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CONSERVATION FOUNDATION

March 28, 2022

Resilient Florida Program
2600 Blair Stone Road
Tallahassee, FL 32399

Letter submitted electronically via: Resilience@FloridaDEP.gov

Re: 62S-8 Statewide Flooding and Sea Level Rise Resilience Plan draft rule language

Dear Resilient Florida Program,

We appreciate the opportunity to review the recent scoring criteria you have proposed for projects submitted for consideration under the Statewide Flooding and Sea Level Rise Resilience Plan. Please see below feedback arranged by scoring tiers and with reference to the [slides presented](#) at the recent [rulemaking](#) workshop. We do recognize that some of the below comments reference potential perceived shortcomings or concerns more applicable to current statute language rather than the resulting rulemaking around scoring but feel it is important to present these ideas as well while coastal resilience efforts continue to unfold across the state:

Tier One:

- **Proposed scoring for item “reduces risks to areas with higher percentage of vulnerable critical assets” – 14 points (Slides 16, 19):** On its face, the opportunity to invest in projects focused on areas with higher percentage of assets seems to be advantageous. However, we are concerned about instances of rural communities dependent on sparsely located critical assets with few alternatives relative to densely populated areas that may have access to redundant resources like multiple hospitals, evacuation routes, etc. While this criterion is outlined in the statute language, we do not feel that allocating so many points to this item is equitable. Also, as noted by other participants during the recent rulemaking workshop, given the variability in availability and consistency of FEMA mapping efforts across the state, it may not be appropriate to score for assets specifically located in FEMA Special Flood Hazard Areas (SFHAs).
- **Proposed scoring for item “contributes to existing flooding mitigation projects that reduce upland damage” – 10 points (Slides 16, 21):** During the rulemaking meeting, several organizations asked pertinent questions about why projects that reduce downstream damage are not valued. Perhaps more points from this and the above scoring item should

instead be re-allocated to projects that “address risks in the vulnerability assessment” (Slide 16).

Tier Two:

- **Proposed scoring for item “The degree to which flooding and erosion currently affect the condition of the project area” (Slide 22-25):** While it is important to assess currently vulnerable areas and assets, this phrase in the statute is not particularly forward thinking in the context of coastal resilience and is more reactive in nature than proactive in response to future expected flooding impacts. In addition, and as noted in an above comment, limitation to FEMA flood zones may not be an appropriate criterion.

Tier Three:

- **Proposed scoring for item “Exceedance of the flood-resistant construction standards of the Florida Building Code” – 10 points (Slides 32, 36):** Currently is it unclear what exactly is meant by “applicable floodplain management regulations” and if this refers specifically to those adopted within the applicant’s region. It is important that this item is clarified, as it might be especially important for scoring projects that use nature-based solutions and may not be subject to Florida building codes. Also, projects that employ nature-based solutions should ultimately be given equal if not more weight than those projects solely employing hardened infrastructure.

Tier Four:

- **Proposed scoring for item “Innovative technologies are used to reduce project cost and provide regional collaboration” – 5 points (Slides 38, 39):** While it is important to promote innovation to support necessary growth and learning within coastal resilience efforts, it may be more important to value effective and proven solutions over those that are “innovative”. We do recognize however, that this item represents a current criterion derived from statute language. With that being the case, it might be helpful to provide a more concrete or objective definition or idea about what “innovative” means in this context.

Sincerely,



Carrie Schuman, Coastal Resilience Manager