



Apalachee Regional Planning Council

Serving Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson
Liberty, Leon and Wakulla Counties and their municipalities

1

December 17, 2012

The Hon. Tynalin Smiley, Chairman
Gulf County Board of Commissioners
1000 Cecil G. Costin, Sr. Blvd
Port St. Joe, FL 32456

Re: Apalachee Regional Planning Council 2013 Appointments

Dear Chairman Smiley:

Pursuant to *Florida Administrative Code*, Chapter 29L-1, Gulf County is entitled to have three representatives on the Apalachee Regional Planning Council (ARPC). Two of these representatives are appointed locally by the Board of County Commissioners; one must be a county-elected official and one must be a municipal-elected official. The Governor appoints the third representative.

Enclosed is an appointment form listing Gulf County's current appointees to the Council. You may re-appoint elected officials currently serving on the ARPC Board; however, due to changes resulting from recent elections and reorganizations, it may be necessary for you to appoint new representatives.

Also enclosed is the 2012 attendance record for Apalachee Regional Planning Council members from Gulf County. It is very important for both the County and the Council that the appointed representatives attend and participate in Council meetings. Decisions are made that directly affect local governments of the Apalachee region as well as its constituents.

You will need to return the enclosed appointment form to the Council office as soon as an appointment determination has been made. Please do not hesitate to contact Council staff if you have any questions or need any additional information. Your continued support and cooperation are greatly appreciated.

Sincerely,

Kendall Wade
Chairman

cc: Don Butler, Administrator

20776 Central Avenue East, Suite #1 • Blountstown, Florida 32424
Telephone: 850-674-4571 • Facsimile: 850-674-4574
www.thearpc.com

INFORMATION 1
1-8-13 LL

GULF COUNTY

CURRENT APPOINTEES - 2012

County Elected	Kesley Colbert
Municipal Elected	Tony Justice
Governor's Appointee	Michael Hammond

APPOINTEES FOR 2013

County Elected	_____
Alternate	_____
Municipal Elected	_____
Alternate	_____

TO: CHAIRMAN, APALACHEE REGIONAL PLANNING COUNCIL

The above named individuals have been appointed/reappointed to the Governing Board, Apalachee Regional Planning Council.

SIGNED:

ATTEST:

 CHAIRMAN
 BOARD OF COUNTY COMMISSIONERS

 CLERK OF CIRCUIT COURT

NOTE: THE COUNCIL WILL CONSIDER CURRENT APPOINTEES AS MEMBERS UNTIL THIS FORM IS RECEIVED IN COUNCIL OFFICES.

2012 ARPC ATTENDANCE RECORD							
GULF	1/27/12	3/29/12	5/31/12	7/26/12	10/26/12		
Kesley Colbert	√	√		√	√		
Tony Justice	√			√	√		
Michael Hammond		√		√			

commissioner1

Subject: FW: Loose dogs on Cape San Blas beach

-----Original Message-----

From: Beverly Fagan [mailto:bev.fagan@msn.com]
Sent: Thursday, December 20, 2012 4:48 PM
To: commissioner5@gulfcounty-fl.gov
Cc: commissioner4@gulfcounty-fl.gov; commissioner2@gulfcounty-fl.gov
Subject: Loose dogs on Cape San Blas beach

Dear Commissioners,

Yesterday afternoon I was attacked by three dogs while walking on the Cape San Blas beach, and would like to know why the leash rule for dogs on the beach is not enforced. I have cuts on my knees, a swollen hand, and I think I may have a broken wrist or broken bones in my hand as a result of the repeated falls at the water's edge during the attack while trying to get away from the dogs. The owners of the dogs were not far down the beach, with unattached leashes in their hands, watching the incident occur. Later they told me that were staying in the townhouses down the beach and said the dogs had not done that to anyone else for the two hours they had been on the beach.

We are visitors to this area and have been renting during the winter months for many years. Over the years of coming here the numbers of dogs on the beach has increased to the point where they are becoming a nuisance to many people on the beach.

There are very few dogs on leashes. The owners unleash the dogs soon after reaching the beach and simply let the dogs go. I take long walks on the beach and in the past I have been jumped on, rubbed against with wet hair, chased, barked at, and had wet dogs shake themselves next to me. These things would not happen if the owners had the dogs on their leashes as the law requires.

I have never seen any citations given out to dog owners. In fact, I have never seen anyone patrolling the beach. I came here with my husband to fish during the Winter months, but my hand, injured in this incident, may make that impossible for me to do now.

I believe something should be done to enforce the leash rule on the beach. And perhaps "Beware of Dogs" signs should posted at all beach entrances to warn people of the situation.

Thank you for your consideration,

Beverly Fagan
Dock of the Bay
250 Hibiscus Drive

Sent from my iPad

SEP 11 2013 10:11:13 AM
GULF COUNTY FLORIDA
COMMISSIONER 1



The City of Port St. Joe

5

December 5, 2012

Mr. Ray Eubanks
Division of Community Planning and Development
Department of Economic Opportunity
107 East Madison Street MSC 160
Tallahassee, Florida 32399

RE: City of Port St Joe
Transmittal of adopted annual update to Capital Improvements Plan- CIP-2012-2017

Dear Mr. Eubanks:

The City of Port St Joe respectfully submits three copies of the adopted annual update to the Capital Improvements Plan of the City's Comprehensive Plan. The annual update was adopted by Ordinance No. 489 on December 4, 2012. The adopted CIP update is not deemed to be an amendment to the City's comprehensive plan as provided by recent legislation.

The adopted update includes the Adopted Five Year Schedule of Capital Improvements 2012-2017 and the School District Five Year Work Plan 2012-2017.

A copy of this CIP update package has been sent to the Florida Department of Environmental Protection, District Three of the Department of Transportation, Northwest Florida Water Management District, Department of State, Department of Education, Apalachee Regional Planning Council and Gulf County.

If you have any questions, or need additional information, please call me at (850) 229-8261 or Marina Pennington, Planning Consultant for the City, at (850)766-6108.

Sincerely,

Jim Anderson, City Manager
City of Port St Joe

Enclosures

cc: Marina G. Pennington, Planning Consultant
Jim Quinn, FDEP
Susan Harp, Department of State
Dennis Wood, FDOT
Keith McCarron, ARPC
Paul Thorpe, NFWMD
David Richardson, Gulf County

2012 DEC 10 10:10 AM

5

ORDINANCE NO. 489

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; AMENDING THE FIVE YEAR CAPITAL IMPROVEMENT PLAN; ADOPTING THE UPDATED SCHOOL DISTRICT FIVE YEAR WORK PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the people of Port St. Joe, Florida.

1. The five year Capital Improvement Plan shown in Exhibit "A" is hereby amended as set forth in Exhibit "B".

2. The School District Five Year Work Plan as shown in Exhibit "C" is hereby amended as set forth in Exhibit "D".

3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

4. If any section, subsection, sentence, clause or provision of this ordinance is invalid, the remainder shall not be affected by such invalidity.

5. This ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida, this 4th day of December, 2012

The City of Port St. Joe


Mel Magidson, Jr.
Mayor-Commissioner

ATTEST:

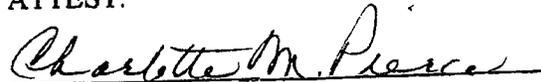

Charlotte Pierce
City Clerk-Auditor

EXHIBIT A - PROPOSED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

Stormwater Master Plan Update		Create a City wide Master stormwater plan including alleyways		No	No	\$ 50,000				City Budget/Grant Opportunities
1	Port St. Joe			No		\$ 50,000				
		Drainage Total		\$		\$ 50,000				
1	Sports Complex Jones Homestead	Construct sports facility	No	No					\$ 2,500,000	Grant Opportunities
2	Frank Pate Park Boat Ramp	Boat Ramp Improvements	No	No					\$ 750,000	Florida Boating Improvement Grant Other Grant Opportunities
3	George Core Park	Passive recreational improvements.	No	No					\$ 100,000	Grant Opportunities
4	Kayak Boat Launch	Build kayak launch area on bay front	No	No					\$ 75,000	Florida Boating Improvement Grant
5	Benny Roberts Park	Rehabilitate restrooms, baseball fields, and basketball court.	No	No					\$ 200,000	Grant Opportunities
6	Dog park	Build dog park for off leash	No	No					\$ 40,000	City Budget/Grant Opportunities
7	Madison/Garrison Bike Path/Sidewalk	Build multi use path along Madison & Garrison Ave	No	No	\$ 575,000					FDOT
8	Community Garden	Community Garden	No	No		\$ 75,000				City Budget/Grant Opportunities
		Recreation Total		\$	\$ 575,000	\$ 75,000			\$ 3,665,000	
1	David B. Langston Drive Lights & Sidewalk	Construct lights and sidewalk along Langston Drive	No	No		\$ 75,000				City Budget/Grant Opportunities
2	City Entry Signs	City Entry Signs	No	No			\$ 120,000			Grant Opportunities
3	Billy Joe Rish Parking Lot Construction	Build parking lot on corner of 4th Street and Hwy 98	No	No	\$ 128,000					PSJRA/USDA
4	City Roadway Improvements	Mill and resurface Reid Ave, MLK Blvd, Garrison Ave, Long Ave, & other streets as required.	No	No					\$ 1,000,000	PSJRA/Grant Opportunities
		Transportation Total		\$	\$ 128,000	\$ 75,000	\$ 120,000		\$ 1,000,000	

