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news from the Florida Shore and Beach Preservation Association

July 2014

ANNUAL CONFERENCE September 24-26, 2014

Hyatt Regency Coconut Point, Bonita Springs, Florida

(Debbie Flack, President, 7/7)

FSBPA's upcoming fall conference has all the makings of an outstanding event. We hope you plan to join us for the 58th annual meeting to be held in Bonita Springs. We are especially excited about our host site, Lee County, and conference hotel. With the active involvement of FSBPA's Chair, Steve Boutelle, Lee County Natural Resources, and our newest



board member Tamara Pigott, Executive Director, Lee County Visitor & Convention Bureau, little is being left to chance, and expectations for the program, extended field trip and awards banquet are high.

We anticipate conference **brochures will be mailed next week** and presenters formally notified immediately thereafter. Subsequently, the program, with times, will be posted on-line as well as included in full in the next issue of *Shoreline*. Further, additional conference details, notices and changes to the program will be made on-line and in e-mail blasts.

Coming off a year that began with the undeniable realization that \$30 million annually was not adequate to sustain the statewide beach program, a simple advocacy strategy embraced by membership of

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September 24-26, 2014**

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**Stephen Leatherman
aka "Dr. Beach"**

**just announced the
[2014 Top Ten Beaches](#)**

and

**Florida receives
4 of the 10 spots!**

significantly increasing annual state funding, to celebrating a FY 2014/15 appropriation of \$47.3 million, we still must anticipate and prepare for the immediate challenges ahead as well as those FSBPA, as a local governmental association, must address for years to come.

As the upcoming conference program reflects, as advocates for Florida's beaches, we have an obligation to ensure that beach nourishment is considered as an adaptation strategy for addressing sea level rise. Dr. James Houston, FSBPA Board of Directors and Director Emeritus, U.S. Army Corps of Engineers Research and Development Center, will set the stage for an outstanding panel of involved decision makers and experts, led by James Murley, Executive Director, South Florida Regional Planning Council, for FSBPA's first extended dialogue on this important subject.

Using the conference forum, we must begin the formal discussion and justification of a proposed new dedicated funding level for the statewide beach management program, and demonstrate that the current statutory intent of \$30 million annually and recent Agency funding recommendations frequently less than this amount, will not sustain Florida's beaches going forward. We need historical documentation of unmet need and an estimated average of the backlog of projects to make an educated guess of "the new \$30 million" needed to take Florida's beaches into the future. With Constitutional Amendment 1, the Legacy Amendment, on November's ballot which could dramatically alter documentary stamp tax allocations, the dedicated source of beach funding, we must immediately focus on what is a reasonable and cost-effective new funding level and be sure we can demonstrate to decision-makers that the annual project ranking and selection process meets their expressed expectations regarding economic benefits, cost-effectiveness, capturing storm damage impacts, and maximizing federal and local matching funds. As early as next session, should the Legacy Amendment pass, we will have to be prepared to make sure beaches and their maintenance is part of any discussion of how a twenty-year set aside of one-third of the doc stamp revenues is to be allocated. ([An informative article on Amendment 1](#), by Eric Draper, Executive Director, Audubon Florida, is included in this issue of *Shoreline*, and Eric will also make a presentation at the conference).

These subjects and far more are on this fall's conference program including a special look at the first federal authorizing bill, WRRDA, in over 6 years; a number of host area presentations including the Keynote by the Chair, Steve Boutelle; DEP presentations on physical monitoring and nearshore hardbottom; and the participation of a number of U.S. Army Corps of Engineers, Jacksonville District personnel, following tradition with Colonel Alan Dodd's update. Add to this program a few provocative policy discussions, local government or project-specific presentations, an exceptional field trip, and we hope you agree that a proper balance between important, timely discussion and a good time has been achieved.

Please join us September 24-26!

AND THERE IS MORE...

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FSBPA Conference Field Trip

Thursday, September 25, 2014

Departure: Conference Hotel (Hyatt Coconut Point)
Time: 2:00 p.m. - 4:30 p.m.
Limited Space Available, Reservations Required

This year's FSBPA Conference field trip, organized by Lee County and the Lee County Visitor and Convention Bureau, will provide a unique perspective on the southern Lee County barrier islands. Starting with a boat trip from the Hyatt Regency Coconut Point Resort across Estero Bay aboard the Nautilus II, participants will have a chance to see three inlets and three beach nourishment projects. The inlets are small, Big Hickory Pass; medium, New Pass; and large, Big Carlos Pass, but all have significant relationships to adjacent critical erosion areas.



Bonita Beach
Photo courtesy of Lee County Visitor & Convention Bureau

At the southern end of the tour is Bonita Beach, constructed most recently in July 2014. This project was originally constructed in 1995 with all private funding, and included a pair of curved terminal structures designed to retain the beach fill and minimize the risk of Big Hickory Pass closure. Incorporation of the area within the City of Bonita Springs and addition of a public beach park resulted in the 2014 nourishment being completely government funded with sand from the Big Carlos Pass ebb shoal complex.

