



Protecting **FLORIDA** Together

Statewide Flooding and Sea Level Rise Resilience Plan

62S-8 Rule Development Workshop

March 17, 2022

AGENDA

- Opening remarks
- Introductions
- Brief overview of Program
- Rule structure
- Definitions
- Scoring criteria
- Next steps



If you wish to provide feedback, please raise your hand or type your comments in the chat.

Please note this workshop is being recorded



“The state is particularly vulnerable to adverse impacts from flooding resulting from increases in frequency and duration of rainfall events, storm surge from more frequent and severe weather systems and sea level rise. Such adverse impacts pose economic, social, environmental, and public health and safety challenges to the state.”

Legislative Intent, section 380.093(1)(a), F.S.

RESILIENT FLORIDA

FY 2021-22 FUNDING



\$20 million
in state funding in
planning grants.

\$2 million
in state funding
for regional
resilience entities.

\$408 million
in federal funding
for the Resilient
Florida Grant
Program.

RESILIENT FLORIDA

STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN



Transportation
assets and
evacuation
routes

Natural,
cultural and
historical
resources

Wastewater,
stormwater
and
other utility
Infrastructure

Critical
community
and
emergency
facilities



THE DEPARTMENT SOLICITS PROJECTS

From local governments that address risks of flooding or sea level rise identified in vulnerability assessments and meet statutory requirements.

From water management or flood control districts that mitigate the risks of flooding or sea level rise on water supplies or water resources of the state.

That have 50% match, except if from a financially disadvantaged small community.

RESILIENT FLORIDA

STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN



JULY 1

DEP will open Resilient Florida project portal.

SEPT. 1

Deadline to submit proposed projects through portal.

DEC. 1

Statewide Flooding and Sea Level Rise Resilience Plan due.



Chapter 68S-8, F.A.C.

Statewide Flooding and Sea Level Rise Resilience Plan

- 62S-8.001 Purpose.
- 62S-8.002 Definitions.
- 62S-8.003 Project Scoring Criteria.



INPUT

- Are these the right criteria?
 - If not, what other data is available?
- Are we missing metrics?
- Are these the best metrics for the statutory requirements?
- Are point values good or bad?
- Are there better ways to weight identified criteria?
- Are additional definitions needed?
- Additional input welcome!



68S-8.001: PURPOSE

The purpose of Chapter 62S-8, F.A.C., is to establish project scoring criteria that, pursuant to Section 380.093, F.S., shall be used in the Department's evaluation and ranking of implementation project grant proposals submitted for inclusion in the Statewide Flooding and Sea-level Rise Resilience Plan.



68S-8.002: DEFINITIONS

- 1) “**Adaptation plan**” means a plan that identifies and assesses the impacts that are likely to affect a project planning area; develops goals, priorities, strategies and actions to best minimize these impacts; and establishes a process to implement those actions.
- 2) “**Critical Asset Class**” means the distinct groupings of critical assets as defined in subparagraph 380.093(2)1. through 4., F.S.
- 3) “**Department**” means the Florida Department of Environmental Protection.
- 4) “**Eligible Entity**” means those entities specifically identified in paragraph 380.093(5), F.S., as being eligible for inclusion in the Statewide Flooding and Sea-level Rise Resilience Plan.
- 5) “**Mitigation strategy**” means the development of policies, plans and projects that may facilitate the reduction of vulnerabilities and risks associated with flooding and sea-level rise.



68S-8.002: DEFINITIONS Cont.

- 6) “**Natural system enhancement**” means a process that protects, creates, improves or restores habitat by modifying the natural environment.
- 7) “**Nature-based solutions**” mean actions to protect, restore and sustainably manage ecosystems, as well as solutions that address socio-environmental challenges with the use of natural resources and processes.
- 8) “**Regionally significant asset**” means critical assets that support the needs of communities spanning multiple geopolitical jurisdictions, including, but not limited to, water resource facilities, regional medical centers, emergency operations centers, regional utilities, major transportation hubs and corridors, airports, and seaports.
- 9) “**Vulnerability assessment**” means an evaluation that identifies or addresses risks of flooding and sea-level rise, as applicable, to critical assets. A “comprehensive vulnerability assessment” is informed by and meets all statutory requirements of Section 380.093, F.S., and may include, but is not limited to, any plans, assessments, documents, reports, strategies, maps, and electronic databases that identify or address risks of flooding and sea-level rise to critical assets.”



