



Wrap-Up of the 2024 Regular Legislative Session

by Pepper Uchino, President

With many a pause in legislative floor action to bid farewell to members with expiring terms or other opportunities, we also say goodbye to the 2024 Regular Session. By all accounts, this Session was remarkably smooth, albeit with a rather bumpy policy ride for beaches. The budget was passed, and all work concluded by midafternoon on March 8th.



SB 5001, the budget bill, was just under \$117.5B, including almost \$1.5B in tax relief. The Legislature also put \$10B in reserves. Trust fund spending was \$68.1B, with general revenue filling the remainder at \$49.4B. For reserves, \$5.1B is unallocated general revenue, \$4.4B goes to the budget stabilization fund, and \$500M goes to the Emergency Preparedness and Response Fund.

APPROPRIATIONS

Our governmental strategy was to retain the \$50 million in recurring Land Acquisition Trust Fund (LATF) dollars for beaches. Even though local government funding requests exceeded \$50M for FY 2024/25, in talking with DEP as soon as the list was final, programmatic staff assured me there was enough unallocated funds to cover the full list. In coming years, we will be pushing for additional recurring to cover increasing cost and complexities of beach and inlet projects, but for now, we've settled in at

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\$50M and continue to be supplemented by the last remaining balances of the historic funding from the Covid years. In an otherwise busy session for FSBPA, at least our budget line was closed out in the first agriculture and natural resources budget conference committee, indicating continued strong support for beaches funding.

In addition to regular beach funding, our other priority budget issue was expanding the hurricane restoration reimbursement grant program for additional sand placement. As you recall, the program received two tranches of \$50M each. The dollar-for-dollar reimbursement program for armoring and sand placement for individuals, which was later expanded to multifamily units, is severely underutilized. Language is included in the implementing bill that will allow for sand placement by individual and multifamily units without match. It will also make available half the remaining funds as of July 1, 2024, to local governments for large scale sand projects, also without a match requirement. Below are details for specific beach funding for FY2024-25, which totals approximately \$96M for all line items, including the anticipated funds from the implementing bill.

The Traditional Statewide Beach Budget for FY2024/25

TOTAL - \$50M

1856 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY BEACH PROJECTS - STATEWIDE FROM LAND ACQUISITION TRUST FUND . .	50,000,000
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Funds in Specific Appropriation 1856 are provided to the Department of Environmental Protection for distribution to beach and inlet management projects consistent with any component of the comprehensive long-term management plan developed in accordance with section 161.161, Florida Statutes. Funds may be used in accordance with section 161.101, Florida Statutes, for projects on annual ranked lists, storm repair projects, or projects on lands managed by the state.

Other beach and inlet funding in HB 5001/HB 5003

“Back of the bill” and Implementing Bill

Section 163 of HB 5001– Reverts and reappropriates unexpended balances in the Hurricane Restoration Reimbursement Grant Program to DEP - approximately \$80M. This section must be read in conjunction with Section 72 of HB 5003, the budget implementing bill, which expands the hurricane restoration reimbursement grant program to include additional sand placement for property owners affected by Ian and Nicole with no match requirement. More importantly for our purposes, after 7/01/2024, half of remaining funds in the program will be made available to local governments affected by Ian and Nicole with no match requirement for large scale sand placement needs. **The funding will be available on a first-come, first-served basis. Projects must be completed by 7/01/2025.**

There were two other beach-related line items in the budget. Ponte Vedra Beach and Dune Restoration received an additional \$4.75M. The line item in the budget is 1856B. The other is the Palm Beach Shores – Lake Worth Inlet/Singer Island Channel Dredging Project to remove sand from inlet/shoal for \$1M. I do not know what will happen with the sand, but statutorily it should be put on adjacent beaches if it is beach-quality sand.

OTHER ENVIRONMENTAL APPROPRIATIONS ISSUES

This budget includes slightly less than last year's record for environmental programs. It reflects the belt tightening that was expected as continued nonrecurring spending ate into anticipated dwindling surpluses. As usual, resilience, everglades, and water spending were near the top of the list, but significant funds were allocated to land acquisition once again. In an unusual twist, a substantive bill dealing with the gaming compact included major environmental spending. Coral reef restoration and harmful algal bloom research and implementation saw significant boosts in allocations again this year for a total of \$48.3M. The following is a partial list of budget items we tracked in the environmental silo that were included in HB 5001.

