

Shoreline

February 2012

news from the Florida Shore & Beach Preservation Association

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The 2012 Legislative Session and Other Governmental Updates

By Debbie Flack

February 8 was the midway point of the 2012 Session. At that time I was ready to celebrate our accomplishments in terms of the progress of the substantive Beach Management Bill (SB 758, Jones and HB 691, Frishe), and the overall level of beach project funding in the House and Senate versions of the budget. It was still important to keep in mind the pre-session warning that this was a highly political reapportionment session, neither normal nor predictable. This past week, Week 5, was a vivid reminder as the Senate dealt with the highly-charged prison privatization issue. Now there are just three weeks left, and more questions than answers.



Just the highlights...subject to change without notice in a moment's time...

HB 691 by Representative Jim Frishe got thru its four committee stops in near record time without a single negative vote. It sits on second reading on the House Calendar. There is good chance it may be considered on the

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floor as early as this week. Its Senate companion bill by Senator Jones is scheduled to be heard in its last committee stop, Senate Budget, Tuesday afternoon (2/21). There are clearly no assurances this substantive bill even without a negative vote in either the House or Senate will pass this year. It is all about the budget and politics. But the Association with the help of our local government members will keep trying until the bitter end, which virtually everyone hopes will come on March 9. The beach bills have not been amended since their initial committees of reference.

House Bill 691 and SB 758 are identical, with specific provisions that:

- Streamline the permitting process for previously-constructed beach and inlet projects
- Clarify what is “reasonable assurance”
- Allow DEP to issue its permit conditioned on federal authorizations under the Endangered Species Act – pure process not affecting resource protection
- Direct DEP thru rule-making to reduce or eliminate the need for mixing zone variances
- Address permit life
- Establish new reporting requirements to the Governor and Legislature to increase funding transparency and accountability
- Exempt a limited number of specific non-impactive exploratory tasks from permitting.

There is plenty of time to pass these bills, even to bounce between chambers, if necessary. Just have to work hard with other interests supporting this bill to make it happen. If you have the opportunity to lend a voice or encourage lawmakers on the importance of this reasoned effort to streamline the permit process for beach and inlet management projects, please take advantage of it! The Association needs all the help it can get.

It will likely be another week at best before we get to the appropriations “conference”, the joint process to negotiate differences between the House and Senate budget positions. History tells us one chamber is likely to come up or go down to the other’s position, or in many cases split the difference. In recent years, beaches have been very fortunate. But again I must caution, this is not a typical session and beaches, given the absence of any notable improvement in the statewide program’s dedicated funding source (documentary stamp tax revenues), must compete for very limited general revenue dollars or unobligated trust funds. There is very worthy competition as well. This is a House year to take the lead over the budget process. They passed their appropriations bill, HB 5001, well over a week ago. Beach projects were funded at \$12 million (\$10 million in trust funds and \$2 million in GR) as compared to the Governor’s recommendation of \$10 million. Proviso recognizes priority projects, post-construction monitoring and inlet management. The Senate bill (SB 7050) passed the full Budget Committee this past Wednesday and is headed to a floor vote Thursday. Beach projects in the Senate bill are funded at \$20 million at this point in the process. I believe there is still considerable posturing, and no one can predict the ultimate outcome especially this year, however, the dollars are higher than they have been in a number of years. Lawmakers from “beach” districts are actively involved, energized from “back home” and the link between improved tourism numbers and economic recovery – the message is getting through! After this week our attention will quickly shift to the conference process, enlisting the help of member local government lobbyists, and briefing conferees from our beach communities.

FSBPA is also keeping an eye on SB 1158 and HB 695, Development of Oil & Gas Resources. Amended language allows the land management agency to enter into public-private partnerships to develop oil and gas resources on **onshore** state lands. We also continue to monitor the Environmental Regulation package (HB 503 and SB 716).

Changing the focus to DC, Florida had a good year (FY 12) in the President's recommendations (\$17.2 million) and received a bit more (\$686,000) with Corps Work Plan additions. The Jacksonville District's FY 12 Work Plan for shore-protection was measurable less than FY 11 and disappointing. But together federal FY 12 funding for Florida's beaches helps to match up with state allocations and reinforces the legislative policy intent to leverage matching funds.

