RESTORE Act of 2012

Resources and Ecosystems Sustainability,

Tourist Opportunities, and

Revived Economies

Of the Gulf Coast States Act of 2012

- 22 U.S.C. 1321 (Federal Water Pollution Control Act)
- Grants federal EPA authority to impose fines on parties responsible for oil spills.
- RESTORE Act adds Subsection (t): GULF COAST RESTORATION AND RECOVERY
- 80 % of fines distributed per Subsection (t)

THE ACT

- Allocation of Funds: 5 "Pots"
  1. 35% Pot
  2. 30% Pot
  3. 30% Pot
  4. 5% Pot
  5. Trust Fund Interest Pot

- Allocation of Funds:

  - **"Pot #1":** 35 % of fines to the 5 Gulf States in equal shares for ecological and economic restoration
  - 7% each to AL, FL, LA, MS, & TX
  - Example: If fine is 10 Billion, each State receives $560M ($10B x 80% = $8B x 35 % = $2.8B / 5 = $560M)
  - **FLORIDA: 75%** to 8 Disproportionately affected counties ($560M x 75% = **$442M**) and **25%** to the Non-disproportionately affected coastal counties ($560M x 25% = **$140M**)

- "Pot 1" Allowed Activities:

1. Restoration/protection of natural resources
2. Mitigation of damage to fish, wildlife, & natural resources
3. Implementation of federally approved marine, coastal or conservation management
4. Workforce development and job creation
5. Improve State Parks in coastal areas affected by oil spill
6. Infrastructure projects benefiting economy or ecological resources
7. Coastal flood protection and related infrastructure
8. Planning assistance
9. Administrative costs **(max. of 3%)**
10. Promotion of tourism and seafood in the Gulf Coast region

- **"Pot #1"** Uses (cont.):

  NOTE: Activities funded under this subsection may not be included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after the date of enactment of this subsection.

- FL Distribution to Non-disproportionately Affected Counties:
  * 34% based on population (2010 consus)
  * 33% based on county per capita sales tax (2012 est.)
  * 33% based on inverse proportion of weighted avg. distance from Deepwater Horizon oil rig

- Projects and Programs:

1. Meet criteria of slide # 5
2. Selected based on public input (individuals, businesses, non-profits)
3. Based on best available science for natural resources protection or restoration projects
4. Contract award consistent with standard procurement rules and audit requirements
5. Develop & submit multi-year implementation plan

- Fund allocated to a coastal political subdivision (FL-County) remain in Trust Fund until plans submitted

TREASURY RULE

DIRECT COMPONENT

- Funds will be made available in the form of a grant to Florida Counties after acceptance of multiyear implementation plan
- Treasury will be responsible for administering the grants and monitoring compliance
- Treasury may develop policies and procedures for grant administration
  - Examples of Federal Grant Procedure: Section 40 CFR Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"
    - Audit and Procurement requirements
- Subgrantees will be subject to the same policies and procedures as Grantees