

Board of County Commissioners

Workshop

Date of Meeting: September 6, 2017

Date Submitted: August 29, 2017

To: Honorable Chairman and Members of the Board

From: David Edwards, County Administrator
Sheree T. Keeler, Intergovernmental Affairs & RESTORE Act Director

Subject: Workshop to Discuss the RESTORE Act Multi-Year Implementation Plan (MYIP) Process

Statement of Issue:

This workshop is intended to allow presentations and discussions related to the Deep Water Horizon Settlements and the resulting funding opportunities, purposes and allocations; the RESTORE Act requirements, proposed process and timeline for development of the County's draft MYIP, including proposed objectives, additional criteria, and project ranking and scoring methodology; and next steps in developing the final MYIP.

Background:

The County had initially contracted with Dewberry Engineering, Inc. to develop the County's MYIP. However, at the May 15, 2017 Board meeting, the decision was made to terminate the Dewberry Contract, revise the Planning Assistance Grant budget reflecting termination of the Dewberry Contract and including cost for County staff to develop the MYIP based on the Planning Assistance Grant scope of services.

The Planning Assistance Grant includes the following tasks:

- ✓ Task 1 – Develop and submit Planning Assistance Grant – completed
- Task 2 – Develop MYIP Framework
- Task 3 – Develop Project Selection Criteria and Supporting Structure
- Task 4 – Develop Project Priorities
- Task 5 – Develop Final MYIP

This workshop addresses Tasks 2 and 3, where staff will present MYIP requirements, MYIP framework and proposed project selection criteria and supporting structure (i.e., Community Needs Assessment). Staff will be seeking Board input and direction on the following items which are essential in developing a MYIP in compliance with the RESTORE Act and US Treasury rule.

1. Proposed MYIP Framework, process and schedule (Task 1)
2. Proposed categories, objectives and additional criteria (Tasks 2 and 3)
3. Proposed ranking system (Tasks 2 and 3); and
4. Uses of Wakulla County RESTORE Act funds (POT 1)

A workshop is scheduled for November 20, 2017, where staff will present on input from public meetings and proposed projects and ranking that will address (Tasks 4 and 5).

Presentations:

David Edwards, County Administrator, Overview of the Deep Water Horizon settlements and funds available to Wakulla County.

Sheree Keeler, Director of Intergovernmental Affairs, Presentation on Wakulla County's proposed MYIP process, requirements and Board action items needed to develop the County's MYIP.

Analysis:

Staff will be asking Board approval of the following by way of an agenda item on the September 6, 2017 regular Board meeting agenda:

1. Proposed MYIP framework, process and schedule.
2. Proposed objectives and additional criteria.
3. Proposed ranking system.
4. Restricting Wakulla RESTORE Act (Pot 1) funding to county projects exclusively, and include the projects approved at the March 6, 2017, Board meeting for RESTORE Act Gulf Consortium (Pot 3) funding, (i.e., not allowing subgranting of RESTORE Act funds).

PLEASE NOTE: The Board does not take action during Workshops; however staff requests the Board provide direction and if any consensus is reached on how to proceed prior to this workshop concluding. The direction provided to staff will be included into the record of the minutes and will eliminate staff bringing back an agenda item to ratify.

Attachment(s):

1. Presentation



RESTORE ACT
MULTI YEAR IMPLEMENTATION PLAN (MYIP) WORKSHOP

Wednesday, September 6, 2017 @ 2:00 PM
Wakulla County BOCC Chambers

WORKSHOP OBJECTIVES

To provide an overview and understanding of the:

1. DEEP WATER HORIZON settlements and the resulting funding opportunities, purposes and allocations.
2. RESTORE ACT requirements, process and timeline for development of the County's MYIP so that funds allocated pursuant to the RESTORE Act can be accessed.
3. PROPOSED objectives, additional criteria, project scoring and ranking methodology and priority projects.
4. DECISION POINTS and next steps.



