

# SARASOTA COUNTY GOVERNMENT

## Community Services

**TO:** Sarasota County Commission  
Charlotte County Commission

**THROUGH:** Thomas A. Harmer, Interim County Administrator

**FROM:** Amy H. Meese, Director, Natural Resources *A.H.M. by B.S.H.*  
*L.S.W.* Laird S. Wreford, Coastal Resources Manager, Natural Resources

**DATE:** February 7, 2014

**SUBJECT:** Leveraging Federal RESTORE (Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies) Act of 2012 funding through potential joint projects

### **BACKGROUND:**

The RESTORE Act was passed by Congress to provide for the disbursement of civil penalty funds assessed in violation of the Clean Water Act associated with the Deep Horizon Oil Spill of April 2010. The RESTORE Act sets forth a broad spectrum of authorized uses for the funds disbursed under the Act relative to ecosystem and economic restoration of the gulf coast region.

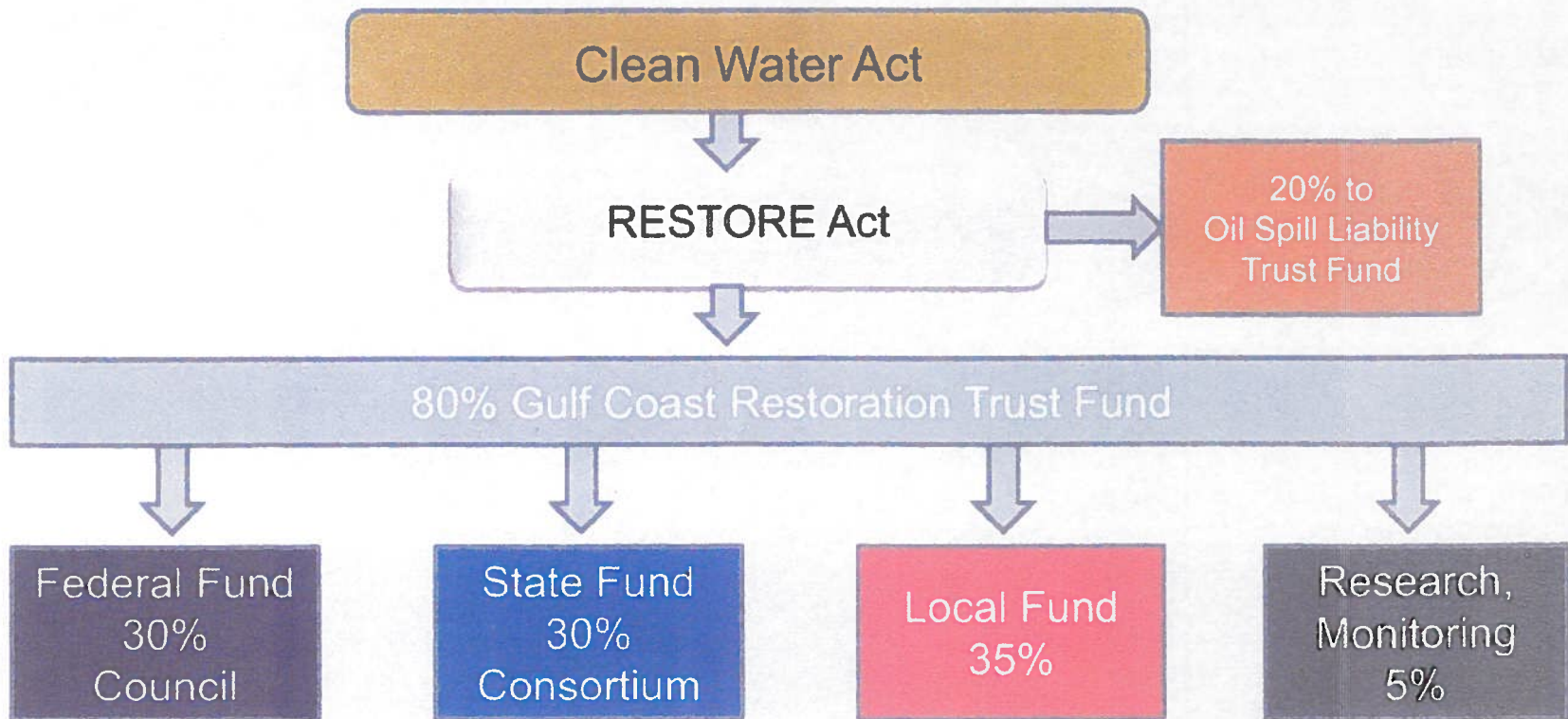
As gulf coast counties of Florida, both Sarasota and Charlotte Counties stand to receive a direct allocation of funds, and are also positioned to apply for additional funds from allocations managed by the state and federal governments.

In summary, the RESTORE Act directs 80% of the total fines assessed to four pots of funds:

- Thirty-five percent (35%) of the funds are going directly to Florida gulf coast counties – **the local pot**. The disbursement of funds from the local pot will be administered by the County Commission of each gulf coast county;
- Thirty percent (30%) is deposited in a federal fund to be implemented at the federal level in accordance with a comprehensive recovery plan established by the Gulf Coast Ecosystem Restoration Council – **the federal pot**. The Council is comprised of eleven members – six federal representatives and one from each of the five affected Gulf States. Mimi Drew was appointed by Governor Scott as the Florida representative on the Council;
- Thirty percent (30%) is allocated to the five Gulf States for use in accordance with a state plan that will be approved by the federal Gulf Coast Ecosystem Restoration Council – **the state pot**. In Florida, the state plan will be developed by the State Consortium, which is comprised of 23 voting members – one from each of the gulf coast counties;
- and five percent (5%) is for monitoring, research and education (half of which will be administered by the Centers for Excellence).

### **ANALYSIS:**

Sarasota and Charlotte Counties will have an opportunity to seek funding from the three different funding pots established in the RESTORE Act. First, each will receive funds directly into their local pots – those monies will be administered by the respective County Commissions.



**Penalties:**

$\$1,100 \times (4.9 \text{ million barrels of oil released}) = \sim\$5.39 \text{ billion (negligence)}$

$\$4,300 \times (4.9 \text{ million barrels of oil released}) = \sim\$21.07 \text{ billion (gross negligence)}$