

Planning for Community Resilience in Satellite Beach: Laying the Groundwork

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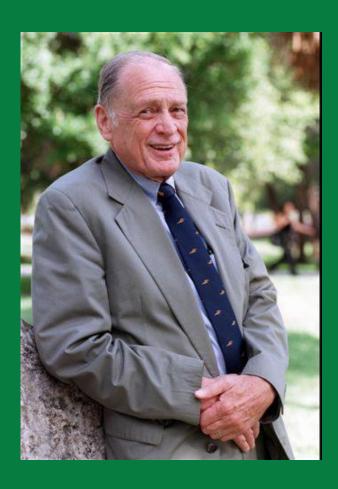
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- We work to save special places and build better communities.
- We educate, advocate and negotiate to protect Florida's high quality of life.
- Our bipartisan board of directors includes advocates and experts from across the state.
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Dr. John M. DeGrove Webinar Series



- May 4, 1924 April 13, 2012
- Icon of comprehensive planning both in Florida and across the nation
- One of the founders of 1000 Friends of Florida
- First Secretary of the Florida Department of Community Affairs
- His accomplishments recognized with the John M. DeGrove Eminent Scholar Chair in Growth Management and Development at Florida Atlantic University
- To find out more, please visit:



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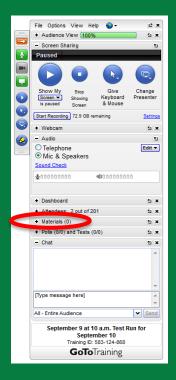
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The PowerPoint is available at www.1000friendsofflorida.org







This webinar has been approved for:

- 1.5 AICP CM Credits for planners (#9138850)
- 1 CEC for Certified Floodplain Managers
- 2 CLE for Florida attorneys (1708850N- Intermediate)
- .125 CEUs for Florida Environmental Health Professionals.

There is a link to a **BRIEF SURVEY** in the follow-up email you will receive. Please take a few minutes to give us feedback!



Spring 2017 DeGrove Webinars

Each has been approved for professional certification credits for Planners (AICP CM) and Certified Floodplain Managers. 1000 Friends has applied for credits for Florida attorneys (CLE) and Florida Environmental Health Professionals but cannot guarantee they will be offered.

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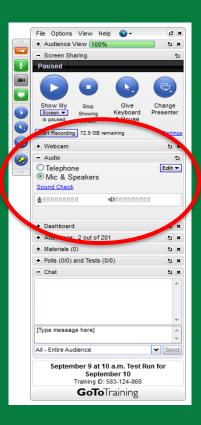
- February 21, 2018 NOTE TIME: 2:00 3:30 p.m. -- Planning for Community Resilience in Satellite Beach: Stormwater Infrastructure and LDRs
- March 21, 2018, Noon to 1:30 p.m. -- 2018 Florida Legislative Wrap Up

to find out more!



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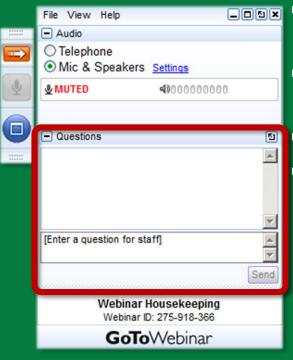




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- Please click on "+" sign and type any questions in this box
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 - Please keep your questions succinct!
 - Staff will ask the presenters questions, as time permits



Check out our Legislative Webpage!



Available at:

www.1000friendsofflorida.org/2018-floridalegislative-session-custom/

This site is:

- Updated weekly (or more often as needed)
- Includes Growth Management,
 Transportation and Conservation Legislation
- Includes links to the bills



Presenters



Ken Lindeman, Ph.D.



- Professor, Sustainability Program Chair, Florida Institute of Technology.
- With diverse partners, his group uses emerging science and policy tools to advance the sustainable management of coastal systems.
- The Northern Caribbean and Southeast U.S. are the primary focus of 70 publications in over 20 differing science and policy journals, and two books (Smithsonian Institution Press and Duke University Press).
- Resident of four counties and seven cities on East Florida's coast.
- Employment includes NOAA, University of Miami, several non-profits. PI, Co-PI, 25 applied research or policy grants. Ph.D., University of Miami, Rosenstiel School of Marine and Atmospheric Sciences.

Tara McCue, AICP



- Director of Planning and Community Development at the East Central Florida Regional Planning Council
- Has worked for the past 14 years on a variety of regional and local projects across sectors aimed at creating healthy, resilient and sustainable communities.
- In 2003 she managed the U.S EPA sea level rise project for Volusia and Brevard County, one of the first studies examining sea level rise in the region.
- Since then, she and the RPC have been working with agencies, departments and jurisdictions in Volusia and Brevard Counties, as well as universities and other federal, state and regional agencies and stakeholders to further coastal resiliency in East Central Florida.
- Co-authored two white papers examining land use impacts to rising sea level.
- B.S. in Marine Biology from UNCW and Masters in Environmental Resource Management from Florida Institute of Technology.



Thomas Rupert, Coastal Planning Specialist



- Coastal Planning Specialist at the Florida Sea Grant College Program
- A licensed attorney developing legal and policy analysis for local governments on aspects of adaptive planning for sea-level rise, community resilience, and associated long-term challenges and opportunities for Florida's coastal communities
- Areas of expertise include federal and state property rights law, beach and coastal policy in Florida, flood insurance, Florida's Coastal Construction Control Line program, planning law, and coastal and marine permitting programs
- Has worked with over a dozen partners to organize and host legal workshops on coastal issues and flood insurance around the state
- Currently involved with several initiatives within Florida communities planning for sea-level rise
- Maintains a website of original resources at

www.flseagrant.org/climatechange/coas



Planning for Community Resilience in Satellite Beach, Florida

Ken Lindeman, Ph.D.
Professor, Sustainability Program Chair
Department of Education & Interdisciplinary Studies
Florida Institute of Technology

Planning for Community Resilience in Satellite Beach, Florida

Ken Lindeman, Professor, Sustainability Program Chair Department of Education & Interdisciplinary Studies Florida Institute of Technology





Regional Coastal Overview

Regional setting

Climate science trends. Hurricanes.

Satellite Beach Land Use Board and AAAs

Land use board (CPAB) and Sea Level Rise SubCommittee Adaptation Action Areas

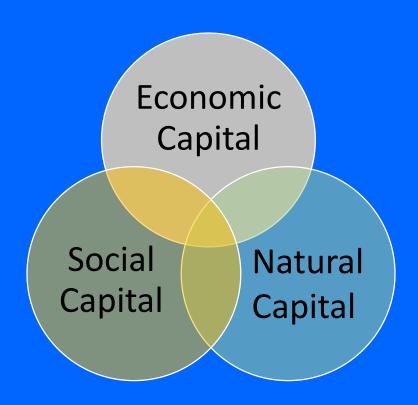
Summary & Resources

Selected take-aways for barrier island city planning Resource overview

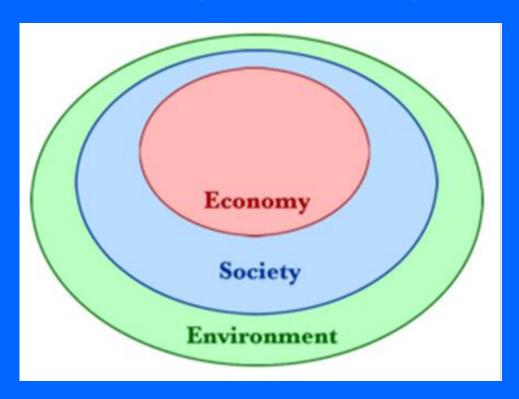


- Florida is a flat, highly exposed marine peninsula, projecting into the northwest Caribbean.
- The limestone bedrock of much of the state is permeable to water.
 - Mixture of tropical and temperate biodiversity and weather.