Working our way north will bring us to Big Hickory Island. Actually the smaller neighbor of Bonita Beach, Big Hickory Island beaches can only be accessed by water. The island is mostly conservation land but also is home to the beach park for the Hyatt and Pelican Landing Homeowners Association (PLHA). Subject to extreme erosion over the last several years, the Hyatt and PLHA funded a 2013 project to restore the beach with sand from the New Pass ebb shoal, and hold it with a field of adjustable king pile and panel groins. A stop at the PLHA dock will allow an up close view of this project area.



Big Hickory Island
Photo courtesy of Lee County Natural Resources

Continuing north will take us along Lovers Key to Big Carlos Pass, the sand source for the restoration of Lovers Key State Park in 2004 as well as the 2014 nourishment which should be under construction for our field trip. Lovers Key was the second most visited state park last year. While the project is not protecting infrastructure that may be atypical for most beach projects, the environmental and economic benefits are critical to Lee County.

The proximity of these projects, ongoing erosion and navigational concerns, and competition for sand and public resources ensure that this area will be a focal point of Lee County coastal management for years to come and should provide ample opportunity for discussion during the trip and afterwards. Departing from the Hyatt at 2 p.m. and returning around 4:30 p.m.

To sign-up for the field trip **you must be registered for the conference**. Due to the limited space availability, the field trip is only available to attendees and not guests or spouses of attendees. E-mail teri@fsbpa.com to sign-up for the field trip.



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Key Dates to Remember

- **August 8** - Awards Nomination DEADLINE
- **August 29** - last day Hotel Room Reservations guaranteed at \$139
- **Through August 29** - Early Conference Registration
- **After August 29** - Regular Registration

Conference Registration

Three ways to register

1. **ONLINE:** www.fsbpa.com/annual-conference.html
2. **MAIL:** Form and payment to:
FSBPA
PO Box 13146
Tallahassee, FL 32317-3146
3. **FAX or E-MAIL:** Form and credit card information to (850) 201-6782
or E-mail: mail@fsbpa.com
[Print the conference registration form](#)



If you would rather register by fax, e-mail, or mail, click on the link above to open the registration form in a pdf file format. Type your information directly into this pdf file and print. Then simply mail, e-mail, or fax your form to the address or number listed above.

Hotel Reservations

Hotel reservations should be made directly with the conference hotel, the **Hyatt Regency Coconut Point**.

[Click here to make your reservation online.](#)

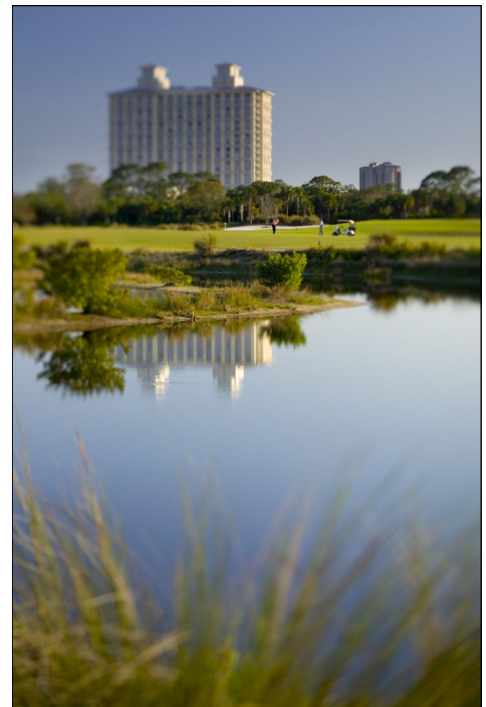
Or call **1.888.421.1442**.

Standard rooms, single or double are **\$149* plus tax**.

* A \$10 reduced resort fee is included in the group rate which includes complimentary self parking as well as complimentary internet access in guest rooms.

To ensure room availability, **reservations should be made by August 29, 2014.**

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Deadline is Friday, August 8, 2014

Awards Banquet
Thursday, September 25, 2014
6:30 to 9:00 p.m.

Awards Committee

Leanne Welch, Chair
Bill Smith
Jim Trifilio

You are invited to make nominations for FSBPA's Annual Conference Awards Program. The Awards will be presented during the Annual Awards Banquet on Thursday evening, September 25, 2014.

The Awards Committee is looking for specific activities and accomplishments of your nominee rather than general background. On a separate page, state why your nominee should be considered, listing specific reasons or accomplishments. Feel free to attach supportive materials which you believe merit consideration for an award.

Listed below are the award categories. **For complete details on submitting an award nomination, as well as the nomination form, visit www.fsbpa.com/annual-conference/awards.html.**

Annual Conference Award Categories

Stan Tait Award

For truly outstanding contributions in the preservation of Florida's beaches over a period of many years. These contributions may be for political, administrative, scientific, engineering or environmental achievements. This is FSBPA's highest award, named after the long-time leader of FSBPA. Non-Floridians are eligible.

