



Gulf Consortium Agenda
August 7, 2014, 9:30 a.m. Central
Ballroom AB, Hilton Pensacola Beach Gulf Front
12 Via de Luna Drive
Pensacola Beach, FL

1. Call to Order
2. Pledge
3. Public Comment
4. Consent Agenda
 - a) Minutes Approval
 - b) List of Directors/Alternates/Governor's Appointees
 - c) Financial Report
 - d) Notice of Meeting as published in the Florida Administrative Register
5. Chairman update on Congressional Testimony
6. Dr. William Hogarth, Florida Institute of Oceanography
7. Manager Update
 - a) FY 14/15 Budget
 - b) State Partner's Meetings
 - c) NACo Gulf Coast Coalition
8. General Counsel Update
 - a) SEP Procurement Update
 - b) BP Litigation
 - c) Retiring/Resigning Directors/Alternates
9. Public Comment
10. Meeting Schedule for 2014
 - a) September - Wednesday, September 17th 9:30am-12:00noon Central – Walton County – in conjunction with FAC Policy Conference



b) October – Open

c) November 19, 2014 – Time TBD - in conjunction with FAC Legislative Conference,
Tampa Marriott Waterside Hotel & Marina, 700 South Florida Avenue, Tampa, Florida
33602

11. Adjourn

Gulf Consortium Meeting
June 20, 2014 10:00 a.m. (Eastern)
Hilton Bonnet Creek
Orange County (Orlando, FL)

Officers in Attendance: Jim Muller representing Bay County – nonvoting member, Commissioner Christopher Constance (Charlotte), Commissioner Rebecca Bays (Citrus), Commissioner Grover Robinson (Escambia), Commissioner Warren Yeager (Gulf), Commissioner Wayne Dukes (Hernando), Brandon Wagner representing Hillsborough County – nonvoting member, Commissioner Betsy Barfield (Jefferson), Commissioner Carol Whitmore (Manatee), Commissioner Dave Parisot (Okaloosa), Commissioner Jack Mariano (Pasco), Commissioner Susan Latvala (Pinellas), Commissioner Nora Patterson (Sarasota), Commissioner Jim Moody (Taylor), Commissioner Ralph Thomas (Wakulla), Commissioner Sara Comander (Walton), Governor Appointee Pam Anderson, Governor Appointee Peter Bos, Governor Appointee Collier Merrill, Governor Appointee Michael Sole, Governor Appointee Neal Wade

Agenda Item #1 – Call to Order

Commissioner Grover Robinson called the meeting to order at 10:04 am (ET).

Agenda Item #3 – Public Comment

1. Janet Bowman, Nature Conservancy.
-

Agenda Item #4 – Consent Agenda

Mr. Doug Darling, Interim Director, presented the consent agenda containing minutes from the January 24, 2014, Gulf Consortium Board of Directors' (Board) Meeting in Leon County and the June 2, 2014, Gulf Consortium Executive Meeting via teleconference, an updated list of Directors/Alternates, the Financial Report and the Notice of Meeting as published in the Florida Administrative Register. A motion to approve the consent agenda was presented by Commissioner Rebecca Bays (Citrus) and seconded by Commissioner Christopher Constance (Charlotte).

ACTION: APPROVED

Agenda Item #5 – Tourism Marketing Presentation (Visit Florida)

Mr. Will Secombe, President and CEO of Visit Florida, delivered a presentation on the current marketing efforts Visit Florida is engaged in.

Agenda Item #6 – Gulf Fisheries Presentation (Mr. Luiz Barbieri, Fish and Wildlife Research Institute)

Mr. Luiz Barbieri, Fish and Wildlife Research Institute, gave a presentation to the Board regarding current research being performed on fish populations and changes being made to the way daily recreational catches are being monitored.

Agenda Item #7 – Debbie Harker, Inspector General, US Treasury

Ms. Debbie Harker, Inspector General, US Treasury updated the Board on the status of Treasury regulations.

Agenda Item #8 – Chair Request for Resolutions Exxon Valdez Parity Resolution

Chair Grover Robinson (Escambia) brought forward a resolution from Jefferson County, Texas relating to monies paid by the responsible parties following an oil spill for the Board's consideration. The resolution suggested that amounts from the Deep Water Horizon spill should equal the amounts from the Exxon Valdez spill plus an adjustment for inflation. Discussion ensued. A motion was made and then withdrawn.

Agenda Item #9 – Staff Update

Ms. Sarah Bleakley, Interim General Counsel, informed the Board the Gulf Consortium has been designated as a special district by the Department of Economic Opportunity allowing the annual audit to be filed with the State of Florida.

Then Ms. Bleakley provided the Board with a legislative update from the 2014 Legislative Session.

Agenda Item #10 – Status of Invitation to Negotiate (ITN)

Ms. Sarah Bleakley, Interim General Counsel, provided the Board with an update on the status of the ITN. Six firms responded to the ITN by the closing date and an evaluation team has been formed. She then outlined the remaining steps in the procurement process.

Agenda Item #11 – Roles Discussion including Funding Options and Implementation Options

Mr. Doug Darling, Interim Manager, reviewed the seven funding options identified by staff for the state expenditure plan and briefly presented the benefits and drawback of each option. Discussion ensued.

Next, Mr. Darling reviewed the implementation options identified by staff for the state expenditure plan. Discussion ensued.

NEW BUSINESS

Commissioner Christopher Constance (Charlotte) requested staff arranged for scientists to update the Board at least twice a year on the health status of the Gulf of Mexico.

Commissioner Carol Whitmore (Manatee) requested staff provide more presentations and newsletters.

Agenda Item #12 – Public Comment

1. TJ Marshall, Ocean Conservancy
 2. Eric Draper, Audubon Florida
-

Agenda Item #13 – Meeting Schedule for 2014

Mr. Doug Darling, Interim Manager, reviewed the meeting schedule for the remainder of 2014.

Agenda Item #12 – Adjournment

There being no further business, the Committee adjourned at 1:36 pm (ET).

NACo Annual Conference and Exposition

Minutes submitted by Julie Ufner, Associate Legislative Director-Environment, Energy and Land Use, National Association of Counties for the Gulf States Counties and Parishes Caucus held on July 12, 2014. In attendance from the Gulf Consortium were: Commissioner Robinson (Escambia); Commissioner Yeager (Gulf); Commissioner Bays (Citrus).

- Thank you to everyone that joined us in Orleans Parish, Louisiana, for NACo's 2014 Annual Conference & Exposition: County Solutions and Idea Marketplace! We had a great turnout this year with almost three thousand members in attendance - with an equally impressive attendance for the Gulf States Counties and Parishes meeting! For pictures from this year's conference, click [here<https://2014nacoannualconference.shutterstock.com/#:emid=site_weeklydigest&cid=SHARE3SXXXX>](https://2014nacoannualconference.shutterstock.com/#:emid=site_weeklydigest&cid=SHARE3SXXXX).

For those of you unable to attend the conference, I wanted to provide you all with a few highlights. This email contains information about the following:

- Highlights of the Gulf States Counties and Parishes Meeting-Held During NACo's Annual Conference
- Caucus's October 15 Annual Meeting in Biloxi, Mississippi
- Results of NACo BOD Vote-Recognition of the Caucus

Gulf States Counties and Parishes Meeting-NACo Annual Conference

The Gulf States Counties and Parishes met on July 12, 2014 during NACo's Annual Conference.

A brief wrap-up of the meeting is below:

1. Merceria Ludgood, Chair, of the Gulf States Counties and Parishes Caucus (Commissioner, Mobile County, AL), kicked off the meeting and asked for introductions. She reiterated the purpose of the group is to promote a clearer understanding of mutual problems of Gulf Coast counties and parishes and their citizens; to establish a single source of information concerning county and parish governments in the Gulf region; and to advocate on behalf of those residing in Gulf Counties and parishes before federal and state governments and other county officials.

2. Julie Ufner, NACo Staff, gave an overview of the status of the proposed caucus. The NACo Board of Directors is scheduled to vote on recognition of the caucus on July 12 (details on board vote is below)-Commissioner Ludgood is scheduled to speak before the board. At NACo's Western Interstate Region (WIR) Conference in May, the BOD heard from NACo's Executive Director Matt Chase, who gave the BOD notice this vote would occur.

It was asked whether the caucus would be willing to rename themselves to coalition-within the board bylaws the term "caucus" has meaning and generally comes with a board seat. There were mixed views on whether the group would be willing to change their name. Ultimately, the group asked Chair Ludgood to push for caucus status but indicate they would accept coalition, if the board requested it. There was also strong discussion on whether the group should push for a board seat but ultimately the majority of the members said it was more important for the group to stay together, than a board seat at this time, as long as the issue could be revisited in the future.

3. Each of the five Gulf Coast states were invited to give state updates on RESTORE Act implementation. The states are in various stages of implementation.

- In Louisiana, members discussed recent state legislative activities to restrict how RESTORE Act funds could be used. Most of these efforts were defeated, due to 22 parishes who formed a group called Parishes Against Coastal Erosion. One bill was passed though on coastal restoration protection authority, a subcommittee of parish officials was formed to create a template parishes could use for comprehensive land use plans, to make sure the plans are consistent with RESTORE Act provisions.

- In Mississippi it's a little difference since most of the money goes to the state. The state is moving forward and the counties have submitted their plans.

- Texas talked about a resolution they introduced for consideration at the NACo Annual Conference on the settlement agreement for the BP Oil Spill.

- Alabama has several projects in phase 3 and several projects in the final planning process. The state has created a ten member council chaired by the governor (which includes representation from the two impacted Alabama coastal counties), this council has a process in place to vet all proposed projects.

- In Florida, the 23 Gulf Coast counties have formed the a Gulf Coast Consortium in order to meet the requirements of the RESTORE Act. The biggest challenge now is there is no money, the counties are funding work themselves. They are anticipating the U.S. Treasury will release the rules governing the RESTORE Act soon.

It was also noted during the discussion section that the Senate Committee on Commerce,

Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard will hold a hearing on Tuesday, July 29, at 10:30 am entitled "Revisiting the RESTORE Act: Progress and Challenges in Gulf Restoration Post-Deepwater Horizon.

To find out more about the hearing, click

here.<http://www.commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord_id=fdfbde77-d1f4-45a4-befc-c906faeec3bc>

4. Julie Ufner, NACo staff, gave an update on implementation issues within the Homeowner Flood Insurance Affordability Act of 2014. Yejin Jang, who handles all emergency management issues for NACo, met with FEMA officials before the conference and received an update on the various provisions yet to be implemented.

- Rates, Refunds, Surcharges

New rate tables were issued and new rates are being implemented now;

Refunds will be processed faster than called for in HFIAA, the average refund will be around \$50 and will go out to roughly one million people at a cost of \$100 million to the fund,

FEMA anticipates completion by December 21, 2014

Mandatory surcharges (\$25 primary residence/\$250 all other policies)-FEMA anticipates these will start in April 2015

- Mapping, New Mapping Notices, FEMA Map Service Center

FEMA must notify Congressional members of the district when FEMA plans to map-first notice was released in late June 2014. FEMA will distribute notices to Congressional members on the 14th business day of each month. The notices will be also on FEMA's website here<<http://www.fema.gov/risk-mapping-assessment-planning>>.

