

DEP Internal Communications Plan
Deepwater Horizon Oil Spill: Gulf Coast Comprehensive Restoration Plan
Last Updated: May 16, 2013

SUMMARY

Under the RESTORE Act, Governor Rick Scott represents the State of Florida on the Gulf Coast Ecosystem Restoration Council (Council). The Council has the responsibility of developing a Comprehensive Plan, which will include projects that will restore and protect the natural resources, eco-systems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region. It is a competitive pot of funds, and each state will have an opportunity to provide projects for that plan. In order for Florida to have a transparent and thoughtful set of projects, we have created a website, www.dep.state.fl.us/deepwaterhorizon, to accept project ideas and held several meetings. This approach will also provide a full set of potential projects that could be put forward for other funding sources which may come available such as those from criminal settlements.

DEP and FWC are currently working together to develop a Plan, including specific projects, that could be used to start to engage the public immediately. The Plan will focus on the following types of projects:

- Stormwater/ Wastewater infrastructure projects;
- Living Shorelines/Community Resilience
- Fish and wildlife habitat and management
- Water quality projects including those which achieve water quality benefits provided by the preservation of buffer lands around military bases; and
- Implementation of agriculture best management practices.

EVENT INFO

Past RESTORE Council Events: Public Meeting: Dec. 11 in Mobile, Ala. Public Listening Sessions: Feb. 28th in Panama City Beach and March 13th in St. Petersburg

Upcoming Events:

Monday, June 3

Public Listening Session

Esc. County Board of County Commission Chambers

Monday, June 17

Public Listening Session

FWC's Fish & Wildlife Research Institute

**Ernie Lee Magaha Government Building
221 Palafox Place
Pensacola, FL 32502
5:30p.m. – 9:00p.m. CST**

**100 Eighth Ave. SE
St. Petersburg, FL 33701
5:30p.m. – 9:00p.m. EST**

GOALS

1. Provide a framework to implement a coordinated Gulf-wide restoration effort.
2. Take public comment on the draft Initial Comprehensive Plan.
3. Promote the Council and next steps.
4. Demonstrating the many levels of corporations ranging from the local governments to the federal governments.

KEY MESSAGES

- 1. We are to see the Council put out the Draft Initial Comprehensive Plan**
 - a. **The Plan describes the Council’s objectives, the selection process and the evaluation criteria for projects and programs that will be funded by the Council.**
- 2. Projects will be submitted to DEP for consideration into the Council Plan.**
 - a. **The Council will fund ecosystem restoration projects and programs.**
- 3. Projects submitted to DEP will also be considered for other avenues of funding that may become available through other settlements from the DWH oil spill.**

COMMUNICATION STRATEGIES

- Identify and inform external audiences: members of the public, media, local, state and federal government officials and DEP staff.

TRADITIONAL MEDIA

Send memo to interested media:

- AP

- producers@wkrq.com, WKRG - (251) 662-3002
- Randy Wood , WEAR - ABC 3, news@weartv.com (850)455-4599
- Tom McLaughlin , Northwest Florida Daily News, TMcLaughlin@nwfdailynews.com 850.315.4435
- Kimberly Blair , Pensacola News Journal, kblair@pnj.com 850.435.8512
- Sandi Kemp, The Navarre Press, skemp@navarrepress.com 850.939.8040
- FOX 10 - 850-494-1010
- Cooper Davis or Jeff Knox , Radio 1620 AM, news@newsradio1620.com 850.262.6119
- Statewide media outlets

EXTERNAL AUDIENCES

- Congressional/State/Local Representatives
- Environmental Organizations – Sierra Club, Audubon, The Nature Conservancy
- Public
- Governor’s Office
- Legislature

SOCIAL MEDIA

@FDEPAlert (Twitter)