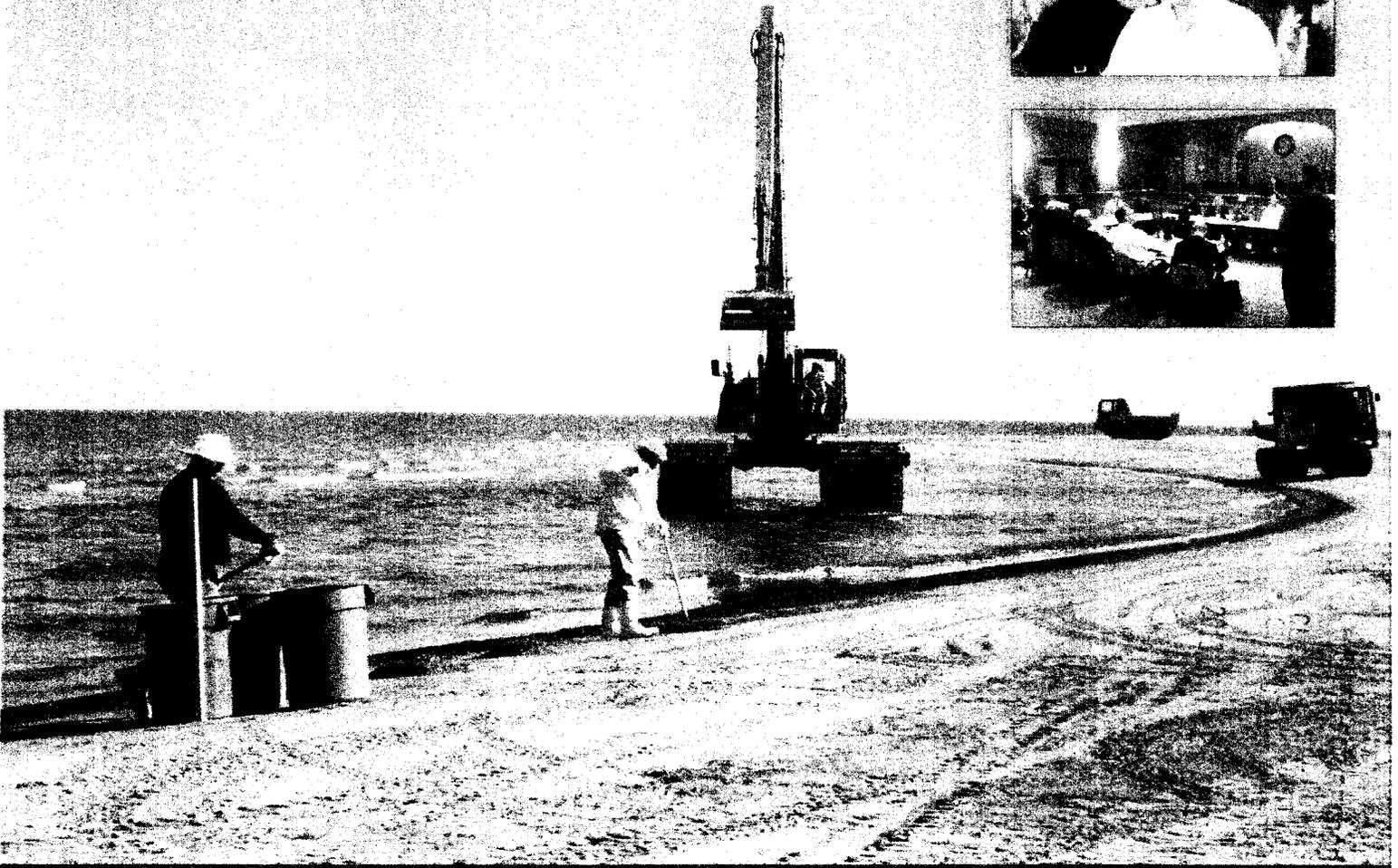
EXHIBIT A - PROPOSED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

	Headworks and Sprayfields	Construct New Headworks, sprayfields, and master liftstation. Convert existing WWTF to from industrial to domestic treatment.	Yes	\$							
1	City of Port St. Joe	Yes, Sewer Pg 6 Objective 2.1	No							State Revolving Fund Forgiveness Loan	
2	Remainder Basin 10 gravity sewer Port St. Joe	Gravity Sewer Rehabilitation	No						\$ 1,500,000	Anticipate CDBG Grant	
3	Basin 9 gravity sewer rehabilitation Port St. Joe	Gravity Sewer Rehabilitation	No						\$ 2,000,000	Anticipate CDBG Grant	
4	Catch Basin 6 PH II Port St. Joe	Yes, Sewer Pg 6 Objective 2.1	No						\$ 2,000,000	Anticipate State Revolving Fund	
5	1st Street Lift Station Port St. Joe	No	No						\$ 800,000	Anticipate State Revolving Fund	
6	Lift Station Improvements Port St. Joe	Rehabilitate 7 existing lift stations throughout the City	No					\$ 250,000	\$ 250,000	Anticipate State Revolving Fund	
Sewer Total											
				\$ 5,500,000	\$ -	\$ 250,000	\$ 250,000	\$ -	\$ 6,550,000		
1	Water Distribution System Phase 1 Port St. Joe	Replace aging water pipes throughout city		\$	2,400,000					State Revolving Fund	
2	Water Distribution System Phase 2 Port St. Joe	Replace aging water pipes throughout city				\$	3,000,000			State Revolving Fund	
3	Water Distribution System Phase 3 Port St. Joe	Replace aging water pipes throughout city						\$	3,000,000	State Revolving Fund	
4	St. Joe Beach Distribution Improvements Beaches	Replace approx. 300 Fire Hydrants and various valves throughout St. Joe Beach and Beacon Hill	Yes							City Budget/Grant Opportunities	
5	Chipola River Pump Station Wewahatchka	Rehabilitate the Chipola River Pump Station	No	\$	104,000					City Budget	
6	Booster Plant Generators White City & Highland View	Install Permanent mounted generators at the Highland View and White City booster stations	No						\$	400,000	City Budget/Grant Opportunities
7	White City Booster Plant Improvements White City	Upgrade the fill line and Ground Storage Tank	No						\$	1,000,000	City Budget/Grant Opportunities
8	Lighthouse Utilities Purchase Jones Homestead	Purchase and System Upgrades	No						\$	5,000,000	City Budget/Grant Opportunities
9	Utility Location Port St. Joe	Re-route utilities under church and CVS between 1st Street & 4th Street	No						\$	750,000	Grant Opportunities
10	Booster Plant Improvements White City & Highland View	Add telemetry equipment at the White City and Highland View Booster Plants				\$	50,000			City Budget	
Water Total											
				\$ 2,504,000	\$ 3,050,000	\$ 3,000,000	\$ 3,000,000	\$ -	\$ 8,350,000		

December 17, 2012

Recommendations for Improving Oil Spill Planning and Response Capabilities in Florida

11



SUBMITTED TO:
Board of Trustees of the
Internal Improvement Trust Fund

PREPARED BY:
Florida Commission on Oil Spill
Response Coordination



Commission on
Oil Spill Response Coordination

FOR INFORMATION
DATE 1-2-13

11

December 17, 2012

Recommendations for Improving Oil Spill Planning and Response Capabilities in Florida

Executive Office of the Governor



Florida Department of Environmental Protection



Bay County Board of County Commissioners



Florida Office of the Attorney General



Escambia County Board of County Commissioners



Florida Department of Agriculture and Consumer Services



Franklin County Board of County Commissioners



Florida Department of Economic Opportunity



Gulf County Board of County Commissioners



Florida Department of Financial Services



Okaloosa County Board of County Commissioners



Florida Department of Health



Santa Rosa County Board of County Commissioners



Florida Division of Emergency Management



Wakulla County Board of County Commissioners



Florida Fish and Wildlife Conservation Commission



Walton County Board of County Commissioners



SUBMITTED TO:
Board of Trustees of the Internal Improvement Trust Fund

PREPARED BY:
Florida Commission on Oil Spill Response Coordination



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Recommendations for Improving Oil Spill Planning and Response Capabilities in Florida

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Executive Summary

The Florida Commission on Oil Spill Response Coordination (Commission) was convened in the latter half of 2012 to review past and current spill response practices, assess shortcomings, and recommend improvements. The Commission found that state and local agencies responding to the Deepwater Horizon event of 2010 were able to adjust to the unprecedented scale and scope of the actions required over time. The recommendations in this report are intended to incorporate the lessons learned into pre-spill planning and post-event coastal protection and cleanup operations. A review of offshore drilling oversight and monitoring activities, which have been improved over the past two years, found that existing laws and regulations appear to be adequate and do not require any changes. However, achieving consistency in oil spill preparedness and response activities in Florida coordinated by the U.S. Coast Guard (USCG) by placing the state in one USCG district and/or standardizing spill planning and response policies and protocols is needed.

Most of the recommendations address the need to improve spill preparedness and response through better planning and more effective execution. Because USCG Regional and Area Contingency Plans drive initial and long-term response actions, the Commission supports a more robust, comprehensive planning effort that focuses on developing and deploying scientific, technical, communication, and policy tools; improving command-level and local-scale incident management; and ensuring that future spill responses are effective in protecting sensitive resources, cleaning up affected areas, and addressing economic and environmental impacts.

Specifically, the Commission supports active participation by state and local officials and emergency management personnel in spill planning and preparedness, and better use of the planning process to organize Oil Spill Response Organizations and Vessels of Opportunity. Improvements to initial spill response activities and contingency plan implementation are also needed, along with upgraded coastal mapping and oil spill monitoring and modeling capabilities.

In terms of incident management, recommendations in this report include improving multistate coordination, placing USCG and responsible party (RP) representatives in local emergency operations centers, consolidating public health and scientific research at the incident command level, incorporating local branches into the command structure, and improving data and information sharing. Incident commanders should be able to authorize reimbursement for resource protection and restoration activities included in spill contingency plans, and federal laws and regulations should ensure that liability requirements are adequate and appropriate. State agencies should provide clear protocols and notification on the use, if any, of dispersants in state waters. Finally, the recommendations in this report support restoration of impacted local resources and economies through a practical, equitable, transparent, and timely process—including early restoration, if it can be streamlined and made more efficient and effective.

