

CWG Review 1: Spring 2015

Tier 1 Information:

1. Management Action

S-101 Create a training program based on existing Best Management Practices (BMPs) that will be required for coastal construction on-site project contractors to be implemented by January 1, 2020, as required in a coastal construction permit.

This revised RMA is a combination of the following original RMAs:

- S-101 Create/enhance "LEED"-like certification program for coastal construction companies and projects, as well as individuals working in the industry, to encourage smart development and best practices for coastal construction.
- N-17 Create continuing education programs for targeted industries with coastal projects to include landscaping to reduce negative coastal impacts.

2. Intended Result (Output/Outcome)

What is the end product/result of this management action?

- Less damage to SE FL Coral Reefs and better water quality by increasing the number of certified coastal construction companies in project management Best Management Practices (and/or professional individuals).
- The green industries best management practices is an example and could be used as a base point, or the Florida Clean Marina Program, as well as Atlantic coast fish habitat partnership (CFHP) there are grants out there to support this.
- This could be updated annually with annual refreshers highlighting any past years lessons learned and adaptive best practices moving forward.
- The date of January 1, 2020 was put in place of stating "a certain date".
- Given annually to teach them best management practices.
- Involve coastal construction companies at the start to help them shape the program and develop the certification, this recommendation is for BMPs for project management.
- Should be continuing education and need to recertify.
- While it would initially be voluntary, it could eventually become mandatory from the State perspective. In addition the permittee and project sponsor can require contractors complete the training process to be eligible bidders which then the State could look more favorably on those entities.

3. Duration of Activity

Is this a discrete action or a recurring activity? Explain.

- Recurring

4. Justification

What issue or problem will this management action address? Explain.

- Most coastal construction can negatively impact the near shore reefs and ecosystems. While involuntary guidelines, rules, codes, and permits are imposed by the government, they can take significant time to update and subject to politics and financial interests (by accounts). A carefully constructed program similar to the popular LEED (Leadership in Energy & Environmental Design) could voluntarily enhance and increase smart/friendly construction via the power of certified green product marketing and finance.
- Our existing practices are detrimental to reef system health, and this will reduce negative impacts from landscaping, coastal construction, and agriculture.

5. Potential Pros

What are the potential advantages associated with this management action?

- Less negative impacts to reef and water quality from coastal construction. Increase number of projects that meet the best/highest reef-friendly specifications. Better trained companies and professionals.

6. Potential Cons

What are the potential disadvantages associated with this management action?

- May be difficult, costly and time consuming to develop, design, launch. May not be popular among construction companies and professionals. May not positively impact the issue (i.e. the only good coastal construction is no construction). Even if off to a popular start, adopting companies/professional may find themselves underbid by non-adopting companies/professionals, assuming it will cost more to design/build green.
- N-17- Accurately identifying the targeted industries.

7. Location

County/Countries: Miami-Dade, Broward, Palm Beach, Martin, Other?

- Statewide.

Relevant Habitats: Coral reef, seagrass, watershed, etc.?

- ALL Relevant Habitats, including but not limited to: Coral reef, seagrass, watersheds, etc.

8. Extent

Area, number, etc.

- Could be relevant to companies based in county, state, country as well as those from foreign countries, also may be relevant to multiple industries.

9. Is this action spatial in nature?

- no

Tier 2 Information:

WHY?

1. Strategic Goals & Objectives to be Achieved

Refer to the [SEFCRI Coral Reef Management Goals and Objectives Reference Guide](#).

- Reviewer Comments August 2015:

- FL priorities: C1 Obj 7 C3 Obj 4
CRCP Goal C obj 5
LAS MICCI issue 2 Goal Issue 4 Goal

2. Current Status

Is this activity currently underway, or are there planned actions related to this recommendation in southeast Florida? If so, what are they, and what is their status.

- Best management practices have already been developed for coastal construction under MICCI 6 and these could be used as a starting place. This is a huge step that has already been completed. The construction industry was invited and included in on this process.
- Currently Tallahassee is looking at certification for turbidity monitoring and ways to reduce conflict of interest issues.

3. Intended Benefits (Outcomes)

What potential environmental benefits or positive impacts might this management action have?