If people are having problems with mapping, would like their map updated, there are three ways:

Wait for FEMA to come and map

Ask for a smaller segment of the flood map to be updated/amended

Request letters of map revision (LOMR) or letter of map amendment (if a property owner thinks they have been inadvertently mapped in a SFHA, they can submit a request to FEMA for a Letter of Map Change.

The Map Service Center (online map program by FEMA) is in high demand-physical orders of maps will be discontinued, except, communities will continue to receive a single set of printed maps and flood insurance study report as well as digital data on hard disk. There will be free flood mapping product downloads.

· Affordability Study, Rule-Making, TMAC

The Affordability Study will be conducted by the National Academy of Sciences, it's out of FEMA's hands. NAS has 18 months to do the study and then FEMA will be given 18 months to recommend policy

Anything in the Act that requires rule-making will take three to five years. For example, installment payments are subject to a rule-making, as are the flood insurance rate map appears reimbursements.

FEMA has named their Technical Mapping Advisory Council (TMAC)<<http://www.fema.gov/news-release/2014/07/15/fema-announces-membership-new-technical-mapping-advisory-council>>. TMAC will review new flood mapping program activities and provide FEMA with the recommendations on meeting new requirements for a mapping program. The first meeting should occur before the Fall of 2014

FEMA is working on creating a Flood Insurance Advocate-talking with other federal agencies that have similar "advocates" to figure out how this would work

5. There was also interest in forming a small counties and parishes group to work with EPA and write comments on potential impacts of the proposed rule on "waters of the U.S." on coastal areas that have high groundwater tables. NACo has an information hub on "waters of the U.S." that detail the county angle. Click here<<http://www.naco.org/legislation/Pages/WOUS.aspx>> to see the NACo site.

ACTION ITEM: Each state needs to designate one person from their state to work on this

6. The group discussed the resolution on Environmental Fine Settlement Agreement for the Deepwater Horizon Oil Spill that was introduced by a Texas county for consideration at NACo's Annual Conference. The resolution urged the federal governments to finalize an oil spill consent decree among BP, the U.S. and the five gulf coast states at a negotiated settlement between % 15.8 billion and \$28.1 billion, in order to be consistent with the fine set by the Exxon Valdez settlement.

After considerable discussion, the group choose not to take a specific position on the resolution but offered to discuss it at the group's annual meeting in Biloxi, Mississippi on

October 15.

Note: The resolution ultimately was withdrawn from consideration.

7. There was a discussion of Agenda for the Gulf States Counties and Parishes Annual Meeting-October 15, 2014- The next meeting will be held by Supervisor Connie Rocko in Biloxi, Mississippi on October 15, 2014. It will be an all-day meeting (lunch included). More details to be forthcoming.

If you plan to attend the Gulf States Counties and Parishes Annual Meeting on October 15, please let me know-Supervisor Connie Rockco is working to get a room block at the Beau Rivage Resort and Casino for participants-she needs to know how many rooms to block. The room rate will be approximately \$100 plus tax a night.

Some of the potential topics members asked to be put on the October 15 agenda include:

- Discussion on NFIP 2017 Reauthorization Bill (what key points members want to lobby in the bill)
- NFIP implementation Issues
- RESTORE Act Implementation Status
- Federal Fishing Quotas
- Discussion on Local BP Settlement Claims (could be used as a model for other settlements)
- Resolution on BP Oil Spill Introduced by Texas on BP Oil Spill

Under the group's bylaws, The group is scheduled to meet at least three times a year-two of the meetings occur at NACo's Annual and Legislative Conferences-the third meeting is held in the Fall in the state where the chair residents.

8. The meeting adjourned.

NACo Board of Directors Vote-Gulf States Counties and Parishes Recognition

On Sunday, July 13, NACo's Board of Directors met. One of the items on the BOD agenda was recognition of the Gulf States Counties and Parishes group. On behalf of the group, Commissioner Merceria Ludgood (Mobile County, AL) offered the proposal.

1. The BOD approved formal recognition of the group, without a board slot
2. The BOD was silent on whether to call the group a caucus or coalition, however, it was encouraged afterwards that the group rename itself the Gulf States Counties and Parishes Coalition
3. The board also approved basic NACo staff support (which will need to be defined)

If there is anything I missed, please let me know. And, as always, if you have any questions, please do not hesitate to contact me.

Julie Ufner

Associate Legislative Director-Environment, Energy and Land Use

National Association of Counties

202.942.4269

Notice of Meeting/Workshop Hearing

OTHER AGENCIES AND ORGANIZATIONS

Gulf Consortium

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: August 7, 2014, 9:30 a.m., Central Time

PLACE: Ballroom AB, Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to discuss Treasury Rules and Council Regulations, the status of the Invitation to Negotiate for a state expenditure plan consultant; funding and implementation options, and other matters.

A copy of the agenda may be obtained by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com or see www.FACRestore.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com or see www.FACRestore.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Doug Darling at (850)922-4300 or ddarling@fl-counties.com or see www.FACRestore.com.

Gulf Consortium Directors, Alternates and Governor's Appointees

August 7, 2014

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; Ken Cheek, Water Resources Director
Collier	Comm Tom Henning, Director; Comm Donna Fiala, Alternate; Director Bill Lorenz, 2nd Alternate
Dixie	Tim Alexander, Director of Emergency Management; Administrator Mike Cassidy, Alternate
Escambia	Comm Grover Robinson, Director; Comm Gene Valentino, Alternate
Franklin	Comm Cheryl Sanders, Director; County Administrator Alan Pierce, Alternate
Gulf	Comm Warren Yeager, Director; Tan Smiley, Alternate; County Administrator Donald Butler 2nd Alternate
Hernando	Comm Wayne Dukes, Director; Comm David Russell, Alternate; Administrator Len Sossamon, 2nd Alternate
Hillsborough	Comm Les Miller, Director; Comm Ken Hagan, Alternate
Jefferson	Comm Betsy Barfield, Director; County Coordinator Parrish Barwick, Alternate
Lee	Comm John Manning, Director; Comm Larry Kiker, Alternate; Dave Harner, 2nd Alternate
Levy	Comm Ryan Bell, Director; County Coordinator Fred Moody, Alternate
Manatee	Comm Carol Whitmore, Director; Charlie Hunsicker, Natural Resources Dept., Alternate
Monroe	Commissioner George Neugent, Director; Comm 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; Coastal Manager Andy Squires
Santa Rosa	Comm Lane Lynchard, Director; Comm Jim Melvin, Alternate; Comm Charles Hines, 2nd Alternate
Sarasota	Comm Nora Patterson, Director; Laird Wreford, Natural Resources Manager, Alternate; Comm Christine Robinson 2nd Alternate
Taylor	Comm Jim Moody, Director; Dustin Hinkel, County Administrator, Alternate
Wakulla	David Edwards, County Administrator, Director; Comm Ralph Thomas, Alternate
Walton	Comm Sara Comander, Director; Comm Cindy Meadows, Alternate
Governor's Appointees	Pam Anderson, Panama City; Peter Bos, Destin; Lino Maldonado, Niceville; Collier Merrill, Pensacola; Mike Sole, Tallahassee; Neal Wade, Panama City

**Gulf Consortium Board Meeting Agenda Item
August 7, 2014
Consent Agenda Item # 4.c**

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
Adopted Budget to Actual
October 1, 2013 - July 31, 2014

	<u>FY14 Budget</u>	<u>FY14 Year To Date Actual*</u>
Revenues		
Interim County Funding	140,053.00	140,050.00
Interest Income	-	25.70
Total Revenues	140,053.00	140,075.70
Disbursements		
Consulting-Administration	60,000.00	40,000.00
Consulting-Legal & Expenses	60,000.00	47,155.96
Meeting and Travel Expense	8,000.00	4,089.53
Miscellaneous	1,000.00	175.00
Audit Expense	3,000.00	3,000.00
Grant Writer Expense	7,500.00	-
Total Disbursements	139,500.00	94,420.49
Revenues Over (under) Disbursements	553.00	45,655.21

*Cash Basis of Accounting for Interim Reporting

**Gulf Consortium
Expense Register Detail
October 1, 2013 to July 31, 2014**

Check #	Payee	Date	Total Amount	FY2014 Expenses					FY2013 Expenses				Description	
				Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Audit	Consult-Admin	Consult-Legal	Meeting & Travel	Misc		
1026	FL Dept of State	10/09/13	43.70										43.70	FY2013 EXP: Meeting Notice Sept 11, 2013
1027	FL Dept of State	10/09/13	80.16										80.16	FY2013 EXP: Meeting Notice Sept 25, 2013
1028	FL Dept of State	10/09/13	92.53			92.53								Meeting Notice Oct 17, 2013 \$48.07, Meeting Notice Oct 18, 2013 \$44.46
1029	FAC	10/09/13	19,400.38						15,000.00		3,400.38			\$386.48 DC Travel, \$559 \$1816.64 Fac Assn Gen Travel, \$97 \$816.31 DR DC Travel
1030	FL Dept of State	12/05/13	43.13			43.13								Meeting Notice Nov 6, 2013
1031	VOID													VOIDED CHECK
1032	FL Dept of State	01/15/14	48.45			48.45								Meeting Notice Dec 4, 2013
1033	FL Dept of State	02/09/14	45.22			45.22								Meeting Notice Jan 17, 2014
1034	FAC	02/09/14	5,852.96	5,000.00		852.96								Oct 13 Consulting and Expenses (\$5000 & 852.96)
1035	FAC	02/29/14	17,530.84	15,000.00		2,530.84								Nov, Dec & Jan Consulting \$15000, Meeting @ Annual - \$1284.21, Travel - Nov \$272.66, Dec - \$102.33, Jan - \$901.40
1036	City of Tallahassee	03/11/14	191.53			191.53								Room Rental 3/29/14
1037	FL Dept of State	03/11/14	48.64			48.64								Meeting Notice February 28 2014
1038	VOID													VOIDED CHECK
1039	FL Dept of State	03/25/14	39.80			39.80								Meeting Notice March 13, 2014
1040	FAC	03/24/14	5,000.00	5,000.00										February Consulting
1041	FAC		5,000.00	5,000.00										March Consulting
1042	Law Radd Crone Monroe	04/29/14	3,000.00				3,000.00							Consulting - Audit
1043	FAC	05/21/14	5,000.00	5,000.00										April Consulting
1044	FL Dept of Economic Opp	05/03/14	175.00			175.00								2013-14 Annual Special District Fee
1045	FAC	05/12/14	5,000.00	5,000.00										May Consulting
1046	FL Department of State	05/12/14	47.50			47.50								Meeting Notice May 22, 2014
1047	FL Department of State	07/25/14	48.83			48.83								Meeting Notice June 11, 2014
1048	Nelson Giblin Nielsen	07/25/14	83,304.64		47,158.96						18,148.68			FY2013EXP-Jan3/21/13, Aug13/23/27/30, Sep13/25/44/57; FY2014EXP-Oct13/25/16/50, Nov13/24/30, Dec13/27/30, Jan14/5/18/20, Feb14/23/26/30, Mar14/23/26/30, Apr14/21/13/30, May14/20/17/30, Jun14/20/21/30
TOTAL EXPENSES			125,263.41	46,980.00	47,115.34	4,198.25	171.00	3,000.00	15,000.00	16,148.68	2,494.38	-		

Gulf Consortium
Cash Flows Statement
October 1, 2013 -July 31, 2014

Beginning Cash Balance	<i>9/30/2013</i>		32,080.87
Deposits- FY13 FAC Contribution		2,634.50	
Deposits- FY14 County Funding		140,050.00	
Deposits- Interest		25.70	
Net Cash Provided			142,710.20
Expenses- FY 13 Expenses		(34,642.92)	
Expenses- FY 14 Expenses		(94,420.49)	
Net Cash Used			(129,063.41)
Ending Cash Balance	<i>7/31/2014</i>		45,727.66

Statement of Grover C. Robinson, IV
United States Senate Committee on Commerce, Science and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard

Revisiting the RESTORE Act: Progress and Challenges in Gulf Restoration Post-
Deepwater Horizon

July 29, 2014

I. Introduction:

Good morning Mr. Chairman and Members of the Senate Commerce Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard. My name is Grover Robinson, and I sincerely appreciate the opportunity to address you this morning relative to the RESTORE Act and its implementation across five (5) states on the Gulf Coast. In addition to my being a commissioner from Escambia County Florida, I also serve as the President of the Florida Association of Counties and Chairman of the Florida Gulf Coast Consortium (comprised of 23 counties) created by the RESTORE Act. My comments this morning will address local government activities as they relate both to Component 1 (the Direct Component), as well as Component 3 (the Spill Impact Component). In addition, my comments focus on the immediate challenges facing local governments post-Oil Spill primarily in Florida but also to a larger extent those extended along the Gulf Coast.

