

By Senator Latvala

16-00086B-17

20171590\_\_

1  
2 A bill to be entitled  
3 An act relating to coastal management; amending s.  
4 161.101, F.S.; revising the criteria to be considered  
5 by the Department of Environmental Protection in  
6 determining and assigning annual funding priorities  
7 for beach management and erosion control projects;  
8 specifying tiers for such criteria; requiring tiers to  
9 be given certain weight; requiring the department to  
10 update active project lists on its website; redefining  
11 the term "significant change"; revising the  
12 department's reporting requirements; specifying  
13 allowable uses for certain surplus funds; revising the  
14 requirements for a specified summary; requiring that  
15 funding for certain projects remain available for a  
16 specified period; amending s. 161.143, F.S.;  
17 specifying the scope of certain projects; revising the  
18 list of projects that are included as inlet management  
19 projects; requiring that certain projects be  
20 considered separate and apart from other specified  
21 projects; revising the ranking criteria to be used by  
22 the department to establish certain funding priorities  
23 for certain inlet-caused beach erosion projects;  
24 revising provisions authorizing the department to  
25 spend certain appropriated funds for the management of  
26 inlets; deleting a provision authorizing the  
27 department to spend certain appropriated funds for  
28 specified inlet studies; revising the required  
29 elements of the department's report of prioritized

16-00086B-17

20171590\_\_

30 inlet management projects; revising the funds that the  
31 department must make available to certain inlet  
32 management projects; requiring the department to  
33 include specified activities on the inlet management  
34 project list; deleting provisions requiring the  
35 department to make available funding for specified  
36 projects; deleting a requirement that the Legislature  
37 designate a project as an Inlet of the Year; requiring  
38 the department to update and maintain a report  
39 regarding the progress of certain inlet management  
40 projects; revising the requirements for the report;  
41 deleting certain temporary provisions relating to  
42 specified appropriations; amending s. 161.161, F.S.;  
43 revising requirements for the comprehensive long-term  
44 management plan; requiring the plan to include a  
45 strategic beach management plan, a critically eroded  
46 beaches report, and a statewide long-range budget  
47 plan; providing for the development and maintenance of  
48 such plans; deleting a requirement that the department  
49 submit a certain beach management plan on a certain  
50 date each year; requiring the department to hold a  
51 public meeting before finalization of the strategic  
52 beach management plan; requiring the department to  
53 submit a 3-year work plan and a related forecast for  
54 the availability of funding to the Legislature;  
55 amending s. 375.041, F.S.; requiring certain funds  
56 from the Land Acquisition Trust Fund to be used for  
57 projects that preserve and repair state beaches;  
58 providing an effective date.

16-00086B-17

20171590\_\_

59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (14) and (20) of section 161.101, Florida Statutes, are amended to read:

161.101 State and local participation in authorized projects and studies relating to beach management and erosion control.—

(14) The intent of the Legislature in preserving and protecting Florida's sandy beaches pursuant to this act is to direct beach erosion control appropriations to the state's most severely eroded beaches, and to prevent further adverse impact caused by improved, modified, or altered inlets, coastal armoring, or existing upland development. In establishing annual project funding priorities, the department shall seek formal input from local coastal governments, beach and general government interest groups, and university experts. The department shall adopt by rule a scoring system to determine annual project funding priorities. The scoring system must consist of the following criteria equally weighted within the following specified tiers ~~criteria to be considered by the department in determining annual funding priorities shall include:~~

(a) Tier 1 must account for 20 percent of the total score and consist of the tourism-related return on investment and the severity of erosion conditions, the threat to existing upland development, and recreational and/or economic impact of the project. The return on investment of the project is the ratio of the tourism-related tax revenues for the most recent year to the

16-00086B-17

20171590\_\_

88 amount of state funding requested for the proposed project. The  
89 economic impact of the project is the ratio of the tourism-  
90 related tax revenues for the most recent year to all county tax  
91 revenues for the most recent year. The department must calculate  
92 these ratios using state sales tax and tourism development tax  
93 data of the county having jurisdiction over the project area. If  
94 multiple counties have jurisdiction over the project area, the  
95 department must assess each county individually using these  
96 ratios. The department shall calculate the mean average of these  
97 ratios to determine the final overall assessment for the  
98 multicounty project ~~benefits~~.

