

Gulf Restoration Update

Florida Fish and Wildlife Conservation Commission &
Department of Environmental Protection

June 9, 2016



Presentation Objectives

- Provide an update on where Florida stands now regarding NRDA, GEBF, and RESTORE now that the settlement with BP is final
- Provide participants with an understanding of resources available for more information

Resolution of Environmental Claims¹

Dollar amounts approximate due to rounding

Natural Resource Damage Assessment⁵

\$8.1B BP
(Including \$1B in Early Restoration)

Florida

\$680M
(Includes Early Restoration)

Early restoration projects were vetted by FDEP, FWC, & the Governor's office prior to submitting to the NRDA Trustees & BP for funding consideration

Final Restoration Projects will be vetted by FDEP, FWC, & the Governor's office & Federal NRDA Trustees before funding selected projects

RESTORE ACT³

80% of Clean Water Act Civil & Administrative Penalties

\$4.4B plus interest BP
\$800M plus interest Transocean
\$128M plus interest Anadarko
\$5.3B Total

National Fish & Wildlife Foundation²

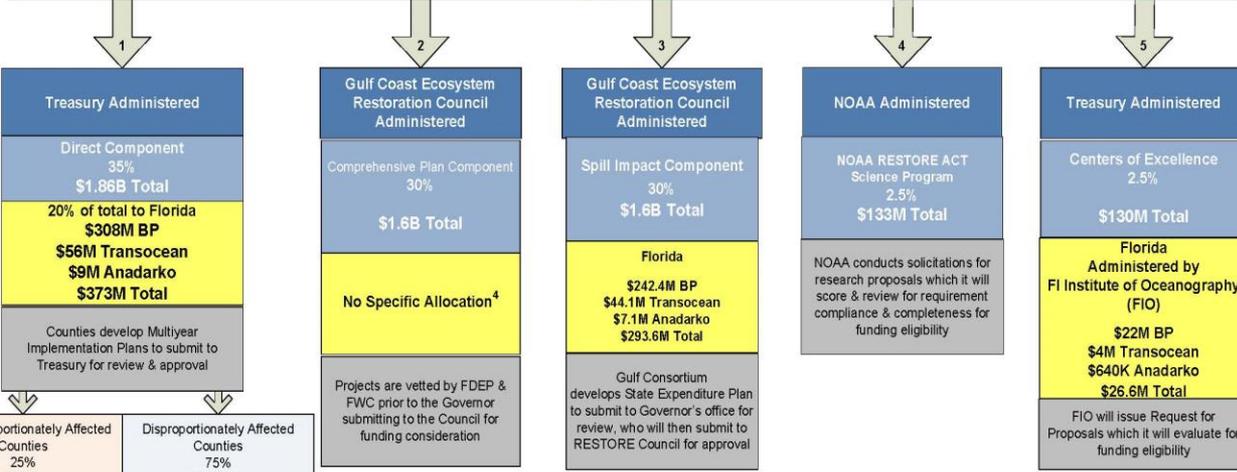
Criminal Penalties
(BP & Transocean)

\$2.544B

Florida

\$356M

Projects are vetted by FWC, FDEP, & the Governor's office prior to submitting to NFWF for funding consideration



Non-disproportionately Affected Counties 25%		Disproportionately Affected Counties 75%	
\$14M Transocean	\$77M BP	\$42M Transocean	\$231M BP
\$2M Anadarko		\$7M Anadarko	
\$93 Total		\$280 Total	

5% Charlotte	4,800,660	15%	Bay	42,282,800
5% Citrus	4,363,560	25%	Escambia	70,938,000
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deepwaterhorizonflorida.com

Browser address bar: <http://www.dep.state.fl.us/deepwaterhorizon/default.htm>

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Florida Department of Environmental Protection

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Deepwater Horizon Florida

Following the April 20, 2010 *Deepwater Horizon* explosion and oil spill, the state of Florida implemented response operations and emergency restoration. The Florida Department of Environmental Protection is the lead state agency for responding to impacts of the *Deepwater Horizon* oil spill and the resulting restoration process.

[Read more about our latest updates](#)

Deepwater Horizon Projects in Florida

Check out our new [user-friendly map of Deepwater Horizon Projects](#) that have been funded in the state of Florida.

The Florida Department of Environmental Protection continues to accept project proposals. Please note that projects submitted through our website will be considered for funding under RESTORE Act, NRDA Restoration and NFWF. To suggest a new project for consideration, please click on the link below. Please note the online project form is most compatible with Internet Explorer.

[Online Project Form](#) [Submitted Projects Summary PDF](#) [Submitted Projects Summary Excel](#) [Map of Submitted Projects](#) [FAQ's](#) [DWH Oil Spill Projects](#)

NRDA Restoration

The Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission are playing key roles in the *Deepwater Horizon* oil spill early restoration process. Early restoration efforts are occurring throughout the Gulf States and are being facilitated by the [Deepwater Horizon Trustee Council](#) (Trustees). The Trustees are evaluating the impacts of the *Deepwater Horizon* spill on natural resources and working on behalf of the public to full compensation for loss of natural resources.

[About](#) [NRDA Projects](#)

RESTORE Act

The RESTORE Act, which was passed by Congress on June 29, 2012 and signed into law on July 6, 2012 by the President, provides a vehicle for Clean Water Act civil and administrative penalties from the *Deepwater Horizon* oil spill. Governor Rick Scott appointed Mimi A. Drew as his designee to represent Florida on the Gulf Coast Ecosystem Restoration Council, which is responsible for implementing the [Initial Comprehensive Plan: Restoring the Gulf Coast's Ecosystem and Economy](#).

[About](#) [Restoration Council](#)

National Fish and Wildlife Foundation

National Fish and Wildlife Foundation (NFWF) established the Gulf Environmental Benefit Fund (GEBF) to administer funds arising from plea agreements that resolve the criminal cases against BP and Transocean. The Florida Fish & Wildlife Conservation Commission and the Florida Department of Environmental Protection work directly with NFWF to identify projects for the state of Florida, in consultation with the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration.

