

“Looking Back at Over 30 Years as the Sandman and Anticipating the Challenges Ahead”

Here we are together again at the Florida Shore and Beach Preservation Association’s 55th Annual Conference – and the beginning of my farewell tour.

Feels like the Association and I have been working together that long just to produce a beach program worthy of the commitment and partnership with Florida’s coastal communities.

With the recent goal of mere survival for Florida’s Beach Program; with revenues from the dedicated state funding source for beaches, the doc stamp, virtually non-existent; and with unprecedented fiscal challenges for our federal, state and local government partners, it is easy to conclude that the best of times are behind us – especially in terms of the political commitment and the financial where-with-all to maintain Florida’s beaches.

However, I do not agree. Together we have managed to maintain a viable Beach Management Program over the last few years when other important resource management programs have fallen by the wayside.

I always come back to the main reason why? Florida’s beaches are simply too important to the state’s future, tourism, economic well-being, and quality of life to let them slip into a state of disrepair. I remain confident that despite new legislative leadership, a new governor, and changing agency personnel, we as a state, when push comes to shove, will do whatever is necessary to preserve our beaches.

Please indulge me for a moment and let me look back over the past 30 plus years. My intent is not self-serving. It is instead to allow us to appreciate anew how far Florida’s efforts to preserve its beaches have come, and to emphasize that current political and budgetary challenges are just that— pauses, adjustments, even steps backward, inherent in the evolution of this important program.

It has never been easy but always worth it – I have never doubted that the preservation and management of Florida’s beaches is a noble pursuit.

When I arrived in Tallahassee in 1978 as a lowly freshman House member of the very minority Republican Party, a very wise Senator from Pinellas, Senator Mary Grizzle, gave me sage counsel. Her message – if I wanted to continue serving my district, I’d better take care of the beaches. I know most of you are aware at the very same time our Debbie Flack arrived in

Tallahassee with incoming Governor Bob Graham, took over the beach program for him, and I guess you can say the rest is history for us both.

Let's not forget that back then and, in fact, well into the mid 1990s, beaches were lucky to get a little general revenue funding annually. An outstanding year was \$5 million for a handful of projects. The low point, as I recall, was \$500,000 for a single project.

It was pure politics. Priority and needs based on actual beach conditions were not part of the equation. To be honest back then I wasn't exactly a statesman or Florida's sandman, I just fought hard for, and usually secured, dollars for Pinellas County beaches.

As the annual budget battles got more difficult, it became painfully obvious to a handful of us serving in the House during the 1995 and 1996 sessions, especially my dear friends Representatives Jim King and Ken Pruitt, that without a consistent and predictable funding source, Florida would never have a successful strategy for managing the state's eroding beaches – or be able to fully leverage federal shore protection dollars – or provide our local government project sponsors with a dependable state funding partner.

My sanity was questioned when in 1997 I introduced legislation which called for a ticket surcharge on “cruise ships to nowhere” ... you know a little night offshore gambling? No it did not pass, but it sure got us a lot of attention. We packaged the need to fix our beaches in terms of economic benefits and return-on-investment, rather than simply resource protection.

As we all now know, by the following year, 1998, a viable funding source with a clear nexus to beaches was unanimously approved by the legislature -- a minimum \$30 million annually set-aside for beach management from documentary stamp tax revenues. Easily said, but a most difficult accomplishment. Achieved over two legislative sessions, but grounded in over a decade of frustration.

This successful dedicated funding initiative was followed in 2000 by legislation insuring specific project eligibility and statutory project ranking criteria which proudly bears my name. At the time most of us thought this was the final piece of the puzzle. Time to sit back and relax, and maybe even gloat a little bit.

We have all since realized that maintaining what was achieved has been far more difficult, and increasingly so, than the initial battles.

In a historically short period of time, we had gone from debating the merits of whether we as a state should restore and renourish Florida's beaches at all, to a well-funded statewide program, almost universally supported by the Florida Legislature. Seemed like smooth sailing for a number of years – \$30 million plus annually, with substantially more when needed for hurricane recovery.

I also sponsored with Representative Stan Mayfield, the Inlet Management Act as stand-alone sections to Chapter 161 in 2008. The intent was to redirect and recommit the state's beach management efforts to address erosion caused by inlets.

It seemed to me that the 1986 comprehensive planning provisions specifically addressing inlet management had done little. So the added policy emphasis of this 2008 legislation was reinforced with funding incentives.

