

DRAFT Franklin County Restore Act Committee (RAC)
RAC Meeting Notes
Franklin County Courthouse Annex, Apalachicola, Florida
April 12, 2017, 4:00 p.m. ETZ

Attendees:

*Van W. Johnson Sr. – Mayor of Apalachicola
*Brenda La Paz – Mayor of Carrabelle
*Ottice Amison – Seafood Industry
Bill McCartney – City of Apalachicola
Ben Mwashote – Florida Agricultural and Mechanical University (FAMU)
Victor Ibeanusi – FAMU, Dean, School of the Environment
Anita Grove – Apalachicola National Estuarine Research Reserve
Alan Pierce – Franklin County RESTORE Coordinator
Cameron Morris – Dewberry, Inc.
Rick Harter – Ecology and Environment, Inc.
Jade Marks – Ecology and Environment, Inc.

*Denotes official RAC member

Minutes:

- A. Pierce opened the meeting at 4:04 p.m. (ETZ) by welcoming those in attendance and introducing C. Morris of Dewberry Inc., who is taking over as project manager, as S. Wilson had left Dewberry. A. Pierce expressed his confidence in C. Morris' expertise and welcomed him to the Franklin County Multiyear Implementation Plan (MYIP) process.
- A. Pierce explained that the purpose of the meeting was to review the draft project application, which was developed based on the RAC scoring of the adopted selection criteria.
- A. Pierce also noted that although the purpose of the RAC is to develop an MYIP for "Pot 1" (direct component) funds, there are other sources of funding that should be considered, particularly for higher education applicants such as FAMU.
- A. Pierce informed attendees that Pot 1 funds are paid out over a 15-year period, and that the Board of County Commissioners (BOCC) was leaning towards funding \$4-6 million worth of projects during the first year and waiting four to six years to revisit the County's project list and reassess how the County's needs may have changed, by which time there will likely be an additional \$7-8 million of funds available to implement additional projects.
- A. Pierce advised that applicants with \$10-20 million projects should consider other funding sources.
- A. Pierce indicated that although a project may be phased over several years, the U.S. Treasury (Treasury) requires definitive goals and milestones for each phase.
- A. Pierce briefly discussed Triumph funding.
- V. Ibeanusi asked if Pot 4 and Pot 1 project applications shared the same deadline.
- A. Pierce answered that he was not sure when those general applications are due.

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- A. Pierce explained that C. Morris would review the application process and a public workshop will be held to answer any questions prior to the submission of projects.
- B. McCartney inquired if the intent was to finalize the project application without a full RAC.
- A. Pierce agreed that the full RAC was not in attendance, thus the meeting did not have a quorum and no formal votes would be made during the meeting. However, A. Pierce also explained that it was his hope that, if there were no major issues with the application, the RAC could move forward and schedule a public workshop to prepare applicants for the opening of the portal.
- A. Pierce explained that that five of the six RAC members have commented on the selection criteria and provided scores, which were used to develop the project application. The RAC is in the final third of its services, as the only remaining task is to score the submitted projects. Following this timeline summary, A. Pierce turned the floor over to C. Morris.
- C. Morris directed attendees to the project application document (provided as a hand-out and in the PowerPoint Presentation). C. Morris explained that the very first step is identifying the project's primary eligible activity.
- B. McCartney asked why "Improvements to or on state parks located in the coastal areas affected by the Deepwater Horizon oil spill" is an eligible activity. He expressed concern that the County would be giving its funding away to the State.
- R. Harter clarified that this allows Counties to complete a project that benefits a state park if they choose to, even if the project does not fit within any of the other eligible activities.
- A. Pierce elaborated that the applicant can select only one primary eligible activity, but may select as many secondary eligible activities as pertain to their project.
- A. Grove inquired if there was any ranking/scoring associated with how the eligible activities were listed on the form.
- R. Harter explained that there is no ranking/scoring of eligible activities. This question is simply to confirm that the project is indeed eligible under the RESTORE Act.
- C. Morris then explained that the second and third questions on the application are based on Treasury requirements: If the project has received previous compensation, it is no longer eligible. Furthermore, the project must be completed in the Gulf Coast Region, so a location must be provided in the application. C. Morris advised potential applicants that they should be as specific as possible.
- R. Harter added that once the portal goes live, applicants will be able to import up to three Portable Document Formats (PDFs) with a maximum size of 2 megabytes each, which can include maps of the project site.
- C. Morris added that in the live portal, an applicant will be able to drop a pin on the map or input the latitude and longitude of their project site. After information has been entered into their application, it will appear to any user when they hover their mouse over the pin. In this regard, the portal will be interactive.
- C. Morris went on to explain the various programmatic criteria and encouraged applicants to provide as much information as possible about their projects as it will make the process easier when those projects are included in the Treasury project applications.