The Three Capitals capital = assets, resources



The *Three Capitals*Have deeper relationships



Scales

Macro, Regional





Mims Titusville
Bithlo 50
Port St. John

Cocoa Merritt Island
Cocoa Beach

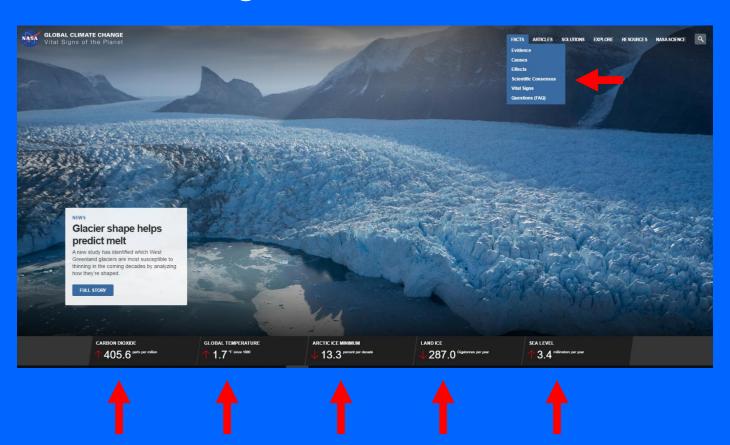
South Patrick Shores Satellite Beach
West Melbourne Melbourne

441
Palm Bay

Kenansville Grant Micco
Sebastian

Meso, County, city

climate.nasa.gov



NASA Climate: Positions by Leading U.S. Scientific Societies

Statement on climate change from 18 scientific associations

"Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver." (2009)²



American Association for the Advancement of Science

"The scientific evidence is clear: global climate change caused by human activities is occurring now, and it is a growing threat to society." (2006)³



American Chemical Society

"Comprehensive scientific assessments of our current and potential future climates clearly indicate that climate change is real, largely attributable to emissions from human activities, and potentially a very serious problem." (2004)



American Geophysical Union

"Human-induced climate change requires urgent action. Humanity is the major influence on the global climate change observed over the past 50 years. Rapid societal responses can signific arity lessen negative outcomes." (Adopted 2003, revised and reaffirmed 2007, 2012, 2013) ⁵



American Medical Association

"Our AMA ... supports the findings of the Intergovernmental Panel on Climate Change's fourth assessment report and concurs with the scientific consensus that the Earth is undergoing adverse global climate change and that anthropogenic contributions are significant." (2013)



American Meteorological Society

"It is clear from extensive scientific evidence that the dominant cause of the rapid change in climate of the past half century is human-induced increases in the amount of atmospheric greenhouse gases, including carbon dioxide (CCO₂, chlorofluorocarbons, methane, and nitrous oxide." (2012)⁷



American Physical Society

"The evidence is incontrovertible: Global warming is occurring. If no mitigating actions are taken, significant disruptions in the Earth's physical and ecological systems, social systems, security and human health are likely to occur. We must reduce emissions of greenhouse gases beginning now." (2007)



The Geological Society of America

"The Geological Society of America (GSA) concurs with assessments by the National Academiles of Science (2005), the National Research Council (2006), and the Intergovernmental Panel on Climate Change (IPCC, 2007) that global climate has warmed and that human activities (mainly greenhouse-gas emissions) account for most of the warming since the middle 1900s." (2006; revised 2010)

SCIENCE ACADEMIES

International academies: Joint statement

"Climate change is real. There will always be uncertainty in understanding a system as complex as the world's climate. However there is now strong evidence that significant global warming is occurring. The evidence comes from direct measurements of rising surface air temperatures and subsurface ocean temperatures and from phenomena such as increases in average global sea levels, retreating glaciers, and changes to many physical and biological systems. It is likely that most of the warming in recent decades can be attributed to human activities (IPCC 2001)."

(2005, 11 international science academies)



U.S. National Academy of Sciences

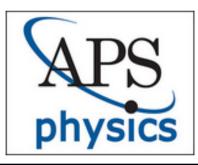
"The scientific understanding of climate change is now sufficiently clear to justify taking steps to reduce the amount of greenhouse gases in the atmosphere." (2005)

climate.nasa.go v/scientificconsensus/



American Association for the Advancement of Science

"The scientific evidence is clear: global climate change caused by human activities is occurring now, and it is a growing threat to society." (2006)³ AAAS Since 1848, > 100,000 members



American Physical Society

"The evidence is incontrovertible: Global warming is occurring. If no mitigating actions are taken, significant disruptions in the Earth's physical and ecological systems, social systems, security and human health are likely to occur. We must reduce emissions of greenhouse gases beginning now." (2007)⁸

APS

Since 1899, > 50,000 members



American Geophysical Union

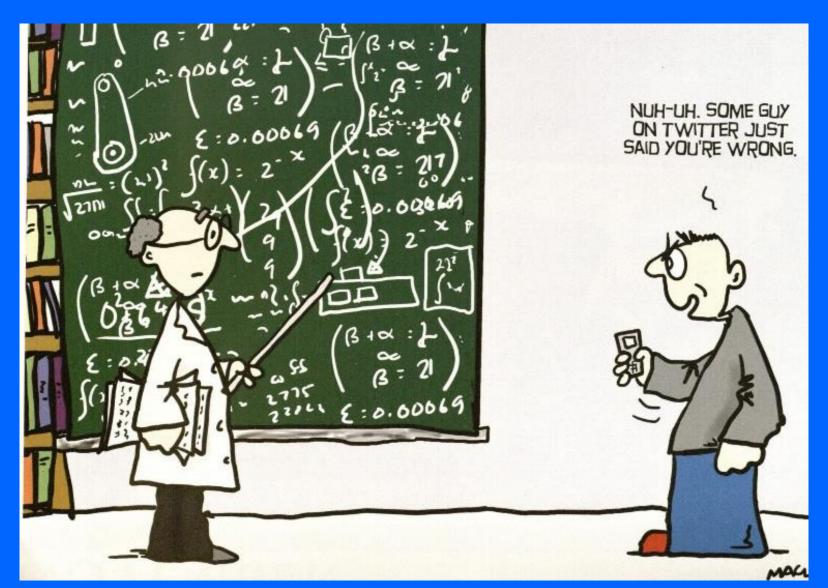
"Human-induced climate change requires urgent action.

Humanity is the major influence on the global climate change observed over the past 50 years. Rapid societal responses can significantly lessen negative outcomes." (Adopted 2003, revised and reaffirmed 2007, 2012, 2013) ⁵

AGU Since 1919, > 60,000 members

Many, many other science orgs...

100s of specific sciences represented by these societies

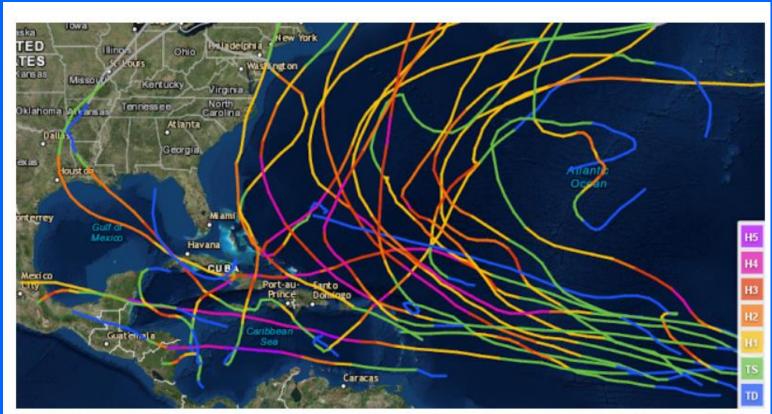


www.skepticalscience.com

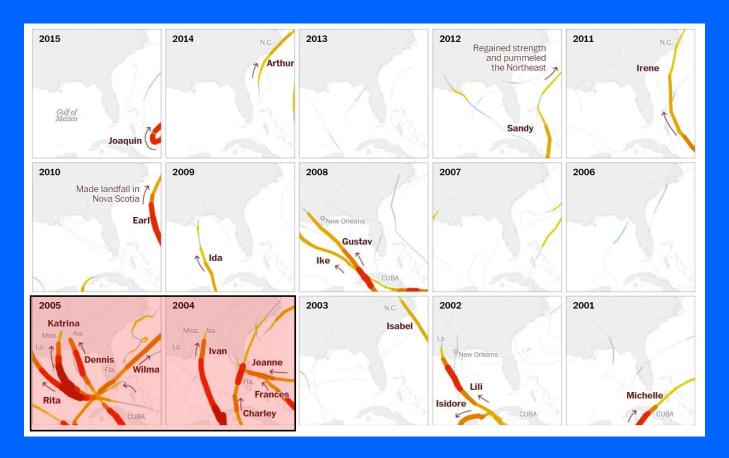
- In terms of countries globally, Florida has the 17th largest economy as of 2017. **Top 5% of GDP of all countries...**
- Florida' land development economy and related interests comprises one of the larger economic mega-systems on the planet.
- With the recovery of the economy in the last years, consider the speed with which remaining open coastal land is being built out. Examples across many coastal cities, 2017-2018.



