W.P.

Florida's Coastal Future

An Agenda for the 1980s and 1990s

A REPORT OF THE GOVERNOR'S COASTAL RESOURCES CITIZENS ADVISORY COMMITTEE

NOVEMBER 1986

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Office of Coastal Management
Department of Environmental Regulation
2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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OFFICE OF COASTAL MANAGEMENT STAFF

2600 Blair Stone Road
Tallahassee, FL 32301
(904) 488-4805

David Worley, Coastal Program Manager
Karen Wenzel, Regional, Local & CAC coordinator

Jim Stoutamire, Grants and Budget Administrator
Jim Eggert, Grants Coordination and Public Information
Cindy Cosper, State Agency Coordination
Ted Hoehn, Federal Agency Coordination

Fred Calder, Estuarine Research Manager
Lou Burney, Estuarine Specialist
Joe Ryan, Estuarine Analyst
Graham Lewis, Estuarine Analyst
Kevin Carman, Estuarine Statistician
Steve Schrop, Estuarine Biologist/ Computer Scientist

Wayne Ashemore, Cartographer
Barbara Huston, Administrative Secretary
Cheryl Garcia, Secretary

Tina Bernd-Cohen, CAC Consultant
1068 Jackpine Street
West Palm Beach, FL 33414
(305) 793-4954

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FLORIDA COASTAL RESOURCES
CITIZENS ADVISORY COMMITTEE

Alison Fahrer, Chair
Monroe County Commissioner
Islamorada, FL

Peter Baljet, Vice-Chair
Director, Water & Sewer Dept.
City of Hialeah Gardens, FL

Diane Barile
Director, Marine Resources
Council of East Central Fla
Melbourne, FL

Wayne Daltry
Executive Director
SWFRPC
Fort Myers, FL

William Fehring, PhD
Greiner Engineering Services
Tampa, FL 33630

Porter Goss *
Lee County Commissioner
Ft. Myers, FL

Julie Morris
New College, USF
Sarasota, FL

George Musson
Mayor, New Smyrna Beach
New Smyrna Beach, FL

Peter A. Quincy
Environmental Affairs
Florida Power and Light
Juno Beach, FL

James Rester **
President
Amelia Island Company
Amelia Island, FL

Jerry Sanson, Executive Dir.
Organized Fishermen of
Florida
Melborne, FL

Sam Shannon
Asst. County Administrator
Palm Beach County
West Palm Beach, FL

Douglas Shelby
Executive Director
Florida Petroleum Council
Tallahassee, FL

Nancy Stroud
Burke, Bosselman &
Weaver, P.A.
Boca Raton, FL

Shirley Taylor, PhD
Institute of Molecular
Biophysics, FSU
Tallahassee, FL

Muriel W. Wagner
County Commissioner
Pensacola, FL

<u>Ex Officio Members</u>

Kathleen Shea Abrams
FIU/FAU Joint Center
North Miami, FL

Wade Hopping
Hopping, Boyd, Green, P.A.
and Sams
Tallahassee, FL

Nathaniel Reed
SFWMD Board
Hobe Sound, FL

* elected chair for 1987 ** elected vice-chair for 1987

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EXECUTIVE SUMMARY

The Governor's Coastal Resources Citizens Advisory Committee was appointed to advise the Governor and Cabinet, state agencies, and the Legislature on ways to improve coastal management in Florida. To meet this objective, the Committee has identified major coastal issues facing Florida in the 1980s and 1990s and is proposing a series of recommended actions to strengthen the state's ability to meet these challenges.

Many improvements have occurred in coastal management since the 1970s. This report summarizes objectives and accomplishments of the Florida Coastal Management Program, identifying where the program has improved the capabilities of state and local agencies to address a variety of coastal resource issues.

Recent federal, state, and local coastal management initiatives and directives are changing the context within which the Florida Coastal Management Program operates. The Congressionally reauthorized Coastal Zone Management Act, a National Estuary Program, and Florida's new comprehensive planning and management process are examples of such initiatives. This report outlines a coastal agenda for Florida recognizing the impact of these initiatives on the state coastal program.

The Coastal Resources Citizens Advisory Committee is recommending state action in thirteen coastal issue areas. First priority agenda items for 1987 should include improving coordination among state level coastal management agencies; increasing protection of our estuaries; and addressing the crisis of our eroding coastline.

Beaches, coastal storms, public access, habitat protection, ocean and fisheries resources, environmental education, citizens participation, funding for coastal resource protection, and effective local coastal programs are identified as critical long-term coastal management challenges facing Florida.

This report will be forwarded to the Governor and people interested in Florida's coastal future. Many of the recommendations were discussed at a coastal management conference held on Miami Beach September 29 through October 1, 1986, entitled "Florida's Coastal Future: The Challenge Remains." In the coming years, Florida must continue its strong commitment to sound coastal management.

Summary of Recommendations

The Coastal Resources Citizens Advisory Committee will continue to promote sound coastal management and actively participate in accomplishing those improvements needed to meet the challenges of protecting Florida's coastal heritage. This report contains recommended actions for utilizing the Florida Coastal Management Program, as part of the new growth management system, and for addressing several coastal issues in coming years. The recommendations of the Governor's Coastal Resources Citizens Advisory Committee are summarized below.

1. IMPROVE COORDINATION AMONG STATE LEVEL COASTAL MANAGEMENT AGENCIES.

   * As a priority in 1987, establish by statute the Interagency Management Committee to coordinate state agency implementation of the coastal goals and policies of the State Comprehensive Plan and the Florida Coastal Management Program network;

   * designate the Governor, Lt. Governor, or Chief of Staff to chair the Interagency Management Committee;

   * update the role of the Florida Coastal Management Program in a new Environmental Impact Statement, defining the role of the coastal program and the Interagency Management Committee in the new state planning and management process.

   * use the Coastal Resources Citizens Advisory Committee to review agency functional plans for pressing coastal issues which should be addressed.

2. INCREASE PROTECTION OF FLORIDA'S ESTUARINE SYSTEMS.

   * as a priority in 1987, the Interagency Management Committee establish a working Group to develop a comprehensive basin-wide approach to estuarine protection to manage the input of freshwater flow and point and non-point pollution into our estuaries.

   * for selected priority estuaries, develop and implement cooperative basin-wide management programs to monitor and address estuarine problems.

   * explore user fees and other funding sources for estuarine research and management.

3. SUPPORT COMPREHENSIVE BEACH PLANNING AND MANAGEMENT.

* develop and implement a Comprehensive Beach Management Plan to address the diverse problems affecting Florida's eroding and changing shoreline, employing a combination of appropriate measures: renourishment, inlet sand transfer, feeder beaches, armoring, building setbacks, retreat, abandonment and acquisition.

* incorporate the comprehensive beach management plan findings and requirements into the coastal management element of local comprehensive plans.

* as a priority for 1987, initiate state actions to address our coastal erosion crisis.

* the Legislature establish and fund a program to reset and update the Coastal Construction Control Lines and the 30-year Erosion Zone Projections, at the same time every five years or after a major storm event. Resetting the 13 CCCLs by 1988 should receive priority funding and staffing.

4. CONTINUE WITH RESPONSIBLE HAZARDS MANAGEMENT.

* implement coastal hazard management solutions identified in the Interagency Management Committee's Hurricane Post-Disaster Case Studies Report.

* establish creative mechanisms for selective procurement of threatened or damaged coastal high-hazard properties and structures, including special tax assessments for beachfront development to pay for post-disaster acquisitions.

* urge Congress, the Federal Emergency Management Agency, and the State Legislature to maintain federal commitment to natural disaster planning and disaster assistance.

5. MANAGE OUR OCEAN AND NEAR-SHORE RESOURCES.

* establish a Comprehensive Ocean Resources Policy Plan.

6. PROTECT OUR FISHERIES RESOURCES FOR THE LONG-TERM PUBLIC BENEFIT.

* protect and restore quality fish and shellfish habitat and manage freshwater flow into estuaries to support both commercial and recreational resources.

* examine and establish user fees, where appropriate, (such as a Saltwater Fishing License Fee), to pay for fisheries research, enforcement and management.

* provide adequate funding for comprehensive and integrated fisheries research and management.

7. ACQUIRE NEEDED LANDS FOR COASTAL RECREATION AND ENVIRONMENTAL PROTECTION.

* maintain, at increased funding levels, the state fee simple land acquisition programs.

* aggressively employ all tools available to acquire and manage lands, especially less than fee simple acquisitions techniques.

* finalize and implement the Department of Environmental Regulation tracking system for wetlands acquired through mitigation permitting.

8. FACILITATE PUBLIC/PRIVATE PARTNERSHIPS IN LAND ACQUISITION AND MANAGEMENT FOR ENVIRONMENTAL PROTECTION.

* create a State Land Trust with flexible authority and funding to facilitate public/private partnerships in land stewardship.

9. ENSURE PUBLIC ACCESS TO BEACHES AND COASTAL WATERS.

* require public access dedications as a condition of beachfront development.

* aggressively pursue donations from major land holders and innovative acquisition techniques.

* establish policies, regulations and programs to assure long-term public access to beaches and coastal waters.

10. EDUCATE CITIZENS ABOUT OUR ENVIRONMENTAL ISSUES.

* establish by legislation a statewide environmental education program to teach our children and adults about our natural resources and ways to participate in protecting Florida's environmental future.

* feature the natural resource base of Florida's tourist and recreational economy in the State Department of Commerce advertising campaigns.

* support the recommendations of the Council on Comprehensive Environmental Education.

11. PROVIDE FOR MEANINGFUL CITIZENS PARTICIPATION IN THE FLORIDA COASTAL MANAGEMENT PROGRAM.

* establish a meaningful citizens standing process on coastal management and environmental issues.

* provide assistance to local governments to facilitate citizen involvement in the local planning and land development regulation process.

* utilize the Florida Coastal Management Program and the Coastal Resources Citizens Advisory Committee to maintain coastal communications with the public.

12. STRENGTHEN COASTAL RESOURCE PROTECTION PROGRAMS AND FUND COASTAL MANAGEMENT OBJECTIVES.

* Require the Interagency Management Committee to review and rank natural coastal resource protection programs which warrant priority state financial support.

* appropriate $20 million per year over the next five years, for state, regional and local planning, giving priority funding to local coastal elements.

* appropriate funds to fill major state and regional planning data gaps and technical assistance needs.

* seek major new funding sources and local option taxing powers to pay for implementation of the coastal objectives of the State Comprehensive Plan.

* appropriate adequate funds for reseting the Coastal Construction Control Lines and establishing the 30-Year Erosion Zone Projections in a timely manner.

13. SUPPORT THE ROLE OF LOCAL GOVERNMENT IN COASTAL MANAGEMENT.

* fund local planning and management requirements, fill data gaps, and establish new local option taxing powers to pay for local implementation of coastal objectives.

* the state develop technical expertise to assist local government planning.

* the state pursue creative techniques for intergovermental planning and management of critical coastal ecosystems.

INTRODUCTION

Florida's leading attraction is its coast: its ocean and gulf breezes, outstanding sandy beaches, sunlit blue waters and diverse aquatic biology. People place a high value on living near or on the water's edge. Eight out of ten of Florida's 10.9 million residents live in the 37 coastal counties bordering Florida's 11,000 mile long shoreline. Each year, more than 40 million tourists visit Florida to enjoy our tropical paradise and over 5.2 million anglers engage in recreational saltwater fishing.