OVERVIEW OF DEEPWATER HORIZON FUNDING SOURCES

..... The Deepwater Horizon event resulted in several lawsuits and settlements under various federal or state laws, therefore each settlement has its own funding allocation, purpose, process to access funds as well a designated federal or state organization to oversee and manage funds under its purview.



The Three Buckets

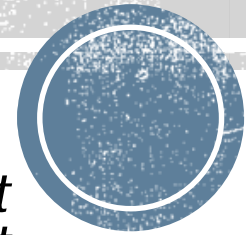
- RESTORE Act - POT 1
WAKULLA COUNTY MONEY
- *Federal Money - managed by US Treasury*
 - County Projects Only
 - \$13.7M over 15 years
 - Requires MYIP and grant application to access funds
 - Focus is on environment restoration and protection

- RESTORE Act - Pot 3
GULF CONSORTIUM
- *Federal Money - managed by Governor and Gulf Coast Ecosystem Restoration*
 - Emphasis on regional Impact
 - Managed by Gulf Consortium
 - \$12.7M over 15 years
 - Requires State Expenditure Plan (SEP) and grant application to access funds
 - Focus is on environment restoration and protection

- TRIUMPH GULF COAST
- *State Money- managed by Triumph Gulf Coast (TGC)*
 - Competitive - open to all organizations and individuals
 - \$63M over 15 years
 - TGC Board selects and funds projects through a competitive application process.
 - Focus is on Economic Development and Workforce

RESTORE ACT – Pot 1 Wakulla County FUNDS AND MYIP

.....funds allocated to Wakulla County pursuant to the settlement agreement and the RESTORE Act were established as a new federal grant program. Specific federal requirements must be met to access, spend and account for these funds. US Treasury is the granting agency.



RESTORE ACT - OVERVIEW

– *emphasis is on environmental restoration and protection activities*

- Funding is result of the US Justice lawsuit and settlement with BP and other liable parties pursuant to the Clean Water Act and the RESTORE Act of 2012.
- RESTORE Act identifies the recipients and the percentages of funds to be allocated to recipients from the settlement, provides for the purpose and criteria for the expenditure of such funds; and directs the US Treasury to oversee the RESTORE Act program and establish rules (Code of Federal Regulations) that govern the process for recipients to access, spend and report on the such funds.
- **Wakulla County is one of Florida's 23 Gulf Coast Counties** that gets a direct percentage of the settlement based on formula and are considered "Direct Components."
- **Wakulla County Board of County Commissioners** –the legal entity eligible to submit grant applications and receive grant funds allocated for Wakulla County. Must develop a Multi-Year Implementation Plan (MYIP) based on US Treasury Rule and Guidance.



RESTORE Act ACCESSING FUNDS

- The RESTORE Act funds are not released to the County (from the US Treasury) in a lump sum.
- The RESTORE Act funds are awarded to the County the same as any other federal or state grant.
- US Treasury approved MYIP
- US Treasury approved grant agreement for each activity/project
- Different grant applications for Planning Assistance/Services, Construction and Land Acquisition.
- County gets reimbursed for allowable grant approved expenditures.



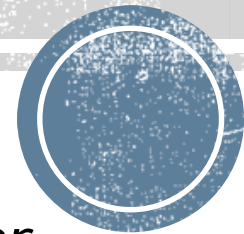
Planning Assistance Grant

The County was awarded a Planning Assistance Grant cover approved and allowable County expenditures to develop its MYIP. There are 5 Major Task outlined in the Planning Assistance Grant Scope of Services, with quarterly reporting to the US Treasury on progress on each task:

- ✓ ***Task 1 – Develop and submit Planning Assistance Grant – completed***
- ❑ ***Task 2 – Develop MYIP Framework***
- ❑ ***Task 3 – Develop Project Selection Criteria and Supporting Structure***
- ❑ ***Task 4 – Develop Project Priorities***
- ❑ ***Task 5 – Develop Final MYIP***



WAKULLA COUNTY MYIP



*.....31 CFR Part 34 Requirements and Proposed Process for
Developing Wakulla County's MYIP - RESTORE Act Pot 1
funds.*

What is a MYIP?