1 Introduction

The explosion and loss of the Deepwater Horizon (DWH) drilling rig on April 20, 2010, and the subsequent failure to control the well under development in the Gulf of Mexico (Gulf) led to the deaths of 11 people and the largest, longest oil spill in U.S. history. Federal, state, and local governments and BP faced a series of unprecedented challenges in stopping the flow of oil, tracking and removing oil from the Gulf, and protecting and cleaning up coastal areas. The incident strained the existing governing frameworks for offshore activities and disaster response, both of which cut across every level of governance.

The complex response to the spill in Florida and four other Gulf states had many moving parts and multiple stakeholders at the federal, state, and local levels. The threat of millions of gallons of oil moving in the sea—and potentially toward environmentally sensitive coastal and beach recreational areas in northwest Florida—generated intense public concern and almost continuous news media coverage. Despite the growing sense of urgency and an established legal and regulatory framework for handling oil spills, response actions to the DWH incident were challenging because of the event's scope and the need to operate under a framework defined by federal oil spill legislation, rather than the more familiar disaster approach outlined under the Stafford Act.

Studies of the response and after-action reports identified a number of issues related to pre-spill planning, coastal protection, and shoreline cleanup. In addition, the Florida Legislature in 2011 enacted Senate Bill 2156 through the sponsorship of Senator Don Gaetz, creating a new Florida Commission on Oil Spill Response Coordination (FCOSRC, or Commission). The Commission was charged with preparing a report that identifies approaches for improving response capabilities and processes to protect Florida's people and resources. The legislation directed the Board of Trustees of the Internal Improvement Trust Fund (Board) to appoint to the Commission the following:

- A representative of the office of each Board member
- A representative of each state agency that directly and materially responded to the DWH disaster
- The chair of the board of county commissioners of each of the following counties:
 - Bay County
 - Escambia County
 - Franklin County
 - Walton County
 - Gulf County
 - Okaloosa County
 - Santa Rosa County
 - Wakulla County

The Commission was charged with preparing a report for review and approval by the Board that

- Identifies potential changes to state and federal laws and regulations that will improve the oversight and monitoring of offshore drilling activities and increase response capabilities to offshore oil spills.
- Identifies potential changes to state and federal laws and regulations that will improve protections for public health and safety, occupational health and safety, and the environment and natural resources.
- Evaluates the merits of establishing a federal Gulf-wide disaster relief fund.
- Evaluates the need for a unified and uniform advocacy process for damage claims.
- Evaluates the need for changes to interstate coordination agreements to reduce the potential for damage claims and lawsuits.
- Addresses any other related issues as determined by the Commission.

This document fulfills the Commission's responsibility to deliver a report to the board for presentation to the governor, the President of the Senate, the Speaker of the House of Representatives, the Secretary of the Florida Department of Environmental Protection (DEP), and the Executive Director of the Department of Economic Opportunity by January 1, 2013. The sections of the report—and the related recommendations—parallel the topics listed above.

1.1 Commission Membership

The Commission is made up of representatives from the following 17 county and state organizations in Florida:

Dave Parisot	Okaloosa County Board of County Commissioners
George Gainer	Bay County Board of County Commissioners
Grover Robinson	Escambia County Board of County Commissioners
Joseph Parrish	Franklin County Board of County Commissioners
Donald Butler	Gulf County Board of County Commissioners
Lane Lynchard	Santa Rosa County Board of County Commissioners
Not Designated	Wakulla County Board of County Commissioners
Bill Imfeld	Walton County Board of County Commissioners
Jennifer Fitzwater	Executive Office of the Governor
Leslie Palmer	Florida Department of Agriculture and Consumer Services
Tom Beck	Florida Department of Economic Opportunity

Jennifer Fitzwater	Florida Department of Environmental Protection
Tami Torres	Florida Department of Financial Services
Dr. Kendra Goff	Florida Department of Health
Danny Kilcollins	Florida Division of Emergency Management
Richard Knudsen	Florida Fish and Wildlife Conservation Commission
Russell Kent	Florida Office of the Attorney General, Department of Legal Affairs

The governor appointed George Gainer of Bay County as the chairman, and the Commission elected Dave Parisot of Okaloosa County as the vice chairman.

1.2 Commission Meetings

The Commission met on the following dates in 2012 to hear presentations, review experiences of the DWH incident, and discuss what improvements to federal, state, and local policies and procedures should be recommended to facilitate more efficient, effective response activities in the future:

- Wednesday, August 22 at the Emerald Coast Convention Center
- Wednesday, September 12 at the Emerald Coast Convention Center
- Wednesday, October 3 at Walton County's South Annex Branch Office
- Monday, October 29 at Walton County's South Annex Branch Office
- Friday, December 7 at Walton County's South Annex Branch Office
- Monday, December 17 at Walton County's South Annex Branch Office

Announcements and draft agendas for each meeting of the Commission were published in the *Florida Administrative Weekly* (renamed as the *Florida Administrative Register* [FAR] as of October 1, 2012, as the electronic replacement for the *Florida Administrative Weekly*). In addition to the FAR, a list of all meeting dates and meeting materials were posted in advance on the DEP website at www.dep.state.fl.us/deepwaterhorizon/commission.htm, and each meeting was added to the DEP public notice calendar at <http://sharepoint.dep.state.fl.us/PublicNotices/default.aspx>. Tetra Tech, the Commission's contractor, established an email address (florispillcommission@tetrattech.com) advertised in the notice and provided on the DEP website to which comments or questions about the Commission's work could be sent. Individuals could also ask to be added to the project mailing list through this email address. Those on the mailing list were sent notifications of upcoming meetings at least 7 days before each meeting.

Various members of the public attended the public meetings of the Commission and contributed to the discussions. A list of attendees from each meeting is provided in the meeting summary from each meeting, which is posted at www.dep.state.fl.us/deepwaterhorizon/commission.htm.

Finally, staff from The Florida Channel attended and produced audio-video recordings of some of the Commission's meetings, which can be viewed by browsing the video library at <http://thefloridachannel.org/video-library/browse-video-library>.

1.3 Commission Research and Issue Reports

In addition to the publicly advertised regular meetings of the Commission, Tetra Tech conducted interviews with the following key people on their perspectives regarding the strengths and weaknesses of the spill response system. Information conveyed in these interviews was included in the technical reports prepared by Tetra Tech.

Escambia County – August 13, 2012

- Joy Blackman, Operations Chief, Public Works Director
- Timothy Day, Coastal Zone Manager
- John Dosh, Emergency Manager
- Kathleen Dough-Castro, Public Information Office
- Jeff Helms, Atkins, Consultant for Escambia County
- Taylor Kirchenfield, Water Quality Division Manager
- Larry Newsom, Assistant County Administrator
- Robert Turpin, Marine Resources Division Manager
- Keith Wilkins, Operations Section Chief, Community and Environment Director

Okaloosa County – August 29, 2012

- Jim Curry, County Administrator
- John Hofstad, Public Works Director
- Dave Parisot, Okaloosa County Commissioner
- Dino Villani, Public Safety Director

Santa Rosa County – September 5, 2012

- Brad Baker, Emergency Management Operations Chief

- Roger Blaylock, County Engineer
- Tony Cophagen, Director (Incident Commander of Oil Spill for Santa Rosa County)
- Michael Schmidt, Assistant County Engineer
- Tony Gomillion, Public Service Director
- Hunter Walker, County Administrator

Florida Department of Health – September 7, 2012

- Kendra Goff, State Toxicologist
- Sharon Watkins, Senior Epidemiologist Aquatic Toxins
- Patti Anderson, Water Programs Bureau Chief
- Ann Rowe-McMullen, Public Information Officer

Florida DEP – September 21, 2012

- Gwen Keenan, Director, Office of Emergency Response

Former Secretary of Florida DEP – October 19, 2012

- Michael W. Sole, Vice President, State Governmental Affairs, Florida Power & Light Company

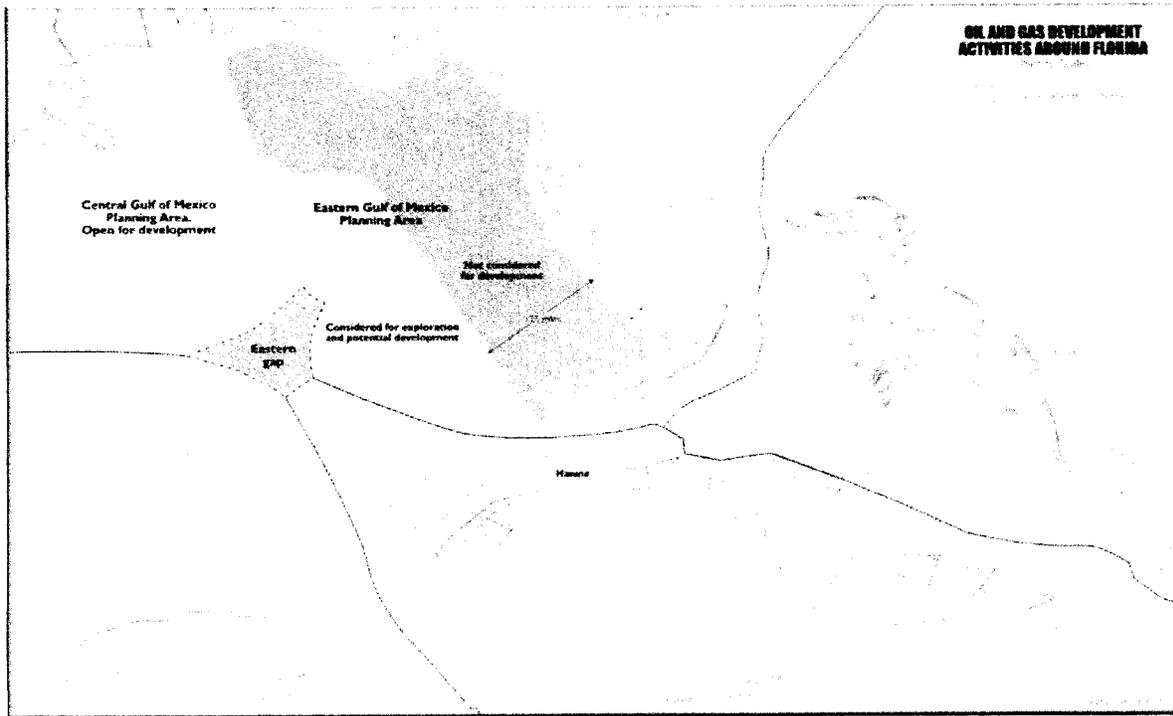
Tetra Tech prepared a series of technical reports to aid the Commission in generating supportable, adoptable recommendations for changes in local, state, and federal oil spill response policies and procedures. These reports may be found at www.dep.state.fl.us/deepwaterhorizon/commission.htm.

