



About Shoreline

news from the Florida Shore and Beach Preservation Association

June 2023

Wrap-Up of the 2023 Legislative Session

by Pepper Uchino, President



With a newly seated Republican supermajority in both chambers, Session kicked off in March with a relatively contentious slate of policy goals that would test the collegiality between the two parties. The presiding officers indicated early they were committed to finishing within the 60-day period. True to their word, Session finished on time this year even with significant time dedicated to heated floor debates. With enough controversy to fill an entire Session, there were still times of rare unity, including the record-setting budget.

SB 2500, the budget bill, came in at just over \$117B, including almost \$3B in tax relief. The Legislature also put \$10.9B in reserves. As usual, trust fund spending led the way at \$70.5B, with general revenue trailing at \$46.5B. In terms of monies going to reserves, \$5.3B is unallocated general revenue, \$4.1B goes to the budget stabilization fund, and \$1.4B went into the Emergency Preparedness and Response Fund.

In such a large budget, it is no surprise that the Legislature funded hurricane response for those hardest hit areas, which also overlapped considerably with the presiding officers' districts. The second half of funding for the DEP's hurricane recovery plan was allocated (\$106M), bringing the total for storm-damage recovery for Ian and Nicole to \$206M when you include the \$100M passed during Special Session 2022A. The statewide beach management program once again enjoyed \$50M in recurring funding with flexible proviso for the DEP to expend funds on other beach projects pursuant to Ch. 161, F.S.

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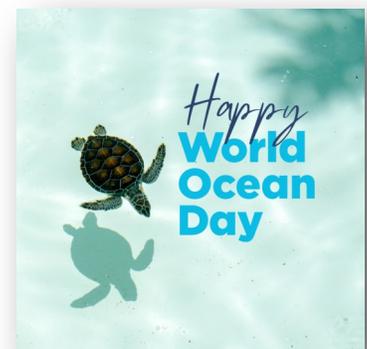


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APPROPRIATIONS

Once again, our shared BeachWatch governmental strategy was to request the \$50 million in recurring Land Acquisition Trust Fund (LATF) dollars. We were concerned there may be an attempt to claw back some of the recurring allocation because this was a down year for local government funding requests, however, after meetings with the appropriations chairs and staff, it became clear that programmatic beach funding was safe once again this year. Even so, it is always nice to see matching numbers released in the initial budgets of both chambers. With a total over \$235M for all line items, it was another stellar year for beaches funding in Florida.

The Traditional Statewide Beach Budget for FY2023/24

TOTAL - \$50M

1822 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BEACH PROJECTS - STATEWIDE

FROM LAND ACQUISITION TRUST FUND 50,000,000
PROVISO

Funds in Specific Appropriation 1822 are provided to the Department of Environmental Protection for distribution to beach and inlet management projects consistent with any component of the comprehensive long-term management plan developed in accordance with section 161.161, Florida Statutes. Funds may be used in accordance with section 161.101, Florida Statutes, for projects on annual ranked lists, storm repair projects, or projects on lands managed by the state.

Hurricane Ian and Nicole Recovery (SB 2500 – “Back of the bill”)

TOTAL: \$156M

The fiscal year in the language below is not a typo. I verified it with staff to ensure this was the second tranche of recovery funding from the DEP’s \$206M plan to continue hurricane beach and dune recovery efforts, so it is appropriated for the current year, which will carry forward into next fiscal year.

SECTION 142. There is hereby appropriated for Fiscal Year 2022-2023, \$106,000,000 in nonrecurring funds from the General Revenue Fund in a Fixed Capital Outlay appropriation category to the Department of Environmental Protection for beach erosion projects as identified in section 161.101 (22), Florida Statutes, related to damages from Hurricanes Ian and Nicole. This section is effective upon becoming a law.

Funding in the next section amounted to \$50M for the sand placement and costal armoring grant program passed during Special Session 2022A. The program was modified slightly in the implementing bill, SB 2502. Those changes include expanding the eligibility to multi-family dwellings (maximum of four), upping the individual reimbursement from \$150k to \$300k, and extending the expiration of the program to July 2024 instead of 2023.

SECTION 143. There is hereby appropriated for Fiscal Year 2022-2023, \$50,000,000 in nonrecurring funds from the General Revenue Fund in a Fixed Capital Outlay appropriation category to the Department of Environmental Protection for the Hurricane Restoration Reimbursement Grant Program as established in chapter 2022-272, Laws of Florida. This section is effective upon becoming a law.