99 (b) Tier 2 must account for 45 percent of the total score  
100 and consist of the following criteria:

101 1. The availability of federal matching dollars,  
102 considering federal authorization, the federal cost-share  
103 percentage, and the status of the funding award;-

104 2. The storm damage reduction benefits of the project based  
105 on the following considerations:

106 a. The current conditions of the project area, including  
107 any recent storm damage impact, as a percentage of volume of  
108 sand lost since the most recent beach nourishment event or most  
109 recent beach surveys. If the project area has not been  
110 previously restored, the department must use the historical  
111 background erosion rate;

112 b. The overall potential threat to existing upland  
113 development, including public and private structures and  
114 infrastructure, based on the percentage of vulnerable shoreline  
115 within the project boundaries; and

116 c. The value of upland property benefiting from the

16-00086B-17

20171590\_\_

117 protection provided by the project and its subsequent  
118 maintenance. A property must be within one-quarter mile of the  
119 project boundaries to be considered under the criterion  
120 specified in this subparagraph; and

121 3. The cost-effectiveness of the project based on the  
122 yearly cost per volume per mile of proposed beach fill  
123 placement. The department shall also consider the following when  
124 assessing cost-effectiveness pursuant to this subparagraph:

125 a. The existence of projects with proposed structural or  
126 design components to extend the beach nourishment interval;

127 b. Existing beach nourishment projects that reduce upland  
128 storm damage costs by incorporating new or enhanced dune  
129 structures or new or existing dune restoration and revegetation  
130 projects;

131 c. Proposed innovative technologies designed to reduce  
132 project costs; and

133 d. Regional sediment management strategies and coordination  
134 to conserve sand source resources and reduce project costs.

135 (c) Tier 3 must account for 20 percent of the total score  
136 and consist of the following criteria: ~~The extent of local~~  
137 ~~government sponsor financial and administrative commitment to~~  
138 ~~the project, including a long-term financial plan with a~~  
139 ~~designated funding source or sources for initial construction~~  
140 ~~and periodic maintenance.~~

141 1. ~~(d)~~ Previous state commitment and involvement in the  
142 project, considering previously funded phases, the total amount  
143 of previous state funding, and previous partial appropriations  
144 for the proposed project;

145 2. The recreational benefits of the project based on:

16-00086B-17

20171590\_\_

146 a. The accessible beach area added by the project; and  
147 b. The percentage of linear footage within the project  
148 boundaries that is zoned:

149 (I) As recreational or open space;

150 (II) For commercial use; or

151 (III) To otherwise allow for public lodging  
152 establishments;-

153 ~~(c) The anticipated physical performance of the proposed~~  
154 ~~project, including the frequency of periodic planned~~  
155 ~~nourishment.~~

156 3.-(f) The extent to which the proposed project mitigates  
157 the adverse impact of improved, modified, or altered inlets on  
158 adjacent beaches; and-

159 ~~(g) Innovative, cost-effective, and environmentally~~  
160 ~~sensitive applications to reduce erosion.~~

161 ~~(h) Projects that provide enhanced habitat within or~~  
162 ~~adjacent to designated refuges of nesting sea turtles.~~

163 ~~(i) The extent to which local or regional sponsors of beach~~  
164 ~~erosion control projects agree to coordinate the planning,~~  
165 ~~design, and construction of their projects to take advantage of~~  
166 ~~identifiable cost savings.~~

167 4.-(j) The degree to which the project addresses the state's  
168 most significant beach erosion problems based on the ratio of  
169 the linear footage of the project shoreline to the cubic yards  
170 of sand placed per mile per year.

