

About Shoreline

news from the Florida Shore and Beach Preservation Association

April 2023

2023 Mid-Session Update

by Pepper Uchino, President

As Session 2023 hits the halfway mark, it is a good time to report on the priority bills we are tracking, starting with the budget. Full budgets were presented this week on the floors of the respective chambers. This sets up the budget to be completed on time.



While contentious issues may arise, there should be enough time to iron them out to finish this Session on time.

The most important budget lines for our members are for beach and inlet management, which is holding steady in both chambers at \$50M, and hurricane recovery funding of \$106M to fully implement DEP's recovery plan (\$100M was appropriated for DEP's post hurricane recover plan in the 2022 Special Session A). During each environmental budget presentation, the chairs continue to highlight beach funding. Obviously, our long-term advocacy strategy is paying off.

There are two substantial differences between the budgets for our interests. The House put in an additional \$50M for the hurricane reimbursement grant program. That program, originally passed in Special Session 2022A, provides a 1:1 matching reimbursement for sand placement and/or permanent or temporary armoring up to \$150,000 for private individuals (read more about the program in the January Shoreline). The Senate does not include this funding. The second is funding outside the traditional beach program for the Ponte Vedra beach and dune project. Of a total request of \$25M, the House has \$12.5M, while the Senate only has \$500,000. This will certainly be a point of negotiation as we move forward with allocations and conference meetings.

Regarding substantive legislation, the highest priority bill we are tracking is SB 1072 (Rodriguez)/HB 979 (Gossett-Seidman) – Deepwater Port Dredging. The bill continues to move in both chambers with amendments

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to keep them nearly identical – the most recent amendment excludes maintenance dredging of deepwater ports from the provisions of the bill, but this amendment simply reinforces an exemption that already exists in law. The full bill language is provided below. The difference between the house and senate bills is minimal now. The House exempts maintenance dredging for ports permitted or maintained by USACE, while the Senate exempts all deepwater port maintenance dredging.

The bill directs DEP, as a condition of a permit issued for maintenance dredging of deepwater ports and beach restoration projects pursuant to section 403.816, F.S., to require that any analysis to determine the adverse impacts of the activity on the natural habitat be conducted by an independent contractor selected by the local government and that the analysis be conducted in a manner prescribed by DEP. The bill prohibits the independent contractor who is conducting the analysis from associating with any project of the contractor performing the activity for the local government for a period of five years prior to the commencement of the analysis and for a period of five years after the completion of the analysis. The bill requires the local government provide written notice of its intent to adjacent local governments that may be impacted by the activity.

Of our many concerns, several are highlighted below:

- Maintenance dredging of deepwater ports is exempt from permitting under Chapters 403 and 373, F.S., and new construction projects associated with deepwater ports are not included in the bill.
- The bill does not define “natural habitats” or the scope of the adverse impacts to include in the analysis.
- The effect of the bill is likely to disrupt construction schedules – especially on federal dredge projects and jeopardize the Corps’ readiness to place beach quality sand on critically eroded beaches or in nearshore areas.
- There will likely be a fiscal impact to local governments, and the bill will likely increase permit processing times and monitoring costs for beach restoration projects.
- The bill’s prohibition on association with a project firm 5 years pre- and post-construction is unrealistic and could drive Florida-based firms out of the market.
- The bill will likely have negative consequences on resource protection, at least in the short- to mid-term.

FSBPA is opposing the bill. There simply is no justification to modify the current requirements for beach restoration projects or potentially impact legacy projects. Local governments with new projects coming online and coastal and environmental companies are likely to be affected by this bill, as will the communities that need sand for storm protection because of project delays.

S. 403.816 (3), F.S. Permits for maintenance dredging of deepwater ports and beach restoration projects.–

(3) As a condition of a permit issued for a project pursuant to this section, the department shall require that any analysis to determine the adverse impacts of the activity on the natural habitat be conducted by an independent contractor selected by the local government and in a manner prescribed by the department. The independent contractor conducting the analysis may not be associated with any project of the contractor performing the activity for the local government for a period of 5 years before the commencement of the analysis and for a period of 5 years after the completion of the analysis. The local government shall provide written notice of its intent to have an analysis conducted to adjacent local governments that may be impacted by the activity. However, this subsection does not apply to any deepwater port maintenance dredging currently permitted or maintained by the United States Army Corps of Engineers.
(italics added to show the difference in the House bill)



Call for Abstracts is Open

FSBPA and Resiliency Florida are pleased to announce the 2023 Florida Resilience Conference will take place at the Marriott Harbor Beach in Fort Lauderdale, September 27-29. We are picking up where we left off before the devastating landfall of Hurricane Ian, by gearing up to host the state's largest resilience focused conference. Be sure to save the date!