68S-8.003: PROJECT SCORING CRITERIA

62S-8.003(1) All projects eligible for inclusion in the Statewide Flooding and Sea-level Rise Resilience Plan by meeting the requirements in Section 380.093, F.S., will be reviewed by the **Department**. Each eligible project will be allocated points based on the tiered structure outlined in this rule and consistent with Section 380.093(5)(h), F.S. If an applicant fails to provide to the Department any and all documentation, calculations and maps, including any Geographic Information System data, to demonstrate their project's ability to meet or achieve the following criteria, that criteria will receive a score of zero.

RESILIENT FLORIDA

STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN



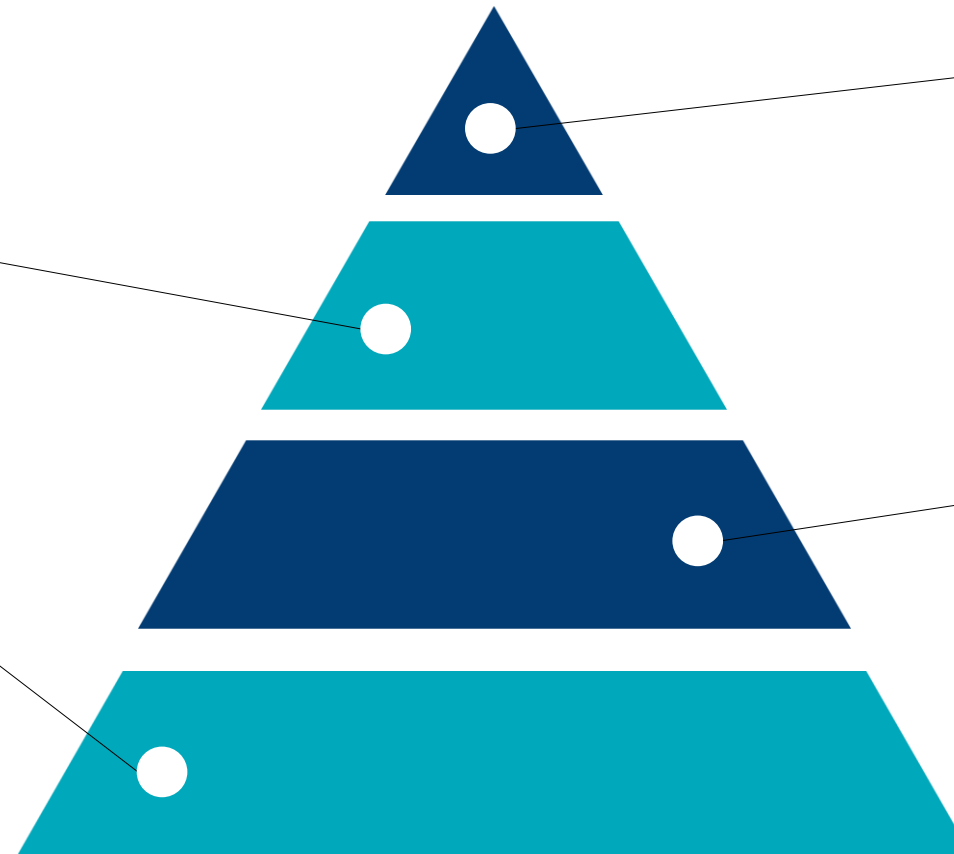
A TIERED REVIEW PROCESS FOR THE PLAN WAS CREATED IN SB 1954 AND CODIFIED IN SECTION 380.093, F.S.

TIER 3 (20%)

Local match, previous commitment and exceeding minimum requirements.

TIER 1 (40%)

Addressing risks to critical assets and regionally significant assets, as well as existing efforts to reduce upland costs.



TIER 4 (10%)

Innovation to reduce costs, regional collaboration, and financially disadvantaged communities.

TIER 2 (30%)

Existing flooding conditions, readiness to proceed, environmental options and exceeding minimum requirements.



TIER 1 STATUTORY LANGUAGE

“Tier 1 must account for 40 percent of the total score and consist of all of the following criteria:

- a. The degree to which the project addresses the risks posed by flooding and sea level rise identified in the local government vulnerability assessments or the comprehensive statewide flood vulnerability and sea level rise assessment, as applicable.
- b. The degree to which the project addresses risks to regionally significant assets.
- c. The degree to which the project reduces risks to areas with an overall higher percentage of vulnerable critical assets.
- d. The degree to which the project contributes to existing flooding mitigation projects that reduce upland damage costs by incorporating new or enhanced structures or restoration and revegetation projects.”