I may have more to say on this subject because I am once again disappointed that DEP and affected political jurisdictions still don't seem to have the where-with-all or initiative to capture the sand lost at our inlets and place it on adjacent beaches, which would reduce the cost and amount of sand needed for nearby nourishment projects. Sometimes I wonder if I have been the only one listening to Dr. Dean over the years!

Unfortunately, I have spent the last three years, with the help of the association and many of you, just trying to keep this beach program alive. No doc stamp revenues – so no dedicated funding. Not sure how all my colleagues feel, but all things considered we have managed to fund statewide beach management at a very respectable level, this year at over \$21 million, with extremely scarce general revenue dollars.

This provided a respectable state program for fiscal year 2011-12 that includes funding for 12 separate nourishment projects, partial funding for 3 inlet management projects, and state cost-sharing for the post-construction monitoring of 19 separate projects. The thought of continued state cost-sharing for monitoring was a highlighted subject at last year's conference in Clearwater Beach, and the prognosis was bleak. So current year funding should tell us that we are doing something right!

I also did something during this past session that may be a bit out of character for me. I involved myself – and may do so again in the 2012 Session — in various bills or amendments under the label of regulatory reform or permit streamlining. I offered an amendment reminding the Department that they could not impose permit conditions for beach nourishment projects more stringent than provided for in statute or rule. It seemed to me at the time that the obvious needed restating.

As another separate amendment, I urged the major streamlining of permits for maintenance or renourishment of previously restored beaches. I am also hoping that DEP will seriously consider the use of general permits for at least this purpose.

A few colleagues were surprised with my involvement in these permitting reforms. However, at the time, I was concerned and frustrated with the permitting process for the renourishment of the Pinellas County Sand Key Project and the possibility of the Corp

reprogramming federal funds. While it had a happy ending, with much credit due to Secretary Vinyard, it still should have never gotten to that point.

Now to the fun part for me! As the program title indicates – I get to “anticipate the challenges ahead.” I don’t mind doing a bit of crystal-ball gazing. Much of it in the form of friendly warnings to you.

After the 2012 session, I plan to sit back as a spectator, but always a citizen supporter and champion of Florida’s beaches. Don’t mess it up!

I hate to admit it, but we still cannot assume people, especially local commissioners, state lawmakers, and other decision-makers, get it – recognizing the successful marriage of beaches, tourism, and a healthy economy.

It is simple to me. In difficult times, state and local government cannot afford to delay or abandon the necessary maintenance of our beaches.

I know there are some who truly believe we should not interfere with mother nature. Beaches should not be further developed or post-storm redevelopment allowed. Beach nourishment should be replaced by a policy of retreat.

I can’t go that far. Beaches are the engine that drives Florida’s tourist-based economy. And it is this tourism based on beaches, many of them restored, that is and will continue to lead our coastal communities out of this recession.

Each of you needs to deliver this reminder at every available opportunity!

This association and each of its member governments has the responsibility to educate local leaders and members of the legislature. I have benefitted considerably over the years from the work and materials of Florida Shore and Beach Preservation Association and its members – from issue papers, budget documentation, economic data, talking points, fact sheets, and legislative proposals. These educational materials must have greater availability and be even better in the future.

Well-informed beach advocates are not likely to be cultivated in today’s legislature. Term limits and extensive committee requirements make it virtually impossible for new members to be adequately informed regarding program history, intent, and problems. This is not unique to beaches or any other subject.

Considerable time and effort by the Association, and each of you back home, will insure as one generation of advocates leaves the legislature others, especially coming from the ranks of locally elected officials, are educated and prepared to fill the void. Then we can only hope a

number of these local beach champions end up in Tallahassee to carry the torch! I am told this is occurring to some noticeable extent in the House. I certainly hope that is the case.

The bottom line, despite a very different legislature today, you still must find a way to effectively rally and grow support for Florida's beach program. I wish I could give you the answers!

To be honest with you, it is not a legislative process or atmosphere I appreciate and love as I once did. There really isn't the opportunity to take an issue or concern, master the specifics, and have adequate opportunity to cultivate the support of your colleagues. Yet, despite the considerable challenge, I can tell you with absolute certainty, nothing is more important to the mission and future effectiveness of most of you here today.