First, I greatly appreciate the wisdom of this body in insisting that local governments be involved as part of this process, especially within the State of Florida. The Direct Component that specifically provides funds directly to coastal counties impacted by the tragic events of the Deepwater Horizon Oil Spill remains essential for both

environmental and economic restoration as envisioned by the RESTORE Act. However, many of the same parallels can be drawn to the Spill Impact Component and the charge entrusted to the Florida Gulf Coast Consortium.

II. Input Into the Process for Developing the Required Plans:

In both cases, groups have been established to oversee the Plan development process and provide citizen input into the Multi-Year Implementation and State Expenditure Plans. Within the Direct Component, each individual county is generally creating a citizen RESTORE Act committee to meet the public input requirement in the Act. For the purposes of the Spill Impact Component in Florida, the 23 impacted local governments created a formal entity known as the Gulf Consortium to write the State Expenditure Plan and engage with the public. Currently, these groups are hearing from subject matter experts not only with regard to environmental restoration initiatives, but also on potential projects to bolster economic recovery across the region. Both goals, environmental and economic restoration, remain essential to developing and implementing the Plans required by the Act and forthcoming Treasury Rules – be they for the Multi-Year Implementation Plan in the Direct Component, or the State Expenditure Plans for the Spill Impact Component.

That said, while all of us are excited about the many opportunities these projects will provide, the critical aspect at this moment exists with the required development of the numerous plans that must serve as the roadmaps for the pursuit of appropriate projects for restoration.

III. Upfront Funds for Plan Development:

Every stakeholder understands the more significant fines, and thereby funds, will come from the outcome of ongoing litigation with British Petroleum (BP). However, each of us has been granted an immediate opportunity with the Transocean settlement funds. This one billion dollar settlement requires a deposit of \$800-million into the Gulf Coast Restoration Trust Fund and thus opens real opportunities for planning to begin quickly and coordination amongst the different planning bodies to occur. It is this planning that must be done to provide a positive and necessary direction for the expenditure of funds to ensure both environmental and economic restoration.

Recently I had the opportunity to see Senator Nelson in Orlando, and I gave him the following Gulf Coast analogy. I told him that the Senate and the U.S. Congress have provided the region with a great gift. To use an appropriate metaphor, we have essentially been handed an oyster. However, at this particular time we have no tool to open the shell (shucking knife/planning dollars), meaning we are unable to really access the wonderful gift we have been presented-the implementation of eligible projects to actually restore the Gulf Coast. Therefore, the most essential next step is that all stakeholders: federal; state, and local, pursue and complete the required planning processes allowing funds to flow wisely and in a coordinated manner.

IV. Opportunity for Coordination Among the Planning and Funding Efforts:

In addition to my individual county role, I am also the Chairman of the Florida Gulf Consortium, which the U.S. Congress created through this Act. It is a truly unique

organization combining both multiple local county governments as well state government in a true partnership. To date, I will tell you this body meets almost bi-monthly to coordinate, exchange information and strategize about its planning process. The recent addition of the Governor of Florida's six appointees to this Consortium has truly created a cohesive state-wide approach. Perhaps the most essential task of the Consortium is to establish and create the Florida State Expenditure Plan, with the goal to outline and identify practical and appropriate projects for both environmental and economic restoration. It remains our sincerest hope that the process developed within our State Expenditure Plan be applied to maximize opportunities with the other funding mechanisms across the greater Deepwater Horizon settlement sources, such as Natural Resource Damage Assessment (NRDA) and National Fish and Wildlife Foundation (NFWF). While both NRDA and NFWF have provided funding for projects across the Gulf Coast, it concerns me that any monies awarded through these entities may not necessarily be based upon priorities consistent with the forthcoming State Expenditure and Multi-Year Implementation Plans. While not yet an issue, I have real concerns that any future expenditures would be better coordinated and efficiently overseen if these plans were already established. Toward that end, the Consortium and local governments need the proper funding upfront to ensure resources are available for this required planning and further, that it flows directly to those specific bodies charged with drafting those specific plans.

Additionally, at the state and local level, we need clear guidance on the process to develop and submit these plans. The sooner we have specific "rules of the game" the sooner we can develop our plans consistent with all other relevant state and federal

regulations beyond just the RESTORE Act itself. This includes specific direction on what documentation will be required in the plans, such as compliance with National Environmental Policy Act (NEPA) and at what point we must secure any required permits or other required approvals.

Finally, I would like to comment on the importance of moving forward expeditiously on developing the regulations for Components 2 (Comprehensive Plan) and 3 (Spill Impact). In that regard, I understand that there has been some discussion and potential disagreement on the formula related to the Spill Impact Component. I recently attended a National Association of Counties meeting in New Orleans along with other local officials from Gulf Coast counties and parishes. At that meeting, all of those present agreed that while each state and county/parish could argue they sustained more damage and deserved more money than the other, any additional amounts provided to one entity would be to the detriment of an equally deserving recipient of the greater coalition.

Knowing firsthand the amount of effort and energy that went into the original negotiations on the Spill Impact formula, coupled with the fact that each Gulf State participated in the process of developing this formula, I believe changes after-the-fact should not be entertained. The current statutory formula included within the text of the RESTORE Act should be maintained and the regulatory framework completed as soon as possible for both the development of plans and the eventual implementation of eligible projects. A great spirit of cooperation existed between the stakeholders during the negotiations surrounding these formulas, and I feel any attempt to alter the formula

significantly hinders the restoration of the Gulf of Mexico either environmentally or economically.

V. Conclusion:

In closing, I would just like to say thank you again for the work you did to provide the Gulf Coast with a real silver lining after a terrible environmental and economic tragedy. While nothing will totally remove the scars of that experience, it is the RESTORE Act that provides hope to state and local governments and the constituents they serve along the entire Gulf Coast. That same spirit has brought significant coordination and collaboration across the region and an excitement for what the future may bring. I ask that you please do all within your power to ensure that proper upfront funding is established for planning at all levels of the Act and to ensure a continued coordination between federal, state and local governments.

Thank you again for all you have done for our region and our country.

Sincerely,

Grover C. Robinson, IV
Escambia County Commissioner
President, Florida Association of Counties
Chairman, Gulf Consortium

Gulf Consortium

August 7, 2014

Agenda Item # 8(a) Status of Procurement Process for State Expenditure Plan Consultant

Statement of Issue: This agenda item provides an update on the process for procuring a consultant to provide assistance to the Consortium in developing the State Expenditure Plan. We are still on track to present the Evaluation Team's recommendation to the Board of Directors (Board) at the December, 2014 meeting. Although not required in the ITN, the Board may want to consider a motion determining whether it wants to interview firms at its December meeting, and, if so, how many firms to interview.

Background: Six firms submitted responses to the Consortium's Invitation to Negotiate. The Evaluation Team short listed four firms to proceed on to the Best and Final Offer stage of the process. The four short listed firms in alphabetical order are:

- Arcadis USA
- Ecology & Environment
- Environmental Science Associates
- MWH Americas

The Executive Committee is scheduled to consider the Evaluation Team's short list at its meeting on August 7th, immediately preceding the meeting of the full Board of Directors. The Evaluation Team will interview the short listed firms on August 21 and 22nd. The Team will then revise the scope of services and draft the second phase of the procurement--the Request for Best and Final Offer (BAFO).

The full Board will consider the revised BAFO and scope of services at its September 17th meeting. Shortly thereafter, the BAFO will be issued to the short listed firms. The BAFO will set the response date with sufficient time to allow the Evaluation Team to rank the firms and make a recommendation to the full Board at its December meeting.

At the Board meeting in Tallahassee on March 26, the Board discussed whether to hold interviews of the firms ranked by the Evaluation Team in December. No motion was made on whether to hold such interviews. The ITN does not require interviews by the Board; instead it provides that the Board "shall consider the highest firms on the ranked list." ITN Sec. IV, B, Step 9. If interviews are

desired, it is now appropriate to consider a motion to interview some or all of the firms ranked by the Evaluation Team at the December meeting.

Analysis: The Consortium is proceeding in an orderly fashion to follow its procurement process towards hiring a consultant to assist in the development of the State Expenditure Plan.

Options: This agenda item is primarily a status update and does not require a motion. But, if the Board desires to hold interviews in December of the firms ranked by the Evaluation Team in the BAFO process, it is now appropriate to consider a motion to interview the firms ranked by the Evaluation Team at the December meeting.

- 1) Approve such a motion for interviews, or.
- 2) Take no action and the Board will be presented the ranked list of firms in December for consideration without interviews.

Fiscal Impact: None.

Recommendation: The issue is a matter of discretion for the Board.

Prepared by: Sarah M. Bleakley, Nabors, Giblin & Nickerson, P.A., Interim General Counsel

Prepared on: July 31, 2014

Gulf Consortium

August 7, 2014

Agenda Item # 8(b) Update on Federal Litigation

Executive Summary: This is a status report on the federal Clean Water Act litigation against BP and other responsible parties, and the State of Florida's participation in it. This agenda item does not require Board action.

Background: The United States District Court for the Eastern District of Louisiana is the site of the federal litigation against parties responsible for the Deepwater Horizon oil spill. The suit seeks Clean Water Act administrative and civil penalties, 80 percent of which will be deposited into the Gulf Coast Restoration Trust Fund to be used as provided in the RESTORE Act. A portion of the funds will be available for Florida's 23 counties' Multi-Year Implementation Plans and the Consortium's State Expenditure Plan.

In March 2014, Florida joined the federal government and the other four Gulf Coast states in the litigation, after initially pursuing negotiation instead of litigation.

In February 2012, the District Court granted a summary judgment to the federal government, ruling that as an owner of the Macondo well, BP is liable for Clean Water Act (CWA) civil and administrative penalties for the oil spill. See, In re: Oil Spill by the Oil Rig "Deepwater Horizon, 844 F. Supp. 2d 746 (E.D. La. 2012). " In June of this year, the Fifth Circuit Court of Appeals affirmed the District Court order, holding that the CWA penalizes well owners like BP for the uncontrolled spillage of oil into the waters of the United States. In re Deepwater Horizon, ___ F. 3d ___, 2014 U.S. App. LEXIS 10425 (5th Cir. 2014).

