

1 CHAPTER 62S-8

2 STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN

- 3 62S-8.001 Purpose.  
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6  
7 **62S-8.001 Purpose.**

8 The purpose of Chapter 62S-8, F.A.C., is to establish project scoring criteria that, pursuant to Section 380.093, F.S., shall be  
9 used in the Department’s evaluation and ranking of implementation project grant proposals submitted for inclusion in the  
10 Statewide Flooding and Sea Level Rise Resilience Plan.

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12 *Rulemaking Authority 380.093, FS. Law Implemented 380.093 FS. History- New --2022*

13  
14 **62S-8.002 Definitions.**

15 (1) “Adaptation plan” means a plan that identifies and assesses the impacts that are likely to affect a project planning area;  
16 develops goals, priorities, strategies, and actions to best minimize these impacts of flooding, sea level rise, or other threats and  
17 vulnerabilities, as applicable, and establishes a process to implement those actions.

18 (2) “Compound flooding” is flooding caused by complex interactions between two or more oceanographic, hydrological,  
19 or meteorological processes such as the combination of pluvial (rainfall-induced flooding, such as flash, surface water, drain,  
20 and sewer floods), fluvial (riverine floods), coastal (sea level rise, tides, waves, storm surge, and nuisance floods), or  
21 groundwater flooding.

22 (3) “Comprehensive statewide flood vulnerability and sea level rise assessment” is an assessment to be completed by  
23 July 1, 2023, that identifies inland and coastal infrastructure, geographic areas, and communities in Florida that are vulnerable  
24 to flooding and sea level rise and the associated risks.

25 (4) “Comprehensive vulnerability assessment” is an evaluation that identifies risks to a community, including flooding  
26 and sea level rise, as applicable; meets all the required statutory elements for vulnerability assessments listed in paragraphs  
27 380.093(3)(c) through (d), F.S.; and includes, but is not limited to, any supplemental plans, assessments, documents, reports,

28 strategies, maps, or electronic databases that identify or address risks of flooding and sea level rise to critical or regionally  
29 significant assets.

30 (5) “Critical asset class” means the distinct groupings of critical assets as defined in subparagraphs 380.093(2)(a)1.  
31 through 4., F.S.

32 (6) “Department” means the Florida Department of Environmental Protection.

33 (7) “Eligible entity” means those entities specifically identified in paragraph 380.093(5)(d), F.S., as ~~being eligible to submit~~  
34 proposed projects for inclusion in the Statewide Flooding and Sea Level Rise Resilience Plan.

35 (8) “Financially disadvantaged small community” is as defined in paragraph 380.093(5)(e), F.S.

36 (9) “Flooding” means a general and temporary condition of partial or complete inundation of two or more acres of normally  
37 dry land area or of two or more real properties or parcels containing a majority of normally dry land.

38 ~~(5) “Mitigation strategy” means the development of policies, plans and projects that may facilitate the reduction of~~  
39 ~~vulnerabilities and risks associated with flooding and sea level rise.~~

40 (10) “Natural system restoration enhancement” ~~is~~ means a process that ~~protects~~, creates, improves, or restores ecological  
41 functions in habitat by modifying the natural environment.

42 (11) “Nature-based solutions” ~~are~~ ~~mean~~ actions to protect, restore, and sustainably manage ecosystems, as well as solutions  
43 that address socio-environmental challenges using with the use of natural resources and processes.

44 (12) “Partial design” means a preliminary design that is between 30 to 90 percent complete and prepared by a qualified  
45 professional in the relevant field, which provides enough information and design criteria to make informed decisions, such as  
46 identifying impacts, benefits, costs, and other challenges with project implementation.

47 (13) “Project impact area” means the discrete area the project encompasses as well as the delineated area that will be  
48 directly benefitted by a mitigation project (such as a watershed or hydrologic basin for flood mitigation projects, a service or  
49 sub-service area for a utility, a neighborhood, a natural area, or a shoreline).

