



AGENDA

TUESDAY, JULY 19, 2016

MEETING

BAY COUNTY RESTORE ACT ADVISORY COMMITTEE
3:00 PM – BAY COUNTY GOVERNMENT CENTER
840 WEST 11TH STREET, COMMISSION CHAMBERS
PANAMA CITY, FLORIDA

- A. Call to order and roll call
- B. Approval of minutes (May 12, 2015)
- C. Announcements
- D. Agenda – additions, deletions, changes and acceptance
- E. Public participation (Limited to items on agenda, remarks limited to three (3) minutes)
- F. Election of Committee Chair and Vice-Chair

Recommendation: Committee nominate and elect the Chair and Vice-Chair

Background: This is the first meeting of the Committee in 2016. Bay County Commission Resolution 3207 established the RESTORE Act Advisory Committee. The resolution directs that:

The Committee shall elect a Chairperson to preside at all meetings. The Chairperson shall be elected at the first meeting and subsequently in January of each year and shall serve until the first meeting in January of the following year. There shall be no term limits for a member to serve as Chairperson.

The Committee shall elect a Vice-Chairperson to preside and act on behalf of the Chairperson during his or her absence. The term of office and method of election for the Vice-Chairperson shall be the same as the Chairperson.

- G. Update on Gulf restoration topics: Jim Muller, Bay County RESTORE Act Coordinator
- H. Identification, evaluation and recommendation of projects to be funded with Bay County's allocation of RESTORE Act Spill Impact Component (Pot 3) funds.

Recommendation: The Committee decide on a process to identify, evaluate and recommend to the Bay County Board of County Commissioners projects to be funded with Bay County's allocation of RESTORE Act Spill Impact Component (Pot 3) funds.

Background: The Gulf Consortium, made up of a representative from each of Florida's 23 Gulf coastal counties plus six Governor appointees, is responsible for preparing Florida's State Expenditure Plan for the Spill Impact Component of the RESTORE Act ("Pot 3"). The Consortium voted to allocate the funds evenly for projects in each of the 23 Gulf coastal counties. This equals about \$12 million allocated for projects in each county. According to the BP Deepwater Horizon settlement, Pot 3 funds will be paid in approximately equal amounts over 15 years.

The Consortium has asked each County to identify projects to be funded through the County's allocation. At the September 13, 2016 Consortium meeting, the consultant preparing the State Expenditure Plan will present a summary of projects submitted by the 23 counties.

The Consortium suggests identifying projects with a total cost that exceeds the available Pot 3 funds, with the anticipation of securing matching funds. Projects likely to attract matching funds include those providing significant, long-lasting impacts, especially to a larger area.

Activities eligible to be funded with Pot 3 funds are the same as for Pot 1 funds (see attachment), with a restriction that the plan may not use more than 25 percent of the funding for infrastructure projects benefitting the economy or ecological resources, or coastal flood protection and related infrastructure. The plan can exceed this 25 percent if the plan certifies that ecosystem restoration needs in the State will be addressed by the projects in the proposed plan and additional investment in infrastructure is required to mitigate the impacts of the Deepwater Horizon Oil Spill to the ecosystem or economy.

For consideration, excerpts from Bay County's plan for use of RESTORE Act Direct Component (Pot 1) funds are provided as backup materials.

I. Meeting schedule

Recommendation: Committee set additional meeting dates

J. Public participation (Open to any issues related to the Committee's responsibilities, remarks limited to three (3) minutes)

K. Adjournment

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RESTORE Act Advisory Committee schedules and agenda items are available online at <http://tinyurl.com/BayRESTOREdocs>

If you are interested in occasional emails concerning Bay County and the Gulf restoration process, you may subscribe by sending an email to jmuller@baycountyfl.gov and entering "Subscribe" in the subject line.

Item H. Identification, evaluation and recommendation of projects to be funded with Bay County's allocation of RESTORE Act Spill Impact Component (Pot 3) funds - additional materials

RESTORE Act Spill Impact Component Funds

Bay County will propose projects to be funded through Florida's RESTORE Act Spill Impact Component Funds (also known as Pot 3). Projects will be proposed for inclusion in the State Expenditure Plan. According to the RESTORE Act, these funds may only be used to carry out one or more of the following activities:

- Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region
- Mitigation of damage to fish, wildlife, and natural resources
- Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
- Workforce development and job creation
- Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill
- Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
- Coastal flood protection and related infrastructure
- Planning assistance
- Promotion of tourism in the Gulf Coast Region, including recreational fishing
- Promotion of the consumption of seafood harvested from the Gulf

For Spill Impact Component funds, the State Expenditure Plan may not use more than 25 percent of the funding for infrastructure projects benefitting the economy or ecological resources, or coastal flood protection and related infrastructure. The plan can propose to exceed this 25 percent if the plan certifies that ecosystem restoration needs in the State will be addressed by the projects in the proposed plan and additional investment in infrastructure is required to mitigate the impacts of the Deepwater Horizon Oil Spill to the ecosystem or economy.