Deepwater Horizon Home

Projects in Florida

- DWH Oil Spill Projects
- Online Project Form (Most compatible with Internet Explorer)
- Submitted Projects Summary - PDF
- Submitted Projects Summary - Excel
- Map of submitted Projects
- FAQ's

RESTORE Act

- About
- Restoration Council
- Restore Meetings

NRDA Restoration

- About
- Restoration Photos
- Submit NRDA Project
- Latest Updates

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

Important Phone Numbers

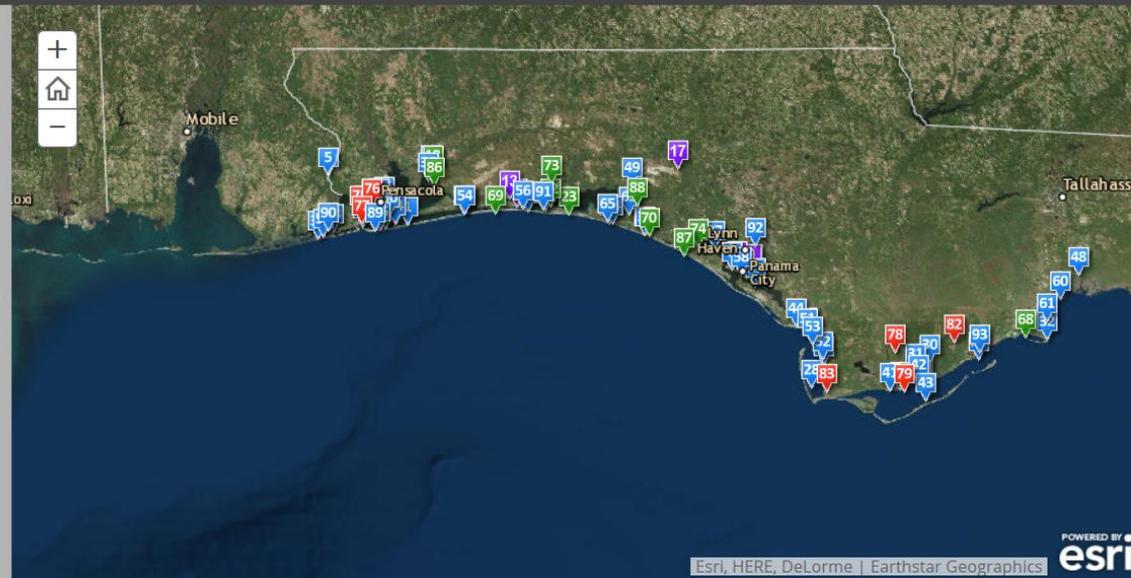
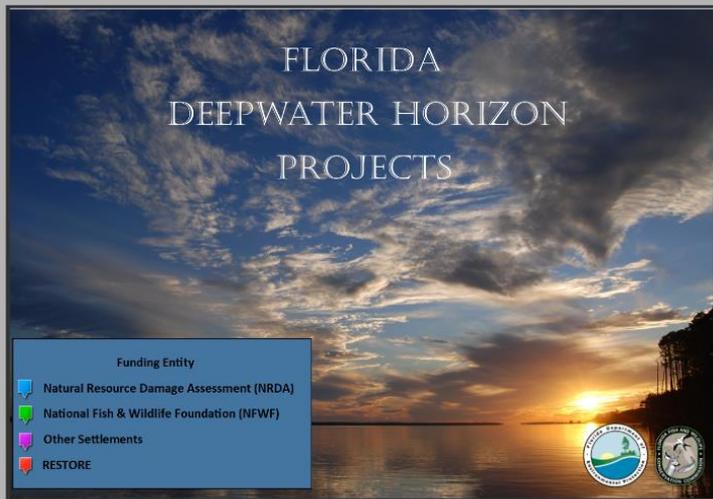
- Claims (800) 916-4893
- Report Oil (800) 282-2812