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Other Beach-related Spending

There were three other beach-specific line items in the budget. Ponte Vedra Beach and Dune Restoration III received a significant funding boost at \$25M. The line item in the budget is 1817A. The other specific beach project is Key Biscayne sand placement at \$450K, line item 1823A. Lastly, we were able to secure a \$5M appropriation for sargassum clean up (line item 2678A) that will be administered by the Division of Emergency Management.

OTHER ENVIRONMENTAL APPROPRIATIONS ISSUES

This budget includes the most spending for environmental programs in the history of Florida. It reflects both the current issues and potential solutions facing the state as well as an indication of the large amount of general revenue legislators had at their disposal. Considering documentary stamp collections missed estimates by almost \$700M, the Legislature could have pulled back from funding non-critical issues, but it did not. Once again, resilience, everglades, and water spending were near the top of the list, but significant funds were allocated to land acquisition as well. Coral reef restoration also saw a significant allocation of \$18.5M. The following is a list of highlights from the various environmental silos we tracked:

AGRICULTURE AND NATURAL RESOURCES SPENDING

Department of Agriculture & Consumer Services

Total: \$3 billion

- Rural and Family Lands Protection Program - \$100M
- Reforestation Program - \$4M
- Office of Energy Grants - \$30.4M

Department of Environmental Protection

Total: \$4.9 billion

- Everglades Restoration - \$574.6M
- Water Quality Improvements - \$1B
- Flood and Sea-Level Rise Program - \$300M
- Water Quality Improvements - Blue Green Algae Task Force - \$12.8M
- Innovative Technology Grants for Harmful Algal Blooms - \$10M
- Coral Reef Restoration - \$18.5M
- Springs Restoration - \$50M
- Florida Forever Programs and Other Land Acquisition - \$1B
- Florida Keys Area of Critical State Concern - \$20M
- Lake Apopka Restoration - \$5M
- Beach Management Funding Assistance - \$206M
- Land and Water Conservation Grants - \$13.8M

Fish & Wildlife Conservation Commission

Total: \$517.6 million

- Artificial Reef - \$10.6M
- Wildlife Management Area Additions - \$3.1M
- Lake Restoration - \$3M
- Manatee Population Assessment and Management - \$900K
- Invasive Species Control - \$4M
- Wildlife Habitat Restoration Projects - \$23.3M

SUBSTANTIVE BILLS**NOT PASSED****[SB 1072](#) (Rodriguez)/[HB 979](#) (Gossett-Seidman) –Dredging and Beach Restoration Projects (died in committee)**

Usually, we do not report on bills that did not pass during Session, however, this bill would have profoundly and negatively affected our beach program. It started out only impacting deepwater ports, due to the environmental fallout from the Port of Miami project. It then morphed into a ports and beaches bill, and ultimately affected only beaches. The House sponsor, Rep. Gossett-Seidman, has expressed interest in re-filing the bill next year, and we will work with her and stakeholders to see if there is common ground.

PASSED**[HB 111](#) (Hunschofsky)/[SB 1170](#) (Calatayud) – Flooding and Sea Level Rise Vulnerability Studies**

The bill expands the requirement for public entities to conduct a SLIP study to any area that is at risk due to sea level rise, not just areas within the coastal building zone. The structures subject to this requirement are any “potentially at-risk structures or infrastructure,” which include certain critical assets or historical or cultural assets that are within an area at risk due to sea level rise.

The bill expands the Resilient Florida Grant Program to provide funding to:

- Municipalities and counties for feasibility studies and permitting costs for nature-based solutions that reduce the impact of flooding and sea level rise; and
- Water management districts to support local government adaptation planning.

[SB 250](#) (Martin)/[HB 7057](#) (Commerce Committee) – Natural Emergencies

This was the work product out of the resilience committees in response to Hurricanes Ian and Nicole. The bill:

- Requires the Division of Emergency Management (DEM) to post on its website a model debris removal contract for the benefit of local governments.
- Encourages local governments to create emergency financial plans.
- Provides that counties and municipalities cannot prohibit a resident from placing a temporary residential structure on their property for up to 36 months following a natural emergency under certain circumstances.
- Authorizes local governments to create specialized building inspection teams following a natural disaster and encourages interlocal agreements for additional building inspection services during a state of emergency.
- Requires local governments to expedite permit issuance following a natural disaster.
- Increases the extension of certain building permits following a declaration of a state of emergency from 6 to 24 months and caps such extension at 48 months in the event of multiple natural emergencies.
- Prohibits counties and municipalities within the disaster declaration for Hurricane Ian or Hurricane Nicole from increasing building fees until October 1, 2024.
- Allows registered contractors to engage in contracting for the types of work covered by their registration within areas for which a state of emergency has been declared.