171 (d) Tier 4 must account for 15 percent of the total score  
172 and consist of the following criteria:

173 1. Increased prioritization of projects that have been on  
174 the department's ranked project list for successive years and

16-00086B-17

20171590\_\_

175 that have not previously secured state funding for project  
176 implementation;

177 2. Environmental habitat enhancement, recognizing state or  
178 federal critical habitat areas for threatened or endangered  
179 species which may be subject to extensive shoreline armoring or  
180 recognizing areas where extensive shoreline armoring threatens  
181 the availability or quality of habitat for such species. Turtle-  
182 friendly designs, dune and vegetation projects for areas with  
183 redesigned or reduced fill templates, proposed incorporation of  
184 best management practices and adaptive management strategies to  
185 protect resources, and innovative technologies designed to  
186 benefit critical habitat preservation may also be considered;  
187 and

188 3. The overall readiness of the project to proceed in a  
189 timely manner considering the project's readiness for the  
190 construction phase of development, the status of required  
191 permits, the status of any needed easement acquisition, the  
192 availability of local funding sources, and the establishment of  
193 an erosion control line. If the department identifies specific  
194 reasonable and documented concerns that the project will not  
195 proceed in a timely manner, the department may choose not to  
196 include the project in the annual funding priorities submitted  
197 to the Legislature.

198  
199 ~~If In the event that~~ more than one project qualifies equally  
200 under the provisions of this subsection, the department shall  
201 assign funding priority to those projects shown to be most ~~that~~  
202 ~~are~~ ready to proceed.

203 (20) The department shall maintain active project lists,

16-00086B-17

20171590\_\_

204 updated at least quarterly, ~~listings~~ on its website by fiscal  
205 year in order to provide transparency regarding those projects  
206 receiving funding and the funding amounts, and to facilitate  
207 legislative reporting and oversight. In consideration of this  
208 intent:

209 (a) The department shall notify the Executive Office of the  
210 Governor and the Legislature regarding any significant changes  
211 in the funding levels of a given project as initially requested  
212 in the department's budget submission and subsequently included  
213 in approved annual funding allocations. The term "significant  
214 change" means a project-specific change or cumulative changes  
215 that exceed the project's original allocation by \$500,000 or  
216 that exceed ~~those changes exceeding~~ 25 percent of the a  
217 project's original allocation.

218 1. Except as provided in subparagraph 2., if there is  
219 surplus funding, the department must provide a notification and  
220 supporting justification ~~shall be provided~~ to the Executive  
221 Office of the Governor and the Legislature to indicate whether  
222 surplus additional dollars are intended to be used for inlet  
223 management projects pursuant to s. 161.143 or for beach  
224 restoration and beach nourishment projects, offered for  
225 reversion as part of the next appropriations process, or used  
226 for other specified priority projects on active project lists.

227 2. For surplus funds for projects that do not have a  
228 significant change, the department may use such funds for the  
229 same purposes identified in subparagraph 1. The department shall  
230 post the uses of such funds on the project listing web page of  
231 its website. No other notice or supporting justification is  
232 required before the use of surplus funds for a project that does



16-00086B-17

20171590\_\_

233 not have a significant change.

234 (b) The department shall prepare a summary of ~~specific~~  
235 project activities ~~for the current fiscal year,~~ their funding  
236 status, and changes to annual project lists for the current and  
237 preceding fiscal year. ~~shall be prepared by~~ The department shall  
238 include the summary ~~and included~~ with the department's  
239 submission of its annual legislative budget request.

240 (c) Funding for specific projects on annual project lists  
241 approved by the Legislature must remain available for such  
242 projects for 18 months. A local project sponsor may at any time  
243 release, in whole or in part, appropriated project dollars by  
244 formal notification to the department. The department, ~~which~~  
245 shall notify the Executive Office of the Governor and the  
246 Legislature of such release and. ~~Notification must~~ indicate in  
247 the notification how the project dollars are recommended  
248 ~~intended~~ to be used after such release.

249 Section 2. Subsections (2) through (5) of section 161.143,  
250 Florida Statutes, are amended to read:

251 161.143 Inlet management; planning, prioritizing, funding,  
252 approving, and implementing projects.-

253 (2) The department shall establish annual funding  
254 priorities for studies, activities, or other projects concerning  
255 inlet management. Such inlet management projects constitute the  
256 intended scope of this section and s. 161.142 and consist of  
257 ~~include, but are not limited to,~~ inlet sand bypassing,  
258 improvement of infrastructure to facilitate sand bypassing,  
259 modifications to channel dredging, jetty redesign, jetty repair,  
260 disposal of spoil material, and the development, revision,  
261 adoption, or implementation of an inlet management plan.

