

March 31, 2022

Resilient Florida Program
Planning and Policy Section
Office of Resilience and Coastal Protection
Attention: Christa Shipley



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

Dear Ms. Shipley,

We have reviewed the draft rule language and offer comments on the cost-effectiveness language and also the natural systems language. Generally speaking, the comments offered below are based on these fundamental concepts:

- 1) cost-effectiveness language would benefit from more guidance to avoid having the Department in a position of comparing multiplier studies to broad cost savings estimates, and to inject consistency with broadly accepted industry best practice for such analysis
- 2) natural systems language as currently written, in our opinion, positions a high bar that may discourage applicants from attempting this option. Given that RESTORE Act language and subsequent award of more than 100 grants at this point has resulted in well documented best available science reviews and literature sources, it seems there are plentiful resources available that applicants can reference for this exercise.

We respectfully offer the following comments.

Please do not hesitate to reach out with any comments or questions you may have.

Cheers

Valerie Seidel

President
407 629 2185 ext. 104

Definitions:

“Best Available Science” science that maximizes the quality, objectivity, and integrity of information, including statistical information; uses peer-reviewed and publicly available data; and clearly documents and communicates risks and uncertainties in the scientific basis for projects.

Note – this is RESTORE Act language - <https://www.govinfo.gov/link/uscode/33/1321>

62S-8.003 Project Scoring Criteria.

- (1) All projects eligible for inclusion in the Statewide Flooding and Sea-level Rise Resilience Plan by meeting the requirements in Section 380.093, F.S., will be reviewed by the Department. Each eligible project will be allocated points based on the tiered structure outlined in this rule and consistent with Section 380.093(5)(h), F.S. If an applicant fails to provide to the Department ~~any~~

~~and all~~ sufficient documentation, calculations and maps, including any Geographic Information System data, to demonstrate their project's ability to meet or achieve the following criteria, that criteria will receive a score of zero.

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

1. A total of 3.75 points will be awarded if the project enhances natural systems or includes nature-based solutions as evidenced by best available science, as defined above; and references environmental reports specific to the project or ~~a peer-reviewed academic published research study is provided~~ that demonstrates the type of project meets the goals stated above, and
2. A total of 3.75 points will be awarded if the project is in an area that is a state or federally designated critical habitat for threatened or endangered species.

(d) A total of 7.5 points will be awarded if a reasonable analysis provided with the proposal demonstrates that the project is cost-effective. A cost-effective analysis provided for this criterion must consider (a) whether contingencies are reasonable for the estimated total project costs, (b) potential monetary benefits and costs of alternative approaches, (c) avoided ~~may consider the project cost compared to~~ economic loss due to failure or inability to operate due to flooding or sea level rise, ~~due the project costs compared to~~ costs to repair damage from flooding or erosion, ~~loss or gain of ecosystem services,~~ or other reasonably foreseeable losses using accepted economic models, (d) recognizing future costs and benefits using appropriate discount rates, ~~or other relevant metrics to demonstrate that the project is cost effective.~~ published by FEMA or WRDA annually (<https://www.ecfr.gov/current/title-18/chapter-VI/part-704/subpart-E/section-704.39>). The basis for cost effectiveness shall be provided.

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

(a) Five points will be awarded if the project proposal includes innovative technologies designed to reduce project costs and provide regional collaboration. The proposal must demonstrate which specific technologies will be used and explain why they are innovative as well as identify regional

collaboration, and

(b) Five points will be awarded if the critical asset or area benefited by the project serves a community with a median household income of less than the statewide average. The project proposal must include verifiable published documentation of the community's median household income referencing the most recent Census or ACS (American Community Survey) data available.