2 Offshore Oil Drilling Oversight, Monitoring, and Spill Response

The legislation authorizing the creation of the Commission includes among its provisions a requirement that the Commission “[identify] potential changes to state and federal law and regulations which will improve the oversight and monitoring of offshore drilling activities and increase response capabilities to offshore oil spills.”

2.1 Recommendations for Offshore Drilling Oversight and Monitoring

The Commission received a report from the USCG on the role of federal, state, and local agencies in overseeing and monitoring oil drilling activities in the Caribbean and Gulf of Mexico and the increased drilling activity off the coasts of Cuba and the Bahamas.¹ Figure 1 illustrates areas in the Northern Caribbean Sea and Eastern Gulf of Mexico where oil and gas exploration and drilling is occurring.



Source: Slaughter 2012.

Figure 1. Northern Caribbean Sea and Eastern Gulf of Mexico oil and gas exploration and drilling activities.

¹ Slaughter, John. 2012. Northern Caribbean Offshore Oil and Gas Exploration Overview; Coast Guard Offshore Response Plan. Presentation by Captain John Slaughter, Chief, Planning and Force Readiness, U.S. Coast Guard District 7, to the Florida Commission on Oil Spill Response Coordination. Santa Rosa Beach FL, October 3, 2012. US Coast Guard District 7. October 3, 2012.

USCG personnel have been meeting with representatives of foreign drilling companies to gather information on their well development and oil/gas production plans and initiate discussions regarding spill prevention and response measures.² The following timeline summarizes some of the exploration and drilling activities occurring in 2012:

- May 2012—Repsol (Spanish) completed drilling at the Jaguey site in Block N26 north of Havana with the mobile offshore drilling unit (MODU) Scarabeo 9; the well is not commercially viable; Repsol is withdrawing from Cuban exploration
- July 2012—Petronas/Gazprom (Malaysian/Russian) completed drilling with Scarabeo 9 at the Catoche1 site in Block N51 off the northwest coast of Cuba; the well is not commercially viable
- August 2012—PDVSA (Venezuelan) began drilling with Scarabeo 9 at the Cabode San Antonio 1X site in Block N59 off the western tip of Cuba; drilling is in progress
- Fall 2012—Zarubezhneft (Russian) expected to drill at the Cayo Coco site in Block L off the north-central coast of Cuba using the MODU Songa Mercur

Offshore oil drilling in the Gulf of Mexico and northern Caribbean Sea is a concern for Florida because of the currents that move through the area. The so-called Loop Current moves sea water from the Caribbean north, well into the central Gulf, and then east toward the west coast of Florida and south along the peninsula, through the Keys, and up the east coast, where it joins the Florida Current and northward-flowing Gulf Stream (Figure 2). The likelihood that any major oil spills in this region will affect Florida's waters—and possibly its coastline—make oversight and monitoring of offshore drilling in the Caribbean and Gulf of vital importance. However, local and state agencies have not had a role in offshore drilling oversight and monitoring. Florida does not allow drilling operations in its state waters.

The governing framework for offshore oil and gas drilling spills in the United States is a combination

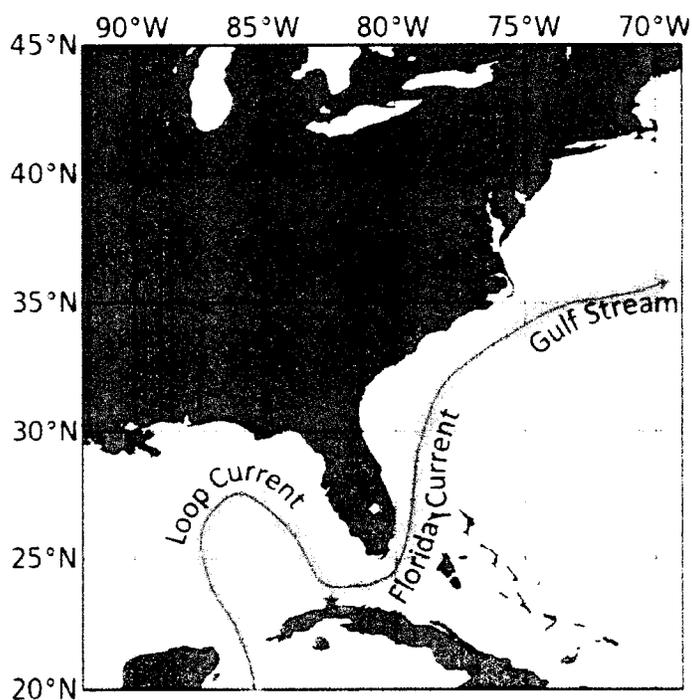


Figure 2. Generalized currents in Florida's coastal waters.

² Slaughter, John. 2012. Northern Caribbean Offshore Oil Drilling. Presentation by Captain John Slaughter, Chief, Planning and Force Readiness, U.S. Coast Guard District 7, to the Florida Commission on Oil Spill Response Coordination. Santa Rosa Beach FL, October 3, 2012. US Coast Guard District 7. October 3, 2012

of federal, state, and international authorities.³ However, most of the authority and resources for overseeing offshore drilling, regulating activities, enforcing rules, and responding to spills rests with federal agencies. The largest and most prominent federal statute related to oil spills is the Oil Pollution Act (OPA), which, in addition to other advancements, expanded and clarified the authority of the federal government and created new oil spill prevention and preparedness requirements. The primary federal law governing oil development and operations in waters within federal jurisdiction is the Outer Continental Shelf Lands Act, implemented by the Secretary of the Interior. Pipeline and vessel statutes cover oil spill preparedness and response guidelines for those entities that transport oil in federal waters.

Agency responsibilities can be grouped into oil spill prevention and preparedness, and oil spill response and cleanup. The Bureau of Safety and Environmental Enforcement (BSEE) within the Department of the Interior is responsible for oil spill prevention and preparedness of offshore facilities involved in oil and gas extraction.⁴ For maritime oil spills, the USCG is designated as the overseeing agency, responsible for directing and overseeing response and cleanup activities.

Statutes regulating oversight and preparedness for oil spills are primarily enforced by the Department of the Interior. In 2010–2011 Secretary of the Interior Salazar reorganized offshore drilling oversight responsibilities under three separate agencies: The Bureau of Ocean Energy Management (BOEM), BSEE, and the Office of Natural Resources Revenue. BOEM is now responsible for managing the development of the nation's offshore resources in an “environmentally and economically responsible way.”⁵ BSEE now enforces safety and environmental regulations, all field operations including permitting and research, inspections, offshore regulatory programs, oil spill response, and newly formed training and environmental compliance functions.⁶ A number of other federal statutes and rules also govern offshore drilling—and any problems that might result, including the following:

- Clean Water Act of 1972 (title 33 *United States Code* [U.S.C.] 1251 et seq.), which prohibits the discharge of oil or hazardous substances into U.S. navigable waters and mandates requirements for oil spill reporting, response, and liability.
- Oil and Gas and Sulphur Operations in the Outer Continental Shelf (title 30 of the *Code of Federal Regulations* [CFR] part 250), intended to prevent waste and conserve natural resources of the Outer Continental Shelf, under the rulemaking authority of the Outer Continental Shelf Lands Act.

³ Ramseur, J.L. 2012. *Oil Spills in U.S. Coastal Waters: Background and Governance*. Congressional Research Service, Washington, D.C.

⁴ *Ibid.*

⁵ US Department of the Interior. 2011. *Fact Sheet: the BSEE and BOEM Separation – An Independent Safety, Enforcement, and Oversight Mission*. January 19, 2011. Available at: http://www.doi.gov/news/pressreleases/upload/01-19-11_Fact-Sheet-BSEE-BOEM-separation-2.pdf

⁶ *Ibid.*

- Oil Spill Financial Responsibility for Offshore Facilities (30 CFR part 253), which establishes requirements for demonstrating oil spill financial responsibility for removal costs and damages caused by oil discharges.

Given the improved oversight and monitoring of offshore oil drilling activities over the past two years and existing state agency practices – which were updated significantly in response to the DWH incident – additional action in this area is not warranted at the present time.

Recommendation

Several Florida state agencies currently monitor oil drilling and well production activities from different perspectives and have mechanisms in place to alert state and local officials if a spill occurs. Current Florida laws, regulations, and agency practices regarding oversight and monitoring of offshore drilling appear to be adequate and do not require any changes at this time.