Per Bruun Distinguished Service Award

For significant contributions in the cause of beach preservation. Unlike the Stan Tait Award, this can be awarded for a single noteworthy project or accomplishment. Non-Floridians are eligible. This award is named after the first Director of Coastal Engineering, University of Florida and founder of FSBPA in 1957.

Bob Dean Coastal Research Award

For outstanding research into beach and coastal processes which contributes to improved beach management. This award is named after the University of Florida distinguished research professor and FSBPA's Chair Emeritus.

Jim Purpura/T.Y. Chiu Engineering Award

For outstanding contribution to coastal engineering that enhances beach preservation. The award may be in recognition of innovative scientific research or for long excellence and contributions in coastal engineering. Non-Floridians are eligible. This award is named after the two scientists who pioneered Florida's coastal construction control line program.

The Richard E. Bonner Award

Recognizing outstanding service by an individual representing the U.S. Army Corps of Engineers.

Local Government Award

For a local government official who has contributed significantly to beach preservation and enhancement. Only Floridians are eligible.

Legislative Award

To the state or national lawmaker who has provided outstanding leadership in terms of funding or program support for managing our beaches.

Environmental Award

For outstanding contributions toward protection of the coastal environment.

Member of the Year Award

To a member of FSBPA, for outstanding service to the association.

Public Service Award

To a public employee whose service reflects admirably on the governmental sector, specifically in the area of beach management.

Private Citizen Award

For a private citizen who has made a significant contribution to the cause of beach preservation in Florida. Only Floridians are eligible.

Looking Back At Our 2013 AWARD WINNERS ...

To get you excited and involved in the nomination process for 2014 awards, we will look back at a few of our celebrated stars for 2013.

At the annual awards banquet, on Thursday evening, September 25, 2014, at 6:30 p.m., we will recognize what we have come to expect will be another stellar group of award winners during an enjoyable evening of good cheer and professional acknowledgement.

A few of the 2013 winners are highlighted below:



Jacqueline Keiser, Chief of the Coastal/Navigation Section, U.S. Army Corps of Engineers Jacksonville District was the recipient of the Association's highest award, the **Stan Tait Award**. Jackie was recognized for her exemplary service representing the U.S. Army Corps of Engineers as well as being an invaluable and vital partner in the challenging and ongoing task of protecting and restoring Florida's beaches.

FSBPA awarded the **Local Government Award** to **Commissioner Frannie Hutchinson** of St. Lucie County. Frannie was selected for her outstanding record and involvement over the years in support of the protection and preservation of Florida's beaches as well as her commitment to St. Lucie County's beach management program.



Left to right: Pat Pacitti, Frannie Hutchinson, and Richard Bouchard



Left to right: Brett Moore, Rochelle Moore, and Chris Moore

Brett Moore, P.E., and co-founder of Humiston & Moore Engineers was awarded the **Jim Purpura/T.Y. Chiu Award** for his truly outstanding contributions to Florida's beach management and regulatory program as well as his excellence in coastal engineering. Brett was nominated by his partner (co-founder) Ken Humiston with two of Florida's most respected coastal experts endorsing the nomination, Dr. Dean and Erik Olsen. Brett exemplifies the coastal engineering standards and ideals for which they stood and for which this award is given.

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Now you can start thinking of worthy nominees for 2014! It's a perfect time to reflect and recognize contributions from various sources and levels of government to the preservation of the State's beaches. Join us to express our appreciation!

[Click here](#) for more information on submitting an award nomination as well as a complete list of past award winners. **REMEMBER THE DEADLINE FOR AWARD NOMINATIONS IS AUGUST 8, 2014.**

This reinforces when we get it right!

FSBPA's highest policy award is deservedly the Dennis L. Jones Statesman Award.

Our "Sandman's" contributions to Florida's beaches were captured in this recent award and subsequent plaque. Dennis loved the sea oat planting in his honor on Treasure Island (Pinellas County)!



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This is a guest article on a subject that our local governments and other members may disagree on. However, the ultimate vote on Amendment 1 (Florida's Water and Land Conservation Amendment) in November, and should it pass its implementation, will clearly impact the future funding of Florida's beach management program. The following does not reflect any formal position of FSBPA, but we are most appreciative of Eric's contribution.

Amendment 1 and Beach Management Funding

Eric Draper, Executive Director, Audubon Florida

Beach management funding was considered when conservation leaders drafted the proposal to the Florida Constitution now known as Amendment 1. The drafters' aim was to dedicate one-third of documentary stamp taxes for environmental programs historically funded from that tax source. The constitutional amendment and ballot language were specifically drafted to list beaches and shores among purposes for the funds. The proposed amendment faces voter approval on November 3, 2014.

If approved by 60 percent of the voters the amendment will be implemented by the Florida Legislature. Legislators will appropriate these specific doc stamp revenues to programs ranging from water resource protection and land acquisition to Everglades restoration and beach management.