Section 380.093(5)(h)1., F.S.



SUMMARY OF TIER 1 SCORING CRITERIA

Addresses risks in the vulnerability assessment (VA)	10 points
Addresses risks to regionally significant assets	6 points
Reduces risks to areas with higher percentage of vulnerable critical assets	14 points
Contributes to existing flood mitigation projects to reduce upland damage costs	10 points
Total	40 points



TIER 1 SCORING CRITERIA: 40 points total

62S-8.003(2)(a) Up to 10 points will be awarded for the degree to which the project addresses the risks posed by flooding and sea-level rise identified in the local government **vulnerability assessment** or the comprehensive statewide flood vulnerability and sea-level rise assessment. These points will be allocated in the following manner:

1. Two points will be awarded if the project addresses risks to critical assets specifically identified in a **comprehensive vulnerability assessment**, and
2. Four points will be awarded if the project is a flood-reducing project identified in a comprehensive vulnerability assessment, and
3. Four points will be awarded if the project addresses a risk of flooding to a critical asset that is identified in the top five **mitigation strategies** for implementation within its own **critical asset class**, as evidenced in an **adaptation** or mitigation action **plan**.





TIER 1 SCORING CRITERIA: 40 points total

62S-8.003(2)(b) Six points will be awarded if the project reduces or mitigates one or more direct risks to a **regionally significant asset**.



TIER 1 SCORING CRITERIA: 40 points total

62S-8.003(2)(c) Up to 14 points will be awarded for risk reduction to areas with a higher percentage of vulnerable critical assets as demonstrated in the local vulnerability assessments. Points will be allocated in the following manner:

1. Up to six points will be awarded for directly mitigating the anticipated flooding of critical assets identified in a Federal Emergency Management Agency Special Flood Hazard Area (SFHA), which is an area that will be inundated by a flood event that has a one percent chance of being equaled or exceeded in any given year.
 - a. Zero points will be awarded if no critical assets are in the SFHA or the applicant fails to demonstrate the percentage of total critical assets in the SFHA, or
 - b. Two points will be awarded if at least one critical asset but less than twenty-five percent (0%-25%) of total critical assets are in the SFHA, or
 - c. Four points will be awarded if twenty-six to fifty percent (26%-50%) of total critical assets are in the SFHA, or
 - d. Six points will be awarded if more than fifty percent (51%-100%) of total critical assets are in the SFHA.



TIER 1 SCORING CRITERIA: 40 points total

62S-8.003(2)(c) Up to 14 points will be awarded for risk reduction to areas with a higher percentage of vulnerable critical assets as demonstrated in the local vulnerability assessments. Points will be allocated in the following manner:"

2. A maximum of eight points will be awarded for the total number of critical assets served by the project.
 - a. Two points will be awarded if one critical asset is served, or
 - b. Four points will be awarded if two critical assets are served, or
 - c. Six points will be awarded if three critical assets are served, or
 - d. Eight points will be awarded if four or more critical assets are served.



TIER 1 SCORING CRITERIA: 40 points total

62S-8.003(2)(d) Up to 10 points will be awarded for contributing to existing flood mitigation projects that reduce upland damage costs in one of the ways identified below. Points will be allocated in the following manner:

1. Five points will be awarded if the project does so by incorporating new or enhanced structures, and
2. Five points will be awarded if the project does so by incorporating natural system restoration and revegetation.

END OF TIER 1





TIER 2 STATUTORY LANGUAGE

“Tier 2 must account for 30 percent of the total score and consist of all of the following criteria:

- a. The degree to which flooding and erosion currently affect the condition of the project area.
- b. The overall readiness of the project to proceed in a timely manner, considering the project’s readiness for the construction phase of development, the status of required permits, the status of any needed easement acquisition, and the availability of local funding sources.
- c. The environmental habitat enhancement or inclusion of nature-based options for resilience, with priority given to state or federal critical habitat areas for threatened or endangered species.
- d. The cost-effectiveness of the project.”

Section 380.093(5)(h)2., F.S.