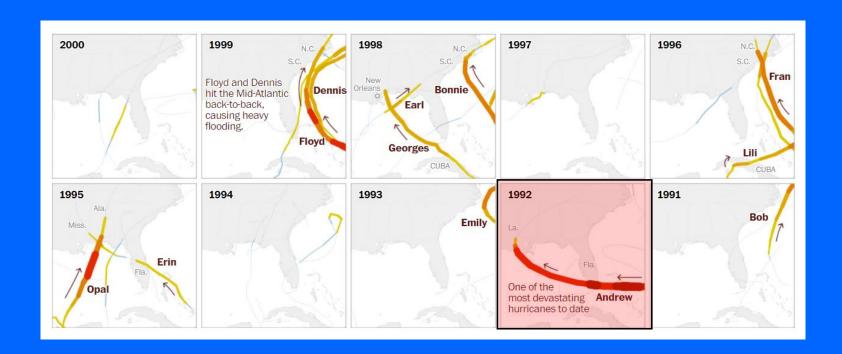
Dec 2017 – Jan 2018, most of the last available oceanfront lands between Indialantic and Satellite Beach have multi-story condos in construction.



Tracks of 27 of the 29 major hurricanes that have been observed in the Atlantic since Hurricane Wilma. Gaston and Matthew from 2016 are not shown.



2016 - Hurricane Matthew, Cat 3 2017 - Hurricane Irma, Cat 3



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Land use board (CPAB) and Sea Level Rise SubCommittee Adaptation Action Areas

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Satellite Beach Actions Involving Adaptation/Resilience From T. McCue, next presentation Underline = focus of this talk

2009-2010

- Satellite Beach Climate Ready Estuaries Pilot Project
- Sea Level Rise Subcommittee of CPAB

2011

- Florida DEO Community Resiliency Initiative Begins
- State Adopts Community Planning Act with Adaptation Action Area Language

2013

• Initial Adaptation Action Area and Sea Level Rise Policy Adopted

2014-2015 • FDEP Coastal Partnership Community Resiliency Grant

2016-2018

- Adoption of AAA policies including scenarios
- Florida Sea Grant Project

Citizen Land Use Board and Sea Level Discussions, Satellite Beach, 2009-1013

(Until Jan 2017, land use issues within the Comprehensive Plan were managed by a citizen advisory board, the CPAB: Comprehensive Planning Advisory Board.)

- 2009 grant from the EPA Climate Ready Estuary Program through IRL NEP to City with Dr. R. Parkinson, Space Coast Climate Change Initiative, & T. McCue, ECFPRC.
- 2009: The CPAB created an internal Sea Level Rise Subcommittee.
- SLR Subcommittee met approx. six times from late 2009 through 2010. Input to CPAB in mid-late 2010 included extensive editing of comp plan language.
- Between 2009-13, the CPAB met approx. 19 times, with approx. 12 votes involving the Coastal Element of the city's Comprehensive Land Use Plan.

Adaptation Action Areas through 2013 adoption of Comp Plan language

- AAAs are present in minutes from Jan 2012 CPAB mtg on multiple Comp Plan revisions, incl 9-1 vote for document that included AAA language.
- Feb 2012, CPAB Mtg: voted 8-0 to send to Council. No City Council action.
- Jan 2013, CPAB Mtg: With a new council in place and working with John Fergus and others, I proposed final AAA text as part of amendments to the comp plan.
- Mar. 2013: The new Council approved the language and sent to DEO, who processed in 2-3 months
- AAAs with DEP review adopted in amended Coastal Element of the City Comprehensive Plan by the City Council by 4-1 votes: Aug 7, 2013.

Satellite Beach Comprehensive Plan: Primary AAA language

Coastal Mgmt/Conservation: Policy 1.12A.1

The City of Satellite Beach designates the Coastal High Hazard Area as "the area defined by the SLOSH model to be inundated from a Category 1 Hurricane".

Coastal Mgmt/Conservation: Policy 1.12A.2

The City of Satellite Beach designates the Adaptation Action Area (AAA) as that area which includes the CHHA and other areas of the City as may be identified by the City Council in the future as being subject to coastal erosion, flooding, sea level rise, or damage to environmental systems.

Satellite Beach Comprehensive Plan: Primary AAA language (cont.)

Coastal Mgmt/Conservation: Policy 1.4A.1

The City shall initiate a public process to identify Adaptation Action Areas (AAAs) in accordance with Sections 163.3164(1) and 163.3177(6)(g)10 Florida Statutes. The purpose of the AAAs is to increase grant and other funding opportunities and identify creative solutions to achieve the following goals:

- Protect the health, safety and welfare of residents,
- Prevent damage to public and private property, and
- Reduce National Flood Insurance Program premiums to property owners.

Information for Citizens

Information on AAAs

FL State Dept. of Economic Opportunity

www.floridajobs.org/community-planning-and-development/programs/technical-assistance/community-resiliency/adaptation-planning

Adaptation Resources include

Climate Adaptation Knowledge Exchange: http://www.cakex.org/

Georgetown Adaptation Clearinghouse:

http://www.georgetownclimate.org/adaptation/clearinghouse

Virtual Climate Adaptation Library: http://research.fit.edu/sealevelriselibrary/

NOAA's Digital Coast; http://www.csc.noaa.gov/digitalcoast/

SE Florida Regional Climate Compact: http://southeastfloridaclimatecompact.org/

Climate Science includes (much is for non-scientists)

NASA Climate: http://climate.nasa.gov/

American Geophysical Union:

http://www.agu.org/sci_pol/pdf/position_statements/AGU_Climate_Statement_new.pdf

Skeptical Science: http://www.skepticalscience.com/





¿QUÉ ES PLANEAMIENTO COSTERO ADAPTATIVO?

El PCA utiliza herramientas de manejo para desarrollar planes a largo plazo y mejorar la resiliencia.

El PCA esu proceso flexible donde los culudadanos y las agencias:

Evalúan la vulnerabilidad del cambio

costero
Planean e implementan respuestas
Modifican de acuerdo a resultados

Planear es fundamental para el manejo de riesgo en sistemas de cambio rápido como las líneas costeras, puesto que éstas son las áreas más dinámicas de la tonitoreary refinar COSTERO ADAPTATIVO

Ayuda a conectar los puntos para preparar las

Implementar revisar revisar adaptativas adaptativas

UN BUEN GOBIERNO ES PROACTIVO: PLANEAMIENTO COSTERO ADAPTATIVO

Continuing CPAB and AAA activities after 2013 include

Nov. 2015: Community Resiliency Comp Plan Amendments

Jan 2016: Community Resiliency Comp Plan Amendments

The separate Metroquest Project described by Tara in the next presentation, coupled with discussion in the above CPAB meetings, identified two fundamental categories of AAAs: a) Inland Flooding, and b) Erosional.

Work to further develop city AAA applications is covered by subsequent talks.

May 2017: CPAB merged with old Planning and Zoning Board to create one new Planning Advisory Board. Comp Plan issues are now handled by the PAB.

Regional Coastal Overview

Regional setting

Climate science trends. Hurricanes.

Satellite Beach Land Use Board and AAAs

Land use board (CPAB) and Sea Level Rise SubCommittee Adaptation Action Areas

Summary & Resources

Selected take-aways for barrier island city planning Resource overview______

Land Use and Other Citizen Boards: Climate Resilience Needs

- Committed Council majority is essential (no movement w/o)
- Committed staff are essential
- Committed citizens are essential (15 citizens on CPAB, 2009-13)
- Start-up & follow-up grants with partners: extremely valuable...
- Political timing is critical... many examples, even in small towns
- New emergence events can occur, e.g., City Sustainability Brd
- The new Sust. Brd then produced the region's first sustainability plan for a barrier island city.

Coastal Construction Control Line (CCCL)

There are still germane issues from a comprehensive CCCL review (Ruppert (2008) that have not been addressed. Examples include:

- The CCCL and its regulations do not take sea level rise into account.
- Requiring easements when permitting seawalls is not routine. This tool ensures the public will have later access across permitted seawalls where the public has established an easement by custom to use the beach.
- Other issues as detailed in the summary of Ruppert (2008)

Ruppert, T.K., 2008. Eroding long-term prospects for Florida's beaches: Florida's coastal construction control line program. Sea Grant L. & Policy J., 1, p.65.