Florida Projects

Florida Deepwater Horizon Projects

A Guide To Florida Restoration   

Restoring our Gulf Coast communities in the state of Florida



85 Tampa Bay National Estuary Program



86 Eastern Pensacola Bay Oyster Habitat Restoration



87 Increased Capacity for Marine Mammal Response



88 Water Quality Improvements to Enhance



89 Seagrass Recovery Project at Gulf Islands National



90 Innerarity Point Park Coastal Access Project



91 Leonard Destin Park Coastal Access Project



92 Lynn Haven Preserve and Park Coastal Access Project



93 Island View Park Coastal Access Project

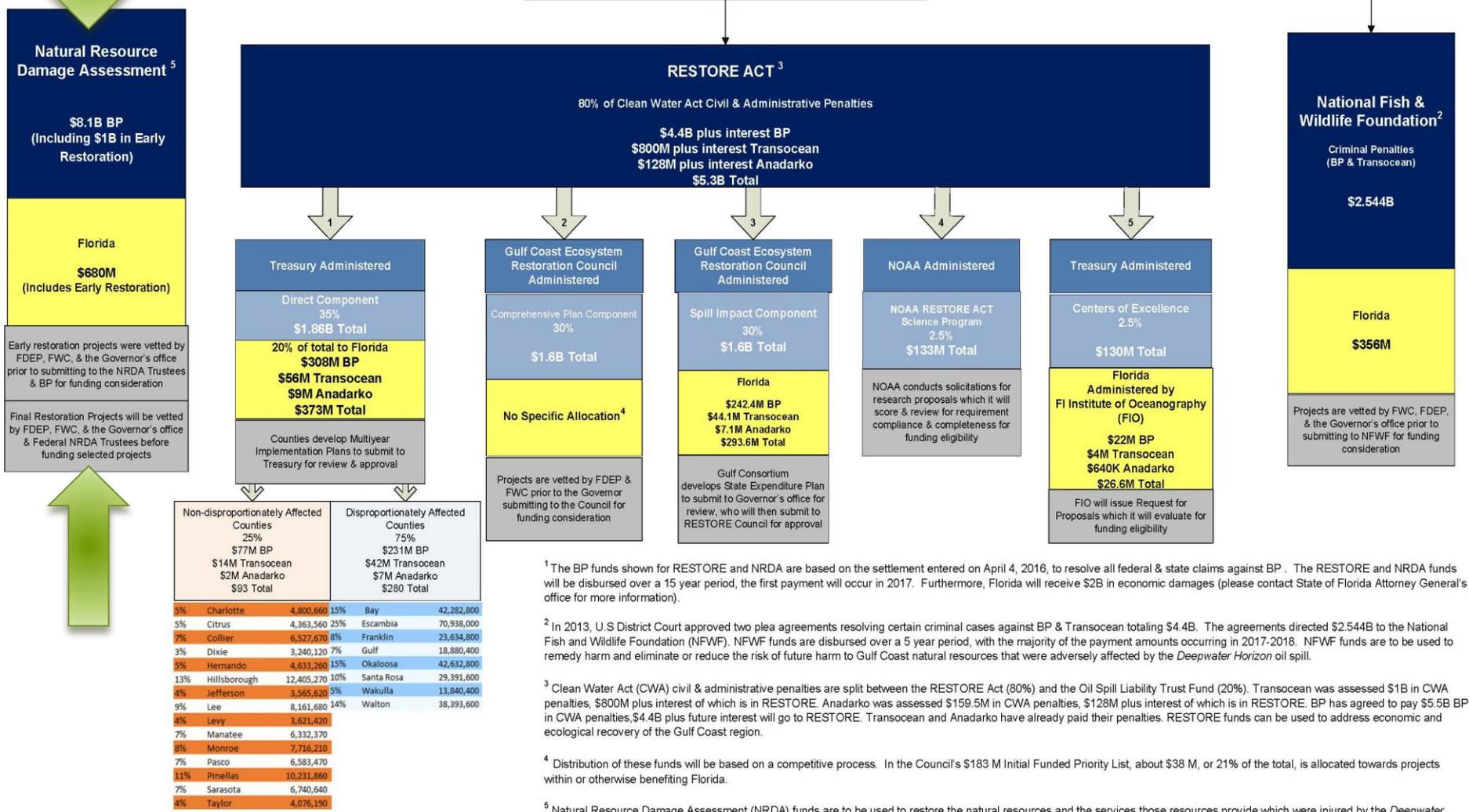
> 90 projects, ≈\$250 million



Part I: NRDA

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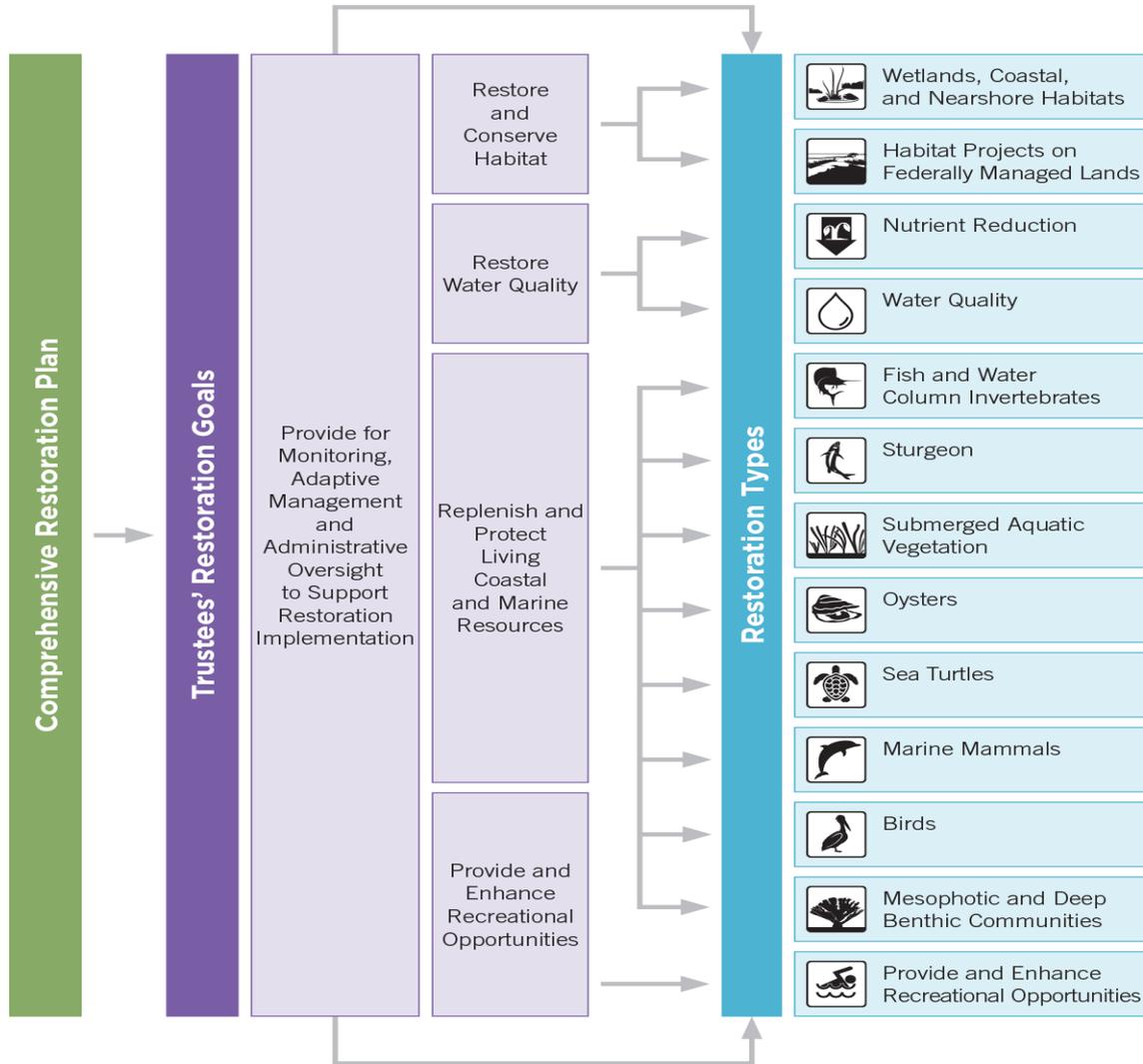