SUMMARY OF TIER 2 SCORING CRITERIA

Flooding and erosion currently affecting the project area	2.5 points
Current or pending FEMA Flood Zone	5 points
Readiness of the project to proceed in a timely manner	7.5 points
Environmental habitat enhancement or nature-based solutions	7.5 points
Cost effectiveness	7.5 points
Total	30 points



TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(a) Up to 7.5 points will be awarded based on the degree to which flooding and erosion currently affect the condition of the project area. Points will be allocated in the following manner:

1. Up to 2.5 points will be awarded based on the current extent and frequency of flooding and erosion at the project site as evidenced by presentation of high-water mark documentation, reports of flooding recorded by the jurisdiction or reported by local news source, documentation of inspection by a local official, or any other similar document or report. Points will be allocated in the following manner:
 - a. Zero points will be awarded if the application does not demonstrate the current extent of flooding and erosion at the project site, or
 - b. One point will be awarded if evidence that the project area has been flooded or experienced erosion over the last year is provided to the Department, or
 - c. A total of 2.5 points will be awarded if evidence the project area has been flooded on multiple occasions or experienced ongoing erosion over the last three years is provided to the Department.



TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(a) Up to 7.5 points will be awarded based on the degree to which flooding and erosion currently affect the condition of the project area. Points will be allocated in the following manner:

2. Up to five points will be awarded based on the current or pending Federal Emergency Management Agency (FEMA) Flood Zone(s) in which the project will be located. If a project is located within two or more of the following zones, the zone that represents the higher risk will prevail. If the zone is not listed below, two points will be awarded. The Coastal A Zone is the area located landward of a V Zone, or an open coast without mapped V zones, where wave heights can reach between 1.5 and three feet in height during a base flood event and is delineated by the Limit of Moderate Wave Action on a Digital Flood Insurance Rate Map. Points will be allocated in the following manner:
 - a. Zero points will be awarded for projects located in X Zones (unshaded), or
 - b. One point will be awarded for projects located in X Zones (shaded), or
 - c. Two points will be awarded for projects located in A Zones (without Base Flood Elevation), or
 - d. Three points will be awarded for projects located in AH Zones, or
 - e. Four points will be awarded for projects located in AE Zones, or
 - f. Five points will be awarded for projects located within Coastal A Zones, V Zones, or if located within a Regulatory Floodway.



TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(b) Up to 7.5 points will be awarded for readiness of the project to proceed in a timely manner.

1. Up to 3.75 points will be awarded based on the status of project design. Points will be allocated in the following manner:

- a. Zero points will be awarded if no design documentation is provided, or
- b. One point will be awarded if a partial design draft is submitted, or
- c. 3.75 points will be awarded if signed and sealed drawings are submitted.





TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(b) Up to 7.5 points will be awarded for readiness of the project to proceed in a timely manner.

2. Up to 2.75 points will be awarded based on the project's permitting status and status of any needed easements. Points will be allocated in the following manner:

- a. One point will be awarded if proof of application for necessary permits or approval from the authority having jurisdiction over such permitting is submitted with proposed project, or
- b. 2.75 points will be awarded if proof is submitted to the Department showing either that all necessary permit(s) and easements have been authorized and/or obtained or that permitting and/or easements are not required.





TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(b) Up to 7.5 points will be awarded for readiness of the project to proceed in a timely manner.

3. One point will be awarded if local funding sources are committed as match as evidenced by an approved line-item in an adopted Capital Improvement Plan, a letter from the Chief Executive Officer of the eligible entity, a resolution from the governing board committing funding to the project if selected, or any other comparable document or evidence of availability of funds.



TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(c) Up to 7.5 points will be awarded for environmental habitat enhancement or **nature-based solutions** for resilience.

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

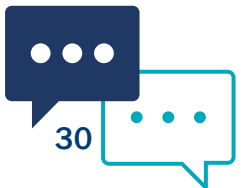




TIER 2 SCORING CRITERIA: 30 points total

62S-8.003(3)(d) A total of 7.5 points will be awarded if a reasonable analysis provided with the proposal demonstrates that the project is cost-effective. A cost-effective analysis provided for this criterion may consider the project cost compared to economic loss due to failure or inability to operate due to flooding or sea level rise, the project costs compared to cost to repair damage from flooding or erosion, the size of the population directly impacted, the total project cost to the state (e.g. higher match percent), or other relevant metrics to demonstrate that the project is cost effective.

