

**RESTORE ACT
Public Meeting of April 25, 2017**

Attendees: Chris Cowart, School Board Representative, Chairman
John Meeks, Board of County Commissioners, Vice-Chairman
Rayanne Giddis, Higher Education
Jolie Davis, Citizen Representative
Jack Schofield, Citizen Representative

Absent: Leslie Sturmer, Aquaculture
Dennis Voyles, Tourism Industry
David Pieklik, Economic Development
Richard Streeter, Citizen Representative

Chairman Cowart opened the Committee meeting of the Levy County RESTORE Act Advisory Committee at 3:00 p.m. at the Levy County Court House. Comm. John Meeks gave the prayer followed by the Pledge to the Flag. The roll of members was called.

PUBLIC COMMENTS

Mayor Drinda Merritt of Inglis advised that the City of Inglis would be interested in being considered for funding a waste water treatment facility with Pot 3 funding.

RESTORE ACT

Ms. Tisha Whitehurst said a vote is needed on the Tetra Tech scope of work and work order for the Multi-Year Plan ("MYIP"). Ms. Whitehurst said the scope had been changed and the new amount is \$24,930.00 from \$34,930 saving \$10,000.00. **John Meeks moved to approve the recommendation seconded by Ms. Jolie Davis.**

Ms. Whitehurst explained that the individual meetings scheduled with all department heads, the Committee and Board members had been removed which could have created a conflict of interest and a lack of transparency. This includes 3 to 5 meetings with Mr. Wilbur Dean, County Coordinator and herself as it is redundant and they also will not be paid for finding leveraging funds as this would affect the 6 month amendment process and the **motion carried.**

Ms. Whitehurst said a vote was required on Phase 1 (not Year 1) funding of projects 4-10 which would be paid in the first year. **Mr. Jack Schofield moved to approve the recommendation of funding projects 4-10 in Phase 1, second by Ms. Davis.**

Ms. Davis opened discussion with concerns of projects that are primarily education based and that being an ineligible criteria for the projects under Treasury guidelines. Ms. Davis explained her concerns with the "Developing Water Ambassadors" under the aegis of the Levy County School Board and primarily it being an education based project for a specified group of students and not available to the public.

Ms. Whitehurst explained the project has been discussed and reviewed by Mr. Stutz of Treasury that the eligibility of the project with Pot 1 funding is that education cannot be the sole focus of the activity as restoration and protection of natural resources and conservation of marine preservation are main components of the guidelines. Ms.

Whitehurst said that Mr. Stutz recommended that the project not be withdrawn but reword the project with language addressing the protection of natural resources more from an educational standpoint. Ms. Whitehurst said she had discussed with Ms. Carol Jones with the Levy County School Board and the language is being reviewed and reworded for Mr. Stutz's review.

Ms. Davis explained her difficulty in manipulating the wording of a project to fit the guidelines when there are other resources that may be available to fund this type of project. Ms. Davis said she had concerns of funding going to a project that doesn't properly meet the guidelines.

Ms. Whitehurst said approval is needed today in order to proceed with the Tetra Tech review of the projects after presentation to the Board of County Commissioners for approval. Ms. Whitehurst said each project will then be reviewed individually and how it meets the eligibility guidelines developed by Treasury so that funding can begin.

Mr. Schofield said he concurred with Ms. Davis but thought the funding also went for tourism and many of the projects have an education concept which is not directed at school age children but at visitors to the area.

Ms. Whitehurst explained further that the project is viable with the guidelines if it is to educate students to be water ambassadors by creating water stewards and what damage is being done to our natural resources. Ms. Whitehurst said the project must be more sustainable and not just funding for field trips. Chairman Cowart said a large portion of the project was to purchase equipment and culminating with trips to Yankeetown and Cedar Key and working with the water management districts. Mr. Schofield also expressed concern on the continued funding of the program once the RESTORE Act funds were disbursed.

