

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|---------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Water Quality, Supply &
2 Treatment Subcommittee

3 Representative Chaney offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 268-587 and insert:

7 Rise Resilience Plan. Only communities eligible for a reduced
8 cost share as defined in paragraph (5)(e) are eligible for such
9 preconstruction activities that are located in a municipality
10 ~~that has a population of 10,000 or fewer or a county that has a~~
11 ~~population of 50,000 or fewer, according to the most recent~~
12 ~~April 1 population estimates posted on the Office of Economic~~
13 ~~and Demographic Research's website.~~

14 ~~f.e.~~ Feasibility studies and the cost of permitting for
15 nature-based solutions that reduce the impact of flooding and
16 sea level rise.

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17 g. The cost of permitting for projects designed to achieve
18 reductions in the risks or impacts of flooding and sea level
19 rise using nature-based solutions.

20 2. A water management district identified in s. 373.069 to
21 support local government adaptation planning, which may be
22 conducted by the water management district or by a third party
23 on behalf of the water management district. Such grants must be
24 used for the express purpose of supporting the Florida Flood Hub
25 ~~for Applied Research and Innovation~~ and the department in
26 implementing this section through data creation and collection,
27 modeling, and the implementation of statewide standards.
28 Priority must be given to filling critical data gaps identified
29 by the Florida Flood Hub ~~for Applied Research and Innovation~~
30 under s. 380.0933(2) (a).

31 (c) A vulnerability assessment conducted pursuant to
32 paragraph (b) must encompass the entire county or municipality;
33 include all critical assets owned or maintained by the grant
34 applicant; and use the most recent publicly available Digital
35 Elevation Model and generally accepted analysis and modeling
36 techniques. An assessment may encompass a smaller geographic
37 area or include only a portion of the critical assets owned or
38 maintained by the grant applicant with appropriate rationale and
39 upon approval by the department. Locally collected elevation
40 data may also be included as part of the assessment as long as
41 it is submitted to the department pursuant to this paragraph.

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42 1. The assessment must include an analysis of the
43 vulnerability of and risks to critical assets, including
44 regionally significant assets, owned or managed by the county or
45 municipality.

46 2. Upon completion of a vulnerability assessment, the
47 county or municipality shall submit to the department all of the
48 following:

49 a. A report detailing the findings of the assessment.

50 b. All electronic mapping data used to illustrate flooding
51 and sea level rise impacts identified in the assessment. When
52 submitting such data, the county or municipality shall include:

53 (I) Geospatial data in an electronic file format suitable
54 for input to the department's mapping tool.

55 (II) Geographic information system (GIS) data that has
56 been projected into the appropriate Florida State Plane
57 Coordinate System and that is suitable for the department's
58 mapping tool. The county or municipality must also submit
59 metadata using standards prescribed by the department.

60 c. An inventory ~~A list~~ of critical assets, including
61 regionally significant assets, that are currently, or within 50
62 years are reasonably expected to be, impacted by flooding and
63 sea level rise.

64 (d) A vulnerability assessment conducted pursuant to
65 paragraph (b) must do include all of the following:

66 1. Include peril of flood comprehensive plan amendments

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67 that address the requirements of s. 163.3178(2) (f), if the
68 county or municipality is subject to such requirements and has
69 not complied with such requirements as determined by the
70 Department of Commerce Economic Opportunity.

71 2. Make use of the best available information through the
72 Florida Flood Hub as certified by the Chief Science Officer, in
73 consultation with the Chief Resilience Officer, including, as ~~if~~
74 applicable, analyzing impacts related to the depth of:

75 a. Tidal flooding, including future high tide flooding,
76 which must use thresholds published and provided by the
77 department. To the extent practicable, the analysis should also
78 geographically display the number of tidal flood days expected
79 for each scenario and planning horizon.

80 b. Current and future storm surge flooding ~~using publicly~~
81 ~~available National Oceanic and Atmospheric Administration or~~
82 ~~Federal Emergency Management Agency storm surge data~~. The
83 initial storm surge event used must equal or exceed the current
84 100-year flood event. Higher frequency storm events may be
85 analyzed to understand the exposure of a critical asset or
86 regionally significant asset. Publicly available National
87 Oceanic and Atmospheric Administration (NOAA) or Federal
88 Emergency Management Agency storm surge data may be used in the
89 absence of applicable data from the Florida Flood Hub.