Restoration Funding in Dollars

Major Restoration Categories	Unknown Conditions	Regionwide	Open Ocean	Alabama	Florida	Louisiana	Mississippi	Texas	Total Restoration Funding*
1. Restore and Conserve Habitat									
Wetlands, Coastal, and Nearshore Habitats				65,000,000	5,000,000	4,009,062,700	55,500,000	100,000,000	4,234,562,700
Habitat Projects on Federally Managed Lands				3,000,000	17,500,000	50,000,000	5,000,000		75,500,000
Early Restoration (through Phase IV)				28,110,000	15,629,367	259,625,700	80,000,000		383,365,067
2. Restore Water Quality									
Nutrient Reduction (Nonpoint Source)				5,000,000	35,000,000	20,000,000	27,500,000	22,500,000	110,000,000
Water Quality (e.g., Stormwater Treatments, Hydrologic Restoration, Reduction of Sedimentation, etc.)					300,000,000				300,000,000
3. Replenish and Protect Living Coastal and Marine Resources									
Fish and Water Column Invertebrates			380,000,000						380,000,000
Early Restoration Fish and Water Column Invertebrates			20,000,000						20,000,000
Sturgeon			15,000,000						15,000,000
Sea Turtles	60,000,000	55,000,000	5,500,000	20,000,000	10,000,000	5,000,000	7,500,000		163,000,000
Early Restoration Turtles	29,256,165						19,965,000		49,221,165
Submerged Aquatic Vegetation						22,000,000			22,000,000
Marine Mammals	19,000,000	55,000,000	5,000,000	5,000,000	50,000,000	10,000,000			144,000,000
Birds	70,400,000	70,000,000	30,000,000	40,000,000	148,500,000	25,000,000	20,000,000		403,900,000
Early Restoration Birds	1,823,100		145,000	2,835,000	71,937,300		20,603,770		97,344,170
Mesophotic and Deep Benthic Communities			273,300,000						273,300,000
Oysters	64,372,413			10,000,000	20,000,000	26,000,000	20,000,000	22,500,000	162,872,413
Early Restoration Oysters				3,329,000	5,370,596	14,874,300	13,600,000		37,173,896
4. Provide and Enhance Recreational Opportunities									
Provide and Enhance Recreational Opportunities				25,000,000	63,274,513	38,000,000	5,000,000		131,274,513
Early Restoration Recreational Opportunities			22,397,916	85,505,305	120,543,167	22,000,000	18,957,000	18,582,688	287,986,076
5. Monitoring, Adaptive Management, and Administrative Oversight									
Monitoring and Adaptive Management		65,000,000	200,000,000	10,000,000	10,000,000	225,000,000	7,500,000	2,500,000	520,000,000
Administrative Oversight and Comprehensive Planning		40,000,000	150,000,000	20,000,000	20,000,000	33,000,000	22,500,000	4,000,000	289,500,000
Adaptive Management NRD Payment for Unknown Conditions	700,000,000								700,000,000
Total NRD Funding	\$700,000,000	\$349,851,678	\$1,240,697,916	\$295,589,305	\$680,152,643	\$5,000,000,000	\$295,557,000	\$238,151,458	

* The total restoration funding allocation for the Early Restoration work; each restoration type; and monitoring, adaptive management, and administrative oversight is \$8.1 billion (plus up to an additional \$700 million for adaptive management and unknown conditions).

PDARP



Governance

- Trustee Council = Representatives of 5 States and 4 Federal agencies
- 8 “Trustee Implementation Groups” (TIGs) corresponding to the 8 Restoration Areas
 - State TIGs will be comprised of representatives of that state and the 4 Federal agencies
 - Regionwide TIG and Unknown Conditions TIG will be comprised of 5 States and the 4 Federal agencies
 - Open Ocean TIG will be comprised of the 4 Federal agencies

Trustee Implementation Groups (TIGs)

Texas

*Trustees for Texas
Federal Trustees*

Louisiana

*Trustees for Louisiana
Federal Trustees*

Mississippi

*Trustees for Mississippi
Federal Trustees*

Alabama

*Trustees for Alabama
Federal Trustees*

Florida

*Trustees for Florida
Federal Trustees*

Regionwide

All Trustees

Open Ocean

Federal Trustees

Unknown Conditions and Adaptive Management

All Trustees



Part II: GEBF

Resolution of Environmental Claims¹

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Natural Resource Damage Assessment⁵

\$8.1B BP
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Florida
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Treasury Administered

Direct Component 35%
\$1.86B Total

20% of total to Florida
\$308M BP
\$56M Transocean
\$9M Anadarko
\$373M Total

Counties develop Multiyear Implementation Plans to submit to Treasury for review & approval

Gulf Coast Ecosystem Restoration Council Administered

Comprehensive Plan Component 30%
\$1.6B Total

No Specific Allocation⁴

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Gulf Coast Ecosystem Restoration Council Administered

Spill Impact Component 30%
\$1.6B Total

Florida
\$242.4M BP
\$44.1M Transocean
\$7.1M Anadarko
\$293.6M Total

Gulf Consortium develops State Expenditure Plan to submit to Governor's office for review, who will then submit to RESTORE Council for approval

NOAA Administered

NOAA RESTORE ACT Science Program 2.5%
\$133M Total

NOAA conducts solicitations for research proposals which it will score & review for requirement compliance & completeness for funding eligibility

Treasury Administered

Centers of Excellence 2.5%
\$130M Total

Florida Administered by FI Institute of Oceanography (FIO)
\$22M BP
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\$640K Anadarko
\$26.6M Total

FIO will issue Request for Proposals which it will evaluate for funding eligibility

Non-disproportionately Affected Counties 25%		Disproportionately Affected Counties 75%	
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Deepwater Horizon Criminal Settlements

