

**RESTORE ACT
Public Meeting
July 23, 2013**

Attendees: Ryan Bell, Chairman, Board of County Commissioners
Chris Cowart, Vice-Chairman, School Board Representative
Leslie Sturmer, Aquaculture
Bruce Wilson, Tourism Industry Representative
Andrew Gude, Citizen Representative
Marilyn Ladner, Higher Education Institution (college/university)
David Pieklik, Economic Development Representative
Fred Moody, County Coordinator
Anne Bast Brown, County Attorney
Vacancy, Development/Job Creation Representative
Vacancy, Citizen Representative

Comm. Ryan Bell opened the Town Hall meeting of the Levy County RESTORE Act Advisory Committee at 5:00 p.m. at the College of Central Florida, Chiefland.

Applicants for Vacant Seats

Chairman Bell advised that there had been two (2) applicants for the vacancy for Citizens Representative received. Chairman Bell said the applicants were Jolie Davis of Cedar Key who is employed with Norm Fugate, Williston and Drinda Merritt, City Commissioner for the City of Inglis. Chairman Bell added that Jolie Davis is married to Heath Davis and resides in Cedar Key. Chairman Bell reminded the Committee that there was significant representation from Cedar Key and wanted to be sure there was equal representation throughout the County. Chairman Bell explained that if a representative for Development/Job Creation could not be found then the resolution creating the RESTORE Act Advisory Committee could be changed to allow another Citizen Representative seat. Marilyn Ladner said she has worked with Ms. Merritt and thinks she would be an asset to the Committee. Leslie Sturmer recommended accepting one of the applicants to the Committee now and then if a representative for the Development/Job Creation cannot be found to revise the resolution. Ms. Ladner moved to recommend the Board of County Commissioners the appointment of Ms. Drinda Merritt to the RESTORE Act Advisory Committee, second by Andrew Gude and the motion carried.

Presentation

Mr. Bill Williams, Consultant, introduced Mr. Darryl Boudreau, Director of FL County Government Relations with The Nature Conservancy. Mr. Williams gave Mr. Boudreau's background on his work with state agencies and counties.

Mr. Boudreau explained that the Nature Conservancy was working on projects for RESTORE funding to fund environmental watershed projects. Mr. Boudreau said in his newly created position with The Nature Conservancy he is working to bring counties together with common watersheds to address those issues that are being faced by the counties with impacts to their common watersheds. Mr. Boudreau said The Nature

Conservancy will coordinate a meeting where the Department of Environmental Protection (“DEP”), Florida Fish and Wildlife Commission and local governments can discuss issues affecting the watershed affecting the county. Mr. Boudreau explained that there have already been meetings in the panhandle area addressing the three (3) major basins and they are trying to improve the discussion of the issues by bringing the economic representatives together to understand what is needed to secure quality of life. Mr. Boudreau said the current concept is to meet with the four (4) counties consisting of Jefferson, Taylor, Dixie and Levy counties and prepare a vision for the protection of the watershed. Mr. Boudreau said the Department of Environmental Protection and the Water Management District would be included in the initial discussion allowing the four (4) counties to determine if the vision would include all or create an individual vision if this structure does not meet the needs of a specific county. Mr. Boudreau the vision would concern water quality and sedimentation. Mr. Boudreau said this would allow a project to be created for submission to the Department of Environmental Protection for funding and would address community needs. Mr. Boudreau explained that the state of Louisiana already has \$5,000,000.00 and a plan that has been developed over the last ten (10) years and Florida is competing for competitive funds from the federal government. Mr. Boudreau added that when the rules are released by the Treasury Department then the projects can be submitted to the appropriate pot for RESTORE funds but also can be submitted for other federal grants.

Mr. Williams said the panhandle and Big Bend area have not been creating plans for protecting the environment for the last ten (10) to twenty (20) years as South Florida has been doing and a common denominator is the watershed. Mr. Williams said working together allows for an opportunity to obtain the best science and present projects to the federal level which will benefit a larger area and allow for environmental and economic concerns to be addressed.