90 c. To the extent practicable, rainfall-induced flooding
91 using a GIS-based spatiotemporal analysis or existing hydrologic

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92 and hydraulic modeling results. Future boundary conditions
93 should be modified to consider sea level rise and high tide
94 conditions. Vulnerability assessments for rainfall-induced
95 flooding must include the depth of rainfall-induced flooding for
96 a 100-year storm and a 500-year storm, as defined by the
97 applicable water management district or, if necessary, the
98 appropriate federal agency. Future rainfall conditions should be
99 used, if available. Noncoastal communities must perform a
100 rainfall-induced flooding assessment.

101 d. To the extent practicable, compound flooding or the
102 combination of tidal, storm surge, and rainfall-induced
103 flooding.

104 3. Apply the following scenarios and standards:

105 a. All analyses in the North American Vertical Datum of
106 1988.

107 b. For a vulnerability assessment initiated after July 1,
108 2024, at a minimum least two local sea level rise scenarios,
109 which must include the 2022 NOAA 2017 National Oceanic and
110 Atmospheric Administration intermediate-low and intermediate
111 intermediate-high sea level rise scenarios or the statewide sea
112 level rise projections developed pursuant to paragraph (4) (a)
113 projections.

114 c. At least two planning horizons identified in the
115 following table which correspond with the appropriate
116 comprehensive statewide flood vulnerability and sea level rise

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117 assessment for which the department, at the time of award,
 118 determines such local vulnerability assessment will be
 119 incorporated:

| <u>Year of assessment</u> | <u>20-year planning horizon</u> | <u>50-year planning horizon</u> |
|---------------------------|-------------------------------------|-------------------------------------|
| <u>2024</u> | <u>2040</u> | <u>2070</u> |
| <u>2029</u> | <u>2050</u> | <u>2080</u> |
| <u>2034</u> | <u>2055</u> | <u>2085</u> |
| <u>2039</u> | <u>2060</u> | <u>2090</u> |
| <u>2044</u> | <u>2065</u> | <u>2095</u> |
| <u>2049</u> | <u>2070</u> | <u>2100</u> |

128 ~~that include planning horizons for the years 2040 and 2070.~~

129 d. Local sea level data maintained by the Florida Flood
 130 Hub which reflect the best available scientific information as
 131 certified by the Chief Science Officer, in consultation with the
 132 Chief Resilience Officer. If such data is not available, local
 133 sea level data may be ~~that has been~~ interpolated between the two

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134 closest NOAA National Oceanic and Atmospheric Administration
135 tide gauges; however, such. ~~Local sea level~~ data may be taken
136 from only one of the two closest NOAA tide gauges ~~such gauge~~ if
137 the gauge has a higher mean sea level or may be. ~~Data~~ taken from
138 an alternate tide gauge ~~may be used~~ with appropriate rationale
139 and department approval, as long as it is publicly available or
140 submitted to the department pursuant to paragraph (b).

141 (4) COMPREHENSIVE STATEWIDE FLOOD VULNERABILITY AND SEA
142 LEVEL RISE DATA SET AND ASSESSMENT.—

143 (a) ~~By July 1, 2023,~~ The department shall develop and
144 maintain ~~complete the development of~~ a comprehensive statewide
145 flood vulnerability and sea level rise data set sufficient to
146 conduct a comprehensive statewide flood vulnerability and sea
147 level rise assessment. In developing and maintaining the data
148 set, the department shall, in coordination with the Chief
149 Resilience Officer and the Florida Flood Hub ~~for Applied~~
150 ~~Research and Innovation~~, compile, analyze, and incorporate, as
151 appropriate, information related to vulnerability assessments
152 and critical asset inventories submitted to the department
153 pursuant to subsection (3) or any previously completed
154 assessments that meet the requirements of subsection (3).

155 1. The Chief Science Officer shall, in coordination with
156 the Chief Resilience Officer and the Florida Flood Hub ~~necessary~~
157 ~~experts and resources~~, develop statewide sea level rise
158 projections that incorporate temporal and spatial variability,

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159 to the extent practicable, for inclusion in the data set. This
160 subparagraph does not supersede regionally adopted projections.

161 2. The data set must include information necessary to
162 determine the risks to inland and coastal communities,
163 including, but not limited to, elevation, tidal levels, and
164 precipitation.