Almost everybody wants a piece of coastal Florida. By the year 2000, we will be the third most populated state in the country, and 82% of the state's growth will be in coastal areas. Of the 6,000 new residents we gain each week, almost 5,000 will settle in the coastal area.

Coastal management has evolved as a governmental response to strong public sentiment that the continued destruction of our nation's coastal habitat must stop.

No longer is it acceptable or sensible to destroy dunes, mangroves, wetlands, seagrasses, scallop beds, hardwood hammocks- those very natural features which attracted people to the coast in the first place.

With most of our barrier islands already urbanized, development pressures are intensifying around our estuaries. It is critical that we stop further pollution of our estuaries.

We are just beginning to understand the complexity of our marine and estuarine systems and man's impact on those systems. We know, for example, that commercial and recreational overfishing, stormwater runoff, dredging, habitat destruction and increased turbidity each contribute to the decline of our estuaries and the near-collapse of many fisheries in Florida.

Along with protecting the coastal resources that still remain, we must provide public access and balanced use of these resources. For those who choose to live near the water's edge, hurricane evacuation and restrictions on building in the coastal high-hazard areas are essential.

Balancing the competing demands placed in our limited and unique coastal resources is what coastal management in Florida is all about. Through greater understanding, coordination and management of development impacts on our

marine and estuarine systems, we can prevent their further pollution and degradation and aid in their restoration.

It is imperative that we protect our natural coastal resources for the long-term health of our living marine resources and to maintain the quality of life we know as Florida.

Focus

While the coastal management program will remain active in addressing diverse problems, the Coastal Resources Citizens Advisory Committee recognizes a need to emphasize priority issues for 1987-1988. Among the major areas of emphasis are improving coordination among state level coastal management agencies; increasing protection of Florida's estuarine systems; and addressing Florida's severe coastal erosion problems.

COASTAL PROGRAM OBJECTIVES AND ACCOMPLISHMENTS

The Florida Coastal Management Program is operated under the authority of the Florida Coastal Management Act of 1978 and the Federal Coastal Zone Management Act of 1972, as amended. The state coastal program was approved by the federal government in 1981 as being consistent with federal law; at the same time, it was deemed consistent with state law.

Federal program approval has been important to Florida, since it makes Florida eligible for federal coastal grant monies and gives the state authority to review federal activities for consistency with our state coastal management program.

In the five years between 1981 and 1986, Florida received $9.35 million in federal coastal grants, which were matched by 20% in state and local funds. The program has funded over 125 coastal projects to benefit Florida's coastal area. For FY'86-87, $1.9 million in federal funds will provide seed money for an additional 29 outstanding projects on specific coastal resource and environmental issues.

Since 1981, the Florida Coastal Management Program has provided the framework for the state's coastal management efforts. It has focused attention and federal funding on the coast and coastal-related issues. The program's unique purpose and function is to improve the state's coastal resources management through more effective coordination between state agencies and local government. Through the state Interagency Management Committee, it has coordinated the 27 coastal laws and 16 separate agencies which comprise the Florida coastal network. (See Appendix A for a descriptive Summary of the Florida Coastal Management Program)

The purpose of the Florida Coastal Management Program is to protect, maintain and develop coastal resources through coordinated management. Five major objectives of the Florida Coastal Management Program have been:

(1) to improve protection of our coastal resources;
(2) to mitigate storm hazards;
(3) to make the federal consistency process work;
(4) to distribute federal grant funds consistent with the "issues of special focus"; and
(5) to improve coordination of state agencies involved in coastal management.

The Florida Coastal Program has made substantial progress in accomplishing these objectives for the public benefit. Highlights of coastal program activities and accomplishments are provided below:

Coastal Program Accomplishments 1981-1986

The Florida Coastal Management Program has assisted state agencies and local governments in addressing coastal problems and opportunities.

COASTAL RESOURCE PROTECTION has been a major focus of the coastal program:

Apalachicola Bay Protection Act. This 1985 Act culminates years of cooperative coastal funded studies to address water quality, fisheries and estuarine issues along the Bay. The Act establishes a unique state and local partnership to manage the bay through state funding of sewage treatment facilities and local regulation of density, population and pollutants.

Indian River Lagoon Initiative. This Interagency Management Committee (IMC) sponsored activity has brought over 50 state, regional and local governments together to address the unique problems and needs of the lagoon area. Based on IMC recommendations, the 1986 legislature established a new branch office for DER in Melborne to be jointly staffed by DNR personnel for on-site response to lagoon problems; and provided funding for staff to manage the 7 aquatic preserves in the lagoon area.

Tampa Bay Management Plan. With coastal funds, the state and Tampa have investigated the loss of seagrass beds in the Bay, the level of pollution in sediment samples, and initiated plans for the future of Tampa Bay. The Tampa Bay Management Committee is working on implementation strategies.

Coastal Lands Acquired. Through the Save Our Coasts program, Florida has acquired thousands of acres of valuable coastal properties. For example: over 10,000 acres along the Guana River in St. Johns County; 208 acres for Henderson Beach in Okaloosa County; 434 acres for Lovers Key in Lee County; and 37 acres for an addition to Bahia Honda State park in the Keys.

Floodplains Protected. Through the Save Our Rivers program, thousands of acres of floodplain areas have been acquired to maintain the detrital flow into our estaries. For example, most of the Apalachicola River floodplain has been acquired through Save Our Rivers and earlier state acquisition programs.

Shellfish Beds Protected. The Interagency Management Committee has just begun work to address the increasingly common problem of shellfish bed closings around the state.

HAZARDS MANAGEMENT is a major concern in Florida, as demonstrated by $140 million in damages caused by 1985 Hurricanes Elena and Kate:

State Gets Ready For Hurricanes. The coastal program has provided $845,000 for hurricane evacuation planning and hazards mitigation. For example, during Hurricanes Kate and Elena, Pinellas and West Florida counties evacuated their people fast and safely. Well marked evacuation routes, good communication systems and a defined chain of command all prevented the loss of life during these storms.

Tampa Bay Hurricane Loss Analysis. The Tampa Bay Regional Planning Council used coastal funds to evaluate the economic risk to the region posed by hurricanes. The study projects that the structural loss from a "worse case" major storm will cost over $9.6 billion. This information is critical for public officials concerned with disaster relief funding.

Post-Disaster Redevelopment Policy. The state has struggled with the policy issues of post-disaster redevelopment and ways to prevent the recurring damage and rebuilding when Florida coasts are struck by violent storms. To facilitate state and local decisions, the IMC developed a "Reconstruction Evaluation Matrix". It identifies the economic, environmental and social factors affecting the decision to rebuild, relocate or abandon coastal buildings and infrastructure destroyed by coastal storms. In addition, the Department of Community Affairs adopted a "Post-Disaster Redevelopment Rule" (9G-13) which requires that local governments anticipate damage to public infrastructure and redevelopment options. Florida can save billions of dollars in future public investments through sound development and redevelopment policies for coastal high-hazard areas.

:e Limits Development in Coastal High-Hazard Areas. considerable study and discussion through the coastal am, 1985 Legislation prohibits construction of major elopment seaward of the 30-year erosion zone and ibits subsidies for public infrastructure in locally nated coastal high-hazard areas. A barrier island utive order limits state expenditures in undeveloped stal high-hazard areas.

FEDERAL CONSISTENCY has provided a significant federal-state coordination process to head-off conflicts regarding federal activities affecting Florida's coastal zone:

ompanies Modify Plans. Through the federal istency review process, several oil companies have fied their plans for exploration in the Gulf of Mexico, comodate the state's environmental concerns.

:e Gets Surplus Federal Beaches. Through federal stency, Florida acquired an environmentally sensitive (Grayton Dunes) from the Federal Deposit Insurance oration (FDIC). Instead of selling the property to the st bidder, Florida pursuaded the FDIC to offer the rty to the State.

orage Grounds Not Designated. The U.S. Coast Guard ded, by rule, to designate offshore anchorage grounds e Panhandle. Due to Florida's environmental concerns proposed anchorages in sensitive water areas, the Guard decided not to designate these anchorage areas.

OASTAL GRANT FUNDS have provided "seed money" for 125 utstanding projects to address habitat protection, port dredging, hazards response, beach access and omprehensive planning. The program has just begun to mpact on how Florida manages its coastal resources:

eries Habitat Mapped. The coastal program has spent $1 on to identify fisheries habitat and loss due to opment. Using the baseline habitat data, the state is essing critical fisheries habitat with an eye toward cing and restoring critical habitat and to boost fish .

tic Preserve Management Plans. Coastal funds have been to develop management plans for over 30 of the e-designated aquatic preserves.

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Deepwater Ports Helped With Maintenance Dredging and Disposal. Using a new approach which considers sediment chemistry in addition to water quality, the state is facilitating permit decisions related to deepwater port maintenance dredging and spoil disposal projects. This approach better meets the needs of the port industry while also protecting water quality for the public.

Sanibel Adopted Code To Protect Life and Property. The City of Sanibel Island used a coastal grant to develop a hurricane resistance construction code to protect life and property on the barrier island in the event of a major storm. Millions of dollars in storm damage will be prevented if a hurricane hits Sanibel, through implementation of the code.

Martin County Acquired Ocean Beachfront For Public Access. The County used coastal seed monies to study beach access and parking needs on Hutchinson Island which led to passage of a $5 million local bond issue to acquire prime beachfront property.

Naples Accelerated Construction of Public Beach Access. Coastal funds were used to design public parking facilities to improve access. The city subsequently funded the construction of these facilities.

Barrier Island Documentaries. The Sarasota County School Board used coastal funds for a barrier island documentary and a coastal inlet documentary which have received state-wide acclaim and provided needed coastal education.

Pensacola Invested in the Redevelopment of its Urban Waterfront. Pensacola mapped property ownership around the harbor and studied the feasibility for a marine and waterfront walkway using coastal funds. This seed money resulted in a $2.1 million city financing of bulkheads, breakwaters, a small boat harbor, and a waterfront walkway. The city also leased 6 acres for a $20 million private waterfront condo investment.

IMPROVED COORDINATION of state coastal agencies has been achieved. Through the Interagency Management Committee Florida has developed good working relationships to assist in solving coastal problems:

Monroe County Comprehensive Plan. The IMC has effectively coordinated state review of environmentally sensitive aspects of the Monroe County Plan.

State Consensus on Hazards Management. The IMC has developed consensus among state agencies and provided guidance to the Governor, Cabinet and Legislature on responsible hazard management measures, including infrastructure investments on high-hazard coastal barriers and post-disaster redevelopment policies.

IMC Regularly Deals With An Array of Coastal Issues. Major issues such as federal consistency controversies, the handling of environmentally sensitive areas, and recommendations for coastal funding have been routinely handled by the Interagency Management Committee.

The COASTAL ADVISORY COMMITTEE has brought the citizens views to bear upon the coastal program.

Congress and Federal Agencies heard from Citizens. The Committee supported Reauthorization of the CZMA and the Coastal Barrier Resources Act before Congress and federal agencies, and voiced concerns about OCS Oil and Gas Leases in sensitive coastal waters like the Florida Keys.

Governor and Legislature Advised. The Committee supported coastal and growth management legislation, particularly barrier island legislation, local coastal planning requirements, and state funding for coastal program work. Most of the recommendations contained in a Coastal Program Initiatives report which the Committee submitted to the Governor in 1983 have been acted on by the Legislature.

Coastal Information Communicated. The Committee held meetings throughout the state with public attendance and media coverage, sponsored "Coastweek '85 and '86, participated in two major state coastal conferences, distributed The Water's Edge, Color the Coast, "Coastal Update" Newsletter, Recommendations for Saving Our Beaches, and other coastal information handouts.