- In early 2013, a U.S. District Court approved two plea agreements resolving the criminal cases against BP and Transocean
 - Transocean: \$400M in criminal recoveries; \$150M being paid to National Fish & Wildlife Foundation (NFWF)
 - BP: \$4B in criminal recoveries; \$2.394B being paid to NFWF
- \$1.272 billion for barrier island and river diversion projects in Louisiana
- \$356 million each for natural resource projects in Alabama, Florida, and Mississippi; \$203 million for projects in Texas



NFWF

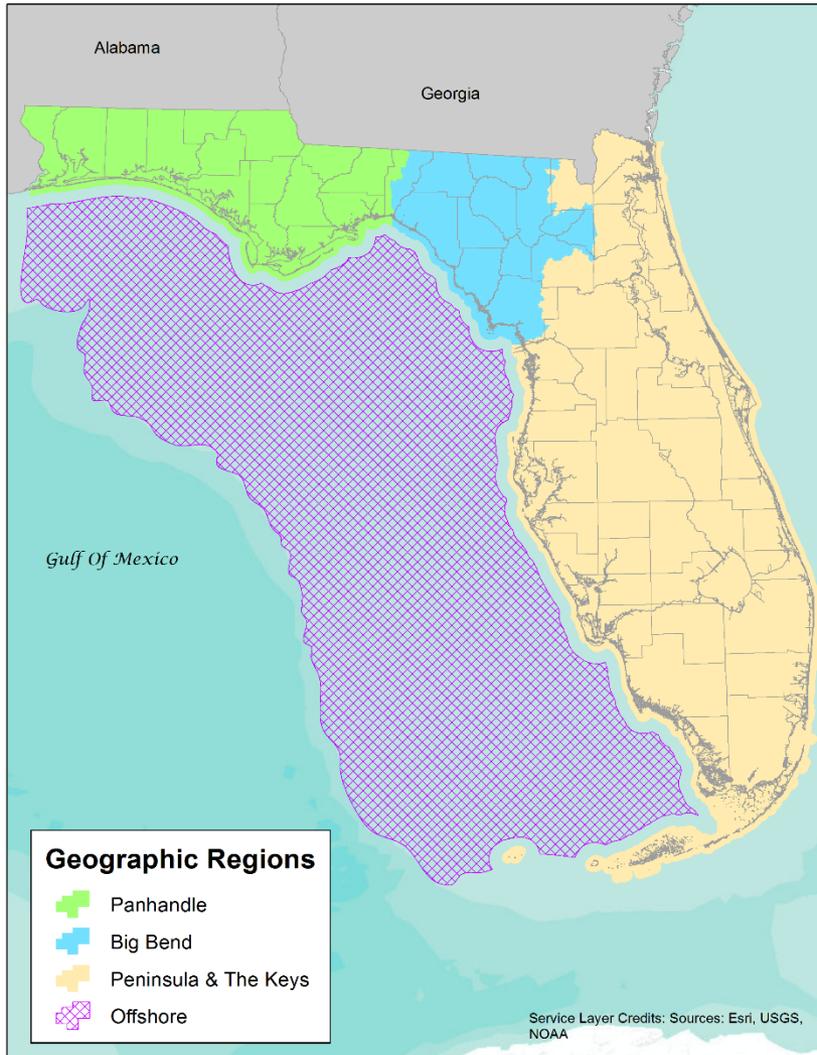
www.NFWF.org

NFWF Priorities

- **Restore and Conserve Coastal Habitat**
 - Barrier islands & beach/dune habitat
 - Coastal marshes
- **Restore and Maintain Coastal Bays and Estuaries**
 - Coastal bays & estuaries
 - Nearshore habitats and coastal buffers
- **Enhance Populations of Priority Living Resources**
 - Oysters
 - Gulf Coast birds
 - Red snapper & other reef fish
 - Sea turtles
 - Marine mammals

Priorities will be refined over time based on planning

GEBF Geography in Florida



Majority of GEBF projects will be concentrated in Panhandle and Big Bend; Peninsula & The Keys and Offshore regions eligible for restoration of living resources

Funded Projects, 2013-2015

To date, NFWF has awarded approximately \$70 million for 21 projects in the State of Florida, including:

- Fisheries assessment
- Shorebird and sea turtle conservation
- Water quality improvements
- Oyster reef restoration
- Marine mammal stranding response enhancements
- Benthic assessment and mapping
- Coastal dune lake restoration

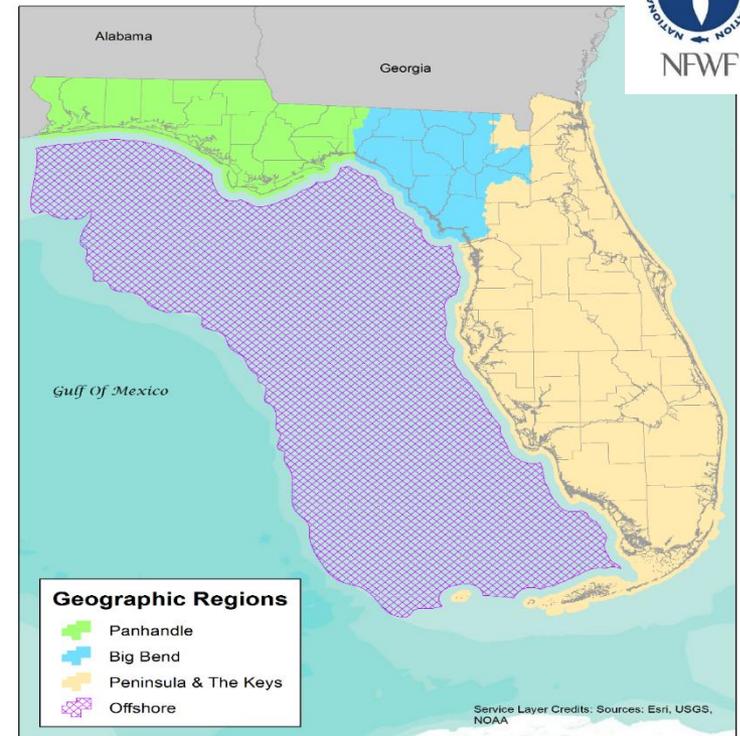
2016 Proposed Projects

NFWF has invited full proposals for:

