

1 **CHAPTER 62B-36**

2 **BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM**

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10 62B-36.001 Purpose.

11 The Beach Management Funding Assistance Program works in concert with local sponsors to
12 achieve protection, preservation, restoration, and nourishment of the sandy beaches fronting the
13 Atlantic Ocean, the Gulf of Mexico and the Straits of Florida, and for the management of inlets
14 to replicate the natural drift of sand interrupted by improved, modified, or altered inlets.

15 Annually, the Department requests funding from the Legislature to implement the program and
16 when appropriations are made by the legislature, enters into cost sharing agreements with local
17 sponsors for the implementation of beach and inlet management projects. This Rule Chapter
18 establishes funding request procedures, project ranking criteria, cost sharing procedures and
19 project agreement requirements pursuant to Sections 161.088, 161.091, 161.101, 161.142,
20 161.143, and 161.161, F.S.

21 Rulemaking Authority 161.101(21), 161.143(6) 161.161(7) FS. Law Implemented 161.088,
22 161.091(1), 161.101(1),(2), (8), (9), (11), (12), (14), (15), (16), (17), (18), (19), (20), 161.142(1),
23 (2), (4), (5), (6), (7), 161.143(1), (2), (3), (4), (5), 161.161(1), (2), (6)FS. History—New 6-10-83,
24 Formerly 16B-36.01, 16B-36.001, Amended 12-25-03, 8-5-13.

25 62B-36.002 Definitions.

26 (1) “Annual Funding Request” is the document submitted by a local sponsor which includes a
27 detailed description for the next fiscal year’s funding request and a schedule for the disbursement
28 of funds to be requested for beach or inlet management projects or related activities over a given
29 period of time. Only projects consistent with the Strategic Beach Management Plan will be
30 considered for funding. These projects will be ranked and placed on either the beach or inlet
31 management list submitted to the Legislature for funding consideration.

32 (2) “Area of Inlet Influence” is the distance along the adjacent sandy shorelines where sediment
33 transfer and shoreline location is physically altered due to the presence of the inlet and any
34 associated structures or improvements which alter the natural functioning of the inlet. The area
35 of inlet influence will be determined using a feasibility or an inlet management study.

36 (3) “Beach Management” is protecting, maintaining, preserving, or enhancing Florida’s beaches.
37 Activities included are restoring or nourishing beach and dune systems, dune protection and
38 restoration, restoration of natural shoreline processes, removal of derelict structures and
39 obstacles to natural shoreline process in conjunction with restoration or nourishment, and
40 construction of erosion control structures. These activities include feasibility, engineering, design
41 and environmental studies, post-construction monitoring and mitigation to support such
42 activities.

43 (4) “Contractual Services” are the provision of engineering, professional, or scientific services
44 for eligible activities as otherwise described in this chapter. Such activities may be performed by
45 a private company or individual, or, if approved by the Department, pursuant to subsection 62B-
46 36.007(6), F.A.C., the local sponsor.

47 (5) “Critically Eroded Shoreline” is a segment of shoreline where natural processes or human
48 activities have caused, or contributed to, erosion and recession of the beach and dune system to
49 such a degree that upland development, recreational interests, wildlife habitat or important
50 cultural resources are threatened or lost. Critically eroded shoreline may also include adjacent
51 segments or gaps between identified critical erosion areas which, although they may be stable or
52 slightly erosional now, their inclusion is necessary for continuity of management of the coastal
53 system or for the design integrity of adjacent beach management projects.

54 (6) “Department” is the Department of Environmental Protection.

55 (7) “Inlet” is a coastal barrier waterway connecting a bay, lagoon, or similar body of water with
56 the Gulf of Mexico, the Straits of Florida, or the Atlantic Ocean and all related flood and ebb
57 tidal shoals and the inlet shorelines. Improved, altered or modified inlets are those where
58 stabilizing rigid coastal structures have been constructed, or where inlet related structures or
59 features such as channels have been constructed or are actively maintained and the channel depth
60 is greater than the inlet system would support in a natural state.

61 (8) “Inlet Management” is comprised of actions taken to minimize, eliminate, or mitigate the
62 effects of the inlet on the adjacent shorelines including feasibility, engineering, design,
63 environmental studies, construction, and post-construction monitoring to support such activities.

64 (9) “Local Sponsor” is any state, county, municipality, township, or special district created
65 pursuant to Part II, Chapter 161, F.S., having authority and responsibility for preserving and
66 protecting the coastal system, and any state, county, municipality, township, and inlet and
67 navigational districts having authority and responsibility for management of an inlet. The local
68 sponsor is responsible for the balance of the non-state cost share.

69 (10) “Local Long Range Budget Plan” is a document that projects the ten-year planning needs
70 for federal, state, and local governments necessary to implement the strategies outlined in the
71 Strategic Beach Management Plan for a specific project. The document lists five years of
72 anticipated project costs followed by the next five years of anticipated planning phases. The
73 document is submitted by local sponsors to the Department along with annual funding requests.

74 (11) “Project Agreement” is a contract executed between the Department and the local sponsor
75 that explicitly defines the terms and conditions under which the project shall be conducted.

76 (12) “Project Boundary” for ranking purposes, means the sandy shoreline fronting the Atlantic
77 Ocean, Gulf of Mexico, or the Straits of Florida, of the beach management project and the first
78 row of residential or commercial development immediately landward of the beach vegetation
79 line or beach erosion control line, whichever is further landward. The first row of development
80 may be separated from the shoreline by recreational amenities, roadways or parking areas as long
81 as there is dedicated public access. The area of inlet influence shall be the project boundary for
82 inlet projects.

83 (13) “Project Phase” is a step required in developing and implementing a project. The following
84 phases will be considered for funding:

85 (a) “Feasibility” – is the characterization of the erosion problem and constraints on remediation
86 alternatives, development and analysis of alternatives to address the problem, including taking no
87 action, data collection in support of the analysis, and selection of the cost-effective,
88 environmentally sound alternative that avoids or minimizes adverse impacts.

89 (b) “Design” – is the development of design studies, data collection, plans, specifications, permit
90 applications, and financial planning for the project.

91 (c) “Construction” – is the execution of the selected project, including contractor services,
92 contract management, construction oversight, and construction-related monitoring required by
93 permit or contract.

94 (d) “Post-Construction Monitoring” – is the collection and analysis of physical and biological
95 data required by state or federal permits on an annual or periodic basis following the completion
96 of the construction phase.

97 (14) “Public Beach Access” is an entry zone and associated parking under public ownership or
98 control which is specifically used for providing access to the adjacent sandy beach for the
99 general public. The access must be signed, maintained and clearly visible from the adjacent
100 roadway. The parking spaces counted for eligibility must be within one-quarter mile walking
101 distance of a lateral entry zone and available to the general public. The types of public beach
102 access sites are:

103 (a) “Primary Beach Access” is a site with at least 100 units, as defined in subsection 62B-
104 36.007(1), F.A.C., and public restrooms;

105 (b) “Secondary Beach Access” is a site that may have parking and amenities, but does not
106 qualify as a primary beach access.

