

Review of State Expenditure Plan Requirements and Allowable Uses for Pot 3 Funds

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RESTORE Act Eligible Activities

1. Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast region
2. Mitigation of damage to fish, wildlife, and natural resources
3. Implementation of a federally-approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
4. Workforce development and job creation
5. Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill
6. Infrastructure projects benefiting the economy or ecological resources, including port infrastructure
7. Coastal flood protection and related infrastructure
8. Planning assistance
9. Administrative costs of complying with the Act
10. Promotion of tourism in the Gulf Coast region, including recreational fishing
11. Promotion of the consumption of seafood harvested from the Gulf Coast region

SEP Requirements

1. Meets one or more of the eligible activities under the RESTORE Act
2. Contributes to the overall economic and ecological recovery of the Gulf Coast
3. Is compatible with other State Expenditure Plans with regard to issues that cross Gulf Coast State boundaries
4. Takes into consideration the Comprehensive Plan and is *consistent* with the goals and objectives of the Comprehensive Plan
5. Does not use more than 25% of funds for *infrastructure* unless the infrastructure limitation exception is met

What Does “Consistent” Mean?

*The Council views “consistent” to mean that the Gulf Coast States will implement eligible projects, programs, and activities that will **further one or more of the five Goals** and will be implemented in a manner that **does not have a negative impact on the Gulf Coast ecosystem restoration projects** and programs selected for implementation by the Council.*

Restoration Council

What is Infrastructure?

*Infrastructure means the public facilities or systems needed to support commerce and economic development. These installations and facilities span a wide range, including highways, airports, roads, buildings, transit systems, **port facilities**, railways, telecommunications, **water and sewer systems**, public electric and gas utilities, **levees, seawalls, breakwaters, major pumping stations, and flood gates.***

Infrastructure encompasses new construction, upgrades and repairs to existing facilities or systems, and associated land acquisition and planning.

Department of Treasury

Infrastructure Limitation Exemption

A state may propose a State Expenditure Plan that uses more than 25% of its funds for infrastructure, if the State Expenditure Plan certifies that:

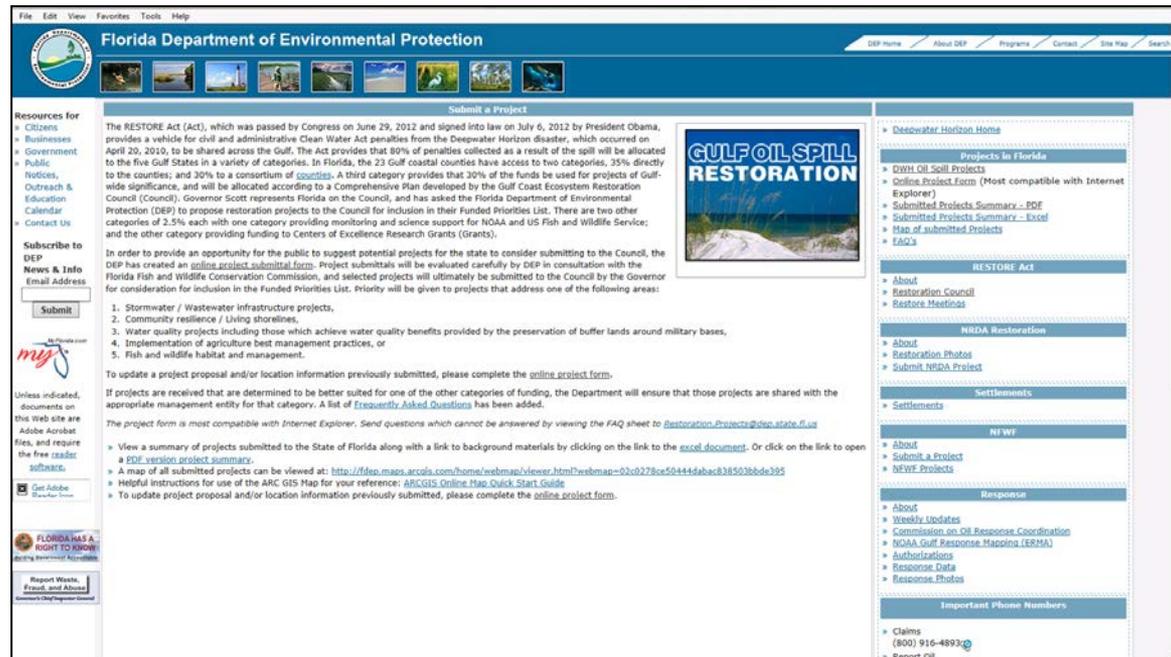
1. Ecosystem restoration needs will be addressed by other projects in the proposed State Expenditure Plan, and
2. Additional investment in infrastructure is required to mitigate the impacts of the Deepwater Horizon Oil Spill to the ecosystem or economy