AGRICULTURE AND NATURAL RESOURCES SPENDING

SB 1638 – Environmental Resource Management (Gaming Compact Revenue)

- Land Acquisition - \$100M
- Land Management - \$100M
- Resilient Florida Grant Program - \$100M
- Water Quality Grant Program - \$79M

Department of Agriculture & Consumer Services

Total: \$3.1 billion

- Rural and Family Lands Protection Program - \$100M
- Road/Bridge and Facility Maintenance - \$14M
- Reforestation Program - \$4M
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Department of Environmental Protection

Total: \$3.4 billion

- Everglades Restoration and South Florida WMD Operations - \$702M
- Water Quality Improvements - \$1.7B
- Indian River Lagoon WQI - \$75M
- Biscayne Bay Water Quality Improvements - \$20M
 - ◇ Water Quality Improvements - Blue Green Algae Task Force - \$10.8M
 - ◇ Innovative Technology Grants for Harmful Algal Blooms - \$10M
 - ◇ Harmful Algal Bloom Grants - \$10M
 - ◇ Springs Restoration - \$55M
- Flood and Sea-Level Rise Program - \$125M
- Florida Forever Programs and Land Acquisition - \$528.6M
- Florida Keys Area of Critical State Concern - \$20M
- Lake Apopka Restoration - \$5M
- Beach Management Funding Assistance - \$50M
- Land and Water Conservation Grants - \$16.9M
- Local Parks - \$17.9M
- State Parks Maintenance and Repairs - \$15.5M
- Coral Reef Research and Restoration – 18.5M

Fish & Wildlife Conservation Commission

Total: \$585.3M

- Pier Access and Replacement and Renovation - \$8M
- Wildlife Habitat Restoration Projects - \$8.5M
- Wildlife Management Area Improvements - \$6.5 million; 4 positions
- Artificial Reef Program - \$5.6 million

SUBSTANTIVE BILLS PASSED DURING SESSION

The following two bills have new reporting requirements for local governments and special districts, respectively:

[HB 165](#) (Gossett-Seidman)/[SB 338](#) (Berman) – Sampling of Beach Waters and Public Bathing Spaces – NEW REPORTING REQUIREMENTS FOR LOCAL GOVERNMENTS

In an exceptionally rare situation, this bill passed without its Senate companion. The bill:

- Mandates DOH to issue health advisories within 24 hours or the next business day if water quality does not meet standards and requires closure of affected areas if deemed necessary for public health. Closures remain until sampling proves the water is safe.
- Requires local governments, and owners of public boat docks, marinas, and piers to notify DOH of incidents affecting water quality within 24 hours or the next business day.
- Requires DEP to investigate nearby wastewater facilities for contributing incidents.
- Requires DOH to adopt a standard health advisory sign for posting at beach access points and affected areas, detailing sign size and posting requirements.
- Assigns responsibility for posting and maintaining health advisory signs to municipalities, counties, and DEP for affected areas under their jurisdiction, coordinating with FWC as necessary.

[HB 7013](#) (Persons-Mulicka)/[SB 1058](#) (Hutson) – Special Districts – NEW REPORTING REQUIREMENTS FOR SPECIAL DISTRICTS

In relevant part, the bill makes several important changes related to special districts, including new reporting requirements relating to performance measures and standards.

- By October 1, 2024, all special districts must establish goals and objectives for each program and activity undertaken by the district, as well as performance measures and standards to determine if the goals and objectives are being achieved.
- By December 1 of each year, each special district must post an annual report on the district's website describing the goals and objectives achieved as well as the performance measures and standards used, and any goals or objectives the district failed to achieve.
- The bill repeals provisions that allow special districts to convert to a municipality without legislative approval.
- For independent special districts, the bill also provides 12-year term limits for governing board members and provides that the boundaries of the district can only be changed by the Legislature.