107 (15) “Public Lodging Establishment” is any business currently licensed by the Department of
108 Business and Professional Regulation in the classification of “hotel,” “motel,” or “vacation rental
109 condominium” with six or more units as designated by the Department of Business and
110 Professional Regulation, or campgrounds. Public Lodging Establishments must be located on the
111 beachfront or within one-quarter mile walking distance of a public access.

112 (16) “Sediment Budget” is the mass balance between inputs and outputs of sediment in the inlet
113 system, including all related flood and ebb tidal shoals, inlet shorelines and inland waterways,
114 and the adjacent open coast beaches within the area of inlet influence.

115 (17) “Statewide Long Range Budget Plan” is the document produced by the Department that
116 projects the ten-year planning needs for federal, state, and local governments necessary to
117 implement the Strategic Beach Management Plan. The document lists five years of anticipated
118 project costs followed by the next five years of anticipated planning phases for all beach and
119 inlet management projects statewide. It is developed in coordination with local sponsors based
120 on their Local Long Range Budget Plans and is submitted to the Legislature annually as a
121 companion document to the Local Government Funding Request.

122 (18) “Strategic Beach Management Plan” is the Department’s adopted plan for management of
123 the critically eroded shoreline of the state and those components of feasibility or inlet
124 management studies that minimize the erosive effects of inlets.

125 Rulemaking Authority 161.101(21), 161.143(6), 161.161(7) FS. Law Implemented 161.088,
126 161.091(1), 161.101,(1), (2), (8), (9), (10), (11), (12), (14), (15), (16), (17), (18), (19), (20),
127 161.142(1), (2), (4), (5), (6), (7), 161.143(1), (2), (3), (4), (5), 161.161(1), (2), (6) FS. History—
128 New 6-10-83, Formerly 16B-36.02, 16B-36.002, Amended 12-25-03, 8-5-13.

129 62B-36.003 General.

130 (1) The Beach Management Program is established to develop and execute a comprehensive,
131 long range, statewide beach management plan for erosion control, beach preservation,
132 restoration, nourishment and storm protection for the critically eroded shoreline of the State of
133 Florida. This comprehensive program includes the Strategic Beach Management Plan, the
134 Critical Erosion Report, shoreline change reports, inlet management studies, state and federal
135 feasibility and design studies, the Statewide Long Range Budget Plan, and other reports as the
136 Department may find necessary for a multiyear maintenance and repair strategy. The
137 comprehensive program is implemented through projects consistent with the Strategic Beach
138 Management Plan and included in the Statewide Long Range Budget Plan.

139 (2) The Department shall annually review available information and revise the designations of
140 critically eroded shoreline in the Critical Erosion Report. Local sponsors shall be notified of any
141 proposed changes and be given an opportunity to submit additional information to justify or
142 refute proposed revisions.

143 (3) Beach and inlet management projects funded by the Department shall be conducted in a
144 manner that encourages cost-savings, fosters regional coordination of projects, optimizes
145 management of sediments and project performance, protects the environment, and provides long-
146 term solutions. Appropriate feasibility studies or analyses shall be required before design or
147 construction of new projects.

148 (4) Beach and dune restoration and nourishment projects funded by the Department shall be
149 accessible to the general public and access used to calculate eligibility shall be maintained for at

150 least ten years following completion of each construction event. Shoreline segments shall be
151 evaluated for public access as set forth in subsection 62B-36.007(1), F.A.C.

152 (5) Beach management projects will be evaluated on a case by case basis and may be cost shared,
153 pursuant to Rules 62B-36.006 and 62B-36.007, F.A.C., when determined to avoid or minimize
154 adverse impacts and be cost effective as demonstrated by feasibility and design studies.

155 (6) The goal of inlet management projects is to balance the sediment budget of the inlet system
156 and the adjacent shorelines within the area of inlet influence. Inlet management projects will be
157 evaluated based upon the criteria in Rules 62B-36.006 and 62B-36.007, F.A.C., and may be cost-
158 shared with the local sponsor for up to 75 percent of the non-federal share.

159 (7) Activities primarily related to navigation or other infrastructure improvements at inlets are,
160 generally, not eligible for cost sharing. However, components of projects which mitigate
161 critically eroded shoreline caused by alterations, modifications or improvements to inlets,
162 implement components of the Strategic Beach Management Plan, and which do not increase
163 impacts, are eligible for cost sharing for those components which:

164 (a) Are designed to minimize the erosive effects to the downdrift shoreline caused by the inlet by
165 improving or facilitating the efficiency of sand bypassing, such as the construction of sand
166 bypassing facilities, sand traps and jetty alterations, or

167 (b) Cost effectively place beach quality sand on the adjacent eroded beaches, such as the
168 incremental cost of placing sand on the beach rather than in an offshore disposal area. The
169 Department will cost share only in the incremental cost of placement of the material. The
170 Department will not cost share in activities normal to the operation and maintenance of the inlet,
171 such as mobilization of equipment and design studies.

172 (8) Local sponsors are encouraged to consider existing inlet navigation maintenance activities as
173 potential sources of sand when developing beach restoration or nourishment projects.

174 (9) Non-federal beach management projects shall be cost shared up to 50 percent of the total
175 project cost. Projects authorized by Congress for federal financial participation in the Civil
176 Works program of the United States Army Corps of Engineers shall be cost shared up to 50
177 percent of the non-federal share. Beach management projects approved to receive Federal
178 Emergency Management Agency Public Assistance funding (Category G or equivalent
179 subsequent program for designed, constructed and routinely maintained beaches) shall be cost-
180 shared up to 50 percent of the local share after state and federal emergency funds are applied.
181 Local sponsors shall pursue federal appropriations to the maximum extent possible in order to
182 proportionally reduce state and local project costs.

183 (10) Upon notification from the Department of the 60-day submittal period, local sponsors shall
184 submit an updated Annual Funding Request and Local Long Range Budget Plan. Annual funding
185 shall only be requested for projects expected to be initiated or continued in that fiscal year.

186 (11) The Department shall annually review and rank all projects requested by local sponsors for
187 the next fiscal year on either the beach management or inlet management project lists, and
188 maintain current project listings in priority order. As part of the review, the Department shall
189 seek formal input from local coastal governments, beach and general government associations,
190 and other coastal interest groups, and university experts. The project listings shall also identify
191 funds needed for statewide and regional management activities, state sponsored or co-sponsored
192 demonstration projects, new feasibility and design studies, and a consolidated category for post-
193 construction monitoring required by state and federal permits. Funding that may become
194 available due to savings or scheduling changes shall be made available to projects on approved

195 beach or inlet management lists and for emergency situations as determined by the Governor
196 pursuant to Section 161.111, F.S.

197 (12) Local sponsors may design and construct beach management projects prior to the receipt of
198 funding from the state and may subsequently apply for reimbursement from the Department
199 pursuant to the procedure in subsection 62B-36.009(3), F.A.C.

200 Rulemaking Authority 161.101(13), (21), 161.143(6), 161.161(7) FS. Law Implemented
201 161.088, 161.091(1), 161.101(1), (2), (8), (9), (11), (12), (13), (14), (15), (16), (17), (18), (19),
202 (20), 161.111, 161.142(1), (2), (4), (5), (6), (7), 161.143(1), (2), (3), (4), (5), 161.161(1), (2), (6),
203 216.181 FS. History—New 6-10-83, Formerly 16B-36.03, Amended 4-27-86, Formerly 16B-
204 36.003, Amended 12-25-03, 8-5-13.