Highlights of the Legislative Session will be featured in the next *Shoreline*.

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The 2012 Tech Conference

Thank You to Attendees, Sponsors, and Exhibitors

FSBPA, as sponsor and organizer of the 2012 National Conference on Beach Preservation Technology, February 8-10, was extremely pleased with the conference. Attendance was great, the Hutchinson Island Marriott and their staff were most accommodating, and the presentations exceptional and well-received. This conference was the 25th Annual National Conference on Beach Preservation Technology, our Silver Anniversary, and a significant milestone from the first gathering in Gainesville with the University of Florida.

The Executive Committee, Conference Planning Committee and FSBPA's Lisa Armbruster once again did an excellent job selecting abstracts and putting the program together. We certainly appreciate all of the time and effort put forth to insure the continued strength and quality of this largest conference of its kind.

Thanks to the attendees and exceptional speakers for their support of the conference. Speaker's power point presentations for those who gave us permission will be made available on the FSBPA website within the next week.

A big thank you also to our conference sponsors who were most generous with their support. Conference amenities especially the welcome reception, conference breakfast, and the varied professional breaks, and the luncheon buffet were favorably noted by many in attendance. We were also fortunate to have a great group of exhibitors and a sold-out exhibit hall.

Once again, to our planning committees, speakers, attendees, sponsors and exhibitors, thank you for making the 25th Annual National Conference on Beach Preservation Technology a great success. FSBPA's Board of Directors and staff, as well as all of the individuals involved in putting the program together, greatly appreciate your continued support.

Mark your calendar now for the 2013 Annual Tech Conference. **It will be February 13-15, at the downtown Omni in Jacksonville, Florida.** We had such a great conference in Jacksonville for 2011 with the support of the Army Corps of Engineers that we look forward to returning!

Teri Besse

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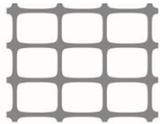
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Candid Shots from the 2012 Tech Conference February 8-10 * Hutchison Island Marriott * Stuart, Florida

Photos courtesy of Pat Pacitti



**Thank you to the
Attendee, Sponsors,
and Exhibitors who
participated in the
25th Annual
Tech Conference**



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US Army Corps
of Engineers

FEDERAL PROJECT STATUS UPDATES - February 2012

FEASIBILITY STUDIES:

- **St. Johns County** – Feasibility Scoping Meeting was held on 16 March 2011 documenting the Future without Project Conditions for alternative analysis. The project has minimal funding for FY2012 to continue the alternative analysis.
- **Flagler County** – Geotechnical Investigations have been completed, identifying beach quality material in Federal waters at locations approximately 5 and 10 miles offshore from Flagler County. A survey and survey report was completed in September 2011 that identified the locations of nearshore hardbottom in the study area. The alternative analysis process has been initiated and will be continuing for the remainder of the FY with calibration of STWAVE and GENESIS for alternative development. A public scoping meeting was held on October 25, 2011 in Flagler beach to gather public input on the study. An in progress review was held on February 14th with the County, HQ, SAD, and PCX to discuss alternative screening methods using Beach-fx to reach a tentatively selected plan.



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- **St. Lucie County** –The Team is working towards a Feasibility Scoping Meeting (FSM) date of May 2012, for South Atlantic Division (SAD) and Headquarters review of existing and future without project conditions and the first 5 chapters of the feasibility report. The Sponsor continues to move ahead with planning for a more immediate non-Federal initial nourishment project. The Federal feasibility study is separate and will investigate feasibility of many alternatives, including initial and periodic nourishment.

