



26 | this paragraph, the threshold for tidal flooding is 2 feet above  
 27 | mean higher high water.

28 | (b)-(a) "Potentially at-risk Coastal structure or  
 29 | infrastructure" means any a major structure or infrastructure,  
 30 | including all infrastructure critical to public health, life, or  
 31 | safety, within an area at risk due to sea level rise  
 32 | ~~nonhabitable major structure within the coastal building zone.~~

33 | (c)-(b) "Public entity" means the state or any of its  
 34 | political subdivisions, or any municipality, county, agency,  
 35 | special district, authority, or other public body corporate of  
 36 | the state which is demonstrated to perform a public function or  
 37 | to serve a governmental purpose that could properly be performed  
 38 | or served by an appropriate governmental unit.

39 | (e)-(e) "SLIP study" means a sea level impact projection  
 40 | study as established by the department pursuant to subsection  
 41 | (3).

42 | (d)-(e) "Significant Substantial flood damage" means flood,  
 43 | erosion, inundation, or wave action damage resulting from a  
 44 | discrete or compound natural hazard ~~single~~ event, such as a  
 45 | flood or tropical weather system, where such damage exceeds:

46 | 1. Twenty-five 25 percent of the replacement cost market  
 47 | value of the potentially at-risk coastal structure or  
 48 | infrastructure at the time of the event; or

49 | 2. A defined threshold established by the department in  
 50 | coordination with the Department of Transportation and water

51 management districts. The threshold must be established by July  
52 1, 2023.

53 ~~(f)-(d)~~ "State-financed constructor" means a public entity  
54 that commissions or manages a construction project using funds  
55 appropriated from the state.

56 (2) Beginning 1 year after the date the rule developed by  
57 the department pursuant to subsection (3) is finalized and is  
58 otherwise in effect, a state-financed constructor may not  
59 commence construction of a potentially at-risk ~~coastal~~ structure  
60 or infrastructure without:

61 (a) Conducting a SLIP study that meets the requirements  
62 established by the department;

63 (b) Submitting the study to the department; and

64 (c) Receiving notification from the department that the  
65 study was received and that it has been published on the  
66 department's website pursuant to paragraph (6)(a) for at least  
67 30 days. The state-financed constructor is solely responsible  
68 for ensuring that the study submitted to the department for  
69 publication meets the requirements under subsection (3).

70 (3) The department shall develop by rule a standard by  
71 which a state-financed constructor must conduct a SLIP study and  
72 may require that a professional engineer sign off on the study.  
73 The rule must be effective 1 year after the date it is finalized  
74 and applies only to projects not yet commenced as of the date  
75 the rule is finalized. The rule may not apply retroactively to

76 projects that commenced before the date the rule is finalized.  
 77 At a minimum, the standard must require that a state-financed  
 78 constructor do all of the following:

79 (a) Use a systematic, interdisciplinary, and  
 80 scientifically accepted approach in the natural sciences and  
 81 construction design in conducting the study.

82 (b) Assess the flooding, inundation, and wave action  
 83 damage risks relating to the potentially at-risk ~~coastal~~  
 84 structure or infrastructure over its expected life or 50 years,  
 85 whichever is less.

86 1. The assessment must take into account potential  
 87 relative local sea-level rise and increased storm risk during  
 88 the expected life of the potentially at-risk ~~coastal~~ structure  
 89 or infrastructure or 50 years, whichever is less, and, to the  
 90 extent possible, account for the contribution of sea-level rise  
 91 versus land subsidence to the relative local sea-level rise.

92 2. The assessment must provide scientific and engineering  
 93 evidence of the risk to the potentially at-risk ~~coastal~~  
 94 structure or infrastructure and methods used to mitigate, adapt  
 95 to, or reduce this risk.

96 3. The assessment must use and consider available  
 97 scientific research and generally accepted industry practices.

98 4. The assessment must provide an estimated probability of  
 99 significant ~~the mean average annual chance of substantial~~ flood  
 100 damage to the potentially at-risk structure or infrastructure

101 over the expected life of the ~~coastal~~ structure or  
102 infrastructure or 50 years, whichever is less.

103 5. The assessment must analyze potential public safety and  
104 environmental impacts resulting from damage to the potentially  
105 at-risk ~~coastal~~ structure or infrastructure, including, but not  
106 limited to, leakage of pollutants, electrocution and explosion  
107 hazards, and hazards resulting from floating or flying  
108 structural debris.

109 (c) Provide alternatives for the ~~coastal structure's~~  
110 design and siting of the potentially at-risk structure or  
111 infrastructure, and how such alternatives would impact the risks  
112 specified in subparagraph (b)5. as well as the risk and cost  
113 associated with maintaining, repairing, and constructing the  
114 potentially at-risk ~~coastal~~ structure or infrastructure.

115 (d) Provide a list of flood mitigation strategies  
116 evaluated as part of the design of the potentially at-risk  
117 structure or infrastructure, and identify the flood mitigation  
118 strategies that have been implemented or are being considered as  
119 part of the potentially at-risk structure or infrastructure  
120 design.

121  
122 If multiple potentially at-risk ~~coastal~~ structures or  
123 infrastructure are to be built concurrently within one project,  
124 a state-financed constructor may conduct and submit one SLIP  
125 study for the entire project for publication by the department.

126 (4) If a state-financed constructor commences construction  
 127 of a potentially at-risk ~~coastal~~ structure or infrastructure but  
 128 has not complied with the SLIP study requirement under  
 129 subsection (2), the department may institute a civil action in a  
 130 court of competent jurisdiction to:

131 (a) Seek injunctive relief to cease further construction  
 132 of the potentially at-risk ~~coastal~~ structure or infrastructure  
 133 or to enforce compliance with this section or with rules adopted  
 134 by the department pursuant to this section.

135 (b) If the potentially at-risk ~~coastal~~ structure or  
 136 infrastructure has been completed or has been substantially  
 137 completed, seek recovery of all or a portion of state funds  
 138 expended on the potentially at-risk ~~coastal~~ structure or  
 139 infrastructure.

140 (5) This section does not ~~may not be construed to~~ create a  
 141 cause of action for damages or otherwise authorize the  
 142 imposition of penalties by a public entity for failure to  
 143 implement what is contained in the SLIP study.

144 (6) The department:

145 (a) Shall publish and maintain a copy of each SLIP study  
 146 ~~all SLIP studies~~ submitted pursuant to this section on its  
 147 website for at least 10 years after the date the department  
 148 receives the study receipt. However, any portion of a study  
 149 containing information that is exempt from s. 119.07(1) and s.  
 150 24(a), Art. I of the State Constitution must be redacted by the

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151 | department before publication.

152 |       (b) Shall adopt rules as necessary to administer this  
153 | section.

154 |       (7) The department may enforce the requirements of this  
155 | section.

156 |       Section 2. This act shall take effect July 1, 2022.