205 62B-36.005 Annual Funding Requests.

206 (1) Annual funding requests for cost sharing of beach management projects shall be submitted by
207 the local sponsor to the Department. Projects previously submitted, but not funded, and projects
208 with cost overruns may be included. Local sponsors who have received funding for projects in
209 past fiscal years and who anticipate requesting funding in subsequent years shall update the
210 Local Long Range Budget Plan as to costs and scheduling. The Local Long Range Budget Plan
211 shall be consistent with the Strategic Beach Management Plan and have a 10-year minimum time
212 frame. The submittal shall be in electronic format and include:

213 (a) A detailed project description, including project boundaries by Department range
214 monuments, methods used in conducting the project, and data or analysis to apply the ranking
215 criteria required by Rule 62B-36.006, F.A.C.

216 (b) A map of the project area depicting the public beach access, the public parking within one
217 quarter mile of each beach access, public restroom facilities, the public lodging establishments,
218 and comprehensive plan designations for current land use of commercial and recreational
219 properties within the project boundary.

220 (c) Current license documentation on public lodging establishments within the project
221 boundaries, including the number of units available, if used to document public access.

222 (d) A current or updated resolution from the local sponsor's governing board which includes
223 statements of their support of the project, willingness to serve as the local sponsor, and a
224 statement of the extent of their ability and willingness to provide the necessary local funding
225 share to implement the project. For projects proposing regionalization, local sponsors must
226 provide an executed interlocal agreement outlining the nature of regionalization.

227 (e) A schedule of activities by project phase.

228 (f) The annual project cost estimates indicating the federal, state, and local cost share, with
229 sufficient supporting detail depicting costs of project phases.

230 (g) The estimated volume of advanced nourishment lost since the last sand placement event of a
231 beach restoration or nourishment project as measured landward of the Mean High Water Line,

232 (2) Annual funding requests for cost sharing of inlet management projects shall be submitted by
233 the local sponsor to the Department. Projects previously submitted, but not funded, and projects
234 with cost overruns may be included. Local sponsors who have received funding for projects in
235 past fiscal years and who anticipate requesting funding in subsequent years shall update the
236 Local Long Range Budget Plan as to costs and scheduling. The Local Long Range Budget Plan

237 shall be consistent with the Strategic Beach Management Plan and have a 10-year minimum time
238 frame. The submittal shall be in electronic format and include:

239 (a) A map depicting the inlet;

240 (b) A description of the sediment budget and area of inlet influence from an adopted Inlet
241 Management Plan or feasibility-level study;

242 (c) A detailed project description, including project boundaries by Department range
243 monuments, methods used in conducting the project, and data or analysis to apply the ranking
244 criteria required by Rule 62B-36.006, F.A.C.;

245 (d) A current or updated resolution from the local sponsor's governing board which includes
246 statements of their support of the project, willingness to serve as the local sponsor, and a
247 statement of the extent of their ability and willingness to provide the necessary local funding
248 share to implement the project;

249 (e) A schedule of activities by project phase; and,

250 (f) The annual project cost estimates indicating the federal, state, and local cost share, with
251 sufficient supporting detail depicting costs of project phases.

252 (3) The Department shall evaluate projects submitted to determine consistency with the Strategic
253 Beach Management Plan project ranking, and the extent of cost sharing. Upon completion of the
254 evaluation process, all eligible projects will be incorporated into the Department's Statewide
255 Long Range Budget Plan, which will be submitted to the Legislature along with the
256 Department's Local Government Funding Request that annually prioritizes projects according to
257 the criteria in Rule 62B-36.006, F.A.C.

258 (4) Funding requests shall be evaluated and ranked on the basis of information provided by the
259 eligible governmental entity, except where such data is superseded by better quality information
260 obtained by the Department. Local sponsors will be provided 21 days to review the project's
261 proposed ranking and provide clarification to support their requested award of scores. Failure to
262 provide all required information and documentation relating to eligibility and ranking criteria
263 will result in the request being declared ineligible or receiving reduced ranking points. Failure to
264 provide accurate information will lead to termination of the project's eligibility for funding for
265 the requested fiscal year.

266 Rulemaking Authority 161.101(21), 161.143(6), 161.161(7) FS. Law Implemented 161.088,
267 161.091(1), 161.101(1), (2), (8), (9), (11), (12), (14), (15), (16), (17), (18), (19), (20), 161.142(1),
268 (2), (4), (5), (6), (7), 161.143(1), (2), (3), (4), (5) 161.161(1), (2), (6) FS. History—New 6-10-83,
269 Formerly 16B-36.05, Amended 4-27-86, Formerly 16B-36.005, Amended 12-25-03, 8-5-13.
270 62B-36.006 Project Ranking Procedure.

271 Substantial rewording of Rule 62B-36.006, F.A.C., follows.

272 (1) Beach Management Projects. Local sponsor funding requests for beach management projects
273 in the upcoming fiscal year will be ranked in priority order. Eligible projects will receive a total
274 point score by the Department based on the following criteria:

275 (a) Return on investment. The ratio of the sum of the county-wide tourist development tax and
276 tourism-related sales tax revenue for the most recent calendar year to the amount of state funding
277 requested for the proposed construction project. Tourist development tax and tourism-related
278 sales tax data for the county that has jurisdiction over the project area shall be obtained from the
279 Department of Revenue. Tourism-related sales tax revenue is defined as taxes on hotel/motel

280 accommodations, rooming houses, camps, and other lodging places. The amount of state funds
281 requested for the construction phase of the project will be used in the calculation. If the proposed
282 project does not request construction funds, then the project is not eligible for points. One point
283 will be awarded for projects with values below the 10th percentile, two points for values between
284 the 10-20th percentiles, three points for values between the 20-30th percentiles, four points for
285 values between the 30-40th percentiles, five points for values between the 40-50th percentiles,
286 six points for values between the 50-60th percentiles, seven points for values between the 60-
287 70th percentiles, eight points for values between the 70-80th percentiles, nine points for values
288 between the 80-90th percentiles, and 10 points for values between the 90-100th percentiles, for a
289 maximum score of 10 points.

290 (b) Economic impact. The ratio of the sum of the county-wide tourist development tax and
291 tourism-related sales tax revenue for the most recent calendar year to all county-wide sales tax
292 revenues for the most recent calendar year. Tax data for the county that has jurisdiction over the
293 project area will be obtained from the Department of Revenue. Tourism-related sales tax revenue
294 is defined as the taxes on hotel/motel accommodations, rooming houses, camps, and other
295 lodging places. One point will be awarded for projects with values below the 10th percentile, two
296 points for values between the 10-20th percentiles, three points for values between the 20-30th
297 percentiles, four points for values between the 30-40th percentiles, five points for values between
298 the 40-50th percentiles, six points for values between the 50-60th percentiles, seven points for
299 values between the 60-70th percentiles, eight points for values between the 70-80th percentiles,
300 nine points for values between the 80-90th percentiles, and 10 points for values between the 90-
301 100th percentiles, for a maximum score of 10 points.