Analysis: The Fifth Circuit's opinion means that BP will not escape CWA penalties for the Deepwater Horizon oil spill. Still under consideration by the District Court is the amount and allocation of the CWA penalties among the responsible parties.

The third and final phase of the federal litigation is scheduled to start in January, 2015. In the meantime, Judge Barbier, the District Court Judge, has continued to encourage the parties to settle their differences.

Prepared by: Sarah M. Bleakley, Nabors, Giblin & Nickerson, P.A., Interim General Counsel

Prepared on: July 31, 2014

Gulf Consortium

August 7, 2014

Agenda Item # 8(c) Effect of November General Election on a County's Consortium Board Director

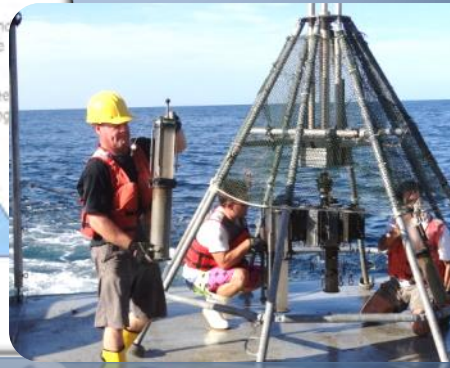
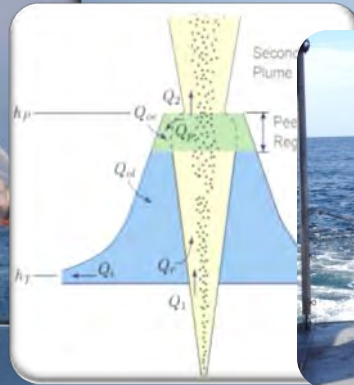
Executive Summary: This agenda item is intended to inform directors and member counties of the possible effects of the upcoming elections on a county's representation on the Consortium. A county that experiences the loss of a commissioner serving as a Consortium director through the election process will be asked to designate a director after the election.

Background: The Interlocal Agreement gives each county member of the Consortium one Director to act as its representative on the Board of Directors. The Agreement provides that the Director "shall be an individual who shall be appointed specifically by name or by position. The Consortium Member shall notify the Manager and the Chairman in writing as to the individual designated as their Director." Sec. 3.03(A). Further, the Agreement allows a county to designate as a Consortium Director "an elected official, appointed official, employee or other designee" Sec. 3.03(B).

Analysis: Following the November General Election, the Consortium Manager will request a county to designate its Consortium Director in instances where a Director is a county commissioner who, through election changes, is no longer serving as a county commissioner.

Prepared by: Sarah M. Bleakley, Nabors, Giblin & Nickerson, P.A., Interim General Counsel

Prepared on: July 31, 2014



Understanding Deepwater Horizon: Key Scientific Questions in Preparing for the Future of Offshore Oil Development

William Hogarth Ph.D., Director
Florida Institute of Oceanography

Andrew Shepard, Director
Gulf of Mexico University Research Collaborative



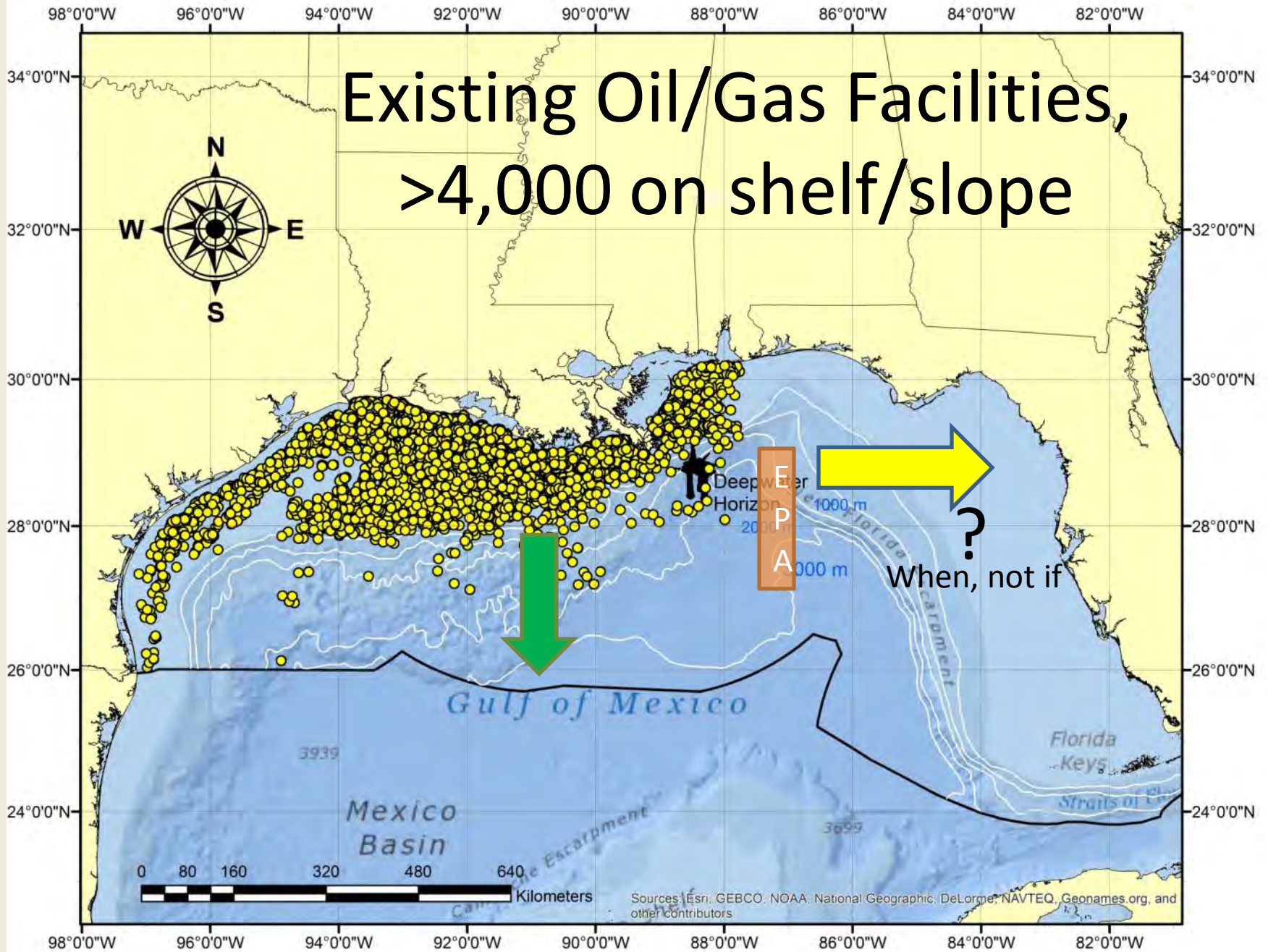
FL Gulf Consortium Meeting
August 7, 2014

Outline

- Expansion of Gulf of Mexico OCS Oil/Gas Development
- What do we know now? [recent examples]
- Recommendations to support continued recovery and improved response to future events.



Existing Oil/Gas Facilities, >4,000 on shelf/slope



E
P
A



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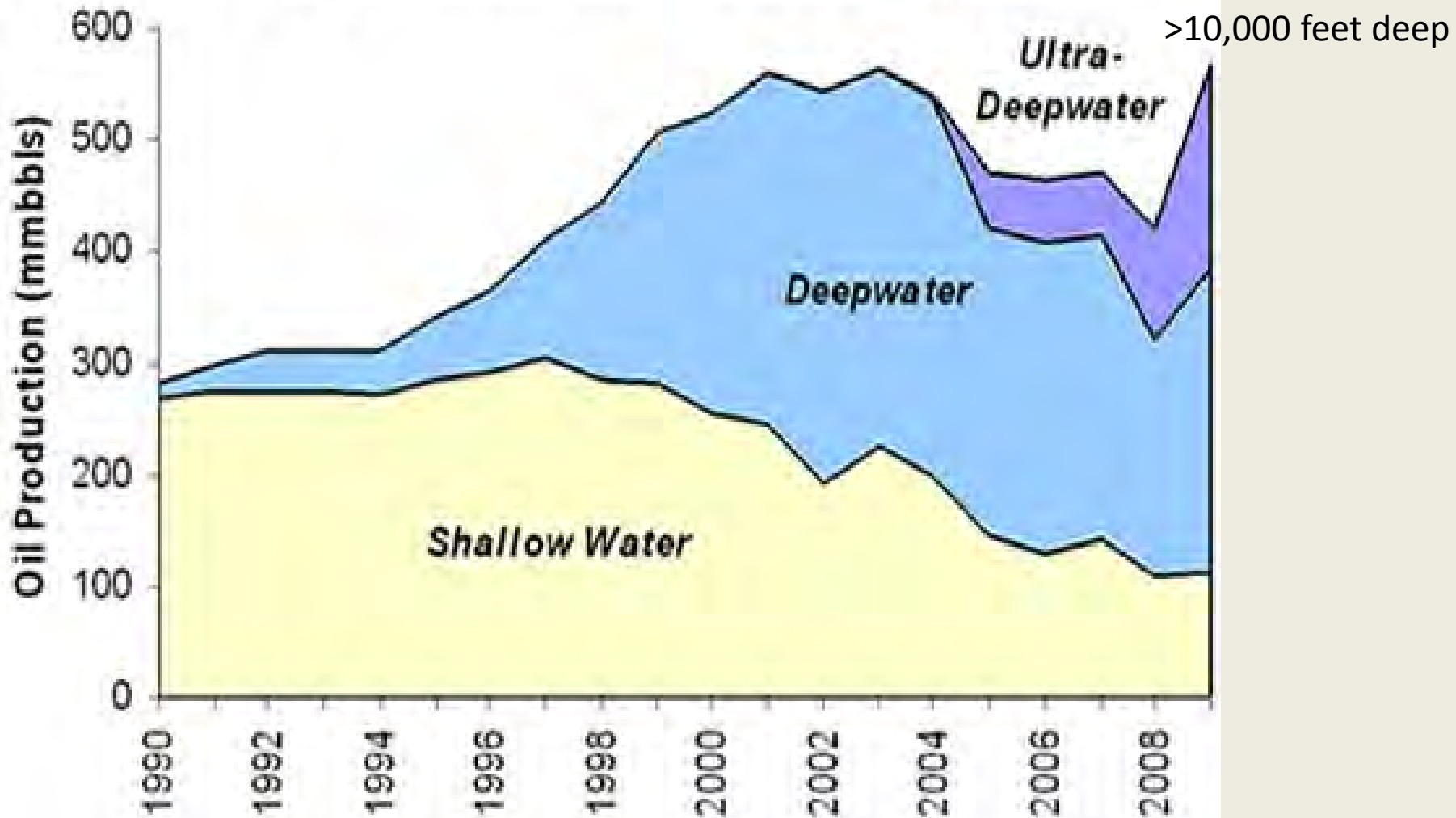
When, not if