OTHER MAJOR PLANNING REPORTS:

- **Brevard County Mid-Reach General Reevaluation Report (GRR)** - The final agency and public review of the GRR has been completed. All comments have been submitted to Headquarters for inclusion in the Director's Report. Once finalized, the Director's Report will be submitted to the Assistant Secretary of the Army for Final Approval.
- **Jupiter/Carlin Shore Protection Project** - Palm Beach County has started a 934 report/NEPA document for Jupiter/Carlin Segment to extend Federal participation for the next renourishment. The Sponsor will be running the Beach-fx model. Federal participation has expired under the existing cost sharing agreement and congressional funds were not appropriated for this project segment during fiscal year 2010. Corps' involvement continues to be to support the sponsor in their preparation of the Section 934 report.
- The **Draft Ft. Pierce Shore Protection Project GRR** seeks an additional 50 years of Federal participation in the project as well as the inclusion of groins to the project area. The sponsor is currently running Beach-fx, and the GRR is undergoing further evaluation to establish the tentative plan. Modeling of t-head groin features continues by the sponsor with alternative analysis to follow. Once complete, findings will be incorporated into a draft GRR which will undergo review by Jacksonville District. The draft review is currently planned for spring 2012.
- **Broward County Shore Protection Project - Segment I** (north county line to Hillsboro Inlet) – Study efforts for this reach were suspended after initial shoreline recession data was evaluated and the area was found to be more stable than previously thought. **Segment II** – Limited Reevaluation Report (LRR) and NEPA document – Sponsor has initiated their LRR for the upcoming renourishment. **Segment III** – A Draft Detailed Design Report (DDR) has been completed to address the subsidence/erosion of the beach fill at the northern end of Segment III under the authority for the Shore Protection Project. Final approval of DDR is on hold due to lack of Federal funding.

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- The **Dade County, Section 227 Project** at 63rd Street in Miami. A design and build contract is being evaluated in cooperation with the Department of Environmental Resources Management (DERM) and Reef Innovation, Inc. This project is designed and permitted, and waiting funding to go to construction after Dade County's "Contract E" renourishment.
- The **Martin County Draft Limited Reevaluation Report (LRR) and Supplemental Environmental Impact Statement (SEIS)** evaluates impacts to the Benefit/Cost ratio of the approved Shore Protection Project due to the use of a new borrow area. Turtle-friendly beach construction templates are also being evaluated for use on this project. The final LRR and SEIS were approved by South Atlantic Division (SAD) on January 31, 2012. The Record of Decision (ROD) for the SEIS was signed on February 15, 2012. The next major action to take place prior to the next nourishment is the execution of a tri-party agreement between the Corps, BOEM, and Martin County for use of the borrow area in Federal waters.



- **Sarasota County, Venice** – A limited reevaluation report (LRR) and Environmental Assessment (EA) are underway to evaluate economic and environmental changes to the approved Hurricane and Storm Damage Reduction Project due to the use of a new offshore borrow area. The District Quality Control (DQC) review of these draft documents has been completed. The Agency Technical Review (ATR) is anticipated to be completed by early March 2012, after which the draft documents will go SAD for Review.

REGIONAL SEDIMENT MANAGEMENT:

- National RSM program funding for FY12 will expand work in the Tampa and Sarasota Bay areas. Work involves GenCADE modeling and dredging alternatives for Lido Key/Siesta Key barrier island complex. Channel maintenance in the vicinity of **Longboat Pass** and nearby GIWW cuts is anticipated in late winter of 2012. The new Corps dredge, the Merden, will be used to dredge and place material in the nearshore off of **Egmont Key**. Final construction of the Merden has been delayed, pushing the dredging schedule back. Jacksonville District will be working with the Corps' Engineering Research and Development Center (ERDC) to evaluate benefits provided to the coastal system by nearshore placement.
- Ongoing RSM work in **St. Johns** and **Duval Counties** includes GenCade model development, planned to eventually link the coastal system between the St. Johns River Inlet and St. Augustine Inlet. Work also includes evaluating alternatives for beneficial use of material from channel maintenance combined with use of offshore sources for beach nourishment projects throughout the region. Additional work in Duval County will focus on beneficial-use options, such as using dredged material for environmental restoration or nearshore placement, rather than disposing of the material offshore or in upland disposal sites.
- The Southeast Florida S.A.N.D. (Sediment Assessment and Needs Determination) is a state-led study which will evaluate southeast Florida sand needs compared to availability in domestic offshore sources. The Corps is providing technical support for the assessment. The report will update information presented in the Southeast Atlantic Regional Sediment Management Plan for Florida (USACE 2009).