- C. Morris pointed out the word limits for each question/criteria and stressed the importance of balancing detail with conciseness.
- R. Harter reminded attendees that they could provide additional information in attached PDFs, but that it was important to provide a summarized version of each question in the boxes provided.
- A. Pierce added that there would be an application portal workshop to answer specific questions.
- C. Morris explained that, in addition to meeting eligibility requirements, each project would be required to include finite goals, performance metrics, and feasible timing. C. Morris suggested that timelines could be uploaded as PDFs, and should include specific tasks and milestones to meet Treasury requirements.
- B. McCartney asked about language in the application that indicates that the proposed project must “provide benefits” and how those benefits would be qualified and quantified.
- C. Morris explained that the Treasury will require each project to include measurable benefits; for example, in Walton County, the MYIP included an artificial reef projects and the County was required to quantify the project’s benefits in form of the number of tourists per year.
- B. McCartney indicated that if Treasury was looking for real numbers, it would be beneficial to include the word “quantifiable” to help applicants understand the expectations.
- A. Grove added that referring to “quantifiable benefits” would also help the RAC evaluate and score projects.
- Those in attendance agreed to add the word “quantifiable” to the project application.
- C. Morris reminded attendees that that where gaps in data exist or no baseline data has been gathered, benefits may be difficult to quantify.
- C. Morris then explained that the feasibility component of the application should include the total budget and a detailed budget breakdown, which should (at minimum) be entered in Attachment E.
- C. Morris outlined the budget specifics:
 - The budget breakdown should include all “reasonable and justifiable” costs.
 - Ineligible activities can be a part of the application as long as the applicant can clearly demonstrate that those activities are sustained through leveraged funding or partnerships rather than direct component funds.
 - An example would be a project that includes an education component.
- C. Morris then explained the sustainability and efficiency components of the application; it is important to demonstrate that the proposed projects do not have a negative environmental impact and that the project is supported by the best available science at this time.
- Pierce indicated that the “best available science” component of the MYIP has been a challenge for several Counties. A project application that demonstrates “best available science” will include references, sources, and citations.
- C. Morris reviewed the permitting component of the application, including land acquisitions, easements, titles, and appraisals.

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- B. McCartney noted that permits could take six months or longer to receive. B. McCartney inquired if there would be any preference towards shovel-ready projects where no permits are needed.
- A. Pierce indicated that he suspects shovel-ready projects or projects where no permits are required would receive a higher score.
- A. Grove directed the attendees to item 8a in the application document, which is where the applicant lists their required permits.
- B. McCartney elaborated that County permits would be straightforward but FDEP and United States Army Corps of Engineers permits could require six to eight months to receive and those differences in the permitting timeline should be considered by the RAC when scoring projects. Even if a permit has been applied for, there should be some way for the RAC to differentiate between a project with a permitting timeline of one month and a project with a permitting timeline of two years.
- B. McCartney suggested that the application be revised to add some language that requires the applicant to include the length of the permitting process.
- C. Morris agreed that they could add “and anticipated time for permit processing” to the application.
- B. McCartney asked for confirmation that the application point system had not been disaggregated from the RAC selection criteria scoring, and voiced his concern that the selection criteria did not adequately address the County’s needs.
- C. Morris and R. Harter confirmed that the scores were exactly the same as the RAC selection criteria scoring.
- R. Harter explained that types of proposed projects would drive the scoring as much as the criteria themselves. For example, two infrastructure projects that are the same in all other aspects may be scored differently if one of them happens to have the added benefit of a “restoration and protection of natural resources” component, even though neither had restoration as their primary eligible activity.
- A. Pierce informed attendees that he anticipates natural resource issues to also be addressed through other funding sources, particularly because the County considers the Apalachicola Bay a State resource and, therefore, a State responsibility.
- C. Morris then reviewed the remainder of the application including the budget breakdown. C. Morris explained that, in addition to a short budget synopsis in the main part of the application, a budget table provided in Attachment E would be required. Attachment E allows the applicant to separate direct component funds from other outside leveraged funds. He explained that this was particularly important for meeting eligibility requirements and for the federal procurement process:
 - All direct component funds must be spent on an eligible activity.
 - Outside leveraged funds can be spent on ineligible activities (such as education), provided those activities and their allocation are documented.
 - All direct component funds must go through the federal procurement process.
 - Outside leveraged funds do not have to go through the federal procurement process, but there must be a competitive process for the RESTORE portion of the project.