The MYIP provides information and documentation on the project selection process; the proposed projects to be funded with RESTORE Act dollars. The following must be addressed in the MYIP pursuant to 31 CFR Part 34.303, including providing back up documentation supporting the narrative on the process followed and decision making.

- Narrative that demonstrates the need, purpose for each selected activity (project), including a detailed description of each project. (Planning Assistance Grant Task 2 and 3)
- How each Project is eligible for funding and meets all requirements under the RESTORE Act, i.e., compliance with 31 CFR Part 34 and US Treasury Guidance documents. (Task 3, 4 and 5)
- How success of each Project will be evaluated. (Planning Assistance Grant Task 3,4, and 5)
- How the Projects were prioritized and the criteria used to establish the priorities. (Planning Assistance Grant Task 2, 3, 4, and 5)
- Relationship (if any) between the projects and other activities funded under the RESTORE Act (N/A at this time)
- How the MYIP was available for 45 days for public review and input, in a manner to obtain broad-based participation from individuals, business, Indian tribes, and NGOs, and how the MYIP was adopted after consideration of all meaningful public input. (Planning Assistance Grant Task 5)
- MYIP Project Matrix



RESTORE ACT Direct Component Multiyear Plan Matrix — Department of the Treasury

Applicant Name:									
1. MULTIYEAR PLAN VERSION (INITIAL OR AMENDMENT NUMBER):			2a. DATE OF INITIAL MULTIYEAR PLAN ACCEPTANCE (mm/dd/yyyy):				2b. DATE OF LAST MULTIYEAR PLAN ACCEPTANCE:		
3. CUMULATIVE DIRECT COMPONENT ALLOCATION AVAILABLE FOR DISTRIBUTION TO APPLICANT:									
5. Primary Direct Component Eligible Activity Further Described in Application (Static Field)	6. Activity Title (Static Field)	7. Location (Static Field)	8. Estimated Total Funding Contributions For Proposed Activity(ies)(refer to Instructions)				9. Proposed Start Date mm/dd/yyyy	10. Proposed End Date mm/dd/yyyy	
			8a. Direct Component Contribution	8b. Other RESTORE Act Contribution	8c. Other Third Party Contribution	8d. Total Contribution			
						\$0.00			
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**COMMENTS OR QUESTIONS
ABOUT MYIP
REQUIREMENTS, PLANNING
ASSISTANCE GRANT OR PLAN
OF ACTION?**



Community Needs Assessment Framework

....a snapshot of current projects or projects approved in existing documents/plans and gaps identified through public input.



Phase One: Footprint

The initial analysis begins with a review of existing approved state and local documents and plans to establish a baseline for the existing footprint. Needs are summarized and presented to cross connect needs with RESTORE Act eligibility criteria and proposed objectives.

Phase Two: Gap Analysis

Input to be solicited during public meetings and workshops to identify gaps in the existing footprint needs, and MYIP objectives and additional criteria.

Phase Three: Final Community Needs Assessment

The final analysis provides a comprehensive summary of needs based on the Footprint and Gap Analysis, cross connected with categories and activities.



**ANY QUESTIONS ABOUT
COMMUNITY NEEDS
ASSESSMENT ?**



Wakulla MYIP Framework

..... Wakulla's MYIP will be developed in accordance with the RESTORE Act requirements and provide supporting documentation and information.