- Enhanced Assessment for Recovery of Gulf of Mexico Fisheries Phase IV
- Enhancement of Sea Turtle Stranding Response Capacity in Florida
- Recovery and Resilience of Oyster Reefs in the Big Bend of Florida
- Restoring Florida's Shorebird & Seabird Populations

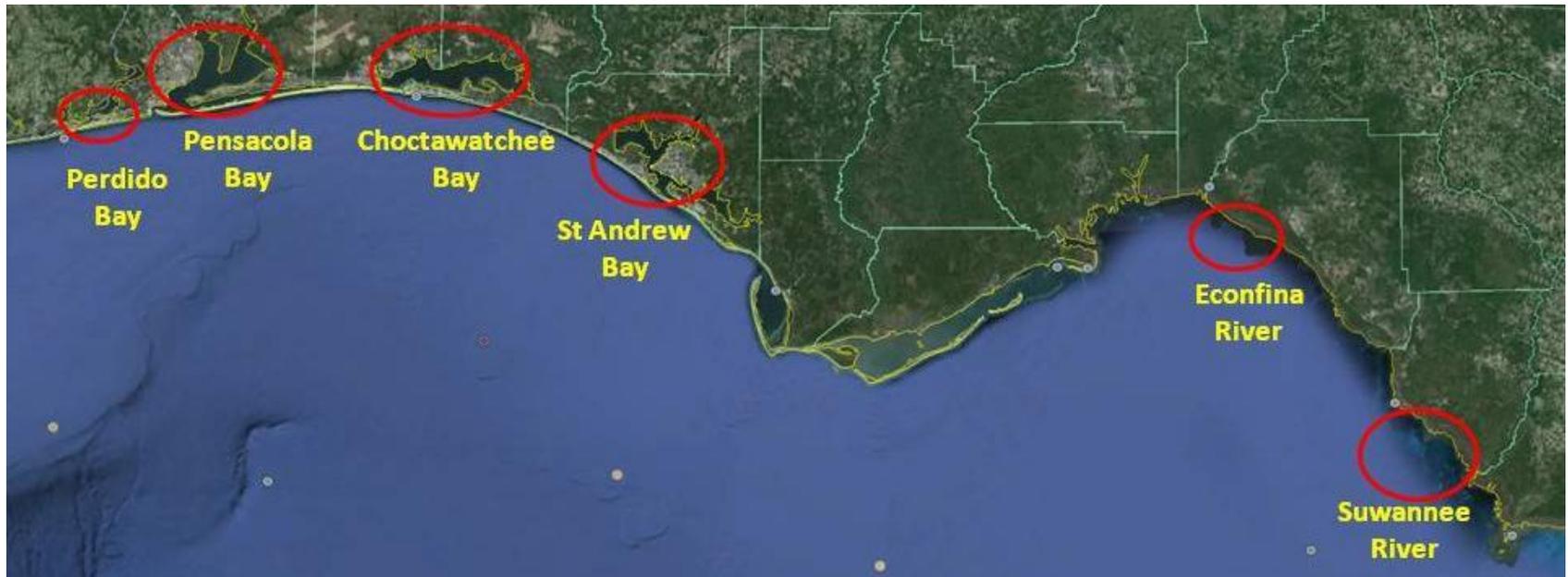
GEBF Restoration Strategy

- Multi-year effort to plan remaining GEBF investments in Florida
 - Multiple components: central planning effort; submerged habitat assessment; SWIM plan updates for SRWMD and NFWWMD
 - Based on the three NFWF GEBF funding priorities



Restoration Strategy Submerged Habitat Assessment

- Assess conditions in six estuaries in the Panhandle and Big Bend to determine what factors may be preventing SAV recovery
- Develop a spatial model to provide managers and scientists an assessment of local conditions in each estuary and the potential of success for seagrass restoration projects



www.myfwc.com/research/habitat/seagrasses/projects/roadblocks/

Restoration Strategy Timeline

- Draft Restoration Strategy public webinar and comment period in September/October
- Final Restoration Strategy scheduled for public comment in November 2017
- Living document for remainder of the GEBF lifetime in Florida, subject to adaptation through new and emerging information



Part III: RESTORE

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¹ The BP funds shown for RESTORE and NRDA are based on the settlement entered into on 1/28/2016, to resolve all federal & state claims against BP. The RESTORE and NRDA funds will be disbursed over a 15 year period. The first payment will occur in 2017. Furthermore, Florida will receive \$2B in economic damages (please contact State of Florida Attorney General's office for more information).

² In 2013, U.S District Court approved plea agreements resolving certain criminal claims against BP & Transocean totaling \$4.4B. The agreements directed \$2.544B to the National Fish and Wildlife Foundation (NFWF). NFWF funds are disbursed over a 5 year period. The majority of the payment amounts occurring in 2017-2018. NFWF funds are to be used to remedy harm and eliminate or reduce the risk of future harm to Gulf Coast natural resources that were adversely affected by the *Deepwater Horizon* oil spill.

