

Gulf Consortium Board Meeting Agenda Item Cover Sheet

February 28, 2013

Agenda Item # 1

CORRECTED

Statement of Issue or Executive Summary: The Gulf Consortium is a public entity under Chapter 119, Florida Statutes (F.S.) and as such, meetings are required to have minutes.

Background: The attached minutes summarize actions taken at the last Gulf Consortium Meeting held January 18, 2013, 1:00-4:00 p.m. (EST) at Weedon Island Preserve Cultural and Natural History Center, St. Petersburg, FL.

Analysis: The attached accurately reflects Consortium actions.

Options:

- 1) Approve a motion to accept minutes as presented.
- 2) Amend minutes.

Fiscal Impact: None.

Recommendation:

Approve a motion that approves minutes.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties.

Moved _____; Seconded _____.

Action: Approved____; Approved as amended____; Defeated_____.

**Gulf Consortium Meeting
Friday, January 18, 2013
Weedon Island Preserve
Pinellas County**

Directors / Alternates in Attendance:

T. Alexander, B. Barfield, R. Bays, R. Bell, S. Comander, C. Constance, W. Dukes, D. Edwards, P. Feagle, K. Hagan, T. Hall, T. Henning, S. Latvala, L. Lynchard, J. Manning, J. Mariano, J. Melvin, L. Miller, G. Neugent, D. Parisot, N. Patterson, G. Robinson, M. Thomas, R. Wesch, C. Whitmore, W. Yeager

Agenda Item #1 – Approval of Minutes from November 28, 2012 Gulf Consortium Meeting

A motion to approve the minutes from the November 28, 2012 Gulf Consortium Board of Directors' (Board) Meeting in Sarasota County was presented by Commissioner George Neugent (Monroe) and seconded by Commissioner Susan Latvala (Pinellas).

ACTION: PASSED

Agenda Item # 2 – Updated List of Gulf Consortium Directors and Alternates

Mr. Doug Darling, FAC Consultant, distributed a list of Gulf Consortium Directors and Alternates, and called the roll.

Agenda Item #3 – Election of Officers

A motion was presented by Commissioner Christopher Constance (Charlotte) and seconded by Tim Alexander (Dixie) to postpone the election of officers until the arrival of the Commissioners from Lee and Manatee Counties.

ACTION: PASSED

Agenda Item #5 – Update on Federal Actions Discussion

Mr. Doug Darling, FAC Consultant, distributed the *Flow of Oil Funds in Florida* flowchart prepared by Ocean Conservancy. He stated that the Department of Justice has reached a \$1.4 billion statement with Transocean for its role in BP's 2010 Deepwater Horizon oil spill. The preliminary estimate of the amounts going to the Gulf Consortium members is shown on the attached table. This includes \$56 million in "Pot 1" (labeled "35% Equal State Allocation" on the flowchart) and \$44.6 million in "Pot 3" (labeled "30% Oil Spill Restoration Impact Allocation"). The monies will be allocated over time (40% within 60 days of court approval, 40% within one year, and 20% within two years).

Several actions (such as U.S. Treasury rule adoption by the Gulf Coast Ecosystem Restoration Council) are necessary before funds are available.

Agenda Item #6 – Restoration Plan Development

The Gulf Consortium is required to develop a Comprehensive Economic and Environmental Restoration Plan to comply with the RESTORE Act. A motion was made by Commissioner Les Miller (Hillsborough) and seconded by Commissioner Latvala (Pinellas) to direct FAC staff to start Request for Information (RFI) Restoration Plan development using the most appropriate procurement guidelines. Prior to publishing the RFI, the Executive Committee will need to approve the RFI. The cost for the RFI will be zero. Commissioner Grover Robinson (Escambia) said it is important to develop a plan for Florida since the other four states have plans in place already.

ACTION: PASSED

Agenda Item #7a – Governor's Office Coordination

Deena Reppen, Florida Association of Counties, reported on the status of discussions with the Governor's Office regarding a proposed partnership with the Gulf Consortium. A framework was put forward that would include: non-voting ex-officio members appointed by the Governor representing tourism, business, the environment and other interests; a state agency review process that would occur during plan development in the form of a technical working group; public participation and local implementation. A draft memorandum of agreement (MOA) would be brought to the Gulf Consortium for review at a later meeting and staff would seek to work with the Executive Committee to finalize an MOA. There was discussion about Florida Sunshine requirements but Ms. Reppen said that the Governor's appointees to the Consortium would primarily be citizens, not government representatives. Ms. Kendra Parsons, Florida Department of Environmental Protection, was invited to the podium to provide an update on Gulf Coast Ecosystem Restoration Council activities. She said the Gulf State Council Plan is not yet finalized pending public input. There will be one public meeting in each of the five states (FL, MS, AL, LA, TX) during the third week of February to get public comment on the five goals. Information will be posted at www.RestoretheGulf.gov and on the FAC website at www.fl-counties.com.