Online newsroom

@FWC Twitter/Facebook

Online newsroom

INTERNAL DEP AUDIENCES

- Secretary Hershel Vinyard
- Chief of Staff Jennifer Fitzwater
- Legislative Affairs Director Pierce W. Schuessler
- Communications Director Reena O’Brian
- Press Secretary Patrick Gillespie
- Gulf Coast Public Affairs Manager Kendra Parson
- Special Advisor to the Florida Department of Environmental Protection Secretary, Mimi Drew
- CAMA Director Kevin Claridge
- NRDA Attorney Gareth Leonard

ACTIVITIES TIMELINE

Date	Item	Actions	Outreach Tool(s)	Audience	Staff	Notes
4/10/13	Draft Communications Plan	Last update 5/16/13		Internal	K. Parson	Continually Updated
Afternoon 5/23/13 Tentative	Posting Notice of Intent in the Federal Register and list serve to DOC email	DOC will post to website	Restorethegulf.gov		K. Parson	Will send out the NGO list serve afternoon
5/13/13	Continually Update State list on DWH website	outline	DEP Website		J. Kanen K. Claridge L. Donaldson	
5/16/13	Finalize Press Release & Talking Points for Plan announcement		Press	Public	M. Drew R. O'Brien P. Gillespie K. Parson	
5/21/2013 3:00 p.m.	Call with Gov. DC staff to update on Restore Council Actions	Call		Internal	M. Drew J. Fitzwater G. Leonard K. Parson	Jennifer S has set up
5/23/13 2:00p.m.	Brief Legislators	State	Email Briefing document	Government	P. Schuessler K. Kelly	Draft email for Pierce and offer a conference call for questions
5/23/2013 2:00p.m.	Congressional Briefing	DOC lead meeting	In Person	DC Staff	EOG	
5/23/2013 4:00p.m.	FAR notification for Council Meeting & Press Release	Press Release FAW	Press Release	External	K. Parson G. Leonard	States may send out press at 4:30

ACTIVITIES TIMELINE

Date	Item	Actions	Outreach Tool(s)	Audience	Staff	Notes
5/24/2013	Publish June 3 Fl Meetings in FAW	Notice			K. Samek	
June 3	Public meeting in Pensacola		Media Advisory		K. Claridge G. Leonard M. Drew EOG K. Parson	Meeting 5:30 – 9:00 CST at the Esc. County Board of County Commission Chambers
6/4/13	Send Post Event Release	Press Release	Media	Public	K. Parson D. Kokol M. Drew G. Leonard	Announcing turn out and reminding of St. Pete meeting
6/10/2013	Publish June 17 Fl Meetings in FAW	Notice			G. Leonard	
June 17	Second Public meeting in St. Petersburg, FL		Media Advisory		K. Claridge G. Leonard M. Drew EOG K. Parson	
Wrap UP	Send notes and recording to DOC	Mail			K. Parson D. Kokol	

DRAFT PRE MEETING STATEMENT

The public comment period is important to ensuring Florida is fully represented when putting together this Plan, and I encourage members of Florida's Gulf Coast communities to participate and provide feedback.

DRAFT POST MEETING STATEMENT

It is reassuring to see so many citizens along the Gulf Coast attended Florida's public meeting this week to comment on projects that are important to restoring the natural resources of the Gulf Coast impacted by the *Deepwater Horizon* Oil Spill.

“At these meetings, staff from the Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission heard the very people impacted most by the Oil Spill voice their support or concern and offer feedback on steps toward environmental restoration and increasing business and tourism opportunities.”

Frequently Asked Questions

Q. What is the Draft Initial Comprehensive Plan?

A. The Draft Initial Comprehensive Plan establishes overarching restoration goals for the Gulf Region, describes how the Council will solicit, evaluate, and select ecosystem restoration projects and programs, and describes the process for the approval of State Expenditure Plans that will fund ecosystem restoration and economic development.

