



RESTORE the Gulf Coast Act of 2011, S. ____
Detailed Summary

Introduced by Senators Landrieu, Shelby, Vitter, Nelson, Rubio, Sessions, Cochran, Wicker and Hutchison on July 21, 2011

The Clean Water Act fines responsible companies for pollution such as oil spills. Currently, these fines go to the Oil Spill Liability Trust Fund for future spills. Under this bill, 80% of the fines paid by BP and others would go into a Gulf Coast Restoration Trust Fund (Gulf Fund).

These fines could range from \$4.3-16.9 billion, depending on whether the responsible parties are found to be negligent or grossly negligent.

The bill divides money into three pots of money:

- 1) **State Allocation (35% of the Gulf Fund)**
- 2) **Gulf Coast Ecosystem Restoration Council (60% of the Gulf Fund)**
 - I. Comprehensive Ecosystem Restoration Plan (30% of Gulf Fund)
 - II. Formula by damage to Gulf Coast states (30% of Gulf Fund)
- 3) **A Gulf of Mexico Endowment (5% of the Gulf Fund + half interest)**

1) **State Allocation (35% of the Gulf Fund)**

35% of the Gulf Fund is divided equally among the five Gulf Coast States

- Each of the Gulf Coast States spends its portion to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, coastal wetlands, and economy.
- Public input on plans is required.
- States give a bidding preference to individuals and firms from the Gulf Coast.
- Encourage large-scale projects by allowing states to use as a match against federal grants.

Eligible Activities:



EQUITY AND INCLUSION CAMPAIGN

- Coastal restoration projects, conservation and land acquisition
- Damage mitigation and restoration
- Promotion of tourism and Gulf seafood
- Educational activities on natural resources of the Gulf ecosystem
- Planning assistance
- Workforce development and job creation
- Infrastructure repair or improvement for wetland loss, erosion or spill impacts
- Impacted state parks

How the Money Comes Down in Each State:

Louisiana:

- 70% directly to the state Coastal Protection Restoration Authority (CPRA)
- 30% to parishes by weighted formula

Mississippi:

- Mississippi Department of Environmental Quality (DEQ)

Alabama:

- A State of Alabama Gulf Coast Recovery Council, to include:
 - Governor of Alabama (Chairperson)
 - Director of Alabama State Port Authority (Vice Chairperson)
 - Chair of Baldwin County Commission
 - President of Mobile County Commission
 - Mayor of Bayou La Batre
 - Mayor of Dauphin Island
 - Mayor of Fairhope
 - Mayor of Gulf Shores
 - Mayor of Mobile
 - Mayor of Orange Beach

Florida

- 75% to the 8 most impacted coastal counties
- 25% to other the counties

2) **Gulf Coast Ecosystem Restoration Council (60% of the Gulf Fund)**

- I. Comprehensive Ecosystem Restoration Plan (30% of Gulf Fund)
- II. Formula by damage to Gulf Coast states (30% of Gulf Fund)

I. Comprehensive Ecosystem Restoration Plan (30% of Gulf Fund):



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The bill creates a Gulf Coast Ecosystem Restoration Council that develops a Comprehensive Plan to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, and coastal wetlands of the Gulf Coast ecosystem.

The Council must:

- Create a comprehensive Ecosystem Restoration Plan based on priorities outlined below;
- Coordinate the development of consistent policies, strategies, plans, and activities by Federal agencies, State, and local governments;
- Coordinate financial plans and budgets
- Make recommendations to address the needs of economically and socially vulnerable populations; and
- Develop a contracting process that gives preference to Gulf businesses

The Council will be eight Federal officials and five State officials.

Federal Officials:

- Chair of Council on Environmental Quality
- Secretary of Department of the Interior
- Secretary of the Army
- Secretary of Commerce
- Environmental Protection Agency Administrator
- Secretary of the U.S. Department of Agriculture
- Head of the department over the Coast Guard

State Officials:

Governors of Alabama, Florida, Louisiana, Mississippi and Texas

The Comprehensive Plan will be looking at these criteria:

- Have the greatest contribution to restoring and protecting the Gulf Coast Ecosystem;
- Are in existing State master plans;
- Make the greatest contribution without regards to geographic location;
- Large scale projects; and
- Projects that restore the long-term resiliency of those resources most impacted by the BP oil spill.

II. Impact Formula Allocation (30% of Gulf Fund):

The Council will allocate 30% of the funding based on a formula that measures damage:

- 40% of this sum is based on a percentage of the state's oiled shoreline versus the total Gulf-wide oiled shoreline
- 40% of this sum awards sites closest to the Deepwater Horizon Rig



EQUITY AND INCLUSION CAMPAIGN

- 20% of the allocation is based on average population of coastal counties as of the 2010 census
- Each Gulf Coast state will receive at least 5% of the Gulf Fund.

Each Gulf Coast state must be approved to spend funds under the impact formula. To be approved, State plans must:

- Match the Council's comprehensive plan.
- Use no more than 25% of the funding available for infrastructure projects unless all ecosystem restoration needs in the State have been met.
- The Council must approve or disapprove the plan within 60 days.

3) **A Gulf of Mexico Endowment (5% of the Gulf Fund + half of interest generated from the Fund)**

Funding by the Gulf of Mexico Endowment will be divided equally into:

I. Grant Funding for Centers of Excellence

II. Long-Term Fisheries and Ecosystem Endowment

I. Grant funding for Centers of Excellence

At least one grant per year would be awarded in a competitive program in each Gulf State for:

- Coastal and deltaic sustainability, restoration and protection; including solutions and technology that allow citizens to live safely and sustainably in a coastal delta;
- Coastal fisheries and wildlife ecosystem research and monitoring;
- Offshore energy development, including research and technology to improve the sustainable and safe development of energy resources;
- Sustainable and resilient growth, economic and commercial development in the Gulf Coast; and
- Comprehensive observation, monitoring, and mapping of the Gulf of Mexico.

II. Long-Term Fisheries and Ecosystem Endowment

Administered by NOAA with input from the Regional Gulf of Mexico Fishery Management Council, this funds:

- Marine and estuarine research;
- Marine and estuarine ecosystem monitoring;
- Data collection and stock assessments;
- Pilot programs for fishery independent data and reduction of exploitation of spawning aggregations; and
- Cooperative research.