Agenda Item # 3 – Election of Officers

With the arrival of the Commissioners from Lee and Manatee Counties, the elections proceeded. Ms. Sarah Bleakley, Nabors, Giblin & Nickerson, P.A., distributed ballots. The Interlocal Agreement provides for the election of a Chairman, Vice-Chairman and Secretary-Treasurer who will then select two other Directors that will constitute the Executive Committee. The candidates each secured approval from his or her Board of County Commission. Each candidate got three minutes to state his or her qualifications, then the voting took place. A majority vote (12 of 22) was required for election. The election results were as follows:

Chairman: Grover Robinson (Escambia)
Vice-Chairman: Susan Latvala (Pinellas)
Secretary-Treasurer: Commissioner Yeager (Gulf)

The officers listed above began serving immediately and will serve a one year term, unless reelected.

Any Consortium member (representative or alternate) who wishes to be considered for one of the two appointed director positions for the five member Executive Committee needs to notify Doug Darling (ddarling@fl-counties.com) by Friday, January 25, 2013. These positions do not need approval from the member's Board of County Commission. The two members will then be selected by a majority of the three officers to serve on the Executive Committee for one year.

Agenda Item #7b – Treasury Rules

Mr. Doug Darling, FAC Consultant, reported that draft Treasury Rules have not yet been released. He will send a link to the draft as soon as it is received so that Consortium members can provide feedback.

Agenda Item #7c – Financial Report

Mr. Doug Darling, FAC Consultant, reported that all 22 counties have contributed to the operation of the Consortium during the transition phase of establishment. Franklin County has not yet joined the Consortium, but it is hoped that they will do so in the near future. No monies have been spent to date since checks are not yet available.

Agenda Item #7d – Transition/Interim Budget Development Process

Mr. Doug Darling, FAC Consultant, reviewed the current funding for the Consortium. To date, \$63,840.00 has been received from the 22 participating counties to cover administrative costs for the Consortium's first six months of operation (October 2012 to March 2013). The current method of funding was for the eight disproportionately affected counties to pay 75% and for the 14 other counties to pay 25%. Mr. Darling said that approximately \$10,000 per month has been spent so far (October 2012 to January 2013) for administrative costs. Additional funding is needed for the next six months (April to September 2013). It is hoped that Transocean funding will be received by late summer so that additional funding for the Consortium will not be necessary after October 1. Discussion followed about other ways to bill, such as using population of each county or an equal split formula. Mr. Doug Darling, FAC Consultant, distributed handouts with estimates for county-by-county billing for alternative funding formulas. There was discussion about charging less for the fiscally constrained counties or sending invoices later.

A motion was made by Commissioner Tammy Hall (Lee) and seconded by Commissioner Susan Latvala (Pinellas) to use an equal split formula for funding the transition budget for the Gulf Consortium for the next six months (April to September 2013). The estimated cost would be approximately \$3,100 per county.

ACTION: PASSED

A motion was made by Les Miller (Hillsborough) and seconded by Tammy Hall (Lee) to reconsider the equal split formula vote and instead review different funding options.

ACTION: PASSED

There was discussion about the Consortium loaning the money to fiscally constrained counties until fine monies are received. A motion was made by Commissioner Tom Henning (Collier) and seconded by Christopher Constance (Charlotte) to postpone any interim budget billing until the next meeting to allow the Executive Committee to discuss options and bring back a recommendation to the group in February.

ACTION: PASSED

Agenda Item #8 – Report from Committee of Eight Disproportionally Affected Counties

Chairman of the Committee Warren Yeager (Gulf) reported that the committee met on December 7, 2012, to develop a methodology for utilizing the 75% share of the local allocation provided in the RESTORE Act to the eight Disproportionally Affected Counties (Bay, Escambia, Franklin, Gulf, Okaloosa, Santa Rosa, Wakulla and Walton).

The Boards of County Commission for the eight counties all adopted an allocation agreed upon by the Committee which is:

BAY COUNTY	15.101
ESCAMBIA COUNTY	25.334
FRANKLIN COUNTY	8.441
GULF COUNTY	6.743
OKALOOSA COUNTY	15.226
SANTA ROSA COUNTY	10.497
WAKULLA COUNTY	4.943
WALTON COUNTY	13.712

A motion was made by Commissioner Warren Yeager (Gulf) and seconded by Commissioner Dave Parisot (Okaloosa) to retain the Committee of Eight Disproportionally Affected Counties in case future issues come up. The motion was amended by Commissioner Betsy Barfield (Jefferson) to require Executive Committee approval for the Committee of Eight Disproportionally Affected Counties to meet.

ACTION: PASSED

Agenda Item #9 – Next Meeting

The next meeting is planned for Friday, February 22. Doug Darling, FAC Consultant, and Kendra Parsons, FDEP, will meet to find a location.

Agenda Item # 10 – Public Comment

The Board heard public testimony:

Janet Bowman representing The Nature Conservancy.

Darryl Boudreau representing The Nature Conservancy.

TJ Marshall representing Ocean Conservancy.

David White representing the National Wildlife Federation.

Paul Johnson representing Ecology and Environment, Inc.

Holly Greening representing the Tampa Bay Estuary Program.

Bob Krasowski (environmental advocate) representing environmental interests including sea turtles

Greg Chelious representing the Trust for Public Land

Agenda Item # 11 – Motion to Adjourn

Doug Darling, FAC Consultant, said there will be a newsletter for Consortium members available soon and that members of the public can also sign up to receive copies. He said the Attorney General's Office has issued a reminder that the deadline to submit claims for the Deepwater Horizon oil spill is approaching. There being no additional items for discussion, the meeting was adjourned.