50 ~~(8) “Regionally significant asset” means critical assets that support the needs of communities spanning multiple~~  
51 ~~geopolitical jurisdictions, including, but not limited to, water resource facilities, regional medical centers, emergency operations~~  
52 ~~centers, regional utilities, major transportation hubs and corridors, airports, and seaports.~~

53 ~~(9) “Vulnerability assessment” means an evaluation that identifies or addresses risks of flooding and sea level rise, as~~  
54 ~~applicable, to critical assets. A “comprehensive vulnerability assessment” is informed by and meets all statutory requirements~~  
55 ~~of Section 380.093, F.S., and may include, but is not limited to, any plans, assessments, documents, reports, strategies, maps,~~  
56 ~~and electronic databases that identify or address risks of flooding and sea level rise to critical assets.~~

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58 *Rulemaking Authority 380.093, FS. Law Implemented 380.093 FS. History- New \_-\_-2022*

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60 **62S-8.003 Project Scoring Criteria.**

61 (1) All projects eligible for inclusion in the Statewide Flooding and Sea Level Rise Resilience Plan by meeting the  
62 requirements in ~~subsection Section~~ Section 380.093(3), F.S., will be reviewed by the Department. Each eligible project will be allocated  
63 points based on the tiered structure outlined in this rule and consistent with ~~paragraph Section~~ paragraph Section 380.093(5)(h), F.S. Total points  
64 awarded will determine the project rank. If an applicant fails to ~~provide to the Department any and all documentation,~~  
65 ~~calculations and maps, including any Geographic Information System data, to demonstrate it meets a specific scoring their~~  
66 ~~project's ability to meet or achieve the following~~ criteria by failing to satisfy all relevant requirements for that criteria set for  
67 in this rule, that criteria will receive a score of zero.

68 (2) The maximum number of points that may be awarded for Tier 1 criteria is 40 points.

69 (a) Up to 10 points will be awarded for the degree to which the project addresses the risks posed by flooding and sea level  
70 rise ~~identified in the local government vulnerability assessment or the comprehensive statewide flood vulnerability and sea-~~  
71 ~~level rise assessment.~~ These points will be allocated in the following manner:

72 1. ~~Five~~ Two points will be awarded if the project addresses risks posed by flooding or sea level rise to critical assets either  
73 specifically identified in an existing a comprehensive vulnerability assessment that shall be submitted to the Department with  
74 the proposal, or in the comprehensive statewide flood vulnerability and sea level rise assessment, once available, which the  
75 Department is required to develop under paragraph 380.093(4)(b), F.S.; and

76 2. ~~Five~~ Four points will be awarded if the project addresses risks posed by compound flooding, as is a flood-reducing  
77 project identified in a comprehensive vulnerability assessment that shall be submitted to the Department with the proposal, to  
78 critical assets specifically identified either in a comprehensive vulnerability assessment or the comprehensive statewide flood  
79 vulnerability and sea level rise assessment, once completed; and

80 3. ~~Four~~ points will be awarded if the project addresses a risk of flooding to a critical asset that is identified in the top five  
81 ~~mitigation strategies for implementation within its own critical asset class, as evidenced in an adaptation or mitigation action~~  
82 ~~plan.~~

83 (b) ~~Ten~~ Six points will be awarded if the project reduces ~~or mitigates~~ one or more ~~direct~~ risks to a regionally significant  
84 asset, as defined in paragraph 380.093(2)(d), F.S., or if the project adapts a regionally significant asset, as defined in paragraph

85 380.093(2)(d), F.S., to help avoid such risk. For the purpose of this paragraph, adaptation of a regionally significant asset to  
86 avoid risk may include relocation.