Proposed Framework

- Executive Summary
- Overview of the MYIP Process
 - Board Engagement
 - Public Outreach and Engagement
 - Community Needs Assessment
 - Project Selection Methodology
- Proposed Categories, Activities and Projects
- Post MYIP Outlook
- Other information as needed



RESTORE Act Eligibility Criteria AND Proposed Objectives and Additional Criteria

.... Projects must meet one or more of the RESTORE Act eligibility criteria and the MYIP requirements.

....proposed objectives provide a methodology for cross linking community needs and projects with RESTORE Act eligibility criteria



RESTORE ACT ELIGIBLE ACTIVITIES	PROPOSED OBJECTIVE	PROPOSED EXTRA CRITERIA
<p>Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.</p> <p>Infrastructure projects benefiting the economy or ecological resources, including port infrastructure</p> <p>Coastal flood protection and related infrastructure</p> <p>Workforce development and job creation</p> <p>Mitigation of damage to fish, wildlife and natural resources</p> <p>Promotion of tourism in the Gulf Coast Region, including recreational fishing</p> <p>Promotion of the consumption of seafood harvested from the Gulf Region</p> <p>Implementation of a federally approved marine, coastal or comprehensive conservation management plan, including fisheries monitoring</p> <p>Improvements to or on state parks located in coastal areas affected by the Deepwater Horizon Oil Spill</p>	<ul style="list-style-type: none"> • Infrastructure Benefitting the Economy and Community • Land Acquisition Public Use • Resiliency - Natural or Man Made Events • Public Safety and Welfare • Job Creation and Workforce Skills • Business Development • Increased and Enhanced Recreational Op • Promotes Wakulla County Eco-Tourism, Fishing and/or Seafood 	<ul style="list-style-type: none"> • Prevents or reduces non point pollution in a recognized watershed or Springs Protection Area. • Partial funding already received from other federal/state grants • Potential to leverage or match other grant funding • Can be completed within the next three to five years • Project is sustainable (maintenance/repairs) within the existing county budget for a period of five years • Demonstrated Need in the Community Needs Assessment • Project benefits either the region/Gulf Coast, county-wide or specific community. • Regional Impact • County wide Impact

Changes or questions?



Proposed Project Ranking

...provides a numerical and objective scoring methodology for ranking and prioritizing projects to be included in the MYIP.



RESTORE ACT ELIGIBLE ACTIVITIES

- Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region. (10 points)
- Infrastructure projects benefiting the economy or ecological resources, including port infrastructure (10 points)
- Coastal flood protection and related infrastructure (10 points)
- Workforce development and job creation (7 points)
- Mitigation of damage to fish, wildlife and natural resources (7 points)
- Promotion of tourism in the Gulf Coast Region, including recreational fishing (5 Points)
- Promotion of the consumption of seafood harvested from the Gulf Region (5 Points)
- Implementation of a federally approved marine, coastal or comprehensive conservation management plan, including fisheries monitoring (1 point)
- Improvements to or on state parks located in coastal areas affected by the Deepwater Horizon Oil Spill (1 point)

PROPOSED OBJECTIVE

- Infrastructure Benefitting the Economy and Community (10 points)
- Land Acquisition Public Use (3 points)
- Resiliency - Natural or Man Made Events (5 points)
- Public Safety and Welfare (5 points)
- Job Creation and Workforce Skills (3 points)
- Business Development (3 points)
- Increased and Enhanced Recreational Op (7 points)
- Promotes Wakulla County Eco-Tourism, Fishing and/or Seafood (1 point)

PROPOSED EXTRA CRITERIA

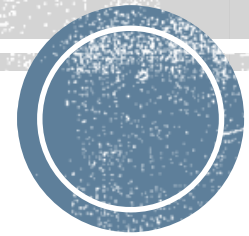
- Prevents or reduces non point pollution in a recognized watershed or Springs Protection Area. (10 points)
- Partial funding already received from other federal/state grants (7 points)
- Potential to leverage or match other grant funding (5 points)
- Can be completed within the next three to five years (5 points)
- Project is sustainable (maintenance/repairs) within the existing county budget for a period of five years (3 points)
- Demonstrated Need in the Community Needs Assessment (3 points)
- Regional Impact (10 points)
- County wide Impact (5 points)
- Community Impact Only (1 point)