16-00086B-17

20171590\_\_

262 Projects considered for funding pursuant to this section shall  
263 be considered separate and apart from projects reviewed and  
264 prioritized in s. 161.101(14). The funding priorities  
265 established by the department under this section must be  
266 consistent with the requirements and legislative declaration in  
267 ss. 161.101(14), 161.142, and 161.161(1)(b). In establishing  
268 funding priorities under this subsection and before transmitting  
269 the annual inlet project list to the Legislature under  
270 subsection (4) ~~(5)~~, the department shall seek formal input from  
271 local coastal governments, beach and general government  
272 associations and other coastal interest groups, and university  
273 experts concerning annual funding priorities for inlet  
274 management projects. In order to maximize the benefits of  
275 efforts to address the inlet-caused beach erosion problems of  
276 this state, the ranking criteria used by the department to  
277 establish funding priorities for studies, activities, or other  
278 projects concerning inlet management must include equal  
279 consideration of:

280 (a) An estimate of the annual quantity of beach-quality  
281 sand reaching the updrift boundary of the improved jetty or  
282 inlet channel.

283 (b) The severity of the erosion to the adjacent beaches  
284 caused by the inlet ~~and the extent to which the proposed project~~  
285 ~~mitigates the erosive effects of the inlet.~~

286 (c) The overall significance and anticipated success of the  
287 proposed project in mitigating the erosive effects of the inlet,  
288 balancing the sediment budget of the inlet and adjacent beaches,  
289 and addressing the sand deficit along the inlet-affected  
290 shorelines.

16-00086B-17

20171590\_\_

291 (d) The extent to which ~~existing~~ bypassing activities at an  
292 inlet would benefit from modest, cost-effective improvements  
293 when considering the volumetric increases from the proposed  
294 project, the availability of beach-quality sand currently not  
295 being bypassed to adjacent eroding beaches, and the ease with  
296 which such beach-quality sand may be obtained.

297 (e) The cost-effectiveness of sand made available by a  
298 proposed inlet management project or activity relative to other  
299 sand source opportunities that would be used to address inlet-  
300 caused beach erosion ~~The interest and commitment of local~~  
301 ~~governments as demonstrated by their willingness to coordinate~~  
302 ~~the planning, design, construction, and maintenance of an inlet~~  
303 ~~management project and their financial plan for funding the~~  
304 ~~local cost share for initial construction, ongoing sand~~  
305 ~~bypassing, channel dredging, and maintenance.~~

306 (f) The existence of a proposed or recently updated ~~The~~  
307 ~~previous completion or approval of a state-sponsored inlet~~  
308 ~~management plan or a local-government-sponsored inlet study~~  
309 ~~addressing concerning the inlet addressed by the proposed~~  
310 ~~project, the ease of updating and revising any such plan or~~  
311 ~~study, and the adequacy and specificity of the plan's or study's~~  
312 ~~recommendations concerning the mitigation of an inlet's erosive~~  
313 ~~effects on adjacent beaches.~~

314 (g) The degree to which the proposed project will enhance  
315 the performance and longevity of proximate beach nourishment  
316 projects, thereby reducing the frequency of such periodic  
317 nourishment projects.

318 (h) The project-ranking criteria in s. 161.101(14) to the  
319 extent such criteria are applicable to inlet management studies,

16-00086B-17

20171590\_\_

320 projects, and activities and are distinct from, and not  
321 duplicative of, the criteria listed in paragraphs (a)-(g).

322 (3) The department may pay from legislative appropriations  
323 up to 75 percent of the construction costs of an initial major  
324 inlet management project component for the purpose of mitigating  
325 the erosive effects of the inlet to the shoreline and balancing  
326 the sediment budget. The remaining balance of such construction  
327 costs must be paid from other funding sources, such as local  
328 sponsors. All project costs not associated with an initial major  
329 inlet management project component must be shared equally by  
330 state and local sponsors in accordance with, ~~pursuant to s.~~  
331 ~~161.101 and notwithstanding s. 161.101(15), pay from legislative~~  
332 ~~appropriations provided for these purposes 75 percent of the~~  
333 ~~total costs, or, if applicable, the nonfederal costs, of a~~  
334 ~~study, activity, or other project concerning the management of~~  
335 ~~an inlet. The balance must be paid by the local governments or~~  
336 ~~special districts having jurisdiction over the property where~~  
337 ~~the inlet is located.~~