302 (c) Federal authorization. Projects with United States Army Corps of Engineers (USACE) Civil
303 Works congressional authorization for the requested project phase shall receive three points.
304 Projects with a signed USACE Chief's report for authorization of the requested project phase
305 shall receive one point.

306 (d) Federal cost share. Projects with a federal cost share percentage for the proposed project
307 phase(s) for up to forty percent shall receive one point. Projects with a federal cost share
308 percentage of 41-50 percent shall receive three points. Projects with a federal cost share
309 percentage of 51-60 shall receive five points. Projects with a federal cost share percentage of 61-
310 70 shall receive seven points. Projects with a federal cost share percentage of at least 71 percent
311 shall receive nine points. Projects with a federal cost share by the USACE and Federal
312 Emergency Management Agency (FEMA) are eligible for points. FEMA projects must submit an
313 approved Project Worksheet by the application deadline.

314 (e) Federal funds available. Projects with a current USACE project agreement executed for the
315 requested project phase, projects listed in a USACE work plan, or FEMA projects with approved
316 Project Worksheets shall receive three points. Projects that have a draft FEMA Project
317 Worksheet or are included in a USACE current federal budget document shall receive one point.

318 (f) Current conditions. Projects where the volume of advanced nourishment lost since the most
319 recent beach nourishment as measured above the mean high water elevation shall receive two
320 points for 50 percent of volume lost, four points for 60 percent of volume lost, six points for 70
321 percent of volume lost, or eight points for 80 percent or more of volume lost. If the project area
322 has not been restored, the Department will use historical mean high water data files contained in
323 the Department's Historic Shoreline Database to calculate the average rate of erosion for up to a
324 30 year period after 1972, but prior to any beach fill placement in the project area. Projects shall

325 receive four points for one foot-per-year of erosion and one point for each additional half-foot of
326 annual erosion up to a maximum of eight points.

327 (g) Threat to upland development. Projects where existing upland development is at or seaward
328 of the projected erosion limit of a 25-year return interval storm event shall receive one point
329 when 5-10 percent of properties within the project boundaries are threatened and two points for
330 greater than 10 percent of threatened properties within the project boundaries. Upland
331 development on properties where the mean high water shoreline is seaward of project design
332 template, or where coastal armoring exists on a property shall not be deemed threatened. The
333 Department will determine the threat to upland development by application of the Dean CCCLa,
334 SBEACH (Storm-induced BEACH CHange Model) or comparable numeric model using a 25-
335 year return interval storm tide hydrograph on the most recent beach-offshore profile data at each
336 R-monument in the project area as determined by the Department and provided in “Erosion Due
337 to High Frequency Storm Events,” which is incorporated by reference. SBEACH results shall be
338 supported with documentation on objectives, data used, model configuration and parameter
339 selection, calibration/validation, applications of forcing conditions and any assumptions made in
340 the modeling analysis. Copies of “Erosion Due to High Frequency Storm Events,” by the
341 University of Florida, dated November 22, 1995
342 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02423>, and the “SBEACH-32 Users
343 Interface Manual” dated January 10, 1996
344 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02424>, “SBEACH Report 1” dated July
345 1, 1989, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02425>, “SBEACH Report 2”
346 dated May 1 1990, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02427>, “SBEACH
347 Report 3” dated May 1, 1993, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02428>,

348 “SBEACH Report 4” dated April 1, 1996,
349 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02429>, and “SBEACH Report 5” dated
350 August 1, 1998, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02430>, by the U.S.
351 Army Corps of Engineers, which are incorporated by reference, may be obtained at the following
352 web site: www.dep.state.fl.us/beaches.

353 (h) Value of upland property. The total value of all upland properties within one-quarter mile
354 landward of the project’s Erosion Control Line or, if not available, the Mean High Water Line, or
355 a proposed project boundary alternative that meets the purpose of this calculation. The values of
356 properties that are enclosed or intersected by the one-quarter mile buffer will be retrieved from
357 the Department of Revenue’s most current statewide database and the total value will be
358 calculated in ArcGIS. Property values to be used are established by the property appraiser for ad
359 valorem purposes. One point shall be awarded to projects with a total property value below the
360 20th percentile of all projects’ total property values, two points for values between the 20-40th
361 percentiles, three points for values between the 40-60th percentiles, four points for values
362 between the 60-80th percentiles, and five points for values above the 80th percentile.

363 (i) Cost per volume per mile per year. An opinion of probable yearly cost per volume per mile of
364 the proposed beach fill placement, certified by a licensed professional engineer, shall be
365 submitted with the funding application. Cost calculations for the proposed construction event
366 will include construction, associated project mitigation, and construction-related and first year
367 post-construction monitoring costs. Projects will receive more points for lower costs in
368 comparison to all the proposed projects’ calculations for the given funding year. Ten points shall
369 be awarded to projects with values below the 10th percentile, eight points for projects with

370 values between the 10-20th percentiles, six points for projects with values between the 20-40th
371 percentiles, and four points for projects with values between the 40-50th percentiles.

372 (j) Cost-effectiveness; enhanced longevity; dune addition; and innovative technology. Existing
373 projects with proposed structural or design components that could extend the beach nourishment
374 interval; incorporate new or enhanced dune structures or new or existing dune restoration and
375 revegetation projects that reduce upland storm damage costs; or propose innovative technologies
376 designed to reduce project costs shall receive two points. A project design analysis must be
377 submitted to demonstrate with reasonable assurance the anticipated increase in nourishment
378 interval. Projects permitted under Section 62B-41.0075, F.A.C., for Experimental Coastal
379 Construction will qualify for points.

380 (k) Regionalization. Projects where two or more local sponsors that manage their projects
381 together to conserve sand resources or reduce contracting cost shall receive three points. Projects
382 must submit a signed Interlocal Agreement by the application deadline. Projects that propose
383 regional sediment management strategies for scheduled beach nourishment purposes shall
384 receive three points.

385 (l) Previously funded phases. Projects where the Department has previously cost shared,
386 reviewed, and approved a feasibility or design phase shall receive one point.

387 (m) Total amount of previous funding. The total amount of state funding for projects through
388 annual legislative and hurricane appropriations for the previous 10 years. Projects with a value
389 below the 25th percentile of the total funding of all projects shall receive zero points. Projects
390 between the 25-50th percentile shall receive one point. Projects between the 50-75th percentile
391 shall receive two points. Projects above the 75th percentile shall receive three points.

392 (n) Previous partial appropriation. Projects that have received a partial appropriation for the
393 proposed project phase(s) within three years of completion shall receive one point.

394 (o) Accessible beach area. The accessible beach area (square feet) added or maintained by the
395 project shall be defined as the alongshore length and cross-shore width, which are bound by the
396 Erosion Control Line along the landward edge and the Mean High Water Line contour along the
397 seaward edge of the design profile. Projects with an accessible beach area that is greater than the
398 average for all projects in their region (Gulf coast or Atlantic coast) shall receive two points.

399 (p) Recreational benefits. The percentage of linear footage of property within the total project
400 boundary zoned as recreational or open space, for commercial use, or to allow for public lodging
401 establishment, or the equivalent, in the current local government land use map. Only properties
402 fronting the project shoreline will be considered. Un-designated properties will be considered
403 designated or zoned the same as the adjacent property designations. Street ends will be
404 considered recreational if they provide access to the beach, in accordance with Rule 62B-
405 36.002(14), F.A.C. Projects shall receive one point for every 25 percent, for a maximum score of
406 three points.