Beach management was included in the allowed uses of the funds covered by the amendment because of existing statutory allocations to the Ecosystem Management Trust Fund. The amendment's drafters recognized the importance of dependable annual appropriations for beach management.

The amendment was the result of legislators "sweeping" trust funds and diverting spending to other areas. Historically, a suite of environmental programs were authorized to receive allocations of documentary stamp taxes. The actual tax rates were linked to the creation of land preservation programs in the 1980s and early 90s. The last three times documentary stamp taxes were raised, most of the funds were used to pay for land acquisition. Later, the Ecosystem Management and Restoration Trust Fund was added to the doc stamp distribution formula.

Collections of documentary stamp taxes grew quickly over the years and so did balances in the trust funds. Appropriators got in the habit of freezing spending and diverting the excess funds. Eventually environmental trust funds such as the Water Management Land Trust Funds lost their original purpose. Now little of the money flowing into that fund is used for its lawful purpose. During the recent recession programs such as the acclaimed Florida Forever land protection program went from receiving \$300 million per year to nothing.

That was the situation in 2012 when state conservation leaders sat down to draft what would become Florida's Water and Land Conservation Amendment. Over a period of a year more than

one-million voters signed petitions. The Florida Supreme Court reviewed the amendment and found that it met the standards for being on the ballot. The Legislature's Revenue Impact Estimating Committee found little to be concerned with in terms of the amendment's effect on state spending.

Opposition to Amendment 1 has not yet surfaced. Other than well-meaning complaints about not appropriating with the state constitution (the amendment doesn't) and the risk that doc stamps flowing to other authorized programs could at some point in the future be affected, criticism has been muted.

A recently published Chamber of Commerce poll showed more the 80 percent support for Amendment 1. This comfortable lead is likely to shrink before Election Day. With that in mind the "Yes on 1" campaign committee is educating voters and rallying support. To learn more visit www.voteyeson1fl.org.

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Congress Acts on Major Water Resources Legislation

By Howard Marlowe, Marlowe & Company

This was an invited analysis by Howard Marlowe, on short notice, to give our members a timely summary of key provisions of the Water Resources Reform and Development Act of 2014. They will be the subject of extensive Corps guidance and varying opinions over the foreseeable future. The opinions and conclusions set forth in the following article are solely those of the author, do not represent FSBPA, but are certainly appreciated. (D. Flack)



Background

Congress passed the Water Resources Reform and Development Act in May. Since both the Senate and House had passed their versions of the bill months earlier, there was an atmosphere of anxiety followed by a celebration when final action on a compromise bill occurred. This article provides an overview of not only the provisions that have gotten the most attention, but also some that are equally as important but have received less attention.

For 40 years, the Water Resources and Development Act has been the legislative vehicle by which Congress authorizes new Corps projects for construction and adopts new policies and procedures for water resources projects. In the past, Congress had been on track to pass WRDA every 2 to 4 years. Following passage of WRDA 2000, it was 7 years until the next WRDA and then 7 more years until passage of the most recent bill, called the Water Resources Reform & Development Act of 2014 (WRRDA). The extra “R” is for “Reform,” and it was added to get to get votes from fiscally conservative members worried about the measure’s high price tag. It’s hard for any elected official to vote for a proposal that seems to cost a lot but at the same time doesn’t name any projects in their home district because of the earmark ban. WRRDA does not appropriate Federal money. The projects it authorizes get the right to ask for funding in the following year’s appropriations bill. Some will succeed and others will just continue to try.

Just how groundbreaking is WRRDA 2014? The following summary of its most important provisions will let you make the decision.

Shore Protection Projects:

- *Two projects, one in North Carolina and another in Florida, are close to the end of their 50-year period for federal fiscal participation.* The Corps had no authority to study these projects in order for them to receive a new authorization. WRRDA establishes a procedure whereby a study of the feasibility of

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extending the period of nourishment for 15 years (not 50) will be initiated by request of a **non-federal sponsor (NFS)**. It also extends the authorization of these two projects until 2017. While the two Corps districts await guidance from Headquarters, in the opinion of some – including the author – the guide should be the studies used under authority of Section 934 of WRDA 1986 that extended projects from 15 to 50 years. Since 2017 is just around the corner, waiting months for Corps guidance is problematic. There is an additional requirement that the NFS submit to the **Assistant Secretary of the Army (ASA of Civil Works)** a plan to reduce risks to people and property which will become part of the ASA's final recommendations for reauthorization of the project. Spoiler Alert: The study requires the use of "General Investigations" funding and cannot use any "Construction General" funds that may be available for monitoring the project. That means the project has to be in the President's budget or be added to the Corps' final work plan. The study is also a "new start" and Congress has been rationing those in recent years. The possible way around this is for the NFS to pay for the study itself. So the good news is that there is a procedure to extend the project's life. The bad news is that without an appropriation, the process can't be used.