- Voluntary compliance benefit to environment – adherence to latest and greatest methods
- Preservation of reef ecosystem benefits socio economic – Long lasting benefits as proposed.
- Better incorporate necessary safeguards upfront, may improve economy of project. (Expensive to clean up or mitigate something after the fact if it could have been avoided) CJK: Agree with KF
- Many contractors are from outside of our region and unaware of the resources or the importance of the resources. There may be a disconnect between the company/personnel applying for the permit (those familiar with the resources) and those actually completing the construction. Educating the construction side may help raise resource awareness and reduce impacts.
- A program like this would educate project managers (for the contractor) on why the resources area valuable and be protected.
- They would not be able to claim ignorance if violating an environmental condition.

What potential social/economic benefits or positive impacts might this management action have?

- Increased compliance with permit conditions. Create awareness of coastal construction impacts to reef ecosystems.

What is the likely duration of these benefits - short term or long-lasting? Explain.

- Long lasting durations because in the future everyone who would be doing a coastal project would need to have the certification completed already.

4. Indirect Costs (Outcomes)

What potential negative environmental impacts might this action have?

- No negative environmental impacts.

What potential negative social/economic impacts might this action have?

- There might be pushback from the industry for a brief duration and it may be more expensive in the beginning.

What is the likely duration of these negative impacts - short term or long-lasting? Explain.

- The expense over time should decrease.

5. Risk

What is the threat of adverse environmental, social, or economic effects arising from not implementing this action?

- Decision making by contractors based on bottom dollar without consideration of reef benefits
- Big mistake with major impacts. Continued impacts to reef resources due to lack of knowledge of existing resources.
- The risk could be noncompliance from incomplete or not understanding specific conditions.

6. Relevant Supporting Data

What existing science supports this recommendation? (Provide citations)

- MICCI Project 6 makes many references to improved BMPs during the pre-construction and construction phase
- Not sure if there is science to support the recommendation, but success of DEP's program with green industries would indicate there is value to it. Several DEP green best practices examples exist:
 - Best Management Practices for Enhancement of Environmental Quality on Florida Golf Courses 2007, 2009. (2.1 MB) - This 136 page book discusses possibilities for environmental stewardship and pollution prevention at golf courses. It supersedes and expands upon the 1995 BMP document. This new document was written by FDEP.
 - Florida Friendly Guidance Models for Ordinances, Covenants, and Restrictions – (598K) - This manual, a joint Florida-Friendly Landscape document from FDEP and the University of Florida, was just released in January 2009. The book contains two ordinance models addressing nonpoint sources of pollution from landscapes, one of which is more comprehensive and includes water conservation and other issues, and one of which only addresses fertilizer application.

7. Information Gaps

What uncertainties or information gaps still exist?

- No gaps exist because there are current BMP's that have been implemented in other areas. But they are evolving all of the time as should this program.

WHEN?

8. Anticipated Timeframe for Implementation

How long will this recommendation take to implement?

- If BMPs already developed it could be around 2 years to initiate the conversations to develop the program and an additional year (year 3) to implement the voluntary portion of it and then potentially 2 more years (year 5) for development of program, enforcement and need time to get certified and take the courses.

9. Linkage to Other Proposed Management Actions

Is this activity linked to other proposed management recommendations?

- This RMA is the result of previously combined RMAs

WHO?

10. Lead Agency or Organization for Implementation

What agency or organization currently has/would have authority? Refer to the [Agencies and Actions Reference Guide](#).

- FDEP

11. Other Agencies or Organizations

Are there any other agencies or organizations that may also support implementation? Explain.

- Reviewer Comments August 2015:

- Possibly ACOE since they do have permits as well; as well as local municipalities or counties that may be stipulating that only certified contractors may apply.

12. Key Stakeholders

Identify those stakeholders most greatly impacted by this management action, including those from whom you might expect a high level of support or opposition. Explain.

- Industry such as coastal construction companies, environmental consultants, project sponsors such as counties

HOW?

13. Feasibility

Is there appropriate political will to support this? Explain.

- Unknown, but it complements the regulatory permitting program.

What are the potential technical challenges to implementing this action? Has it been done elsewhere?

- May require funding for incentives.
- Many companies may have management strategies in place that has been evaluated from a cost/benefit perspective. Incentives may be necessary if they are asked to revise their strategy.

14. Legislative Considerations

Does the recommendation conflict with or actively support existing local, state, or federal laws or regulations? Explain.

- Yes if mandatory certification program was implemented then there would be rule making.

15. Permitting Requirements

Will any permits be required to implement this action? Explain.