87 (c) Up to ~~10~~ 14 points will be awarded for reducing risk located in ~~reduction to~~ areas with a higher percentage of critical  
88 assets considered to be vulnerable, as described by this paragraph ~~critical assets as demonstrated in the local vulnerability~~  
89 ~~assessments.~~ Points will be allocated in the following manner:

90 1. Up to six points will be awarded for projects adapting to ~~directly mitigating~~ the anticipated flooding of critical assets in  
91 the project impact area, as identified in any applicable scenario outlined in paragraph 380.093(3)(d), F.S., as having medium  
92 or high vulnerability in the exposure analysis of a comprehensive vulnerability assessment, which shall be submitted to the  
93 Department with the proposal. Higher frequency storm events analyzed that are beyond the requirements of paragraph  
94 380.093(3)(d), F.S., shall not be used to establish the percentages in these criteria, identified in a Federal Emergency  
95 Management Agency Special Flood Hazard Area (SFHA), which is an area that will be inundated by a flood event that has a  
96 one percent chance of being equaled or exceeded in any given year.

97 a. For projects adapting flooding of critical assets identified in a comprehensive vulnerability assessment, points will be  
98 allocated in the following manner:

99 (I) ~~a.~~ Zero points will be awarded if no critical assets within the project impact area are identified as medium or high  
100 vulnerability; are in the SFHA or the applicant fails to demonstrate the percentage of total critical assets in the SFHA, or

101 (II) ~~b.~~ Two points will be awarded if at least one critical asset but less than twenty-five percent (25%) of total critical assets  
102 within the project impact area are identified as medium or high vulnerability; are in the SFHA, or

103 (III) ~~c.~~ Four points will be awarded if twenty-five percent (25%) or more, but less than twenty-six to fifty percent (26%  
104 50%), of total critical assets within the project impact area are identified as medium or high vulnerability; are in the SFHA, or

105 (IV) ~~d.~~ Six points will be awarded if more than fifty percent (50%) or more of total critical assets within the project impact  
106 area are identified as medium or high vulnerability are in the SFHA.

107 b. Prior to August 31, 2024, in lieu of the requirements of sub-subparagraph (c)1.a. above, applicants without a  
108 comprehensive vulnerability assessment shall receive points based on critical assets in the project impact area at risk of flooding  
109 based on an assessment, report, evaluation, or other documentation of risk that addresses flooding or sea level rise in the project  
110 impact area. The documentation used to support this criterion shall be submitted with the proposal. Points will be allocated in  
111 the following manner:

112 (I) Zero points will be awarded if no critical assets within the project impact area are at risk of flooding based on best  
113 available data;

114 (II) Two points will be awarded if at least one critical asset but less than twenty-five percent (25%) of total critical assets  
115 within the project impact area are at risk of flooding based on best available data;

116 (III) Four points will be awarded if twenty-five percent (25%) or more, but less than fifty percent (50%), of total critical  
117 assets within the project impact area are at risk of flooding based on best available data; or

118 (IV) Six points will be awarded if fifty percent (50%) or more of total critical assets within the project impact area are at  
119 risk of flooding based on best available data.

120 2. A maximum of ~~four~~ eight points will be awarded for the total number of critical assets served by the project as  
121 demonstrated by the proposal. For the purpose of this paragraph, a critical asset is “served” when a project eliminates or  
122 alleviates a current or future risk of adverse impacts from flooding or erosion as demonstrated by a comprehensive vulnerability  
123 assessment, if available, or the proposal.

124 a. ~~One~~ Two points will be awarded if one critical asset is served; ~~or~~

125 b. ~~Two~~ Four points will be awarded if two critical assets are served; ~~or~~

126 c. ~~Four~~ Six points will be awarded if three or more critical assets are served; ~~or~~

127 d. ~~Eight~~ points will be awarded if ~~four or more~~ critical assets are served.

128 (d) Up to 10 points will be awarded for contributing to existing flood mitigation projects that reduce upland flood damage  
129 costs in one of the ways identified below. Points will be allocated in the following manner:

130 1. ~~Six~~ Five points will be awarded if the project contributes ~~does so~~ by incorporating new or enhanced structures; ~~and~~

131 2. ~~Six~~ Five points will be awarded if the project contributes ~~does so~~ by incorporating natural system restoration and  
132 revegetation; or

133 3. 10 points will be awarded if the project contributes by incorporating both new or enhanced structures and natural system  
134 restoration or revegetation.