- Prohibits counties and municipalities within the disaster declaration for Hurricanes Ian or Nicole from adopting more restrictive or burdensome procedures to its comprehensive plan or land development regulations concerning review, approval, or issuance of a site plan, development permit, or development order before October 1, 2024.
- Amends the Consultant's Competitive Negotiations Act to allow for additional disaster-related construction projects relating to Ian to utilize the continuing contracts provision through December 31, 2023.
- Provides clarification regarding abandoned vessels and their destruction.
- Directs DEM to administer a revolving loan program for local government hazard mitigation projects and appropriates \$1,000,000 in nonrecurring funds from the General Revenue Fund and \$10,000,000 in nonrecurring funds from the Federal Grants Trust Fund for such activity. Such funds will be held in reserve, contingent upon FEMA approval and release by the Legislative Budget Commission.
- Extends the date for fire control districts to submit the statutorily required performance reviews in the event of a natural disaster or a major hurricane.
- Creates the Local Government Emergency Bridge Loan Program, a revolving program, and makes funds available for local governments impacted by federally declared disasters until July 1, 2038. Additionally, the bill appropriates \$50 million in nonrecurring funds from the General Revenue Fund to the program.

[HB 641 \(LaMarca\)](#)/[SB 546 \(Avila\)](#) – Restoration of Osborne Reef

The bill requires the DEP to submit a report to the Legislature on the status of the Osborne Reef cleanup and tire removal project. The bill also directs DEP to develop a comprehensive post-tire removal restoration plan for Osborne Reef by July 1, 2024, and provide it to the Legislature. The report must include an update on the status of the restoration plan and any recommendations for statutory changes necessary to achieve the identified restoration goals. The effective date of the bill is July 1, 2023.

[SB 724 \(Boyd\)](#)/[HB 1181 \(Robinson Jr.\)](#) – Seagrass Restoration Technology Development Initiative

The bill establishes the Seagrass Restoration Technology Development Initiative within DEP, in partnership with Mote Marine Laboratory and the University of Florida, to develop innovative and environmentally sustainable technologies needed to restore coastal seagrass ecosystems. The bill also establishes the Initiative Technology Advisory Council as part of the Initiative.

The bill requires Mote Marine Laboratory and the University of Florida to create a 10-year Florida Restoration Plan to implement the tools and technologies developed under the Initiative.

Beginning with fiscal year 2023-2024, and continuing through fiscal year 2027-2028, the bill appropriates \$2 million/year to DEP for the purposes of implementing the Initiative. The effective date of the bill is July 1, 2023.

[HB 847 \(Stark\)](#)/[SB 1082 \(DiCeglie\)](#) – Vessels/Vessel Regulations

In relevant part, the bill authorizes local governments to establish, by ordinance, minimum wake boating-restricted areas within 500 feet of a public or private nonresidential marina pumpout facility that is within 100 feet of the marked portion of the Florida Intracoastal Waterway.

[HB 1367](#) (Altman)/ [SB 1368](#) (Wright) – Unlawful Dumping

The bill revises the Florida Litter Law to prohibit a person from dumping litter in or on water control district property or canal rights-of-way. It also clarifies that the draining or discharging of litter is dumping and adds personal property, pharmaceuticals, household items, and sheds to the list of items that are considered litter. The bill specifies that the definition of motor vehicle or motor vehicle part includes trucks, trailers, and motor homes. It requires reporting of incidents to the appropriate law enforcement agency. Lastly, the bill authorizes a law enforcement officer to enter any WMD or other district's canal right-of-way, property, or facility to respond to such an incident.

[HB 1379](#) (Steele)/ [SB 1632](#) (Brodeur) – Environmental Protection

This is the DEP agency package bill. As such, it covers a wide array of environmental issues as follows:

- Requires any county or municipality with a basin management action plan (BMAP) within its jurisdiction to include within the capital improvement element of its comprehensive plan a list of projects necessary to achieve the pollutant load reductions attributable to the local government as established in the BMAP.
- Prohibits the installation of new onsite sewage treatment and disposal systems (OSTDSs) within a BMAP area adopted under s. 403.067, F.S., a reasonable assurance plan, or a pollution reduction plan where connection to a publicly owned or investor-owned sewerage system is available. In addition, on lots of one acre or less within such areas where a publicly owned or investor-owned sewerage system is not available, the bill requires the installation of enhanced nutrient-reducing OSTDSs or other wastewater treatment systems that achieve at least 65 percent nutrient reduction.
- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters that: are not attaining nutrient or nutrient-related standards; have an established total maximum daily load (TMDL); or are located within a BMAP area, a reasonable assurance plan area adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity.
- Requires DEP, relevant local governments, and relevant local public and private wastewater utilities, as part of a BMAP that includes an Outstanding Florida Spring, to develop an OSTDS remediation plan for a spring if DEP determines OSTDSs within a BMAP contribute at least 20 percent of nonpoint source nitrogen pollution or if DEP determines remediation is necessary to achieve the TMDL.
- Establishes the Indian River Lagoon Protection Program within DEP.
- Dedicates \$100 million annually to DEP from the Land Acquisition Trust Fund for the acquisition of lands through the Florida Forever Program.
- Increases the contract price for a land acquisition agreement that requires approval by the Board of Trustees of the Internal Improvement Trust Fund and increases the threshold for when two appraisals are required.
- Requires coordination with DACS to identify and prioritize projects that will improve the water quality of certain impaired waters.
- Requires appraisal reports to be disclosed to private landowners during negotiations for acquisition.