- *Administration study of existing shore protection projects.* WRRDA requires the ASA to initiate a study of all shore protection projects involving periodic nourishment to "assess the Federal costs...and the projected benefits of each project." The review must start by September, but it has no required completion date. At the completion of the review, the ASA shall report her findings to Congress including any proposed changes the ASA may recommend to the "nourishment authority." If this were a study of the full suite of costs and benefits of shore protection projects, it would be wonderful. In the hands of OMB, this might be a very dangerous weapon.
- *Regional sediment management:* WRRDA increases the total amount authorized for the Section 204/933 RSM program started in WRDA 2007 from \$30 million to \$50 million and the per project limits changes from \$5 million to \$10 million. In addition, as a "cost reduction" measure, "the beneficial use of dredged material [should be handled] in a manner that contributes to the maintenance of sediment resources in the nearby coastal system." Depending upon how this provision is implemented and how well it is funded, it could be a major gain for coastal communities.

Corps Process Reforms – The extra "R" was for more than window dressing. Congress decide that it was going to address the Corps' perception of "too slow" and "too expensive."

- *WRRDA 2014 sets both time and cost limitations for feasibility studies.* This cements in law the Corps' internal 3x3x3 policy that sets the standard of completing a feasibility study within 3 years at a Federal cost of no more than \$3 million and the full involvement of the District, Division and Headquarters from Day One. Under WRRDA, the three-year cap may be extended in some cases by one year if approved by the Assistant Secretary of the Army for Civil Works. If the study is not completed within that time period, the authorization for the study is terminated. Fortunately, there is an exception for "complex" studies because the increasing push to plan and budget for coastal

projects regionally will not fit neatly into this 3x3x3 approach. There are those who are justifiably skeptical that legislating this new and relatively untested Corps process is a good idea. Time will tell.

- *The legislation does away with the Reconnaissance phase of a feasibility study.* “Recons” make a preliminary determination of whether a proposed project is likely to have a Federal interest and that it has a willing non-Federal sponsor (NFS) who will cost share. The final phase of a Recon sets an initial Project Management Plan. All of these tasks will now be compressed into the initial work on the feasibility study which by law will now have to be completed in three years. Starting a cost-shared study requires the negotiation of a cost-sharing agreement between the Corps and the NFS. That will take time. Rather than rely on a Recon study that is done at 100% federal cost, the NFS will have to get approval from elected officials for a three-year funding commitment. This may discourage some communities unwilling to make that commitment without the basic knowledge that there is a possibility that it will lead to a favorable report from the Corps. On the other hand, this new procedure may result in more feasibility studies that come up with a negative decision about the proposed project after both the Federal government and the non-federal sponsor (NFS) have spent hundreds of thousands, if not millions of dollars.
- *The legislation changes the authorization process.* To start a new feasibility study, a state or local government will now have to get its Corps district to make the request of the Corps Division office and which will have to make the request of Corps Headquarters. If HQ approves, it has to go to the Assistant Secretary of Civil Works (ASA) has to report to Congress every January on the requests received, dividing the list into those approved and those not approved and explaining those decisions. Congress is hoping that they will get this information uncensored by the White House Office of Management and Budget (OMB) so they can then decide what study authorization decisions to approve. Previously, studies for specific projects were authorized by Congress, but the earmark ban now makes that impossible. The concern is that the process takes longer and is subject to veto by OMB. The construction authorization process will work as it did in WRRDA 2014. In essence, Congress will get a list of all studies that have a favorable Chief’s Report, as it does now. If construction of an authorized project is not initiated within seven years, the project will be deauthorized. Again, for shore protection projects, the major concern about this bill is that procedures such as this one don’t work unless the funding is available and Congress has turned its control over which projects are funded to the Administration. *There is an unseen benefit to this new process.* It makes it easier for multiple state or local jurisdictions to propose a regional (or coastalshred) set of measures to deal with risk reduction and environmental protection.
- *Priority is given to ongoing hurricane and storm damage reduction feasibility Studies that address an imminent threat to life and property.* Priority status is also accorded to new studies for hurricane and storm damage reduction that have been recommended in a comprehensive hurricane protection study carried out by the Corps or a state.

- *There is a pilot program to use NFS funds to alternatives for the decentralization of the project planning, management, and operational decision-making process of the Corps.* Non-federal interests may request the Secretary to provide them with full project management control of a feasibility study for flood risk management, hurricane and storm damage reduction (including flood control channels, floodwalls, and water control structures), The parentheses after “hurricane and storm damage reduction” are contained in the bill itself and do not mention sand. A hint about the intent of this section is that 12 of the pilot projects must have received federal funds previously. That means that this pilot program to improve the study process is either focused on studies that stalled or on projects already constructed where a modification is desired.