Q. What is the Draft Programmatic Environmental Assessment?

A. The Council has determined that a Programmatic Environmental Assessment (PEA) is the appropriate level of analysis to perform at this time, since the Council does not believe that the Plan itself will have a significant effect on the human and natural environment. The Plan identifies priorities, goals and processes for the Council, and does not authorize any specific projects or programs or reach decisions on allocations and therefore no direct environmental effects flow from the Plan. This PEA is being developed to assist the Council in determining whether the Plan, as proposed, is likely to result in significant environment effects of the type Federal decision makers should consider avoiding or otherwise mitigating, in which case an EIS shall be prepared. The draft PEA does not analyze the specific impacts of projects that could be subsequently funded by the Council. Any requisite NEPA analysis will be performed on proposed projects or programs prior to their selection by the Council for funding.

Q. How will the Goals outlined in the Draft Initial Comprehensive Plan (Plan) influence the Council's actions?

A. Specifically, the Goals provide the Council's desired long-term outcomes for Gulf restoration. The Goals provide the overarching framework for an integrated and coordinated approach to region-wide Gulf restoration while helping to guide the collective actions of the local, State, Tribal and Federal entities involved in restoration of the Gulf Coast region. The goals acknowledge the interdependencies between the Gulf Coast region's environment and economy and the importance of comprehensive, coordinated action to successfully restore and sustain the health of the Gulf Coast region.

Q. If the Council-Selected Restoration Component is only to be used for ecosystem restoration projects, why is there a goal focused on enhancing the sustainability and resiliency of the Gulf economy (i.e., Restore and Revitalize the Gulf Economy)?

A. The fifth goal – Restore and Revitalize the Gulf Economy – was added to acknowledge the interdependencies between the Gulf Coast region's environment and economy. Many of the ecosystem restoration activities that may be supported by the Council have the ancillary benefit of improving the economic prosperity and resiliency of the Gulf Coast region. For example, in the face of a hurricane, activities that improve the integrity of barrier island and wetland ecosystems can directly reduce the risk to residents and businesses from storm surge and flooding. Following a disaster, investments that create more resilient communities will allow those residents and businesses to more quickly recover, thus laying the foundation for future economic success.

Q. What does the Council mean by “ecosystem restoration?”

A. The Council defines ecosystem restoration as: “All activities, projects, methods, and procedures appropriate to enhance the health and resilience of the Gulf Coast ecosystem, as measured in terms of the physical, biological, or chemical properties of the ecosystem, or the services it provides, and to strengthen its ability to support the diverse economies, communities, and cultures of the region. It includes activity that initiates or accelerates the recovery of an ecosystem with respect to its health, integrity, and sustainability. It also includes protecting and conserving ecosystems so they can continue to reduce impacts from tropical storms and other disasters, support robust economies, and assist in mitigating and adapting to the impacts of climate change (per Executive Order 13554).” Further information on specific types of ecosystem restoration activities can be found in the Objectives section of the Plan.

Q. How were the Criteria established? Will others be added?

A. The Evaluation Criteria were established in the RESTORE Act. The Council may develop other priority criteria as necessary to refine the proposal selection process in order to support its vision for integrated and coordinated Gulf ecosystem restoration.

Q. What is the relationship among the Goals, Objectives, and Evaluation Criteria as outlined in the Plan?

A. The Goals, Objectives, and Evaluation Criteria are intended to guide the Council’s ecosystem restoration funding decisions. The Goals provide the Council’s desired long-term outcomes for Gulf restoration; the Objectives outline the broad types of activities that will achieve the Goals; and the Evaluation Criteria are used to evaluate proposals and give highest priority to the programs/projects that best achieve comprehensive ecosystem restoration.

Q. Can a single project/program span multiple phases (i.e., planning/technical assistance/implementation)?

A. Yes. The Council will accept proposals that address one or more of the three distinct Phases – Planning, Technical Assistance, and Implementation. All three phases may include projects and programs. The Council recognizes that there are numerous projects and programs that are ready for implementation, but the Council also wants to advance new ideas and approaches that may not be ready for implementation.

Q. How can I get my project/program funded?

A. Projects and programs will be funded through members of the Council. Individual Council Members may solicit and then choose to “sponsor” projects and/or programs from any entity as well as the general public. The Council will provide opportunities for the public to offer ecosystem restoration ideas through its website and public meetings. Council Members will consider these ideas when developing their proposals.