338 (4) ~~Using the legislative appropriation to the statewide~~  
339 ~~beach management support category of the department's fixed~~  
340 ~~capital outlay funding request, the department may employ~~  
341 ~~university-based or other contractual sources and pay 100~~  
342 ~~percent of the costs of studies that are consistent with the~~  
343 ~~legislative declaration in s. 161.142 and that:~~

344 (a) ~~Determine, calculate, refine, and achieve general~~  
345 ~~consensus regarding net annual sediment transport volumes to be~~  
346 ~~used for the purpose of planning and prioritizing inlet~~  
347 ~~management projects; and~~

348 (b) ~~Appropriate, assign, and apportion responsibilities~~

16-00086B-17

20171590\_\_

349 ~~between inlet beneficiaries for the erosion caused by a~~  
350 ~~particular inlet on adjacent beaches.~~

351 (4)~~(5)~~ The department shall annually provide an inlet  
352 management project list, in priority order, to the Legislature  
353 as part of the department's budget request. ~~The list must~~  
354 ~~include studies, projects, or other activities that address the~~  
355 ~~management of at least 10 separate inlets and that are ranked~~  
356 ~~according to the criteria established under subsection (2).~~

357 (a) The department shall designate for ~~make available at~~  
358 ~~least 10 percent of the total amount that the Legislature~~  
359 ~~appropriates in each fiscal year for statewide beach management~~  
360 ~~for the three highest-ranked projects on the current year's~~  
361 inlet management project list, in priority order, an amount that  
362 is at least equal to the greater of:

363 1. Ten percent of the total amount that the Legislature  
364 appropriates in the fiscal year for statewide beach management;  
365 or

366 2. The percentage of inlet management funding requests from  
367 local sponsors as a proportion of the total amount of statewide  
368 beach management dollars requested in a given year.

369 (b) The department shall include inlet monitoring  
370 activities ranked on the inlet management project list as one  
371 aggregated subcategory on the overall inlet management project  
372 list ~~make available at least 50 percent of the funds~~  
373 ~~appropriated for the feasibility and design category in the~~  
374 ~~department's fixed capital outlay funding request for projects~~  
375 ~~on the current year's inlet management project list which~~  
376 ~~involve the study for, or design or development of, an inlet~~  
377 ~~management project.~~

16-00086B-17

20171590\_\_

378       ~~(c) The department shall make available all statewide beach~~  
379 ~~management funds that remain unencumbered or are allocated to~~  
380 ~~non-project-specific activities for projects on legislatively~~  
381 ~~approved inlet management project lists. Funding for local-~~  
382 ~~government specific projects on annual project lists approved by~~  
383 ~~the Legislature must remain available for such purposes for a~~  
384 ~~period of 18 months pursuant to s. 216.301(2) (a). Based on an~~  
385 ~~assessment and the department's determination that a project~~  
386 ~~will not be ready to proceed during this 18-month period, such~~  
387 ~~funds shall be used for inlet management projects on~~  
388 ~~legislatively approved lists.~~

389       ~~(5) (d) The Legislature shall designate one of the three~~  
390 ~~highest projects on the inlet management project list in any~~  
391 ~~year as the Inlet of the Year. The department shall update and~~  
392 ~~maintain an annual annually report on its website to the~~  
393 ~~Legislature concerning the extent to which each inlet project~~  
394 ~~designated by the Legislature as Inlet of the Year has succeeded~~  
395 ~~in balancing the sediment budget of the inlet and adjacent~~  
396 ~~beaches and in, mitigating the inlet's erosive effects on~~  
397 ~~adjacent beaches. The report must provide an estimate of the~~  
398 ~~quantity of sediment bypassed, transferred, and transferring or~~  
399 ~~otherwise placed placing beach-quality sand on adjacent eroding~~  
400 ~~beaches, or in such beaches' nearshore area, for the purpose of~~  
401 ~~offsetting the erosive effects of inlets on the beaches of this~~  
402 ~~state.~~

403       ~~(e) Notwithstanding paragraphs (a) and (b), and for the~~  
404 ~~2016-2017 fiscal year only, the amount allocated for inlet~~  
405 ~~management funding is provided in the 2016-2017 General~~  
406 ~~Appropriations Act. This paragraph expires July 1, 2017.~~

