RESTORE Act of 2012

Resources and Ecosystems Sustainability,

Tourist Opportunities, and

Revived Economies of the Gulf Coast States Act of 2012

Recent BP Settlement $4.5 Billion

RESTORE Act of 2012

33 U.S.C. 1321 (Federal Water Pollution Control Act)

Grants federal EPA authority to impose fines on parties responsible for oil spills

Prior to RESTORE Act, penalties not required to be returned or spent in the injured jurisdictions

RESTORE Act adds Subsection (t): GULF COAST RESTORATION AND RECOVERY

80% of fines distributed per Subsection (t)

RESTORE Act of 2012

Definitions:

* Coastal political subdivisions
* Council
* Deepwater Horizon oil spill
* Gulf Coast region
* Gulf Coast State
* Trust Fund
* 8 disproportionately impacted counties (FL)
* Non-disproportionately impacted counties (FL)

RESTORE Act of 2012

Allowed Activities

1. Restoration/protection of natural resources
2. Mitigation of damage to fish, wildlife, & natural resources
3. Implementation of federally approved marine, coastal or conservation management
4. Workforce development and job creation
5. Improve State Parks in coastal areas affected by oil spill
6. Infrastructure projects benefiting economy or ecological resources
7. Coastal flood protection and related infrastructure
8. Planning assistance
9. Administrative costs (max. of 3%)
10. Promotion of tourism and seafood in the Gulf Coast region

"NOTE: Activities funded under this subsection may not be included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after the date of enactment of this subsection.

RESTORE Act of 2012

Allocation of Funds: 5 "Pots"

Pot #1 - 35% Pot

Pot #2 - 30% Pot

Pot #3 - 30% Pot

Pot #4 - 5% Pot

Pot #5 - Trust Fund Interest Pot

RESTORE Act of 2012

Allocation of Funds: "Pot #1"

35% of fines to the 5 Gulf States in equal shares for ecological and economic restoration

7% each to AL, FL, LA, MS, & TX

Example: If fine is $10 Billion, each State receives $560M ($10B x 80% = $8B x 35% = $2.8B / 5 = $560M)

FLORIDA: 75% to 8 Disproportionately affected counties ($560M x 75% = $420M) and 25% to the Non-disproportionately affected coastal counties ($560M x 25% = $140M)

RESTORE Act of 2012

8-County Distribution (Allocation) of "Pot #1"

Factors: Oiled Coastline, Population, Mean Distance from Spill; Sales Tax Revenues: *

- 10% equally to each of 8 counties

Remaining 90%:

- 30% based on shoreline oiled
- 30% based on per capita sales tax
- 20% based on population (2010 census)
- 20% based on distance from spill

* (Per agreement among 8-Counties' BCCs)

RESTORE Act of 2012

"Pot #1" Allocation By County*

Escambia • Okaloosa • Bay • Walton • Santa Rosa • Franklin • Gulf • Wakulla

Escambia	26.94%	$113,148,000
Okaloosa	15.57%	$65,394,000
Bay	15.43%	$64,806,000
Walton	13.86%	$58,212,000
Santa Rosa	10.25%	$43,050,000
Franklin	7.93%	$33,306,000
Gulf	6.02%	$25,284,000
Wakulla	4.00%	$16,800,000
TOTALS	100.00%	$420,000,000

* ($ if total fine is $10 billion)

RESTORE Act of 2012

FL Distribution to Non-disproportionately Affected Counties

• Jefferson • Taylor • Dixie • Levy • Citrus • Hernando • Pasco • Pinellas •
• Hillsborough • Manatee • Sarasota • Charlotte • Lee • Collier • Monroe •

34% based on population (2010 census)

33% based on county per capita sales tax (2012 est.)

33% based on inverse proportion of weighted avg. distance from Deepwater Horizon oil rig

Allowed Activities same as previous slide#6

RESTORE Act of 2012

Projects and Programs

Meet criteria of slide # 6

Selected based on public input (individuals, businesses, non-profits)

Based on best available science for natural resource protection or restoration projects

Contract award consistent with standard procurement rules and audit requirements

Develop & submit multi-year implementation plan
Funds allocated to a coastal political subdivision (FL- County) remain in Trust Fund until plans submitted

RESTORE Act of 2012

Funds Distribution Pots #2 & #3

60% (of 80% of total fines) to Gulf Coast Ecosystem Restoration Council to implement the comprehensive recovery plan

Membership: Secy.'s. of Interior, Army, Commerce & Agriculture; EPA Administrator; Coast Guard; and Governors of AL, LA, FL, MS, & TX

Needs majority of State members for quorum

Public transparency

Comprehensive plan within 180 days of enactment

Annual report to Congress

RESTORE Act of 2012
Distribution of Funds Pot #2

Oil Spill Restoration Impact Allocation (30% of the 80% of total fine) (If total fine is $10B, 30% of $8B = $2.4B)

To the States and the Federal Government (Council) to carry out the comprehensive restoration plan

Maximum of 3% for administrative expenses, including staff
Disbursement: Competitive based on prioritized list of specific projects approved by Council