SB 602 (DiCeglie)/HB 321 (Chaney, and others) – Release of Balloons

The bill:

- Prohibits the intentional release of any number of balloons inflated with a gas lighter than air, with exceptions for governmental or scientific purposes, hot air balloons that are recovered after launching, and balloons released indoors.
- Removes the exemption for biodegradable or photodegradable balloons from the prohibition, as it was determined this exemption was not effective.
- Specifies that violating the prohibition constitutes a noncriminal littering infraction, with penalties.
- Exempts children six years of age or younger.
- Amends the definitions of "dump" and "litter" to include the intentional release of balloons.

SB 1360 (Gruters)/HB 1565 (Grant) – Red Tide Mitigation and Technology Development Initiative

The bill:

- Directs the initiative to develop field trial deployment recommendations after successfully testing red tide mitigation technologies and approaches, then report findings to relevant state agencies.
- Requires DEP to evaluate the recommended technologies and approaches.
- Requires DEP to submit its evaluation to Mote Marine Laboratory within 60 days of receiving the report.
- Requires DEP to amend regulatory or permitting processes, ensuring timely deployment of effective technologies and approaches if existing permits are deemed insufficient.
- Specifies DEP must expedite regulatory reviews for the recurring use of these technologies and approaches to control and mitigate red tide or similar harmful algal blooms.
- Removes the expiration date of the initiative.

SB 1386 (Calatayud)/HB 1557 (Chaney) – Department of Environmental Protection

In relevant part, the bill:

- Designates the Kristin Jacobs Coral Reef Ecosystem Conservation Area as an aquatic preserve, *which FSBPA will monitor closely to ensure no adverse impacts to beach and inlet projects.*
- Expands the types of projects undertaken by municipalities and counties that may be awarded funding by the Resilient Florida Grant Program, and expands the information that must be submitted to DEP when vulnerability assessments are funded.
- Requires DEP to coordinate with the Chief Resilience Officer as well as the Florida Flood Hub for Applied Research and Innovation (Florida Flood Hub) in developing and maintaining the sea level rise data set and in updating the comprehensive statewide flood vulnerability and sea level rise data set, and requires that the assessment be updated at least every five years.
- Requires the Chief Science Officer to coordinate with the Chief Resilience Officer and the Florida Flood Hub when developing statewide sea level rise projections.

As you recall from the frequent updates in the weekly reports, we were closely monitoring the portion of the bill creating the new aquatic preserve. DEP is on the record in committee testimony and written comments that the new AP will not negatively impact beach and inlet projects. I have glitch language ready to go in case there are any unintended consequences from this bill.

SB 1526 (Avila)/HB 1647 (Roach) – Local Regulation of Nonconforming and Unsafe Structures

The bill creates the “Resiliency and Safe Structures Act” and allows demolition of certain buildings under certain conditions. Specifically, the bill provides that a local government:

- May not prohibit, restrict, or prevent, other than public safety, the demolition of any structure seaward of the coastal construction control line that is also a:
 - ◇ Nonconforming structure, i.e., a structure that does not conform to the base flood elevation requirements for new construction issued by the National Flood Insurance Program for the applicable flood zone.
 - ◇ Structure determined to be unsafe by the local building official.
 - ◇ Structure ordered to be demolished by the local government.
- May only administratively review an application for a demolition permit for such a structure for compliance with the building code, the fire prevention code, and any regulation applicable to a similarly situated parcel, but may not impose additional local land development regulations or public hearings on an applicant for such a demolition permit.
- Must authorize replacement structures to be developed to the maximum height and overall building size authorized by local development regulations.

Additionally, the bill also prohibits local governments from:

- Limiting the development potential of replacement structures below the maximum development potential allowed by local development regulations.
- Requiring replication or preservation of elements of a demolished structure.
- Imposing additional regulatory or building requirements on replacement structures or development applications not otherwise applicable to a similarly situated parcel in the same zoning district.
- Adopting or enforcing a law that in any way limits application of the bill’s provisions.

The bill clarifies that these provisions do not apply to any structure that is:

- A single-family home,
- Individually listed on the National Register of Historic Places,
- A contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or on a barrier island in a municipality with a population of less than 10,000 with at least six city blocks not located in zones V, VE, AO, or AE, as identified in the Flood Insurance Rate Map. The provisions may be applied retroactively.