16-00086B-17

20171590\_\_

407 Section 3. Subsections (1) and (2) of section 161.161,  
 408 Florida Statutes, are amended, and present subsections (3)  
 409 through (7) are redesignated as subsections (4) through (8),  
 410 respectively, to read:

411 161.161 Procedure for approval of projects.—

412 (1) The department shall develop and maintain a  
 413 comprehensive long-term beach management plan for the  
 414 restoration and maintenance of the state's critically eroded  
 415 beaches fronting the Atlantic Ocean, Gulf of Mexico, and Straits  
 416 of Florida. In developing and maintaining this ~~the beach~~  
 417 ~~management plan, the department~~ shall:

418 (a) Address long-term solutions to the problem of  
 419 critically eroded beaches in this state.

420 (b) Evaluate each improved, modified, or altered inlet and  
 421 determine whether the inlet is a significant cause of beach  
 422 erosion. With respect to each inlet determined to be a  
 423 significant cause of beach erosion, the plan shall include:

424 ~~1.~~ the extent to which such inlet causes beach erosion and  
 425 recommendations to mitigate the erosive impact of the inlet,  
 426 including, but not limited to, ~~recommendations regarding inlet~~  
 427 sediment bypassing; improvement of infrastructure to facilitate  
 428 sand bypassing; modifications to channel dredging, jetty design,  
 429 and disposal of spoil material; establishment of feeder beaches;  
 430 and beach restoration and beach nourishment; ~~and~~

431 ~~2. Cost estimates necessary to take inlet corrective~~  
 432 ~~measures and recommendations regarding cost sharing among the~~  
 433 ~~beneficiaries of such inlet.~~

434 (c) Evaluate Design ~~Design~~ criteria for beach restoration and  
 435 beach nourishment projects, including, but not limited to, +

16-00086B-17

20171590\_\_

436 ~~1.~~ dune elevation and width and revegetation and  
437 stabilization requirements, ~~and~~ and

438 ~~2.~~ beach profiles ~~profile~~.

439 (d) Consider ~~Evaluate~~ the establishment of regional  
440 sediment management alternatives for one or more individual  
441 beach and inlet sand bypassing projects ~~feeder beaches~~ as an  
442 alternative to ~~direct~~ beach restoration when appropriate and  
443 cost-effective, and recommend the location of such regional  
444 sediment management alternatives ~~feeder beaches~~ and the source  
445 of beach-compatible sand.

446 (e) Identify causes of shoreline erosion and change,  
447 determine ~~calculate~~ erosion rates, and maintain an updated list  
448 of critically eroded sandy beaches based on data, analyses, and  
449 investigations of shoreline conditions ~~and project long-term~~  
450 ~~erosion for all major beach and dune systems by surveys and~~  
451 ~~profiles~~.

452 (f) ~~Identify shoreline development and degree of density~~  
453 ~~and~~ Assess impacts of development and coastal protection  
454 ~~shoreline protective~~ structures on shoreline change and erosion.

455 (g) Identify short-term and long-term economic costs and  
456 benefits of beaches to the state of Florida and individual beach  
457 communities, ~~including recreational value to user groups, tax~~  
458 ~~base, revenues generated, and beach acquisition and maintenance~~  
459 ~~costs~~.

460 (h) Study dune and vegetation conditions, identify existing  
461 beach nourishment projects without dune features or with dunes  
462 without adequate elevations, and encourage dune restoration and  
463 revegetation to be incorporated as part of storm damage recovery  
464 projects or future dune maintenance events.



16-00086B-17

20171590\_\_

465 (i) Identify beach areas used by marine turtles and develop  
466 strategies for protection of the turtles and their nests and  
467 nesting locations.

468 (j) Identify alternative management responses to preserve  
469 undeveloped beach and dune systems and, to restore damaged beach  
470 and dune systems. In identifying such management responses, the  
471 department shall consider, at a minimum, and to prevent  
472 inappropriate development and redevelopment on migrating  
473 beaches, and consider beach restoration and nourishment,  
474 armoring, relocation and abandonment, dune and vegetation  
475 restoration, and acquisition.