CONSTRUCTION:

- **Duval County Shore Protection Project** - Work was completed on 16 August, a month ahead of schedule, and just before Hurricane Irene passed offshore. The post construction monitoring surveys have been completed and the next beach monitoring surveys will occur in May.
- **Pinellas County SPP** – Sand Key contract has been awarded with a notice to proceed scheduled for March 2012. Approximately 1,250,000 CY will be placed as part of this project.

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- **St. Johns County BEC** – Renourishment is scheduled for this winter to place up to 2.1 MCY on St Augustine beaches during winter/spring 2012. The upcoming renourishment represents a great example of RSM. Three sand sources will be used sequentially to nourish the Federal SPP located south of the St. Augustine Inlet which is a shallow-draft Federal navigation project: the main channel of St. Augustine Inlet will be dredged first, then a portion of Vilano Shoal (adjacent to the channel), and finally the ebb shoal will be dredged to meet the 2.1 million cubic yard renourishment need of the SPP. All of the sources will be dredged with a large cutterhead (pipeline) dredge with direct pumpout to the beach. This strategy is beneficial to navigation since the channel and problematic Vilano Shoal are being targeted for dredging first.



- **Ft. Pierce Beach** – Approximately 416,000 cubic yards of material on will be placed along 4,350 feet of beach south of Ft. Pierce Inlet. The sand will come from Capron Shoals, located 4.5 miles southeast of the project area. Beach nourishment should be underway by February 2012.
- **Dade County BEC&HP Project** – Contract E renourishment is scheduled to begin this winter in limited northern areas of the project. The contract will be temporarily halted to avoid tourist activities on southern portions of the project beaches and will resume in May 2012.

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FDEP Bureau of Beaches and Coastal Systems Report

Update as of 2/8/12

By Jackie Larson

JOINT COASTAL PERMITS

Final Orders - Beach Restoration and Nourishment Projects:

St. Johns County Beach Nourishment (St. Johns County) – a 10-year authorization to place approximately 2.1 million cubic yards of sand along 2.6 miles of shoreline fronting the Atlantic Ocean using material from the St. Augustine Inlet was issued on September 26, 2011.

Longboat Key Beach Nourishment (Manatee and Sarasota Counties)—a 10-year permit to construct multiple nourishments along 9.8 miles of Gulf of Mexico shoreline using both offshore and upland sand sources was issued on October 26, 2011.

Delray Beach Nourishment Project (Palm Beach County)—a 10 year permit authorizing nourishment of 1.9 miles of beach fronting the Atlantic Ocean using approximately 1.2 million cubic yards of sand from two offshore borrow areas was issued on January 27, 2012.

Hallandale Beach Nourishment Project (Broward County)—a 10-year permit authorizing nourishment of 4,300' of shoreline fronting the Atlantic Ocean using 71,500 cubic yards of sand from an upland sand source was issued on January 6, 2012.

Hollywood Beach Nourishment Project (Broward County)—a 10-year permit authorizing nourishment along 1.47 miles of shoreline fronting the Atlantic Ocean using 83,000 cubic yards of sand from an upland source was issued on November 11, 2011.

Notice of Intent/Draft Permits Processed:

Miami Beach Experimental Reefball Project (Miami-Dade County) — request to install an experimental erosion control system consisting of submerged “reefballs” near 63rd Street in Miami Beach. The Notice of Intent and Draft Permit was issued on November 21, 2011.

South Beach Reach A Sand Bar Innovative Project (Brevard County)—request to construct a nearshore submerged sand bar in the waters along Brevard County’s South Beaches using up to 150,000 cubic yards of beach compatible sand. The Notice of Intent to Issue and Draft Permit were issued on November 18, 2011.