165 (b) ~~By July 1, 2024,~~ The department, in coordination with
166 the Chief Resilience Officer and the Florida Flood Hub, shall
167 complete a comprehensive statewide flood vulnerability and sea
168 level rise assessment that identifies inland and coastal
169 infrastructure, geographic areas, and communities in this ~~the~~
170 state which ~~that~~ are vulnerable to flooding and sea level rise
171 and the associated risks.

172 1. The department shall use the comprehensive statewide
173 flood vulnerability and sea level rise data set to conduct the
174 assessment.

175 2. The assessment must incorporate local and regional
176 analyses of vulnerabilities and risks, including, as
177 appropriate, local mitigation strategies and postdisaster
178 redevelopment plans.

179 3. The assessment must include an inventory of critical
180 assets, including regionally significant assets, that are
181 essential for critical government and business functions,
182 national security, public health and safety, the economy, flood
183 and storm protection, water quality management, and wildlife

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184 habitat management, and must identify and analyze the
185 vulnerability of and risks to such critical assets. When
186 identifying critical assets for inclusion in the assessment, the
187 department shall also take into consideration the critical
188 assets identified by local governments and submitted to the
189 department pursuant to subsection (3).

190 4. The assessment must include the 20-year and 50-year
191 projected sea level rise at each active NOAA tidal gauge off the
192 coast of this state as derived from the statewide sea level rise
193 projections developed pursuant to paragraph (a).

194 (c) The department, in coordination with the Chief
195 Resilience Officer and the Florida Flood Hub, shall update the
196 comprehensive statewide flood vulnerability and sea level rise
197 data set with the best available information each year and shall
198 update the assessment at least every 5 years. ~~The department may~~
199 ~~update the data set and assessment more frequently if it~~
200 ~~determines that updates are necessary to maintain the validity~~
201 ~~of the data set and assessment.~~

202 (5) STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE
203 PLAN.—

204 (a) ~~By December 1, 2021, and~~ Each December 1 thereafter,
205 the department shall develop a Statewide Flooding and Sea Level
206 Rise Resilience Plan on a 3-year planning horizon and submit it
207 to the Governor, the President of the Senate, and the Speaker of
208 the House of Representatives. The plan must consist of ranked

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209 projects that address risks of flooding and sea level rise to
210 coastal and inland communities in the state. All eligible
211 projects submitted to the department pursuant to this section
212 must be ranked and included in the plan. Each plan must include
213 a detailed narrative overview describing how the plan was
214 developed, including a description of the methodology used by
215 the department to determine project eligibility, a description
216 of the methodology used to rank projects, the specific scoring
217 system used, the project proposal application form, a copy of
218 each submitted project proposal application form separated by
219 eligible projects and ineligible projects, the total number of
220 project proposals received and deemed eligible, the total
221 funding requested, and the total funding requested for eligible
222 projects.

223 (b) ~~The plan submitted by December 1, 2021, before the~~
224 ~~comprehensive statewide flood vulnerability and sea level rise~~
225 ~~assessment is completed, will be a preliminary plan that~~
226 ~~includes projects that address risks of flooding and sea level~~
227 ~~rise identified in available local government vulnerability~~
228 ~~assessments and projects submitted by water management districts~~
229 ~~that mitigate the risks of flooding or sea level rise on water~~
230 ~~supplies or water resources of the state. The plan submitted by~~
231 ~~December 1, 2022, and the plan submitted by December 1, 2023,~~
232 ~~will be updates to the preliminary plan. The plan submitted by~~
233 December 1, 2024, and each plan submitted by December 1

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234 thereafter;⁷

235 1. Shall primarily address risks of flooding and sea level
236 rise identified in the comprehensive statewide flood
237 vulnerability and sea level rise assessment; and

238 2. May include, at the discretion of the department in
239 consultation with the Chief Resilience Officer, other projects
240 submitted pursuant to paragraph (d) which address risks of
241 flooding and sea level rise to critical assets not yet
242 identified in the comprehensive statewide flood vulnerability
243 and sea level rise assessment.

244 (c) Each plan submitted by the department pursuant to this
245 subsection must include all of the following information for
246 each recommended project:

- 247 1. A description of the project.
- 248 2. The location of the project.
- 249 3. An estimate of how long the project will take to
250 complete.
- 251 4. An estimate of the cost of the project.
- 252 5. The cost-share percentage available for the project.
- 253 6. A summary of the priority score assigned to the
254 project.
- 255 7. The project sponsor.