RECENT INITIATIVES AND THE FLORIDA COASTAL MANAGEMENT PROGRAM

Reauthorization of the CZMA

In March 1986, Congress renewed its commitment to coastal management by reauthorizing the Coastal Zone Management Act for five years. This legislation makes coastal states eligible for $30-$40 million in federal funds annually to run the Coastal Management Programs. Florida will receive $1.9 million in federal funds for fiscal year 1986, with similar sums expected annually through 1990.

Florida and other coastal states rely heavily on funds from the Coastal Zone Management Act to implement their individual programs. Without it, efforts to manage the coast nationwide would have been severely restricted and in many cases eliminated. Florida, through the Governor, the Coastal Advisory Committee, and the Congressional Delegation strongly supported the reauthorization and continued national interest in protecting our coastal resources.

Under the new law, coastal states and territories must assume a progressively greater share of the program costs needed to manage and protect 95,000 miles of U.S. shoreline and coastal resources. By 1990 individual states will be expected to provide 50% of total program costs.

However, the reauthorization is not a "phase-out". The current legislation actually allows a modest increase in the total federal funding each year for the next five years. Combined with increased financial responsibility for the individual states, this will encourage the national Coastal Zone Management Program to grow.

For Florida, reauthorization of the CZMA means that the state coastal program will be in a position to continue to address the even more challenging problems of marine and estuarine pollution, fisheries decline, overdevelopment and inappropriate development of coastal areas, hazards from coastal storms, continued loss of public access, and the need for integrated planning.

National Estuary Program

In 1984 the Environmental Protection Agency created

the Office of Marine and Estuarine Protection, as a way to consolidate their management responsibilities related to marine and estuarine pollution abatement under the Clean Water Act and the Ocean Dumping Act. Under this new office, the Environmental Protection Agency began a "National Estuary Program" (better known as the Near Coastal Waters Initiative) to focus attention on our estuaries and their need for protection, maintenance and restoration.

This federal initiative has provided interest, focus, attention and funding for joint federal/state estuarine management programs. Chesapeake Bay and the Great Lakes are mature federal/state programs which have benefitted from this partnership. Narragansettee Bay and Long Island sound are more recent participants in this integrated multi-agency management program.

The Environmental Protection Agency is encouraging states, like Florida, who have nationally significant estuaries to participate in the National Estuary Program. This program offers Florida a major opportunity to work with EPA and NOAA to focus federal and state funding on monitoring and managing priority estuarine systems in Florida.

Through the coastal program, Florida has already identified deficiencies in our estuarine management approaches. Estuaries which are polluted or under stress are being studied. However, by participating in the National Estuary Program, Florida can more rapidly develop comprehensive management programs to protect and restore the health of selected priority estuaries.

Growth Management Legislation

In 1985, the Legislature set in motion a comprehensive and integrated planning system. Legislative adoption of a State Comprehensive Plan provides broad goals and policies (including coastal and marine goals and policies) to guide Florida into the 21st Century. The state agency functional plans, regional policy plans, and local comprehensive plans will chart our course in reaching our growth management and coastal management objectives.

The state agency functional plans will identify the agencies' strategies and budget needs for addressing statewide coastal and estuarine protection issues. The comprehensive regional policy plans will guide planning for regional issues such as hurricane evacuation. Expanded

local planning requirements mandate that local governments update their plans and regulations to address coastal issues such as development in coastal high-hazard areas. All of these planning programs must be completed in a coordinated and consistent manner.

The Florida Coastal Management Program must perform a central role in coordinating state agency implementation of the coastal and marine policies and objectives of the State Comprehensive Plan. The Interagency Management Committee should serve as a standing committee to help coordinate and integrate implementation of the Comprehensive Plan, the agency functional plans, and the state requirements associated with local plans and regulations.

In addition to establishing the integrated planning system, the 1985 Legislature addressed some nagging coastal problems by limiting public investments on barrier islands, requiring shoreline setbacks for major new developments from high erosion areas, and strengthening wetland and mangrove protection. The 1986 legislation provided for comprehensive beach restoration and renourishment planning.

The Florida Coastal Management Program has provided the catalyst for much of the coastal legislation enacted in recent years. Coastal issues will continue to dominate Florida's growth management agenda and the coastal program will assist Florida in meeting our coastal challenges head-on.

COASTAL MANAGEMENT CHALLENGES AND RECOMMENDED ACTIONS

Florida's coastal future faces many opportunities and challenges. In the years to come, Florida must maintain its strong commitment to sound coastal management.

Florida needs leaders who support implementation of the comprehensive planning process and the State Coastal Management Program. State commitment must include adequate funding. State and regional agencies and local governments need a Governor, Cabinet and Legislature to lead, inspire and work with them to achieve the objectives of the State Plan.

The "coastal and marine resource" goals and policies contained in the State Comprehensive Plan provide clear guidance. For example, policies to guide development away from coastal high-hazard areas and to eliminate state funding for infrastructure to barrier islands should be kept intact and implemented. Preventive strategies to protect priority bays and estuarine areas are also critical.

This report contains several recommended actions for improving the Florida Coastal Management Program and for strengthening the state's ability to address the major coastal issues it faces in the 1980s and 1990s.

Although the Coastal Resources Citizens Advisory Committee is recommending state action in thirteen coastal issue areas, the Committee recommends that first priority agenda items for 1987 be to:

* improve coordination among state level coastal management agencies;

* increase protection of our estuaries; and

* address the crisis of our eroding coastline.

The issues and recommendations of the Coastal Advisory Committee are discussed on the following pages.

1. Improve Coordination Among State Level Coastal Management Agencies.

The Office of Coastal Management in the Department of Environmental Regulation is the designated lead agency for the federally approved Florida Coastal Management Program. The state Interagency Management Committee serves as the institutional mechanism for coordinating state agency activities and resolving multi-jurisdictional conflicts related to the implementation of coastal laws and programs.

Integrating, coordinating and guiding the everyday agency implementation of the new State Comprehensive Plan's coastal goals and policies through the network of state coastal programs and activities is critical. The Office of Planning and Budgeting (OPB) has the responsibility for reviewing all state agency functional plans for consistency with the State Comprehensive Plan, including agency budget requests.

The Interagency Management Committee should be mandated to help coordinate agency implementation of the coastal goals and policies, as a standing committee for the State Comprehensive Plan. The committee is needed to assist key interagency efforts to address growth and development issues in special management areas, to coordinate state agency review of local coastal plans and regulatory efforts, and to coordinate implementation of agency functional plans.

It is paramount that the Governor or his representative serve a major role on the Interagency Management Committee and provide direct leadership in guiding state agency policy. In turn, the IMC can keep the Governor in the mainstream of the issues vital to the economy and health of the state.

As state laws which affect the Florida Coastal Management Program are amended, the program is updated to reflect these improvements. To date, the changes have constituted "routine program implementation". However, Legislative adoption of the State Comprehensive Plan and mandated state agency functional plans constitute major changes to coastal management in Florida. The purpose, scope and role of the Florida Coastal Management Program needs to be updated in a new "Environmental Impact Statement" to reflect its role and new priorities under the new planning system. By revising the EIS, Florida can more appropriately direct federal funding and federal

consistency to accomplish state objectives.

ACTION ITEMS

In order to use the Florida Coastal Management Program network to coordinate state agency actions in the coast and to implement the state coastal goals and policies, the Committee recommends:

* As a priority in 1987, establish by statute the Interagency Management Committee to coordinate state agency implementation of the coastal goals and policies of the State Comprehensive Plan and the Florida Coastal Management Program network.

* Designate the Governor, Lt. Governor or Chief of Staff as permanent chair to the Interagency Management Committee, with the IMC coordinating actions on coastal issues affecting state agencies.

* Update the role of the Florida Coastal Management Program in a new Environmental Impact Statement, defining the role of the program and the IMC in the new state planning and management process.

* Use the Coastal Advisory Committee to periodically review agency functional plans to assure that pressing coastal management issues are addressed.

2. Increase Protection of Florida's Estuarine Systems.

Estuaries are areas where freshwater from the land mixes with sea water. Their importance stems from the fact that the vast majority of our recreationally and commercially important salt water species depend on estuaries for their survival.

Florida is blessed with thirty major estuaries of at least three different biogeographic types: marsh systems of Northeast Florida; mangroves/seagrass systems of South Florida; and the riverine/hardwood swamp systems of the Panhandle.

The sheer size and diversity of estuarine systems to be protected in Florida makes us a unique state. These characteristics, coupled with our rapid growth and social diversity, presents formidable challenges to ensuring the future viability of our estuarine resources. However, it is critical that Florida actively and agressively plan, regulate and manage our estuarine systems to protect our quality of life for future generations.

Florida has been the leader in providing comprehensive planning, growth management and environmental protection programs. Through a variety of legislative and administrative actions, numerous estuarine areas around the state have been selected for special management and regulations (e.g., Aquatic Preserves, Areas of Critical State Concern, Resource Planning and Management Areas, Outstanding Florida Waters, State Parks and Preserves, Estuarine Sanctuaries, Federal Parks and Wildlife Refuges).

Restrictions on dredging and filling of state-owned submerged lands, protection of certain wetlands, and improvements in industrial and municipal wastewater treatment have reduced estuarine pollution.

The battery of laws and programs instituted over the past 20 years have helped stave off degredation of our estuaries to some extent. Most large industrial discharges of chemical pollutants have been removed, and in some areas, such as Escambia Bay, major improvements in estuarine health have occurred. Florida has greatly improved the levels of municipal waste treatment and is continuing to improve waste streams of such facilities. The state has essentially halted the types of dredge and fill projects responsible for phyically destroying major parts of Boca Ciega Bay, Biscayne Bay and other major

estuaries.

However, in spite of Florida's successes, continued loss of seagrass beds, shellfish harvesting area closures, unexplained declines in snook and other fish populations, diseased fish episodes and periodic fish kills indicate that our natural systems are under stress.

There is growing concern that some of Florida's estuaries may be on the verge of experiencing drastic declines in health, similar to those experienced by several major estuaries in other parts of the U.S. (e.g., Chesapeake Bay, Long Island Sound, and Narragansettee Bay).

Coastal development has intensified to the extent that non-point discharges from stormwater, agriculture and other sources, as well as, overtaxed treatment systems are jeopardizing the earlier gains in estuarine pollution control and could ultimately require expensive remedial actions.

Recent studies indicate that, in some estuaries, stormwater runoff from urban development and agriculture is a more serious source of estuarine pollution than point-source discharges. Toxic loadings are contaminating our bay bottoms and living marine resources. Nutrient enrichment and other non-point discharges into saltwater and freshwater systems are adversely affecting our seagrass beds.

Recent investigations by Florida's Department of Environmental Regulation and others indicate that several of Florida's estuaries (Hillsborough Bay, Miami River, Biscayne Bay, Pensacola Bay, Indian River, and St. John's River) are experiencing stress from physical modification, over-harvesting of fish and shellfish, and chemical loadings from stormwater runoff and point-source discharges.

These investigations also indicate that traditional estuarine regulatory approaches have several fundamental deficiencies in terms of providing adequate protection of living resources. For example, regulations and technical guidance often do not clearly reflect distinctions between fresh and saltwater systems, even though their differences are significant.

