



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

June 21, 2021

Michael Shirley
Deputy Director for Coastal Zone
Management Programs, Office of
Resilience and Coastal Protection
Florida Department of Environmental
Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399

Dear Dr. Shirley,

Thank you for the May 7, 2021 request for approval of changes to the Florida Coastal Management Program pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) regulations at 15 CFR part 923, subpart H.¹

NOAA's Office for Coastal Management approves the request subject to the qualification below.

NOAA's regulations require that the state post this decision by the Office for Coastal Management for public notice.² The public notice should state that as of the date of this decision letter, the enforceable policies identified in the attached Table of Approved Changes shall be applicable in reviewing federal actions pursuant to the federal consistency requirements of the CZMA and its implementing regulations, found at 15 CFR part 930.³ Please send a copy of the public notice to the Office for Coastal Management for our records to close out this file.

PUBLIC AND FEDERAL AGENCY COMMENTS

The Office for Coastal Management did not receive any comments on this program change submission.

CHANGES APPROVED

See the attached Table of Approved Changes (FL-2021-1).

¹ This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H (84 Federal Register (FR) 38118 (Aug. 6, 2019)). The Office for Coastal Management's decision due date was June 25, 2021, subject to extension.

² 15 CFR § 923.81(e)(5), as described at 84 FR 38133 (Aug. 6, 2019).

³ 15 CFR § 923.81(f), as described at 84 FR 38133 (Aug. 6, 2019).

QUALIFICATION

As a standard qualification applying to all program changes, states may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for CZMA federal consistency review purposes unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

Thank you for your cooperation in this review. Please contact Kristin Ransom at 228-688-1966 if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, FL-2021-1.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Gore', with a long horizontal flourish extending to the right.

Joelle Gore, Chief
Stewardship Division

Attachment: Table of Approved Changes FL-2021-1

TABLE OF APPROVED CHANGES TO THE FLORIDA COASTAL MANAGEMENT PROGRAM (FL-2021-1)

See the June 21, 2021, decision letter from the NOAA Office for Coastal Management for clarifications, qualifications and exceptions pertaining to these approved changes.

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted <i>Enter one</i>	Date effective in state	Enforceable policy	Enforceable mechanism citation
252.351, F.S.	Mandatory reporting of certain incidents by political subdivisions	New	07/01/2020	No	N/A
258.3991, F.S.	Nature Coast Aquatic Preserve	New	07/01/2020	Yes	258.42, F.S.; 403.061, F.S.
339.287, F.S.	Electric vehicle charging stations; infrastructure plan development	New	07/01/2020	No	N/A
373.467, F.S.	The Harris Chain of Lakes Restoration Council	Deleted	07/01/2020	N/A	N/A
376.86, F.S.	Brownfield Areas Loan Guarantee Program	Deleted	07/01/2020	N/A	N/A
379.1026, F.S.	Site-specific location information for endangered and threatened species; public records exemption	New	07/01/2020	No	N/A
379.2524, F.S.	Commercial production of sturgeon	Deleted	07/01/2020	N/A	N/A
379.4041, F.S.	Illegal taking, possession, and sale of bears	New	07/01/2020	No	N/A
381.00652, F.S.	Onsite sewage treatment and disposal systems technical advisory committee	New	07/01/2020	No	N/A
403.0616, F.S.	Real-time water quality monitoring program	New	07/01/2020	No	N/A
403.0671, F.S.	Basin management action plan wastewater reports	New	07/01/2020	No	N/A

STATE CZM CHANGE REQUEST TABLE

Legal citation <i>1000 Character Limit</i>	Title of policy, section, or other descriptor	Is the change new, revised, or deleted <i>Enter one</i>	Date effective in state <i>MM/DD/YYYY</i>	Enforceable policy <i>Y or N</i>	Enforceable mechanism citation <i>1000 Character Limit</i>
403.0673, F.S.	Wastewater grant program	New	07/01/2020	No	N/A
403.0855, F.S.	Biosolids management	New	07/01/2020	Yes	403.161, F.S.
403.42, F.S.	Florida Clean Fuel Act	Deleted	07/01/2020	N/A	N/A
403.87, F.S.	Technical advisory council for water and domestic wastewater operator certification	Deleted	07/01/2020	N/A	N/A