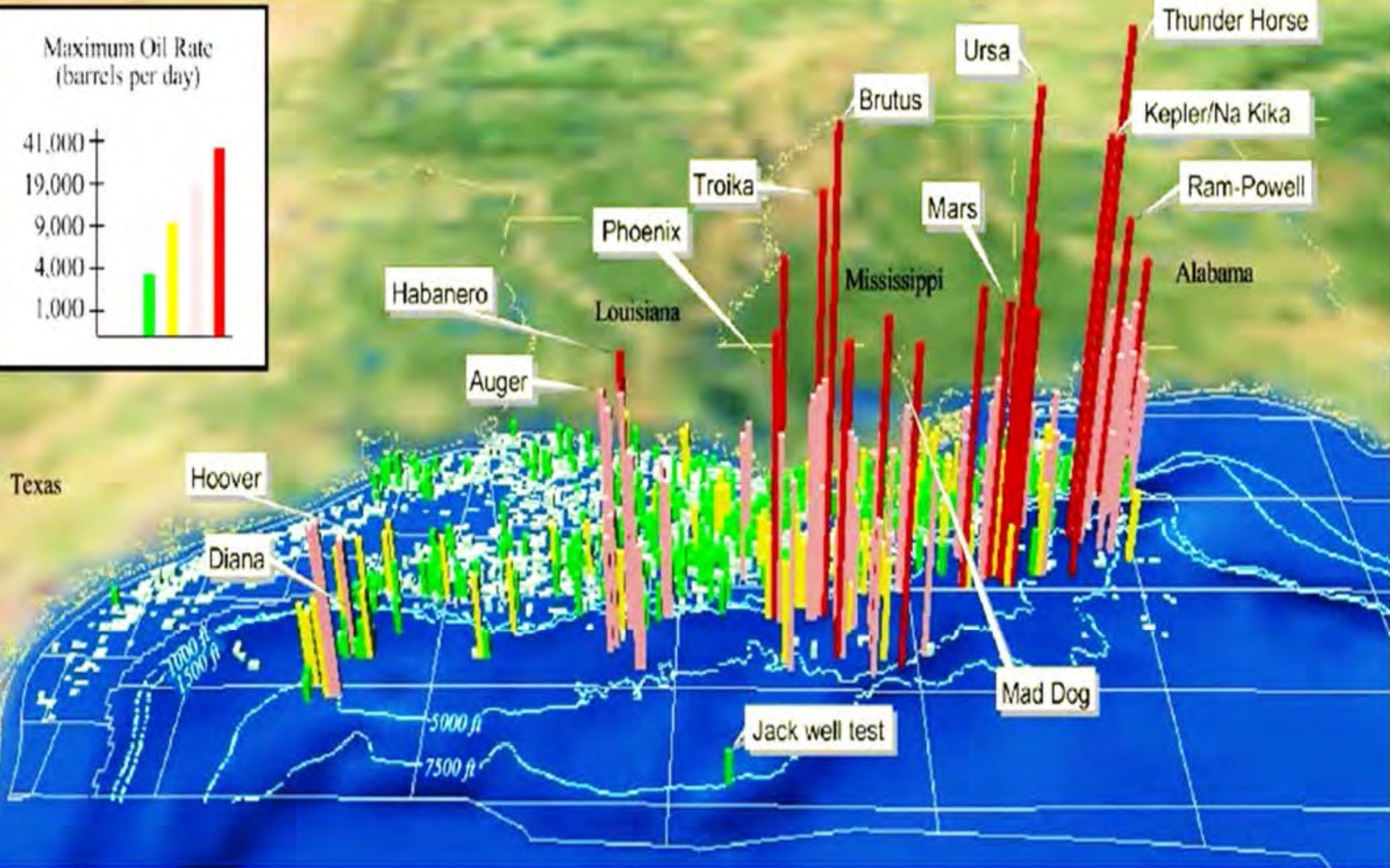
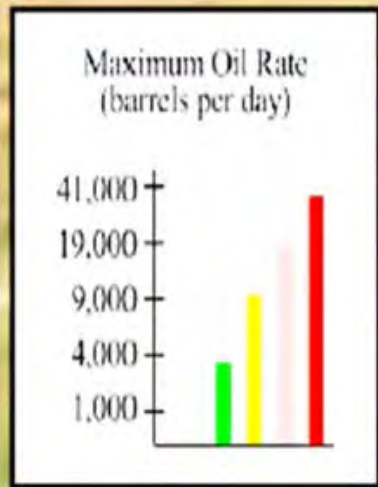
Sources: Esri, GEBCO, NOAA, National Geographic, DeLorme, NAVTEQ, Geonames.org, and other contributors

Industry is exploring/producing deeper
(500 million barrels per year from Gulf)

Figure 2. Gulf of Mexico Federal Offshore Oil Production

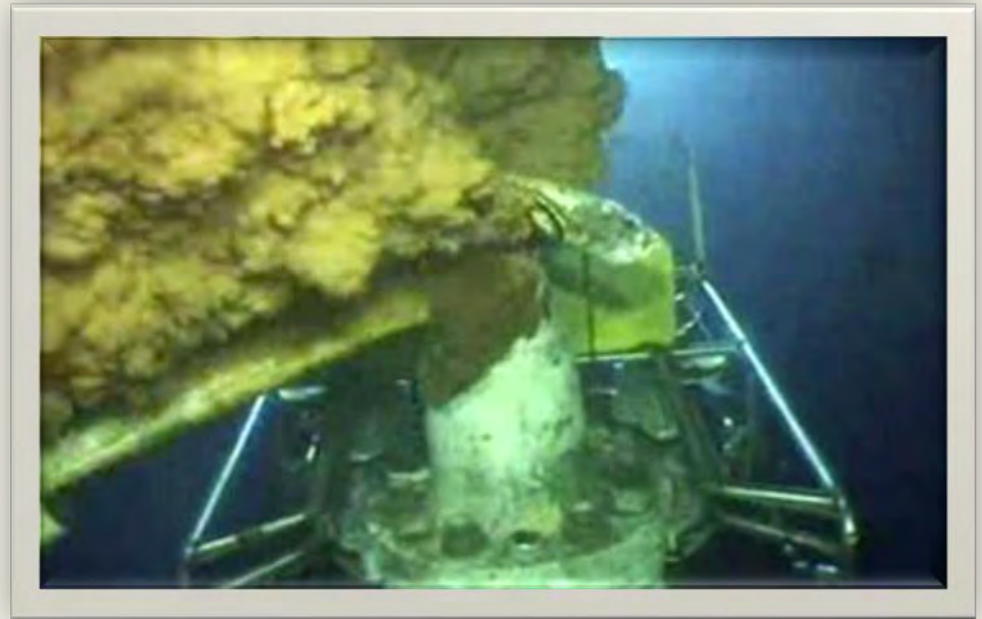


Deep Drilling is Expensive but Profitable



What do we know now?

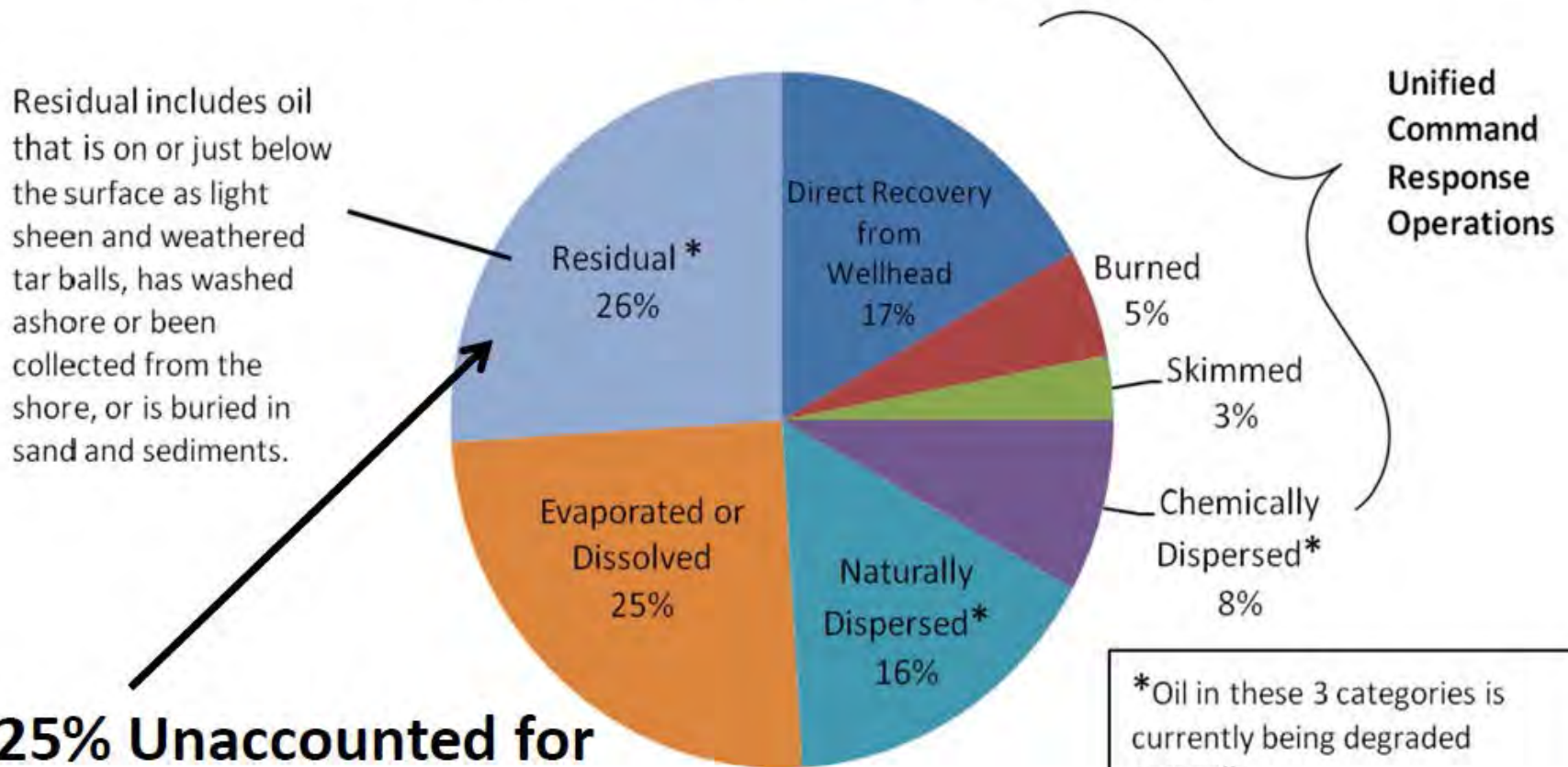
Fate and impacts
of oil and
dispersants



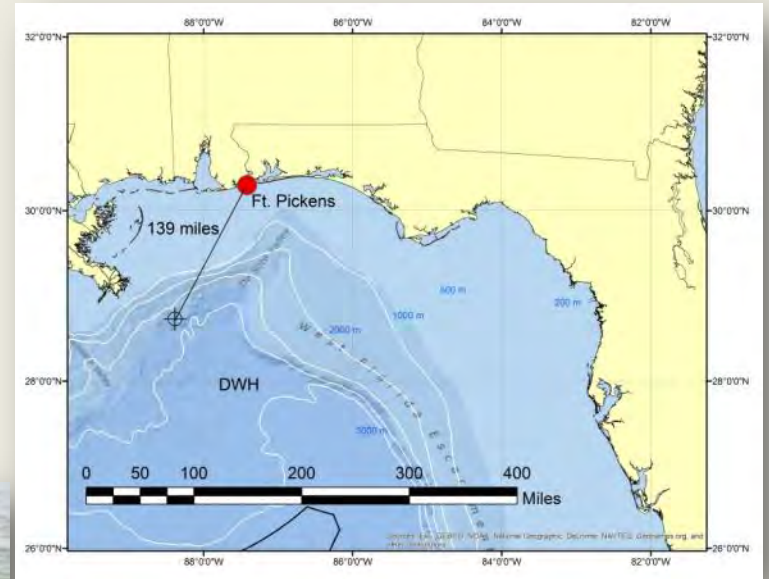
Where is (was) the Oil?