TOTAL POSSIBLE POINTS: 142



Project Profile

.....sample of a project profile using proposed scoring metrics



PROPOSED PROJECT TITLE: **EXAMPLE ONLY:** Septic to Sewer Project

TOTAL SCORE: **53 points**

Existing Footprint: 2017 AIP, BMAP, LMS, SWIM Plan

RESTORE ACT ELIGIBLE CRITERIA

Primary #1 Infrastructure projects benefitting the economy or ecological resources, including port infrastructure.

Secondary #2 Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region

CATEGORY OBJECTIVE	Additional Criteria
Infrastructure Benefitting the Economy and Community (10 points) Public Safety and Welfare (5 points)	<ul style="list-style-type: none">• Prevents or reduces non point pollution in a recognized watershed or Springs Protection Area. (10 points)• Partial funding already received from other federal/state grants (7 points)• Potential to leverage or match other grant funding (5 points)• Can be completed within the next three to five years (5 points)• Project is sustainable (maintenance/repairs) within the existing county budget for a period of five years (3 points)• Demonstrated Need in the Community Needs Assessment (3 points)

PROPOSED PROJECT TITLE: Septic to Sewer Project

Project Objectives:

1. Abatement of old impaired onsite septic systems and connecting to central sewer system.

Milestones:

1. Engineering and Permitting
2. Procurement
3. Construction

Criteria used to Evaluate Success

Output: # of properties connected to central sewer

Estimated Project Cost: \$_____

Funds from other Sources: _____ YTD _____ Future

Proposed Project Start Date: _____

Proposed Project End Date: _____



Projects Submitted to Gulf Consortium, RESTORE Act Pot 3

.....the *proposed projects* were approved by the Board on March 6, 2017, for inclusion in the Gulf Consortium State Expenditure Plan, RESTORE Act Pot 3.



QUESTIONS?



DECISION POINTS – *accept or amend:*

- The proposed MYIP framework, process and schedule;
- The proposed objectives, activities and additional selection criteria;
- The proposed ranking system; and,
- Using the RESTORE Act Wakulla Pot 1 funding for county projects exclusively, including those approved by the Board on March 6, 2017, for RESTORE Act Gulf Consortium funding Pot 3, and do not subgrant any RESTORE Act funds.

(Staff will present an agenda item at the September 6, 2017, Board meeting requesting the Board to approve or amend the decision points.)



WAKULLA MYIP PLAN OF ACTION

- **September 6, 2017 WORKSHOP:** funding update, MYIP development requirements, framework, milestones, timeline; Community Needs Assessment; RESTORE Act eligible activities; proposed preliminary categories, activities, additional project criteria and projects. (tasks 2-4)
- **September 2017 PUBLIC MEETINGS IN ST. MARKS, SHELL POINT, AND PANACEA :** present MYIP development and process; Community Needs Assessment; and get public input into proposed categories, activities, additional project criteria and projects (task 2)
- **November 20, 2017 WORKSHOP:** Summarize input from public meetings, Community Needs Assessment /Gaps; and draft MYIP w/o projects. (tasks 2-4)
- **January 8, 2018 BoCC MEETING;** Present draft MYIP with projects for board input (Task 3-4)
- **January 16, 2018 or February 5, 2018 BoCC MEETING:** Present FINAL MYIP for Board approval and to start the 45-day (Task 5) comment period.
- **April 9, 2018 BoCC MEETING:** Present summary of comments received and proposed responses for board approval/discussion and approval to submit FINAL MYIP to US Treasury (Task 5)



ANY QUESTIONS?

*All Wakulla MYIP documents and information is available on
the County's Website, Intergovernmental Affairs Page
www.mywakulla.com*