The Bay County Board of County Commissioners will decide which Bay County-related projects to propose for inclusion in the State Expenditure Plan.

Item H. Additional materials – Excerpts from the draft Bay County Gulf Coast Restoration Trust Fund Multi-Year Implementation Plan (Plan for Bay County RESTORE Act Direct Component [Pot 1] funds)

Summary of Needs

Bay County is blessed with an outstanding bay system, beautiful beaches and abundant fisheries. It has a solid economy based on tourism, the military and the port. For Bay County to thrive, we need to protect and enhance our environment, and broaden and strengthen our economy.

We need healthy uplands and good water quality. Our stormwater system is inadequate and high rain events wash sediments off our unpaved roads. Many areas rely on septic tanks installed in marginal conditions. The sediment, nutrients and pollutants from these sources threaten our drinking water, the bays and the Gulf where we and our visitors swim, fish and recreate.

We need to ensure our economic progress by strengthening our existing economic base and broadening it through job training, new and improved infrastructure, and diversification of our economy. Although Bay County has done well with our current economic pillars, a more diversified economy will bring increased prosperity and stability.

The Gulf Coast Restoration Trust Fund Direct Component moneys can help Bay County make tremendous progress in these areas. The amount of Direct Component funds will be far from sufficient to accomplish all that is needed. By focusing on the most important projects and leveraging these funds with those from other sources, we can make a significant contribution to Bay County's future.

Guiding principles

1. Process
 - a. Meet all RESTORE Act statutory and rule requirements
 - b. Use a transparent process and engage the public
 - c. Use best available information
 - d. Employ adaptive management – consider results and use the information to improve the MYIP and its implementation
 - e. Ensure the MYIP is consistent with the Bay County Comprehensive Plan
2. Strategies
 - a. Determine and focus on high priority projects
 - b. Use Gulf restoration funds on sustainable long-lasting projects or projects that will have positive long-lasting effects
 - c. Favor high impact projects, including environmental, economic and quality of life considerations
 - d. Avoid creating undue future burdens for taxpayers
 - e. Ensure that every recommended project provides a public benefit
3. Funding
 - a. For RESTORE Direct Component funds, favor funding priority projects that do not have adequate sources of funding, such as other Gulf restoration funds or revenue sources from the project that could be used to fund the project
 - b. Use Direct Component funds to leverage other sources of funds for the project or to fund other aspects of high priority projects/objectives
 - c. Annually consider limits and/or maximums to funding for a single project, reserving a portion of funds to support future priority projects, and/or annual allocations of available funds.

Bay County Direct Component project evaluation criteria and ranking considerations

- a. Criteria for eligible projects - a proposed project must meet the all the following criteria in order to be eligible for Bay County's Direct Component funds:
 - i. Within Bay County or adjacent surface and Gulf waters, or with an identified and strong benefit to the County
 - ii. Addresses one or more RESTORE Act eligible activity
 - iii. Addresses one or more Bay County Multi-Year Implementation Plan objectives
 - iv. Is not fully funded by another source of money
 - v. Has a recognizable public benefit

- b. Additional ranking considerations
 - ii. General
 1. Number of RESTORE Act eligible activities clearly addressed
 2. Number of County MYIP objectives clearly addressed
 3. Provides countywide and/or regional benefits
 4. Long term benefits – economic, environmental, social, other – and how direct, how much benefit [quantify as much as possible]; how project addresses the root cause of the issue being addressed
 5. Project cost
 - a. Overall cost and demonstrated value
 - b. ongoing costs (maintenance, monitoring, other)
 - i. borne by the County
 - ii. borne by other source, reliability of source
 6. Matching funds provided, % of project cost
 7. Funding is not readily available from other sources
 8. Partnerships
 9. Complements other funded projects
 10. Best Available Science (for projects designed to protect or restore natural resources)
 - iii. Project readiness and feasibility
 1. Project implementation readiness – is project ready to start when funded, amount of time anticipated after funding is received that the major work of the project can start, and likelihood of major delays due to factors such as permitting requirements
 2. Project feasibility
 - a. Likelihood of obtaining necessary permits
 - b. Likely to complete project
 3. Likelihood of project success – will it do what it is proposed to do
 4. Time to completion of the project – 0-2 yrs, 3-6 yrs, 7-10 years, 11+ years
 5. Measuring success of each project/monitoring – ability to measure success using meaningful measures
 - iv. Capacity of applicant who proposes to manage a project
 1. Experience in completing similar projects – size, type, cost, length of time
 2. Demonstrated applicant experience managing grants and contracts, financial history and track record, etc.