Q. What is the Funded Priorities List and when will it be published?

A. The Funded Priorities List will be a list of projects and programs that the Council will fund in the first three years. There is uncertainty about when the list will be published because the Council does not know the amount of funds that will be available or when. Also, the procedures to guide Trust Fund expenditures have not been issued by the U.S. Department of the Treasury.

Q. When and how will the Plan be updated?

A. In accordance with the RESTORE Act, the entire Plan will be reviewed and updated at least every five years.

Grant Process:

Q. How do I get my project approved and funded?

A. The Council will provide a portal on its website to collect ideas for projects and proposals. Public meetings will also provide opportunities for any interested party to offer their ideas to Council Members. Finally, Council members can also receive project and program ideas through their own processes.

The Council will periodically issue a notice asking its Members to each submit a group of projects that they have vetted, to be approved by the Council. After an evaluation process, the final approved list will be published as an addendum to the Comprehensive Plan. The list will be called the Funded Priority List. The public will be able to comment on the list.

As funds become available and at the direction of the Council, the U.S. Treasury will transfer funds to the appropriate Council Member through a process that will comply with Treasury and other Federal regulations.

Q. Please explain the transfer of funds process

A. The process will be defined, and additional guidance published, after the U.S. Treasury regulations are published.

Q. How will the Council evaluate the projects?

A. The Council will make sure each Council Member's proposal is complete and that it describes each project or program, including the scope and funding necessary for each project or program included in the proposal. Then the projects and programs will be evaluated against the Evaluation Criteria in the Comprehensive Plan. Additional details will be provided in the Council Notice requesting proposals.

Q. What do you mean by "This list will assign primary authority and responsibility for each of the projects and programs to one of the eleven Council Members"?

A. The list will identify which of the Council Members will be responsible for the execution of the project or program. This process will be further defined after the U.S. Treasury regulations are issued.

RESTORE Act and Gulf Coast Ecosystem Restoration Council (General):

Q. What is the RESTORE Act and what does it do?

A. The RESTORE Act dedicates 80 percent of Clean Water Act administrative and civil penalties paid by responsible parties after July 6, 2012 in connection with the *Deepwater Horizon* oil spill to the Gulf Region for ecological and economic recovery efforts. This law will generate investments in economic development, tourism promotion, and science-based natural resource restoration in the states impacted by the spill -- Alabama, Florida, Louisiana, Mississippi and Texas.

Q. How will the money be spent?

A. The RESTORE Act divides the funds into five buckets and sets parameters for how these funds will be spent:

- **35% of the funds are divided equally among the five Gulf Coast states for ecological and economic restoration.** Eligible activities include: restoration and protection of natural resources; mitigation of damage to natural resources; workforce development and job creation; improvements to state parks; infrastructure projects, including ports; coastal flood protection; and promotion of tourism and Gulf seafood.
- **30% of the funds will be administered for restoration and protection according to the Comprehensive Plan developed by the Council.**
- **30% of the funds are dedicated to the Gulf Coast states based on a formula.** This formula will be based on the number of miles of shoreline that experienced oiling, the distance from the *Deepwater Horizon* mobile drilling unit at the time of the explosion, and the average population as of the 2010 Census. Each state is required to have a Council approved plan in place for use of these funds.
- **2.5% of the funds are dedicated to the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program.** The National Oceanic and Atmospheric Administration (NOAA) will establish a Gulf Coast Ecosystem Restoration, Science, Observation, Monitoring and Technology Program for marine and estuarine research, ecosystem monitoring and ocean observation, data collection and stock assessments, and cooperative research.
- **2.5% of the funds are dedicated to the Centers of Excellence Research Grants Program.** The Centers of Excellence Research Grants funding is distributed through the States to nongovernmental entities to establish centers of excellence that will focus on the following disciplines: coastal and deltaic sustainability; restoration and protection; fisheries and wildlife ecosystem research and monitoring; offshore energy development; sustainable and resilient growth; and comprehensive observation, monitoring and mapping in the Gulf.