[SB 1638 \(Hutson\)/HB 1417 \(Buchanan\)](#) – Funding for Environmental Resource Management

This is the bill reference in the above “appropriations” section to provide supplemental funding to environmental resources management. The Seminole Indian Gaming Compact, signed by the tribe and the state in 2021, establishes minimum payments for the first 5 years. The bill assigns those revenues and makes other policy changes as follows:

- Requires the Department of Revenue to, upon receipt, deposit 96 percent of any revenue share payment received under the 2021 Compact into the Indian Gaming Revenue Clearing Trust Fund within the Department of Financial Services. The funds must be distributed each fiscal year in the following manner:
 - ◇ The lesser of 26.042 percent or \$100 million to support the Florida Wildlife Corridor.
 - ◇ The lesser of 26.042 percent or \$100 million for the management of uplands and removal of invasive species, divided between FWC, DEP, and the Department of Agriculture and Consumer Services (DACS).
 - ◇ The lesser of 26.042 percent or \$100 million to DEP for the Statewide Flooding and Sea Level Rise Resilience Plan; and
 - ◇ The remainder to DEP for the Water Quality Improvement Grant Program.

The bill also creates the Local Trail Management Grant Program within DEP; authorizes FWC to enter into voluntary agreements with private landowners for environmental services within the corridor; revises the criteria for prioritizing projects within the Water Quality Improvement Grant Program; and requires the Land Management Uniform Accounting Council to recommend the most efficient and effective use of the funds available to state agencies for land management activities.

Additionally, the bill provides the following nonrecurring appropriations for the 2024-2025 Fiscal Year:

- \$32 million to FWC for control of invasive species and upland management.
- \$32 million to DACS for land management activities.
- \$100 million for land acquisition.
- \$150 million to the South Florida Water Management District for operations and maintenance.
- \$220 million to DEP for various programs and a study.

Lastly, the bill provides a \$2 million recurring appropriation beginning in fiscal year 2024-2025 to the University of Florida to continually update the corridor.

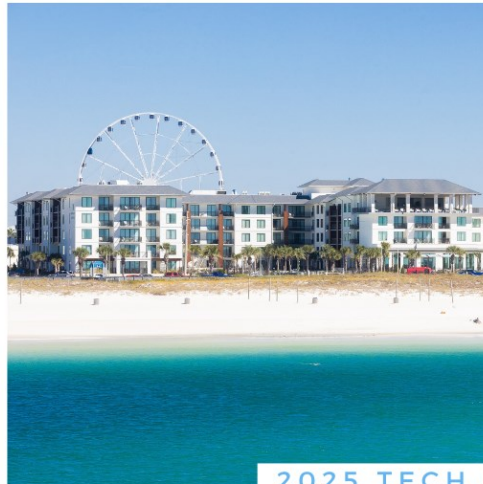
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Unveiling the 2025 Tech Conference Venue

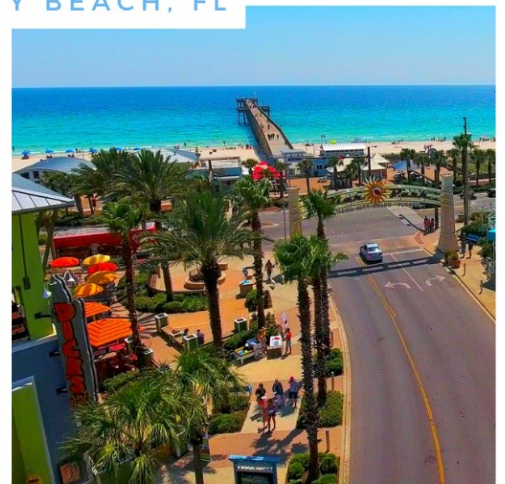
FSBPA is thrilled to announce the 2025 National Conference on Beach Preservation Technology will be held at the brand-new Embassy Suites in Panama City Beach from February 5-7. The elegant conference hotel opened last spring in Pier Park – a trendy dining and shopping destination. The venue is ideal for walking powdery white sand beaches, fishing, and spending a casual evening around the firepit with friends. We are sure you will love the boutique hotel, reminiscent of the St. Augustine Embassy Suites we have cherished for years. Plus, the conference room rates of \$129/night are quite reasonable, so consider extending your stay to explore the stunning beauty of Florida's Panhandle Gulf Coast.