256 (d)1. ~~By September 1, 2021, and~~ Each September 1
257 ~~thereafter,~~ all of the following entities may submit to the
258 department a list of proposed projects that address risks of

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259 flooding or sea level rise identified in the comprehensive
260 statewide flood vulnerability and sea level rise assessment or
261 vulnerability assessments that meet the requirements of
262 subsection (3):

263 a. Counties.

264 b. Municipalities.

265 c. Special districts as defined in s. 189.012 which that
266 are responsible for the management and maintenance of inlets and
267 intracoastal waterways or for the operation and maintenance of a
268 potable water facility, a wastewater facility, an airport, or a
269 seaport facility.

270 d. Regional resilience entities acting on behalf of one or
271 more member counties or municipalities.

272
273 For the plans submitted by December 1, 2024, such entities may
274 submit projects identified in existing vulnerability assessments
275 that do not comply with subsection (3) only if the entity is
276 actively developing a vulnerability assessment that is either
277 under a signed grant agreement with the department pursuant to
278 subsection (3) or funded by another state or federal agency, or
279 is self-funded and intended to meet the requirements of
280 paragraph (3)(d) 2021; December 1, 2022; and December 1, 2023,
281 ~~such entities may submit projects identified in existing~~
282 ~~vulnerability assessments that do not comply with subsection~~
283 ~~(3). A regional resilience entity may also submit proposed~~

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284 ~~projects to the department pursuant to this subparagraph on~~
285 ~~behalf of one or more member counties or municipalities.~~

286 2. ~~By September 1, 2021, and~~ Each September 1 thereafter,
287 all of the following entities may submit to the department a
288 list of any proposed projects that address risks of flooding or
289 sea level rise identified in the comprehensive statewide flood
290 vulnerability and sea level rise assessment or vulnerability
291 assessments that meet the requirements of subsection (3), or
292 that mitigate the risks of flooding or sea level rise on water
293 supplies or water resources of the state and a corresponding
294 evaluation of each project:

- 295 a. Water management districts.
- 296 b. Drainage districts.
- 297 c. Erosion control districts.
- 298 d. Flood control districts.
- 299 e. Regional water supply authorities.

300 3. Each project submitted to the department pursuant to
301 this paragraph for consideration by the department for inclusion
302 in the plan must include all of the following information:

- 303 a. A description of the project.
- 304 b. The location of the project.
- 305 c. An estimate of how long the project will take to
306 complete.
- 307 d. An estimate of the cost of the project.
- 308 e. The cost-share percentage available for the project.

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309 f. The project sponsor.

310 (e) Each project included in the plan must have a minimum
311 50 percent cost share unless the project assists or is within a
312 ~~financially disadvantaged small~~ community eligible for a reduced
313 cost share. For purposes of this section, the term "~~financially~~
314 ~~disadvantaged small~~ community eligible for a reduced cost share"
315 means:

316 1. A municipality that has a population of 10,000 or
317 fewer, according to the most recent April 1 population estimates
318 posted on the Office of Economic and Demographic Research's
319 website, and a per capita annual income that is less than the
320 state's per capita annual income as shown in the most recent
321 release from the Bureau of the Census of the United States
322 Department of Commerce that includes both measurements; ~~or~~

323 2. A county that has a population of 50,000 or fewer,
324 according to the most recent April 1 population estimates posted
325 on the Office of Economic and Demographic Research's website,
326 and a per capita annual income that is less than the state's per
327 capita annual income as shown in the most recent release from
328 the Bureau of the Census of the United States Department of
329 Commerce that includes both measurements; or

330 3. A municipality or county that has a per capita annual
331 income that is 75 percent less than the state's per capita
332 annual income as shown in the most recent release from the
333 Bureau of the Census of the United States Department of

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334 Commerce.

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337 **T I T L E A M E N D M E N T**

338 Remove lines 18-28 and insert:

339 Resilient Florida Grant Program funds; providing that
340 only certain communities are eligible for
341 preconstruction activities; revising vulnerability
342 assessment requirements; revising requirements for the
343 development and maintenance of the comprehensive
344 statewide flood vulnerability and sea level rise data
345 set and assessment; requiring the department to
346 coordinate with the Chief Resilience Officer and the
347 Florida Flood Hub to update the data set and
348 assessment at specified intervals; revising
349 requirements for the Statewide Flooding and Sea Level
350 Rise Resilience Plan; revising the purposes of the
351 funding for regional resilience entities; replacing
352 the term "financially disadvantaged small community"
353 with the term "community eligible for a reduced cost
354 share"; revising the definition of such term; making