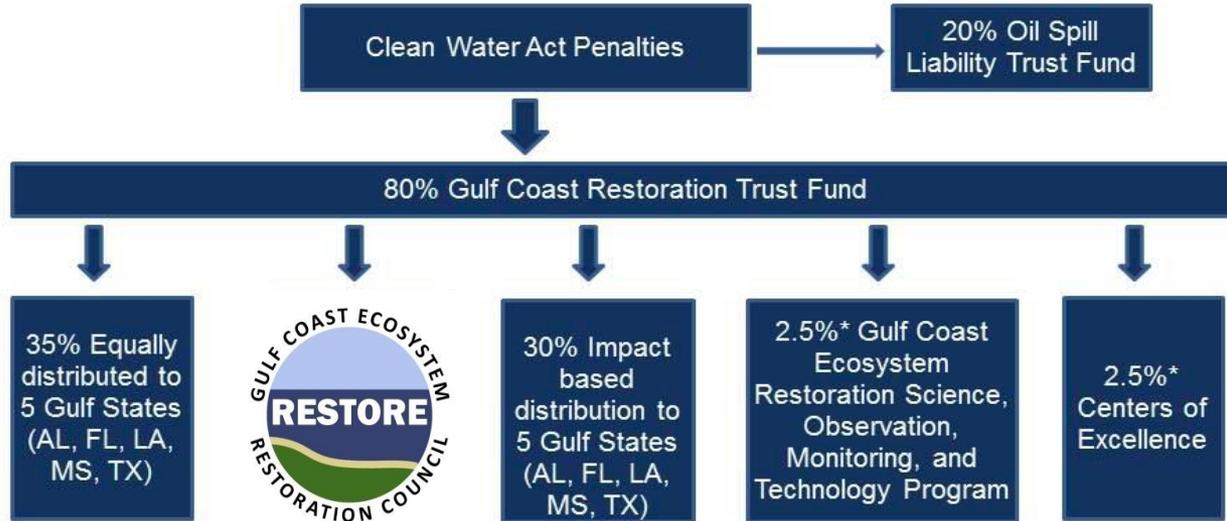
³ Clean Water Act (CWA) civil & administrative penalties are split between the RESTORE Act (80%) and the Oil Spill Liability Trust Fund (20%). Transocean was assessed \$1B in CWA penalties, \$800M plus interest of which is in RESTORE. Anadarko was assessed \$159.5M in CWA penalties, \$128M plus interest of which is in RESTORE. BP has agreed to pay \$5.5B BP in CWA penalties, \$4.4B plus future interest will go to RESTORE. Transocean and Anadarko have already paid their penalties. RESTORE funds can be used to address economic and ecological recovery of the Gulf Coast region.

⁴ Distribution of these funds will be based on a competitive process. In the Council's \$183 M Initial Funded Priority List, about \$38 M, or 21% of the total, is allocated towards projects within or otherwise benefiting Florida.

⁵ Natural Resource Damage Assessment (NRDA) funds are to be used to restore the natural resources and the services those resources provide which were injured by the *Deepwater Horizon* oil spill.

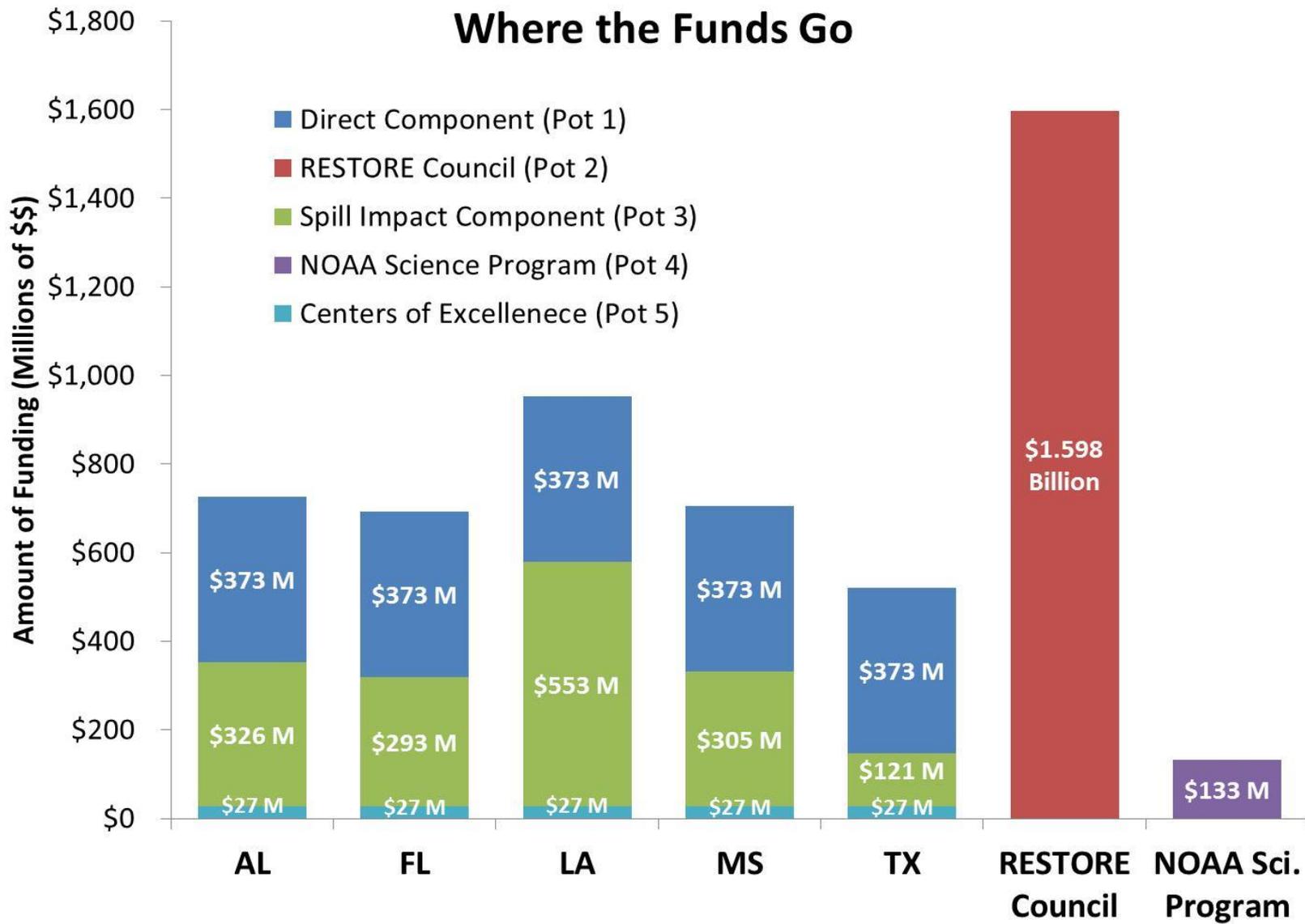
RESTORE

Allocation of Gulf Coast Restoration Trust Fund



*Supplemented by interest generated by the Trust Fund (50% to Gulf Coast Ecosystem Restoration Council, 25% to Science Program, 25% to Centers of Excellence)

