

Appendix E

Coastal Resources

TABLE E-1
FLORIDA COASTAL MANAGEMENT PROGRAM STATE STATUTE CONSISTENCY

Statute	Consistency Review
Chapter 161 <i>Beach and Shore Preservation</i> acknowledges that coastal areas are among the state's most valuable natural, aesthetic, and economic resources and authorizes FDEP to regulate certain activities on or seaward of the States' beaches.	Not Applicable Construction of the Proposed Project would not occur on or seaward of any state beach. The Proposed Project would not adversely affect coastal areas that could jeopardize the stability of the beach-dune system, accelerate erosion, provide inadequate protection to upland structures, endanger adjacent properties, or interfere with public beach access.
Chapter 163, Part II <i>Intergovernmental Programs: Growth Policy; County and Municipal Planning; Land Development Regulation</i> requires the local governments to prepare, adopt, and implement comprehensive plans that guide and control future development toward the most appropriate use of land and natural resources in a manner consistent with the public interest.	Consistent The Proposed Project would be implemented in accordance with local government comprehensive plans that encourage the most appropriate use of land and natural resources in a manner consistent with the public interest.
Chapter 186 <i>State and Regional Planning</i> details state-level planning requirements; requires the development of special statewide plans governing the orderly social, economic, and physical growth of the state.	Consistent The Proposed Project would be developed in accordance with any special statewide plans governing water use, land development, and transportation.
Chapter 252 <i>Emergency Management</i> provides for planning that would reduce the State's vulnerability to or impacts from natural or manmade disasters and would enhance recovery efforts in the event of such emergencies.	Consistent The Proposed Project does not increase the vulnerability of people or property to natural disasters. Emergency response and evacuation procedures would not be adversely impacted; although, the provision of additional efficient airport infrastructure may assist in staging or responding to emergencies.

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Chapter 253 <i>State Lands</i> addresses the state's administration of public lands and property and provides direction regarding the acquisition, disposal, and management of all state lands.	Not Applicable Implementation of the Proposed Project does not require acquisition of or result in any impacts to state lands that would prevent the conservation, protection, enhancement, or preservation of State-owned natural areas, ecosystems, or archaeological and historical resources.
Chapter 258 <i>State Parks and Preserves</i> addresses administration and management of state parks, aquatic preserves, and recreation areas. Chapter 259 <i>Land Acquisition for Conservation or Recreation</i> authorizes acquisition to protect air, land, and water quality and abundance, and natural resource-based recreation opportunities. Chapter 260 <i>Florida Greenways and Trails Act</i> authorizes acquisition of land to create a recreational trails system and to facilitate management of the system. Chapter 375 <i>Outdoor Recreation and Conservation Lands</i> develops a comprehensive outdoor recreation plan to document recreational supply and demand, describe current recreational opportunities, estimate need for additional recreational opportunities, and propose means to meet the identified needs.	Consistent Portions of Sweetbay Natural Area and Loxahatchee Slough Natural Area are located within the Proposed Project area; however, these natural areas are not considered a state park, aquatic preserve, or state recreation area under Chapter 258. Therefore, the Proposed project would have no effect on Chapter 258 resources. The Proposed Project does not affect any planned land acquisition for conservation or recreation purposes under Chapter 259. ¹ The Proposed Project also would not cause disruptive physical activities or polluting discharges into nearby water systems. The Proposed Project does not affect Florida greenways and trails. Sweetbay Natural Area and Loxahatchee Slough Natural Area are not designated as a Florida Greenway and Trail. ² Further, Chapter 260, F.S., does not contain any enforceable policies for federal consistency purposes. State tourism and outdoor recreation areas owned and operated by the State would not be affected. Sweetbay Natural Area and Loxahatchee Slough Natural Area are not state properties and are not included in the most recent Statewide Comprehensive Outdoor Recreation Plan published in 2019 under Section 375. ³
Chapter 267 <i>Historical Resources</i> addresses management and preservation of the State's archaeological and historical resources.	Consistent The Proposed Project will not affect any historic properties that are eligible or potentially eligible for listing on the NRHP as historic districts or individual structures. The Proposed Project will not adversely affect any archaeological resources that are eligible or potentially eligible for listing on the NRHP.
Chapter 288 <i>Commercial Development and Capital Improvements</i> provides the framework for promoting and developing the general business, trade, and tourism components of the State's economy.	Consistent The Proposed Project would not impact the promotion of natural, coastal, historical, or cultural tourism assets of the state. The Proposed Project is anticipated to have positive impacts on local growth and economic development.

¹ Florida Department of Environmental Protection, Office of Environmental Services. *2023 Florida Forever Priority List*. <https://floridadep.gov/sites/default/files/2023%20BOT%20approved%20Florida%20Forever%20Priority%20List.pdf>. Accessed on June 2, 2023.

² Florida Department of Environmental Protection, Office of Greenways and Trails. *Designations*. <https://floridadep.gov/sites/default/files/Designation%20Listing%20Alphabetically%20by%20Name%20for%20Web.pdf>. Accessed on June 2, 2023.