Enforcement of stringent water quality standards has been shown to be inadequate for protecting estuarine living resources from the effects of chemical contamination. Chemical water quality of the Miami River and Little River

(Biscayne Bay) meets state standards, but the bottom sediments are badly contaminated, demonstrating the need for better ways to define and measure estuarine pollution.

There is growing evidence that the overall health of estuaries is governed at least as much by the health of bacteria and benthic organisms, as it is by the normally emphasized marine grassbeds, mangroves and marshes. Recent studies show that the microbiota account for a significant proportion of an estuary's total biomass, and together with benthic invertebrates, serve critical functions in regulating nutrient fluxes.

Excessive nutrient loadings now appear as a much larger threat to the health of Florida's estuaries than previously thought. Excessive nutrient loadings could result in rapid conversion of South Florida's clear-water, grassbed dominated systems into turbid, phytoplankton dominated systems- with devastating results to existing fisheries.

Past pollution controls have been aimed primarily at point-source discharges. However, harder to control non-point sources account for 50% to 90% of the heavy metals found in state waters. They may also contribute as much as 500 times the oxygen-demanding substance as secondarily treated sewage.

Traditionally, uniform statewide standards have been applied to pollution control. It is now known that different types of estuaries vary markedly in their ability to assimilate chemical pollution, implying a need for estuary-specific criteria.

An especially critical deficiency is that traditional approaches are not capable of reliably assessing estuarine pollution trends, measuring the effectiveness of overall pollution abatement efforts, or providing "early warning" of declines in estuarine health.

Interrelated with these technical limitations are programmatic deficiencies. Most of Florida's programs lack a statewide perspective within which they can be effectively applied to address priority needs. Persistent difficulties include: a lack of integrated, basin-wide planning; inadequate basic data on systems; overlapping agency jurisdictions; and an inability to focus on problems. The result is ineffective allocation of manpower and funding, as well as programs that sometimes work at cross-purposes.

Overcoming these technical and programmatic limitations must be a high priority of the Florida Coastal Management Program. The Office of Coastal Management in DER has begun an initiative to improve our understanding of the health of Florida's estuaries and to develop intergovernmental and interdepartmental strategies for dealing with the problems in a timely and effective manner.

A formal mechanism exists for addressing complex interagency problems in coastal areas- the Interagency Management Committee. This executive-level committee has been successfully used to address barrier island and hurricane disaster issues, and is beginning to be used to address estuarine management problems and opportunities for improving management in specific estuarine systems such as the Indian River Lagoon System and the Apalachicola Bay and River System.

The Resource Planning and Management Committee process (Section 380.045, F.S.) was established in 1979 to provide a means for voluntary, intergovernmental cooperation to investigate problems in specific areas and recommend solutions. This process is also used to determine the need for Area of Critial State Concern designation in certain regions. Since 1979, ten resource planning and management committees have been established. The Charlotte Harbor, Hutchinson Island, Northwest Florida Coast, and Escambia/Santa Rosa Coast committees have addressed several issues including coastal estuarine and bay protection. The cooperative local, regional and state forum offered by this approach, could be used in developing and implementing basin-wide management strategies for Florida's priority estuaries.

For selected estuaries, like the Indian River Lagoon and the Choctawhatchee Bay, water management districts are providing technical resource information to address resource protection in these high growth areas. In addition, water management districts regulate water quality and quantity and are working with local governments to manage water and land resources.

At the state and federal level, there is a growing recognition of the need to focus attention and resources on protecting living resources, improving the technical foundations of regulatory programs, cleaning up past abuses and preventing their reoccurance, managing the environment by ecological units (basins), and developing long-range plans and programs to manage our estuaries. Florida needs statewide understanding about our major estuarine problems and should develop statewide approaches for 'preventive'

actions, with increased emphasis on aligning estuarine program goals, performance objectives, research, estuarine regulations, and resource management actions. Building technical competence is also critical. Due to the complexity and differences between estuarine systems, Florida should target priority estuarine areas for basin-wide management strategies.

If Florida's estuaries are to survive the impacts of projected population growth, major innovative actions are needed through a joint federal-state-local estuarine initiatives to better manage all land and water impacts affecting our estuarine systems. Florida needs a "team approach" to basin-wide estuarine management. To meet this challenge, the Interagency Management Committee should establish an Estuarine Basin Working Group, composed of state agencies, water management districts, regional planning councils, local governments, affected parties, and the public, to prepare options and recommendations to the Governor and Legislature for an integrated basin-wide approach.

Critical to the success of an estuarine initiative is adequate funding. Florida should explore user fees and other stable long-term funding sources to pay for estuarine research and management.

ACTION ITEMS

In order to protect the state's interest in our complex, environmentally fragile and economically valuable estuarine systems, we recommend:

* as a priority in 1987, the Interagency Management Committee establish a working Group to develop a comprehensive basin-wide approach to estuarine protection to manage the input of freshwater flow and point and non-point pollution into our estuaries.

* For selected priority estuaries, develop and implement cooperative interagency basin-wide estuarine management programs.

* explore user fees and other funding sources for estuarine research and management.

3. Comprehensive Beach Management Plan.

Over the years, the state has addressed beach protection and coastal erosion problems through a variety of piecemeal programs. For example, the Erosion Control Trust Fund has provided state assistance for beach renourishment and dunes protection projects and the Coastal Construction Control Line Program has regulated development on high energy beaches.

Severe erosion along many of our developed sandy beaches prompted requests in 1985 for a major ($460 million) beach renourishment initiative. The initiative was outlined in a Department of Natural Resources Report entitled "Beach Restoration: A State Initiative". The initiative was deferred until 1986, when the Department submitted to the Governor and Cabinet and Legislature in March 1986, "A Proposed Comprehensive Beach Management Program For The State Of Florida."

The 1986 Legislature passed a bill (CS/CS/SB 432 and CS/HB 281) mandating that the Department of Natural Resources "develop and maintain a comprehensive long-term management plan for the restoration of the state's critically eroding beaches. The plan must be submitted to the Legislature by March of 1987, and $500,000 was appropriated to assist the Department in preparing the plan.

Erosion is a serious problem for much of Florida's sandy beach coastline. According to Environmental Protection Agency researchers, one quarter of the erosion today is caused by rising sea level. But a predicted rise in sea level of one foot within the next 30 to 40 years will drive much of the Atlantic and Gulf shoreline inward by a hundred feet and some of it by more than a thousand feet, according to EPA geologists.

Rising sea level and the gradual sinking of the United States as the ocean rises, will become overriding factors in coastal erosion. In addition to eroding the shoreline, a rise in sea level can boost the frequency and extent of coastal flooding and storm damage. Saltwater will intrude in aquifers that provide drinking water for some communities. Saline water will reach farther up rivers, change flood patterns, and along with saltwater intrusion, convert certain freshwater wetlands to saltwater species. Coastal wetlands which are presently situated between developed uplands and the rising waters will be unable to migrate landward and will be lost.

The State of Florida and coastal communities should incorporate rising sea level predictions into their long-term coastal management plans. The economic consequences of rising sea level must be anticipated and managed to reduce eventual public costs. Better designed drainage systems, greater shoreline setbacks, shoreline retreat, beach renourishment, and other erosion responses must be considered in managing future coastal development.

The beach plan mandated by 1986 legislation falls short in addressing the diversity of issues affecting Florida's sandy beaches. Some of Florida's beaches are accreting, and some are eroding so fast that beach renourishment would be waste of public expenditures. Rising sea level will make certain beach management approaches obsolete in just thirty years from now. It is critical that Florida develop a comprehensive plan for managing all our beaches for the long-term public benefit. Such a plan must contain a combination of appropriate solutions to our long-term erosion problems including:

* stringent shoreline setbacks along undeveloped and accreting beaches;

* beach renourishment for some highly developed beachfronts;

* armoring, as an interim measures, for certain developed high-erosion areas where renourishment is not practicable;

* inlet sand transfer for some jettied inlets;

* gradual relocation, retreat or abandonment along low-density high erosion beaches;

* land acquisition and limitations on public subsidies to avoid inappropriate development and redevelopment in coastal high-hazard areas;

* transfer of certain risks from the public to the private sector.

The Comprehensive Beach Management Plan should be developed by geomorphic districts which identify the critical needs of each major beach and dune system and the district should plans be used as the basis for the statewide plan. The plan should be prepared in phases over a three-year period, with a target completion date of April 1990.

It is critical that the Beach Plan be developed in consultation with other key state coastal agencies, through the Interagency Management Committee.

The Coastal Construction Control Line Program provides the cornerstone of Florida's current program for protecting beaches and dunes and managing development along our high energy beaches. The Division of Beaches and Shores issues permits for development seaward of the Coastal Construction Control Line, conditioning permits to protect beaches and dunes and adjacent properties from adverse impacts. Structures are required to meet design standards for the 100-year storm event.

There are twenty-four program counties in the CCCL Program. Nine county lines have been set since 1980; two are pending. Thirteen county lines need to be reset. Rapid development and redevelopment of our beachfronts warrants a major state effort to reset out-of-date control lines. The landward boundaries of the CCCL is the 100-year storm event. However, shoreline erosion and major storm events invalidate these lines at least every five years. It is critical that development along all our sandy shoreline areas be subject to the CCCL permit program.

In 1985, the Legislature amended Chapter 161, granting the Department of Natural Resources authority to establish long-term (30-year) coastal erosion rates and prohibit construction of major units, such as condominiums and hotels, in coastal locations that are predicted to erode away in 30 years. The Department must decide on a permit-by-permit basis what portion of an applicant's property would be seaward of the seasonal high water line in 30 years.

It was the legislative intent that long-term erosion trends be used to regulate coastal development activities. However, the 30-year erosion projections and setback statutes need refinement, particularly the seasonal high water line requirements. The data, program objectives and permit requirements of the 30-Year Erosion Program and the CCCL Program should be reviewed and compared for possible merger into one program.

ACTION ITEMS

In order to protect and manage our beach resources for the long-term public benefit, we recommend:

* develop and implement a Comprehensive Beach Management Plan to address the diverse problems

affecting Florida's eroding and changing shoreline, employing a combination of approrpiate measures: renourishment, inlet sand transfer, feeder beaches, armoring, building setbacks, retreat, abandonment and acquisition.

* incorporate the comprehensive beach management plan findings and requirements into the coastal management element of local comprehensive plans.

* As a priority for 1987, initiate state actions to address our coastal erosion crisis.

* the Legislature establish and fund a program to reset and update the Coastal Construction Control Lines and the 30-Year Erosion Lines, at the same time every five years or after a major storm event. Resetting of the 13 CCCL's by 1988 should receive funding priority.

4. Coastal Hazards Management.

The state has made great strides in recognizing the risky nature of beachfront development. We must move forward to implement the state policies and programs to manage activities in hazarous coastal areas, including implementation of the Post-Disaster Redevelopment Rule (9J-13).

In addition to eliminating public funding for further development in coastal high-hazard areas, the state needs to encourage property owners in high-risk areas to forego building on these high-risk lands and perhaps to assist owners of structures in high-hazard areas with relocation or abandonment in the event of major storm destruction.

Creative funding mechanisms are needed, such as "special tax assessments" for beachfront development, to help pay for post-disaster acquisition of damaged properties and selective public procurement of high risk properties. Forward-looking state and local coastal hazard management programs could save government billions of dollars in hurricane disaster relief assistance in coming years.

In the spring of 1986, the Interagency Management Committee met with the Governor and Cabinet to discuss recommendations for state action following the 1985 hurricanes Elena and Kate. State recommendations are contained in the "Hurricane Post-Disaster Case Studies For Franklin County, Cedar Key and Indian Rocks Beach."