407 (q) Mitigation of inlet effects. Projects that provide supplemental nourishment to adjacent
408 beaches needed to mitigate deficiencies in the annual target inlet sand bypassing quantity
409 supplied by inlet management activities shall receive one point for every 20 percent of the target
410 quantity to be achieved by the supplemental nourishment.

411 (r) Sand placement volumes. The volume per mile per year for projects requesting construction
412 funds in a given year shall be compared by region (Gulf coast and Atlantic coast). One point
413 shall be awarded to projects with a value below the 20th percentile, two points for a value

414 between the 20-40th percentiles, three points for a value between the 40-60th percentiles, four
415 points for a value between the 60-80th percentiles, and five points for a value above the 80th
416 percentile.

417 (s) Successive unfunded requests. Projects requesting funds for the same project phase(s) as the
418 previous year, in which the request did not secure state funding, shall be awarded three or five
419 points for the first and second years of successive requests, respectively. If the successive request
420 includes subsequent phases, then only one point shall be awarded.

421 (t) Habitat enhancement. Projects within designated critical habitat areas that are also subject to
422 extensive shoreline armoring shall receive three points. Critical habitat areas shall include
423 Endangered Species Act federally-designated critical habitat for beach mice (*Peromyscus*
424 *polionotus* spp.) and critical nesting habitat for loggerhead sea turtles (*Caretta caretta*). Project
425 shoreline with existing armoring or shoreline that is subject to armoring based on a 25-year
426 storm threat, pursuant to Rule 62B-36.006(1)(g), F.A.C., shall be considered extensive if that
427 shoreline consists of at least 30 percent of the project's length. Projects within critical habitat
428 areas that are subject to extensive shoreline armoring may be eligible for an additional two points
429 if the project exceeds best management practices to incorporate turtle-friendly designs and
430 management strategies to protect resources or benefit critical habitat preservation. Strategies may
431 include: projects constructed outside of sea turtle nesting season, projects designed and
432 constructed to reach equilibrium before sea turtle nesting season, projects within light ordinance
433 enforcement programs that is reflective of the state's model ordinance for sea turtle friendly
434 lighting, or projects with a substantial dune feature.

435 (u) Readiness to construct. Projects that have all of the following shall receive one point: active
436 state and federal permits, acquired necessary easements, secured local funding and established an
437 Erosion Control Line by the application deadline.

438 (v) Active permits. Projects that have active state and federal permits as required for the
439 proposed project activity shall receive one point.

440 (w) Easements acquired. Projects that have acquired all necessary easements for construction of
441 the project shall receive one point.

442 (x) Secured local funds. Projects that have secured the local funding necessary for the project
443 shall receive one point. A signed Resolution by the local sponsor must be submitted by the
444 application deadline.

445 (y) Established Erosion Control Line. Projects that have an established Erosion Control Line
446 shall receive one point.

447 ~~(a) Severity of erosion. The severity of erosion score is determined by the average historical rate~~
448 ~~of erosion for the project length over 30 years at 2 points per foot of erosion, for a maximum~~
449 ~~total of 10 points. The Department will use historical MHW data files contained in the~~
450 ~~Department's Historic Shoreline Database to calculate the average rate of erosion for up to a 30~~
451 ~~year period after 1972, but prior to any beach fill placement in the project area. Linear least~~
452 ~~square fit to the data will be used to determine the erosion/accretion trend. For those project~~
453 ~~areas where inadequate data prevents the calculation of an average rate, then the rate may be~~
454 ~~obtained from a published study document used in the design of the project.~~

455 ~~(b) Threat to upland structures. The percent of shoreline containing structures at or seaward of~~
456 ~~the projected 25-year return interval storm event erosion limit within the project boundaries~~

457 times ten, for a maximum total of 10 points. The Department will determine the threat to upland
458 structures by application of the Dean CCCLa, SBEACH (Storm-induced BEAch CHange Model)
459 or comparable numeric model using a 25-year return interval storm tide hydrograph on the most
460 recent beach-offshore profile data at each R-monument in the project area as determined by the
461 Department and provided in “Erosion Due to High Frequency Storm Events,” which is
462 incorporated by reference. SBEACH results shall be supported with documentation on
463 objectives, data used, model configuration and parameter selection, calibration/validation,
464 applications of forcing conditions and any assumptions made in the modeling analysis. Copies
465 of “Erosion Due to High Frequency Storm Events,” by the University of Florida, dated
466 November 22, 1995 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02423>, and the
467 “SBEACH-32 Users Interface Manual” dated January 10, 1996
468 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02424>, “SBEACH Report 1” dated July
469 1, 1989, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02425>, “SBEACH Report 2”
470 dated May 1 1990, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02427>, “SBEACH
471 Report 3” dated May 1, 1993, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02428>,
472 “SBEACH Report 4” dated April 1, 1996,
473 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02429>, and “SBEACH Report 5” dated
474 August 1, 1998, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02430>, by the U.S.
475 Army Corps of Engineers, which are incorporated by reference, may be obtained at the following
476 web site: www.dep.state.fl.us/beaches.

477 (c) Recreational and economic benefits. The percentage of linear footage of property within the
478 project boundaries zoned commercial, recreational, or Public Lodging Establishment, or the
479 equivalent, in the current local government land use map times ten, for a maximum total of 10

480 ~~points. Un-designated properties will be considered designated or zoned the same as the adjacent~~
481 ~~property designations. Street ends will be considered recreational if they provide access to the~~
482 ~~beach, in accordance with subsection 62B-36.002(14), F.A.C.~~

483 ~~(d) Availability of federal funds. Projects with United States Army Corps of Engineers Civil~~
484 ~~Works Congressional authorization for the requested project phase shall receive 5 points.~~
485 ~~Projects with a current United States Army Corps of Engineers project agreement executed for~~
486 ~~the requested project phase or projects listed in a United States Army Corps of Engineers work~~
487 ~~plan or current federal budget document shall receive 5 points; Federal Emergency Management~~
488 ~~Agency nourishment projects (Category G or equivalent subsequent program for designed,~~
489 ~~constructed and routinely maintained beaches) with approved Project Worksheets shall receive 5~~
490 ~~points. Maximum total for availability of federal funds is 10 points.~~

491 ~~(e) Local sponsor financial and administrative commitment. Local sponsors who have a~~
492 ~~designated long term funding source for the management of a beach project as defined in a 10-~~
493 ~~year comprehensive financial plan shall receive 2 points; local sponsors who provide funding for~~
494 ~~the beach project via a funding source established by referendum or legislative authority will~~
495 ~~receive 2 points; local sponsors who provide additional funding from a third party, other than the~~
496 ~~federal government, shall receive 1 point for a 10 percent reduction or 2 points for a 25 percent~~
497 ~~reduction of the non-federal share obtained from a third party, for up to 2 points; those with a~~
498 ~~100 percent compliance record for submitting quarterly reports correctly and on time over the~~
499 ~~previous state fiscal year shall receive 2 points; local sponsors who hold active state and federal~~
500 ~~permits for the proposed project will receive 1 point; local sponsors who have secured local~~
501 ~~funds will receive 1 point, for a maximum total of 10 points.~~