3. Capability to maintain the project after completion – technical, fiscal aspects, organization stability
 - c. RESTORE Act eligible activities - The RESTORE Act requires that Direct Component/Equal-Share State Allocation funds may only be used to carry out specified eligible activities in the Gulf Coast region. See 1.d., above, for list of eligible activities.
 - d. Bay County Multi-Year Implementation Plan Guiding Principles – see 2.b., above.
 - e. Bay County Multi-Year Implementation Plan Goals and Objectives – see 3, above.

Evaluation and Ranking Process for Proposals for Bay County Direct Component RESTORE Funding

- a. **Pre-proposals solicited** from public and governments for a 30-day period
- b. **Pre-proposals received**, logged in, acknowledged
- c. Staff prepares a **summary spreadsheet** of all proposed projects, determines whether each pre-proposal meets the required eligibility criteria, and compiles a brief evaluation for each project based on guiding principles, objectives, criteria and considerations.
- d. **Public comment** meeting
- e. During a Bay County RESTORE Act Advisory Committee meeting, the **Committee votes** to decide which pre-proposals will advance to full proposal stage. An affirmative vote of at least six committee members is required to advance a pre-proposal.
- f. Applicants for selected pre-proposals prepare and **submit full proposals** within a 30-day window
- g. Staff compiles an **evaluation** for each proposed project based on guiding principles, objectives, criteria and considerations.
- h. **Public comment** meeting(s), not the same day as the ranking so as to allow time for Committee members to consider public comments and incorporate the information into each member's ranking decision
- i. **Second vote and ranking**
 - v. **Committee votes** during a meeting to decide which proposals will be placed on the recommended project list. An affirmative vote of at least six committee members is required to place a proposal on the recommended project list.
 - vi. **Committee then ranks** projects numerically. Each committee member independently assigns a numerical rank to each project, with the combined ranks from all committee members determining the rank of each project. Votes are made by roll call voice vote during a public Committee meeting. *(If there are 15 projects, each committee member ranks the projects from 1 to 15, with "1" being the highest. The project with the lowest combined numerical score will be ranked number one, the project with the second lowest would be ranked number two, etc. Ties would be broken by a motion and approval by the committee.)*
 - vii. The Committee then votes to approve the ranked recommended projects list and submit the list to the Board of County Commissioners
- j. Recommended projects and ranking are presented to the **Board of County Commissioners for review and approval**. The Board can add or remove projects and can change the rank of projects.

Notes

- Staff provides objective information describing how each project addresses MYIP objectives and ranking criteria and considerations. Staff will not provide quantitative values unless these are very straightforward.
- Each committee member ranks all projects on the list from 1 to x based on each committee member's interpretation as to how well each project addresses eligible activities, guidelines, criteria and considerations *in toto*, and in relation to other projects being considered and those already on an approved Bay County RESTORE project list.
- Conflicts of interest – see the conflicts of interest memo prepared by the County Attorney and provided to each Committee member

Goals and objectives

Overall Goal: Use RESTORE funds to enhance economic development, job creation, the environment and public infrastructure to improve the quality of life and environment for Bay County citizens and visitors.

GENERAL STRATEGY: View the environment of the Gulf and St. Andrew Bay and its system as intertwined with and vital to Bay County's economy and quality of life which, if not maintained in a healthy condition, can cause missed opportunities for new industry, loss of existing industry, tourism and defense-related jobs, loss of natural resource-based jobs, reduction in property values, increased costs of providing infrastructure services, and decline of the community in general.

a. Economic Development and Job Creation

GOAL: Support the long-term viability, diversity, and sustainability of the economy of Bay County

Objective 1.1: Diversify the economy in areas of aerospace, medical technology, logistics, and advanced manufacturing, tourism development projects and defense

Objective 1.2: Provide or contribute to infrastructure to attract new and technology-based industry - e.g. high-tech infrastructure, hangars/facilities, industrial sites

