



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

December 21, 2023

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

Dear Dr. Shirley,

Thank you for the September 6, 2023 request for approval of changes to the Florida Coastal Management Program pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) regulations at 15 CFR part 923, subpart H.¹

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

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

PUBLIC AND FEDERAL AGENCY COMMENTS

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

CHANGES APPROVED

See the attached Table of Approved Changes to the Florida Coastal Management Program.

¹ This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H. The Office for Coastal Management's decision due date of October 6, 2023, was extended to January 4, 2023.

² 15 CFR § 923.81(e)(5).

³ 15 CFR § 923.81(f).

QUALIFICATION

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

Thank you for your cooperation in this review. Please contact Kristin Ransom at 504-233-3353 if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, FL-2023-1.

Sincerely,

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

Joelle Gore, Chief
Stewardship Division

Attachment: Table of Approved Changes FL-2023-1

Table of Approved Changes (FL-2023-01)

See the December 21, 2023 Office for Coastal Management decision letter for clarifications, qualifications, and exceptions to these approvals.

Legal Citation	Title of Policy, section, or other descriptor	PREVIOUS SECTION #	Is the change New, No Change, Revised Language, or Minor Citation/Editorial Update?	Date Effective in State MM/DD/YYYY	Enforceable Policy Y or N	Enforceable Mechanism
163.32051, F.S.	Floating solar facilities.	----	New	07/01/2022	Y	163.3161, F.S.
252.3711, F.S.	Emergency Preparedness and Response Fund.	----	New	07/01/2022	N	N/A
252.64, F.S.	Protection of religious institutions.	----	New	07/01/2022	N	N/A
252.71, F.S.	Florida Emergency Assistance Foundation.	----	New	07/01/2022	N	N/A
253.0346, F.S.	Lease of sovereignty submerged lands for marinas, boatyards, mooring fields, and marine retailers.	253.03, FS	Revised	07/01/2022	Y	253.03, F.S.
339.157, F.S.	Resilience action plan.	----	New	07/01/2022	N	N/A
373.4134, F.S.	Water quality enhancement areas.	----	New	07/01/2023	Y	373.413 F.S.
373.41365, F.S.	Adoption and modification of rules to ensure financial assurances for long-term management of mitigation under ss. 373.4136 and 373.414.	----	New	07/01/2022	N	N/A
376.15, F.S.	Derelict vessels; relocation or removal from waters of this state.	----	New	07/01/2022	N	N/A
376.91, F.S.	Statewide cleanup of perfluoroalkyl and polyfluoroalkyl substances.	----	New	07/01/2022	N	N/A
377.814, F.S.	Municipal Solid Waste-to-Energy Program	----	New	07/01/2022	N	N/A
379.101, F.S.	Definitions.	----	Revised	07/01/2022	N	N/A
381.0065, F.S.	Onsite sewage treatment and disposal systems; regulation.	381.0065	Revised	07/01/2022	Y	381.0012, F.S.
403.0741, F.S.	Grease waste removal and disposal.	----	New	07/01/2022	N	N/A
403, F.S.	Trade secrets.	403.73	Deleted	07/01/2022	N	N/A
403.9339, F.S.	Golf course best management practices certification.	----	New	07/01/2022	N	N/A