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Setting the Stage for FSBPA's Annual Meeting

The 2023 Florida Resilience Conference planning is well underway, and FSBPA is delighted to host its 66th Annual Meeting of government leaders, beach managers, and coastal firms to discuss effective beach management policies and practices. We hope you are making plans to attend! Early registration is open and hotel rooms are available.



This year, FSBPA is again partnering with Resiliency Florida to organize an expanded conference program that will include concurrent sessions on important topics such as beach management; energy generation and distribution; green and gray infrastructure; and smart and sustainable planning. Engaging breakout sessions will feature in-depth discussions led by industry professionals, shedding light on the latest developments and advancements in these areas. Plenary sessions will highlight recent legislative initiatives of statewide

importance, particularly focusing on the state's approaches to post-storm recovery and repair. Professional exchange breaks, receptions, the luncheon, and banquet will provide the invaluable time you need with your team or for team building. Top off these opportunities with a beach excursion, and this will be the most valuable (and dare we say fun!) professional conference of the year.

[The Call for Abstracts closes on Friday, June 16.](#) One week left to submit an abstract for consideration by the Planning Committee. Please go to our conference website to submit your ideas today.

[FSBPA Annual Award Nominations open today!](#) This is your once-a-year opportunity to acknowledge a colleague for their outstanding contributions to the preservation of Florida's beaches and coastal systems. Please consider the work of your peers over the past year, and if you know one who has exceeded expectations, then don't be shy, nominate them without delay! It is a wonderful gesture to be recognized among associates and friends.

You might notice this year's Environmental Award was renamed by the Board of Directors to the Suzi Fox Environmental Award. Many of you will remember her as the Director of Anna Maria Turtle Watch & Shorebird Monitoring for the past 30 years. Suzi was also a long-time supporter of FSBPA and a frequent attendee – and sometimes presenter — at our conferences. But Suzi will be especially remembered for her passion for marine turtles and shorebirds as well as for her efforts to educate homeowners and visitors on the importance of protecting Florida's coastal environment for its precious wildlife. She was an inspiration to those who worked with her and a generous mentor to Florida's youth.



Suzi Fox

Suzi was the FSBPA [2022 Environmental Award recipient](#). She was excited and humbled when she heard about the award, but unexpectedly passed away before receiving it. The award was presented to her family during the celebration of life ceremony this past January. Suzi will be remembered for her generous and outstanding contributions toward the protection of Florida's coastal environment, and it is an honor to announce FSBPA's Environmental Award now carries her name.

2023 Florida Resilience Conference featuring the 66th FSBPA Annual Meeting Conference and Hotel Information



Marriott Harbor Beach Resort, Fort Lauderdale, Florida.

Reserve your hotel room today! \$189 single/double room plus \$15 resort fee per day plus tax.

Register today!

Member Spotlight - Share your news with us!

FSBPA is in need of announcements or articles by corporate members. The Shoreline newsletter is your opportunity to share information about a recent project or to recognize an employee for an achievement or milestone. Please email us if you are interested in learning more about making a newsworthy contribution to the next newsletter. The July edition of Shoreline is just around the corner.



What's happened since the SACS concluded?

by Ashleigh H. Fountain



US Army Corps
of Engineers®

In recent years, the U. S. Army Corps of Engineers (Corps) has seen great momentum as an organization moving in a direction of finding sustainable solutions, incorporating resilience and really honing in on natural and nature-based concepts. The South Atlantic Coastal Study, or SACS, was ongoing and active at an opportune time to harmonize with the ongoing collaboration and initiatives.