Many resources available to aid local government climate adaptation and resilience planning







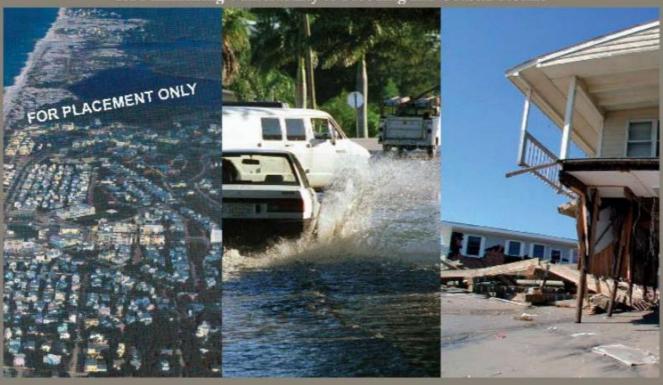
Resources include

- South Florida Climate Change Compact
- Local Governments for Sustainability (ICLEI)
- 100 Resilient Cities
- NOAA Digital Coasts
- APA and FL state chapter
- Environ. Land Use & Law Section, Fl. Bar
- Regional Planning Councils
- National Estuary Program Offices
- Water Management Districts
- · DEP: DEO and others

- Leagues of Cities per county
- The Counties and Cities themselves
- The nonprofits (e.g. Climate Central, Surging Seas)
- Multiple sectors of the Business Community
- Climate Adaptation Knowledge Exchange
- Adaptation Clearinghouse, Georgetown
- Virtual Climate Adaptation Library, F.I.T.
- Natural Capital Project
- And multiple other resources

PROTECTING FLORIDA'S COMMUNITIES

Land Use Planning Strategies and Best Development Practices for Minimizing Vulnerability to Flooding and Coastal Storms



FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING and DIVISION OF EMERGENCY MANAGEMENT

DCA, 2005

Florida Department of Community Affairs

Thaddeus L. Cohen, AIA, Secretary

Valerie J. Hubbard, AICP, Director Division of Community Planning

Craig Fugate, Director Division of Emergency Management

The Florida Department of Community Affairs wishes to express its appreciation to the following individuals:

Timothy Cannon Florida Department of Community Affairs Division of Community Planning Project Manager

Maria Abadal Cahill Florida Department of Community Affairs Division of Community Planning Project Advisor

Henry Erikson Florida Department of Community Affairs Division of Emergency Management Project Advisor

Dr. Robert E. Deyle Florida State University Department of Urban and Regional Planning Florida Planning and Development Lab Author and Editor

URS Corporation Planning and Risk Management Services Urban and Regional Planning Group

Julie Redmon Planning Intern Florida Department of Community Affairs Division of Community Planning

Zachary Galloway Research Assistant Florida State University Department of Urban and Regional Planning

Advisory Committee

The following Advisory Committee members who dedicated their time to this effort provided direction for development of this guidebook:

Helene Wetherington, AICP Assistant Director Palm Beach County Division of Emergency Management

Pat Blackshear, AICP Director

Okaloosa County Department of Growth Management

Mr. Frank Reddish Emergency Management Coordinator Miami-Dade Office of Emergency Management

Eugene P. Henry, AICP Hazard Mitigation Planner Hillsborough County Department of Planning and Growth Management Hazard Mitigation Section

Lincoln N. Walther, AICP Senior Urban & Regional Planner Continental Shelf Associates, Inc. Representing the Florida Chapter, American Planning Association

Craig Diamond Supervisor, Environmental Planning Tallahassee-Leon County Planning Department

as Vice-President, Section Affairs

R. Samuel Winningham Federal Emergency Management Agency, Region IV

The Florida Department of Community Affairs also wishes to express its appreciation to the Urban Land Institute.

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John L. Knott, Jr., President, The Noisette Company, LLC, Panel Chair

James Durrett, Executive Director, ULI Atlanta, Panel Member

Diana Gonzalez, DMG Consulting Services, Inc., Panel Member

David Tillis, Vice President, The St. Joe Company, Panel Member

Megan Welsch, Associate, ULI Advisory Services, Project Director

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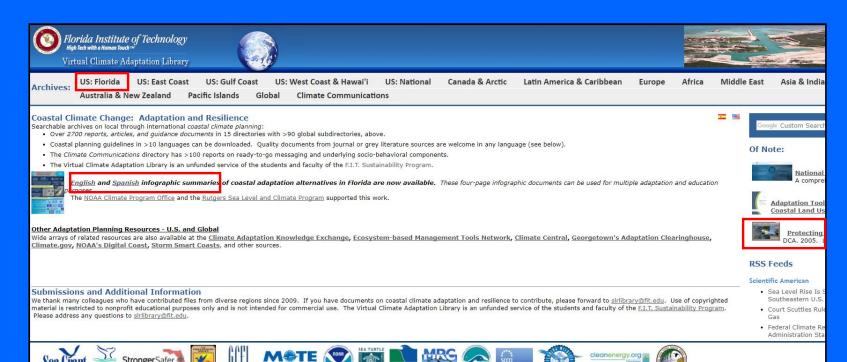
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For additional copies of this guidebook, please contact: Division of Community Planning, Publications, Florida Department of Community Attalins, 2555 Shumard Clak Boulevard, Tallahassee, Florida 32399-2100, (850)487-4545.

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Sect. 2.4
Many
other
valuable
sections

Florida Tech Virtual Climate Adaptation Library (just search *sealevelriselibrary*) Over 170 reports on climate adaptation & resilience just for Florida – by region



Thank you:

All CPAB members.

City of Satellite Beach staff, including C. Barker, M. Crotty, L. Olexa, J. Finch, and others.

Dr. John Fergus has been on this before, during, and after.

The elected officials we worked with in and outside of SB.

Dr. R. Parkinson, T. McCue, T. Ruppert and other technical experts.

A. Otto, Z. Eichholz, A. Miller, and other Florida Tech students.



lindeman@fit.edu

www.fit.edu/sustainability

Community Based Planning for Coastal Resiliency

Tara McCue, AICP
Director of Planning and Community Development
East Central Florida Regional Planning Council

City of Satellite Beach Community Based Planning for Coastal Resiliency





1000 Friends of Florida January 24, 2018

Tara McCue, AICP
Director of Planning and Community Development
East Central Florida Regional Planning Council



The Long Road of Resiliency

2009-2010

- Satellite Beach Climate Ready Estuaries Pilot Project
- Sea Level Rise Subcommittee of CPAB

2011

- Florida DEO Community Resiliency Initiative Begins
- State Adopts Community Planning Act with Adaptation Action Area Language

2013

Initial Adaptation Action Area and Sea Level Rise Policy Adopted

2014 -2015 FDEP Coastal Partnership Community Resiliency Grant

2016-2018

- Adoption of AAA policies including scenario
- Sea Grant Project



Creating a Resilient Community Project Overview

 Florida Department of Protection Grant Program – Coastal Partnership Initiative

Project Goals

- Identify "other areas of the City" and/or criteria for Adaptation Action Areas as per Comprehensive Plan.
- Set the foundation to bring in Adaptation Action Areas to the community and the City Council as a tool for improving community resilience.
- Engage the public to help develop strategies and priorities for the City to implement and address.





PROJECT LEAD TEAM

- City of Satellite Beach
- East Central Florida Regional Planning Council
- Brevard County
- Florida Institute of Technology
- Florida Department of Economic Opportunity
- UF Florida Sea Grant

TECHNICAL ADVISORY TEAM

- City of Satellite Beach
- East Central Florida Regional Planning Council
- Brevard County
- Volusia County
- Florida Institute of Technology
- Florida Department of Economic Opportunity
- UF Florida Sea Grant and GeoPlan
- Space Coast TPO
- River to Sea TPO
- FDOT
- NOAA Melbourne Office
- Environmental Remediation
- USACE
- Coastal Tech



First Public Workshop

- September 23, 2014
- Over 60 attendees



- Speakers from Florida Sea Grant, City of Ft. Lauderdale, City Emergency Management Director
- Public Engagement Activities and Discussion



- Public input on vulnerability concerns, strategies and opportunities
 - "When you think about the environmental, social and economic aspects of the City, what are the biggest **opportunities** over the next 50 years?"
 - "When you think about the environmental, social and economic aspects of the City, what are the biggest **challenges** over the next 50 years?"
 - "What approaches would you like the City to take to address the opportunities and challenges identified in the previous questions?"
 - Map exercise:
 - Vulnerable Areas Vs Valued Areas



Results of Public Workshop

- Opportunities:
 - Do Nothing at all
 - Clean up the Lagoon
 - Move utilities underground/lighting
 - Grow tax base away from high hazard areas
 - Better Beach Restoration Plan
 - Go green

Issues:

- Implementing efficient zoning ordinances
- Cost of living in the City
- Revenue generation
- Belief in Scientific Hoaxes

Strategies:

- Underground utilities
- Address needs of seniors
- Maintain healthy beach and dune system
- Solar energy