Where the Funds Go



RESTORE 1: Direct Component

- Treasury-administered
 - <https://www.treasury.gov/services/restore-act/>
- Planning grant awards made to Escambia, Gulf, and Levy Counties
- “Multi-year Implementation Plans” accepted from Pasco, Hernando, Pinellas, Charlotte, and Monroe Counties

RESTORE 3: Spill Impact Component

- Gulf Consortium, entity comprised of 23 coastal counties, to develop “State Expenditure Plan”
- Next meeting June 28 in Orlando

<http://www.fl-counties.com/advocacy/gulf-consortium>



RESTORE 4: RESTORE Science Program

- Administered by NOAA to fund research, observation, and monitoring to support long-term sustainability of ecosystem and fisheries
- New FFO open; letters of intent due July 8
 - 2 priorities: 6 areas of living coastal and marine resource research; decision-support tool for improving resource management

<https://restoreactscienceprogram.noaa.gov/>

RESTORE 5: Centers of Excellence

- Treasury-administered; awards made to the eligible entities in Texas, Florida, and Louisiana
- Florida's administered by FIO
 - 2 focal areas: coastal fisheries and wildlife ecosystem research and monitoring; comprehensive observation, monitoring, and mapping

<http://fio.usf.edu/flracep>



RESTORE 2: Council Component

- Gulf Coast Ecosystem Restoration Council (aka RESTORE Council) comprised of 5 Gulf state governors & 6 federal agency heads; now chaired by USDA Secretary Vilsack
- Council is a federal agency with staff of ~17
- Responsible for developing a Comprehensive Plan; initial plan approved August 2013 and currently being updated



RESTORE 2: Council Component

- First “Funded Priorities List” approved by Council in December 2015
 - “Restoration in Key Watersheds: Acting Now and Laying a Foundation for the Future”
- ~\$156.6M for “Category 1” approved projects
- ~\$26.6M reserved for “Category 2” projects prioritized for further review and potential future funding

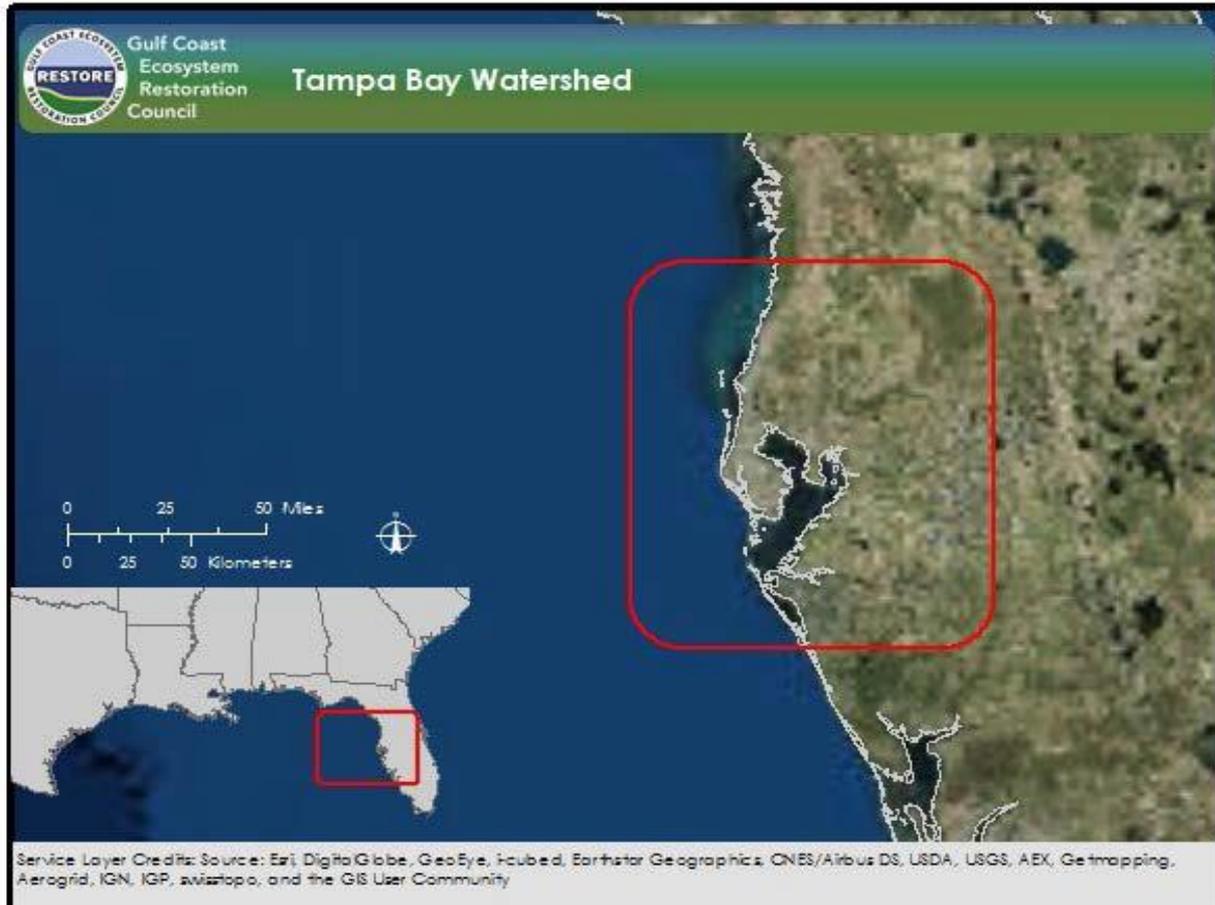


RESTORE 2: Council Component

- In Florida, “key watersheds” included in first FPL are Pensacola Bay, Apalachicola Bay, Suwannee, and Tampa Bay
- First FPL includes \$22,607,406 in Category 1 projects in Florida (7 State-sponsored, 5 Federal-sponsored)



RESTORE 2: Council Component



Questions?