You have the right to pay more: These next set of provisions make it easier for a NFS to fund water resources projects or to pay more than its share in order to make up for inadequate Federal funding. In the case of shore protection projects, there is collateral damage. The more local governments assume a greater share of the total cost of nourishment, the more likely it will be viewed as reinforcing OMB’s contention that these projects provide local benefits and should be paid for entirely by local governments.

- *Non-federal sponsors will now be able to contribute funds to cover the federal share of costs needed to study, design, and construct a project in accordance with Corps criteria.* A “project or separable element thereof” carried out by a NFS will be eligible for credit or reimbursement for the federal share of the work, but that is a long leap from a commitment because it is subject to the availability of federal appropriations. It’s not clear whether the credit applies to the construction phase only or to the study phase as well. *(Note: this provision of WRRDA takes the place of the Section 206 shore protection reimbursement authority of WRDA 1992 which was used to construct beach projects in Bay and Lee counties. It does not appear to repeal reimbursable authority that is built into the original authorization of projects such as is the case in Broward County.)*
- *States or local governments can now initiate and complete a feasibility study using their own funds.* It must meet Corps standards and be approved by the Assistant Secretary. They can also contract with the Corps to start and finish the study. This is one of the many provisions that will need to be clarified in guidance developed by the Corps. The governmental entity can seek reimbursement of the portion of the cost that would have otherwise been paid by the federal government during the construction phase if the project is authorized for construction. The credit is subject to the President putting those funds in his budget and Congress agreeing to his request.
- *The Corps is also given permanent authority to accept funds from non-federal public interests to expedite the processing of permits* within the regulatory program of the Corps. This provision seeks to expand the use of the existing “Section 214” program because there is a regulatory backlog in some Corps coastal districts.

Expanding the Opportunities for Using Alternative Sources of Funding: WRRDA is significant in that it recognizes that governments at all levels do not have the money to maintain and expand the nation's network of water resources. There are two provisions that are a step in the right direction.

- ***WIFIA:*** The Water Infrastructure Finance and Innovation Authority authorizes the Corps and the EPA to make low-interest loans for flood control, storm damage reduction, water supply, or wastewater infrastructure projects. The financing options for WIFIA are secured loans and loan guarantees. Secured loans offer flexible repayment plans for a project up to 35 years from the substantial completion of a project. Loan guarantees provide a full faith-and-credit guarantee – a guarantee that the Federal government will pay interest and principal on the debt if the non-federal interest defaults. Loan repayments must begin no later than five years after the substantial completion of the project. Note that the program applies to the Corps' water resources program and EPA's waste water, clean water, and drinking water missions. Again, this program has to be funded through a separate appropriations bill.
- ***Public-Private Partnerships:*** WRRDA directs the ASA to establish a pilot program to determine whether the benefits of using funds provided by private entities to construct at least 15 projects, including projects for hurricane and storm damage reduction. This is unlikely to its intended benefits. It asks private entities to fund the construction of Corps projects either through WIFIA loans or P3 arrangements. To the extent that the private entities cannot construct the projects themselves without using the Corps, they will not achieve cost efficiencies. Also, to the extent that the project they construct has no revenue source for the private entity, this becomes merely a construction project that the private entity will undertake. Lacking a toll booth at the entrance to a beach or on an inland lock and dam will not produce a public-private partnership. Hopefully there will be some experiments in developing alternative sources of funding that are not P3s.

Other Provisions You Should Know About

- ***Harbor Maintenance Trust Fund:*** The final legislation passed by Congress is less robust than ports and others had wanted. In essence, it increases the HMTF revenues that will be appropriated, rather than held onto by the Administration, but only to the extent that the Corps' overall budget increases. To have allowed increases to occur while the Corps budget stagnated or decreased would have reduce funding for shore protection and other parts of the Corps water resources programs.
- ***Coastal risk reduction:*** WRRDA expresses the desire for the Corps to use durable materials and techniques as well as "innovative" materials to reduce storm damages. In addition it requires a study by the National Academy of Sciences on ways to reduce threats to public safety from extreme weather events.

- *Superstorm Sandy*: The legislation requires the comprehensive report mandated by Congress in January, 2013 and due to be released to Congress next January to contain “specific recommendations.” It is not clear whether this requires recommendations for specific projects, policies, or both. While the Corps has been forced to eliminate recommendations OMB objects to and has canceled plans for pre-release public comment, WRRDA tells the ASA to consult with state and local governments as well as other stakeholders.
- *Response to Other Disasters*: WRRDA expands the post-disaster authority of the Corps to restore a project to its design level rather than to pre-storm levels. Congress previously provided this authority on an *ad hoc* basis in the wake of tropical storms from 2004 onwards.
- *Port Funding Decisions to be based on Full Benefits*: One of the concerns of coastal stakeholders is that the full suite of a project’s economic and jobs benefits, not to mention the significant amount of money these projects bring to the federal Treasury, are ignored when assessing the economic benefits of shore protection projects. WRRDA takes care of that, but only for smaller ports.
- *Ocean and Coastal Resiliency*: This is a provision that was in neither the House nor Senate bills. It makes use of a regional approach involving governors, federal and state resource agencies, nonprofits and others to assist in conducting a study to determine methods and recommend projects to enhance coastal and ocean resiliency. The implementation of this section of the law was intended to focus on oceans, but its wording leaves open the possibility that it can be used for coastal purposes, as well.