Mr. Boudreau said the intent is to try to maximize the projects by unifying regional plans and The Nature Conservancy is proposing to begin with the water basins.

In response to Mr. Larry Feldheusen’s inquiries on the Withlacoochee and Suwannee rivers which have different basins and the flexibility for communities to work with the basins that affect them and who will be fiscally responsible for the cost, Mr. Boudreau explained that The Nature Conservancy is only acting as a facilitator for the counties to bring them together and to assist in beginning the process for projects with the funding by the Walton Foundation for his position. Mr. Boudreau explained that he would not be at the meeting due to his prior employment with the Florida Department of Environmental Protection.

Leslie Sturmer said that there are partnerships that the Department of Environmental Protection has assisted in preparing and is seeking funding for watersheds, building partnerships with long term monitoring of oyster reefs for a very specific project. Ms. Sturmer added that in her employment they have been pursuing these projects, however, the purpose of this Committee is specific to a particular pot of money and the tasks being proposed are outside the scope of the RESTORE Act Advisory Committee as established.

Chairman Bell said it is outside the scope but this may allow the county to become more competitive for long term projects of a regional nature

Ms. Sturmer said some of the suggested projects are already ongoing and The Nature Conservancy has not been involved nor is the Advisory Committee aware of these projects. Ms. Sturmer said the Florida Wildlife Federation has been making contact in Levy and Dixie counties with the same intent and there are a lot NGO's with the same idea.

Mr. Boudreau said the The Nature Conservancy wants to be involved and is willing to assist with communication and coordination between local governments and other agencies. Mr. Boudreau said there is a lot of overlapping in projects at this time with no apparent coordination.

Andrew Gude explained that U.S. Fish and Wildlife have projects that are locally based and are interfaced with NEFDA and they will be long term and career makers. Mr. Gude said these local projects will allow an integration that will be recognized in part on a national level with some projects having national attention being linked to projects with larger goals. Mr. Gude said there is value in making the association with a national objective as a collective body and his agency is in the process of pushing the Big Bend area as this is an area that needs the ecosystem preserved and needs to be linked to economies.

Mr. Williams said this will all be political and local and state representatives need to provide the tools to the federal representatives to bring the money back to Florida and the rural areas of North Florida need to have strategic partners.

Mr. Gude said since the oil spill that is what has been advocated to ask for an investment to preserve an ecosystem that is relatively intact.

Mr. Boudreau clarified for Mr. Feldheusen that the funds he is advocating will be regional Pot 2 funds and are not the funds that will come locally for Pot 1.

Chris Cowart made a motion to approve the minutes from the Town Hall meetings of June 11, 2013 in Bronson, June 13, 2013 in Cedar Key and July 16, 2013 in Inglis, seconded by David Pieklik, and the motion carried.

The Advisory Committee closed and there was a recess of five minutes prior to the commencement of the Town Hall meeting.

Town Hall Meeting, Chiefland, FL

Chairman Bell opened the Town Hall meeting at 6:05 p.m. and requested all attendees to sign in and to identify themselves when they addressed the Committee. Chairman Bell introduced Mr. Bill Williams a consultant for the County.

Mr. Williams explained the Clean Water Act ("CWA") and the Oil Pollution Act ("OPA") and how the RESTORE Act was enacted by the Federal government for the disbursing of penalties and fines for the five (5) affected states from the oil spill and how it affects the counties and citizens at large.