- No

16. Estimated Direct Costs

Approximately how much will this action likely cost? (Consider one-time direct costs, annual costs, and staff time, including enforcement.)

- If developed by in house staff and FDEP led effort then the actual development and roll out may be minimal as it would be to secure facilities to host meetings and then produce the training materials. \$10,000-\$30,000.
- Regardless of if it's voluntary or mandatory a fee could be assessed to take the training and recoup any expenditures.

Will costs associated with this activity be one-time or recurring?

- The materials and annual meeting facilities would be a continuous cost, but this could be offset by a fee.

If recurring, approximately how long will staff time and annual costs be necessary to implement the management action?

- To implement may be 3-5 years.

17. Enforcement

Does this require enforcement effort?

- No

18. Potential Funding Sources

Identify potential funding organizations/grant opportunities, etc.

- Fees from certifications and a small increase in permit application cost.
- federal environmental grant programs like NFWF

19. Measurable Outcomes/Success Criteria/Milestones

How will the success of this recommendation be measured? How will you know when the intended result is achieved?

- Reduction in permit violations. There may be more project shut downs because issues were detected in a more timely manner and addressed. Reduced impacts to reefs and therefore there should be less after-the-fact mitigation required. Better projects, reduced environmental

impacts. if there is an increase in green shorelines, dune creation as part of beach renourishment, increase of voluntarily use of "better" standards, this would demonstrate that the program did indeed increase awareness about better practices and coastal construction options and indeed that they are being put in motion. Determining if this has reduced impacts to reef resources may be more difficult dependent on the projects and how the improvements may directly or indirectly improve water quality, shoreline stability, coral habitat etc.

SEFCRI/TAC Targeted Questions:

1. TAC - Is the recommendation likely to achieve the intended result? Explain.

Tier 1 – #2 (Intended Result - Output/Outcome)

- Unknown

2. TAC - Is the recommendation sufficient to address the identified issue or problem? Explain.

Tier 1 – #4 (Justification)

- Unknown

3. TAC - Is the recommendation technically achievable from a science or management perspective? Explain.

Tier 2 – #8 (Anticipated Timeframe for Implementation) and Tier 2 - #13 (Feasibility)

- Voluntary certification programs work when the consumer is interested in paying higher prices to be environmentally friendly - the immediate consumer of this is the ACE or private construction so this would likely not work the same way.
- Not likely, customer of product are towns and cities of construction project so they have to want to pay more too in taxes as opposed to taking lowest bid.
- If there's are incentive to companies who participate it could be feasible.

4. SEFCRI Team, PPT & Other Advisors - Has this been done (by SEFCRI, other agencies or organizations in the SEFCRI region)? Explain.

Tier 2 – #2 (Current Status)

- Some, yes in the form of best management practices for Florida Friendly yards or best practices for golf courses. Don't know if anything is mandatory. Clean Marina Program may be good to reference.

5. SEFCRI Team, PPT & Other Advisors - Is this recommendation a research or monitoring project? (Recommendations should be turn-dirt management actions, not the step you take before a management action). Explain.

- No

6. SEFCRI Team, PPT & Other Advisors - If either of the following applies to this management action, provide feedback on which information submitted by the Community Working Groups may be more appropriate, or if entries should be merged. Explain.

- a. There are different viewpoints for an individual management action (i.e. two working group members provided separate information, as indicated by a '/' marking between

them).

- b. Information submitted for this and other draft management actions is sufficiently similar that they might be considered the same.

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7. **SEFCRI Team, PPT & Other Advisors** - Non-agency Question: Is the recommendation technically achievable from your stakeholder perspective? If not, do you have suggestions that would allow this to become technically achievable from your stakeholder perspective? Explain.

Tier 1 - #5 (Potential Pros), Tier 1 - #6 (Potential Cons), Tier 2 - #3 (Intended Benefits), Tier 2 - #4 (Indirect Costs) and Tier 2 - #12 (Key Stakeholders)

- Yes

8. **SEFCRI Team, PPT & Other Advisors** - Agency Question: Is the recommendation technically achievable from a management perspective? If not, do you have suggestions that would allow this to become technically achievable from your agency's management perspective? Explain.

Tier 2 - #10 (Lead Agency or Organization for Implementation) and Tier 2 - #11 (Other Agencies or Organizations)

- Most likely yes. There is the clean marina program which may be a template to follow.