2.2 Improving Pre-Spill Planning and Preparedness

Under OPA—the federal law that governs responses to offshore oil spills—communication, coordination, and spill response actions are a product of previously developed regional and area contingency plans (i.e., Regional Contingency Plans [RCPs] and Area Contingency Plans [ACPs] developed under the National Contingency Plan [NCP] of OPA; see Figure 4) developed by federal, state, and local partners. The failure to anticipate an event like the DWH, an unprecedented disaster, has been the subject of numerous studies by many of the agencies involved in the disaster.⁷

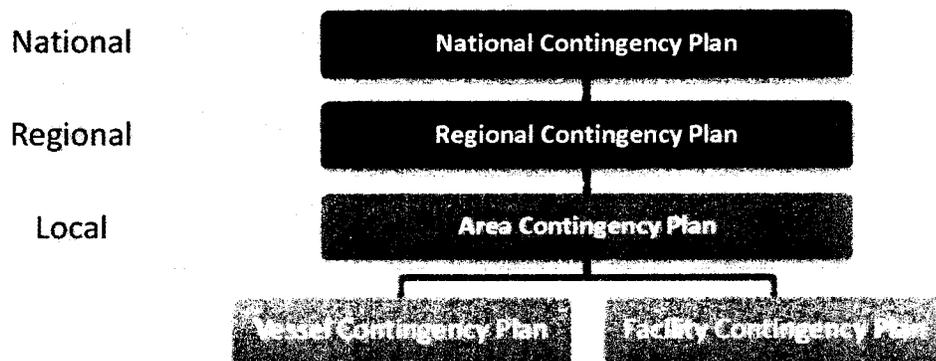


Figure 3. Contingency planning at the national, regional, and area levels.

⁷ Williams et al. 2010; Florida Division of Emergency Management 2011; National Commission on the BP Deepwater Horizon 2011.

Now that the potential for a major offshore oil spill has been realized, the time is right for significantly elevating the importance of spill contingency planning—especially in light of the increased drilling in the Gulf of Mexico and Caribbean. One of the key obstacles to a more robust approach to pre-spill planning and preparedness—i.e., through the RCP and ACP process—is the general lack of resources for those activities.

All the entities involved in oil spill contingency planning, from the federal agencies to state and local governments, have little dedicated funding for the kind of detailed planning needed, and even less to conduct preparedness drills and exercises. The USCG and Florida agencies have been pursuing updates to contingency plans and drills and exercises to increase preparedness,⁸ but planning and preparedness for oil spills is nowhere near what is now considered to be standard practice for hurricanes (e.g., see Koon 2011). In addition, the division of Florida between two USCG districts, which each pursue somewhat different policies, procedures, and methods, continues to cause confusion and inconsistency where organization and standardization are needed.⁹ The placement of Florida in two USCG districts, 7 and 8 (Figure 5), is also problematic for a variety of planning, preparedness, and response operations reasons. USCG district commands are governed by the same federal laws, regulations, and agency rules, but each command has some autonomy in how it operates. For example, in 2012 USCG District 7 entered into a memorandum of understanding with the Florida Institute of Oceanography to coordinate mapping work, conducted an oil spill tidal inlet protection exercise in south Florida, and held an oil spill modeling workshop. While all these activities are ostensibly open to all Florida cities, counties, and citizens, they were intended for District 7's partners. USCG District 8 has been focused on the aftermath of the DWH response, and has not been as active in conducting drills, exercises, and workshops.

⁸ Slaughter, John. 2012. Northern Caribbean Offshore Oil and Gas Exploration Overview; Coast Guard Offshore Response Plan. Presentation by Captain John Slaughter, Chief, Planning and Force Readiness, U.S. Coast Guard District 7, to the Florida Commission on Oil Spill Response Coordination. Santa Rosa Beach FL, October 3, 2012. US Coast Guard District 7. October 3, 2012.

⁹ FCOSRC 2012. *Meeting notes from the Florida Commission on Oil Spill Response Coordination*, available from the Florida Department of Environmental Protection, Tallahassee FL.

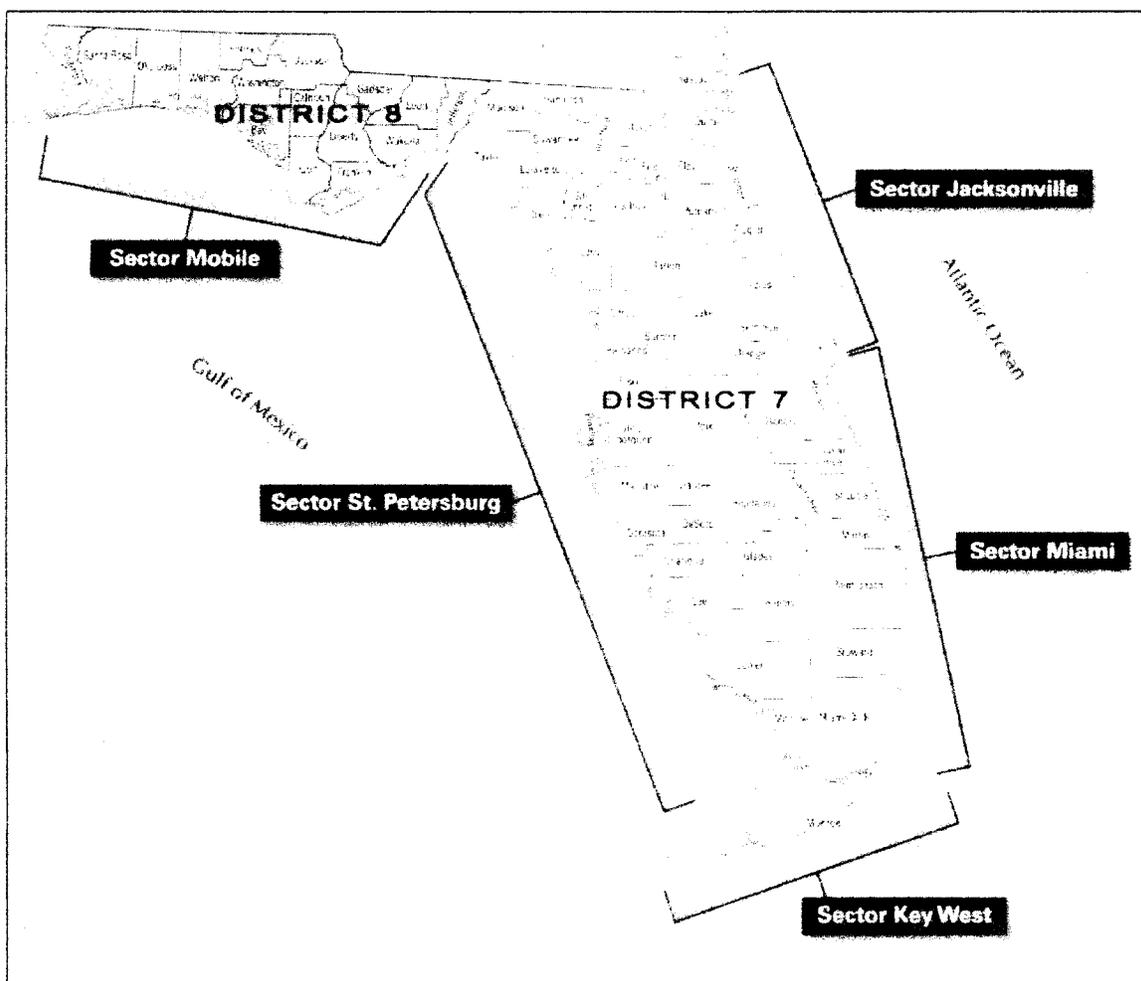


Figure 4. USCG districts and sectors for Florida

Recommendation

The Commission strongly recommends that Florida reside within a single USCG district. At a minimum, USCG Districts 7 and 8 should (a) achieve consistency in their general oil spill preparations as well as their Spills of National Significance (SONS) policies, procedures, and protocols regarding Florida oil spill contingency plans, preparedness activities (e.g., drills and exercises), incident command system deployment and operation, communication methods, and requirements for data collection, activity reporting, and response activity reimbursement and other forms; and (b) convene conferences on SONS planning, preparedness, and response for the Gulf Coast and Caribbean regions at least every three years.

Some states with offshore drilling in their waters or the transportation of large volumes of oil via tanker ships have a more robust oil spill preparedness and response system than Florida (see the news article inset on the next page). Research conducted for the Commission and discussions regarding oil spill response activities during the DWH incident repeatedly noted an overarching need to bring spill response to a level comparable to hurricane response.¹⁰ According to Commission members, hurricane response is built on two key principles: planning and preparedness, and local action supported by state and federal agencies. Indeed, Florida state and local agencies support a vast network of emergency personnel that regularly plan for, communicate about, train and drill for, and receive funding and other support for hurricanes affecting the Florida peninsula.

As noted in the previous section, however, significant planning and preparedness activities for major oil spills are not consistent with those for hurricanes. Local governments participate in the USCG oil spill RCPs and ACPs primarily at an incident responder level, without a dedicated base of funding, statewide organizational framework, or consistent policy and procedural approach. The lack of standardization among the USCG sectors in Florida is also reflected in differences between USCG Districts 7 and 8, which divide the western panhandle from the rest of the state. There does not appear to be the same culture of planning and preparation for oil spills as there is for hurricanes—a finding that apparently spans nearly all the federal, state, and local agencies examined for this report.

¹⁰ FCOSRC, 2012. Florida Commission on Oil Spill Response Coordination. Meeting notes for sessions on August 22, September 12, October 3, and October 29, 2012. Available from the Florida Department of Environmental Protection, Tallahassee FL, and Tetra Tech, Fairfax VA.

For example, the FY 2011-2012 Business Plan for the Florida DEM, a key agency supporting state and local emergency planning and response, lists the following activities related to hurricane preparedness:¹¹

- Participate in the governor's hurricane conference
- Complete 200 hurricane evacuation shelter surveys
- Identify 25,000 hurricane evacuation shelter spaces
- Distribute shelter data to county emergency offices
- Support implementation of hurricane building codes
- Test enhancements to the annual hurricane exercise
- Obtain results from hurricane storm surge models
- Determine the number of hurricane-related courses to be delivered

The plan also lists information regarding oil spills, but the items listed describe recommendations for future activities, program development, or funding support, rather than actual planning and preparedness actions to be conducted or performed in the near term.