Much has changed since 2018 when the conference was last held in the panhandle! This brand-new hotel is centrally located in Panama City Beach and is only a short drive from the Northwest Florida Beaches International Airport in Bay County. Beyond being just steps from the beach, Pier Park has everything you might need within walking distance including numerous restaurants and shopping. Once you arrive, you are likely not to even need a car for the duration of your conference stay!

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2025 TECH CONFERENCE
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The location and timing of the 2025 conference are perfect for governmental entities, NGOs, and the private sector to showcase their shore protection and emergency repair projects in Florida, as well as from other regions of the country. We'd love to hear your ideas for speakers and presentation topics, so please email us your thoughts, and don't forget to save the date for the 38th National Tech Conference.



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Tampa Harbor Improvements Provide Opportunities for Resilience

By Aubree Hershorin, U.S. Army Corps of Engineers, Jacksonville District



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The Tampa Harbor Navigation Improvement Study evaluates improvements to increase transportation efficiencies within the Tampa Harbor Federal Navigation Channel. This federal project covers roughly 70 miles of channels from the Gulf of Mexico to the City of Tampa, including Hillsborough River, Alafia River, and the Upper Channels. These channels not only serve vessels going to and from Port Tampa Bay, but also vessels transiting to and from Port Manatee, St. Petersburg Harbor, and Weedon Island.

The study has forecasted waterborne cargo volumes, traffic patterns, and vessel fleets and considered a wide range of structural and non-structural measures within and near Tampa Harbor that could address navigation inefficiencies within the system. The proposed deepening and improvements associated with the Recommended Plan will result in 21.2 million cubic yards of dredged material, which is approximately 25 times the amount dredged in any given year during current maintenance dredging activities in Tampa Bay (Figure 1).