Deepwater Horizon Oil Budget

Based on estimated release of 4.9m barrels of oil

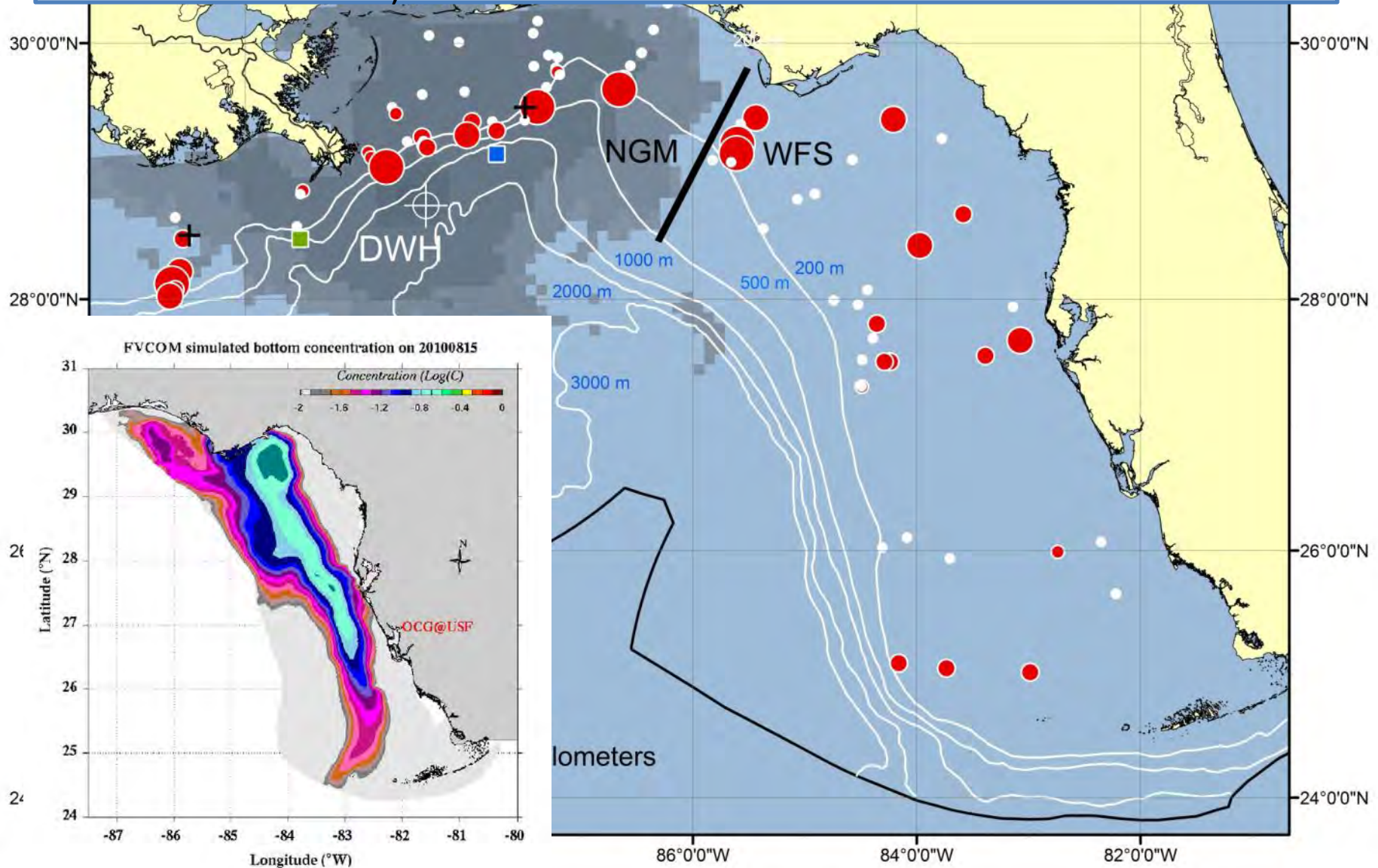


Ton of BP oil removed
from seashore
at Ft. Pickens
July 24, 2014 ([news](#))



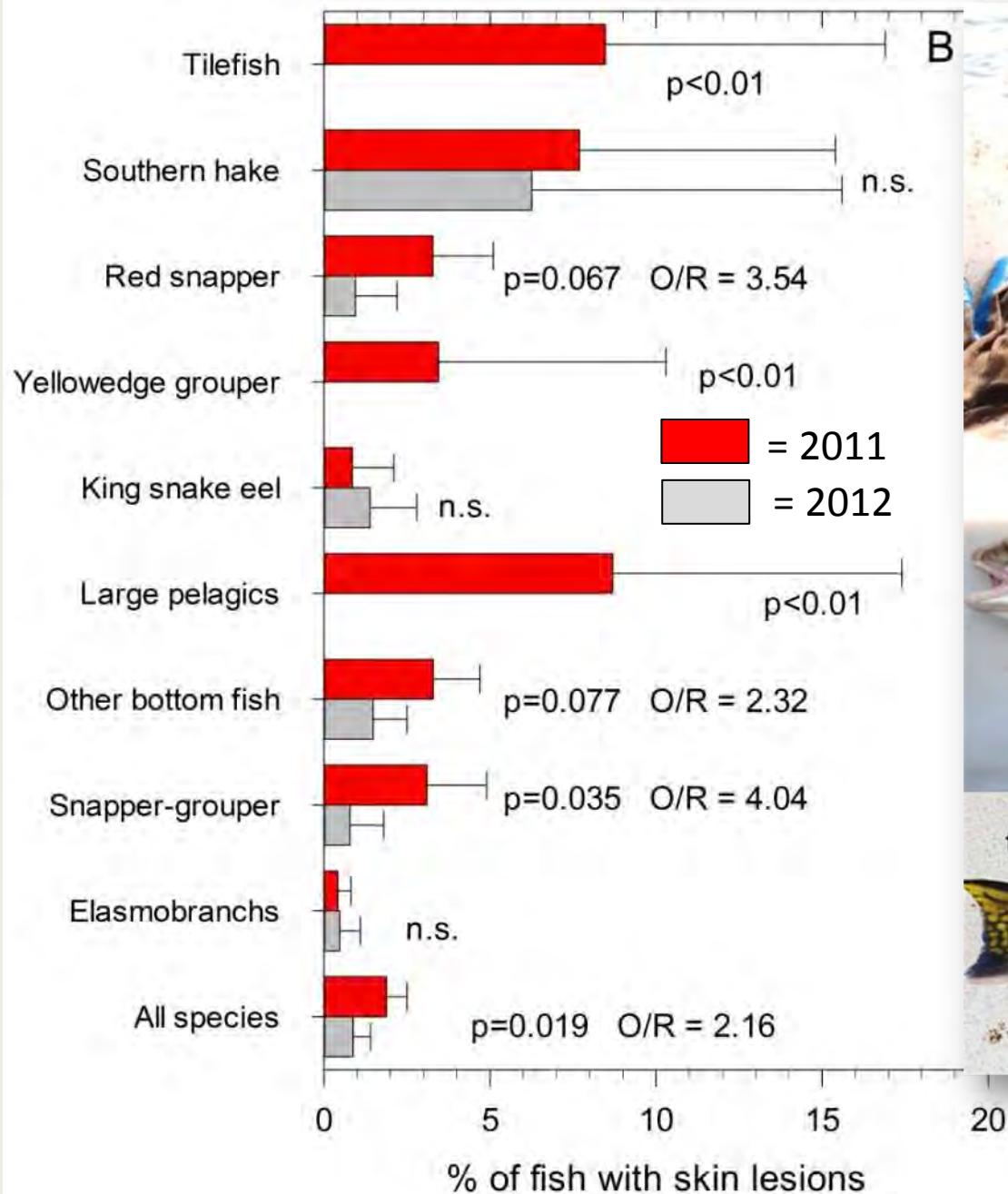
DWH tar mats/balls
have washed ashore
continually since
2010 from LA to FL
([FOSC](#))

Weisberg et al. 2014-- *“transport of subsurface hydrocarbons to the WFS is both plausible and consistent with the observed distribution of fish lesions, fish liver chemistry and other chemical and ecological evidence”* (see Murawski et al. 2014)



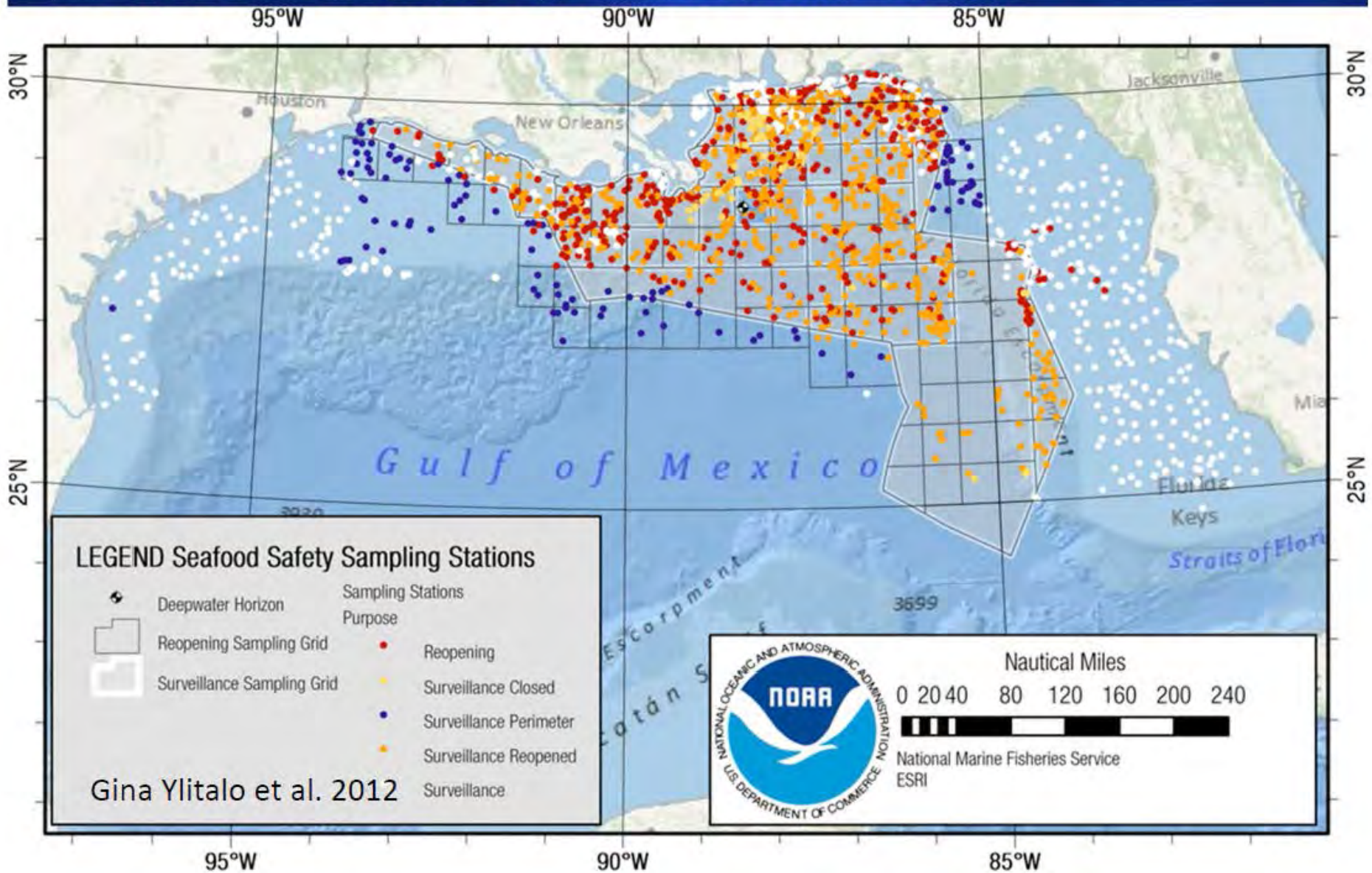
SO ALL OF A SUDDEN
A NUMBER OF GULF
FISH ARE TURNING UP
WITH LESIONS, FIN ROT AND
STRANGE BLACK MARKS...
WHAT MAKES YOU THINK
IT HAS ANYTHING TO DO
WITH OUR DEEPWATER
HORIZON SPILL?