Objective 1.3: Support efforts that expand economic benefits from the airport

Objective 1.4: Provide in-demand job training and align training infrastructure resources for those jobs that are in the community or are anticipated

Objective 1.5: Establish a flexible workforce development fund able to rapidly respond to specific job-training needs

Objective 1.6: Develop and promote additional facilities, attractions, ecotourism opportunities, cultural and heritage resources, and other tourism amenities to foster tourism and economic development

Objective 1.7: Support recreation (including improved beach and water access), public transportation (including bike lanes), and opportunities for wage improvements that enhance the quality of life of Bay County residents and visitors

Objective 1.8: Conserve and protect those natural resources that form the basis of the tourist industry

Objective 1.9: Promote recreational Gulf fishing by establishing artificial reefs, highlighting recreational fish species that have fewer catch restrictions, and emphasizing the activity and enjoyment of fishing rather than particular fish species

Objective 1.10: Support community resilience planning for locally owned businesses to assist continuity of operations planning for post man-made or natural disasters

b. Environment

GOAL: Ensure that the quality of environmental resources of the Gulf and St. Andrew Bay and its system is maintained or improved

Objective 2.1: Improve and protect the St. Andrew Bay watershed water quality and watershed condition taking into consideration the recommendations and priorities in the St. Andrew Bay Surface Water Improvement and Management Plan, the St. Andrew Bay Stormwater Management Plan (2009), and the Northwest Florida Water Management District Gulf restoration projects list, as well as the priority recommendations of the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, and fishery strategies

Objective 2.2: Improve and protect the water quality of the St. Andrew Bay, its watershed, coastal lakes, and the Gulf near-shore waters by advancing acquisition of lands and restoration of wetlands and uplands in proximity to the Bay

Objective 2.3: Protect seagrass beds by partnering with organizations to institute a public awareness program to inform residents and visitors about the value and potential threats to seagrass beds

Objective 2.4: Increase awareness of the beach and near-shore areas as wildlife habitat

Objective 2.5: Support acquisition and active management of properties important to coastal conservation lands in order to protect the natural resources

Objective 2.6: Preserve and restore dune systems and living shorelines, including oyster reefs, seagrass beds and marshes, to improve estuarine habitat and water quality, reduce shoreline erosion, increase coastal resilience and minimize the potential damage to life and property caused by coastal storms

Objective 2.7: Support projects that contribute to the protection and recovery of protected species listed by the state or federal government and that improve the flexibility of local infrastructure management, development, and business operations

Objective 2.8: Support a sustainable approach to long-term collection of water quality and other important environmental data that can be used as indicators of ecosystem health and recovery and provide information for use in adaptive management

c. Public Infrastructure

For this plan, public infrastructure is defined as man-made infrastructure owned by the public and/or for public use. Environmental infrastructure, such as wetlands, the seagrass beds, and other habitats, are included in the Environment section.

GOAL: Provide the public infrastructure necessary to protect and enhance the environment, strengthen and diversify the economy, and improve the quality of life for residents and visitors

Objective 3.1: Maintain water quality in Deer Point Lake, the local potable water supply, at current levels or better through conservation land acquisition, septic tank removal, stabilization of unpaved roads and fertilizer application education

Objective 3.2: Stabilize unpaved roads in Bay County to reduce nutrient and sedimentation input into the St. Andrew Bay system; prioritize efforts based on proximity to water bodies and other factors, including guidance in the St. Andrew Bay SWIM plan

Objective 3.3: Maintain and improve the water quality of the Gulf and the St. Andrew Bay system by upgrading sewage treatment facilities to advanced wastewater treatment levels or greater

Objective 3.4: Facilitate replacement of septic tanks with centralized wastewater treatment, prioritizing efforts based on factors including proximity to the bay system, density of septic tanks, age and condition of septic tanks, and soils

Objective 3.5: Maintain and improve the water quality of the Gulf and the St. Andrew Bay system by installing or upgrading stormwater treatment facilities, using the St. Andrew Bay Stormwater Management Plan (2009) and the SWIM plan for guidance and with emphasis on multi-jurisdictional approaches

Objective 3.6: Promote low impact development (LID) practices

Objective 3.7: Increase coastal resilience and protect key public assets from coastal flooding

Objective 3.8: Support the Port Authority's efforts to add Port capacity and increase trade, including land acquisition for facilities, expansion of port related infrastructure, continued development of the Intermodal Distribution Center, maintaining and expanding deepwater access, and the capacity to provide alternative fuels