



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

July 12, 2022

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

Dear Dr. Shirley,

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

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

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

PUBLIC AND FEDERAL AGENCY COMMENTS

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

CHANGES APPROVED

See the attached Table of Approved Changes (FL-2022-1).

QUALIFICATION

¹ This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H. The Office for Coastal Management's decision due date of June 7, 2021, was extended to July 22, 2022.

² 15 CFR § 923.81(e)(5).

³ 15 CFR § 923.81(f).

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

Thank you for your cooperation in this review. Please contact Kristin Ransom (Kristin.Ransom@noaa.gov) if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, FL-2022-1.

Sincerely,

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

Joelle Gore, Chief
Stewardship Division

Attachment: Table of Approved Changes FL-2022-1

TABLE OF APPROVED CHANGES TO THE FLORIDA COASTAL MANAGEMENT PROGRAM (FL-2022-1)

See the July 12, 2022, decision letter from the NOAA Office for Coastal Management for clarifications, qualifications, and exceptions pertaining to these approved changes.

Legal citation <i>1000 Character Limit</i>	Title of policy, section, or other descriptor	Is the change new, revised, or deleted <i>Enter one</i>	Date effective in state <i>MM/DD/YYYY</i>	Enforceable policy <i>Y or N</i>	Enforceable mechanism citation <i>1000 Character Limit</i>
161.551, F.S.	Public financing of construction projects within the coastal building zone	New	07/01/2020	N	N/A
163.3205, F.S.	Solar facility approval process	New	07/01/2021	N	N/A
252.3611, F.S.	Transparency; audits	New	07/01/2021	N	N/A
259.1055, F.S.	Florida wildlife corridor	New	07/01/2021	N	N/A
267.0721, F.S.	Museum of Florida History and programs; other historical museums	New (Transfer from 265.707, F.S.)	07/01/2021	N	N/A
267.0723, F.S.	Property loaned to or abandoned at museums; obligations to lenders; notice; loan termination; acquisition of title; liens; conservation or disposal	New (Transfer from 265.565, F.S.)	07/01/2021	N	N/A
339.0803, F.S.	Allocation of increased revenues derived from amendments to s. 320.08 by ch. 2019-43	New	07/01/2021	N	N/A
339.66, F.S.	Upgrade of arterial highways with controlled access facilities	New	07/01/2021	N	N/A
339.67, F.S.	U.S. 19 controlled access facilities	New	07/01/2021	N	N/A

STATE CZM CHANGE REQUEST TABLE

Legal citation <i>1000 Character Limit</i>	Title of policy, section, or other descriptor	Is the change new, revised, or deleted <i>Enter one</i>	Date effective in state <i>MM/DD/YYYY</i>	Enforceable policy <i>Y or N</i>	Enforceable mechanism citation <i>1000 Character Limit</i>
339.68, F.S.	Arterial rural highway projects	New	07/01/2021	N	N/A
373.0466, F.S.	Central Florida Water Initiative Grant Program	New	07/01/2021	N	N/A
373.4599, F.S.	Water storage north of Lake Okeechobee	New	07/01/2021	N	N/A
373.6075, F.S.	Purchases from contracts of other entities	New	07/01/2021	N	N/A
377.707, F.S.	Express preemption of fuel retailers and related transportation infrastructure	New	07/01/2021	N	N/A
380.093, F.S.	Resilient Florida Grant Program; comprehensive statewide flood vulnerability and sea level rise data set and assessment; Statewide Flooding and Sea Level Rise Resilience Plan; regional resilience entities	New	07/01/2021	N	N/A
380.0933, F.S.	Florida Flood Hub for Applied Research and Innovation	New	07/01/2021	N	N/A
380.0935, F.S.	Resilient Florida Trust Fund	New	07/01/2021	N	N/A
381.735, F.S.	Office of Minority Health and Health Equity	New	07/01/2021	N	N/A
403.0643, F.S.	Applicability of rules when reclaimed water is injected into specified receiving groundwater	New	07/01/2021	Y	403.061, F.S.
403.892, F.S.	Incentives for the use of graywater technologies	New	07/01/2021	N	N/A
403.9301, F.S.	Wastewater services projections	New	07/01/2021	N	N/A
403.9302, F.S.	Stormwater management projections	New	07/01/2021	N	N/A
597.0042, F.S.	Public records exemptions; aquaculture records	New	07/01/2021	N	N/A