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Fiscal Impact: None.

Recommendation:

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Division and Staff Person's Name: Doug Darling, Florida Association of Counties.

Moved _____; Seconded _____.

Action: Approved _____; Approved as amended _____; Defeated _____.

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ACTION: PASSED

Agenda Item #7a – Governor's Office Coordination

Kendra Parsons, Florida Department of Environmental Protection, reported on a recent meeting with the Governor's Office which went very well. She said the proposed partnership between the Governor's Office and the Gulf Consortium would include six non-voting ex-officio members appointed by the Governor representing tourism, business and the environment. This would be a technical working group and any draft agreement would be brought to the Gulf Consortium group for review. The partnership with the Governor's Office will be formalized with a Memo of Agreement to be approved at a later meeting. There was discussion about Florida Sunshine requirements but Ms. Parsons said that the group members would primarily be citizens, not government representatives. Ms. Parsons said the Gulf State Council Plan is not yet finalized pending public input. There will be one public meeting in each of the five states (FL, MS, AL, LA, TX) during the third week of February to get public comment on the five goals. Information will be posted at www.RestoretheGulf.gov and on the FAC website at www.fl-counties.com.

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ACTION: PASSED

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ACTION: PASSED

Agenda Item #9 – Next Meeting

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Agenda Item # 10 – Public Comment

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Gulf Consortium Directors and Alternates

County	Director and Alternate
Bay	Comm Mike Thomas Director; Comm George Gainer, Alternate
Charlotte	Comm Christopher Constance, Director; Comm Tricia Duffy, Alternate
Citrus	Comm Rebecca Bays, Director; Richard Wesch, County Attorney, Alternate
Collier	Comm Tom Henning, Director; Comm Donna Fiala, Alternate
Dixie	Tim Alexander, Director of Emergency Management
Escambia	Comm Grover Robinson, Director; Comm Gene Valentino, Alternate
Franklin	
Gulf	Comm Warren Yeager, Director; Tan Smiley, Alternate
Hernando	Comm Wayne Dukes, Director; County Administrator Len Sossamon, Alternate
Hillsborough	Comm Les Miller, Director; Comm Ken Hagan, Alternate
Jefferson	Comm Betsy Barfield, Director; County Coordinator Parrish Barwick, Alternate
Lee	Comm Tammy Hall , Director; Comm John Manning, Alternate
Levy	Comm Ryan Bell, Director; County Coordinator Fred Moody, Alternate
Manatee	Comm Carol Whitmore, Director; Charlie Hunsicker, Natural Resources Dept., Alternate
Monroe	Comm George Neugent, Director; Mayor David Rice, Alternate
Okaloosa	Comm Dave Parisot, Director; Comm Kelly Windes, Alternate
Pasco	Comm Jack Mariano, Director; Comm Henry Wilson, Alternate
Pinellas	Comm Susan Latvala, Director
Santa Rosa	Comm Lane Lynchard, Director; Comm Jim Melvin, Alternate
Sarasota	Comm Nora Patterson, Director; Laird Wreford, Natural Resources Manager, Alternate
Taylor	Comm Pam Feagle, Director; Jack Brown, County Administrator, Alternate
Wakulla	David Edwards, County Administrator, Director; Comm Ralph Thomas, Alternate
Walton	Comm Sara Comander, Director; Comm Cindy Meadows, Alternate

Gulf Consortium Board Meeting Agenda Item Cover Sheet

February 28, 2013

Agenda Item # 3

Statement of Issue or Executive Summary: The Chairman, Vice-chairman and Secretary-Treasurer were required to appoint two directors to fill out the five member Executive Committee. The selection process required the approval by a majority of the three person elected members of the Executive Committee. The appointees will serve a one year term.

Background: The Executive Committee met on February 15, 2013 by conference call to select the two additional members to the Executive Committee. Eight directors properly indicated their interest in serving on the Executive Committee.

NOMINEE'S NAME	COUNTY
Commissioner Sara Comander	Walton
Commissioner Chris Constance	Charlotte
Commissioner Donna Fiala	Collier
Commissioner Jim Melvin	Santa Rosa
Commissioner Les Miller	Hillsborough
Mayor George Neugent	Monroe
Commissioner Dave Parisot	Okaloosa
Commissioner Nora Patterson	Sarasota

Analysis: The Executive Committee selected Commissioner Sara Comander, Walton County and Mayor George Neugent, Monroe County to serve as the two appointed members to the Executive Committee.

Options: Provided for information.

Fiscal Impact: None.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties.

**Gulf Consortium Board Meeting Agenda Item Cover Sheet
February 28, 2013**

Agenda Item # 4 Recommended Budget Allocations

Executive Summary: At the Gulf Consortium meeting held January 18, 2013, agenda item 7d was tabled by majority vote. During the discussion, the Directors' requested the Executive Committee bring back options. At the Executive Committee meeting on February 15, 2013, this item was discussed.

Background: The transition budget was intended to provide the Interim Manager (Florida Association of Counties) the resources to support the start-up and initial operation of the Gulf Consortium.

