

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Environmental Preservation and Conservation Committee

BILL: CS/SB 2008

INTRODUCER: Committee on Environmental Preservation and Conservation and Senator Jones

SUBJECT: Sand Source Management

DATE: April 13, 2007                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kiger</u>	<u>Kiger</u>	<u>EP</u>	<u>Fav/CS</u>
2.	_____	_____	<u>CA</u>	_____
3.	_____	_____	<u>GA</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This committee substitute provides for the development and maintenance of an inventory of identified offshore sand sources by the Department of Environmental Protection (DEP) as part of its comprehensive long-term beach management plan. Provides for public review of maps of offshore sand sources. Provides for comment by coastal counties adjacent to sand sources. Directs the department to identify, as part of there required annual submission of projects to the Legislature, those projects that propose to use sand from another region or subregion.

This bill creates s. 161.144, F.S.

**II. Present Situation:**

Coastal barrier dunes are among the most valuable natural resources in the State of Florida because dunes serve as the final line of defense against the attack of storms, waves and currents. Critical erosion of the state’s beaches and damage to the dune system have advanced to emergency proportions and must be stabilized in order to protect against irreparable harm and prevent further loss of natural resources and damage to property. Such erosion causes a significant threat to the economy, is a detriment to the state’s vital tourism industry and beach-related employment, reduces coastal property values and beach access, and can severely impact the habitat used for nesting marine turtles.

Section 161.161, F.S., requires the Department of Environmental Protection to develop and maintain a comprehensive long-term management plan for the restoration and maintenance of the state’s critically eroded beaches fronting the Atlantic Ocean, Gulf of Mexico, and Straits of Florida. Pursuant to s. 161.161, F.S., the beach management plan shall:

- Address long-term solutions to the problem of critically eroded beaches in the state.
- Evaluate each improved, modified, or altered inlet and determine whether the inlet is a significant cause of beach erosion.
- Design criteria for beach restoration and beach nourishment projects.
- Evaluate the establishment of feeder beaches as an alternative to direct beach restoration and recommend the location of such feeder beaches and the source of beach-compatible sand. Identify causes of shoreline erosion and change, calculate erosion rates, and project long-term erosion for all major beach and dune systems by surveys and profiles.
- Identify shoreline development and degree of density and assess impacts of development and shoreline protective structures on shoreline change and erosion.
- Identify short-term and long-term economic costs and benefits of beaches, including recreational value to user groups, tax base, revenues generated, and beach acquisition and maintenance costs.
- Study dune and vegetation conditions.
- Identify beach areas used by marine turtles and their nests and nesting locations.
- Identify alternative management responses to preserve undeveloped beach and dune systems to restore damaged beach and dune systems, and to prevent inappropriate development and redevelopment on migrating beaches, and consider beach restoration and nourishment, armoring, relocation and abandonment, dune and vegetation restoration, and acquisition.
- Establish criteria, including costs and specific implementation actions, for alternative management techniques.
- Select and recommend appropriate management measures for all of the state's sandy beaches in a beach management program.
- Establish a list of beach restoration and beach nourishment projects, arranged in order of priority, and the funding levels needed for such projects.

### **III. Effect of Proposed Changes:**

This committee substitute creates s. 161.144, F.S., to provide policy guidance related to sand source management. As stated in the bill, the Legislature recognizes that beach-quality sand for the nourishment of the state's critically eroded beaches is an exhaustible resource, in ever-decreasing supply, and must be carefully managed for the systemwide benefit of the state's beaches.

The Department of Environmental Protection, pursuant to s. 161.161, F.S., and in cooperation with federal and local government agencies, shall develop and maintain an inventory of identified offshore sand sources as part of the regional elements of its comprehensive long-term beach management plan. Offshore sand sources in state or federal waters which are identified for potential, proposed, or permitted use shall be clearly mapped or otherwise noted and readily available for public review. In addition, boards of county commissioners of coastal counties adjacent to sand sources proposed for use outside of the region or subregion shall be provided written notice and an opportunity to comment during a specific project's planning and permitting stages.

The committee substitute also requires the DEP, as part of their annual submission, to the Legislature, of proposed projects, identify those projects that propose to use sand sources from another region or subregion.

The bill would take effect October 1, 2007.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

This committee substitute does not require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by s.18, Art. VII, State Constitution.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

#### **V. Economic Impact and Fiscal Note:**

##### **A. Tax/Fee Issues:**

None.

##### **B. Private Sector Impact:**

None.

##### **C. Government Sector Impact:**

The Department of Environmental Protection has indicated that it will have to modify their Reconnaissance Offshore Sand Search (ROSS) database to develop the inventory called for in this committee substitute. Specifically, the database will have to improve the detail of mapping and expand the coverage to areas outside existing regions. The department has estimated, based on past work performed on the database that the cost could range from \$40,000 to \$100,000.

Additional department staff resources may be needed to implement the inventory of offshore sand sources, disseminating it to counties, and coordinating with counties and other local entities to resolve any local concerns. Also, the department would have to consult with the Army Corps of Engineers and the Mineral Management Service of the U.S. Department of Interior. The committee substitute does not provide additional funds or staff to the department and the actual staff costs cannot be determined at this time.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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## **VIII. Summary of Amendments:**

None.

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