502 ~~(f) Previous state commitment. Projects where the Department has previously cost shared,~~
503 ~~reviewed, and approved a feasibility or design phase shall receive 1 point; projects to enhance, or~~
504 ~~increase the longevity of a previously constructed project shall receive 3 points; projects that will~~
505 ~~nourish a previously restored shoreline shall receive 5 points; projects where previously~~
506 ~~approved appropriations for a project phase could not be encumbered and were released in their~~
507 ~~entirety by the local sponsor due to the project timelines shall receive 1 point, for a maximum~~
508 ~~total of 10 points.~~

509 ~~(g) Project performance. Performance points shall be based upon the expected life of a project, as~~
510 ~~documented in a feasibility study for restoration projects and on the average nourishment interval~~
511 ~~for nourishment projects. Projects with a three-year nourishment interval shall receive 1 point,~~
512 ~~plus 1 point for every additional year of the expected or actual life with a ten-year or more~~
513 ~~nourishment interval receiving a maximum of 8 points; projects with an average cost/per~~
514 ~~mile/per year below the average cost/per mile/per year of all projects requesting construction~~
515 ~~funding for a given year shall receive 2 points. Cost calculations, for the upcoming construction~~
516 ~~event, will include construction, associated project mitigation, and construction-related and first~~
517 ~~year post-construction monitoring costs.~~

518 ~~(h) Mitigation of inlet effects. Projects that implement strategies in the Strategic Beach~~
519 ~~Management Plan for supplemental nourishment to adjacent beaches needed to mitigate~~
520 ~~deficiencies in the annual sediment budget shall receive points based upon the percentage of the~~
521 ~~target average annual bypass volume to be achieved by the supplemental nourishment times 10~~
522 ~~for a maximum total of 10 points.~~

523 ~~(i) Innovative technologies. Projects to address erosion that are economically competitive with~~
524 ~~nourishment, that will not adversely affect the conservation of fish and wildlife, including~~

525 ~~endangered or threatened species, or their habitats, and that are designed to demonstrate an~~
526 ~~innovative application of existing technologies shall receive 3 points; projects that have been~~
527 ~~documented to be effective and demonstrate technologies previously untried in the state shall~~
528 ~~receive 2 points for a maximum total of 5 points.~~

529 ~~(j) Enhance nesting sea turtle refuges. Projects that are adjacent to or within designated nesting~~
530 ~~sea turtle refuges shall receive 5 points.~~

531 ~~(k) Regionalization. Projects where two or more local sponsors who manage their projects~~
532 ~~together to reduce contracting costs shall receive 5 points.~~

533 ~~(l) Significance. Sum of the following criteria for a maximum of 20 points;~~

534 ~~1. Projects shall receive points based upon the project length at one point per mile for a~~
535 ~~maximum of 10 points,~~

536 ~~2. Projects entering the construction phase will receive 1 point,~~

537 ~~3. Projects with greater than 25 percent of the shoreline length designated as commercial,~~
538 ~~recreational, or public lodging establishment shall receive 1 point and projects with greater than~~
539 ~~50 percent of the shoreline length designated as commercial, recreational, or public lodging~~
540 ~~establishment shall receive 2 points, for a total of 2 points,~~

541 ~~4. Projects where the volume of advanced nourishment lost since the last sand placement event~~
542 ~~of a beach restoration or nourishment project as measured landward of the Mean High Water~~
543 ~~Line, shall receive 1 point for every 20 percent of volume lost, for a maximum of 5 points,~~

544 ~~5. Projects where shoreline has eroded into the design profile shall receive 1 point,~~

545 6. Projects that place a greater volume/mile/year than the average volume/mile/year for all
546 projects in their region (Florida east coast, Florida west coast, and Florida panhandle) requesting
547 construction funding for a given year shall receive 1 point.

548 (m) In the event that more than one project receives the same number of points, the Department
549 shall assign funding priority to that project most ready to initiate construction. Factors considered
550 in the award of priority include project phase, construction schedule, the status of state and
551 federal permits, acquisition of easements, securing of local and federal funding, construction
552 bidding schedule, and establishment of an Erosion Control Line.

553 (2) Inlet Management Projects. Local sponsors requesting funding for inlet management projects
554 for the upcoming fiscal year will be ranked in priority order for the Department's Local
555 Government Funding Request. Eligible projects will be assigned a total point score by the
556 Department based on the following criteria:

557 (a) Sand reaching the inlet. Estimate of the annual quantity of beach-compatible sand reaching
558 the updrift boundary of the improved jetty or inlet channel, quantified at the rate of one point per
559 20,000 cubic yards per year for the Atlantic coast inlets and one point per 10,000 cubic yards per
560 year for the Gulf coast inlets, for a maximum of 10 points.

561 (b) Severity of erosion. Projects shall receive one point per 10,000 cubic yards per year of the
562 target inlet sand bypassing quantity for Atlantic coast inlets and one point per 5,000 cubic yards
563 per year of the target inlet sand bypassing quantity for Gulf coast inlets, for a maximum of 10
564 points.

565 (c) Balancing the sediment budget. Projects that provide inlet sand bypassing to adjacent beaches
566 shall receive one point for every 10 percent of the annual target inlet sand bypassing quantity to
567 be achieved by the project, for a maximum of 10 points.

568 (d) Cost-effectiveness: increased bypassing. The unmet annual bypassing objective is equal to
569 the volume of the annual bypassing objective less the current annualized bypassing volume using
570 material from within the inlet system. In the calculation of this ranking metric, the volume of
571 beach-quality sand unavailable for bypassing due to environmental constraints, such as the
572 accumulation of sand on seagrass beds within the inlet or erosion of adjacent beaches from
573 deflation of the inlet shoals, shall also be used to reduce the unmet annual bypassing objective.
574 Projects shall receive one point for every 10 percent of the unmet annual bypassing that will be
575 supplied by the proposed increased bypassing from within the inlet system. A project design
576 analysis must be submitted to demonstrate with reasonable assurance the anticipated increase in
577 bypassing.

578 (e) Cost-effectiveness of using inlet sand. Cost-effectiveness is the difference in the cost per unit
579 volume of sand made available by a proposed inlet management project, and the cost per unit
580 volume of sand from an offshore source, or the cost per unit volume of sand from an inland
581 source, whichever is lower. The most cost-effective project will receive 10 points, the next cost-
582 effective project will receive nine points, and so on until a project receives one point. An opinion
583 of probable cost per unit volume of the inlet and all other sand sources, certified by a licensed
584 professional engineer, shall be submitted by the application deadline.

585 (f) Inlet Management Plan (IMP).

586 (1) Existing IMP. Projects that have an existing IMP or a Department-approved local-
587 government-sponsored inlet study addressing the mitigation of an inlet's erosive effects on
588 adjacent beaches shall receive five points.

589 (2) Updated IMP. Projects that have an updated IMP or Department-approved local-government-
590 sponsored inlet study addressing the mitigation of an inlet's erosive effects on adjacent beaches
591 within the last five years shall receive five points.