Analysis: The Executive Committee felt very strongly that the Gulf Consortium must consider many variables when determining the best way to provide financial support during this interim period. Perhaps the most important consideration is that the Gulf Consortium remains united in its deliberations. The Executive Committee voted unanimously to recommend Option #1 below as the method to fund the Gulf Consortium until fines are received.

Options:

1. Approve the Executive Committee recommendation to allocate costs in accordance with Option #1 or;
2. Provide other direction

Fiscal Impact: County Allocations as indicated below.

Recommendation: Approve a motion that approves Executive Committee recommendation.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties

Moved _____; Seconded _____.

Action: Approved ____; Approved as amended ____; Defeated _____.

COUNTY	Original Allocation	POPULATION	ESTIMATED ALLOCATION	WEIGHTED AMOUNTS Option #1	EQUAL AMOUNTS	Option #2	Option #3
ESCAMBIA	\$12,960	297,619	25.334%	\$13,300	\$3,044	\$3,554	\$3,474
SANTA ROSA	\$4,800	151,372	10.497%	\$5,511	\$3,044	\$3,554	\$3,474
OKALOOSA	\$7,680	180,822	15.226%	\$7,994	\$3,044	\$3,554	\$3,474
WALTON	\$6,720	55,043	13.712%	\$7,199	\$3,044	\$3,554	\$3,474
BAY	\$7,200	168,852	15.101%	\$7,928	\$3,044	\$3,554	\$3,474
GULF	\$2,880	15,863	6.743%	\$3,540	\$3,044	\$3,044	\$3,474
FRANKLIN	\$3,840	11,549	8.441%	\$4,432	\$3,044	\$3,044	\$3,474
WAKULLA	\$1,920	30,776	4.943%	\$2,595	\$3,044	\$3,044	\$3,474
SUBTOTAL	\$48,000	911,896	100.00%	\$52,498	\$24,352	\$26,902	\$27,792

COUNTY	Original Allocation	POPULATION	ESTIMATED ALLOCATION	WEIGHTED AMOUNTS Option #1	EQUAL AMOUNTS	Option #2	Option #3
JEFFERSON	\$640	14,761	3.84%	\$672	\$3,044	\$1,000	\$1,000
TAYLOR	\$640	22,570	4.39%	\$768	\$3,044	\$1,000	\$1,000
DIXIE	\$480	16,422	3.49%	\$611	\$3,044	\$1,000	\$1,000
LEVY	\$640	40,801	3.90%	\$683	\$3,044	\$1,000	\$1,000
CITRUS	\$800	141,236	4.70%	\$823	\$3,044	\$3,554	\$3,474
HERNANDO	\$800	172,778	4.99%	\$873	\$3,044	\$3,554	\$3,474
PASCO	\$1,120	464,697	7.09%	\$1,241	\$3,044	\$3,554	\$3,474
PINELLAS	\$1,760	916,542	11.02%	\$1,929	\$3,044	\$3,554	\$3,474
HILLSBOROUGH	\$2,080	1,229,226	13.36%	\$2,338	\$3,044	\$3,554	\$3,474
MANATEE	\$1,120	322,833	6.82%	\$1,194	\$3,044	\$3,554	\$3,474
SARASOTA	\$1,120	379,448	7.26%	\$1,271	\$3,044	\$3,554	\$3,474
CHARLOTTE	\$800	159,978	5.17%	\$905	\$3,044	\$3,554	\$3,474
LEE	\$1,440	618,754	8.79%	\$1,538	\$3,044	\$3,554	\$3,474
COLLIER	\$1,120	321,520	7.03%	\$1,230	\$3,044	\$3,554	\$3,474
MONROE	\$1,280	73,090	8.31%	\$1,454	\$3,044	\$3,554	\$3,474
SUBTOTAL	\$15,840	4,894,656	100.16%	\$17,528	\$45,660	\$43,094	\$42,214

GRAND TOTAL	\$63,840	\$70,026	\$70,012	\$69,996	\$70,006
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Option #1=Same methodology as used for first Interim Budget. Estimated expenses were allocated 75% to the 8 Disproportionally Affected Counties and 25% to the 15 Non-disproportionally Affected Counties. Anticipated percentage of allocations from Pot #1 was calculated to determine the share.

Option #2 = 4 fiscally constrained counties from 15 non-disproportionally affected counties @ pay \$1000. 3 fiscally constrained counties from disproportionately affected counties @ pay \$3044. Remaining 16 counties pay equal share.

Option #3=4 fiscally constrained counties from 15 non-disproportionally affected counties @pay \$1000. Remaining 19 counties pay equal share.

**Gulf Consortium Board Meeting Agenda Item Cover Sheet
February 28, 2013**

Agenda Item # 5 RESTORE Act Nomenclature

Executive Summary: At the Gulf Consortium meeting held January 18, 2013, the Chairman asked for a discussion item so that all members and the public could ensure there was less confusion when addressing the various funding allocations in the RESTORE Act.

Background: Consortium staff worked with T.J. Marshall from the Ocean Conservancy (OC) using the OC Flow of Oil Spill Funds chart that had been previously presented.

Analysis: The attachments below provided the collaborative effort.

Options: Provided for information.