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Petitioned Files/Administrative Challenges:

Okaloosa Island Beach Restoration Project (Okaloosa County) – Request to restore 2.9 miles of Gulf of Mexico shoreline with approximately 913,000 cubic yards of sand from an offshore borrow area. The Administrative Hearing was conducted over several days in November and December 2010. The Department issued a Final Order on December 29, 2011, granting the permit. On January 3, 2012, the Petitioners filed an appeal challenging the Department's Final Order. No briefs have been filed yet.

Western Destin Beach Restoration Project (Okaloosa County) – a five-year permit authorizing to the restoration of 1.7 miles of Gulf of Mexico shoreline with 831,000 cubic yards of sand from an offshore borrow area was issued on December 16, 2011. Events leading up to permit issuance included a hearing that was conducted before an Administrative Law Judge (ALJ) in August, September, and November, 2010. On June 29, 2011, the ALJ recommended the DEP enter a final order issuing the Joint Coastal Permit, Variance and Sovereign Submerged Lands Authorization. The Department issued a final order adopting the ALJ's findings and conclusions with certain exceptions on August 29, 2011, and ultimately concluded that the permit should be issued. Petitioners in the case filed an appeal on September 16, 2011. The current status of the appeal is that the initial, answer, and reply briefs were filed, and a cross appeal brief is pending.

Midnight Pass (Sarasota County)—The Midnight Pass Society sent a Notice of Intent to Sue the Department (and several federal agencies) for violations of the Clean Water Act and Endangered Species Act in relation to the alleged failure to reopen Midnight Pass in Sarasota County. The Pass closed in 1983 when neighboring homeowners filed the shifting waterway which was threatening to move under their homes. Three subsequent attempts in 1983 and 1984 to reopen the pass failed due to natural forces. Sarasota County applied to the Department reopen the Pass in 1996 and 2004. Both applications were denied. The first denial was litigated in DOAH where the Department prevailed. Sarasota County elected not litigate the second denial. This is the Midnight Pass Society's second attempt to sue the Department in federal court on this matter. The Midnight Pass Society must now wait 60 days from the receipt date (December 29, 2011) of the letter to file a complaint in federal court.

Miami Harbor Phase III Expansion and Maintenance Project (Miami-Dade County)—proposed removal of approximately 6 million cubic yards of mostly rocky material from the federal channel and dispose the material in an Ocean Dredged Material Disposal Site. The Notice of Intent to Issue and Draft Permit were issued on August 31, 2011, and subsequently challenged on December 9, 2011. The administrative hearing is scheduled to begin on August 14, 2012.

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ADMINISTRATIVE MATTERS

The Bureau's New Address

4708 Capital Circle N.W.
Tallahassee, Florida 32303

New Bureau Chief, Beaches and Coastal Systems

Ms. Danielle Fondren was appointed as the Bureau Chief for the Bureau of Beaches and Coastal Systems effective February 8, 2012. Ms. Fondren worked for the DEP's Northeast District Office before owning and operating her own business, DHF Consulting, Inc., for the last seven years out of Jacksonville. Danielle received a Bachelor of Science in Biology and a Bachelor of Arts in Environmental Sciences from the University of Southern California and a Master of Science in Oceanography from Florida State University.

Local Government Funding Requests for Fiscal Year 2012/2013

The Department transmitted the lists of the submitted Beach Restoration and Nourishment Projects (total requested state funding: \$71.8M) and Inlet Sand Bypassing/Inlet Management Plan Implementation Projects (total requested state funding: \$20M) to the Governor, Senate President and House Speaker on November, 28, 2011.

Florida Administrative Code – Rule Development/Rulemaking

Pursuant to Governor Scott's Executive Order Number 11-01 and 11-72, the Bureau reviewed all of its Rule Chapters to determine consistency with the Executive Orders. Through this process, the Bureau proposed to amend 62B-33, 62B-41, and 62B-49. The Bureau also proposed to repeal 62B-33.007, 62B-49.003, all of 62B-55 (except 62B-55.003), and all of 62-45. The repeals of 62B-33.007 and 62B-49.003 will become effective on February 16, 2012. Modifications to 62B-55 and 62-45 will require statutory changes.

Amendments to 62B-41.002, .003, and .005 became effective on November 17, 2011. These amendments were in response to concerns raised by the Joint Administrative Procedures Committee.