The planning committee is accepting abstracts for consideration in the program through June 16th. Beach management will be a main track on the meeting agenda for the 66th consecutive year. If you would like to submit an abstract for consideration, please focus on policy, planning, funding, legal, or project innovations in one of the four featured subject areas of beach management, energy, green and gray infrastructure, or smart planning.

Details about registration, sponsorships, and exhibits will be announced soon. The FSBPA Awards Banquet will take place on Thursday evening, September 28, and award nominations will open this summer.

For more information or abstract ideas, go to our [conference website](#) or feel free to email us at mail@fsbpa.com. Submit your abstract [here](#).

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Corps Appropriated Funds for Maintenance Dredging of New Pass

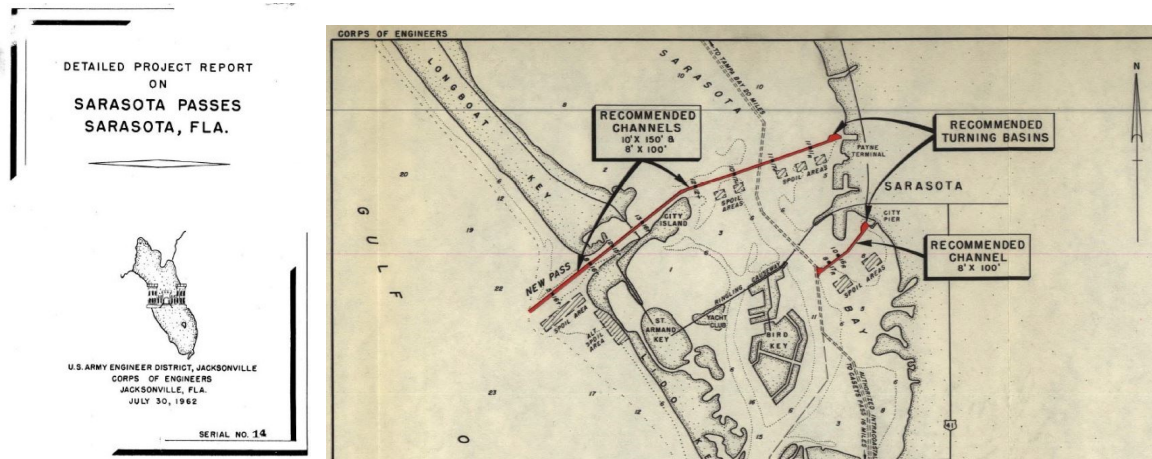
by Bryan Merrill, U.S. Army Corps of Engineers Jacksonville District



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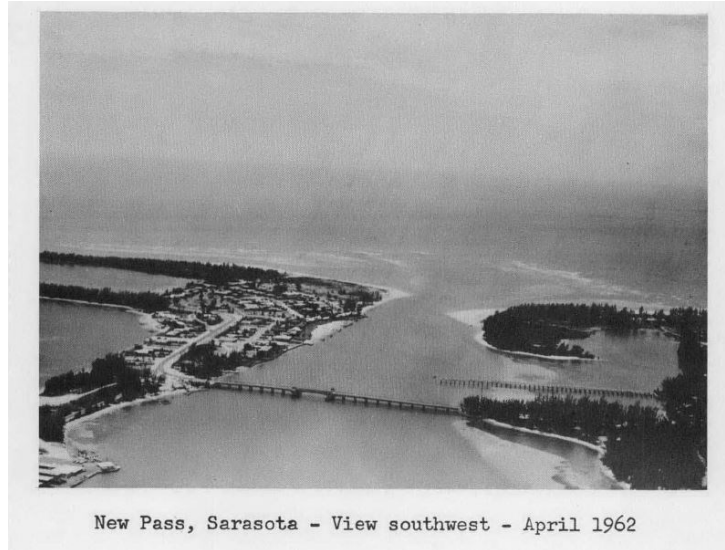
The Jacksonville District, U.S. Army Corps of Engineers (USACE) was recently appropriated funds from the Disaster Relief Supplemental Appropriations Act to perform maintenance dredging of New Pass in Sarasota County, Florida. Design and permitting efforts will begin this summer in preparation for dredging in the fall of 2024.