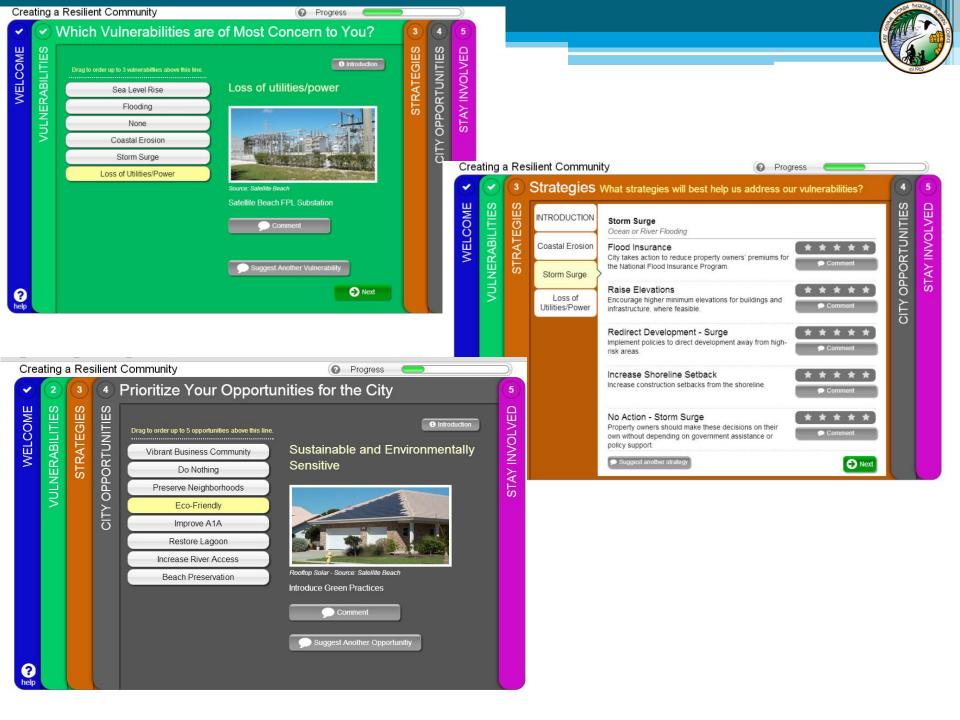
- Get tax base into lower risk areas
- Create more access to the river
- Encourage renewable energy
- Wider pipes

Public Input Survey















- 479 validated City respondents
- 3 months of input
- Events/Community Center





Top 2 strategies with the most support for each Vulnerability

1 - Loss of Power/Utilities:

- 1) Work with utility companies to determine the feasibility of moving pole-mounted utilities underground.
- 2) Move critical utilities (electric trunk line and substation, sewer force main, etc.) to higher ground west of A1A

2 - Coastal Erosion:

- 1) Plant native coastal vegetation such as sea oats
- 2) Implement policies to direct development away from high-risk areas

3 - Storm Surge:

- 1) Increase construction setbacks from the shoreline
- 2) Implement policies to direct development away from high-risk areas.



4 - Flooding:

- 1) Install larger drainage pipes and structures as the system undergoes maintenance and repair.
- 2) This strategy would recognize periodic flood may block access to the roadway, but the roadway would be built to withstand the prolonged exposure to water.

5 - Sea Level Rise:

- 1) Identify areas subject to hazards of sea level rise that would benefit from long term strategies
- 2) Consider sea level rise projections in policies regarding infrastructure, zoning and construction standards

6 - None:

- 1) Plan for only storms (rainfall and hurricanes) and coastal erosion without considering climate change or sea level rise
- 2) None of this is necessary and we should stop all efforts towards planning for a climate resilient community







SEA LEVEL SCENARIO SKETCH PLANNING TOOL

USACE Low, Intermediate and High Projection Rate Curves Planning Horizon: 2040, 2070, 2100

Vulnerability Assessment

- Impacts of
 - Sea Level Rise
 - Storm Surge
 - Flood (FEMA Flood Plain)
 - Coastal Erosion
- On:
 - Financial Exposure
 - Land Use and Building Exposure
 - Critical Facility Exposure
 - Environmental/Ecological Exposure





Source: Critical Erosion Report; FDEP http://www.dep.state.fl.us/beaches/publications/pdf/CriticalErosionReport.p

Satellite Beach, Florida - Storm Surge Zones by Hurricane Categor





Low USACE Projection Rate Curve

- 2040:
 - 9-36 inch inundation using MHHW (Atlantic),
- 2070:
 - 12-39 inch inundation using MHHW (Atlantic),
 - 2100:
 - 14-41 inch inundation using MHHW (Atlantic),

Low Projection Rate Curve - Sea Level Rise





Intermediate USACE **Projection Rate Curve 2040**

- 2040:
 - 11-38 inch inundation using MHHW (Atlantic),
- 2070:
 - 18-45 inch inundation using MHHW (Atlantic),
- 2100:
 - 27-54 inch inundation using MHHW (Atlantic),

Intermediate Projection Rate Curve - Sea Level Rise





High USACE **Projection Rate Curve 2040**

- 2040:
 - 19-46 inch inundation using MHHW (Atlantic),
- 2070:
 - 39-66 inch inundation using MHHW (Atlantic),
- 2100:
 - 66-93 inch inundation using MHHW (Atlantic),





Adaptation Action Area Policies

- Proposed AAA Policies for consideration by the City to move through the public vetting and adoption process
- Policies proposed 2 AAA areas
 - Inland Flooding
 - Erosion
- Areas of Focus
 - Location description
 - How it functions and what its purpose is
 - Review of new data/updates
 - Way out
 - Works to establish process of determining extent of benefits

Resiliency Strategies

- Based upon public input and comments
- Continuation of public input
- Implementation







Open House

- June 9, 2015
- Over 40 attendees
- Breakout Areas for each vulnerability
- Islamorada Team
- Brevard County Coastal Initiatives











From the Bottom Up: Implementing Resiliency at the Local Government Level 2016-2018

 Grant from Sea Grant (Stetson University, Florida Sea Grant, ECFRPC, UF GeoPlan and Deady Law) to conduct detailed flood risk modeling of infrastructure, and consider additional policy and strategy development, and public outreach/ education.







Tara McCue, AICP
Director of Planning and Community Development
East Central Florida Regional Planning Council

tara@ecfrpc.org

www.ecfrpc.org





Working with Local Governments on Resilience and Sea-Level Rise: Satellite Beach

Thomas Ruppert, Coastal Planning Specialist Florida Sea Grant



Governments on Resilience and Sea-Level Rise: Satellite

• www.satellitebeach.org

Thomas Ruppert
Coastal Planning
Specialist

Beach



Overview

- Background
 - Why Florida Sea Grant was seen as a resource
- How Florida Sea Grant has been involved
 - Outlining legal issues and liability
 - Sharing approaches of other communities
 - Assisting in policy innovation & development
- Lessons learned



Why Florida Sea Grant was viewed as a resource

Eroding Long-Term Prospects for Florida's Beaches: Florida's Coastal Management Policy

By

Thomas K. Ruppert, Asst. in Envt'l Law, University of Florida Institute for Food and Agricultural Sciences

and

Levin College of Law Conservation Clinic

Thomas Ankersen, Legal Skills Professor, Director, Levin College of Law Conservation Clinic

Christine Covington, J.D. Candidate, UF College of Law Ryan Feinberg, J.D., UF College of law Yee Huang, J.D., UF College of Law Michael McDonnell, J.D., UF College of Law Andrew Miller, J.D., UF College of Law

August 19, 2008



Full report and appendices available at https://www.la w.ufl.edu/acade mics/dynamichabitataccommodation -the-policyframework-formigrating-<u>shorelines</u>



Legal & Policy Products

Use of Future Interests in Land as a Sea-Level Rise Adaptation Strategy in Florida

This three-page document examines the prospects of using future interests in land for adaptation purposes in Florida. James Titus of the U.S. EPA has advocated for rolling easements for years, and his 2011 primer on the topic extensively

Environmentally Compromised Road Segments—A Model Ordinance

The legal case of Jordan v. St. Johns County, Case No. CA05-694 (Fla. 7th Jud. Cir. May 21, 2009), aff'd in part, rev'd in part by Jordan v. St. Johns County, 63 So. 3d 835, 837 (Fla. 2011), brought into stark relief for local governments in Florida the physical, legal, and financial dangers of coastal hazards. The model ordinance presented here developed from a concern about how erosion, and other coastal hazards being

exacerbated by sea-level r ordinance seeks to provide property rights and access resources may counsel lin

Reasonable Investment-Backed Expectations: Should Notice of Rising Seas Lead to Falling Expectations for Coastal Property Purchaser?

This article, published in Volume 26 of the Journal of Land Use & Environmental Law, delves into the concept of "reasonable, investment-backed expectations in federal takings law. This leads into analysis of the importance of "notice" in evaluation of reasonable, investment-backed expectations. The importance of notice—and issues of fairness and personal responsibility—coalesce to support the idea that local governments could institute notice or disclosure ordinances for coastal hazards. The article cites to examples of disclosure or notice in other contexts and makes recommendations for drafting of a local notice ordinance.



