact of improved, modified, or altered inlets on adjacent  
48 beaches.

49 4. The degree to which the project addresses the state's  
50 most significant beach erosion problems as a function of the  
51 linear footage of the project shoreline and the cubic yards of  
52 sand placed per mile per year.

53  
54 If more than one project qualifies equally under the provisions  
55 of this subsection, the department shall assign funding priority  
56 to those projects shown to be most ready to proceed.

57 Section 2. Paragraph (b) of subsection (3) of section  
58 375.041, Florida Statutes, is amended to read:

7-01452-21

20211240\_\_

59 375.041 Land Acquisition Trust Fund.—

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

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

65 1. A minimum of the lesser of 25 percent or \$200 million  
66 shall be appropriated annually for Everglades projects that  
67 implement the Comprehensive Everglades Restoration Plan as set  
68 forth in s. 373.470, including the Central Everglades Planning  
69 Project subject to Congressional authorization; the Long-Term  
70 Plan as defined in s. 373.4592(2); and the Northern Everglades  
71 and Estuaries Protection Program as set forth in s. 373.4595.  
72 From these funds, \$32 million shall be distributed each fiscal  
73 year through the 2023-2024 fiscal year to the South Florida  
74 Water Management District for the Long-Term Plan as defined in  
75 s. 373.4592(2). After deducting the \$32 million distributed  
76 under this subparagraph, from the funds remaining, a minimum of  
77 the lesser of 76.5 percent or \$100 million shall be appropriated  
78 each fiscal year through the 2025-2026 fiscal year for the  
79 planning, design, engineering, and construction of the  
80 Comprehensive Everglades Restoration Plan as set forth in s.  
81 373.470, including the Central Everglades Planning Project, the  
82 Everglades Agricultural Area Storage Reservoir Project, the Lake  
83 Okeechobee Watershed Project, the C-43 West Basin Storage  
84 Reservoir Project, the Indian River Lagoon-South Project, the  
85 Western Everglades Restoration Project, and the Picayune Strand  
86 Restoration Project. The Department of Environmental Protection  
87 and the South Florida Water Management District shall give

7-01452-21

20211240\_\_

88 preference to those Everglades restoration projects that reduce  
89 harmful discharges of water from Lake Okeechobee to the St.  
90 Lucie or Caloosahatchee estuaries in a timely manner. For the  
91 purpose of performing the calculation provided in this  
92 subparagraph, the amount of debt service paid pursuant to  
93 paragraph (a) for bonds issued after July 1, 2016, for the  
94 purposes set forth under paragraph (b) shall be added to the  
95 amount remaining after the payments required under paragraph  
96 (a). The amount of the distribution calculated shall then be  
97 reduced by an amount equal to the debt service paid pursuant to  
98 paragraph (a) on bonds issued after July 1, 2016, for the  
99 purposes set forth under this subparagraph.

100 2. A minimum of the lesser of 7.6 percent or \$50 million  
101 shall be appropriated annually for spring restoration,  
102 protection, and management projects. For the purpose of  
103 performing the calculation provided in this subparagraph, the  
104 amount of debt service paid pursuant to paragraph (a) for bonds  
105 issued after July 1, 2016, for the purposes set forth under  
106 paragraph (b) shall be added to the amount remaining after the  
107 payments required under paragraph (a). The amount of the  
108 distribution calculated shall then be reduced by an amount equal  
109 to the debt service paid pursuant to paragraph (a) on bonds  
110 issued after July 1, 2016, for the purposes set forth under this  
111 subparagraph.

112 3. The sum of \$5 million shall be appropriated annually  
113 each fiscal year through the 2025-2026 fiscal year to the St.  
114 Johns River Water Management District for projects dedicated to  
115 the restoration of Lake Apopka. This distribution shall be  
116 reduced by an amount equal to the debt service paid pursuant to

7-01452-21

20211240\_\_

117 paragraph (a) on bonds issued after July 1, 2016, for the  
118 purposes set forth in this subparagraph.

119 4. The sum of \$64 million is appropriated and shall be  
120 transferred to the Everglades Trust Fund for the 2018-2019  
121 fiscal year, and each fiscal year thereafter, for the EAA  
122 reservoir project pursuant to s. 373.4598. Any funds remaining  
123 in any fiscal year shall be made available only for Phase II of  
124 the C-51 reservoir project or projects identified in  
125 subparagraph 1. and must be used in accordance with laws  
126 relating to such projects. Any funds made available for such  
127 purposes in a fiscal year are in addition to the amount  
128 appropriated under subparagraph 1. This distribution shall be  
129 reduced by an amount equal to the debt service paid pursuant to  
130 paragraph (a) on bonds issued after July 1, 2017, for the  
131 purposes set forth in this subparagraph.

132 5. A minimum of the lesser of \$100 million or the total  
133 amount requested for the fiscal year to fully fund the list of  
134 projects under the Beach Management Funding Assistance Program  
135 shall be appropriated annually to the Department of  
136 Environmental Protection for beach and inlet management  
137 projects. Such funds must be awarded pursuant to s. 161.101  
138 ~~Notwithstanding subparagraph 3., for the 2020-2021 fiscal year,~~  
139 ~~funds shall be appropriated as provided in the General~~  
140 ~~Appropriations Act. This subparagraph expires July 1, 2021.~~

141 Section 3. This act shall take effect July 1, 2021.