



The Coastal Advocate

A legislative bill overview

*April 2021
Issue 1*

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Topics: *Coastal management and resilience bill overviews*

Summary: *The Coastal Advocate is a quarterly summary of key legislative topics for coastal communities to use as a resource and educational tool for funding, updates, and new policy initiatives. This issue features Florida legislative bills our policy experts are tracking through the ongoing Florida Legislative Session.*

Policy changes affect each coastal community differently, whether it be an opportunity for new project funding or a law change requiring mandatory compliance. Our policy experts will not only track these important legislative updates for you but are well versed in grant applications and funding mechanisms for your community needs.

Future issues will include legislative bill updates and potential upcoming grant deadlines. As Cummins Cederberg expands its advocacy and policy expertise, we look forward to providing our Florida coastal communities a bulletin that is both practical and informational.

References: <https://www.flsenate.gov/Session/Bills/2021>

H 7019/ SB 1954

Statewide Flooding and Sea Level Rise Resilience; Rep. Bartleman(D)/ Sen. Rodrigues(R), Sen. Garcia(R)

This bill would create the Resilient Florida Grant Program within the Florida Department of Environmental Protection (FDEP). It would require the Department to:

- Develop a “Statewide Flooding and Sea-Level Rise Resilience Plan” with up to \$100M in projects funding requests by local governments, WMDs, and resilience entities; submit the Plan annually to the Governor and Legislature
- Create a statewide flood vulnerability and sea level rise data set and assessment that identifies vulnerable areas and infrastructure, including “critical assets”; update data every 5 years
- Establish the Florida Flood Hub for Applied Research and Innovation within the University of South Florida College of Marine Science for research and innovation on flooding and sea level rise
- Requires the Office of Economic and Demographic Research to add an analysis of flooding issues to its annual assessment of Florida’s water resources and conservation lands
- Senate’s proposed budget includes 25 positions and \$9M to operate the Resilient Florida Grant Program

Who should watch this bill

Flood resilience industry, coastal municipalities, and counties

HB1335/SB1668

Seagrass Mitigation Banks; Rep. Sirois(R); Overdorf(R)/ Sen. Rodriguez(R)

This bill authorizes the Board of Trustees of the Internal Improvement Trust Fund to issue leases for seagrass mitigation banks on sovereignty submerged lands to ensure the preservation and regeneration of seagrass and to offset the unavoidable impacts of projects when seagrass banks meet the public interest requirements related to state-owned lands.

- Authorizes the Board (Governor and Cabinet) to issue leases for seagrass mitigation banks
- Requires the FDEP to modify the mitigation banking rules, removing any duplicative financial assurance requirements, and ensure permitted seagrass mitigation banks comply with the federal mitigation banking rules

Who should watch this bill

Mitigation banking industry, coastal municipalities, and counties

HB223/SB578

Marina Evacuations; Rep. Plasencia(R)/ Sen. Wright(R)

This bill would prohibit certain vessels under a specified weight from remaining in certain marinas that have been deemed unsuitable for refuge during a hurricane after the issuance of a hurricane watch.

- Upon the issuance of a hurricane watch affecting the waters of marinas located in a deepwater seaport, the bill prohibits vessels under 500 gross tons from remaining in the waters of marinas that have been deemed not suitable for refuge during a hurricane
- Requires vessel owners to promptly remove their vessels from the waterways upon issuance of an evacuation order by the deepwater seaport
- If the Coast Guard Captain of the Port sets the port condition to “Yankee” and a vessel owner has failed to remove the vessel, a marina owner, operator, employee, or agent, is required to remove the vessel, if reasonable, and can charge the vessel owner a reasonable fee
- Marina owners/operators may be subject to a fine imposed and collected by the deepwater port for non-compliance

Who should watch this bill

Marina industry, deepwater ports, coastal municipalities, and counties

HB1177/SB1482

Biscayne Bay; Rep. Avila(R)/Sen. Garcia(R), Pizzo(D)

The bill creates the Biscayne Bay Commission to serve as the official coordinating clearinghouse for all public policy and projects related to Biscayne Bay.

- Requires the Commission to consist of a Policy Committee that would meet at least quarterly, a Chief Officer, and Working Group of all governmental agencies with jurisdiction in the Bay, as well as business and civic associations
- Consolidate existing plans, programs, and proposals, and recommendations from the June 2020 Biscayne Bay Task Force report, into a coordinated strategic plan for improvement of Biscayne Bay and the surrounding areas; address environmental, economic, social, recreational, and aesthetic issues
- Prepare an integrated financial plan using the different jurisdictional agencies available for projected financial resources
- Provide technical assistance and political support as needed to help implement each element of the strategic and financial plans
- Prohibits sewage disposal facilities from disposing of waste into Biscayne Bay without providing advanced waste treatment (some exceptions)

Who should watch this bill

Biscayne Bay stakeholders, environmental professionals, and surrounding municipalities

HB55/SB284

Building Design; Rep. Overdorf(R), Harding(R), McClain(R)/Sen. Perry(R), Hutson(R)

This bill prohibits local governments from adopting zoning and land development regulations that require specific building design elements for residential dwellings and provides for exceptions.

- Exceptions for historic property, historic district, planned unit development/ master planned community, or a community redevelopment area
- Exceptions for implementing the National Flood Insurance Program or to comply with local amendments to the Florida Building Code
- Defines the term “building design elements” to mean exterior color, type or style of exterior cladding, style or material of roof structures or porches, exterior nonstructural architectural ornamentation, location or architectural styling of windows or doors, location and orientation of the garage, and number, type, and layout of rooms
- Provides the term “building design elements” does not include setback including the height, bulk, orientation, location on a zoning lot, or the use of buffering or screening to minimize potential adverse physical or visual impacts or protect the privacy of neighbors

Who should watch this bill

Landscape architects, civil engineers, housing developers, and local governments