The Department will publish a Notice of Proposed Rule on February 10, 2012 for amendments to 62B-54.002(2). The amendments will remove the last sentence of the subsection which states multi-day penalties will not be assessed for minor violations. A rulemaking hearing will be held on March 7, 2012, if one is requested. This rulemaking is in response to concerns raised by JAPC.

Department leadership asked the Bureau to redraft amendments to 62B-36 previously discussed in workshops held in 2009 and 2010.

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Gulf Coast States Coalition Travels to Washington, DC in Support of the RESTORE Act

By Jim Triflio

During the week of February 6th a coalition of officials from the Gulf Coast States travelled to Washington D.C. in support of the RESTORE Act. Officially known as S. 1400 and H.R. 3096, the RESTORE Act is something of a rarity in Washington these days. It has both bipartisan and bicameral support. The simple intent of the Act is to allow any Clean Water Act fines associated with the Deepwater Horizon oil spill to be redirected to Florida, Alabama, Mississippi, Louisiana and Texas. Current law requires that any such fines be placed in the general fund of the federal government. Given the current climate in Washington, this change will be no mean feat.



Senator Mary Landrieu (bill sponsor) and Senator Bill Nelson (co-sponsor) address the Gulf Coast States Coalition

The participants of the fly in met with key committee members as well as other members of Congress to reinforce just how important the RESTORE Act is to the Gulf Coast States. One common question was “*why does the Gulf Coast need additional funding.*” This was asked in the context of a good come back tourist season in 2010, BP commercials showing how the Gulf Coast is just as good as ever, National Resource Damage Assessment projects and the \$20 billion dollars provided by BP for damages. The simple answer is the unknown. It wasn’t until 4 years after the Exxon Valdez spill in Prince William Sound that the herring fishery collapsed. If Clean Water Act fines are funneled back to the general fund and the Gulf Coast States are faced with a similar environmental and economic disaster, where will the money come from to restore the Gulf?

One difficult hurdle that must be overcome is the matter of an offset for the bill. Under the federal government’s PAYGO rules, new legislation must either be "budget neutral" or offset with savings derived from existing funds. This is true, if somewhat incomprehensible, even for money (in this case Clean Water Act fines) provided to the government at no cost to the taxpayers. Currently, the Congressional Budget Office estimates that the offset for the RESTORE Act would be approximately \$1.5 billion dollars. If a settlement is reached between BP and the Federal Government before the bill is passed, the offset could be as much as the settlement. Additionally, there is some sentiment that other non-Gulf Coast States should benefit from any civil fines even though they incurred none of the environmental or economic damages that the Gulf Coast States did. Finally, others believe that any civil fines

should be used to lower the national debt. The one phrase we heard repeatedly from our elected officials was that getting the RESTORE Act passed was going to be “a heavy lift” due in large part to the toxic political environment in Washington.

There has been one very positive step taken during the writing of this article. On February 16th, Rep. Steve Scalise (R-LA.) introduced an amendment to the House-passed transportation legislation. The amendment passed by voice vote and provides for the dedication of 80 percent of any resulting Clean Water Act fines to Gulf Coast economic and environmental restoration. This is a giant step forward.

Although fairness is not something normally associated with the political process the question should be asked, “*Why should the federal government benefit from the pain and suffering of the Gulf Coast States?*” It's now up to our elected officials to do the right thing, the fair thing and safeguard the environmental and economic future of the Gulf Coast States.

Jim Trifilio is the Coastal Management Coordinator for the Okaloosa County Tourist Development Council and a board member of FSBPA.

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Coastal Restoration: The Right Program at the Right Time for Florida's Economy

By James Marino, P.E., D.CE.

"The following should be of timely interest, especially to our members from Northwest Florida. FSBPA is most pleased to share this article with you; however, it should be recognized as an editorial, and not necessarily reflecting the views of the Association."