Fiscal Impact: None.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties

<p>State Allocation & Expenditures (35%)</p>	<p>Local/County Allocation</p> <p>COASTAL POLITICAL SUBDIVISIONS.—</p> <p>(i) DISTRIBUTION.—In the case of a State where the coastal zone includes the entire State—</p> <p>(I) 75 percent of funding shall be provided directly to the 8 disproportionately affected counties impacted by the Deepwater Horizon oil spill; and</p> <p>(II) 25 percent shall be provided directly to nondisproportionately impacted counties within the State.</p> <p>(ii) NONDISPROPORTIONATELY IMPACTED COUNTIES.—The total amounts made available to coastal political subdivisions in the State of Florida under clause (i)(II) shall be distributed according to the following weighted formula:</p> <p>(I) 34 percent based on the weighted average of the population of the county.</p> <p>(II) 33 percent based on the weighted average of the county per capita sales tax collections estimated for fiscal year 2012.</p> <p>(III) 33 percent based on the inverse proportion of the weighted average distance from the Deepwater Horizon oil rig to each of the nearest and farthest points of the shoreline.</p>	<p>“Pot 1”</p>	<p>(1) STATE ALLOCATION AND EXPENDITURES.—</p> <p>(A) IN GENERAL.—Of the total amounts made available in any fiscal year from the Trust Fund, 35 percent shall be available, in accordance with the requirements of this section, to the Gulf Coast States in equal shares for expenditure for ecological and economic restoration of the Gulf Coast region in accordance with this subsection.</p> <p>(B) USE OF FUNDS.—</p> <p>(i) ELIGIBLE ACTIVITIES IN THE GULF COAST REGION.—Subject to clause (iii), amounts provided to the Gulf Coast States under this subsection may only be used to carry out 1 or more of the following activities in the Gulf Coast region:</p> <p>(I) Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.</p> <p>(II) Mitigation of damage to fish, wildlife, and natural resources.</p> <p>(III) Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring.</p> <p>(IV) Workforce development and job creation.</p> <p>(V) Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill.</p> <p>(VI) Infrastructure projects benefitting the economy or ecological resources, including port infrastructure.</p> <p>(VII) Coastal flood protection and related infrastructure.</p> <p>(VIII) Planning assistance.</p> <p>(IX) Administrative costs of complying with this subsection.</p> <p>(ii) ACTIVITIES TO PROMOTE TOURISM AND SEAFOOD IN THE GULF COAST REGION.—Amounts provided to the Gulf Coast States under this subsection may be used to carry out 1 or more of the following activities:</p> <p>(I) Promotion of tourism in the Gulf Coast Region, including recreational fishing.</p> <p>(II) Promotion of the consumption of seafood harvested from the Gulf Coast Region.</p> <p>(iii) LIMITATION.—</p> <p>(I) IN GENERAL.—Of the amounts received by a Gulf Coast State under this subsection, not more than 3 percent may be used for administrative costs eligible under clause (i)(IX).</p> <p>(II) CLAIMS FOR COMPENSATION.—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.</p>
<p>Gulf Coast Ecosystem Restoration Council (30%)</p>	<p>Federal Council/State Competitive</p>	<p>“Pot 2”</p>	<p>(vii) DUTIES OF COUNCIL.—The Council shall—</p> <p>(I) develop the Comprehensive Plan and future revisions to the Comprehensive Plan;</p> <p>(II) identify as soon as practicable the projects that—</p> <p>(aa) have been authorized prior to the date of enactment of this subsection but not yet commenced; and</p> <p>(bb) if implemented quickly, would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, barrier islands, dunes, and coastal wetlands of the Gulf Coast region;</p> <p>(III) establish such other 1 or more advisory committees as may be necessary to assist the Council, including a scientific advisory committee and a committee to advise the Council on</p>

			<p>public policy issues;</p> <p>(IV) collect and consider scientific and other research associated with restoration of the Gulf Coast ecosystem, including research, observation, and monitoring carried out pursuant to sections 1604 and 1605 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012;</p> <p>(V) develop standard terms to include in contracts for projects and programs awarded pursuant to the Comprehensive Plan that provide a preference to individuals and companies that reside in, are headquartered in, or are principally engaged in business in a Gulf Coast State;</p> <p>(VI) prepare an integrated financial plan and recommendations for coordinated budget requests for the amounts proposed to be expended by the Federal agencies represented on the Council for projects and programs in the Gulf Coast States; and</p> <p>(VII) submit to Congress an annual report that—</p> <p>(aa) summarizes the policies, strategies, plans, and activities for addressing the restoration and protection of the Gulf Coast region;</p> <p>(bb) describes the projects and programs being implemented to restore and protect the Gulf Coast region, including—</p> <p>(AA) a list of each project and program;</p> <p>(BB) an identification of the funding provided to projects and programs identified in sub item (AA);</p> <p>(CC) an identification of each recipient for funding identified in sub item (BB); and</p> <p>(DD) a description of the length of time and funding needed to complete the objectives of each project and program identified in sub item (AA);</p> <p>(cc) makes such recommendations to Congress for modifications of existing laws as the Council determines necessary to implement the Comprehensive Plan;</p> <p>(dd) reports on the progress on implementation of each project or program—</p> <p>(AA) after 3 years of ongoing activity of the project or program, if applicable; and</p> <p>(BB) on completion of the project or program;</p> <p>(ee) includes the information required to be submitted under section 1605(c)(4) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012; and</p> <p>(ff) submits the reports required under item (dd) to—</p> <p>(AA) the Committee on Science, Space, and Technology, the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives; and</p> <p>(BB) the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate.</p>
Oil Spill Restoration Impact Allocation	Gulf Consortium Allocation DISBURSEMENT.—Of the total amount made available from the Trust Fund, 30 percent shall be disbursed pursuant to the formula in clause (ii) to	“Pot 3”	(B) DISBURSEMENT OF FUNDS.— (i) IN GENERAL.—The Council shall disburse amounts to the respective Gulf Coast States in accordance with the formula developed under subparagraph (A) for projects, programs, and activities that will improve the ecosystems or