Comm. John Meeks said there had been many discussions on the projects and it was his understanding that project 6 originally had "education" in the title of the project. Ms. Whitehurst said it had been an acronym and also it was determined that Levy County School Board would be better at providing the service than the College of Central Florida ("CCF").

There was additional discussion on other projects that had an educational context and how those projects would be available to the general public and not limited to a small group. Ms. Davis said it was still a concern to her that this had not been thoroughly discussed and that the Committee should address this and not be told how to do it.

Dr. Rayanne Giddis said there are other projects that could move forward while project 6 "Developing Water Ambassadors" is reviewed and as Mr. Schofield pointed out the tourism aspect trumps education.

Ms. Whitehurst said if project 6 is not included the Plan can go to the Governor and advise that it has to be amended or that project 6 is included and can amend to exclude the project after it has been submitted to the Governor for approval.

Ms. Davis also addressed the project for the Cedar Key Aquarium at Nature Coast

Biological Station and how accessible it will be to the public and how the issue of a classroom allows for public use.

Ms. Mindy Allen project manager for the aquarium project said the area will be open to the public and the conference center not a classroom will also be available for public use probably on a schedule basis use by the community Ms. Allen said a revision had been sent to Ms. Whitehurst which was forwarded to RESTORE Act committee members.

Ms. Davis said if it is being funded by RESTORE Act funds then it should be available to the public.

Ms. Whitehurst said if the MYIP includes project 6 and it is later rejected then those funds will become available for another project. Ms. Whitehurst also explained that the Cedar Key Aquarium project funding would only be for the aquarium and conference center and not the office/administrative portion of the plans submitted. Ms. Whitehurst also clarified that if RESTORE Act funds are accepted for any of the projects and the uses as described in the project applications changes or changes in ownership occur, the funds would have to be returned to the federal government

Ms. Whitehurst said approval of Phase 1 projects and other projects for the remainder of the Pot 1 funds, and Pot 3 fund recommendations will be presented to the Board of County Commissioners on May 2.

Ms. Davis outlined several issues she had with the project for the aquarium including no indication of it being open to the public.

Ms. Whitehurst provided the information from the project application that the requested funding was for an aquarium and conference center and it would be available for public workshops. Ms. Whitehurst explained that Ms. Mindy Allen would need to make some adjustments to the wording of the project application.

Ms. Mindy Allen said it was the intention to have the conference center available similar to the community center in Cedar Key where users would have to schedule the time and it would be subject to availability and there would be something for cleaning the center and the cost of electricity. Ms. Allen explained the University of Florida campus has buildings that serve the same purpose and the same procedure is done on the East coast.

Mr. Schofield expressed concern with the award of the grant and the project application indicating construction costs and the building is now being constructed so it would appear to be internal construction remaining.

Ms. Mindy Allen clarified that the shell of the building would sit there until there were funds available and if the award of funds was done in time there would be an additional cost of \$30,000.00.

Ms. Davis said the project application needed to be modified to reflect what is being explained. Ms. Allen said they have already had conversations with the Florida Aquarium and have volunteers to provide services at the aquarium and will receive training from the Florida Aquarium. Ms. Whitehurst said this needed to be added to the update of the

application.

Ms. Whitehurst said in voting for the Phase 1 funding, if a specific time of one year is indicated, amendments will have to be submitted and would prolong funding.

Comm. Meeks said with the first payment of the BP funds and the funds that have already been received the Phase 1 projects can be covered and there will be some funding left that can be applied including the \$59,000 to the next Phase of funding.

Ms. Whitehurst further explained that the counties which have had the most difficulty did not use the "best science available" and the projects which are being considered for the County do not have that aspect to consider. Ms. Whitehurst said the projects that have caused difficulties are restoration of dunes and planting of sea grass. Ms. Whitehurst said Tetra Tech will be more thorough once they start getting paid.

The motion had previously been made to approve projects 4-10 for Phase 1 including the Levy County School Board project for Tetra Tech to review and provide their recommendations, and the **motion carried**.