Q. How will the interest generate by the Trust Fund be used?

A. The RESTORE Act provides for the ways that the interest from the Trust Fund to be used to augment the funds in the Gulf. Under the law, fifty percent of the interest will be utilized by the Council and the remaining fifty percent will be divided evenly between the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program and the Center of Excellence program.

Q. Will a state need to seek approval from the Council to use funds for a particular ecological or economic restoration project?

A. Not in every case. The RESTORE Council has purview over two “buckets” of funding. The first “bucket”(30%) will be spent according to this Comprehensive Plan. The second “bucket” (30%) will be spent according to state expenditure plans, which under the RESTORE Act will require approval by the Council.

Q. What happens if a particular State and the Council disagree on the use of funds?

A. The Council will strive to reach consensus on all matters before it and work diligently to resolve any differences.

Q. Who will be responsible for oversight to ensure that funds are used correctly?

A. The U.S. Treasury is developing regulations for the administration of RESTORE Act funding. These regulations will include financial tracking and oversight requirements.

Q. Is there an end date on the RESTORE Act? Is there a time by when all funds need to be expended?

A. The RESTORE Council will terminate once all the funds in the Trust Fund have been spent. There is no deadline for when the funds should be spent.

Q. What is the Council?

A. The RESTORE Act established a Gulf Coast Ecosystem Restoration Council (the Council), which is comprised of members from the five affected Gulf States’ Governors, the Secretaries from the U.S. Departments of the Interior, Commerce, Agriculture, and Homeland Security as well as the Secretary of the Army and the Administrator of the U.S. Environmental Protection Agency.

Q. What does the Council do?

A. The Council will work with States, local communities, Tribes, and non-Federal interests to help restore the ecosystem and economy of the Gulf Coast region by developing and overseeing implementation of a Comprehensive Plan and carrying out other related responsibilities.

Q. How does the Council decision-making process work?

A. Council decisions on significant actions require affirmative votes by the Chairperson and a majority of the five States.

Q. When does the Council expect to have funds to implement projects?

A. Due to uncertainty around a variety of factors associated with ongoing litigation, the ultimate amount of administrative and civil penalties that may be available to the Trust Fund and the timing of their availability are currently unknown. However, on January 3, 2013, the United States

announced that Transocean Deepwater Inc. and related entities have agreed to pay \$1 billion in civil penalties for violating the Clean Water Act in relation to their conduct in the Deepwater Horizon oil spill. In accordance with the consent decree, Transocean paid its first installment of civil penalties plus interest (\$404,241,095.89) to the Department of Justice. On March 21, the Department of Justice transferred 80% of this amount to Treasury for deposit into the Gulf Restoration Trust Fund. The Council will not be able to access these funds until the Treasury regulations to establish the Trust Fund are complete. However, we are working to ensure that the Council is ready to move efficiently and effectively to implement a restoration plan once funds are available.

State Project Application

Q. If I have submitted my projects for consideration through NRDA do I need to fill out this application?

A. Yes, the application process for RESTORE funding is different from the NRDA process, and so are the qualifications.

Q. Who can submit projects?

A. Any individual or organization may submit a project.

Q. Are there any geographic restrictions?

A. Pursuant to the RESTORE Act, project submittals must address the Gulf Coast Region. The exact geographic limitations have not been determined.

Q. Is it necessary to acquire matching funds?

A. No, matching funds are not required.

Q. Is it essential to have a partner or can this be sponsored by just an individual group?

A. No, a partner is not required.

Q. What is the deadline for submittal?

A. There is no deadline at this time for submittal for RESTORE or NRDA Early Restoration. Both are still accepting proposals.

Q. Should organizations submit projects to the Counties of to DEP?

A. Applicants should apply to the Counties separately than the State.

Q. Who at DEP is coordinating with the Counties on RESTORE project submittals?

A. The state is and will be coordinating with the Counties and local governments through various means including agency communications, webinars, public meetings and individual local interaction/correspondence. This coordination will continue to increase as project ideas and details are considered for funding.