Comprehensive Plan Guiding Principles

1. *Commitment to Science-Based Decision-Making*
2. *Commitment to a Regional Ecosystem-based Approach to Restoration*
3. *Commitment to Engagement, Inclusion, and Transparency*
4. *Commitment to Leveraging Resources and Partnerships*
5. *Commitment to Delivering Results and Measuring Impacts*

FDEP Project Portal

- Established in 2013
- Open to all stakeholders in Florida
- Requires submittal of online project description
- 1,408 projects submitted to date



The screenshot shows the Florida Department of Environmental Protection (FDEP) Project Portal website. The page is titled "Florida Department of Environmental Protection" and features a navigation bar with links for "DEP Home", "About DEP", "Programs", "Contact", and "Site Map".

The main content area is titled "Submit a Project" and includes a "GULF OIL SPILL RESTORATION" graphic. The text describes the RESTORE Act (Act), which was passed by Congress on June 29, 2012, and signed into law on July 6, 2012 by President Obama. It provides a vehicle for civil and administrative Clean Water Act penalties from the Deepwater Horizon disaster, which occurred on April 20, 2010, to be shared across the Gulf. The Act provides that 80% of penalties collected as a result of the spill will be allocated to the five Gulf States in a variety of categories. In Florida, the 23 Gulf coastal counties have access to two categories, 35% directly to the counties; and 30% to a consortium of counties. A third category provides that 30% of the funds be used for projects of Gulf-wide significance, and will be allocated according to a Comprehensive Plan developed by the Gulf Coast Ecosystem Restoration Council (Council). Governor Scott represents Florida on the Council, and has asked the Florida Department of Environmental Protection (DEP) to propose restoration projects to the Council for inclusion in their Funded Priorities List. There are two other categories of 2.5% each with one category providing monitoring and science support for NOAA and US Fish and Wildlife Service; and the other category providing funding to Centers of Excellence Research Grants (Grants).

In order to provide an opportunity for the public to suggest potential projects for the state to consider submitting to the Council, the DEP has created an [online project submittal form](#). Project submittals will be evaluated carefully by DEP in consultation with the Florida Fish and Wildlife Conservation Commission, and selected projects will ultimately be submitted to the Council by the Governor for consideration for inclusion in the Funded Priorities List. Priority will be given to projects that address one of the following areas:

1. Stormwater / Wastewater infrastructure projects.
2. Community resilience / Living shorelines.
3. Water quality projects including those which achieve water quality benefits provided by the preservation of buffer lands around military bases.
4. Implementation of agriculture best management practices, or
5. Fish and wildlife habitat and management.

To update a project proposal and/or location information previously submitted, please complete the [online project form](#).

If projects are received that are determined to be better suited for one of the other categories of funding, the Department will ensure that those projects are shared with the appropriate management entity for that category. A list of [Frequently Asked Questions](#) has been added.