- C. Morris added that there has been a steep learning curve on the MYIP process both for the Counties and for the Treasury. Fortunately, there has been good communication between the RESTORE coordinators, and as more and more MYIPs are approved, the Counties that are still developing their MYIPs can hone in on the process.
- The attendees then discussed eligible applicants:
 - B. McCartney was concerned that there would be many ineligible applicants with good projects, like schools and classes, and that it was important to encourage these individuals and groups to find an eligible sponsor.
 - A. Pierce agreed that there were a limited number of qualified applicants in Franklin County. For example, few, if any, non-governmental organizations in the county, aside from the Apalachicola Riverkeeper, have grants management experience.
 - B. La Paz indicated that she had spoken with several individuals who were convinced that they would be eligible despite her attempts to educate them otherwise.
 - R. Harter explained that the upcoming workshop would likely weed out many of those potential applicants or help them understand that they need to partner with another organization.
 - R. Harter also pointed out that the workshop would help multiple entities proposing similar projects to work together on a single application. Although this is not required, it would be beneficial to the applicants and to the County, and is highly encouraged.
- C. Morris reviewed the guidance document and explained that it was a step-by-step guide for submitting a project to the portal.
- The RAC members in attendance agreed that the portal should be open for 60 days to allow applicants to submit their projects and receive assistance on any technical difficulties.
- V. Johnson inquired about the number of projects that would be included in the final MYIP and A. Pierce explained that the MYIP can include as many projects as the County selects; some MYIPS have 10 or more projects; however, most of the MYIPs that have been approved by Treasury only have one or two projects.
- V. Johnson asked if there would be a total budget cap for each proposed project.
- R. Harter and A. Pierce explained that the County could add this to their criteria, but to the best of their knowledge, it was not a Treasury requirement. However, a project requesting more money than the County had in its direct component budget for that year would likely not score well unless the project was phased, and tasks exceeding the year-one budget were executed in subsequent years.
- R. Harter added that phasing projects was a good way to get multiple projects initiated simultaneously, despite a small budget during the first year.
- C. Morris reminded applicants that each phase of a proposed project must be concise enough that it can be evaluated on quantifiable metrics and that the application for each phase must clearly explain future intent.
- No further changes to the draft project application or guidance document were suggested. A. Pierce announced that he would take both documents to the BOCC during their next regularly scheduled meeting and present them during his RESTORE update.
- A. Pierce indicated that he would be contacting the RAC about scheduling a workshop prior to the application portal being opened, with the intent of having the portal open for 60 days.

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- C. Morris notified attendees that he is happy to talk to potential applicants individually if they have questions, and that his contact information would be on the Franklin County RESTORE website.
- B. McCartney noted that Preble Rish Incorporated (PRI), the engineering firm for the City of Apalachicola, was recently acquired by Dewberry. He inquired if that acquisition presents a conflict of interest, should the city wish to use PRI to implement a project.
- A. Pierce explained that Dewberry was only contracted for the planning part of the MYIP and would not be involved in the competitive bid process.
- R. Harter added that Dewberry was also not providing any scores to the RAC or BOCC; their task is to screen the projects for eligibility and synthesize the scores and information provided by the RAC and BOCC.
- B. McCartney and V. Johnson agreed that it could be a point of concern for some applicants if they were not attending the meetings and did not understand the role of the consultants.
- There were no further questions or comments. The meeting concluded at 5:20 p.m. ETZ.
- The presentation provided to the RAC has been posted at www.franklincountyrestore.com, the Franklin County website, and is available to the public.