<p>(30%)</p>	<p>the Gulf Coast States on the approval of the plan described in subparagraph (B)(i).</p> <p>(ii) FORMULA.—Subject to subparagraph (B), for each Gulf Coast State, the amount disbursed under this paragraph shall be based on a formula established by the Council by regulation that is based on a weighted average of the following criteria:</p> <p>(I) 40 percent based on the proportionate number of miles of shoreline in each Gulf Coast State that experienced oiling on or before April 10, 2011, compared to the total number of miles of shoreline that experienced oiling as a result of the Deepwater Horizon oil spill.</p> <p>(II) 40 percent based on the inverse proportion of the average distance from the mobile offshore drilling unit <i>Deepwater Horizon</i> at the time of the explosion to the nearest and farthest point of the shoreline that experienced oiling of each Gulf Coast State.</p> <p>(III) 20 percent based on the average population in the 2010 decennial census of coastal counties bordering the Gulf of Mexico within each Gulf Coast State.</p> <p>(iii) MINIMUM ALLOCATION.—The amount disbursed to a Gulf Coast State for each fiscal year under clause (ii) shall be at least 5 percent of the total amounts made available under this paragraph.</p>		<p>economy of the Gulf Coast region, subject to the condition that each Gulf Coast State submits a plan for the expenditure of amounts disbursed under this paragraph that meets the following criteria:</p> <p>(I) All projects, programs, and activities included in the plan are eligible activities pursuant to clauses (i) and (ii) of paragraph (1)(B).</p> <p>(II) The projects, programs, and activities included in the plan contribute to the overall economic and ecological recovery of the Gulf Coast.</p> <p>(III) The plan takes into consideration the Comprehensive Plan and is consistent with the goals and objectives of the Plan, as described in paragraph (2)(B)(i).</p> <p>(ii) FUNDING.—</p> <p>(I) IN GENERAL.—Except as provided in sub clause (II), the plan described in clause (i) may use not more than 25 percent of the funding made available for infrastructure projects eligible under sub clauses (VI) and (VII) of paragraph (1)(B)(i).</p> <p>(II) EXCEPTION.—The plan described in clause (i) may propose to use more than 25 percent of the funding made available for infrastructure projects eligible under sub clauses (VI) and (VII) of paragraph (1)(B)(i) if the plan certifies that—</p> <p>(aa) ecosystem restoration needs in the State will be addressed by the projects in the proposed plan; and</p> <p>(bb) additional investment in infrastructure is required to mitigate the impacts of the Deepwater Horizon Oil Spill to the ecosystem or economy.</p> <p>(iii) DEVELOPMENT.—The plan described in clause (i) shall be developed by—</p> <p>(I) in the State of Alabama, the Alabama Gulf Coast Recovery Council established under paragraph (1)(F)(i);</p> <p>(II) in the State of Florida, a consortia of local political subdivisions that includes at a minimum 1 representative of each affected county;</p> <p>(III) in the State of Louisiana, the Coastal Protection and Restoration Authority of Louisiana;</p> <p>(IV) in the State of Mississippi, the Office of the Governor or an appointee of the Office of the Governor; and</p> <p>(V) in the State of Texas, the Office of the Governor or an appointee of the Office of the Governor.</p>
<p>Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program</p>	<p>NOAA, Director, USFWS and Gulf States Marine Fisheries Commission Administer</p> <p>COORDINATION WITH OTHER PROGRAMS.—The Administrator, in consultation with the Director, shall develop a plan for the coordination of projects and activities between the program and other existing Federal and State science and technology programs in the States of Alabama, Florida, Louisiana, Mississippi, and Texas, as well</p>	<p>“Pot 4”</p>	<p>IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Director, shall establish the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology program to carry out research, observation, and monitoring to support, to the maximum extent practicable, the long-term sustainability of the ecosystem, fish stocks, fish habitat, and the recreational, commercial, and charter fishing industry in the Gulf of Mexico.</p> <p>(2) EXPENDITURE OF FUNDS.—For each fiscal year, amounts made available to carry out this subsection may be expended for, with respect to the Gulf of Mexico—</p> <p>(A) marine and estuarine research;</p> <p>(B) marine and estuarine ecosystem monitoring and ocean observation;</p>