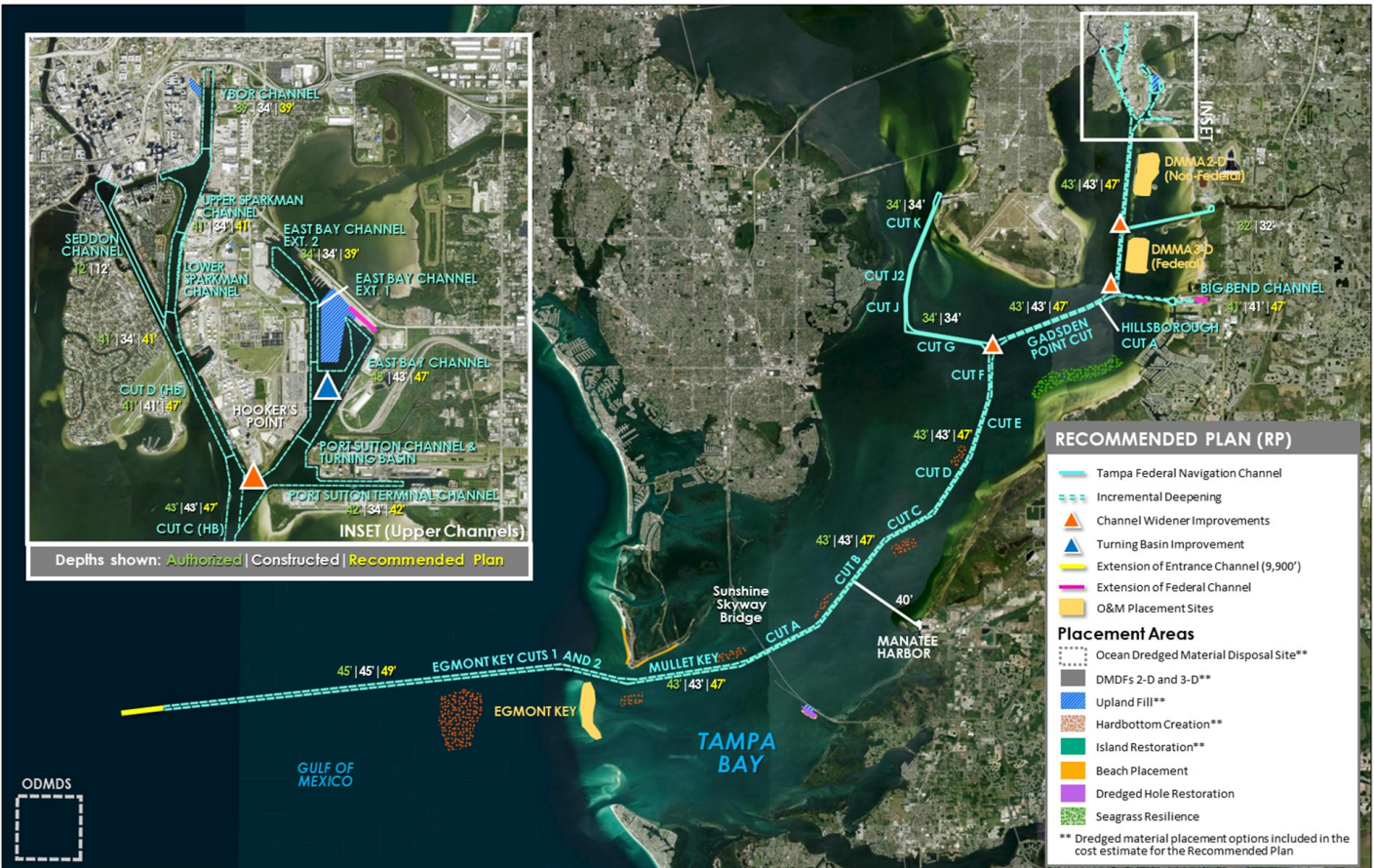


Figure 1. Features associated with the Tampa Harbor Navigation Improvement Study's Recommended Plan, along with the Placement Areas evaluated as part of the study.

There are only three “traditional disposal sites” located in Tampa Harbor: the Tampa Bay Ocean Dredged Material Disposal Site (ODMDS) and two upland containment sites. The Tampa Bay ODMDS is located between six and 50 miles from the dredging locations, making it an expensive option for dredged material placement, and the upland containment sites do not have enough capacity for the anticipated quantities of material. Throughout the feasibility study, the team has worked with various stakeholders and agency partners to develop additional dredged material placement options located in closer proximity to the dredging sites that would also provide environmental, economic, or recreational benefits.

Sediment type is one of the most important factors taken into consideration during the development of potential placement options for the dredged material. For example, beach placement options require sandy sediment that closely matches the characteristics of the beach, while only predominantly consolidated material can be used to create hardbottom habitat. The sediment characteristics of the in-situ material were evaluated throughout the Tampa Harbor channels, and volumes were calculated based on sediment type. Six placement sites were developed with the intent of increasing resilience in the region and creating or restoring habitat: Egmont Key (beach placement), Ft. DeSoto (beach placement), hardbottom creation (both offshore and in-bay), dredged hole restoration near the Sunshine Skyway (to restore seagrass habitat), a seagrass resilience site (to create seagrass habitat), and Alafia Banks Critical Wildlife Area (to restore island habitat for birds). Figure 2 shows the sediment characteristics for each channel segment and outlines the strategy for “matching” the sediment from each Tampa Harbor reach to a placement site based on sediment type. Any sediments that do not meet the criteria