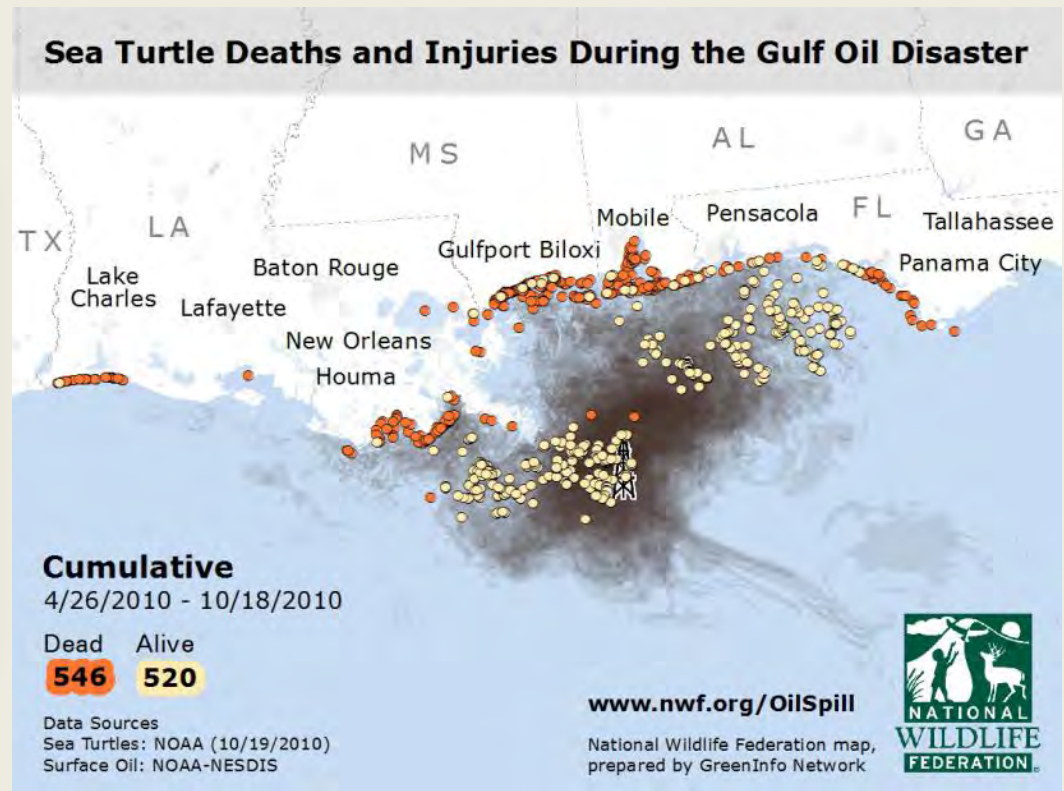




For 26 stations repeated in the NGM

Is the Seafood Safe to Eat?





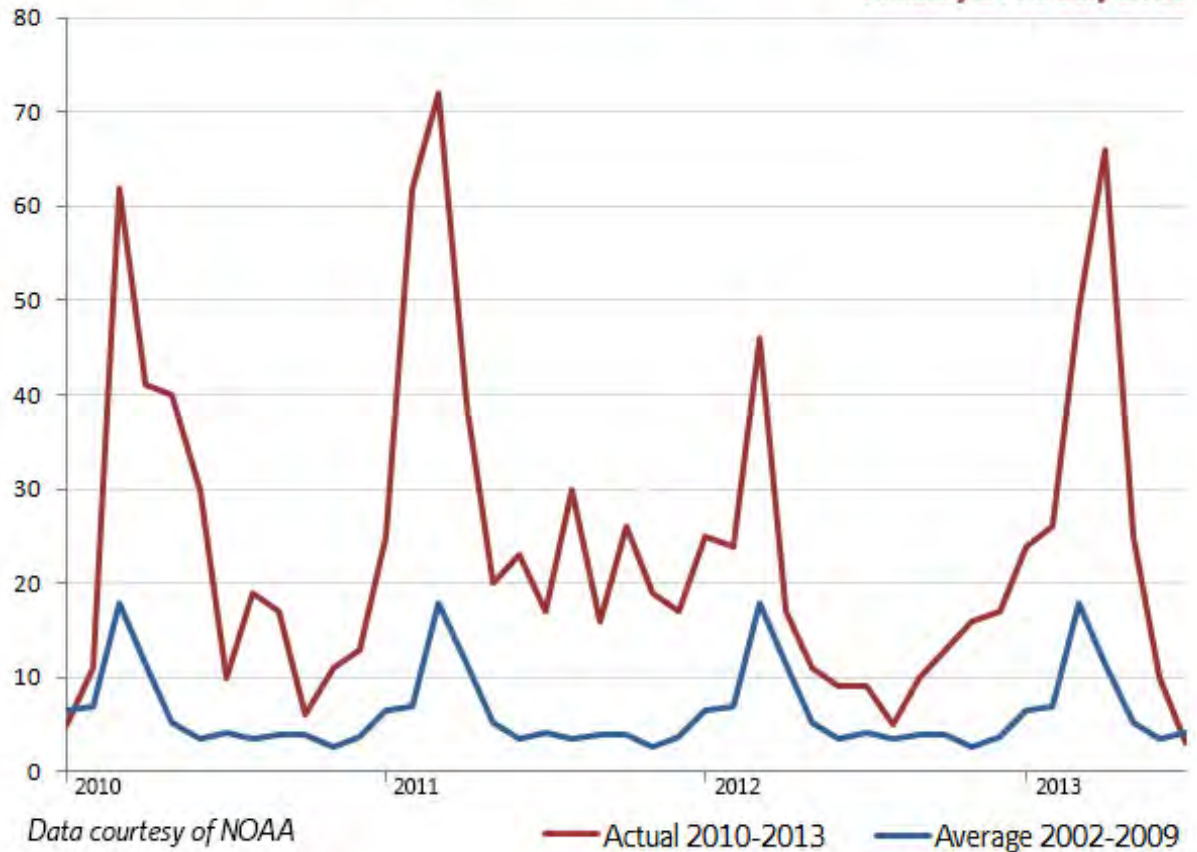
- Turtle standings in MS, AL, MS (from NMFS 2014):
2010-2013 = 5 times higher since spill 2010-2013 versus 1986-2007 (533 vs. 105)

Barataria Bay dolphins compared to Sarasota Bay-- five times more likely to have moderate to severe lung disease; 48% vs. 7% given guarded or worse health assessment (Schwacke et al. 2014. Env. Sci. Tech.)

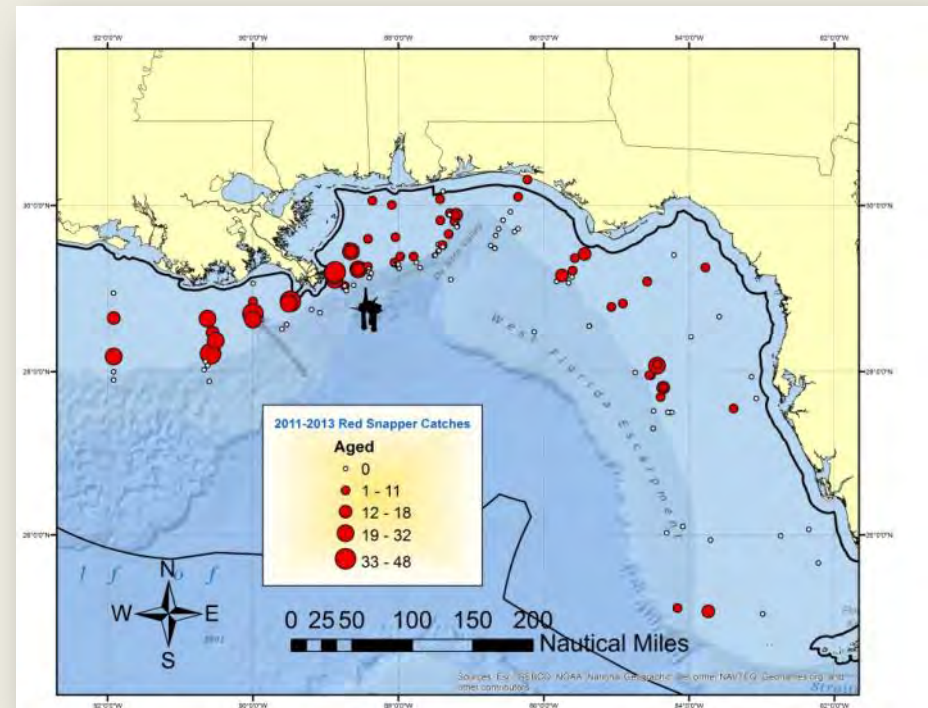
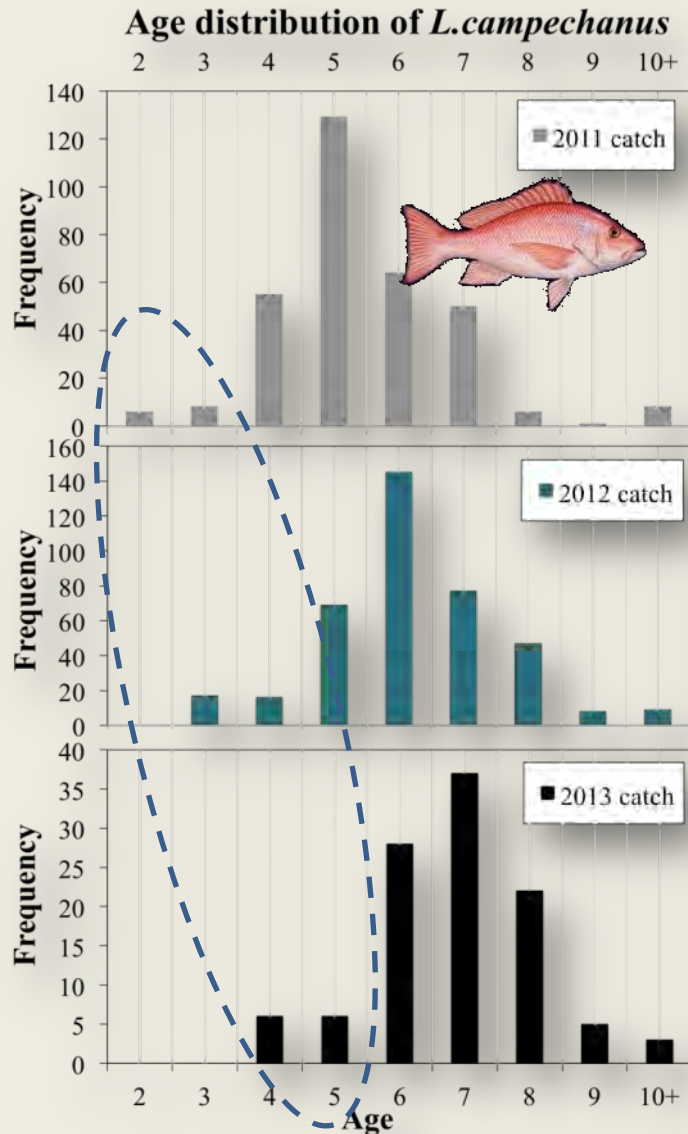