(2.5%)	<p>as between the centers of excellence.</p> <p>(1) IN GENERAL.—Not more than 3 percent of funds provided in subsection (h) shall be used for administrative expenses.</p> <p>(2) NOAA.—The funds provided in subsection (h) may not be used—</p> <p>(A) for any existing or planned research led by the National Oceanic and Atmospheric Administration, unless agreed to in writing by the grant recipient;</p> <p>(B) to implement existing regulations or initiate new regulations promulgated or proposed by the National Oceanic and Atmospheric Administration; or</p> <p>(C) to develop or approve a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Councils.</p>		<p>(C) data collection and stock assessments;</p> <p>(D) pilot programs for—</p> <p>(i) fishery independent data; and</p> <p>(ii) reduction of exploitation of spawning aggregations; and</p> <p>(E) cooperative research.</p>
Centers of Excellence Research Grants (2.5%)	<p>Grants to each Gulf Coast State in Equal Shares DEP & FWCC Administer</p> <p>(b) APPROVAL BY STATE ENTITY, TASK FORCE, OR AGENCY.—The duties of a Gulf Coast State under this section shall be carried out by the applicable Gulf Coast State entities, task forces, or agencies listed in section 311(t)(1)(F) of the Federal Water Pollution Control Act (as added by section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012), and for the State of Florida, a consortium of public and private research institutions within the State, which shall include the Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission, for that Gulf Coast State.</p> <p>(c) GRANTS.—</p>	“Pot 5”	<p>IN GENERAL.—Of the total amount made available for each fiscal year from the Gulf Coast Restoration Trust Fund established under section 1602, 2.5 percent shall be made available to the Gulf Coast States (as defined in section 311(a) of the Federal Water Pollution Control Act (as added by section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012)), in equal shares, exclusively for grants in accordance with subsection (c) to establish centers of excellence to conduct research only on the Gulf Coast Region (as defined in section 311 of the Federal Water Pollution Control Act (33. U.S.C. 1321)).</p>

(1) IN GENERAL.—A Gulf Coast State shall use the amounts made available to carry out this section to award competitive grants to nongovernmental entities and consortia in the Gulf Coast region (including public and private institutions of higher education) for the establishment of centers of excellence as described in subsection (d).

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an entity or consortium described in paragraph (1) shall submit to a Gulf Coast State an application at such time, in such manner, and containing such information as the Gulf Coast State determines to be appropriate.

(3) PRIORITY.—In awarding grants under this subsection, a Gulf Coast State shall give priority to entities and consortia that demonstrate the ability to establish the broadest cross section of participants with interest and expertise in any discipline described in subsection (d) on which the proposal of the center of excellence will be focused.

Flow of Oil Spill Funds in Florida

Resolution of Criminal, Civil, Administrative & Natural Resource Claims

Contact: TJ Marshall
 Director, Consultant Outreach
 tmarshall@oceanconservancy.org
 727-369-6616



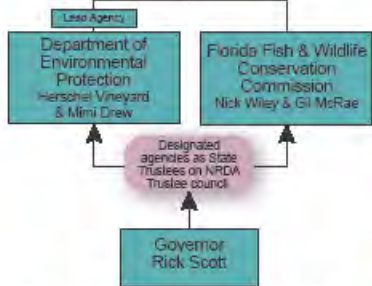
Criminal Penalties
 \$4,000,000,000

Natural Resource Damage Assessment

Injury assessment, restoration planning & implementation.

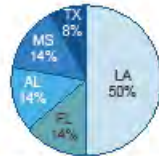
NRDA Trustee Council

- Trustees:**
- Dept. of Commerce: NOAA
 - Dept. of Interior: US FWS
 - Dept. of Defense
 - Environmental Protection Agency
 - Dept. of Agriculture
 - State Trustees



Clean Water Act Civil & Administrative Penalties*
 \$?

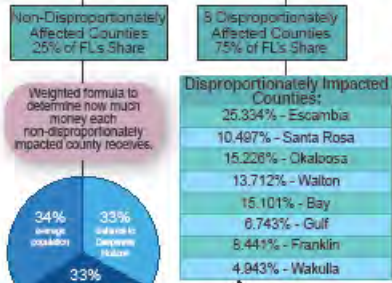
20% - Oil Spill Liability Trust Fund



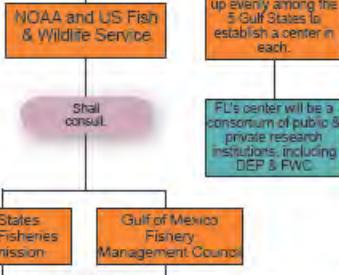
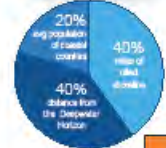
Recovery: \$2,744,000,000
 National Fish & Wildlife Foundation \$2,394,000,000
 National Academy of Sciences \$350,000,000

Fines:
 \$1,256,000,000
 Oil Spill Liability Trust Fund \$1,150,000,000
 North American Wetlands Conservation Fund \$100,000,000
 Treasury \$6,000,000

80% - RESTORE Act - Gulf Coast Restoration Trust Fund



- Members:**
- CHAIR:** Department of Commerce
 Dr. Rebecca Stans
 - Department of Agriculture
 Thomas J. Vitsack/Harris Sherman
 - Department of the Interior
 Kenneth L. Salas/Fuchs Jacobson
 - Department of the Army
 John McHugh/John Elen Dancy
 - Department of Homeland Security
 Janet Napolitano/VADM John Currier
 - Environmental Protection Agency
 Lisa P. Jackson/Ken Kopacz
 - Governors' Representatives:**
 AL - David Perry
 FL - Mimi Drew
 LA - Garret Graves
 MS - Trudy Fisher
 TX - Toby Baker



Florida Consortium
 Doug Darling
 FL Association of Counties facilitated a group of 23 counties to develop an interlocal agreement to oversee this fund.