Some members of the Commission noted a significant challenge regarding RCP and ACP development, updating, and implementation for local governments: turnover in the ranks of elected officials creates a continuous class of newcomers to the contingency planning process, meaning that an ongoing program of orientation and training is necessary to ensure preparedness. Such a program is already in place for hurricanes, and some members of the Commission expressed interest in establishing a similar, permanent education program for elected officials and their agency staff leadership.¹² Support for such an education program—which could be implemented by the Florida Association of Counties or a state agency—could come from a variety of sources. Regardless of the source, active participation by Florida counties and elected officials in oil spill contingency planning, drills, and exercises is imperative for ensuring that the response any future spill is efficient and effective. Support for additional spill readiness activities is captured in the next recommendation.

¹¹ Koon, Bryan. 2011. Business Plan, Florida Division of Emergency Management. Tallahassee FL.

¹² FCOSRC, 2012. Florida Commission on Oil Spill Response Coordination. Meeting notes for sessions on August 22, September 12, October 3, and October 29, 2012. Available from the Florida Department of Environmental Protection, Tallahassee FL, and Tetra Tech, Fairfax VA.

Recommendation

State and local emergency preparedness and management responsibilities should include active participation in USCG ACP development and biennial drills and exercises.

Under activities authorized by OPA and the NCP, the USCG recognizes two categories of oil spill response entities that are engaged in pre-spill planning and spill response. The Oil Spill Removal Organizations (OSRO) classification program is designed to assist oil facilities and vessels in developing the spill response plans required by OPA. Plan holders that list an OSRO in their response plans are exempt from providing and updating extensive lists of response resources, a regulatory benefit to plan holders that saves time and resources in plan development. An OSRO without a USCG classification may still be employed by a plan holder and may be listed in the plan, but it must be listed along with the plan holder's entire emergency response resource inventory.

Vessels of Opportunity (VOO) include a range of watercraft employed by the USCG during spill response to assist in skimming oil from the sea, placing boom to protect sensitive coastal areas, and monitoring oil spill movement. The VOO and OSRO programs could be improved to address identified shortcomings, such as a general lack of coordination, command and control challenges, personnel qualifications, and better overall planning and deployment.

Florida DEM¹³ notes that VOO skimmers, and the overall ability to obtain the right type of equipment for the job was challenging. The division's after-action report concludes that "[t]he inability to coordinate the total number of skimmers available and the types of skimmers that were available, and to have them dispatched in a timely manner to sensitive areas, especially bay areas, was a challenge" until the USCG established local branches under the Incident Command System. However, problems persisted, as noted in the report, "At no time during the operations could an accurate number be given on the number and types of skimmers in the area of operations. There was no mechanism in place to communicate with them when they were on the water and no way of tracking their location and progress. Trackers were offered and given by Florida for use during the operations. This marked the first time that [Unified Command in Mobile, Alabama] had any knowledge of where the units were in the water."

Finally, it should be noted that the use of VOO to track oil in the Gulf was not optimal. Some members of the Commission expressed strong support for the use of an integrated, centrally coordinated fleet of aircraft to monitor oil movement and warn coastal counties of approaching oil.¹⁴ Florida DEM¹⁵ notes the importance of airborne resources in spill response. Global

¹³ Florida Division of Emergency Management. 2011. Deepwater Horizon Response: After Action Report/Improvement Plan, April 30, 2010 – August 27, 2010; Report dated March 2, 2011. Tallahassee FL.

¹⁴ FCOSRC, 2012. Florida Commission on Oil Spill Response Coordination. Meeting notes for sessions on August 22, September 12, October 3, and October 29, 2012. Available from the Florida Department of Environmental Protection, Tallahassee FL, and Tetra Tech, Fairfax VA.

positioning system trackers and cameras onboard aircraft allowed for easy tracking, monitoring, and mapping. Communication among ground and air personnel was awkward at first, but improved quickly as the response proceeded. Because of these and other issues related to OSROs and VOO, the Commission recommends that contingency plans be amended as noted below.

Recommendation

RCPs and ACPs should be amended to ensure better organization, deployment, and management protocols for the Vessels of Opportunity program and relevant Oil Spill Response Organizations, emphasizing the importance of airborne surveillance and monitoring, preference in hiring and contracting local resources, and the value of local knowledge and experience in assessing tidal impacts and flow patterns in predicting the movement of spilled oil.

2.3 Improving Oil Spill Response Capabilities

Sections 2.1 and 2.2 of this report address oil drilling oversight/monitoring and pre-spill planning and preparedness. This section provides recommendations regarding approaches for improving response actions after a spill has occurred. A primary concern is the ability of state and local agencies to assemble the personnel, equipment, supplies, and materials to protect sensitive resources and conduct initial cleanup activities. States that regularly deal with offshore oil drilling and shipping typically have mechanisms to address these concerns. For example, the Alaska Oil and Hazardous Substance Release Prevention and Response Fund was created by the Alaska legislature in 1986 provided a readily available funding source to investigate, contain, clean up and take other necessary action to protect public health and welfare and the environment from the releases or threatened release of oil or a hazardous substance. The program includes funds for both prevention and response.

Recommendation

Initial state and local responses to oil spills threatening Florida's coastline (e.g., boom acquisition and placement, assembling and training cleanup personnel) should be improved through better area contingency planning, preapproved contracts, preparedness activities, and support for characterizing pre-impact baseline conditions.

¹⁵ Florida Division of Emergency Management. 2011. Deepwater Horizon Response: After Action Report/Improvement Plan, April 30, 2010 – August 27, 2010; Report dated March 2, 2011. Tallahassee FL.

The response to the DWH oil spill focused initially on how to protect sensitive coastal resources, particularly critical habitat areas. The difficulty that local, state, and federal officials faced in identifying and protecting those areas during the response effort has been well documented and discussed in some detail during Commission meetings.¹⁶ Florida agencies have been working with the USCG, the National Oceanic and Atmospheric Administration, counties, and other entities to update critical area maps, upgrade spill monitoring and modeling capabilities, and develop new tools to improve overall response. Despite the importance of this work—and other efforts to modernize scientific and technical tools that support oil spill response—there is an ongoing need to support the development of these tools during the critical pre-spill planning period.

Support for better mapping and analytical tools is endorsed in the report developed by the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling,¹⁷ which concludes that better coastal and marine spatial planning—described as a suite of technologies, best practices, and networking—could aid in response efforts and “balance orderly resource development with the protection of the human, marine, and coastal environments.” The Commission heard several reports on activities related to mapping, modeling, and spatial planning work during its first four meetings, and supports its further development. The expansion and integration of federal and state mapping, modeling, planning, and reporting applications promises to improve effectiveness and efficiency in future oil spill responses, and reduce the overlap and redundancy experienced during the DWH incident.

Recommendation

USCG oil spill contingency plans, state spill plans, and other plans, should be amended to ensure support for—and participation in—coastal mapping and oil spill movement, monitoring, modeling, and interoperable spatial data analysis (e.g., Geospatial Assessment Tool for Operations and Response, and the Environmental Response Management Application).

The next recommendation addresses contingency planning details that directly affect response operations. The first item, placing a USCG representative and RP representative in each

¹⁶ FCOSRC, 2012. Florida Commission on Oil Spill Response Coordination. Meeting notes for sessions on August 22, September 12, October 3, and October 29, 2012. Available from the Florida Department of Environmental Protection, Tallahassee FL, and Tetra Tech, Fairfax VA.

¹⁷ National Commission on the BP Deepwater Horizon. 2011. Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling. Report to the President, Oil Spill and Offshore Drilling. January 2011.

Emergency Operations Center when a spill approaches state waters, represents an attempt by the Commission to institutionalize an adaptation implemented by the unified command during the DWH event. Better coordination between the command team and local officials is supported by a wide range of studies and individuals connected with the DWH event.¹⁸ The National Commission¹⁹ included among its recommendations that the U.S. Environmental Protection Agency (EPA) and USCG “should bolster state and local involvement in oil spill contingency planning and training,” and issue policies and guidance with protocols for the following:

- Including in training exercises local officials from areas at high risk for oil spills
- Establishing liaisons between the unified command and local communities during response
- Adding a local on-scene coordinator position to the unified command structure

Another recommendation for improving the function of a unified or incident command is to consolidate public health and scientific research and information services at the command level, rather than expecting state and local governments to address these needs. The Commission heard from state and local officials charged with responding to health, environmental, and scientific inquiries from the media and public during the spill, and nearly all noted challenges in producing the information needed in a timely manner. In addition, the involvement of multiple entities producing guidance on duplicative or overlapping topics led to the release of conflicting and inconsistent messages. Coordinating this information at the command level, with allowances for regional, state, and local modifications or enhancements, would help to ensure that accurate and consistent messaging is delivered regarding public health, environmental, scientific, and technical issues.

The final part of this recommendation for improving the command structure and function during major oil spills involves another adaptation employed during the DWH event: incorporating local branches under the Incident Command System if a SONS occurs. The Florida Association of Counties²⁰ has also noted that “Congress should revise the NCP or Unified Command Structure to require local branch Incident Command offices be established when a large spill occurs that impacts or threatens to impact multiple state and local government jurisdictions.”

¹⁸National Commission on the BP Deepwater Horizon, 2011; Florida Association of Counties 2011; Florida Division of Emergency Management 2011

¹⁹National Commission on the BP Deepwater Horizon. 2011. Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling. Report to the President, Oil Spill and Offshore Drilling. January 2011.

²⁰Florida Association of Counties. Undated. Strengthening the Role of Local Governments in Response to Oil Spill Disasters: Considerations for Changes to the Oil Pollution Act of 1990 (OPA 90). Issue paper from the Florida Association of Counties. <http://www.fl-counties.com/docs/pdfs/fast.pdf?sfvrsn=0>. Tallahassee FL.

Recommendation

USCG RCPs and ACPs and any incident or unified commands established to respond to SONS affecting Florida should be amended to include (a) placing a USCG representative and RP representative in Emergency Operations Centers at each level of government when a spill approaches state waters; (b) consolidating public health and scientific research/information services at the incident command level to reduce redundancy and overlap; (c) incorporating local branches under the Incident Command System to ensure appropriate local involvement and integration into spill response and cleanup actions; and (d) coordinating and sharing data and information.