At the same time, the Interagency Management Committee recommended changes to Governor Graham's 1981 Executive Order Number 81-105 regarding hazardous coastal area development. These changes reflect new state policies embodied in the Coastal Infrastructure Policy Act, the State Comprehensive Plan, and the amended Local Government Comprehensive Planning Act.

Much of Florida's funding for emergency management, natural disaster preparedness, and post-disaster assistance has come from the Federal Emergency Management Agency (FEMA). Recently, FEMA has proposed significant changes in its programs which would adversely affect the State of Florida and local governments. FEMA wants a disproportionate share of disaster assistance funds to go to Nuclear Attack Preparedness Planning, cutting off most of Florida's Natural Disaster Planning Funds.

Also, the Federal Emergency Management Agency has proposed a rule before Congress which would reduce federal Disaster Assistance Funds, making states and local governments pay for more of the public costs of hurricanes and natural disasters. At present, FEMA pays 75% of all eligible costs. For example, hurricane Kate caused $7 million in public damages. FEMA paid 75% of the costs. Under the proposed rule, all damages under the threshold of $11.1 million would be paid for by state and local governments. For all eligible public damages between $11.1 million and $111 million, FEMA would pay 75%. Transferring the multi-million dollar costs of hurricane damage to state and local government could bankrupt Florida in the event of several major hurricane land-falls.

ACTION ITEMS

In order to implement responsible hazard management to protect life and property, minimize future risks in coastal high-hazard areas, and privatize the risks and costs of beachfront development, we recommend:

* the Interagency Management Committee continue to review and implement the solutions identified in the Hurricane Post-Disaster Case Studies Report of March 24, 1986.

* the state establish creative mechanisms for selective procurement of threatened or damaged coastal high-hazard properties and structures, including tax incentives for conservation easements.

* the state authorize local governments to establish "Special Tax Assessments" for all beachfront and coastal high-hazard area development which would go into a reserve fund to help pay for post-disaster acquisition of damaged properties.

* the state urge Congress, the Federal Emergency Management Agency, and the Florida Legislature to maintain funding and commitment to Natural Disaster Planning and to Disaster Assistance.

5. Ocean Resource Policies Plan and Leasing Program.

In state and federal waters off Florida's coasts are oil, gas and mineral resources, prompting interest in oil and gas leasing, and ocean mining of sand and gravel, phosphate, and heavy metal reserves. Our marine waters are also seen as sites for sewage effluent discharges. EPA has been considering, but has placed a two year hold on, allowing ocean incineration off our coasts.

Maritime industry relies on our shipping channels for moving imports and exports. Coastal waters are used as spoil disposal sites for dredged materials. Commercial and recreational fishing industries rely on our highly productive marine habitat, including offshore coral reefs and seagrass beds, to support our fisheries.

The ocean and gulf waters of Florida are home to a rich diversity of fish, shellfish, crustacea, sea turtles, manatee, seabirds, and other living marine animals. These living resources depend on the aquatic habitat for their survival. Our marine waters serve many competing interests.

Presently there are 270 active federal Department of Interior (DOI) Outer Continental Shelf (OCS) leases in the Eastern Gulf of Mexico, most clustered off the Panhandle and off southwest Florida. All wells drilled so far have been considered "dry holes", but industry interest remains high. In contract, off the South Atlantic coast, there are currently no active OCS oil and gas leases and a planned November 1986 DOI lease sale may be postponed due to falling oil prices and low industry interest.

Florida recently received the DOI proposed 5-year OCS Oil and Gas leasing Program for 1987-1991. Under this program, millions of acres off Florida will be leased.

Florida's policy regarding federal OCS oil and gas leasing off our coasts has been not to object to offshore oil and gas exploration and development, provided our valuable economic and environmental resources are given adequate protection. All 1985 drilling activities have met state environmental data requirements, biological stipulations, and oil spill risk analyses prior to drilling commencement. However, under the 5-year plan DOI could allow drilling despite insufficent oceanographic and biological resource data, threatening potentially sensitive environmental areas.

The basic authority for leasing state-owned lands (including leases in Florida's territorial waters) is vested in the Board of Trustees of the Internal Improvement Trust Fund, under Chapter 253. Nineteen oil and gas leases have been issued for exploration in Florida's territorial waters between the early 1940s and 1972. The majority have been relinquished or modified. Coastal Petroleum in the Gulf of Mexico (2.3 million acres) and Getty Oil Corporation (now Texaco, Inc) in East Bay are still active.

Although hydrocarbons have never been produced commercially from Florida's territorial waters there have been 29 wildcat exploratory wells drilled since 1945, all "dry holes". However, the Board of Trustees is presently considering applications for geophysical seismic testing and exploration permits in Florida territorial waters, and leasing of federal lands bordering these waters indicate high industry interest and probability that state waters will soon be targeted for exploration.

The Department of Natural Resources, Bureau of Geology, processes permits for this activity persuant to Administrative Code Chapter 16C-26.07. In addition, the Division of Submerged Lands is revising Chapter 18-21, Sovereignty Submerged Lands Management, to incorporate criteria for fees and use agreements pertaining to offshore geophysical testing

Because of the nature of Florida's coastal geography and dependency on tourism and coastal recreation, the state has regarded oil, gas and mineral development in state offshore waters with caution. Under existing statutes and policies, oil and gas leases on state-owned submerged lands can be approved only if deemed to be in the public interest and the adverse impacts on aquatic resources, sport and commercial fishing, navigation, and national security are minimized. However, state policy must also consider the extensive leases presently held by Coastal Petroleum Company in Florida Territorial Waters.

At present, Florida does not have a comprehensive program for dealing with its offshore oil, gas and mineral resources. Since the state's oil and gas operations have been primarily onshore, leasing procedures, permitting, and environmental concerns have been directed towards onshore operations. Environmental circumstances and conditions for onshore operations differ substantially from offshore operations, requiring most states and the federal government to develop separate and distinct procedures for each.

In October 1984, a report entitled "Oil and Gas Leasing in Florida Offshore Waters- A Description of Florida's Existing Program and Recommendations for Revised Procedures" was presented by the Department of Natural Resources to the Governor and Cabinet. To date, the Governor and Cabinet have chosen to take no action regarding these recommendations.

It is of paramount importance that Florida establish proactive ocean resource policies to preserve our fragile natural marine habitats and tourist economy, while providing economic gains to the state associated with development of our non-renewable ocean resources. A Comprehensive Ocean Resources Policy Plan shoud identify, inventory and assess offshore resources and their use, and evaluate the environmental sensitivity, productivity and resource potential of offshore areas. The plan should also require pre-lease environmental studies in state waters where there is a potential for oil, gas, sand, gravel and mineral development. The plan should establish policy for resource allocations to guide regulatory programs, with environmental standards for protection of marine fisheries and water quality values.

We should increase our knowledge about the "wet" side of our coast and address the competing demands placed on our ocean and near coastal waters by offshore oil and gas development, ocean mining, ocean dumping, ocean incineration, ocean outfalls, ocean transportation, and marine fisheries, in ways that protect our living marine resources.

ACTION ITEMS

In order to provide a logical framework for informed decisions regarding the full array of issues facing our oceans and near-shore waters, we recommend:

* the state develop, adopt and implement a Comprehensive Ocean Resources Policy Plan.

6. Fisheries Management.

Florida's marine fisheries provide commercial, recreational and biological assets. The total annual value of commercial and recreational marine fisheries to the State of Florida is over $6 billion.

Many experts rank the estuarine environment as the single most important factor that affects the health of our saltwater fisheries. The near-shore estuarine habitat is a proven nursery ground. Without this habitat an estimated 75% of the major recreational and commercial fish and shellfish fisheries would decline or collapse.

Over 2,200 acres of state submerged lands are under oyster and clam shellfish leases. Over 40 applicants are petitioning for aquaculture leases. Under the Aquaculture Policy Act, the Department of Agriculture is developing and marketing an aquaculture program which covers marine waters. Research and demonstration projects are needed to show how the aquaculture technology works in an environmentally sound and compatible way. The Department of Agriculture is working with an Aquaculture Review Council composed of industry representatives, and an Aquaculture Interagency Committee composed of state agencies, to develop an aquaculture program for the state. The goal of the program is to enhance the nursery functions of estuaries through aquaculture, and to provide economic incentives for maintaining "Class II" waters in coastal areas.

The effects of environmental damage and habitat loss on fisheries and other marine resources is well recognized. Regulatory programs exist to prevent damage, but in many cases they are poorly coordinated. A tremendous need exists for estuarine research to better understand estuarine systems and better correlate the decline in fisheries and estuarine habitat with specific land, water and fisheries management practices.

Through special license fees, the Department of Natural Resources is working with the commercial fishing industry on some habitat restoration projects. This work should be encouraged for areas suitable for restoration.

In 1983 the Marine Fisheries Commission was created to provide comprehensive management of Florida's fisheries resources. The Commission is responsible for permitting reasonable fishery harvesting consistent with sustaining stock. The Commission issues rules to implement this program in state waters. More research, data collection,

regulation and enforcement of fisheries laws and rules are needed.

The Gulf of Mexico Fisheries Management Council is an advisory body to the U.S. Department of Commerce. Composed of 17 members including the 5 Gulf states from Florida to Texas and the National Marine Fisheries Service, the Council develops plans and proposed regulations to manage the fisheries resources in federal waters along the Gulf of Mexico. Management plans have been developed for the spiny lobster, stone crab, shrimp, reef fish, sword fish, mackerel and coral. Red drum and bill fish plans are in progress. The Council provides a vehicle for federal and inter-state coordination and management of fisheries resources.

Readily available fresh seafood provides an important amenity to the quality of the Florida coastal experience and heritage and should be protected.

ACTION ITEM

In order to protect our fisheries resources for the long-term public benefit, we recommend:

* the state vigorously protect and maintain quality estuarine and near-shore habitat in areas where prime quality habitat exist.

* the state increase its habitat restoration efforts for selected areas where habitat have been degraded but could be returned to productive use to support commercial and recreational resources.

* the state protect and restore adequate flows of freshwater to estuaries, managing point and non-point discharges into estuarine systems.

* the Legislature establish user fees, such as a Saltwater Fishing License Fee, revenues from which will fund estuarine and marine research, law enforcement and fisheries management.

* the Legislature provide adequate funding for comprehensive and integrated fisheries research and management.

7. State Land Acquisition Programs.

Although Florida has one of the most extensive land acquisition programs in the nation, the need to acquire lands for resource protection or recreation outstrips government's ability to buy such lands. Rapid growth, particularly in coastal areas, exacerbates the need to set some lands outside the path of development. Purchase of coastal lands to preserve their environmental or recreational values is particularly expensive and will increase with continuing development pressures.

As more coastal lands are converted from open use to developed use, scrub pine, coastal hammock, rookery areas and other common coastal habitat are lost and traditional public accessways to coastal waters and beaches are blocked off.

Florida's experience in land acquisition has focused on fee simple acquisition. Between 1972 and July 1985, Florida has paid $440 million to acquire 462,300 acres of lands, through the Environmentally Endangered Lands Program (using voter-approved bond issues) and the Conservation and Recreation Lands Program (using receipts from severance taxes on oil, gas, minerals, and phosphate rock).

Beginning in 1963, the Land Acquisition Trust Fund (LATF), paid for with documentary stamp tax receipts, has been used to acquire state parklands. In 1981, a $200 million "Save Our Coasts" bond issue was established within the LATF, for beach acquisition.