Mr. Williams presented the Power Point explaining how the funds will be disbursed

and the percentages disbursed through the Pot 1, Pot 2, Pot 3 and Pot 4 funds. Mr. Williams explained that Pot 1 funds will be controlled by the local Board of County Commissioners, Pot 2 applications will be submitted to the Department of Environmental Protection through the state to be determined for awards at the federal level and is competitive, Pot 3 will be decided by the Gulf Consortium which consists of representatives from the 23 affected counties to work with the Governor and his technical advisory group and Pot 4 will be allocated for academic research and monitoring with the awards coming from US Fish and Wildlife and NOAA. Mr. Williams said the Gulf Coast Ecosystem Restoration Council consists of five (5) representatives from the affected states and the U.S. Department of Commerce and there are federal and state laws dictating how the funding will flow. Mr. Williams explained for the state plan the Governor has veto power over the Consortium who will be preparing the state plan. Mr. Williams said there will be pay outs from Transocean and BP with the interest from those penalties and fines going to Pot 4. Mr. Williams said Federal Treasury rules will govern the projects and which funding Pot a project may be submitted to. Mr. Williams said the rules were to be available by July 2013, however, those rules have not yet been made available. Mr. Williams said Transocean has already settled the civil suit and the money has been paid but cannot be released until the treasury rules are developed. Mr. Williams added that settlements will be on negligence when the court case in Louisiana is concluded and there will have to be imperial data, transparency and accountability, with specific rules and auditing rules for the use of the funds. Mr. Williams explained the federal government will hold all funds and will disburse them as a project is awarded and it appears that funding will be similar to a federal or state grant. Mr. Williams reviewed the amount of funding that the county would receive from the total of penalties and fines awarded.

Mr. Williams said there have been a series of Town Hall meetings and there will be an application process with the Board of County Commissioners as the final authority and would recommend contacting Fred Moody, County Coordinator or Anne Bast Brown, County Attorney for information. Mr. Williams explained the applications would be vetted by the RESTORE Act Advisory Committee and then forwarded to the Board of County Commissioners for awarding.

Chairman Bell said all information is currently on the County website and you can go to levycounty.org and then select the RESTORE tab.

Mr. Williams reviewed how the funding and handling of funds for Pot 2 for the state should proceed and agencies are preparing projects which may have already been developed and expanding on those projects. Mr. Williams said the project with the greatest impact regionally will have the best chance of being approved as this will be a competitive fund with all five (5) states competing for the funds that would be available.

Mr. Williams explained the formula for Pot 3 funding which is overseen by a state and local government consortium. Mr. Williams said the Governor had signed a mutual agreement with the 23 affected counties and the funds will be used for infrastructure and economic and environmental recovery of the gulf. Mr. Williams said the application for these funds will be submitted to the consortium and the Governor and then the federal council will decide which projects will be funded.

Mr. Williams explained that the funds in Pot 4 will be used for Centers of Excellence and the funding will be controlled under the Oil Protection Act with NOAA controlling a portion and the US Fish and Wildlife controlling a portion of the funds. Mr. Williams said this will fund science restoration projects.

Mr. Williams concluded that if BP can litigate a settlement on the criminal penalties then the dollars could be shifted to NERDA and BP would be entitled to a tax deduction from the fines and penalties and there will be no settlement until this is resolved. Mr. Williams recommended using the flow chart to determine partnerships for who will control the awarding of funds.

Fred Moody introduced Mr. Kevin Gay the new City Manager for the City of Chiefland.

Chairman Bell explained the purpose of the Levy County RESTORE Act Advisory Committee and that the application for Pot 1 projects would be submitted electronically and reviewed by the Committee and submitted to the Board of County Commissioners for their final decision. Chairman Bell said there is no definite date yet for submittals. Chairman Bell said that there is one vacancy for Workforce/job creation on the Committee that needs to be filled.

Chairman Bell said the Town Hall meetings are scheduled for August 13, 2013 at City Hall in Williston and August 27 at City Hall in Fanning Springs with a workshop to assist in the completion of applications on September 10, from 5:00 p.m. to 7:00 p.m. at the College of Central Florida, Community Room.

Mr. Scott Dennison inquired on the scoring related to the application and it appeared conflicting for projects.

Chairman Bell said the Committee would rank the applications and then if a project submitted for Pot 1 funds was better suited to be submitted to another Pot of funding, the Committee would recommend submitting that project application to the appropriate Pot for funding.

The meeting was adjourned at 7:00 p.m.

RESTORE ACT COMMITTEE

Ryan Bell, Chairman