When people think about restoring the environment, they don't necessarily think about restoring the economy. What they don't realize is that investing in coastal restoration work is a highly leveraged activity that creates ripple effects for hundreds of businesses and a wide variety of workers. Our company, like many other firms, provides coastal engineering and environmental sciences-related services to several Florida counties and the private sector, as well as federal and state agencies. If our customer base responds to Gulf restoration funding with new work orders, hiring at our firm and our peers firms would experience a positive and sustainable long-term effect.

Restoration projects are very important to small- and medium-sized firms like ours because they provide a valuable stream of work in a fragile economy. Like most small- and medium-sized businesses, our firm has seen revenues decline by almost a third. Investing in projects that restore wetlands and beaches would help many small business owners in ecotourism, the marine construction sector, and equipment manufacturing both in our state and across the nation. In turn, that investment would produce jobs, local tax revenue, and grow the economy. A study of Everglades restoration by Mather Economics underscores this point. Basing its findings on data from the U.S. Army Corps of Engineers, the Mather study estimates that every \$1 million of public investment in restoring the Everglades would create about 20 jobs.

The benefit-to-cost ratio is high for restoration projects, especially for beach restoration, which brings considerable value to regional economies. The return on investment for these types of projects has been documented to be as high as 8 to 1. These projects not only provide an immediate and prolonged benefit economically but, more importantly, achieve the net positive effects of building an enduring and sustainable environmental infrastructure.

A new Duke University economic study shows that if Congress were to pass bipartisan legislation, the Gulf Coast States RESTORE Act would provide a needed boost to an extensive supply chain of restoration-related businesses without using hard-earned taxpayer money. By returning most of the expected billions of dollars in penalties from last year's BP oil disaster to the Gulf, the RESTORE Act would benefit nearly 400 marine construction industry employee locations in 37 states, including more than 260 locations in the 5 Gulf Coast states and nearly 60 in Florida.

The Duke study shows how restoration projects can activate a huge value chain that links material providers, equipment manufacturers, shipbuilders, machinery repair firms, engineering and construction contractors, and environmental resource companies. Two-thirds of the companies that would benefit qualify as small businesses.

Co-sponsored by nine Florida House members, and 9 of the 10 Gulf state senators, including Florida's Bill Nelson (D) and Marco Rubio (R), the RESTORE Act would dedicate 80 percent of the estimated \$5-21 billion in Clean Water Act fines from the nearly \$5-million-barrel spill to restoring the Gulf.

However, unless Congress acts, the BP oil spill penalties automatically default to the Federal Treasury rather than go to the Gulf Coast states, the just recipients of these monies. Passing the RESTORE Act is the right thing to do — for business, for the environment, and for the country.

Investing in coastal restoration now will help position the marine, construction, and manufacturing sector for growth in global markets, according to the Duke report. Several countries in Asia are developing integrated coastal management programs. India, Bangladesh, Indonesia, and Vietnam recently have dedicated hundreds of millions of dollars to coastal restoration projects. These countries see, as should the U.S. Congress, the benefits that accrue to healthy coastal environments. Coastal restoration, via the RESTORE ACT, would both benefit the Gulf Coast beaches and continue to build jobs in this promising new sector.

Members of Congress from both parties have an opportunity to put aside their differences to pass this bipartisan bill that would go a long ways towards repairing the unfortunate setbacks created by the BP oil disaster and generate great economic returns to the Gulf Coast and the nation's economy. The question is, will they act with courage, a basic tenet of leadership?

James Marino is a professional engineer and certified diplomat in coastal engineering. A retired U.S. Army officer, he currently serves as president of Taylor Engineering, Jacksonville, Florida.

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CALENDAR OF EVENTS

FSBPA Conferences

September 26-28, 2012

2012 FSBPA Annual Conference

Waldorf Astoria, Naples

Naples, FL

February 13-15, 2013

2013 National Conference on Beach Preservation Technology

Omni Jacksonville

Jacksonville, FL

OTHER DATES OF INTEREST

Florida Legislative Session

Convened January 10, 2012, scheduled to adjourn March 9, 2012

February 28-March 1, 2012

ASBPA Coastal Summit

ASAE Conference Center, Washington, DC

October 9-12, 2012

ASBPA National Coastal Conference

San Diego, CA

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