

Statement of Grover C. Robinson, IV
United States Senate Committee on Commerce, Science and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard

Revisiting the RESTORE Act: Progress and Challenges in Gulf Restoration Post-
Deepwater Horizon

July 29, 2014

I. Introduction:

Good morning Mr. Chairman and Members of the Senate Commerce Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard. My name is Grover Robinson, and I sincerely appreciate the opportunity to address you this morning relative to the RESTORE Act and its implementation across five (5) states on the Gulf Coast. In addition to my being a commissioner from Escambia County Florida, I also serve as the President of the Florida Association of Counties and Chairman of the Florida Gulf Coast Consortium (comprised of 23 counties) created by the RESTORE Act. My comments this morning will address local government activities as they relate both to Component 1 (the Direct Component), as well as Component 3 (the Spill Impact Component). In addition, my comments focus on the immediate challenges facing local governments post-Oil Spill primarily in Florida but also to a larger extent those extended along the Gulf Coast.

First, I greatly appreciate the wisdom of this body in insisting that local governments be involved as part of this process, especially within the State of Florida. The Direct Component that specifically provides funds directly to coastal counties impacted by the tragic events of the Deepwater Horizon Oil Spill remains essential for both

environmental and economic restoration as envisioned by the RESTORE Act. However, many of the same parallels can be drawn to the Spill Impact Component and the charge entrusted to the Florida Gulf Coast Consortium.

II. Input Into the Process for Developing the Required Plans:

In both cases, groups have been established to oversee the Plan development process and provide citizen input into the Multi-Year Implementation and State Expenditure Plans. Within the Direct Component, each individual county is generally creating a citizen RESTORE Act committee to meet the public input requirement in the Act. For the purposes of the Spill Impact Component in Florida, the 23 impacted local governments created a formal entity known as the Gulf Consortium to write the State Expenditure Plan and engage with the public. Currently, these groups are hearing from subject matter experts not only with regard to environmental restoration initiatives, but also on potential projects to bolster economic recovery across the region. Both goals, environmental and economic restoration, remain essential to developing and implementing the Plans required by the Act and forthcoming Treasury Rules – be they for the Multi-Year Implementation Plan in the Direct Component, or the State Expenditure Plans for the Spill Impact Component.

That said, while all of us are excited about the many opportunities these projects will provide, the critical aspect at this moment exists with the required development of the numerous plans that must serve as the roadmaps for the pursuit of appropriate projects for restoration.

III. Upfront Funds for Plan Development:

Every stakeholder understands the more significant fines, and thereby funds, will come from the outcome of ongoing litigation with British Petroleum (BP). However, each of us has been granted an immediate opportunity with the Transocean settlement funds. This one billion dollar settlement requires a deposit of \$800-million into the Gulf Coast Restoration Trust Fund and thus opens real opportunities for planning to begin quickly and coordination amongst the different planning bodies to occur. It is this planning that must be done to provide a positive and necessary direction for the expenditure of funds to ensure both environmental and economic restoration.

Recently I had the opportunity to see Senator Nelson in Orlando, and I gave him the following Gulf Coast analogy. I told him that the Senate and the U.S. Congress have provided the region with a great gift. To use an appropriate metaphor, we have essentially been handed an oyster. However, at this particular time we have no tool to open the shell (shucking knife/planning dollars), meaning we are unable to really access the wonderful gift we have been presented-the implementation of eligible projects to actually restore the Gulf Coast. Therefore, the most essential next step is that all stakeholders: federal; state, and local, pursue and complete the required planning processes allowing funds to flow wisely and in a coordinated manner.

IV. Opportunity for Coordination Among the Planning and Funding Efforts:

In addition to my individual county role, I am also the Chairman of the Florida Gulf Consortium, which the U.S. Congress created through this Act. It is a truly unique

organization combining both multiple local county governments as well state government in a true partnership. To date, I will tell you this body meets almost bi-monthly to coordinate, exchange information and strategize about its planning process. The recent addition of the Governor of Florida's six appointees to this Consortium has truly created a cohesive state-wide approach. Perhaps the most essential task of the Consortium is to establish and create the Florida State Expenditure Plan, with the goal to outline and identify practical and appropriate projects for both environmental and economic restoration. It remains our sincerest hope that the process developed within our State Expenditure Plan be applied to maximize opportunities with the other funding mechanisms across the greater Deepwater Horizon settlement sources, such as Natural Resource Damage Assessment (NRDA) and National Fish and Wildlife Foundation (NFWF). While both NRDA and NFWF have provided funding for projects across the Gulf Coast, it concerns me that any monies awarded through these entities may not necessarily be based upon priorities consistent with the forthcoming State Expenditure and Multi-Year Implementation Plans. While not yet an issue, I have real concerns that any future expenditures would be better coordinated and efficiently overseen if these plans were already established. Toward that end, the Consortium and local governments need the proper funding upfront to ensure resources are available for this required planning and further, that it flows directly to those specific bodies charged with drafting those specific plans.

Additionally, at the state and local level, we need clear guidance on the process to develop and submit these plans. The sooner we have specific "rules of the game" the sooner we can develop our plans consistent with all other relevant state and federal

regulations beyond just the RESTORE Act itself. This includes specific direction on what documentation will be required in the plans, such as compliance with National Environmental Policy Act (NEPA) and at what point we must secure any required permits or other required approvals.

Finally, I would like to comment on the importance of moving forward expeditiously on developing the regulations for Components 2 (Comprehensive Plan) and 3 (Spill Impact). In that regard, I understand that there has been some discussion and potential disagreement on the formula related to the Spill Impact Component. I recently attended a National Association of Counties meeting in New Orleans along with other local officials from Gulf Coast counties and parishes. At that meeting, all of those present agreed that while each state and county/parish could argue they sustained more damage and deserved more money than the other, any additional amounts provided to one entity would be to the detriment of an equally deserving recipient of the greater coalition.

Knowing firsthand the amount of effort and energy that went into the original negotiations on the Spill Impact formula, coupled with the fact that each Gulf State participated in the process of developing this formula, I believe changes after-the-fact should not be entertained. The current statutory formula included within the text of the RESTORE Act should be maintained and the regulatory framework completed as soon as possible for both the development of plans and the eventual implementation of eligible projects. A great spirit of cooperation existed between the stakeholders during the negotiations surrounding these formulas, and I feel any attempt to alter the formula

significantly hinders the restoration of the Gulf of Mexico either environmentally or economically.

V. Conclusion:

In closing, I would just like to say thank you again for the work you did to provide the Gulf Coast with a real silver lining after a terrible environmental and economic tragedy. While nothing will totally remove the scars of that experience, it is the RESTORE Act that provides hope to state and local governments and the constituents they serve along the entire Gulf Coast. That same spirit has brought significant coordination and collaboration across the region and an excitement for what the future may bring. I ask that you please do all within your power to ensure that proper upfront funding is established for planning at all levels of the Act and to ensure a continued coordination between federal, state and local governments.

Thank you again for all you have done for our region and our country.

Sincerely,

Grover C. Robinson, IV
Escambia County Commissioner
President, Florida Association of Counties
Chairman, Gulf Consortium