592 (3) New IMP. Projects proposing to develop a new inlet management study to be submitted to
593 the Department for adoption of an IMP shall receive 10 points.

594 (g) Enhanced longevity of proximate beach projects. Projects that increase the nourishment
595 interval of proximate beach nourishment projects shall receive one point for every 10 percent of
596 the annualized beach nourishment volume supplied by the average annual volume of inlet sand
597 bypassing.

598 (h) Criteria in 161.101(14) applicable to inlets. Projects that have active state and federal permits
599 as required for the proposed project activity shall receive three points. Projects where the
600 Department has previously cost shared, reviewed, and approved a feasibility or design phase
601 shall receive three points. Projects that have secured the local funding necessary for the project
602 shall receive four points. A signed Resolution by the local sponsor must be submitted by the
603 application deadline.

604 (a) Estimated annual quantity of beach quality sand reaching the updrift boundary of the
605 improved jetty or inlet channel, quantified at the rate of one point per 20,000 cubic yards per
606 year, for a total maximum of 10 points.

607 ~~(b) Balancing the sediment budget. Annual average bypassing volume to be placed on the~~
608 ~~adjacent eroding shorelines divided by the annual bypassing objective as determined by the Inlet~~
609 ~~Management Plan or department approved study times 20 for a maximum of 20 points.~~

610 ~~(c) Cost effective alternatives. The proposed annualized increase in bypassing of material from~~
611 ~~within the inlet system divided by the unmet annual bypassing objective times 10, for a~~
612 ~~maximum of 10 points. The unmet annual bypassing objective is equal to the annual bypassing~~
613 ~~objective less the current annualized bypassing volume using material from within the inlet~~
614 ~~system.~~

615 ~~(d) Local sponsor financial and administrative commitment. Local sponsors who have a~~
616 ~~designated long term funding source for the management of an inlet project as defined in a 10-~~
617 ~~year comprehensive financial plan shall receive 2 points; local sponsors who provide funding for~~
618 ~~the beach project via a funding source established by referendum or legislative authority will~~
619 ~~receive 2 points; local sponsors who provide additional funding from a third party, other than the~~
620 ~~federal government, shall receive 1 point for a 10 percent reduction or 2 points for a 25 percent~~
621 ~~reduction of the non-federal share obtained from a third party, for up to 2 points; those with a~~
622 ~~100 percent compliance record for submitting quarterly reports correctly and on time over the~~
623 ~~previous state fiscal year shall receive 2 points; local sponsors who hold active state and federal~~
624 ~~permits for the proposed activities will receive 1 point; local sponsors who have entered into an~~
625 ~~interlocal agreement with regional partners for the purpose of joint inlet management will~~
626 ~~receive 1 point for a maximum total of 10 points.~~

627 ~~(e) Previous state commitment. Projects where the Department has previously cost shared,~~
628 ~~reviewed, and approved a feasibility or design phase shall receive 1 point; projects to enhance, or~~
629 ~~increase the longevity of a previously constructed project within the area of inlet influence shall~~

630 receive 3 points; projects that will nourish a previously restored shoreline within the area of inlet
631 influence shall receive 5 points; projects where previously approved appropriations for a project
632 phase could not be encumbered and were released in their entirety by the local sponsor due to the
633 project timelines shall receive 1 points, for a maximum total of 10 points.

634 (f) ~~Inlet management plan.~~

635 1. ~~Proposed projects that have an existing Inlet Management Plan or completed Inlet~~
636 ~~Management Study accepted by the Department that defines the sediment budget, quantifies the~~
637 ~~volumetric bypassing objective and contains specific management strategies shall receive 5~~
638 ~~points.~~

639 2. ~~Projects where the Department has received and approved an update to an existing Inlet~~
640 ~~Management Plan in the form of a current inlet management study/sediment budget analysis~~
641 ~~within the previous 10 years or proposes to conduct an update to an existing inlet management~~
642 ~~plan shall receive an additional 5 points.~~

643 3. ~~Projects proposing to develop a new inlet management study to be submitted to the~~
644 ~~Department for adoption of an Inlet Management Plan shall receive 15 points.~~

645 4. ~~Maximum total for an inlet management plan is 15 points.~~

646 (g) ~~Enhanced project performance. The increased nourishment interval shall be estimated by the~~
647 ~~annual bypassing volume divided by the annual beach nourishment volume needed by a beach~~
648 ~~project within the area of inlet influence multiplied by 5 for a total of 5 points.~~

649 (h) ~~Availability of federal funds. Projects with United States Army Corps of Engineers Civil~~
650 ~~Works Congressional authorization for the requested project phase shall receive 5 points.~~

651 ~~Projects with a current United States Army Corps of Engineers project agreement executed for~~
652 ~~the requested project phase or projects listed in a United States Army Corps of Engineers work~~
653 ~~plan or current federal budget document shall receive 5 points; federal Emergency Management~~
654 ~~Agency projects (Category G or equivalent subsequent program for designed, constructed and~~
655 ~~routinely maintained beaches) with approved Project Worksheets shall receive 5 points.~~

656 ~~Maximum total for availability of federal funds is 10 points.~~

657 ~~(i) Inlet Management studies will be ranked using only the criteria listed in subsections (a), (d),~~
658 ~~(e), (f), and (h). Ranking of inlet management studies will be a normalization based on the total~~
659 ~~point value of the above referenced criteria.~~

660 Rulemaking Authority 161.101(21), 161.143(6), 161.161(7) FS. Law Implemented 161.088,
661 161.091(1), 161.101(1), (2), (8), (9), (11), (12), (14), (15), (16), (17), (18), (19), (20), 161.142(1),
662 (2), (4), (5), (6), (7), 161.143(1), (2), (3), (4), (5), 161.161(1), (2), (6) FS. History—New 6-10-83,
663 Formerly 16B-36.06, 16B-36.006, Amended 12-25-03, 8-5-13.

664 62B-36.007 Project Cost Sharing.

665 (1) Until the unsatisfied demand for restoring and repairing Florida's beaches is met, the
666 Department intends to share in the costs of beach management projects with local sponsors. Cost
667 sharing will only be applied to the portion of the project necessary to benefit shoreline
668 designated by the Department as critically eroded. The Department shall cost share up to 50
669 percent of the total costs for non-federal beach management projects. The Department shall cost
670 share up to 50 percent of the non-federal share of U.S. Army Corps of Engineers Civil Works
671 projects. The Department shall cost share up to 50 percent of the non-federal and state
672 emergency fund share for projects approved to receive Federal Emergency Management Agency

673 Public Assistance funding (Category G or equivalent subsequent program for designed,
674 constructed and routinely maintained beaches). State cost share is subject to adjustment for the
675 level of public accessibility calculated for beach management projects. Project shoreline lengths
676 eligible for cost sharing are quantified at the rate of 100 units of eligibility per mile (5,280 feet)
677 or 52.8 feet per unit. A unit is defined as one automobile parking space, one rental unit in a
678 Public Lodging Establishment, one mass transit stop, or 4 bicycle parking spots. Eligible
679 shoreline lengths are calculated using the following criteria:

680 (a) Primary beach access sites shall be granted eligibility for the shoreline length of the access
681 site. Additional eligibility shall be granted at a rate of 52.8 linear feet per unit for one-half mile
682 in each shore parallel direction for the following units;

683 1. Automobile parking spaces located within one quarter mile of a primary access site may be
684 granted eligibility for that public access site at the rate of one unit, or 52.8 feet, per parking
685 space.