Signing of the SACS Final Report.
Photo by: David Ruderman

As a background, the SACS officially concluded when the Final Report was signed by Corps South Atlantic Division Commander, Brig. Gen. Jason E. Kelly, on July 25, 2022. The South Atlantic Coastal Study Team managed the four-year, comprehensive regional watershed planning study identified risks and vulnerabilities of tidally influenced areas to increased hurricane and storm damage as a result of sea level rise. The study area spanned the entire Gulf of Mexico and Atlantic Ocean coasts from Mississippi to North Carolina, as well as Puerto Rico and the U. S. Virgin Islands, covering approximately 65,000 miles of coastline and resulted in over 200 recommendations - with more than 25% of those specifically for Florida.

Like dunes, our program is growing, shifting and changing. A number of SACS recommendations are already progressing.

One of the study efforts identified through the SACS was the Cape Canaveral Wastewater Treatment Plant. At the time of SACS conclusion, the City of Cape Canaveral had submitted a Letter of Interest in a Continuing Authority Program (CAP) Emergency Streambank and Shoreline Protection project through Section 14 of the Flood Control Action of 1946, as amended. In April 2023, this project received funding to complete a Federal Interest Determination after competing with 92 other projects across the Nation and was ultimately just one of the eleven Section 14 CAP projects selected this fiscal year.

While protection of a wastewater treatment plant may not be on the forefront of the minds for the Florida Shore and Beach Preservation Association community, it actually has many ties to this community. One being, the protection of this infrastructure for environmental concerns – not to mention health and safety. But, also that we have to be innovative. Preliminary discussions with Cape Canaveral stakeholders during the SACS expressed an interest in natural and nature-based solutions. Natural and nature-based solutions are just one tool in our toolbelts moving forward seeking ways to reduce risks, especially in the back bays like on the Cape. Back bay vulnerabilities are where the Corps is and will be spending a bulk of our time in the future, as was outlined in the SACS.

Another study effort recommendation from the SACS is moving forward is the St. Augustine Back Bay Feasibility Study which officially kicked off in January 2023. This study team has extensive goals for outreach planned in the affected communities and will certainly consider natural and nature-based in concert with structural and non-structural elements moving forward.

The Collier County Coastal Storm Risk Management (CSRМ) team is rolling again and using SACS tools in their analyses. Natural and nature-based solutions have been routinely suggested by stakeholders for this area and the Corps is moving forward through the plan formulation process by holding a series of public meetings.

The Pinellas CSRМ Study is another recommendation that has advanced since the conclusion of the SACS. This study was authorized in the Water Resources Development Act of 2022 and includes a dune feature. Several of our existing federal CSRМ projects now have incorporated dunes into their project design, through Engineering Documentation Reports, or other avenues as the benefits from the presence of dunes are realized again and again. Yet, still there is much more to know and room to grow. In the 2022 Edition of the Civil Works R&D Value to the Nation, the first highlighted topic was, Enhancing Dune Stability and Resiliency Using Beach Wrack.

We look forward to implementing more SACS recommendations and continuing to grow and learn together to find resilient and sustainable solutions.

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The Florida Department of Environmental Protection (DEP) June 2023 Updates



Call for Applications for the Beach Management Funding Assistance Program

The [Beach Management Funding Assistance Program](#) is developing the annual prioritized list of beach and inlet management projects for the department's Fiscal Year 2024-25 Local Government Funding Request (LGFR). Please submit applications at your earliest convenience, with a deadline to submit by July 31, 2023. [Beach and inlet project application forms](#) can be viewed and downloaded from the department's website. [Additional resources](#) such as the newly updated Strategic Beach Management Plan also are available online.

Hurricane Recovery Plan Status

The department is awaiting final approval of the FY 2023-24 budget prior to moving forward with the second round of grant agreements for the Hurricanes Ian and Nicole Recovery Plan for Florida's Beach and Dune System. The department is also awaiting information on how federal funding may influence recovery efforts of projects areas identified in the plan. This will ultimately influence the final project allocations of the total funds appropriated.

Seeking Engineering Program Administrator

Bob Brantly is retiring this summer, and the Office of Resilience and Coastal Protection is recruiting for a new program administrator for the Coastal Engineering and Geology group. Please see the [job opportunity announcement at Jobs.MyFlorida.com](#).

Seeking Southwest Managed Areas Program Administrator

The Office of Resilience and Coastal Protection is recruiting for a new program administrator for the Southwest Region Aquatic Preserves and the Rookery Bay National Estuarine Research Reserve. Please see the [job opportunity announcement at Jobs.MyFlorida.com](#).

Shoreline

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CALENDAR OF EVENTS

FSBPA Events



September 27-29, 2023

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

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

February 7-9, 2024

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

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Other Events

October 10-13, 2023

ASBPA 2023 National Coastal Conference

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