Subcommittee: Committee of 8 Disproportionately Affected Counties
 Chair: Commissioner Yeager (Gulf)
 Vice Chair: Commissioner Robinson (Escambia)



*There may be other civil and administrative penalties. The CWA penalties are the focus of this chart.
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Gulf Consortium Board Meeting Agenda Item Cover Sheet
January 18, 2013
Agenda Item # 7c

Statement of Issue or Executive Summary: At previous Gulf Consortium meetings, a request was made, and approved by Directors, that financial status reports are provided at each Gulf Consortium meeting.

Background: Gulf Consortium member counties have contributed to the operation of the Consortium during this transition phase of establishment.

Analysis: The sheets below provide a recap of revenue and expenses to date compared to budget.

Options:

- 1) Approve a motion to accept the financial reports as presented.
- 2) Provide other direction.

Fiscal Impact: None.

Recommendation: Approve a motion that approves financial reports.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties.

Moved _____; Seconded _____.

Action: Approved____; Approved as amended____; Defeated_____.

Gulf Consortium
Transition Budget to Actual
October 1, 2012 - February 28, 2013 (Projected)

	Annual Interim Budget	Year To Date Actual
Revenues		
Interim County Funding	63,840.00	60,000.00
Total Revenues	63,840.00	60,000.00
Disbursements		
Consulting-Administration	30,000.00	20,000.00
Consulting-Legal & Expenses	30,000.00	10,101.76
Meeting and Travel Expense	3,000.00	2,668.92
Miscellaneous	840.00	293.01
Total Disbursements	63,840.00	33,063.69
Revenues Over (under) Disbursements	-	26,936.31

**Gulf Consortium
Expense Register Detail
October 1, 2012 to February 28, 2013**

Check #	Payee	Date	Total Amount	Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Description
Debit	Suntrust	1/17/2013	105.51				105.51	Printing Costs - Checks
1001	FAC (Darling-Oct, Nov, Dec, Jan)	2/27/2013	20,955.18	20,000.00		955.18		Admin Consulting Expenses and travel (Oct - Jan)
1002	FAC (Reimb Direct Expenses)	2/27/2013	1,820.68			1,633.18	187.50	Meeting Expenses and Logo Creation
1003	FL Department of State	2/27/2013	32.68			32.68		Meeting notice 1/18/2013
1004	FL Department of State	2/27/2013	47.88			47.88		Meeting Notice 2/15/2013
1005	Nabors Giblin	2/27/2013	5,015.62		5,015.62			Oct 22-31 consulting (2550) plus expenses (2465.62)
1006	Nabors Giblin	2/27/2013	5,086.14		5,086.14			November consulting (5000) plus expenses (86.14)
Total Expenses			\$ 33,063.69	\$ 20,000.00	\$ 10,101.76	\$ 2,668.92	\$ 293.01	

Gulf Consortium Board Meeting Agenda Item Cover Sheet
February 28, 2013
Agenda Item # 8

Executive Summary: At the Gulf Consortium meeting held January 18, 2013, Agenda item 9.a was presented to the Directors. By majority vote, staff was directed to present a planning calendar to the Executive Committee.

Background: At the Executive Committee Conference Call February 15, 2013, the Executive Committee approved the planning calendar below. To reduce the amount of travel, the planning calendar aligns Gulf Consortium meetings in conjunction with Florida Association of Counties (FAC) meetings already scheduled, when feasible.

Analysis:

- April 5, 2013; Tallahassee in conjunction with FAC Legislative Day
- May 2013 Monroe County; May 17 or 31?
- June 26, 2013; Hillsborough County in conjunction with FAC Annual Conference
- July 2013; TBD
- August 2013; TBD in conjunction with FAC Board of Directors Meeting
- September 2013; Palm Beach County in conjunction with FAC Policy Committee Conference
- November 2013; Daytona Beach in conjunction with FAC Legislative Conference. Call for nominations for election of officers.

Option:

Fiscal Impact: None

Division and Staff Person's Name: Doug Darling, Florida Association of Counties.



Gulf Consortium Agenda
February 28, 2013 1:00-4:00 p.m. (CST)

Gulf Coast State College
Student Union East Conference Center
Second Floor
5230 W. U.S. 98
Panama City, FL

1. Minutes Approval
2. Updated List of Directors/Alternates
3. Results of Appointed Executive Committee Members Process
4. Executive Committee Recommended Budget Allocation
5. RESTORE Act Common Nomenclature Discussion
6. Update by Mimi Drew, Florida's Representative to Gulf Coast Ecosystem Restoration Council
7. Interim Manager Report
 - a. Governor's Office Coordination
 - b. Treasury Rules
 - c. Financial Report
8. Planning Calendar
9. Next Meeting – April 5, 2013 Tallahassee, FL City Commission Chambers
9:00 am - 12:00 noon EST (In conjunction with FAC Legislative Days)
10. Public Comment
11. Motion to Adjourn