Obviously, current events in Washington do not bode well for our federal shore protection partnership, which affects approximately half of Florida's Beach Nourishment Projects. To talk about the decrease in the funding of the Corp's discretionary programs is painful in a year when I was so encouraged that the Jacksonville District managed to secure \$45 million in fiscal year 2011 programmed funds for Florida's beaches. Especially when we thought, at this time last year, that without congressional earmarks or "adds" we would not have a federal funding partner this year.

Still I can't help myself from crying wolf again. Hard to imagine the Corp's discretionary programs escaping significant budget reductions. Yet, I am not going to bet against the efforts of my friend and yours Congressman Bill Young to keep the federal shore-protection program alive. It is still wise and not too early for many of you as local project sponsors to anticipate and prepare a contingency plan for a Florida Beach Program where the federal government is not the main funding partner. In so many instances recently, timing could not be worse. During the recent recession, the Florida Legislature has targeted most of its limited beach monies to only federal projects ... leveraging federal matching dollars has made good policy and politics.

Maintaining a viable state program, with a reduced Corp's presence and federal cost-sharing, would be exceedingly difficult. I know that doc stamp revenues are going to come back. I am just increasingly unsure about when.

There is always the faint hope that we can finally get Washington to view these beach projects as the infrastructure and stimulus they are.

My assessment of the future isn't very promising for the short-term ... cloudy crystal ball ... so let me focus on a few specifics for the immediate future. Challenges to each of you, this association, and the Department of Environmental Protection.

First, please revisit the many good recommendations in the beach management working group report that Senator Atwater and I requested a few years ago.

The accountability and transparency provisions, revisiting project ranking criteria, finally giving appropriate overweight to a project's readiness-to-proceed to construction.

Making our major statewide beach nourishment projects more cost-effective and timely is not simply a conference theme. It is program survival. I am encouraged of late that the Corp of Engineers and Department of Environmental Protection seem to agree.

With or without significant federal involvement in beach nourishment and inlet maintenance, be assured the program cannot sustain political support if more dollars are spent on permitting, monitoring and mitigation, than putting sand on the beach.

It is a double-edged sword for local sponsors – proceed with caution. You have a responsibility to carefully question any agency's requests and permit conditions that are not clearly justified. However, you have an even greater responsibility to incorporate state-of-the-art design and management practices particularly in terms of environmental sensitivity.

One more session, with committee meetings starting next week. I might even consider sponsoring one "last" beach bill, especially if I can really help the Department and our local coastal communities. I am open to suggestions but also have a few ideas and concerns of my own.

Yesterday's expediting permitting panel provided an array of ideas worthy of further consideration.

I am especially looking forward to discussing with Secretary Vinyard and Deputy Secretary Littlejohn the use of general permits when and wherever possible within the beach program, but certainly for renourishment of successful projects with documented performance. Issuing long-term permits available to multiple local sponsors for physical segments of shoreline rather than political boundaries is a most intriguing concept – especially if it helps to promote more innovative solutions for the problems that inlets are causing to adjacent beaches.

I am more than willing to consider legislatively improving how and when to ask for project funding, and how to capture meaningful readiness-to-proceed criteria. Tweaking the project ranking process, improving the project information in the agency's budget transmittal, and weighting Chapter 161 criteria is a waste of time if those nourishment projects ready to go forward in short order are still not at the top of the list.

I am also going to do everything I can to protect the beach program's trust fund during the 2012 session. Someone else is going to have to hold the gun after that.

I mentioned earlier my commitment to a separate emphasis for inlet management as part of the state's Comprehensive Beach Management Program. I expect more creativity than simple nourishment for inlet impacts on adjacent beaches as part of routine project maintenance. Added

economic incentive deserves more. If the department, the association or any of you, have some changes to recommend to my 2008 inlet legislation, now is the time!

I liked the permit streamlining provisions for beach projects last session that were in play. You have my assurance, now as you have in the past, that I will at least consider all reasonable proposals to make Florida's Beach Program more cost-effective, timely, and responsive.

I have been, and will continue to be, an advocate for preserving, and repairing as necessary, Florida's beaches; but not at the expense of protecting the rest of the coastal environment.

My final and closing thought – just keep in mind that current and future political and fiscal challenges are just that. It is public and political support for Florida's sandy beaches, and the recognition of their contribution to our economic well-being, that will ultimately determine whether Florida's beach program survives.

I will never forget the support, hard work and wonderful memories this Association has given me over the last 30 years ... thank you!