686 2. Bicycle parking located within one quarter mile of a primary access site may be granted
687 eligibility at the rate of one-quarter of a unit, or 13.2 feet, per designated bicycle parking spot.
688 Bicycle parking spots used for eligibility may not exceed 211.2 feet per public access site.

689 3. Mass transit, such as buses or trolleys, may be granted eligibility at the rate of one unit, or 52.8
690 feet, per bus stop located within one quarter mile of the public access site. Bus stops used for
691 eligibility may not exceed 211.2 feet per public access. In order to qualify, mass transit must be
692 accessible to the general public and operational year round.

693 (b) Beachfront public lodging establishments shall be granted eligibility based upon 52.8 feet of
694 shoreline eligibility per unit available to the public. Maximum eligibility may not exceed the
695 beach front width of the property.

696 (c) Secondary beach access sites shall be granted eligibility for the shoreline length of the access
697 site. Additional eligibility shall be granted at a rate of 52.8 linear feet per unit for up to one-
698 quarter mile in either shore parallel direction, for the following units:

699 1. Public lodging establishments not located on the beach front but located within one quarter
700 mile of a secondary public access point may contribute to the eligibility for that public access site
701 at the rate of 52.8 feet of shoreline eligibility per rental unit available to the public. Maximum
702 eligibility may not exceed the street-side frontal width of the property.

703 2. Bicycle parking located within one quarter mile of a secondary access site may be granted
704 eligibility at the rate of 13.2 feet per designated bicycle parking spot. Bicycle parking spots used
705 for eligibility may not exceed 211.2 feet per public access site.

706 3. Mass transit, such as buses or trolleys, may be granted eligibility for that public access site at
707 the rate of one unit, or 52.8 feet, per bus stop located within one quarter mile of the public access
708 site. Bus stops used for eligibility may not exceed 211.2 feet per public access. In order to
709 qualify, mass transit must be accessible to the general public and operational year round.

710 4. Automobile parking spaces located within one quarter mile of a secondary access site may be
711 granted eligibility for that public access site at the rate of one unit, or 52.8 feet, per parking
712 space.

713 (d) Eligible shoreline lengths cannot overlap.

714 (e) The sum of the eligible shoreline lengths, as defined above, is divided by the total project
715 length to determine the percentage of the total project that is eligible for cost sharing.

716 (f) The Department shall pay up to 100 percent of the costs of approved beach management
717 projects when construction and maintenance are on lands with public beach access of which the
718 state is the upland riparian owner and such lands are managed by the state.

719 (2) For inlet management projects, the Department shall cost-share 75 percent of the non-federal
720 cost with the local sponsor for initial major project construction components to mitigate
721 shoreline erosion, eligible components pursuant to Section 161.143(3), F.S. All other project
722 components will be cost shared by 50 percent of the non-federal share.

723 (3) Cost savings which occur due to the planned geographic coordination or sequencing of two
724 or more projects between local sponsors, may qualify for additional reimbursement. Geographic
725 sequencing means combining two projects together for the purpose of contracting. In order to
726 determine the increase in the state's cost share the projects shall demonstrate the cost savings of
727 combining the projects and request reimbursement for the demonstrated cost savings following
728 completion of the project phase. The cost share shall be adjusted not to exceed the state's
729 maximum cost share amount of 75 percent of the eligible costs.

730 (4) All costs of physical and biological monitoring required by state and federal permits are
731 eligible for cost sharing.

732 (5) A local sponsor may voluntarily agree at any time that an appropriation cannot be used and
733 provide the Department with written agreement that such funds shall be available for
734 reallocation.

735 (6) The Department will cost share for private contractual services necessary to conduct the
736 project. Services may be contracted to a local sponsor if the Department is shown evidence that
737 the local sponsor's proposal is cost effective, of sufficient professional quality, and otherwise in
738 the general public interest. In determining whether contractual services are cost effective, the
739 Department shall consider cost estimates provided by the local sponsor from fully qualified
740 private companies or individuals. Specific contractual services performed by or for local
741 governments shall be subject to specific accountability measures and audit requirements and be
742 consistent with the principles of Chapter 287, F.S., for competitive bidding and opportunity.

743 Rulemaking Authority 161.101(21), 161.143(6), 161.161(7) FS. Law Implemented 161.088,
744 161.091(1), 161.101(1), (2), (8), (9), (10), (11), (12), (14), (15), (16), (17), (18), (19), (20),
745 161.142(1), (2), (4), (5), (6), (7), 161.143(1)-(5), 161.161(1), (2), (6) FS. History—New 6-10-83,
746 Formerly 16B-36.07, Amended 4-27-86, Formerly 16B-36.007, Amended 12-25-03, 8-5-13.
747 62B-36.009 Project Agreements.

748 (1) The Department and the local sponsor will execute a project agreement when funds are
749 available and the project is ready to proceed. The project agreement shall include the following:

- 750 (a) The estimated costs for each eligible project item, including the amount of the local sponsor's
751 share, the Department's share, and when applicable, the federal share;
- 752 (b) A scope of work and estimated date of completion for each eligible project item; and,
- 753 (c) A periodic reporting and billing schedule.

754 (2) The Department's annual financial obligation under the agreement shall be contingent upon a
755 legislative appropriation and continued availability of funds. Funds not expended in a timely
756 manner are subject to reversion or re-appropriation.

757 (3) Local sponsors may design and construct beach management projects which are consistent
758 with this rule and Chapter 161, F.S., prior to the receipt of funding from the state pursuant to
759 Sections 161.101 and 161.161, F.S., and may subsequently apply for reimbursement from the
760 state within three years of the completion of the project pursuant to Section 161.101, F.S.,
761 provided that:

762 (a) The local sponsor has obtained from the Department approval for cost-sharing for all scopes
763 of work related to the project and has established the basis for reimbursement before the project
764 phase commences. No reimbursement shall be granted for work accomplished prior to the date of
765 the agreement unless specifically set forth in the agreement;

766 (b) The project has been subject to review by the Department in the design or construction
767 phases and the project has been found to be consistent with the intent of Chapter 161, F.S., for
768 project eligibility and cost effectiveness;

769 (c) Reimbursement shall be limited to eligible project costs as specified in the written agreement
770 referenced in paragraph (a), above, and this rule;

771 (d) The project has been prioritized as required in Sections 161.101(14) and 161.143(2), F.S.,
772 and is subject to legislative appropriation; and,

773 (e) Documentation of costs are provided to the Department, pursuant to the requirements of the
774 State's Auditor General.

775 Rulemaking Authority 161.101(21), 161.143(6), 161.161(7) FS. Law Implemented 161.088,
776 161.091(1), 161.101(1), (2), (8), (9), (10), (11), (12), (14), (15), (16), (17), (18), (19), (20),
777 161.143(2), (3), (4), 161.161(1), (2), (6), 216.181, 287.057 FS. History–New 6-10-83, Formerly
778 16B-36.09, 16B-36.009,