

RESUME OF MINUTES

Escambia County Restore Act Advisory Committee Meeting
September 23, 2013 – 4:00 p.m.
Ernie Lee Magaha Government Building
BCC Meeting Room, First Floor
221 Palafox Place
Pensacola, FL 32502

Members Present:

Bentina Terry, Chairperson	City of Pensacola
Alan McMillan, Vice-Chair	District 1/Commissioner Wilson B. Robertson
Donnie McMahan	District 2/Commissioner Gene M. Valentino
Al Coby	District 3/Commissioner Lumon J. May
Gregg Beck	District 5/Commissioner Steven L. Barry
Christian Wagley	Environmental Advocacy Group
Harlan Butler	At-large Citizen
Michelle Inere	At-large Citizen

Members Absent:

Tammy Bohannon	District 4/Commissioner Grover C. Robinson, IV
----------------	--

County Staff in Attendance:

Keith Wilkins, Director, Community & Environment Department
Chips Kirschenfeld, Senior Scientist, Water Quality & Land Management Division
Robert Turpin, Manager, Marine Resources Division
Tim Day, Environmental Programs Manager, Water Quality & Land Management Division
Kathleen Dough-Castro, Manager, Public Information Office (PIO)
Brandi Ziglar, Public Information Specialist, Public Information Office (PIO)
Pat Chunn, Director's Aide, Community & Environment Department
Victoria D'Angelo, Student Assistant, Community & Environment Department

Guest Speakers:

Bill Williams, Consultant, SCG Governmental Affairs, Tallahassee, FL
Erin Deady, P.A., Environmental Land Use Attorney, West Palm Beach, FL

1. September 23, 2013 meeting called to order at 4:00 p.m.
2. The meeting was advertised in the Pensacola News Journal on September 14, 2013 and September 21, 2013.
3. Attendance – See above.
4. Public Comment (limit 3 minutes)

Keith Wilkins said that effective October 1, 2013, legislature passed Senate Bill No. 50 which gives a member of the public reasonable opportunity to be heard by a board or commission before it takes official action on an item. Thus, Public Comment would be held during the start of the RESTORE Act Advisory Committee meetings, prior to the discussion of Committee business. He said that public comment would no longer be held at the end of the meetings.

Christian Wagley proposed to the Committee that the public be able to ask for public comment at any point during the meeting. Chairwoman Terry agreed.

There were no speakers during Public Comment.

5. **Motion was made by Alan McMillan to approve the September 9, 2013 minutes. Harlan Butler seconded. Motion carried unanimously.**

6. Discussion of Multiyear Plan Process

Chairwoman Terry explained to the Committee that County staff compiled a resource manual containing pertinent RESTORE documents to assist the Committee.

Mr. Wilkins gave a short presentation on the multiyear plan components according to the Federal Treasury Proposed Rule and the RESTORE Act.

Mr. Kirschenfeld presented a presentation on the Multiyear Plan Process which included the Committee's future processes in a flow diagram and a timeline of future events related to RESTORE processes.

- a) Future Processes Flow Diagram

Chairwoman Terry maintained the Committee's desire to separate future committee processes into two phases. The Committee agreed that Phase I would include drafting the need, purpose, objective and eligible activity identification components of the multiyear plan and Phase 2 would include drafting the location, budget, milestones, projected completion dates and project success evaluation criteria components of the multiyear plan.

- b) Future Processes Timeline

The Committee discussed ways in which the lengthy procurement process, estimated to be between three to four months, and expected date of the final Treasury regulations with anticipated plan template would delay the Committee's estimated timeline.

Mr. Wilkins stated that comments are due to Treasury for the proposed rule by November 5, 2013.

Erin Deady suggested that the Committee comment on the Treasury's Proposed Rule and request greater definition in regard to multiyear plan items. She also advised the Committee not to mirror the Council's Draft Comprehensive Plan because the plan is lacking in projects. She emphasized that submittal of the draft multiyear plan needs to include selected projects. More clarity is needed from the U.S. Treasury.

Mr. Wilkins was asked to draft Part 1 and submit to the Committee. There was discussion on obtaining a consultant and submitting a RFP. It was concluded that it was best to wait and see what guidelines and list of consultants the Gulf Consortium would present. Procurement processes are well defined in federal regulations.

Mr. Wilkins was asked that he talk to UWF/HAAS Center.

7. Summary of Treasury Proposed Rule

Mr. Wilkins provided the Committee with a summary of the Federal Treasury Proposed Rule. The summary provided that the process would be operated as a grant program. Projects would be subject to federal laws, state audits and be in compliance with the RESTORE Act. Mr. Wilkins also noted that the Treasury regulations had resulted in a change in terminology associated with the funding pots.

The Committee found several sections of the Treasury's proposed rule unsatisfactorily descriptive. Alan McMillan suggested that the Committee comment on components of the rule including clarification on the following issues: (1) Being able to amend the Treasury rule, (2) Eligibility of selected projects, (3) Intent of the language and land acquisition projects, and (4) Disclosing matching project opportunities.

Ms. Deady stated, "This is not a regulation where less is more." She instructed the Committee to suggest to Treasury the language which would resolve inconsistencies in the proposed rule.

Two speakers volunteered to offer public commentary. The speakers were:

George Hawthorne, 1299 W. Main Street, Pensacola, FL
Jessica Koelsch, National Wildlife Federation

8. Introduction to Contractor Scope of Service – Item removed from the agenda.

9. Old Business – Tentative Schedule

Mr. Wilkins presented the tentative schedule to the Committee.

Chairwoman Terry recommended to the Committee that one speaker give a presentation per meeting. The Committee agreed. Mr. Wilkins stated that he would revise the schedule.

Donnie McMahon requested a presentation from West Florida Regional Planning on the topic of their EDA process.

Mr. Wilkins discussed a holiday break from meeting which would run from Thanksgiving to New Years. The Committee agreed on the holiday break.

10. New Business – Informational Update

Mr. Wilkins gave an informational update on the Florida Department of Environmental Protection's (FDEP) Watershed Orientation approach, funding of the Direct Component, Natural Resource Damage Assessment (NRDA) processes and the Florida Association of Counties (FAC) activities. He explained that the FDEP has adopted a Watershed Orientation approach to coordinating interlocal activities. He also explained that the Direct Component would likely be funded before the Comprehensive Plan and Spill Impact Components.

Currently, the NRDA process is in round three and round four projects are expected to be released by the end of the year and are moving eastward.

Bill Williams stated that the Florida Association of Counties (FAC) is “trying to put a network together with all players.” He explained that the FAC is working to draft a comprehensive plan between the affected counties which would mirror the Louisiana Comprehensive Plan that was established after the Deepwater Horizon Oil Spill. Mr. Williams explained that this process would assist in streamlining the multiyear plan process.

One speaker volunteered to offer public commentary. The speaker was:

Sherri Myers, 526 Parker Drive, Pensacola, FL 32504

11. Meeting adjourned at 5:51 p.m.

Presentation(s) and documents presented at the RESTORE Act Advisory Committee meeting on September 23, 2013 can be found at the following link: <http://myescambia.com/restore/docs>.