³ Florida Department of Environmental Protection, Division of Recreation and Parks. *2019 Statewide Comprehensive Outdoor Recreation Plan*. July 24, 2019.

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<p>Chapter 334 <i>Transportation Administration</i> addresses the state's policy concerning transportation administration and establishes the responsibilities of the state, counties, and municipalities to assure the development of an integrated, balanced statewide transportation system.</p> <p>Chapter 339 <i>Transportation Finance and Planning</i> addresses the finance and planning needs of the state's transportation system.</p>	<p>Consistent</p> <p>The Proposed Project would not have an effect on the state's policy concerning transportation administration. In addition, the Proposed Project will be developed in accordance with other transportation projects planned for the area.</p> <p>The Proposed Project would not affect the finance and planning needs of the state's transportation system.</p>
<p>Chapter 373 <i>Water Resources</i> addresses sustainable water management; conservation of surface and ground waters; preservation of natural resources, fish, and wildlife; protection of public land; and promotion of health and welfare of Floridians.</p> <p>Chapter 376 <i>Pollution Discharge Prevention and Removal</i> regulates transfer, storage, and transportation of pollutants, and cleanup of pollutant discharges.</p>	<p>Consistent</p> <p>The Proposed Project could result in approximately 25.55 acres of direct impacts and 28.12 acres of indirect impacts to wetlands (e.g., exotic wetland hardwoods, wetland scrub, freshwater marsh, and wet prairie). Direct and indirect impacts include areas within the Airport boundary as well as the Loxahatchee Slough and Sweetbay Natural Areas. Wetlands indirectly impacted would remain post-project and be available for wildlife use. However, wetlands that may be directly impacted would be lost and mitigated by PBC DOA. An Environmental Resource Permit would be required from SFWMD to address wetland impacts and mitigation.</p> <p>All construction activities, whether identified as part of this Proposed Project or associated with future development actions, would require the use of spill prevention plans and Stormwater Pollution Prevention Plans.</p>
<p>Chapter 377 <i>Energy Resources</i> addresses the regulation, planning, and development of energy resources of the state.</p>	<p>Not Applicable</p> <p>The Proposed Project does not involve the exploration, drilling, or production of gas, oil, or petroleum products.</p>
<p>Chapter 379 <i>Fish and Wildlife Conservation</i> provides the framework for the management and protection of the state of Florida's wide diversity of fish and wildlife resources.</p>	<p>Consistent</p> <p>The Proposed Project would not impact the conservation, preservation, or management of the state's fish and wildlife resources. Consultation with USFWS concluded that the proposed action is "not likely to adversely affect" any federally listed species or designated critical habitat protected by the Endangered Species Act of 1973. This was signed by the Florida Ecological Services Field Office on February 9, 2023.</p>
<p>Chapter 380 <i>Land and Water Management</i> establishes land and water management policies to guide and coordinate local decisions relating to growth and development, including the establishment of the Areas of Critical State Concern, Florida Communities Trust, and the Florida Coastal Management Program.</p>	<p>Not Applicable</p> <p>The Proposed Project would not affect development of state lands, change coastal infrastructure, or use state funds for infrastructure planning, designing, or construction.</p>
<p>Chapter 381 <i>Public Health: General Provisions</i> establishes public policy concerning the state's public health system.</p>	<p>Not Applicable</p> <p>The Proposed Project would not impact the state's public health system.</p>
<p>Chapter 388 <i>Mosquito Control</i> addresses mosquito control efforts in the state.</p>	<p>Not Applicable</p> <p>The Proposed Project would not affect mosquito control efforts.</p>

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Chapter 403 <i>Environmental Control</i> provides wide-ranging authority to address various environmental control concerns including air and water pollution, electrical power plant and transmission line siting, the Interstate Environmental Control Compact, resource recovery and management, solid and hazardous waste management, drinking water protection, pollution prevention, ecosystem management, and natural gas transmission pipeline siting.	Consistent The Proposed Project would comply with all state regulations regarding air quality, water quality, solid and hazardous waste management, pollution prevention, and ecosystem management. No adverse impacts are expected as a result of the Proposed Project.
Chapter 553 <i>Building and Construction Standards</i> addresses building construction standards and provides for a unified Florida Building Code.	Consistent All buildings associated with the Proposed Project will be designed and constructed in accordance with relevant FAA and Florida Building Codes.
Chapter 582 <i>Soil and Water Conservation</i> provides for the control and prevention of soil erosion, prevention of floodwater and sediment damages, and further conservation, development, and use of soil and water resources.	Consistent All development as part of this Proposed Project would require the incorporation of best management practices that mitigate the loss or transport of soil or other floodwater damages.
Chapter 597 <i>Aquaculture</i> establishes public policy concerning the cultivation of aquatic organisms in the state.	Not Applicable The Proposed Project would not impact the cultivation of aquatic organisms.

SOURCE: FDEP Florida Coastal Management Program Guide: A Guide to the Federally Approved Florida Coastal Management Program, Updated September 7th, 2018.; FDEP 2020 24 Florida Statutes of the Florida Coastal Management Program, <<https://floridadep.gov/fco/fcmp/content/24-florida-statutes-florida-coastal-management-program>>, Accessed July 2020.

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