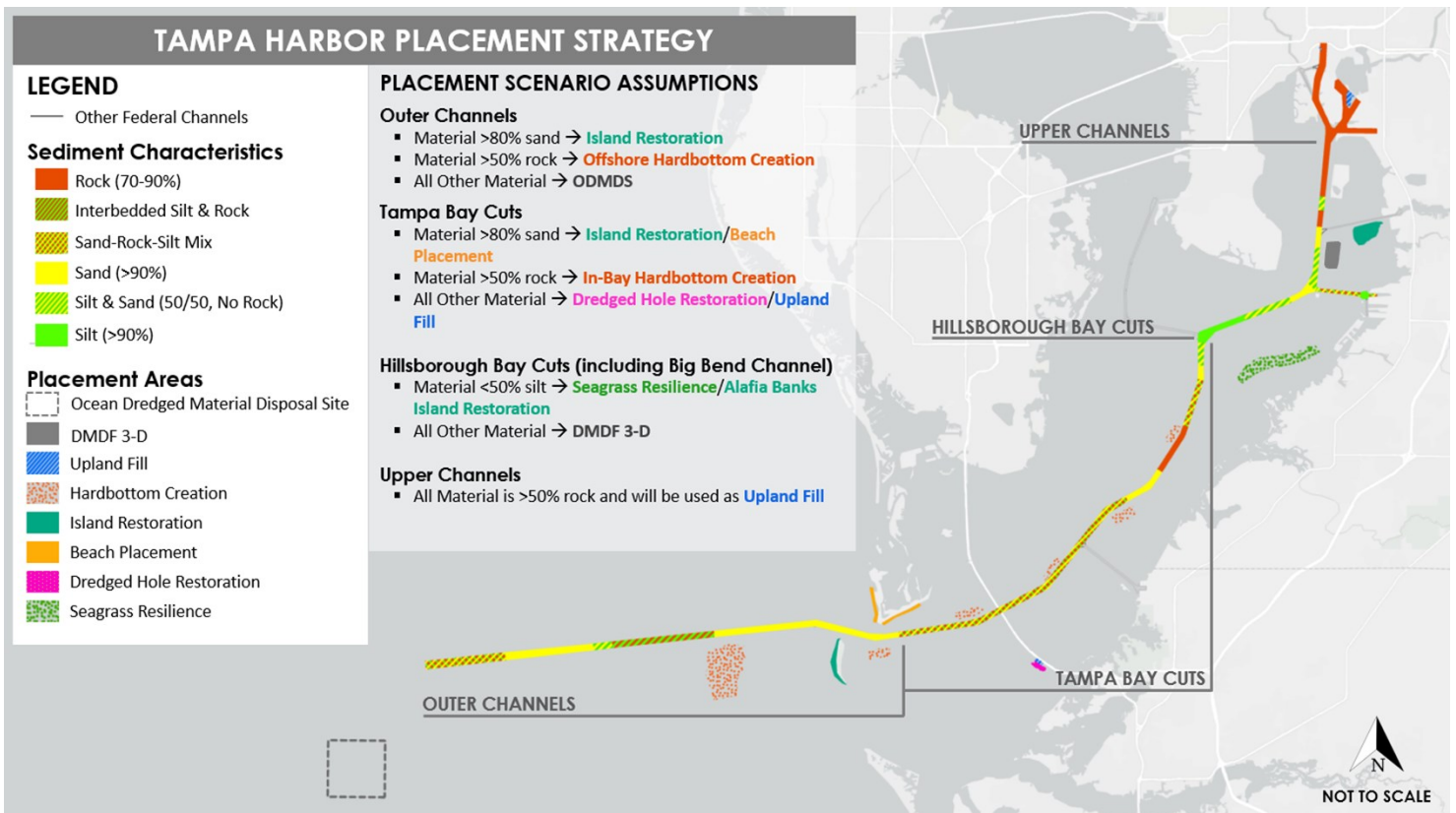


Figure 2. Sediment characteristics of the dredged material throughout the harbor, along with the placement strategy for identifying the most appropriate sediments to place at each beneficial use site.

listed in the “Placement Scenario Assumptions” would be placed either at the ODMDS or dredged material management area (DMMA) 3-D, an upland containment site in Hillsborough Bay.

The study team determined that Egmont Key and the hardbottom creation sites, which account for 65% of the dredged material, were the least cost placement options. This is close to USACE’s goal issued by the Chief of Engineers in January 2023 to beneficially use at least 70% of its dredged material by the year 2030. Achieving the beneficial use goal acknowledges that dredged material is a resource that can benefit the ecosystem, the economy, and the delivery of USACE projects. If all six beneficial use placement sites evaluated in the report are maximized, the project could successfully beneficially use up to 80% of the dredged material from the deepening project.

The three-year, \$4.5 million Tampa Harbor Navigation Improvement Study is expected to wrap up this year with the signing of the Chief’s Report. A Chief’s Report, upon signing by the Chief of Engineers, represents the U.S. Army Corps of Engineers (USACE) endorsement of the Recommended Plan that can then be transmitted to Congress for potential authorization and appropriation.

Through careful consideration during the feasibility process, the Tampa Harbor Navigation Improvement Study sets a strong foundation for ensuring that the future deepening of Tampa Harbor will make the best use of its dredged material by creating habitat and increasing resilience for future generations, in addition to providing the necessary channel improvements to serve the Nation.

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September 11-13, 2024

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