Ms. Whitehurst said action was needed on Years 2 - 15 for the remaining projects for the Oyster Reef Restoration in the Gulf of Mexico, Project ACE Ambassadors for Conservation, and Inner Marina Dredging, Dock Street Access, and Dock Addition. **Comm. Meeks moved to approved Years 2 -15 funding for those projects, second by Ms. Davis.**

Ms. Whitehurst read for the record a response from Dr. Richard Streeter in his absence of concerns about the dredging project submitted by the City of Cedar Key and the discussion of moving a Cedar Key project to Pot 3 for funding. Ms. Whitehurst explained that for the remaining projects it will take a period of time to fund projects at \$300,000, \$400,000 and \$600,000 respectively.

Mr. Schofield said he would like to see improvements to the Bird Creek boat ramp and park area. Ms. Whitehurst explained that the Board would have to re-open for additional projects and there has been discussion to use any additional funds for county projects, specifically the county parks. Ms. Davis expressed a concern if the Board allowed new projects that it would complicate the funding for the projects that have already been submitted and recommended for allocation of funding from Pot 1 funds. Ms. Davis said she would not want a new project to displace a project that has already be reviewed and ranked for funding. Mr. Schofield said projects have been changed and altered since the original submissions of project applications and would like to have Bird Creek considered if funding becomes available. Comm. Meeks said he has been pursuing other avenues for funding improvements at Bird Creek. There was additional discussion which conclusion was that the Board has not considered requesting any new project applications, after funding of Phase 1 projects it will take a period of time before there is sufficient funding for projects already reviewed, projects may find other funding sources and be completed before there are funds from Pot 1 for funding, and if new projects were accepted they would not displace current projects for funding. Comm. Meeks said there may be a surplus in the future if all funds were not used creating a surplus and there will be a small surplus if the oyster restoration project is moved to Pot 3 funding which would allow an opportunity to improve

some county parks and the **motion carried.**

Ms. Whitehurst said action needed to be taken on moving the Oyster Reef Restoration in the Gulf of Mexico submitted by the Cedar Key Oystermen's Association, Inc. to Pot 3. Ms. Whitehurst said there would be more funds available to fund at the original amount proposed and oyster restoration is better suited as a Pot 3 project. Ms. Whitehurst said that ESA reviewed the projects and recommended that project be placed in for Pot 3 funding as it better fits the state expenditure plan.

Comm. Meeks said this would allow funding at an earlier time and could be a regional project with Dixie and Taylor counties. Ms. Whitehurst said this project could wait several years before there would be available funds in Pot 1 funding.

Mr. Schofield said he had done some research and the revenue received in return of rebuilding an oyster reef is much less than the revenues received and it appeared this would be "throwing money down the drain" on recovered oyster bars being destroyed by storms. There was further discussion and Comm. Meeks explained that oyster reef restoration not only benefitted the growing of new wild oysters but the reefs also provided a healthy marine growth, protections to estuaries that protects juvenile crabs, fish and creates natural hatcheries. The oyster reefs also form a barrier which protects from tide action and storm surges.

Ms. Davis explained with the decimation of the oyster population in Appalachicola Bay restaurants are purchasing Cedar Key oysters which is building a brand new market. Ms. Davis explained that there has been a severe problem with over harvesting in the Cedar Key area oyster reefs with the failing of the beds in Appalachicola and the industry is working towards a solution to limit harvesting to prevent over harvesting.

Comm. Meeks moved to remove the Oyster Reef Restoration in the Gulf Project from Pot 1 and transfer it to Pot 3 for funding to allow a larger scale project, second by Dr. Rayanne Giddis.