Legal & Policy Products

Drowning in Place: Local Government Costs and Liabilities for Flooding Due to Sea-Level Rise

This article, published in the November 2013 issue of the Florida Bar Journal, discusses the potential legal liabilities and context for local government maintenance and upgrading of drainage system in response to decreasing efficacy of such

The Link Between Future Flood Risk and Comprehensive Planning

Comprehensive planning has formed a key part of community management in Florida for decades. This article traces some recent history as Florida begins to consider climate change and sea-level rise in

comprehensive planning. The article then goes of consideration of sea-level rise, among other floot comprehensive plans. Next the article discusses how the National Flood Insurance Program and level rise, and looks at federal policy initiatives to ikely that whether a local government will be liable of sea-level rise will hinge on the legal determination e to upgrade the drainage system. While the analysis soning and much of the law may be similar in other

governments may use for adapting to sea-level

Sea-Level Rise Adaptation Financing at the Local Level in Florida

Adaptation to sea-level rise is already proving itself an expensive endeavor. The City of Miami Beach has embarked on a project to raise roads and replace gravity-flow drainage systems with pumps and valves—at a cost estimated to reach between \$400 and \$500 million for the multi-year project. How can local governments pay for such expensive infrastructure work? While some funds may come through state or federal government through grants or as part of related projects for infrastructure belonging to state and federal government much of the cost will be borne by local governments. This paper examines some of the





This very short document divides elevation strategy into elevation of land area and elevation of structures and highlights a few of the issues with each, including likely legal stumbling blocks.



proach.

Legal & Policy Products



Questions and Answers About Flood Insurance

Not sure where to start with purchasing flood insurance for your home? This new frequently asked questions guides answers any questions you might have about the National Flood Insurance Program in an easy-to-read format. Visit the following link to learn more: Questions and Answers

About Flood Insurance

Example Sea—Level Rise Language & Case Studies

Adaptation to sea-level rise (SLR) typically begins with a vulnerability assessment, progresses to policy development, and finally moves into implementation. While many communities in the United States and around the world have begun or completed vulnerability analysis, far fewer have developed SLR policies and even fewer have reached the stage of implementing SLR policies. This section, which is currently under development and being further populated as time permits, provides resources and links for examples of SLR policy development and implementation.





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Q

Coastal Planning & Policy Tools

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The Florida Sea Grant Coastal Planning Program supports Florida Sea Grant's mission of using academic research, education and extension to foster a sustainable coastal economy and environment.

The Coastal Planning Program assists and provides resources for local governments addressing coastal hazards through their planning process, including land use planning, hazard mitigation planning, and emergency planning.

Florida's coastlines define Florida for many residents and visitors. Even as Florida's coastal areas offer great beauty and diverse natural habitats, they also present many potential hazards to human development and communities.

This website provides information and resources on coastal hazards for the local government attorneys, land use planners, and coastal managers that address these hazards in their work. The focus here is on sea-level rise and adaptation with additional information on the related hazards of storms and storm surge, coastal flooding, and erosion. Florida Sea Grant is building a cache of resources for local

governments that incorporates both original research and links to resources from other organizations and researchers.

NEW: Florida Trend Report: Reality, Risk and Rising Seas

Florida Sea Grant is at the leading edge of actionable research to improve the





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SEA-LEVEL RISE AND **FLOODING: PLANNING & LAW** FOR LOCAL GOVERNMENTS















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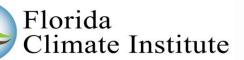


Sustainability















Professional Credits

Registration includes professional credits:

- 5 CMs for AICP planners (estimated)
- 5.5 CECs for Floodplain Managers
- 7 CLEs for attorneys
- 0.7 CEUs (7 PDH credits) for engineers (estimated)

How Florida Sea Grant has been involved



Adaptation Action Areas

- New, permissive legislation in 2011
- Work with partners
 - Satellite Beach (CPAB, Lindeman, Fergus, etc.)
 - ECFPRC
- Review and provide input
 - Encourage focus on flood insurance and long-term financial viability



Satellite Beach

Objective 1.4A The City shall strive to reduce the exposure of human life and public and private property to natural hazards while reducing the cost of flood insurance.

Policy 1.4A.1 - The City shall initiate a public process to identify Adaptation Action Areas (AAAs) in accordance with Sections 163.3164(1) and 163.3177(6)(g)10 Florida Statutes. The purpose of the AAAs is to increase grant and other funding opportunities and identify creative solutions to achieve the following goals: • Protect the health, safety and welfare of residents, • Prevent damage to public and private property, and • Reduce National Flood Insurance Program premiums to property owners.

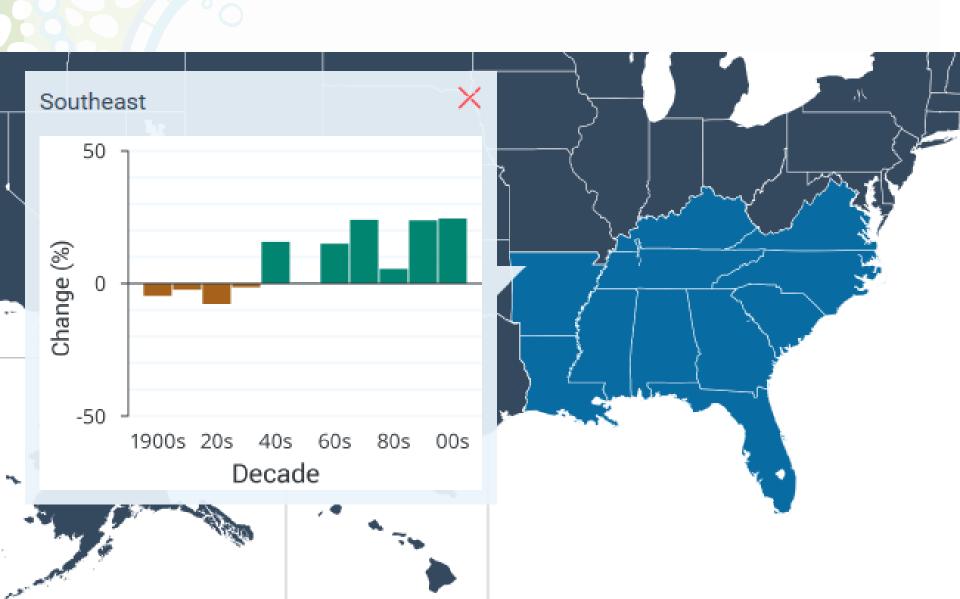




Sept. 23, 2014



Increasing heavy rainfall events





NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION UNITED STATES DEPARTMENT OF COMMERCE



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Media Contact

- » Ben Sherman, NOAA, 301-713-3066
- >> Linda Austin. NOAA CO-OPS. 301-713-2981 ext.126,

301-802-9710 (cell)

S F Like

NOAA: 'Nuisance flooding' an increasing problem as coastal sea levels rise

Study looks at more than 60 years of coastal water level and local elevation data changes

July 28, 2014

Eight of the top 10 U.S. cities that have seen an increase in so-called "nuisance flooding"--which causes such public inconveniences as frequent road closures, overwhelmed storm drains and compromised infrastructure--are on the East Coast, according to a new NOAA technical report.

This nuisance flooding, caused by rising sea levels, has increased on all three U.S. coasts. between 300 and 925 percent since the 1960s.

The report, Sea Level Rise and Nuisance Flood Frequency Changes around the United States, also finds Annapolis and Baltimore, Maryland, lead the list with an increase in number of flood days of more than 920 percent since 1960. Port



Annapolis, Maryland, pictured here in 2012, saw the greatest increase in nuisance flooding in a recent NOAA study. (Credit: With permission from Amy McGovern.)

Isabel, Texas, along the Gulf coast, showed an increase of 547 percent, and nuisance flood days in San Francisco, California increased 364 percent.