476 (k) Document procedures and policies for preparing post-  
477 storm damage assessments and corresponding recovery plans,  
478 including repair cost estimates. Establish criteria, including  
479 costs and specific implementation actions, for alternative  
480 management techniques.

481 (l) Identify and assess ~~Select and recommend~~ appropriate  
482 management measures for all of the state's critically eroded  
483 sandy beaches ~~in a beach management program.~~

484 ~~(m) Establish a list of beach restoration and beach~~  
485 ~~nourishment projects, arranged in order of priority, and the~~  
486 ~~funding levels needed for such projects.~~

487 (2) The comprehensive long-term management plan developed  
488 and maintained by the department pursuant to subsection (1) must  
489 include, at a minimum, a strategic beach management plan, a  
490 critically eroded beaches report, and a statewide long-range  
491 budget plan. The long-range budget plan must include a 3-year  
492 work plan for beach nourishment projects and inlet management  
493 projects that lists planned projects for each of the 3 fiscal

16-00086B-17

20171590\_\_

494 years addressed in the work plan.

495 (a) The strategic beach management plan must identify and  
496 recommend appropriate measures for all of the state's critically  
497 eroded sandy beaches and may incorporate plans ~~be prepared at~~  
498 the regional level taking into account ~~based upon~~ areas of  
499 greatest need and probable federal and local funding. Upon  
500 approval in accordance with chapter 86-138, Laws of Florida,  
501 such regional plans, along with the 3-year work plan identified  
502 in subparagraph (c)1., shall be components of the statewide  
503 ~~beach management plan and shall serve as the basis for state~~  
504 ~~funding decisions upon approval in accordance with chapter 86-~~  
505 ~~138, Laws of Florida. In accordance with a schedule established~~  
506 ~~for the submission of regional plans by the department, any~~  
507 ~~completed plan must be submitted to the secretary of the~~  
508 ~~department for approval no later than March 1 of each year.~~  
509 ~~These regional plans shall include, but shall not be limited to,~~  
510 ~~recommendations of appropriate funding mechanisms for~~  
511 ~~implementing projects in the beach management plan, giving~~  
512 ~~consideration to the use of single-county and multicounty taxing~~  
513 ~~districts or other revenue generation measures by state and~~  
514 ~~local governments and the private sector. Prior to finalizing~~  
515 the strategic beach management ~~presenting the plan to the~~  
516 ~~secretary of the department,~~ the department shall hold a public  
517 meeting in the region areas for which the plan is prepared or  
518 through a publicly noticed webinar. ~~The plan submission schedule~~  
519 ~~shall be submitted to the secretary for approval. Any revisions~~  
520 ~~to such schedule must be approved in like manner.~~

521 (b) The critically eroded beaches report must be developed  
522 and maintained based primarily on the requirements specified in

16-00086B-17

20171590\_\_

523 paragraph (1) (e).

524 (c) The statewide long-range budget plan must include at  
525 least 5 years of planned beach nourishment and inlet management  
526 project funding needs as identified, and subsequently refined,  
527 by local government sponsors. This plan shall consist of two  
528 components:

529 1. A 3-year work plan that identifies beach nourishment and  
530 inlet management projects viable for implementation during the  
531 next 3 ensuing fiscal years, as determined by available cost-  
532 sharing, local sponsor support, regulatory considerations, and  
533 the ability of the project to proceed as scheduled. The 3-year  
534 work plan must, for each fiscal year, identify proposed projects  
535 and their current development status, listing them in priority  
536 order based on the applicable criteria established in ss.  
537 161.101(14) and 161.143(2). Specific funding requests and  
538 criteria ranking, pursuant to ss. 161.101(14) and 161.143(2),  
539 may be modified as warranted in each successive fiscal year, and  
540 such modifications must be documented and submitted to the  
541 Legislature with each 3-year work plan. Year one projects shall  
542 consist of those projects identified for funding consideration  
543 in the ensuing fiscal year.

544 2. A long-range plan that identifies projects for inclusion  
545 in the fourth and fifth ensuing fiscal years. These projects may  
546 be presented by region and do not need to be presented in  
547 priority order; however, the department should identify issues  
548 that may prevent successful completion of such projects and  
549 recommend solutions that would allow the projects to progress  
550 into the 3-year work plan.