Mr. Schofield said the mayor of Inglis had come requesting consideration for a waste water treatment system in the South Levy area which has a 12 million dollar cost and this would generate more assistance and allow greater economic growth than he saw the oyster restoration project bringing. Comm. Meeks said the Gulf Consortium has made it clear not to bind Pot 3 funds to infrastructure as that should be addressed with other governmental funding sources that are available and the **motion carried with Meeks, Davis, Cowart, Giddis voting yes and Schofield voting no.**

Ms. Whitehurst said approval was needed to add the Wacassassa Land Acquisition to the Pot 3 list. Ms. Whitehurst explained this project was a result of the consultation with ESA and their recommendation to include this project and the septic to sewer as viable projects for the Pot 3 funds. Comm. Meeks explained that this property includes the small hotel, RV camping area, meeting area, a building that has been used previously as a general store with apartments. Comm. Meeks said it would create a buffer from development across CR 326 and the river and would protect 320 untouched wilderness which is a recharge area and would provide direct access to the largest seagrass preserve in the state. Comm. Meeks said the Department of Natural Resources, Department of

Environmental Protection and Suwannee River Water Management District are very enthusiastic about this project and the opportunity it presents to protect an environmentally sensitive area and also be an economic generator. Ms. Whitehurst said the project would not be totally funded by Pot 3 but allow for leverage and allowing purchasing of the land. Ms. Whitehurst said Pot 3 funds are for a regional approach and exact costs are not available yet. Ms. Whitehurst explained the oyster project could be a regional oyster restoration project with Dixie and Taylor counties and this is to place the projects on the list and then prioritize.

Mr. Schofield said he would like to see the septic to sewer project identifying the southern portion of the County for the need. Ms. Whitehurst said ESA has provided the guidelines and they will review maps of the areas and currently have identified properties along the Suwannee River and Lake Rosseau by area not addresses.

Ms. Davis moved to add the Wacassassa Land Acquisition to the Pot 3 funds, second by John Meeks. Mr. Schofield said the Bird Creek Park is in dire straits and this is a county park that has needed extensive repairs for some time. Mr. Schofield said funding should go to repairing an existing facility before purchasing something that probably won't be revenue producing.

Comm. Meeks explained that he has not been able to secure any interest from any other agencies to help with the funding of the repairs at Bird Creek Park and the Wacassassa site could produce revenue to support itself and it is generating enough interest from other agencies that there can be funding opportunities along with the Pot 3 funds.

Comm. Meeks said that ESA did not want more than 3 or 4 projects in the Pot 3 funding and for them to be large costs so money is not lost to administrative costs. Comm. Meeks explained all projects from Pensacola to Key West must tie together for water quality and septic to sewers provide an argument for reef protection, shoreline, filter feeder, protection of the water and the land acquisition of a recharge area that adds more water quality issues and protects a sea grass preserve. **The motion to add the Waccassassa Land Acquisition to the Pot 3 project list with Mr. Cowart, Ms. Davis, Comm. Meeks and Dr. Giddis voting yes and Mr. Schofield voting no and the motion carried.**

Ms. Whitehurst said approval of the Pot 3 projects for the State Expenditure Plan ("SEP") is required by the Committee and by the Board of County Commissioners. **John Meeks moved to accept the State Expenditure Plan amending to reflect septic to sewer project to include south Levy and the Suwannee River, second by Dr. Giddis and the motion carried.**

PUBLIC COMMENTS

Mr. Dan Hilliard inquired when the Pot 3 funding stream would begin. Ms. Whitehurst said the information approved today would be presented to the Board of County Commissioners on Tuesday, May 2, 2017 and it would at least 3 months but there was no firm timeline.

MEETING SCHEDULE

The next meetings are scheduled for Tuesday, June 6, 2017 and for Tuesday, August 15, 2017.

MINUTES

Comm. Meeks moved to approve the minutes of February 21, 2017, seconded by Mr. Schofield and the motion carried. The meeting adjourned at 5:15 p.m.

**RESTORE ACT ADVISORY COMMITTEE
LEVY COUNTY, FLORIDA**

Chris Cowart, Chairman