135 (3) The maximum number of points that may be awarded for Tier 2 criteria is 30 points.

136 (a) Up to 7.5 points will be awarded based on the degree to which flooding and erosion currently affect the condition of  
137 the project impact area. Justification for methods used to estimate or determine extent and frequency of flooding or erosion  
138 must be provided ~~area~~. Points will be allocated in the following manner:

139 1. Up to ~~3.75~~ 2.5 points will be awarded based on the current ~~extent and~~ frequency of flooding or ~~and~~ erosion in ~~at~~  
140 project impact area ~~site as evidenced by presentation of high-water mark documentation, reports of flooding recorded by the~~  
141 ~~jurisdiction or reported by local news source, documentation of inspection by a local official, or any other similar document or~~  
142 ~~report~~. Points will be allocated in the following manner:

143 a. Zero points will be awarded if the ~~proposal application~~ does not demonstrate the current frequency extent of flooding or  
144 ~~and erosion in at the project impact area; site, or~~

145 b. ~~Two One~~ points will be awarded if ~~the proposal describes how evidence that the project impact area has been flooded~~  
146 ~~or experienced flooding or erosion in over the last three years; is provided to the Department, or~~

147 c. A total of ~~3.75 2.5~~ points will be awarded if the applicant provides documentation to the Department showing evidence  
148 the project impact area has been flooded more than three times within the last five years on multiple occasions or is experiencing  
149 experienced ongoing erosion. Documentation may include, but is not limited to, reports of flooding or erosion recorded by the  
150 jurisdiction(s) in which the project impact area is located, local news reports or source(s), documentation by a local official  
151 such as recorded high-water marks or inspection results, or any other similar document or report over the last three years is  
152 provided to the Department.

153 2. Up to ~~3.75 five~~ points will be awarded based on the severity of flooding or erosion in the project impact area current or  
154 pending Federal Emergency Management Agency (FEMA) Flood Zone(s) in which the project will be located. If a project is  
155 located within two or more of the following zones, the zone that represents the higher risk will prevail. If the zone is not listed  
156 below, two points will be awarded. The Coastal A Zone is the area located landward of a V Zone, or an open coast without  
157 mapped V zones, where wave heights can reach between 1.5 and three feet in height during a base flood event and is delineated  
158 by the Limit of Moderate Wave Action on a Digital Flood Insurance Rate Map. Points will be allocated in the following manner:

159 a. Zero points will be awarded if the proposal does not demonstrate the current extent of flooding or erosion in the project  
160 impact area; for projects located in X Zones (unshaded), or

161 b. ~~Two One~~ points will be awarded if the proposal describes how the project impact area experienced flooding estimated  
162 greater than 3 inches in the last three years or has ever experienced unmitigated erosion; for projects located in X Zones  
163 (shaded), or

164 c. A total of ~~3.75 Two~~ points will be awarded if the applicant provides documentation to the Department showing the  
165 project impact area has been flooded to an estimated depth greater than one foot within the last five years, has been estimated  
166 to be inundated more than three inches but less than one foot at least one time in the current and in each of the most recent three  
167 calendar years, has had at least one instance of sustained flooding for a duration of seven or more consecutive days, or is  
168 experiencing erosion that the applicant demonstrates is critical erosion for the critical asset class. Documentation may include,  
169 but is not limited to, reports of flooding or erosion recorded by the jurisdiction(s) in which the project impact area is located,  
170 local news reports or source(s), documentation by a local official such as recorded high-water marks or inspection results, or  
171 any other similar document or report. will be awarded for projects located in A Zones (without Base Flood Elevation), or

172 ~~d. Three points will be awarded for projects located in AH Zones, or~~  
173 ~~e. Four points will be awarded for projects located in AE Zones, or~~  
174 ~~f. Five points will be awarded for projects located within Coastal A Zones, V Zones, or if located within a Regulatory~~  
175 ~~Floodway.~~

176 (b) Up to 7.5 points will be awarded for readiness of the project to proceed in a timely manner, as defined by subparagraphs  
177 62S-8.003(3)(b)1. through 3., F.A.C., below.