Under the Water Management Trust Fund, using documentary stamp tax receipts, the Water Management Districts have had $97.5 million for "Save Our Rivers" acquisitions. Some Water Management Districts also use ad valorum taxes to acquire lands.

The Department of Agriculture can use proceeds from the state forests to acquire lands. The Game and Freshwater Fish Commission derives its revenues for land acquisition from selling special permits. These funds generate about $300,000 per year and are placed in the LATF.

The Department of Environmental Regulation holds many conservation easements on wetlands and adjacent uplands, received through dredge and fill permitting requirements for wetlands mitigation. The Department is developing a central tracking system to keep records on the easements it holds in order to monitor land conditions and enforce

easement restrictions. For beach renourishment projects, the Department of Natural Resources requires dedication of public beach accessways. In issuing leases for docking facilities, DNR also requires conservation easements which prohibit additional docking facilities along the lesee's shoreline.

If government is to acquire the coastal lands it needs for public beach access, recreation and environmental protection, it must begin agressively to employ all the tools available to acquire and manage lands. All public access programs should be coordinated with public parking and transportation programs. Less than full fee acquisition techniques should be pursued: 1)easements, 2)modified fee simple acquisition involving leases, resales, or exchanges, 3)purchase of development rights, 4)transfer of development rights, 5)mandatory dedications through regulation or development requirements, 6)tax incentive gifts, life estates, and donations, and 7)land trusts.

ACTION ITEMS

In order to acquire needed lands for beach access, recreation, and environmental protection, we recommend:

* the state maintain its fee simple acquisition programs, but with increased funding levels.

* the state aggressively employ all tools available to acquire and manage lands, becoming more involved with less than full fee acquisition techniques.

* the Department of Environmental regulation finalize and implement its tracking system for wetlands acquired through the regulatory process.

8. A State land Trust.

Florida law allows nonprofit organizations to acquire, hold and manage lands for resource protection. There are eight nonprofit land conservation organizations in Florida which collectively protect over 35,000 acres of environmentally sensitive land.

In addition, three or more national land trust organizations operate in Florida. The Nature Conservancy acquires lands and works with local land trusts to acquire and manage environmentally sensitive lands. The Trust for Public Lands provides technical assistance to existing land trusts and assists with specific acquisitions, as a broker, but does not own or manage lands. These two land trusts serve as go-betweens in assisting federal, state and regional agencies with land exchanges and purchases, where agency acquisition procedures are inflexible.

Lands in need of protection far exceed the state's ability to acquire and manage such areas. To meet the resource protection goals of the State Comprehensive Plan, Florida must augment its approach to land acquition and management, and create a public/private partnership in land conservation.

Establishment of a "State Land Trust" in Florida would greatly facilitate the use of innovative acquisition and management techniques. Bills were introduced in the 1986 session to create the "Florida Environmental Land Trust" and the "Florida Land Conservancy". Although no statewide land trust legislation was enacted this session, Florida should seriously consider setting up an independent agency (like the nonprofit Florida Housing Finance Agency, the California Coastal Conservancy, or the Maryland Environmental Land Trust) with flexible authority to develop a comprehensive future land acquisition strategy for the entire State of Florida, employing fee simple and less than fee simple acquisition techniques.

A "State Land Trust" could create a public/private partnership in natural resource acquisition and conservation using federal tax incentives, limited partnerships, private land trusts, innovative funding mechanisms, and skilled land negotiations. The Trust could:

a) provide technical assistance on innovative land acquisition techniques;

b) provide grants and staff expertise to involve private land trusts and other nonprofit organizations in coastal land acquisitions;

c) use local trusts to monitor and manage restricted property;

d) act as an intermediary between property owners and government land regulators, using funds to compensate landowners for their stewardship of important natural resources;

e) work out creative financing and limited development approaches and conduct negotiations with landowners for complex projects;

f) acquire and manage lands for many public purposes such as wildlife and natural resource protection, public access or public recreation facilities, wetlands enhancement, lot consolidation, and urban waterfront development;

g) receive and manage environmentally significant lands donated to the state or held by state agencies through wetlands mitigation or beach renourishment requirements;

h) encourage acquisitions through donations, exchanges, and less than fee simple interests in land; and

i) provide technical assistance regarding use of existing state land holdings, disposal of surplus lands, land regulation, land management, and land acquisition programs to preserve important natural ecosystems and resources to meet State Comprehensive Plan objectives.

In an innovative move, 1986 Legislation (CS/CS/HB 1405) authorizes creation of county land authorities for designated Areas of Critical State Concern, based on funding sources including "tourist impact taxes" on certain transient rentals, food and beverage sales, and admissions, by local referendum.

The land authorities will have broad powers to acquire and dispose of property to protect the natural environment, provide public access and recreation facilities, preserve wildlife habitat, provide affordable housing for moderate and low-income persons, and to provide access to manage acquired lands. All forms of acquisition are authorized including land exchanges and alternatives to fee interest acquisition.

Primarily directed at assisting Monroe County in the

implementation of its comprehensive land use plan and development regulations, the tourist impact tax of 1 cent on the dollar is expected to generate between $2 million and $4 million annually for Monroe County, half of which goes to the land authority and half to offset losses of ad valorem taxes due to the acquisition program.

This legislation also created the Florida Keys Protection Act which designates the Keys as an Area of Critical State Concern. In a precedent setting mode, the Legislature appropriated $1.05 million in general revenues to assist Monroe County in implementing its plan and regulations and $6 million to get the Monroe County Land Authority operating.

The land authority powers created in CS/CS/HB 1405 provide an excellent model for a statewide land authority. Florida has made a large investment in Monroe County. It should establish a statewide mechanism to assist all cities and counties with the implementaiton of their plans.

ACTION ITEMS:

In order to develop and employ a comprehensive land acquisition strategy for the State of Florida involving a public/private partnership in the acquisition and management of lands to meet State Comprehensive Plan objectives, we recommend:

* the Legislature create a State Land Trust with flexible authority and funding to facilitate a public/private partnership in land stewardship through the use of innovative land acquisition and management techniques.

9. Public Access to and along our Coast.

Florida has a multi-million dollar land acquisition program for beach access, the "Save Our Coasts" Program. Other federal, state and local funds are also used to acquire parking areas, board walks, boat docks, boat ramps, and piers. In addition, the U.S. Army Corps of Engineers requires permanent public access at approximately 1/2 mile intervals, including adequate vehicle parking access, prior to expenditure of federal funds for beach restoration. The State also mandates public access as a condition of state funded beach restoration and renourishment. However, these acquisition and required dedication programs fall short of meeting the public's need for access to Florida's beaches and coastal waters for coastal recreation.

Florida's sandy beaches and coastal shorelines are finite resources. Private developments on our barrier islands and along our intracoastal waterways are reducing the public's landside access to the coast. In some areas, the public need for access exceeds available land. With Florida's projected growth and increase in tourism, the strain on our already taxed public coastal recreation areas and facilities will only increase.

Many of Florida's sandy beaches are eroding. Traditional public access stops at mean high water. Where armoring has been used to protect upland structures, there is no beach and, therefore, no public access along the beach. Given rising sea level and inevitable erosion, Florida must address the public right to sovereign beaches along with the rights of private property owners to protect upland structures.

On some hard sandy beaches, where vehicular access to and along the beach has been traditionally allowed, some coastal communities are restricting such access. 1985 Legislation allows communities to permit vehicular access by referendum. Without simultaneously providing public parking and access at reasonable intervals along the beach, restrictions on vehicular access will significantly restrict public beach access.

On September 4, 1986, the Governor and Cabinet adopted a "Public Beach Access Resolution" to address the increasingly important problems of access to publically-owned beaches. The Board of Trustees of the Internal Improvement Trust Fund are responsible for enforcing the public's right to sovereign beaches. The

resolution recognizes that the long-standing use of Florida's beaches by the public has been unrestricted until recently and that Florida needs "a state policy which assures public access to beaches including means of ingress and egress, safe passage, and public parking areas."

The Department of Natural Resources was directed to conduct public hearings and prepare a report with recommendations on means to ensure public access. The Governor and Cabinet, in turn, will develop rules for beach access and recommend legislative action in 1987.

Providing public access to Florida beaches and coastal waters will remain a significant challenge in light of existing and projected growth along our coast. Florida's economy will suffer if state and local governments cannot provide adequate, safe and attractive visual and physical public access to Florida's sandy beaches and coastal waters.

Florida must employ a variety of techniques to secure one of the state's most valuable assets: its ocean breezes, sandy beaches and sunlit waters. Other than fee simple acquisition tools should be added, including:

a) access easements to secure quality accessways which are maintained and controlled;

b) required dedication as a condition of beachfront development;

c) required permanent dedication and management of high quality public access a condition of all beach restoration;

d) required permanent dedication and management of all existing public beach and shorefront areas for public access and use; and

e) post-disaster plans that include improved public access after the next significant storm.

The state must also perfect title to public accessways which it has already acquired by prescription, implied dedication, custom, the public trust doctrine or dedicated property. Courts in Florida and other coastal states have recognized the unique quality of beach property and have protected the public's access rights through the use of these common law doctrines.

In developing state policy for public access, Florida must define what public access means. The definition

should be construed broadly to include public entrances and exits to beaches and coastal waters, public parking, and quality facilities. Access should also be defined in terms of access to and along Florida's beaches. It is critical that, when setting standards such as the 1/2 mile interval requirement for beach access, both short-interval mini-access areas and major beach parking-recreation-facility areas be included.

ACTION ITEMS

In order to ensure the public's right to reasonable access to our sandy beaches and coastal waters, we recommend:

* the Legislature require public access dedications as a condition of development within the coastal construction control line and establish a State Land Trust to facilitate implementation of this requirement.

* the state actively pursue donations from major land holders and use innovative techniques to acquire beach access.

* the state establish policies, regulations and programs to assure long-term public access to beaches.

10. Environmental Education Program.

Florida needs a comprehensive and integrated statewide environmental education program to educate our people- children, adults, developers, local government and state decision-makers, and tourists- about Florida's unique and fragile environment. Coastal education must be a key part of such a program. Florida needs citizens who understand and can participate in supporting sound coastal management.

Between 1973 and 1985, the Office of Environmental Education in the Department of Education coordinated activities under the Environmental Education Act of 1973. This Act provided for a citizens advisory comittee, establishment of environmental education contact persons in each school district and state university, development of models for environmental education curriculum, and mini-grants to the school districts and individual schools for environmental education curriculum preparation and implementation. Consultants were available to assist with this program all over the state. The Office of Environmental Education was disbanded in 1985.

The 1986 Legislature passed an environmental education bill. The bill does not establish an environmental eduction program for Florida. Instead, funds were provided to conduct a comprehensive study of environental education programs across the nation, both public and private. Based on the results of the study, the bill further provides that a new comprehensive environmental education plan for Florida be prepared and presented for implementation during the 1987 legislative session. A 15 member advisory council, the "Council on Comprehensive Environmental Education", was appointed to conduct the study and advise the Commissioner of Education and the Legislature on implementation of the new plan. The study is being administered through Valencia Community College in Orlando.

As part of the 1986 education bill, the Florida Environmental Education Act (Section 229.8005 F.S.) was amended. A new intent section recognizes that education of Florida's children and youth is critical and that such education be done through the public schools and that it focus on preserving Florida's ecology. The Commissioner of Education is responsible for integrating environmental education programs into the general curriculum of the public schools. The Department of Education is required to provide staff, consultations and technical assistance to school districts.