The project form is most compatible with Internet Explorer. Send questions which cannot be answered by viewing the FAQ sheet to Restoration.Projects@dep.state.fl.us

- View a summary of projects submitted to the State of Florida along with a link to background materials by clicking on the link to the [excel document](#). Or click on the link to open a [PDF version project summary](#).
- A map of all submitted projects can be viewed at: <http://fdop.maps.arcgis.com/home/webmap/viewer.html?webmap=02c0278cc5044454abac8385038bd395>
- Helpful instructions for use of the ARC GIS Online Map [Quick Start Guide](#)
- To update project proposal and/or location information previously submitted, please complete the [online project form](#).

The sidebar on the left includes "Resources for Citizens" (Citizens, Businesses, Government, Public, Notices, Outreach & Education, Calendar, Contact Us), "Subscribe to DEP News & Info" (Email Address, Submit), and "Florida Has A Right To Know" (Report Waste, Fraud, and Abuse).

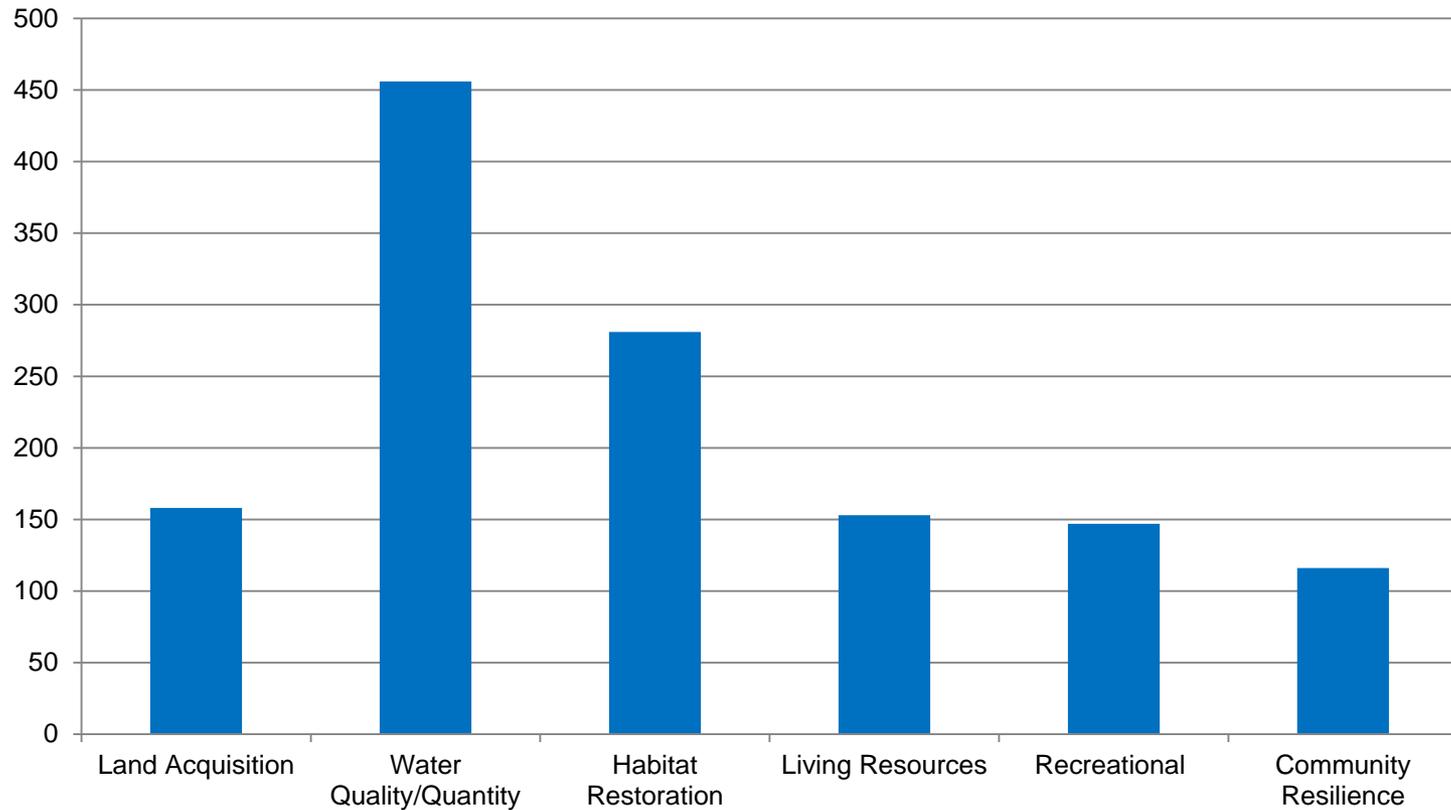
The sidebar on the right includes "Deepwater Horizon Home" (Projects in Florida: DWH Oil Spill Projects, Online Project Form, Submitted Projects Summary - PDF, Map of submitted Projects, EISs), "RESTORE Act" (About, Restoration Council, Restore Restora), "NRDA Restoration" (About, Restoration Photos, Submit Your Project), "Settlements" (Settlements), "NFWF" (About, Submit a Project, NFWF Projects), "Response" (About, Weekly Updates, Commission on Oil Response Coordination, NOAA Gulf Response Mapping (ERMA), Authorizations, Response Data, Response Photos), and "Important Phone Numbers" (Claims: (800) 916-4893, Report Oil).