178 1. Up to 3.75 points will be awarded based on the status of project design. Points will be allocated in the following manner:

179 a. Zero points will be awarded if no design documentation is provided; ~~or~~

180 b. One point will be awarded if a partial design or other site-specific environmental or geotechnical report that demonstrates  
181 the furtherance of a readiness to proceed draft is submitted; or

182 c. 3.75 points will be awarded if drawings or plans that are properly certified (e.g., engineer's certification, signed and  
183 sealed by registered professional, etc.) by a professional in the relevant field drawings are submitted.

184 2. Up to 2.75 points will be awarded based on the project's permitting status and the status of any needed easements. Points  
185 will be allocated in the following manner:

186 a. One point will be awarded for providing a list of proof of all permits and easements application for necessary for  
187 completion of permits or approval from the authority having jurisdiction over such permitting is submitted with proposed  
188 project, if applicable; ~~or~~

189 b. A total of 1.5 points will be awarded if proof of application for necessary permits or approval from at least one authority  
190 having legal jurisdiction over such permitting is submitted with the proposed project; or

191 c. A total of 2.75 points will be awarded if proof is submitted to the Department showing either that all necessary permit(s)  
192 and easement(s) easements have been authorized and/or obtained or if that permitting and/or easement(s) easements are not  
193 required.

194 3. One point will be awarded if local funding sources are committed as cost share, match as demonstrated evidenced by  
195 relevant documentation including, but not limited to, an approved and line item in an adopted capital improvement plan Capital  
196 Improvement Plan, a signed letter from the Chief Executive Officer (or equivalent) of the eligible entity, a draft resolution or  
197 agenda item to be presented to from the governing board committing funding to the project if selected, or any other comparable  
198 document showing or evidence of availability of funds. One point will be awarded to financially disadvantaged small  
199 communities.

200 (c) Up to 7.5 points will be awarded for environmental habitat enhancement or nature-based solutions for resilience.

201 1. A total of 3.75 points will be awarded if the project enhances environmental habitat natural systems or includes nature-  
202 based solutions; ~~as evidenced by an environmental report specific to the project or a peer reviewed academic study is provided~~  
203 ~~that demonstrates the type of project meets the goals stated above, and~~

204 2. A total of 3.75 points will be awarded if the project ~~impact is in an~~ extends into an area that is identified as a state  
205 or federal federally designated critical habitat for threatened or endangered species at the time the applicant submits its proposal  
206 to the Department.

207 (d) A total of 7.5 points will be awarded if a ~~statement is reasonable analysis~~ provided to the Department with the proposal  
208 that demonstrates that the project is cost-effective. The basis for cost effectiveness shall be provided by the applicant. A  
209 statement demonstrating cost-effectiveness ~~A cost-effective analysis~~ provided for this criterion must address one or more of  
210 may consider the following:

211 1. A comparison of contingencies and the estimated total project cost; compared to

212 2. Costs of alternative approaches or explanation of why there are no feasible alternative approaches;

213 3. Avoided economic loss due to failure or inability to operate due to flooding or sea level rise, the project costs compared  
214 to costs cost to repair damage from flooding or erosion, the size of the population directly impacted, the total project cost to the  
215 state (e.g. higher match percent), or other reasonably foreseeable losses using industry standard economic models; and

216 4. Future costs and benefits calculated using the relevant discount rate, net present value, or other metrics measuring future  
217 costs and benefits to support the proposal relevant metrics to demonstrate that the project is cost effective.

218 (4) The maximum number of points that may be awarded for Tier 3 criteria is 20 points.