The history of the Federal navigation project dates back to Section 107 of the River and Harbor Act of 1960. The act established procedures for Federal construction of small river and harbor improvements not specifically authorized by Congress. The Jacksonville District completed a Detailed Project Report in 1962 on Sarasota Passes which concluded that the need for safe access for recreational craft between the gulf and Sarasota Bay could be best and most economically fulfilled by improvement of New Pass and interior connecting channels. The recommended improvements included an entrance channel 10 feet deep and 150 feet wide, an inner channel 8 feet deep and 100 feet wide through New Pass and extending across Sarasota Bay to the authorized Intracoastal Waterway and side channels and turning basins to Payne Terminal and the City Pier. The project was initially constructed in 1964 and has been maintained periodically over the years by both local interests and USACE.



Recommended Plan from 1962 Detailed Project Report

For nearly 60 years, New Pass has been essential to local navigation and also serves as a critical sand source for adjacent coastal communities due to the collaboration of many stakeholders to include Sarasota County, City of Sarasota, Town of Longboat Key, West Coast Inland Navigation District (WCIND), Florida Department of Environmental Protection (FDEP), U.S. Coast Guard and USACE. The most recent dredging projects at the pass was completed in the summer of 2021 by local interests. The next project, to be performed by USACE, will place sand on Lido Key in accordance with the inlet management plan.



Aerial view of New Pass prior to Federal navigation project from 1962 Detailed Project Report

Lido Key also benefits from an authorized Federal beach project which includes over 1.5 miles of beach berm and two rock groins near South Lido Beach. Initial construction of the Lido Key beach project was completed in April 2021. The beach is estimated to be on a 5-year renourishment cycle with the actual timing to be informed by annual monitoring. While Longboat Key does not benefit from a Federal beach project, Section 8201 of the Water Resources Development Act (WRDA) of 2022 provided authorization of proposed feasibility studies to include the Town of Longboat Key, Florida for whole island hurricane and storm damage risk reduction. Future initiation of the feasibility study will be dependent upon the project being selected as a new start study and associated allocation of federal funds as part of the annual Congressional process.



Construction of groin on Lido Key - March 2021

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The Florida Department of Environmental Protection (DEP) Announces Grants Webinar Series and open Pre-Application Assistance / Office Hours

The [Florida Department of Environmental Protection](#) (DEP) Announces New Resilient Florida Grants Webinar Series and Pre-application Office Hours

The Resilient Florida program will host an informational webinar series leading up to and during the 2023 grant application period (July 1 – Sept 1).

The Resilient Florida program assists Florida communities in preparing for and dealing with the effects of sea level rise, especially coastal flooding, erosion, and ecosystem changes. This series of webinars will help communities prepare for grant application opportunities.

Webinar 1: Florida Adaptation Planning Guidebook. April 19, 2023, 10-11:30 a.m. EDT [Join online.](#)

Webinar 2: 62S-8 Program Guidance for Applicants. May 17, 2023, 10-11:30 a.m. EDT [Join online.](#)

Webinar 3: Planning and Implementation Grant Q&A and Portal Navigation. June 21, 2023 10-11:30 a.m. EDT [Join online.](#)

Webinar 4: General Portal Q&A. July 26, 2023, 10-11:30 a.m. EDT [Join online.](#)

DEP will also offer entities a unique opportunity to contact [Resilient Florida](#) program staff for pre-application review and assistance prior to applying for [Resilient Florida grants](#). Staff will be available to assist with eligibility checks, pre-submittal application review and the preparation of GIS files.

- Staff will dedicate time between **April 1 and June 15** to help with any necessary application support.
- After the portal opens for application submission on **July 1**, staff will be available as time allows.

Assistance cannot be guaranteed after **Aug. 15**, as volume may be high before the portal closes on **Sept. 1**.

Resilient Florida will also hold weekly virtual “office hours” via Microsoft Teams during the pre-application assistance period. Office hours will be recurring on Tuesdays and Thursdays.

When: Tuesdays, 9:30 to 11:30 a.m.

How: [Join online](#)

When: Thursdays, 2 to 4 p.m.

How: [Join online](#)

Applicants are encouraged to call the Resilient Florida program at 850- 245-7600 or email Resilience@FloridaDEP.gov to take advantage of this opportunity.

Additional information, important dates and links to helpful webinars can be found on the DEP website at [Resilient Florida resources website](#).

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Shoreline

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CALENDAR OF EVENTS**FSBPA Events**

September 27-29, 2023

**2nd Annual Florida Resilience Conference
Featuring the 66th FSBPA Annual Meeting**

**Marriott Harbor Beach Resort
Fort Lauderdale, FL**

February 7-9, 2024

**37th Annual National Conference on
Beach Preservation Technology**

**Embassy Suites
St. Augustine, FL**

Other Events

April 11-15, 2023

Coastal Sediments Conference

New Orleans, LA

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