Concluding Remarks

WRRDA 2014 is a very complex bill that will take a year or more to sort out as the Corps confronts the need to produce guidance to implement its provisions. The word is that they will conduct “listening sessions” to get input before publishing guidance. In any event, the impact of most WRRDA provisions will take a while to be felt. Hopefully, this summary of several key provisions sparks readers’ thoughts and questions.

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The Jacksonville District leads the Corps in Regional Sediment Management

By Jackie Keiser



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of Engineers®**

[Click here for the USACE
Jacksonville District website](#)

The Corps dredges over 200 million cubic yards of sediment each year. Appropriate re-use and placement of this resource is critical for protecting the nation's coastal, ocean, and environmental resources.

Regional Sediment Management, or RSM, is a systems approach for efficient and effective use of sediments between and among projects. Coastal RSM includes using navigation channels as borrow areas for beach projects or conversely beneficially placing navigation dredged material on or near our beaches. The Jacksonville District excels at Regional Sediment Management, so much so, that they are being considered as a National Center of Expertise (CX) for RSM. As a National CX Jacksonville would help other Districts reap the same benefits that our Florida beaches do in keeping valuable beach sand in the system.

RSM is not only about conserving scarce natural resources; it's also about getting the most bang for the taxpayers buck! As a National CX, the Jacksonville District would help bring attention to the astonishing benefits that RSM provides the Nation, with the hopes that funding could be prioritized for those projects with dual benefits. For example, following the storms of 2013 Jacksonville received Supplemental (emergency) funding on nine navigation projects to clear Federal channels of shoaled material that resulted from storm passage. Seven of those projects placed sand on the beach and one placed sand in the nearshore. All were executed on emergency timelines. The emergency navigation work cost taxpayers just over \$22 million and resulted in the placement of approximately 1.4 million cubic yards of sand on or immediately adjacent to shore protection projects. If that same volume of sand were placed through conventional offshore borrow dredging projects, it would have cost approximately \$27 million to place that sand on our beaches. In other words, the District was able to "create" over \$27 million dollars in value through the use of RSM. Additionally, and not accounted for in that \$27 million is that 1.4 million cubic yards of sand was kept out of valuable and expensive upland and offshore disposal areas and in almost every case it was the least cost disposal option. Least cost disposal, aka the Federal standard, is a very important factor in implementing RSM. Essentially what the Federal standard means is that the Federal government can only pay for the least cost method of disposal, and any increases in cost must be borne and/or shared with the non-federal sponsor. Of all the RSM projects in 2013 only one project, Port Everglades/Broward County, was not least cost. In this case the County contributed the additional \$1.2 million above the least cost disposal to place the sand on the beach. For these reasons it is very important for stakeholders to work together to keep costs down and to also keep approvals seamless. Thanks to all the cooperation and coordination with agencies and stakeholders throughout 2013 to make it an incredibly successful year for our beaches.

In 2014, the District will be working on several RSM projects, including the placement of almost one million cubic yards of sediment on Egmont Key. The incredible natural and historic resources of

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Egmont Key will benefit from this project, and in addition taxpayers will save as much as \$9 million by reducing the distance required for disposal of the dredged material. Again, this project is only viable due to intense long standing coordination with stakeholders and agencies including the Florida Department of Environmental Protection.



Figure 1: Placement of dredged material south of Jupiter Inlet, FL in February 2014.



Figure 2: Egmont Key, FL; the site of 2014 proposed placement of dredged material from Tampa Harbor Federal navigation project.

FDEP Division of Water Resource Management Updates

2015-2016 Funding Requests Being Accepted Until August 4th

The FDEP Beach Management Funding Assistance Program is planning the development of the annual prioritized list of beach and inlet management projects in preparation for submittal of the Department's FY2015/2016 Local Government Funding Request (LGFR) and the FY2015/2025 Long-Range Budget Plan (LRBP) to the Governor and the Legislature.

Local sponsors requesting program funds are required to submit detailed project descriptions and cost estimates for each project eligible for the program, in accordance with Chapter 62B-36, Florida Administrative Code. The project descriptions shall contain sufficient information to apply the project ranking criteria, including maps depicting the project boundary, detailed cost estimates to support the funding request and a current resolution from the governing body. The resolution must include language indicating support of the proposed project and ability to provide the necessary local match for the funding request. For the LRBP, a 10-year plan with future project phases must be completed. For the first five years, provide a list of future project phases including cost estimates and for the remaining five years, provide only the anticipated project phases (no cost estimates required).