Project Types in the Portal

- Land Acquisition = 158 (11%)
- Water quality/quantity = 456 (32%)
- Habitat restoration = 281 (20%)
- Living resources = 153 (11%)
- Recreational = 147 (10%)
- Community resilience = 116 (9%)

- Duplicates or undefined projects = 97 (7%)

Project Types in Portal



Land Acquisition – 158 Projects

- Fee Simple = 6 (4%)
- Conservation easement = 132 (85%)
- Either FS/CE = 4 (3%)
- Other = 16 (10%)



Water Quality/Quantity – 456 Projects

- Stormwater = 123 (27%)
- Wastewater = 62 (14%)
- Reuse = 40 (9%)
- Septic tank abatement = 21 (5%)
- Research/monitoring = 41 (9%)
- Hydrologic restoration = 52 (11%)
- Unpaved roads/sedimentation/erosion = 64 (14%)
- Agricultural BMPs = 13 (3%)
- Other = 40 (9%)



Habitat Restoration – 281 Projects

- Freshwater wetlands/surface waters = 70 (25%)
- Dune/beaches = 52 (19%)
- Marine = 70 (25%)
- Uplands = 12 (4%)
- Research/monitoring = 31 (11%)
- Living shoreline/breakwaters = 26 (9%)
- Other = 20 (7%)



Living Resources – 153 Projects

- Shellfish restoration/aquaculture = 51 (33%)
- Fish hatchery = 4 (3%)
- Artificial reefs = 40 (26%)
- Turtle conservation = 14 (9%)
- Birds = 11 (7%)
- Research/monitoring = 25 (16%)
- Other = 8 (5%)



Recreational – 147 Projects

- Marina/boat ramps = 23 (15%)
- Park improvements = 41 (28%)
- Boardwalks/walkways/bridges/piers/dune crossovers/trails = 48 (33%)
- Other = 35 (24%)



Community Resilience – 116 Projects

- Education/citizen awareness = 53 (46%)
- Programs/planning/research = 55 (47%)
- Other = 8 (7%)

Community resilience is a measure of the sustained ability of a community to utilize available resources to respond to, withstand, and recover from adverse situations

RAND Corporation

Summary

- FDEP Project Portal provide an excellent sample of Florida stakeholder's priorities
- Many projects have been identified and defined through existing coastal planning and resource management programs
 - National Estuary Programs
 - Water Management District SWIM Plans
 - NRDA
- Additional work is needed to identify and define projects in areas not covered by existing coastal management programs