The State can also educate the public about Florida's environment through advertising. State and local advertising campaigns to attract new residents, industry and visitors influence people's perceptions about Florida. In creating a public image about Florida, state supported advertising campaigns should focus on the unique natural amenities and the importance of protecting these assets.

ACTION ITEMS

In order to educate our residents and tourist visitors about coastal and state environmental issues, we recommend:

* the Legislature give full consideration to, adopt and implement an environmental education program for the State of Florida to educate and train our children, adults and visitors about our natural resources and ways to participate in protecting our environmental future. Special emphasis should be placed on a mandatory curriculum for environmental education through the public school system. However, adult and tourist education should be part of the comprehensive state environmental education program.

* the advertising campaigns of the Florida Department of Commerce and local tourist development councils feature the natural resource base of Florida's tourism and recreation economy.

* the Florida Coastal Management Program support the recommendations of the Council on Comprehensive Environmental Education.

11. Public Participation.

The citizens of Florida are the back-bone support for coastal, environmental and growth management. They support programs to maintain and upgrade our quality of life and protect those resources we hold dear, at affordable prices. Citizens must be provided access to the decision-making process.

Formal avenues for citizens involvement in Florida include access to public records (Chapter 119, F.S.), public notification of agency rule-making (Chapter 120, F.S.), and access to open government proceedings (Chapter 286, F.S.). In addition, each state coastal agency has formal and informal procedures for notifying the public of planned changes in agency operating procedures or policies.

The 1985 Local Government Comprehensive Planning and Land Development Regulation Act provides for limited citizens standing to ensure that local plans comply with the new Act and that local regulations and development orders are consistent with local plans.

The Florida Coastal Management Program provides citizens participation through the Coastal Resources Citizens Advisory Committee. This committee reviews coastal activities, reports to the Governor on pressing coastal issues, and meets every two months to exchange information with citizens about coastal management issues. By providing public input and building concensus around controversial coastal issues, the Committee plays an important role in coastal management. The committee advocates sound coastal management and helps protect the public interest in the coast.

Beginning in 1985, the Office of Coastal Management has distributed a "Coastal Update" newsletter to keep the coastal constituency informed about coastal management program activities and issues.

ACTION ITEMS

In order to develop and maintain public interest in coastal matters, to keep groups and individuals advised about coastal management activities and issues, and to provide for meaningful citizens participation in coastal decision-making, we recommend that:

* the Legislature establish a meaningful process by which citizens may have administrative and judicial standing on government decisions regarding land and

water use matters.

* the Department of Community Affairs provide assistance to local governments to facilitate citizens involvement in the local planning and land development regulation process.

* the Governor and Florida Coastal Management Program continue to utilize a citizens advisory committee and maintain communications with the public on coastal matters.

12. Strengthen Coastal Resource Protection Programs and Fund Coastal Management Objectives.

Florida has several state regulatory, management and acquisition programs to protect coastal resources and manage development. (See Appendix A). However, these programs lack administrative mechanisms to allow adequate team work and comprehensive approaches between state, regional, and local entities. The Committee has recommended action to address these administrative problems under issues 1 and 2. Also, many of these programs have been under-funded and, as a result, unable to carry out their responsibilities.

The 1986 Legislature established an Environmental Efficiency Study Commission to look at reorganizing and streamlining state government. The state must evaluate the relevancy of these programs in the context of the State Comprehensive Plan. Sufficient stable funding sources must be established for those programs which provide the foundation for protecting coastal resources and managing development.

Florida's quality of life and future economic well-being dictate that we stop further degradation of our natural coastal resources and that we begin selectively to restore critical habitat of value to our tourist economy.

At a minimum, the state must provide long-term, adequate and stable commitment to the state programs which protect our natural coastal resources. The state's special areas management programs must continue to be utilized to focus state attention and resources on priority coastal issues and resources.

With adequate funding and administrative support, the Beach Management Plan will address beach erosion problems. A Comprehensive Estuarine Approach will begin to concentrate our protection and restoration efforts on priority estuarine areas. Local comprehensive plans will identify and protect remaining land-side natural resource habitats, as well as other issues. And a proactive ocean resources policy program will safeguard our ocean and near-shore marine resources.

The state is using a variety of mechanisms to fund coastal management programs and activities: general revenues; severence tax receipts on oil, gas, minerals and phosphate rock; documentary stamp tax receipts; sale of special fishing or resource use permits; and federal coastal zone management, environmental protection, transportation, emergency management and other federal grant program funds.

Florida has embarked on an ambitious and comprehensive approach to growth management, requiring creation and consistent implementation of state, regional and local plans to meet state goals and policies. In 1985 the Legislature appropriated $9.3 million to support this effort in FY 1985-86, as a down payment on the new planning system. In 1986, the Legislature sustained its commitment with a $10 million approriation.

As state and regional agencies and local governments implement the State Comprehensive Plan objectives, major gaps in information critical to sound coastal management will become apparent and should be filled through state or regional agencies. For example, sound estuarine management requires knowledge about conditions and impacts of development on estuarine systems. Florida needs an ongoing estuarine research, monitoring and technical assistance program to implement state estuarine objectives.

As coastal initiatives are proposed, identifying stable sources of revenue to pay for these initiatives has been difficult. For example, proposals to fund beach renourishment with room and meal taxes met with stiff opposition in the 1986 Legislature.

Innovative methods are needed to create stable sources of funding for vital state coastal management programs- research, planning, regulatory, land acquisition and land management- which must remain intact and grow in order to protect Florida's coastal future in the light of projected growth.

Funding the costs of growth and environmental protection in coastal areas will require major new funding sources and local option taxing powers and impact fees. For example, stormwater management facilities to protect Florida's coastal and inland waters will cost billions of dollars. Charging users of our estuaries and coastal waters discharge fees could help pay some of the costs.

Funding for coastal management programs must be tied to coastal revenue generators such as beach-related

tourism. Florida must also make greater use of user fees for coastal recreation facilities and navigation, permit fees for fishing, boating and land development. The costs for hazard preparedness, hazards management and post-disaster response should be paid for by developers who build in coastal high-hazard areas.

ACTION ITEMS

In order to fund coastal management, strengthen critically important coastal resource protection programs, and maintain the state commitment to implement the State Comprehensive Plan, while making the best use of limited state financial resources, we recommend:

* require, by statute, that the Interagency Management Committee, through the Florida Coastal Management Program, review and rank natural coastal resource protection programs which warrant priority state financial support in an annual report to the Governor, Cabinet and Legislature.

* the Legislature appropriate $20 million per year for the next 5 years for state, regional and local planning, giving priority to the Coastal Management Element requirements of local plans and their implementing land development regulations.

* the Interagency Management Committee identify and the Legislature appropriate additional funds to fill major state or regional planning data gaps and state technical assistance needs.

* the Legislature establish major new state taxing sources and local option taxing powers to pay for implementation of the coastal objectives of the State Comprehensive Plan.

13. SUPPORT THE ROLE OF LOCAL GOVERNMENT IN COASTAL MANAGEMENT.

Local governments play a central role in coastal management in Florida. On a daily basis, local officials make land use decisions which directly or indirectly impact on the short and long-term viability of our coastal resources.

The Local Government Comprehensive Planning and Land Development Regulation Act reflects state level awareness that Florida's coastal future will be dictated, in large part, by local planning, regulatory and land use decisions.

The goals and policies of the State Comprehensive Plan and the minimum criteria for the Local Comprehensive Plans provide basic guidance to the state and local governments about the coastal issues which require priority attention over the coming years. It is critical that the state provide clear, direct and competent advise to local governments as they develop, adopt and implement their plans. Building the state technical expertise required for this task is critical to ensure state credibility and assistance to local governments.

Most coastal management issues cross jurisdictional boundaries and require inter-local, as well as, joint state-local efforts. For example, beaches, wetlands, estuaries and wildlife cross administrative boundaries. Yet, these resources must be manage as systems, not as parts of cities or counties. Point and non-point source pollution also demonstrate the futility of managing freshwater flow into estuaries on a less than system-wide basis. It is critical that we develop new skills to coordinate and plan on multi-jurisdictional levels through cooperative partnerships.

Since so much of the burden of coastal management will rest on the shoulders of local government, it is essential that the Legislature continue to fund local planning and management and offer local governments optional taxing authority to address the issues facing our coastal future.

ACTION ITEMS

In order to support the role of local governments in coastal management, we recommend:

* the Legislature fund local planning and management requirements and establish new

local option taxing powers to pay for local implementation of coastal objectives.

* the Legislature appropriate funds to fill major data gaps associated with local coastal planning requirements.

* the state develop technical expertise to assist local governments with development and implementation of their plans.

* the state pursue creative techniques for intergovernmental planning and management of critical coastal ecosystems.

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APPENDIX A

SUMMARY OF THE FLORIDA COASTAL MANAGEMENT PROGRAM

The purpose of the Florida Coastal Management Program is:

- to improve the state's management of its coastal resources and development through more effective coordination between state agencies and between state and local governments;
- to improve the administration of existing state resource management plans and programs;
- to review federal activities for consistency with the state's coastal management program;
- to address critical coastal issues; and
- to distribute federal coastal grants to state and regional agencies and coastal communities to better protect coastal resources and manage development.

The Florida Coastal Management Program is based on 27 existing statutes and their implementing regulations which are administered by 16 agencies (see Figure 1). In the Department of Environmental Regulation, the Office of Coastal Management provides program administration and coordination. The Governor's Office of Planning and Budgeting assists the Department of Environmental Regulation with federal consistency reviews.

Most of the day-to-day program implementation rests with three agencies which administer key state coastal resource management programs - the Department of Environmental Regulation; the Department of Natural Resources; and the Department of Community Affairs (see Figure 2). These three agencies operate under a procedural memorandum of understanding which they signed in 1981 in order to formalize their working relationship and to ensure a coordinated state agency approach to coastal management.