Application templates, copies of last year's LGFR and LRBP, the Critical Erosion Report, Program Rule 62B-36, F.A.C., and the "Ranking Criteria for Beach and Inlet Management Projects" methodology document are available on the Beaches webpage (<http://www.dep.state.fl.us/beaches/>).

Application submittal deadline is August 4, 2014.

Applications can be submitted via email to: Beaches_Funding@dep.state.fl.us, or via upload to the DEP's public server through the following link: <http://www.dep.state.fl.us/beaches/programs/becp/submit.htm>

Any application submitted early will be stored internally at DEP until August 5, 2014, when all applications will be uploaded to the program webpage. Applications and all documents produced by the Department during the project assessment phase will be available for review on the Beaches webpage using the "View Funding Requests" tab. Last year's funding cycle documents (FY2014/2015) will remain on the webpage until the submittal deadline for reference.



Auditor Report Workshop

The Department will hold a workshop on the Auditor General's Recommendation #2 on August 7, 2014, 1-3 PM in the Bob Martinez Center, Room 603. Seating is limited for this workshop. If you plan to attend in person, please notify staff so that accommodations can be made.

The webinar will be presented using Lync Meeting. The Teleconference Line is 1.888.670.3525, Pass code: 590 769 2993 #.

Webinar will open 15 minutes before the workshop begins.

The agenda will be posted to the program webpage under the workshop date by August 5, 2014. Link to the webpage: <http://www.dep.state.fl.us/beaches/programs/becp/ag-rpt.htm>.

If you would like to add items to the agenda, please send topics to Beachs_funding@dep.state.fl.us for inclusion.

Public Comments submitted to the Department regarding Workshop 2: "Defining Conflicts of Interest" have been posted to the webpage through the following link:

ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/Beach_Funding_Assistance_Program-BECP/Auditor%20General%20Report/Workshop2-05June2014/Public_Comments/

2014 Critical Erosion Report Prepared

The Department has updated the Critical Erosion Report, and posted it under the Technical Publications part of the website. The 2014 list includes 407.3 miles of critically eroded beach, 8.7 miles of critically eroded inlet shoreline, 93.9 miles of non-critically eroded beach, and 3.2 miles of non-critically eroded inlet shoreline statewide.

The effects of Hurricane Sandy (2012) resulted in Manalapan beaches (1.4 miles) in Palm Beach County, a southern segment in the Town of Palm Beach (0.9 mile), an extended segment of South Ponte Vedra in St. Johns County (0.7 mile) being added as critically eroded. Also added were a segment of southern Estero Island in Lee County (0.8 mile), an extended segment in Collier County (1.1 miles), and the northern 2,000 feet of Deer Island in Levy County (0.4 mile). Another 3.1 miles of non-threatened shoreline was added for continuity of management of the coastal system following federal project authorization in Walton County. A non-critical segment of eastern Santa Rosa Island was delisted (1.1 miles).

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Legislative Appropriations Available

Legislative appropriations for 2014-2015 are now available for contracting. The following link will direct you to the program's website on the "Track Project Funding" page. <http://www.dep.state.fl.us/beaches/programs/becp/fund-docs.htm>

Once on that page, select the "Fiscal Year 14/15" link in the "Funding Request and Appropriation Status Report" section to download a tracking spreadsheet that lists all projects in the FY2014/2015 list with both funding amounts requested and funding amount appropriated. Project are located either on the "Beach Projects", "Post-Construction Monitoring" or "Inlet Management" tab at the bottom of the spreadsheet. Many funding amounts listed in the appropriation are different from the amount submitted to the Legislature, so we encourage you to refer to this spreadsheet when planning tasks with your consultants. If you have any questions regarding appropriation amounts, please do not hesitate to contact your project manager.

The tracking spreadsheet will be updated quarterly to indicate what funding has been encumbered in contract. Prior to contracting funds, the Department will need to review and approve scopes of work. Please submit scopes of work to your project manager, as soon as possible and before beginning work, so that all eligible activities can be approved for cost-sharing.

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Shoreline

A monthly electronic publication of the Florida Shore & Beach Preservation Association.

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CALENDAR OF EVENTS

FSBPA Conferences

September 24-26, 2014
2014 FSBPA Annual Conference
Hyatt Regency Coconut Point
Bonita Springs, FL

February 4-6, 2015
2015 Tech Conference
Clearwater Beach Marriott Suites
on Sand Key
Call for Abstracts Deadline is
October 3, 2014.

OTHER DATES OF INTEREST

August 4, 2014
FY2015/16 LGFR Submittal Deadline

August 7, 2014
FDEP Webinar/Meeting
Florida Auditor General's Audit of the Beach Management Funding
Assistance Program on "Rate Standardization"

October 14-17, 2014
ASBPA National Coastal Conference
Virginia Beach, VA

Join us

September 24-26
58th Annual Conference
Hyatt Regency
Coconut Point

Florida Shore and Beach
Preservation Association

[Award Nominations](#)
Deadline August 8, 2014

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