Achieving resilience requires understanding environmental threats and vulnerabilities to combat issues like"

Liability Takes Many Forms

- Potential liability for permitting risky dev.
- Liability if local gov't causes flooding
 - Tort (civil damages) or "taking" of property (Drake v. Walton County, 6 So. 3d 717, 720-21 (1st DCA 2009))
 - Can be due to development approval
- Liability for infrastructure & maintenance costs of infrastructure in at-risk areas
- Increased costs for flood insurance

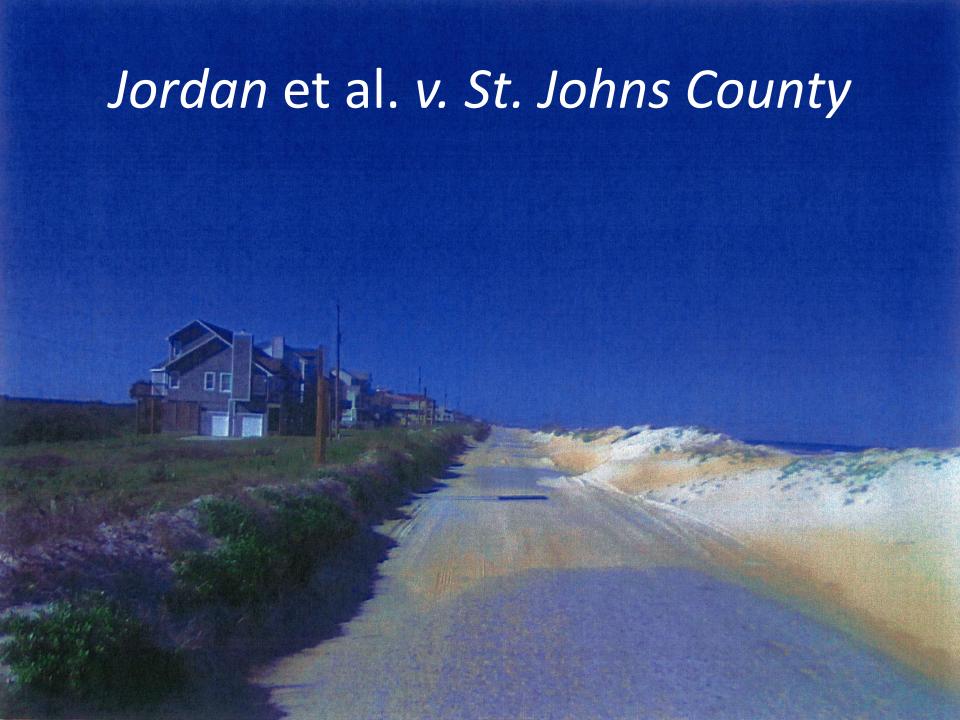


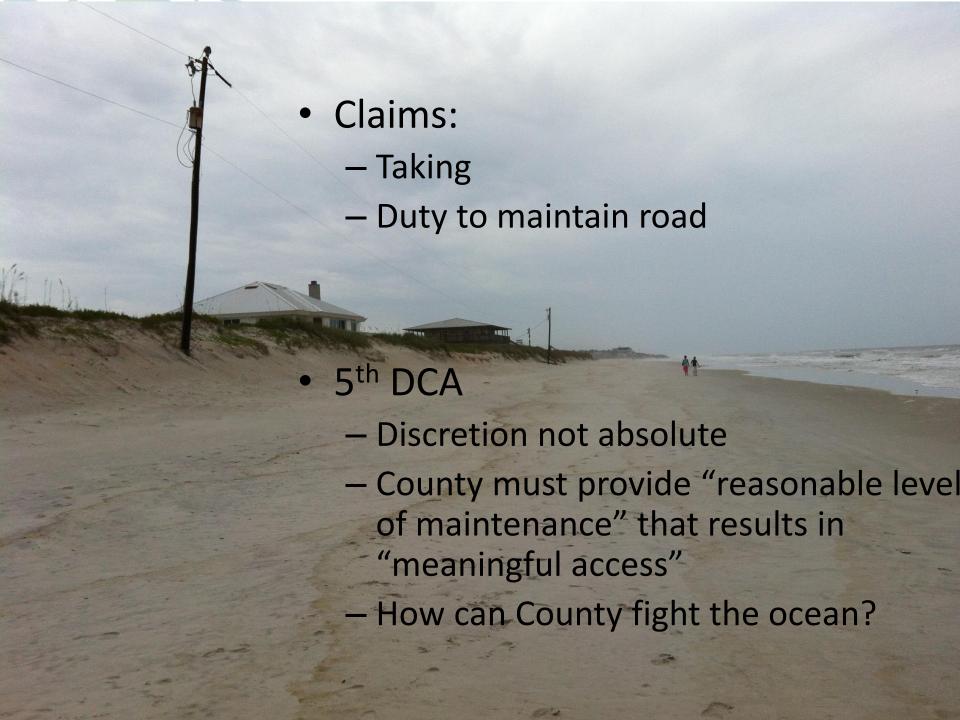
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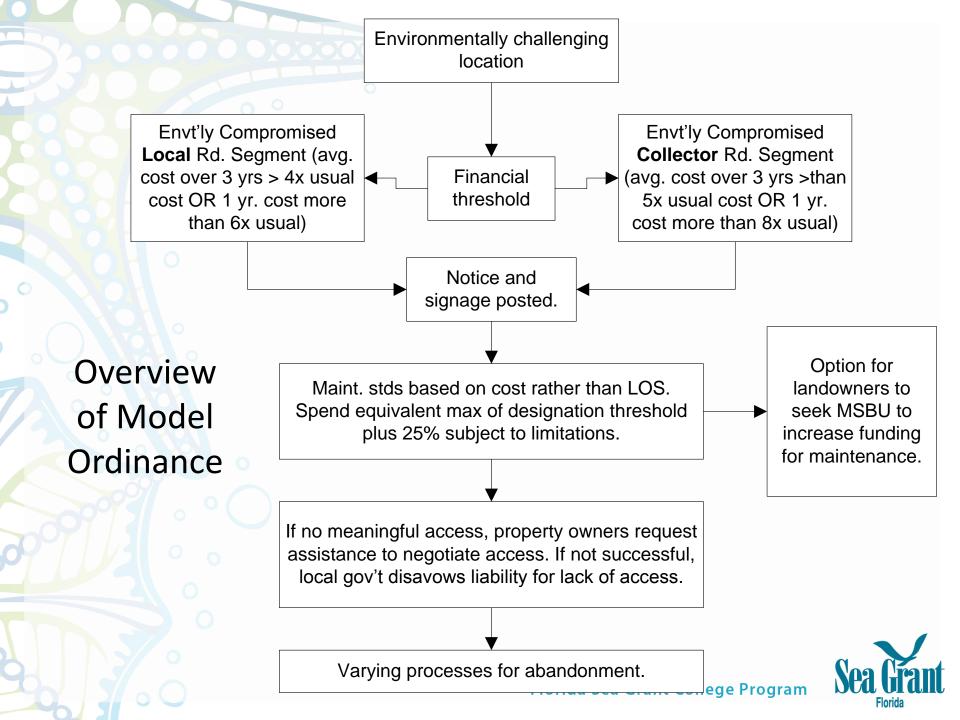
Bert J. Harris Act (Ch. 70)

- Inordinate burden on property
 - Lots of confusion due to similar language
- Focus on two types of "existing use"
 - Current
 - Future: rsbly foreseeable, non-spec, suitable for property, and compatible with adjacent land uses
- Definitions of "suitable" and "compatible" but no in pari materia interpretation
- Safest to regulate floodplains and flooding









The Florida Bar Journal

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November, 2013 Volume 87, No. 9

Drowning in Place: Local Government Costs and Liabilities for Flooding Due to Sea-level Rise

by Thomas Ruppert and Carly Grimm

- No duty of local gov't to provide drainage
 - As with many services, authority or power to provide,
 but not duty (fire, police, etc.)
- However, if provided, duty to maintain arises
 - Maintenance must be done with reasonable care
 - Liability for failure to maintain
- Distinction between maintenance and planning





Florida real estate prices will collapse 30 years BEFORE rising seas begin flooding I

The Day the Banks Abandon Florida http://m.dailykos.com/story/2015/12/2

http://m.dailykos.com/story/2015/12/20/1462300/-The-

Day-the-Banks-Abandon-Florida

FitchRatings

Sea Level Rise May Pose Challenges For Some US Local Governments

Sea level rise already affects some communities and in the long term may pressure some communities' operations, capital funding requirements, and indebtedness.

Sea level rise is a manifestation of global climate change that is already having noticeable effects on some communities situated along the U.S. coasts. Risks include heightened damage from episodic events such as hurricanes and storm surges (event risk) in addition to more chronic damage from pervasive flooding and permanent loss of land. These risks present a myriad of financial and logistical challenges to local governments.

To date, sea level rise has not played a material role in Fitch's assessment of the fundamental credit characteristics of any of its rated issuers. Fitch's special report, "Event Risk and Overall Credit Resiliency" provides more detail. However, there are real threats faced by governments in coastal areas. As the effects of sea level rise upon issuers' credit fundamentals become known and measurable, over time these considerations may take on greater importance as a credit factor in Fitch's rating decisions.