Figure 1. Statutory Authorities of Florida's Coastal Management Program

	LEGAL AUTHORITY	LEGAL AUTHORITY DESCRIPTION	ADMINISTERING AGENCY*
1.	Chapter 23, F.S.	State Comprehensive Planning, Power Plant Site Plans	OPB, DCA
2.	Chapter 119, F.S.	Public Records	DOS
3.	Chapter 120, F.S.	Administrative Procedures	APC, DOAH
4.	Chapter 160, F.S.	Regional Planning Councils	RPC
5.	Chapter 161, F.S.	Coastal Construction	DNR
6.	Chapter 252, F.S.	Disaster Preparedness	DCA
7.	Chapter 253, F.S.	Sale, Lease, or Other Conveyance and Dredging and Filling in Submerged Lands and Wetlands	TIITF; DNR DER
8.	Chapter 258, F.S.	Outdoor Recreation and Conservation	DNR
9.	Chapter 259, F.S.	Outdoor Recreation and Conservation	DNR
10.	Chapter 260, F.S.	Outdoor Recreation and Conservation	DNR
11.	Chapter 267, F.S.	Historic Preservation	DOS
12.	Chapter 288, F.S.	Economic Development/ Industrial Siting	DOC, DER
13.	Chapter 315, F.S.	Port Facilities Financing	Port Authorities
14.	Chapter 334, F.S.	Public Transportation	DOT
15.	Chapter 366, F.S.	Public Utilities	PSC
16.	Chapter 370, F.S.	Living Resources (marine)	DNR
17.	Chapter 372, F.S.	Living Resources (freshwater)	GFWFC
18.	Chapter 373, F.S.	Withdrawal, Diversion, Storage, and Consumption of Water; Save Our Rivers	DER, WMD
19.	Chapter 375, F.S.	Outdoor Recreation and Conservation	DNR
20.	Chapter 376, F.S.	Pollutant Spill Prevention and Control; Ports and Waterways	DNR
21.	Chapter 377, F.S.	Oil and Gas Production	DNR
22.	Chapter 380, F.S.	Developments of Regional Impact and Areas of Critical State Concern, Coastal Management	DCA, DER
23.	Chapter 388, F.S.	Arthropod Control	DHRS
24.	Chapter 403, F.S.	Sources of Water Pollution; Sources of Air Pollution; Power Plants; Dredging and Filling; Control of Hazardous Wastes; Resource Recovery; Ports and Waterways	DER
25.	Chapter 582, F.S.	Soil and Water Conservation	DACS
26.	Chapter 201, F.S.	Excise Tax Doc	DNR
27.	Chapter 339, F.S.	Public Transportation	DOT

*KEY

APC - Administrative Procedures Committee
DACS - Dept of Agriculture and Consumer Services
DCA - Dept of Community Affairs
DER - Dept of Environmental Regulation
DHRS - Dept of Health & Rehabilitative Services
DNR - Dept of Natural Resources
DOAH - Division of Administrative Hearings
DOC - Dept of Commerce
DOS - Department of State
DOT - Department of Transportation
GFWFC - Game & Fresh Water Fish Commission
OPB - Office of Planning and Budgeting
PSC - Public Service Commission
RPC - Regional Planning Council
TIITF - Trustees of the Internal Improvement Trust Fund
WMD - Water Management District

The coordination of state coastal laws, policies and agency regulation is accomplished through the Interagency Management Committee (IMC), created by a Joint Resolution of the Governor and Cabinet in 1980. The Committee provides the institutional mechanism for coordinating the network of coastal management laws through a team effort at the state level. It is responsible for coordinating and integrating state agency policies and activities in the coast, identifying and resolving multi-jurisdictional issues and conflicts, and recommending to the Governor and Cabinet new legislation, memoranda of understanding, and rulemaking to improve the implementation of the state's environmental laws.[5]

Ten agencies comprise the Interagency Management Committee:

The Secretaries of the Departments of:	The Directors or Executive Directors of:
° Commerce (DOC)	° Department of Natural Resources (DNR)
° Environmental Regulation (DER)	° Game and Fresh Water Fish Comm. (DGFWFC)
° Community Affairs (DCA)	° Division of Archives & History Department of State
° Transportation (DOT)	° Division of Forestry, Dept. of Agriculture & Consumer Ser.
° Health & Rehabilitative Services (DHRS)	° Governor's Office of Planning and Budgeting

Agencies selected to serve on the committee were chosen because of the importance and impact of each agency's programs on state coastal resource management issues. The Joint Resolution further provides for the assistance of other state agencies in meeting the Interagency Management Committee and State Coastal Management Program objectives.

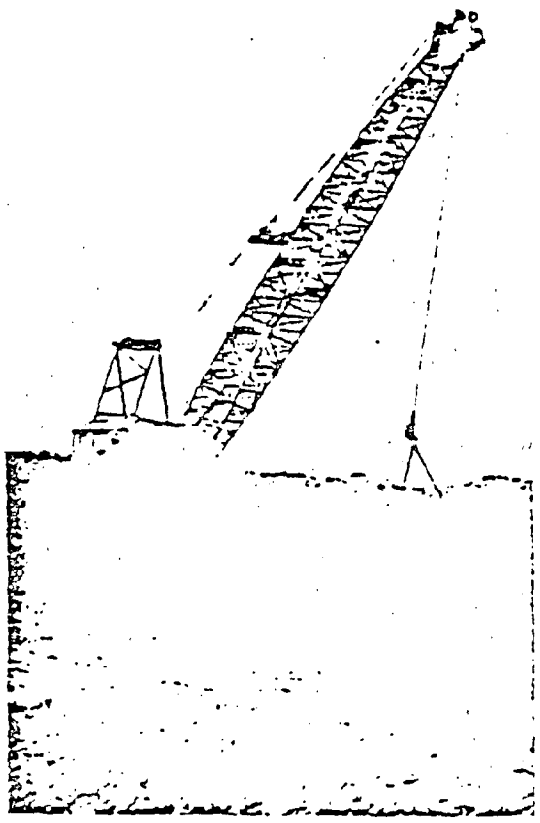
FIGURE 2

DER, DNR and DCA Programs and Responsibilities as part of the FCMP.

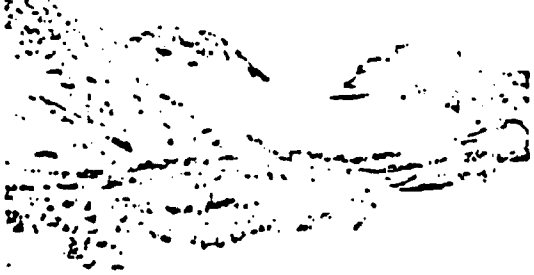
Department of Environmental Regulation

The Department of Environmental Regulation serves as the lead agency in Florida's Coastal Management Program. The program is administered through the agency's Office of Coastal Management. This office provides staff support to the Interagency Management Committee, assists in coordinating state and local agency programs related to coastal resources, administers grants to various state and local agencies related to coastal resources, and reviews federal activities in the coastal area for consistency with the State's program. The Department of Environmental Regulation also administers Florida's environmental permitting programs, including:

- air and water pollution sources;
- dredging and filling on submerged lands, waters of the state, and wetlands;
- electric power plant siting, transmission line siting, and industrial siting;
- drinking water (water wells);
- solid and hazardous wastes;
- public works program.



All dredge and fill activities on submerged lands, waters of the state, and wetlands must be permitted by the Department of Environmental Regulation



Managing Florida's parks, like St. Joseph State Park, is one of the responsibilities of the Department of Natural Resources.

Department of Natural Resources

The Department of Natural Resources manages the state's natural resources, including the following program areas:

- management of all state-owned lands, including sovereignty submerged lands administered through the Board of Trustees of the Internal Improvement Management Trust Fund;
- management of recreation and conservation areas, aquatic preserves, state parks, wilderness areas, environmentally endangered lands, and recreational trails;
- shoreline use and protection, beach nourishment and erosion control projects, assurances of adequate beach access, and establishment of coastal construction control lines;
- conservation and management of marine fishery resources;
- mineral resource management.

Department of Community Affairs

The Department of Community Affairs administers the following activities related to the coastal management program:

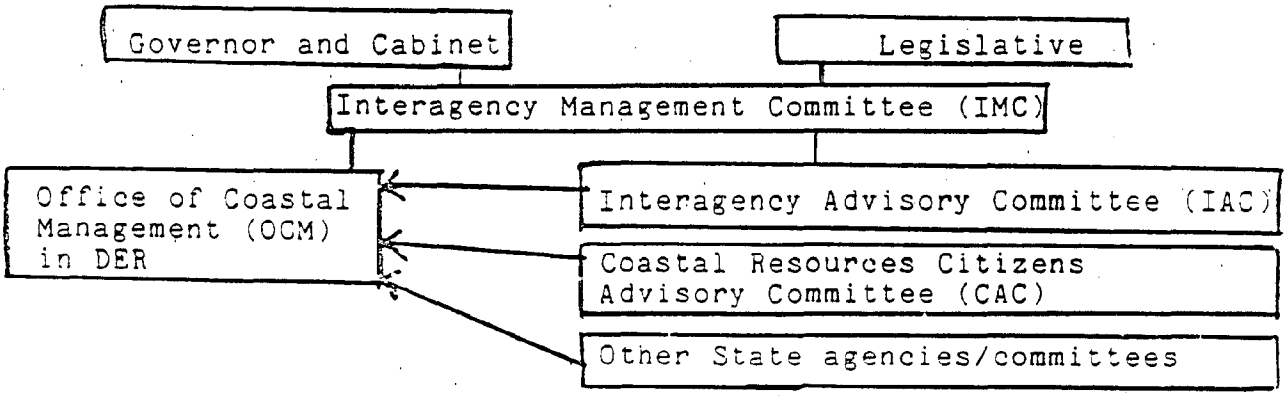
- coordination of the state's responsibilities related to Development of Regional Impact and Areas of Critical State Concern programs;
- primary agency responsibility for implementation of the Coastal Energy Impact Program under the federal Coastal Zone Management Act;
- implementation of a state disaster preparedness program to reduce vulnerability to damage, injury, and loss of life and property from natural or man-made hazards;
- review of ten-year siting plans for Florida electrical utilities.

Source: The Water's Edge: A Guide to Florida's Coastal Management Pro

In addition to staff support through the Office of Coastal Management, the Interagency Management Committee receives input from the State Interagency Advisory Committee on Coastal Zone Management(IAC), and the Governor's Coastal Resources Citizens Advisory Committee.

The Interagency Advisory Committee was established in 1975 as a formal vehicle for securing state agency input into the development of the Florida Coastal Management Program. It is made up of staff representatives from all state agencies with responsibilities in coastal management. Since program approval in 1981, members of the Interagency Advisory Committee continue to serve as key contacts and liaison persons in the implementation of the State Coastal Management Program, particularly regarding current interagency conflicts and key long-range policy issues. Advisory Committee members prepare background papers for use by the Interagency Management Committee in its deliberations.

Figure 3: Framework for State Agency Coordination Through the IMC



The statewide Governor's Coastal Resources Citizens Advisory Committee (CAC) assists the Office of Coastal Management with the implementation of the Florida Coastal Management Program by providing one avenue for public participation. The Citizens Advisory Committee members are chosen to represent a balance among government, public interest groups (academic, recreational, environmental), geographic areas of the state, economic interest groups and private citizens. The committee advises the Office of Coastal Management, the Interagency Management Committee, and the Governor and Legislature on coastal management issues and program implementation. It draws on experts and interested parties in making its recommendations.

The program recognizes the role of the state's five water management districts and the eleven regional planning councils under existing state statutes (Chapter 373, F.S., Chapter 160, F.S.). The program also acknowledges that local agencies are an integral part of any coastal management program and provides for their voluntary participation as allowed under the Florida Coastal Management Act of 1978. However, the Local Government Comprehensive Planning Act under Chapter 163 is not listed as one of the statutory authorities upon which the program is based because the 1978 Act does not require local involvement and Chapter 163 does not mandate state approval of coastal zone protection elements of local comprehensive plans.

Where the Florida Coastal Management Act of 1978 states that the coast is rich in a variety of natural and man-made coastal resources, the Florida Coastal Management Program document describes ten priority coastal "issues of special focus" and how the coastal management program will assist the state in addressing these issues. The issues are in three broad areas - resource protection, coastal development, and coastal storms. Specific issues within these areas include coral reefs, estuaries, barrier islands, ports, dredged material disposal, marina siting, water related energy facilities, fisheries, recreation, and coastal hazards. The future direction and funding priorities of the coastal program are based on these issues of special focus which are subject to revisions during the implementation of the program.

The entire state is included within the boundaries of the Florida Coastal Management Program, since the program relies on existing state statutory authorities which are generally enforced statewide. Two administrative exceptions are provided for in the Florida Coastal Management Act: local governments eligible to receive coastal management funds are limited to the 35 coastal counties and the 162 coastal cities which include or are adjacent to state waters where marine vegetation species predominate; federal consistency reviews of federally licensed or permitted activities are similarly restricted to these local jurisdictions.

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