RESTORE Act of 2012
Distribution of Funds Pot #3

Allocation (30% of the 80%) (If total fine is $10B, 30% of $8B = $2.4B)

Undertake projects and programs to restore /protect natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast

RESTORE Act of 2012
Distribution of Funds to the 5 Gulf States

40% based on proportionate no. of miles of shoreline in each state compared to the no. of shoreline miles that experienced oiling

40% based on inverse proportion of average distance from Deepwater Horizon rig to the nearest and farthest point of oiled shoreline in each State

20% based on average population (2010 census) of coastal counties bordering Gulf of Mexico

NOTES: 1. Minimum allocation of 5% of total to each State ; 2. Limited to 25% for infrastructure (Exceptions); 3. No limit on administrative expense

RESTORE Act of 2012
Distribution of Funds Florida

Impact of SB 2156, Section 499

Funds received by State

75% to projects/programs of the 8 "Disproportionally Affected Counties"

25% to projects/programs in other counties (subject to constraints of RESTORE Act)

FDEP lead agency for environmental projects

FDEO lead agency for economic incentives and diversification

RESTORE Act of 2012
Plan Development

In Florida, a consortia of local political subdivisions (Counties) that includes at a minimum one representative of each affected county

Within 180 days

First 3-years of projects to be included in initial plan

Restoration priorities weighted toward ecosystems

RESTORE Act of 2012
Distribution of Funds Pot #4 (Final 5%)

To the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program (5% of the 80%) (If total fine is $10B, 5% of $8B = $400M)

50% to Gulf Coast States in equal shares, exclusively for grants IAW Sec. 1605(c) of RESTORE Act to establish centers of excellence to conduct research only on the Gulf Coast Region

50% to carry out the program of the Gulf Coast Restoration Trust Fund

RESTORE Act of 2012
Trust Fund Investment Pot #5

50% to Gulf Coast Ecosystem Restoration Council to carry out the Comprehensive Plan

50% to divided equally between:

- The Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology program per Sec. 1604 of RESTORE Act
- The Centers of Excellence research grants per Sec. 1605 of RESTORE Act

RESTORE Act of 2012
Recommendations

Establish County Working Group ASAP (Prior to Workshop)

- Get a good understanding of RESTORE Act
- Integrate RESTORE, NRDA, and FL Oil Spill Recovery Act (SB 2156)
- Start strategic planning
- Suggested Members: County Commissioner; County Administrator; Public Works; EDC; Growth Management; Tourist Development

Hold BCC Workshop on RESTORE

RESTORE Act of 2012
Gulf County Plan

The Gulf County RESTORE Act Committee has been created to develop a structured plan for the implementation of RESTORE Act funds to be received by Gulf County.

This includes establishing a pre-proposal, application and scoring process for individuals seeking this funding assistance for projects that meet the ecological and economic restoration requirements.

RESTORE Act of 2012
Gulf County Plan
Pre-Proposal Process

Eligible groups will have the opportunity to submit a "pre-proposal". The pre-proposal will provide the basic information including purpose, timeline, results, budget and the qualifications/financial feasibility of the submitting entity.

The pre-proposal must also identify which of the allowable activities is being addressed.

Applicants submitting a pre-proposal by the deadline will receive feedback regarding the viability of their proposal.

RESTORE Act of 2012
Gulf County Plan
Pre-Proposal Process Rationale

Help applicants prepare for the application process

Give the review committee the opportunity to seek like-minded projects and align accordingly

Allow for a better understanding of what initiatives the residents of Gulf County feel is vital

Ensure the projects submitted align with the County's Comp and Mitigation Plans

Ensure projects have long-term sustainability

RESTORE Act of 2012
Gulf County Plan
Areas of Focus/Local Centers of Excellence

Workforce

Education

Environmental

Economic Development

Tourism

RESTORE Act of 2012
Gulf County RESTORE Act Committee Members

Warren Yeager, Chair
Guerry Magidson, Vice Chair
Jim Anderson, City of PSJ
Dewey Blaylock, Sunset Coastal Grill
Don Butler, Gulf County Administration
Kim Bodine, FL Workforce Board
Dr. Pat Hardman, Gulf to Coast Construction
Jennifer Jenkins, Gulf County TDC
Eugene Raffield, Raffield Fisheries
Joanna White, Port Authority

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Committee Support
Towan Kopinsky, Gulf County Grant Writers Department (NVM)
David Richardson, Gulf County Planning Department (NVM)
Bill Williams, RESTORE Act Advisor
Loretta Costin, Gulf Coast State College (Liaison)
Jeremy Novak, County Attorney

RESTORE Act of 2012
Gulf County Plan - Next Steps

Questions may be asked throughout the process via questions@gulfcounty-fl.gov. All questions will answered and posted on gulfcounty-fl.gov/restore for all to view.

RESTORE Act Committee Meeting - December 18, 2012

Pre-proposals due - January 15, 2013

Pre-proposal review - January 15 through March 1, 2013

Spring 2013 Application Process Begins

RESTORE Act of 2012

Questions & Answers

Thank You.
Gulf County RESTORE Act Committee