The Commission also discussed pre-spill and spill response requirements under OPA. While most studies of the DWH incident note the appropriateness of having the RP participate directly and aggressively in response and cleanup for smaller spills—such as directing the deployment of personnel, equipment, and resources, and supervising response activities—they generally conclude that large spills are different. Because of the complexity of the response, the scope of activities, the area involved, scrutiny from the public and news media, and the sheer cost of the effort, management of large oil spills must reflect a more robust set of considerations, driven by both internal and external forces. The National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling²¹ recognizes the dichotomy between smaller and larger spill response efforts and the need for adjusting the command structure under the NCP. Its report says,

The spill's magnitude calls into question whether the National Contingency Plan establishes an appropriate relationship between the federal government and the responsible party, as the public demanded in the weeks and months following the Deepwater Horizon spill that the government demonstrate control of the response. The responsible party that caused the spill is clearly legally responsible for containing the spill and mitigating its harmful consequences. The federal government, not the responsible party, must be in charge of those efforts.

The Florida Association of Counties interviewed its constituent local government officials and reviewed the various reports on the DWH incident and concludes that

OPA 90 was designed for more localized oil spills, where a response dictated by the U.S. Coast Guard works effectively. However, the Deepwater Horizon oil spill was of such magnitude that it exceeded the response assumptions inherent in the NCP. This proved particularly problematic when response actions had to cross jurisdictional boundaries. Compounding this shortcoming, according to the Florida House report, is that under NCP protocols, all operational response actions were directed by the U.S Coast Guard and BP as

²¹ National Commission on the BP Deepwater Horizon. 2011. Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling. Report to the President, Oil Spill and Offshore Drilling. January 2011.

the responsible party, which meant that impacted counties had no control over response resources. Due to the protocols of the NCP, counties were advised not to use their own resources for response and recovery activities without prior approval of the Unified Command, which was located outside the State of Florida. This created situations where counties had oil impacting their beaches but were advised not to take measures to remove it, even when local resources were readily available. What was particularly unfortunate was that such decisions were made at the height of the tourism season in the Florida panhandle, forcing visitors to avoid these otherwise valued destination sites.²²

In addition, Congress should ensure that the Oil Spill Liability Trust fund has the resources to address large spills where there is no financially viable RP for whatever reason.

Recommendation

Congress should amend OPA or other laws to ensure that (a) incident command authorizations provide for reimbursement for actions undertaken by state or local governments to protect their resources and restore damaged areas during SONS events if the actions are included in an ACP; and (b) the Oil Spill Liability Trust Fund is capable of addressing SONS where there is no financially viable RP for whatever reason.

²² Florida Association of Counties. Undated. Strengthening the Role of Local Governments in Response to Oil Spill Disasters: Considerations for Changes to the Oil Pollution Act of 1990 (OPA 90). Issue paper from the Florida Association of Counties. <http://www.fl-counties.com/docs/pdfs/fast.pdf?sfvrsn=0>. Tallahassee FL.

3 Health, Safety, and Environmental Protection

Management of health and safety concerns during the DWH event was coordinated by the state agencies charged with public health protection, environmental and natural resource protection, emergency management, and worker safety. This section summarizes some of the key health, safety, and environmental protection issues involved in the spill response and its aftermath.

The Commission received information and heard presentations on a wide range of health, safety, and environmental protection issues. State agencies—assisted by some federal entities—appropriately responded to those issues during the DWH incident. As discussed in the previous section, however, some members of the Commission noted the importance of identifying and addressing specific health, safety, and environmental protection issues prior to a spill event, i.e., during the spill contingency planning process.

3.1 Health, Safety, and Environmental Safeguards

Following the DWH oil spill, Executive Order 10-99 designated Florida DEP as the “lead state agency to coordinate emergency response activities among the various state and local governments responding to this emergency.”²³ Specific to declared emergencies, the Florida Department of Health is designated as the lead agency for Emergency Support Function 8. According to the Department of Health’s *After Action Report*, the following items are identified as needed to address public health issues in Florida in response to the DWH incident:

- A public health unit, in conjunction with other affected states, which coordinated response efforts across the multistate area of operations.
- An agreement with EPA to establish a central data repository (EPA-hosted SCRIBE).
- Human health benchmarks for exposure to oil and its constituents.
- Plans for issuing and lifting, amending, or removing public health advisories and notices for beaches, and coordination with county health departments.
- Staffing for the Public Information Emergency Support Function (ESF 14) with public information officers from Florida DEP to disseminate information to Floridians and visitors.²⁴

As noted in the previous section, public health and scientific research and information services should be consolidated at the incident command—rather than state or local—level, to reduce redundancy and overlap. These services can be augmented by location-specific tailoring, as

²³ State of Florida Office of the Governor, *Executive Order 10-99: Emergency Management – Deepwater Horizon*. Available at: http://www.dep.state.fl.us/deepwaterhorizon/files/authorizations/043010_eo1.pdf

²⁴ Florida Department of Health, *Deepwater Horizon Oil Spill Response After Action Report*, April 3, 2011. Available at: <http://www.doh.state.fl.us/DEMO/BPR/PDFs/DWH-AARfinal5-17-11.pdf>

needed, to accommodate necessary adaptations while ensuring a consistent overall approach and message.

While the DWH incident highlighted a number of health and safety protection issues, most of the challenges dealt with natural resource protection and coastal cleanup. When a spill occurs, natural resource trustees conduct natural resource damage assessments to identify any damages and determine their extent. Natural resource trustees are appointed by the governor from each state involved and the President. Governors usually appoint a state or tribal government representative, and the President is likely to appoint a representative from the National Oceanic and Atmospheric Administration.

Florida DEP provides key support during coastal protection and spill response operations. Florida DEP activated the State Emergency Response Team during the DWH incident to establish air, land, and sea reconnaissance and detect possible impacts. This information was relayed to all command elements through the Florida DEM's Geospatial Assessment Tool for Operations and Response to facilitate response actions.²⁵

The Florida Pollutant Discharge Prevention and Control Act (FPDPCA) empowers and establishes the Florida Coastal Protection Trust Fund (FCPTF) for Florida DEP and the Florida Fish and Wildlife Conservation Commission (FWC). FCPTF provides funding for Florida DEP and FWC to prevent, investigate, rehabilitate, and clean up sites contaminated by spills and discharges. Florida DEP is the primary enforcer of FPDPCA; however, FWC must assist Florida DEP with assessing damages to wildlife caused by spills and with recovering the costs of the damage.

Florida has adopted measures to ensure that it is capable of responding to spill events. For example, Florida Statute 376.121, Liability for Damage to Natural Resources, and 376.07 1(e), Creation of State Contingency Plans, requires that

- A state response team be created that shall be responsible for creating and maintaining a contingency plan of response, organization, and equipment for handling emergency cleanup operations and wildlife rescue and rehabilitation operations.
- State plans include detailed emergency operating procedures for the state as a whole, including a plan for wildlife rescue and rehabilitation operations.
- These plans be filed with the governor and all USCG stations in the state and USCG captains of the port having responsibility for enforcement of federal pollution laws in the state.

²⁵ Deepwater Horizon Workgroup 1, *Final Report - Response to current disaster and preparation for future disasters*, August 31, 2010.

- The state response team act independently of federal agencies but cooperate with any federal cleanup operation.
- An adequate wildlife rescue and rehabilitation program be developed.
- Injuries to natural resources from a spill be assessed and restoration plans developed to compensate for adversely affected wildlife resources and habitats.

State agencies responding to the DWH spill were able to work within existing statutes and regulations to address coastal protection and cleanup needs, though the scope of the spill highlighted the need for some adjustments to contingency planning and response operations—such as better coastal resource characterization, prioritization, mapping, and spill monitoring and modeling.

3.2 Health, Safety, and Environmental Recommendations

All of the state and local government coastal protection and response operations dealing with health, safety, and environmental issues would benefit through better spill contingency planning.

Recommendation

ACPs should improve identification, prioritization, and protection of environmentally sensitive areas/habitats through the use of state or region-specific information, best available technologies, tidal inlet protection strategies, and application of sound science, engineering, and technical principles that consider water currents, tidal variations, and the effects of protective measures used in environmentally and economically sensitive areas.

Besides better contingency planning, there was also some discussion on the use of dispersants, which are not preapproved for use in state waters but may be used after specific authorization from designated officials.

Recommendation

Florida state agencies should provide clear protocols and notification on the use (if any) of dispersants in state waters.

4 Gulf-Wide Disaster Relief Fund

The legislature asked the Commission to evaluate the merits of establishing a federal Gulf-wide disaster relief fund. Such a fund could be modeled after the fund established under the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act), 42 U.S.C. 5121-5207 (Public Law 93-288), as amended.

4.1 Research on Multistate Disaster Relief Funds

The Stafford Act's Disaster Relief Fund provides support to the Federal Emergency Management Agency for directing, coordinating, managing, and funding eligible response and recovery efforts associated with domestic major disasters and emergencies that overwhelm state resources. Through the Disaster Relief Fund, the Federal Emergency Management Agency can fund authorized federal disaster support activities and eligible state, territorial, tribal, and local actions, such as providing emergency protection and debris removal. The Disaster Relief Fund also funds the repair and rebuilding of qualifying disaster-damaged infrastructure, funds hazard mitigation initiatives, and provides financial assistance to eligible disaster survivors.

4.2 Recommendation Regarding a Gulf-Wide Disaster Relief Fund

While major oil spills do cause economic, environmental, and other conditions with significant effects on natural resources and regional economies, the nature of those effects are somewhat different than the type of disasters addressed under the Stafford Act (e.g., hurricanes, tornados, flooding, fires). Oil spills generally do not cause rapid and significant damage to housing, commercial and industrial structures, institutional facilities, and public infrastructure. Approaches for dealing with any resulting natural resource and economic damages exist under the federal and state laws as discussed in this document, including the Stafford Act and the OPA.