219 (a) Up to ~~6.5 five~~ points will be awarded for available local, state, or federal cost share. ~~Points match, points~~ will be  
220 allocated in the following manner:

221 1. Zero points will be awarded if the ~~proposal application~~ does not demonstrate that a source for the required 50% cost  
222 share match has been specifically identified unless the community is a financially disadvantaged small community; ~~as defined~~  
223 ~~in Section 380.093(5), F.S., or~~

224 2. A total of ~~3.25 2.5~~ points will be awarded if the project proposal includes specifically identified local, state, or federal  
225 cost share grant match, but the funds have not been appropriated or released at the time the applicant submits it's proposal to  
226 the Department; or

227 3. A total of 6.5 points will be awarded if the project proposal provides documentation that 50% cost share local or federal  
228 grant match is available or if the community is a financially disadvantaged small community ~~as defined in Section 380.093(5),~~  
229 ~~F.S.~~ Available cost share match can be demonstrated by providing an approved and line item in an adopted capital improvement



230 ~~plan Capital Improvement Plan~~, a letter from the Chief Executive Officer (or equivalent) of the eligible entity committing  
231 funding, a resolution from the governing board committing funding to the project if selected, or any other comparable document  
232 showing or evidence of availability of funds.

233 (b) ~~A total of 6.5 Five~~ points will be awarded if verification of ~~previous~~ state funding previously awarded to ~~in~~ the project  
234 is provided to the Department with the proposal. Verification must include previously funded phases, ~~total~~ amount of prior  
235 ~~previous~~ state funding, and previous partial appropriations, and must be submitted in a format that is verifiable by the  
236 participating agency. Points will be allocated in the following manner:

237 1. One point will be awarded if the applicant provides verification of previous state funding awarded for preconstruction  
238 activities, as defined in paragraph 380.093(2)(c), F.S., except for those preconstruction activities involving the design of or  
239 permitting for the project;

240 2. 1.5 points will be awarded if the applicant provides verification of previous state funding awarded for design of the  
241 project;

242 3. 1.5 points will be awarded if the applicant provides verification of previous state funding awarded for permitting for the  
243 project; and

244 4. 2.5 points will be awarded if the applicant provides verification of state funding awarded for earlier phases of the  
245 project's total construction.

246 (c) Up to ~~seven 40~~ points will be awarded for any exceedance of ~~the Florida Building Code~~ flood-resistant requirements in  
247 the Florida Building Codes Act, as adopted by the State of Florida pursuant to Part IV, Chapter 553, F.S., and administered by  
248 the Florida Department of Business and Professional Regulation as the Florida Building Code, or local and applicable floodplain  
249 management regulations, whichever is more restrictive.

250 1. A total of 3.5 Five points will be awarded if the project will exceed Florida Building Code flood-resistant requirements  
251 or local and applicable floodplain management regulations, whichever is more restrictive, and the proposal application outlines  
252 the specific requirements and details relating to how the design ~~criteria~~ exceeds the criteria; requirements, or if no Florida  
253 ~~Building Code flood-resistant requirements and applicable floodplain management regulations apply to the project type, or~~

254 2. Seven Ten points will be awarded if the project will exceed Florida Building Code requirements and local applicable  
255 floodplain management regulations, so long as the proposal references and the specific requirements and design criteria to be  
256 exceeded are referenced and provided in its project proposal; or signed, sealed drawings

257 3. Seven points will be awarded if the proposal states that no Florida Building Code flood-resistant requirements or local  
258 floodplain management regulations apply to the project.

259 (5) The maximum number of points that may be awarded for Tier 4 criteria is 10 points.

260 (a) Five points will be awarded if the Department determines that the project proposal includes innovative technologies  
261 designed to reduce project costs and provide regional collaboration. The proposal must demonstrate which specific technologies  
262 will be used and explain why they are innovative as well as how they will reduce cost and provide ~~identify~~ regional  
263 collaboration; and

264 (b) Five points will be awarded if the proposal demonstrates that the critical asset or area benefited by the project impact  
265 area is located in ~~serves a~~ financially disadvantaged community ~~with a median household income of less than the statewide~~  
266 ~~average. The project proposal must include verifiable documentation of the community's median household income.~~

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268 *Rulemaking Authority 380.093, FS. Law Implemented 380.093 FS. History- New \_ -2022*

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