##

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overnment Planning

o disruption from sea tevel rise as ell as the ability of utilities to treat g-term municipal planning efforts cilities and private property near—one of the most vulnerable and vel rise—Mami-Dade, Broward, mithe Southeast Florida Regional to address the effects of climate and Sewer Department's decision or treatment plant and expand an its situated along the coast. The from 1854 to 2006.

Moody's Warns Cities to Address Climate Risks or Face Downgrades

By Christopher Flavelle

November 29, 2017 4:00 AM EST

Florida

Regional Action Plan

A Report of the Emergency Preparedness Committee on Sea Level Rise

Regional Community Institute of Northeast Florida, Inc. September 2013

Northeast Florida Regional Council



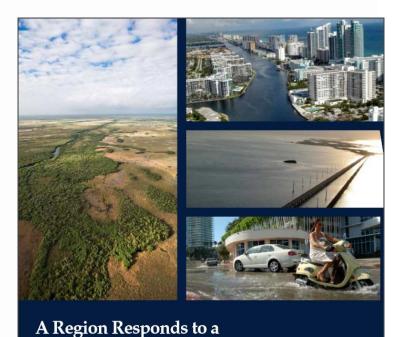
RECOMMENDATION FOR A UNIFIED PROJECTION OF SEA-LEVEL RISE IN THE TAMPA BAY REGION

Tampa Bay Climate
Science Advisory Panel



Libby Carnahan Sea Grant Agent





Changing Climate

Change Compact Counties

October 2012

Regional Climate Action Plan

Southeast Florida Regional Climate

Summary and Commentary on Sea-Level Rise Adaptation Language in Florida Local Government Comprehensive Plans and Ordinances¹

By: Thomas Ruppert, Esq.2 & Alexander Stewart3

July, 2015

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Lessons Learned....

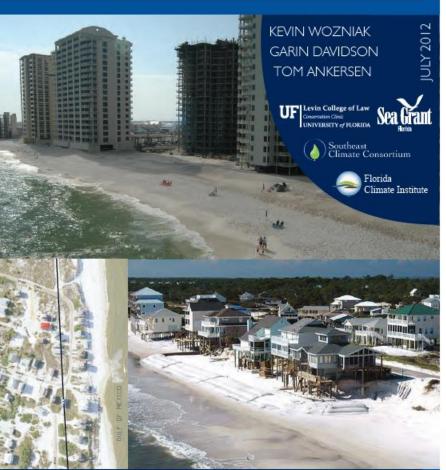








Florida's Coastal Hazards Disclosure Law: Property Owner Perceptions of the Physical and Regulatory Environment



REASONABLE INVESTMENT-BACKED EXPECTATIONS: SHOULD NOTICE OF RISING SEAS LEAD TO FALLING EXPECTATIONS FOR COASTAL PROPERTY PURCHASERS?

THOMAS RUPPERT*

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Bay St. Louis officials oppose Hurricane Katrina high-water markers on highway

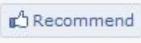
Published: Saturday, July 23, 2011, 9:00 PM



By The Associated Press



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Bay St. Louis, Miss., officials want **high-water markers** placed by the state at Mississippi Highway
603 and Interstate 10 camouflaged so they no longer commemorate the tragedies of **Hurricane**Katrina in 2005.



The **Sea Coast Echo** reports there are two high-water markers at the intersection, one facing north and the other facing south on Mississippi 603. They were placed there following Katrina to commemorate the area's comeback from the killer storm. In Katrina, water ran up the roadway so







Is It Fair? -- Reprise

- When there's loss, who should pay?
- Why?
- What if it requires changing the law?
 - Is it a taking?
- Should the law evolve?
 - When? Why? By what method?



"At the center of today's debate [about property] . . . Lies a collective failure on our part to think clearly and intently about the institution [of property], how it works, why it exists, and many shapes it can take, in terms of landowner rights and responsibilities. . . . In operation, [the right to property] is less an individual right than a tool society uses to promote overall social good. Important truths about this arrangement have largely passed from our collective memory. We need to regain these truths."

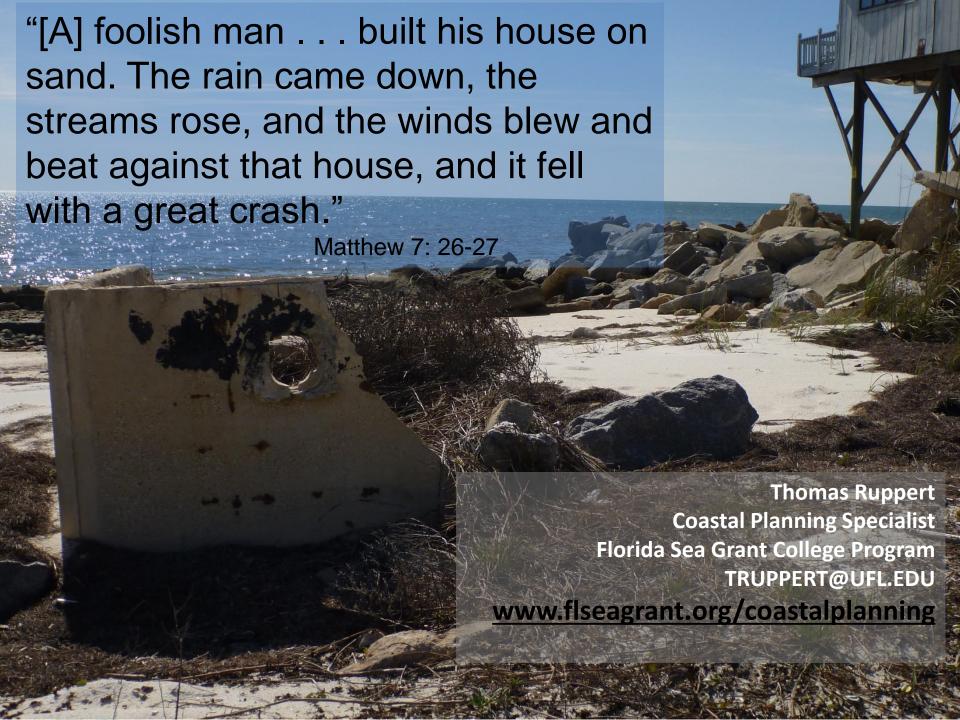
-Eric Freyfogle, On Private Property: Finding Common Ground on the Ownership of Land



". . .when [our current idea of property] emerged in the nineteenth century, it was greeted with considerable dissent and resistance. Far from being timeless, our image of ownership reflects the dominant values and aspirations of the industrial, frontier era. Lawmakers of that era revised ownership norms to help them achieve the development goals that then prevailed."

-Eric Freyfogle, On Private Property: Finding Common Ground on the Ownership of Land

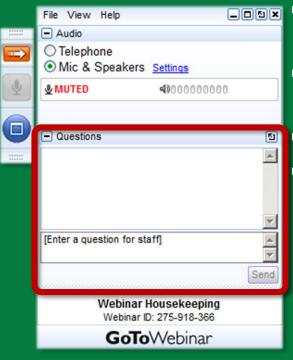




Questions and Answers



If you have questions:

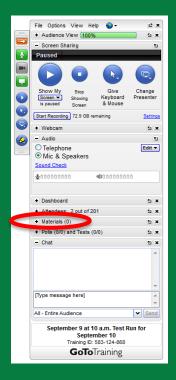


- Your webinar control panel includes a "Questions" box
- Please click on "+" sign and type any questions in this box
 - Please refer to the slide number and/or speaker when you post your question
 - Please keep your questions succinct!
 - Staff will ask the presenters questions, as time permits



The PowerPoint is available at www.1000friendsofflorida.org







This webinar has been approved for:

- 1.5 AICP CM Credits for planners (#9138850)
- 1 CEC for Certified Floodplain Managers
- 2 CLE for Florida attorneys (1708850N- Intermediate)
- .125 CEUs for Florida Environmental Health Professionals.

There is a link to a **BRIEF SURVEY** in the follow-up email you will receive. Please take a few minutes to give us feedback!



Spring 2017 DeGrove Webinars All webinars are noon to 1:30 unless otherwise noted.

Each has been approved for professional certification credits for Planners (AICP CM) and Certified Floodplain Managers. 1000 Friends has applied for credits for Florida attorneys (CLE) and Florida Environmental Health Professionals but cannot guarantee they will be offered.

Register Now!

- February 21, 2018 NOTE TIME: 2:00 3:30 p.m. -- Planning for Community Resilience in Satellite Beach: Stormwater Infrastructure and LDRs
- March 21, 2018, Noon to 1:30 p.m. -- 2018 Florida Legislative Wrap Up

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to find out more!



Check out our Legislative Webpage!



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