END OF TIER 2





TIER 3 STATUTORY LANGUAGE

“Tier 3 must account for 20 percent of the total score and consist of all of the following criteria:

- a. The availability of local, state, and federal matching funds, considering the status of the funding award, and federal authorization, if applicable.**
- b. Previous state commitment and involvement in the project, considering previously funded phases, the total amount of previous state funding, and previous partial appropriations for the proposed project.**
- c. The exceedance of the flood-resistant construction requirements of the Florida Building Code and applicable flood plain management regulations.”**



SUMMARY OF TIER 3 SCORING CRITERIA

Availability of matching funds	5 points
Previous State funding for project	5 points
Exceedance of the flood-resistant construction standards of the Florida Building Code	10 points
Total	20 points



TIER 3 SCORING CRITERIA: 20 points total

62S-8.003(4)(a) Up to five points will be awarded for available local or federal match, points will be allocated in the following manner:

1. Zero points will be awarded if the application does not demonstrate that a source for the required 50% match has been specifically identified unless the community is a financially disadvantaged small community as defined in Section 380.093(5), F.S., or
2. A total of 2.5 points will be awarded if the project proposal includes specifically identified local or federal grant match, but the funds have not been appropriated or released, or



TIER 3 SCORING CRITERIA: 20 points total

62S-8.003(4)(a) Up to five points will be awarded for available local or federal match, points will be allocated in the following manner:

3. Five points will be awarded if the project proposal provides documentation that 50% local or federal grant match is available or if the community is a financially disadvantaged small community as defined in Section 380.093(5), F.S. Available match can be demonstrated by providing an approved line-item in an adopted Capital Improvement Plan, a letter from the Chief Executive Officer of the eligible entity, a resolution from the governing board committing funding to the project if selected, or any other comparable document or evidence of availability of funds.



TIER 3 SCORING CRITERIA: 20 points total

62S-8.003(4)(b) Five points will be awarded if verification of previous state funding in the project is provided. Verification must include previously funded phases, total amount of previous state funding, and previous partial appropriations, verifiable by the participating agency.

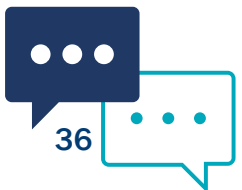


TIER 3 SCORING CRITERIA: 20 points total

62S-8.003(4)(c) Up to 10 points will be awarded for any exceedance of Florida Building Code flood-resistant requirements and applicable floodplain management regulations.

1. Five points will be awarded if the project will exceed Florida Building Code flood-resistant requirements and applicable floodplain management regulations, and the application outlines the specific requirements and details relating to how the design criteria exceed the requirements, or if no Florida Building Code flood-resistant requirements and applicable floodplain management regulations apply to the project type, or
2. Ten points will be awarded if the project will exceed Florida Building Code requirements and applicable floodplain management regulations, and the specific requirements and design criteria are referenced and provided in signed, sealed drawings.

END OF TIER 3





TIER 4 STATUTORY LANGUAGE

“Tier 4 must account for 10 percent of the total score and consist of all of the following criteria:

- a. The proposed innovative technologies designed to reduce project costs and provide regional collaboration.
- b. The extent to which the project assists financially disadvantaged communities.”



SUMMARY OF TIER 4 SCORING CRITERIA

Innovative technologies are used to reduce project cost and provide regional collaboration	5 points
Financially disadvantaged community	5 points
Total	10 points



TIER 4 SCORING CRITERIA: 10 points total

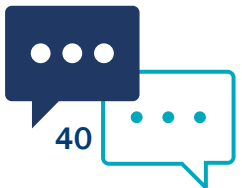
62S-8.003(5)(a) Five points will be awarded if the project proposal includes innovative technologies designed to reduce project costs and provide regional collaboration. The proposal must demonstrate which specific technologies will be used and explain why they are innovative as well as identify regional collaboration, and



TIER 4 SCORING CRITERIA: 10 points total

62S-8.003(5)(b) Five points will be awarded if the critical asset or area benefited by the project serves a community with a median household income of less than the statewide average. The project proposal must include verifiable documentation of the community's median household income.

END OF TIER 4





INPUT

- Are these the right criteria?
 - If not, what other data is available?
- Are we missing metrics?
- Are these the best metrics for the statutory requirements?
- Are point values good or bad?
- Are there better ways to weight identified criteria?
- Are additional definitions needed?
- Additional input welcome!





Next Steps

- Public workshop – Today
 - Commenting period through March 31 (*please email Resilience@FloridaDEP.gov*).
 - Workshop presentation will be posted online
- ORCP will compile and incorporate public input (*note public comment may be posted online*)
- Notice proposed rule in FAR (*substantive changes may require additional steps or workshops*)
- Rule effective – mid-2022* (*subject to required steps and filings*)

To sign up for rulemaking updates, visit <https://floridadep.gov/rcp/resilient-florida-program> and click on “Click here to stay updated on the Resilient Florida Rulemaking”

Reach us at (850) 245-7600



THANK YOU