551 (3)-(2) Annually, The secretary shall annually present the

16-00086B-17

20171590\_\_

552 3-year work plan to the Legislature. The work plan must be  
553 accompanied by a 3-year financial forecast for the availability  
554 of funding for the projects, based on funds dedicated in s.  
555 375.041 ~~recommendations for funding beach erosion control~~  
556 ~~projects prioritized according to the criteria established in s.~~  
557 ~~161.101(14).~~

558 Section 4. Paragraph (b) of subsection (3) of section  
559 375.041, Florida Statutes, is amended to read:

560 375.041 Land Acquisition Trust Fund.—

561 (3) Funds distributed into the Land Acquisition Trust Fund  
562 pursuant to s. 201.15 shall be applied:

563 (b) Of the funds remaining after the payments required  
564 under paragraph (a), but before funds may be appropriated,  
565 pledged, or dedicated for other uses:

566 1. A minimum of the lesser of 25 percent or \$200 million  
567 shall be appropriated annually for Everglades projects that  
568 implement the Comprehensive Everglades Restoration Plan as set  
569 forth in s. 373.470, including the Central Everglades Planning  
570 Project subject to Congressional authorization; the Long-Term  
571 Plan as defined in s. 373.4592(2); and the Northern Everglades  
572 and Estuaries Protection Program as set forth in s. 373.4595.  
573 From these funds, \$32 million shall be distributed each fiscal  
574 year through the 2023-2024 fiscal year to the South Florida  
575 Water Management District for the Long-Term Plan as defined in  
576 s. 373.4592(2). After deducting the \$32 million distributed  
577 under this subparagraph, from the funds remaining, a minimum of  
578 the lesser of 76.5 percent or \$100 million shall be appropriated  
579 each fiscal year through the 2025-2026 fiscal year for the  
580 planning, design, engineering, and construction of the

16-00086B-17

20171590\_\_

581 Comprehensive Everglades Restoration Plan as set forth in s.  
582 373.470, including the Central Everglades Planning Project  
583 subject to Congressional authorization. The Department of  
584 Environmental Protection and the South Florida Water Management  
585 District shall give preference to those Everglades restoration  
586 projects that reduce harmful discharges of water from Lake  
587 Okeechobee to the St. Lucie or Caloosahatchee estuaries in a  
588 timely manner. For the purpose of performing the calculation  
589 provided in this subparagraph, the amount of debt service paid  
590 pursuant to paragraph (a) for bonds issued after July 1, 2016,  
591 for the purposes set forth under paragraph (b) shall be added to  
592 the amount remaining after the payments required under paragraph  
593 (a). The amount of the distribution calculated shall then be  
594 reduced by an amount equal to the debt service paid pursuant to  
595 paragraph (a) on bonds issued after July 1, 2016, for the  
596 purposes set forth under this subparagraph.

597 2. A minimum of the lesser of 7.6 percent or \$50 million  
598 shall be appropriated annually for spring restoration,  
599 protection, and management projects. For the purpose of  
600 performing the calculation provided in this subparagraph, the  
601 amount of debt service paid pursuant to paragraph (a) for bonds  
602 issued after July 1, 2016, for the purposes set forth under  
603 paragraph (b) shall be added to the amount remaining after the  
604 payments required under paragraph (a). The amount of the  
605 distribution calculated shall then be reduced by an amount equal  
606 to the debt service paid pursuant to paragraph (a) on bonds  
607 issued after July 1, 2016, for the purposes set forth under this  
608 subparagraph.

609 3. The sum of \$5 million shall be appropriated annually

16-00086B-17

20171590\_\_

610 each fiscal year through the 2025-2026 fiscal year to the St.  
611 Johns River Water Management District for projects dedicated to  
612 the restoration of Lake Apopka. This distribution shall be  
613 reduced by an amount equal to the debt service paid pursuant to  
614 paragraph (a) on bonds issued after July 1, 2016, for the  
615 purposes set forth in this subparagraph.

616 4. A minimum of the lesser of 7.6 percent or \$50 million  
617 shall be appropriated annually for projects that preserve and  
618 repair the state's beaches as provided in s. 161.091(3). The  
619 calculation provided in this subparagraph shall be performed  
620 using the same formula as described in subparagraph 2.

621 Section 5. This act shall take effect July 1, 2017.