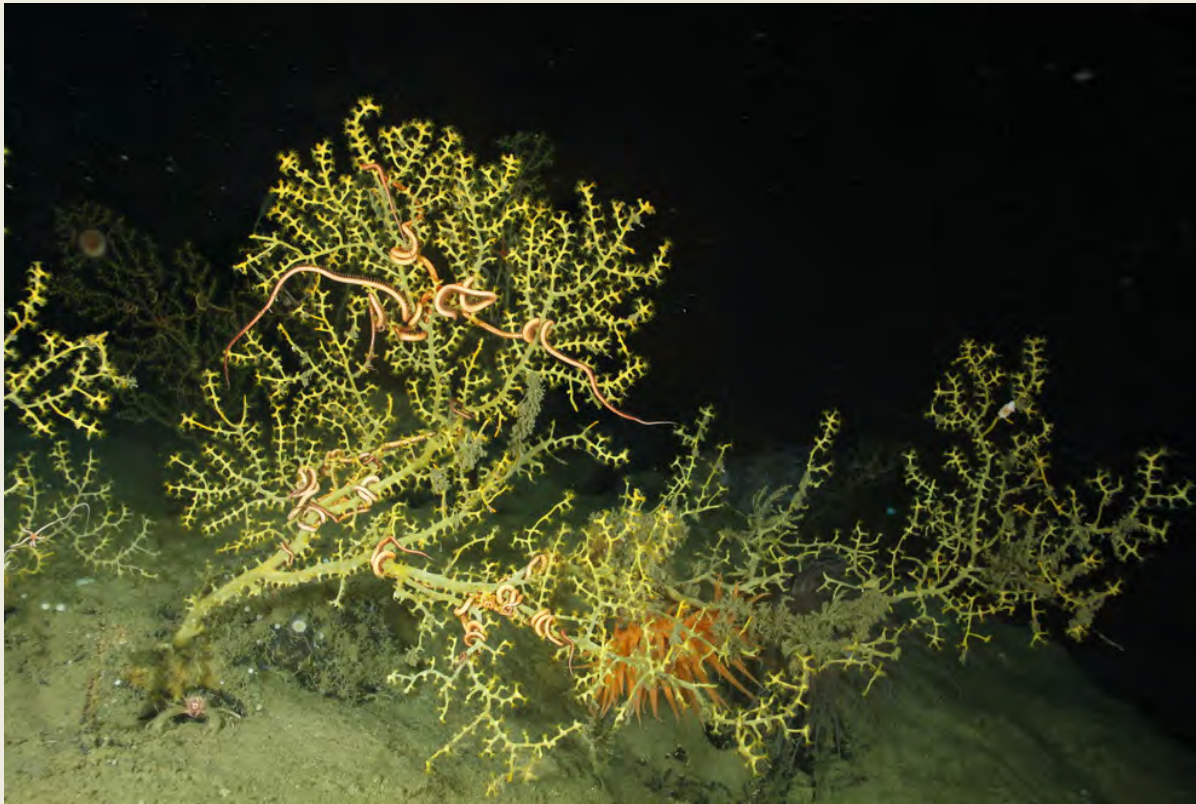
Bottlenose Dolphin Strandings in the Northern Gulf

January 2010-July 2013



Potential Demographic Impacts, Recruitment & Growth



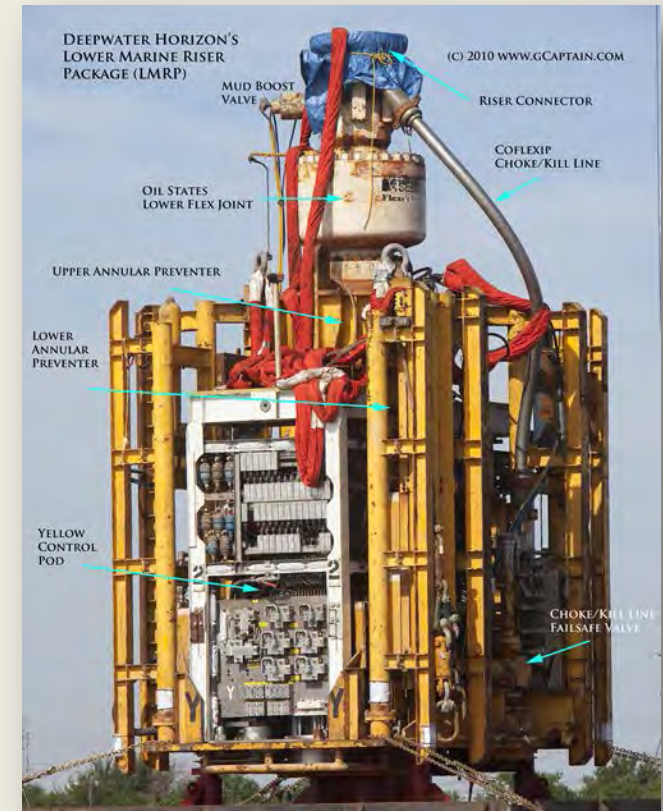


- Impact of Deepwater Horizon oil spill found on two additional coral communities, 22km from well-- [Fisher et al. 2014](#)

Are we prepared for response to next major event?

Progress:

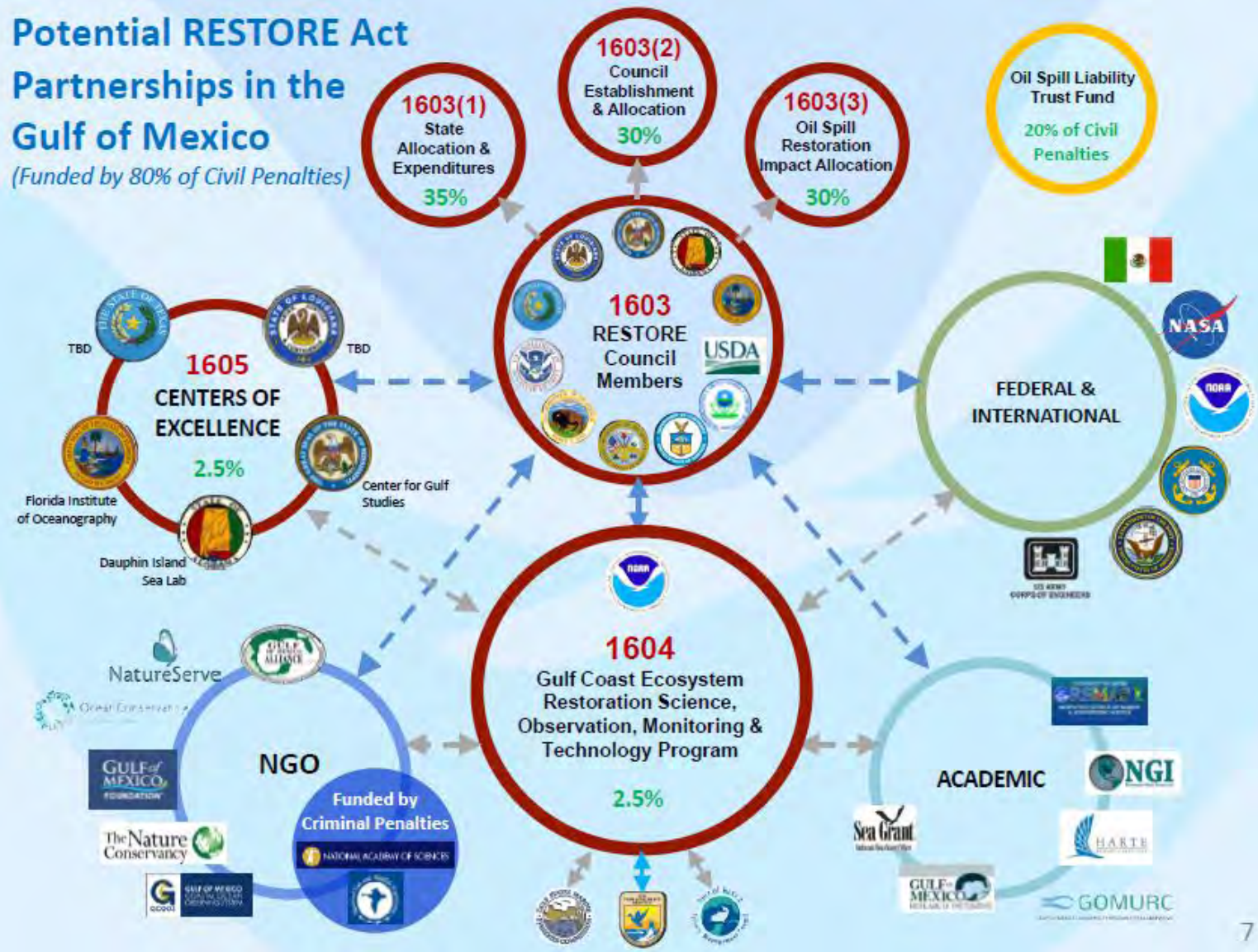
- Prevention, training, inspection, maintenance, oversight, awareness improved
- Investments in mitigation and prevention science, technologies and operations, e.g., containment, blow-out prevention, booms, dispersants
- Engagement before disasters, e.g., agreement between USCG-Miami and FIO



Response and restoration coordination

Potential RESTORE Act Partnerships in the Gulf of Mexico

(Funded by 80% of Civil Penalties)



FIO Network and Center of Excellence

- Science is needed in all restoration activities to:
 - Monitor restoration progress and impacts
 - Ensure successful restoration
 - Include state-of-the-art scientific and technical knowledge
- FIO has state-wide expertise
- FIO can assist in project design and review processes
- FIO can advise on scientific issues (local to global scales).



FIO Center of Excellence will join unified efforts to support:

- Ecosystem-scale monitoring for evaluation of restoration success, adaptive management, and environmental condition baselines
- Management and access to data and information
- Synthesis of data/information to inform decision-making and educate stakeholders.

Summary

- Eastern Planning Area exploration will likely continue.....expect and prepare for future DWH-like accidents closer to FL shores.
- Environmental effects of DWH spill will persist for decades (aka EVOS and IXTOC off Mexico), so must research and assessment.
- If done right (science-based), environmental restoration projects:
 - sustain both natural resources and related economic goods and services, and
 - provide baselines required to restore, adapt and respond to future events.

Questions?