The Commission supports the continued use of existing federal and state law to address impacts from major oil spills. However, the Commission notes the importance of ensuring that disaster relief efforts are commensurate with the scope of the impacts, as articulated in the recommendation below.

Recommendation

In the event of a SONS affecting Florida, any civil and/or criminal settlement framework should provide full compensation for restoring the impacted ecological and economic conditions within the state.

5 Evaluation of the Need for a Unified and Uniform Advocacy Process for Damage Claims

The DWH incident prompted the creation of one of the largest claim processing facilities in U.S. history and the most significant response from an RP under OPA. The unprecedented magnitude of the oil spill had significant effects on the region's environmental resources and economic stability. Such natural and economic damages are sometimes difficult to identify and quantify.

5.1 Natural Resource Damages

Natural resource damages are recoverable at sites where injuries to natural resources have occurred as a result of a release of oil or as a result of natural resource injury related to implementing a response action. These claims are unique in that they are assessed and compensated differently than individual, business, and governmental damage claims. When a spill occurs, a group of appointed Natural Resource Trustees (Trustees) conducts a natural resource damage assessment (NRDA) to determine the extent of the damage caused by a spill.²⁶ The NRDA process allows the Trustees to determine the levels of harm and the appropriate remedies for damaged coastal and inland areas. OPA directs Trustees to undertake two main actions: (1) return injured natural resources to their baseline conditions (the condition that existed before the spill), and (2) recover compensation for interim losses.²⁷

Two primary sources can fund recovery or restoration for natural resource damages; one or more of the responsible parties (including BP for the DWH oil spill) or the Oil Spill Liability Trust Fund (OSLTF). An additional source of funding for the restoration of natural resources related to the DWH incident is the DWH criminal settlement. The criminal plea, however, represents a non-recurring, one-time allocation, rather than a long-term, consistent funding source – as would be the case with the RESTORE Act of 2012²⁸.

In April 2011 BP entered into an agreement to provide \$1 billion toward early restoration projects in the Gulf, the largest agreement of its kind to date. These early restoration projects are intended to address effects on natural resources caused by the DWH incident. Early restoration projects can begin before the completion of the somewhat complex and lengthy damage assessment process.²⁹ These projects—which are now being developed by states, with input from local governments and other entities—seek to return natural resources to their baseline ecological state more quickly, reduce the amount of time a resource cannot be used by

²⁶ Alexander, Kristina. *The 2010 Oil Spill: Natural Resource Damage Assessment Under the Oil Pollution Act*. Congressional Research Service, September 8, 2010.

²⁷ *Ibid.*

²⁸ Passed as part of the surface transportation and federal-aid highways act, the Moving Ahead for Progress in the 21st Century Act, or "MAP-21," Public Law 112-141; HR 4348.

²⁹ Edmiston, Lee. *DWH Natural Resource Damage Assessment*, Presentation to the Florida Commission on Oil Spill Response Coordination on October 29, 2012.

the public, and help the RP fulfill its obligations under OPA.³⁰ However, the experience with the early restoration initiative has been mixed, because of a variety of administrative, technical, legal, and other issues.

Recommendation

Florida DEP should review the voluntary early restoration program to determine whether it can be streamlined.

5.2 Economic Damages

While the direct environmental impacts of an oil spill might be most apparent to the general public, spills also affect those who use coastal areas and the ocean for their economic livelihood. Direct economic losses can occur as a result of the closure of fishing grounds, effects on port operations, decreased tax revenue, or the loss of tourist-related business.

OPA has established a claims process for economic damages, although it does not specify details.³¹ In general, claims for damages must be presented first to the RP. If the RP denies liability, or if the claim is not settled (i.e., if compensation is not paid) within 90 days after it was presented, the claimant can elect to initiate an action in court or present the claim directly to the Oil Spill Liability Trust Fund (OSLTF).³² In the case of the DWH oil spill, BP was responsible for dealing with claims and acted to address economic damage claims through the Gulf Coast Claims Facility (GCCF) and other approaches.

5.3 Government Claims

Government agencies that claim lost taxes, royalties, rents, fees, or net profit shares as a result of the oil spill can also seek compensation for this lost income. The process of preparing or filing claims for government losses is now underway, and it is too early to determine whether a unified and uniform advocacy process for claims is warranted.

5.4 Recommendation Regarding the Damage Claims Process

Members of the Commission heard discussions regarding natural resources, economic, health, and government claims. Because the claims process is not yet completed, it is difficult to judge whether major changes are needed. State agencies are involved in damage claim issues related to natural resource and government damages. However, the lack of clear guidance on

³⁰ Edmiston, Lee, *DWH Natural Resource Damage Assessment*, Presentation to the Florida Commission on Oil Spill Response Coordination on October 29, 2012.

³¹ 33 U.S.C. 2713

³² 33 U.S.C. 2713(c) and 33 U.S.C. 2713(h)(1)

guiding principles for operating a claims facility under OPA can be addressed, at least in the general sense, through the recommendation below.

Recommendation

Florida should advocate that future OPA claims processes operate under a practical, equitable, reasonable, fair, efficient, consistent, timely, and transparent framework that includes provisions for: (a) proper staffing and office accessibility; (b) identifying errors in processing; (c) recommending claims processing improvements; and (d) providing free legal assistance for those who cannot afford it.

6 Interstate Coordination Agreements

Each state's primary response mechanism to an oil spill incident is activated and implemented through its state emergency management and environmental agencies. These agencies generally coordinate preparedness planning and response/recovery activities during emergencies and disasters such as the DWH event. This section briefly explores existing interstate coordination arrangements and their potential for use in oil spill preparedness and response.

6.1 Background on Interstate Coordination Agreements

The Emergency Management Assistance Compact (EMAC) is an established mutual aid agreement among U.S. states and territories, which was created by former Florida Governor Lawton Chiles following Hurricane Andrew in 1992. Interstate coordination agreements for state environmental agencies are not as common, but could be beneficial. EMAC enables states to share resources during natural and human-caused disasters, including terrorism incidents and is intended to complement the national disaster response system. EMAC is used alongside federal assistance or when federal assistance is not warranted. EMAC facilitates the maximum use of all available resources within member states' inventories³³ All 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands are EMAC members.

EMAC resources can include any capabilities—no matter how large or small, how typical or specialized—that one member possesses that can be shared with another member. With such resources as emergency operations center support, disaster recovery, security, fire-fighting, law enforcement, medical personnel and resources, public utilities management, and community outreach, the capabilities that members can share with one another are nearly limitless.³⁴ EMAC mutual aid agreements address contractual items such as responsibilities, compensation, reimbursement, limitations, licenses and permits, liability, and additional provisions before the need for assistance. EMAC is used today for all response and recovery personnel needs. National organizations have a venue through the EMAC Advisory Group to work in coordination with the EMAC Committee membership to continually improve EMAC throughout the nation. EMAC Advisory Group mission is to facilitate the effective integration of multidisciplinary emergency response and recovery assets for nationwide mutual aid through the EMAC.³⁵

6.2 Potential Use of the EMAC During Oil Spill Events

Multistate mutual aid agreements have many benefits, which are typically activated if a hurricane or other natural disaster occurs. The capacity of such agreements to accommodate oil spill preparedness and response activities is considerable—all states have similar emergency

³³ Emergency Management Assistance Compact, *Home Page*. Accessed at: www.emacweb.org

³⁴ NRT Assessment Report, *Feedback from the Deepwater Horizon Oil Spill*, May 31, 2012.

³⁵ Emergency Management Assistance Compact, *Home Page*. Accessed at: www.emacweb.org

management, environmental, and natural resource agency components, and agency officials usually communicate with each other via professional associations or conferences. Building on this framework for future oil spill response would aid in the spill contingency planning process, and help accelerate response actions if another major spill occurs in the Gulf region.

Establishing a common and exercised mechanism of access to state-based resources through an expanded EMAC framework makes use of an existing structure that can accommodate oil spill response. The focus will be to improve the nationwide nature of the government-wide response to the DWH event while strengthening the NRS outside the affected areas. EMAC is a proven resource for cross-state coordination and sharing of resources; however, it proved to not be as effective during the DWH event as it has been in National Response Framework (NRF) hurricane related emergency responses. Coordination of funding and support mechanisms could be improved between Stafford Act (NRF) and the Federal Water Pollution Control Act/OPA (NCP) response, for coverage of state-to-federal and federal-to-federal mutual aid under EMAC.³⁶ States wishing to donate resources during the DWH incident became frustrated when they could not successfully use EMAC. The EMAC has established conditions at the national and state levels making it advantageous over other mechanisms, such as commercial contracts or Pollution Response Funding Authorizations.³⁷ While the complete reasons for this frustration are not fully understood, the likely reasons were that the NCP does not support EMAC engagement like the Stafford Act (NRF) and the reimbursable nature and state-to-state mechanism when an RP and the federal on-scene coordinator (FOSC) were the primary players in the DWH incident.

The lack of EMAC involvement during the DWH event can be attributed to the states not being as involved during the NCP response as compared to the NRF response. The biggest differentiator between the two types of responses is that the federal government assumes the command and control role in the response under NCP versus an NRF response, which features local counties in the lead role with state and federal government support. The NCP structure obviated the need for state/local-driven EMAC involvement because the coordination was being done at the federal level with the RP. Some of the EMAC coordinators for the affected states were unable to acquire the personnel and assets from the offering states because they were not given permission to do so. The states were accustomed to working under the parameters of the NRF process where the federal government would ensure reimbursement to the state, but the states were uncertain about how payment would work during an oil spill. Highly detailed and time-consuming paperwork requirements involved with any EMAC procurement were also a barrier to using EMAC. When USCG staff were asked why they had not looked to the unaffected states for trained personnel and equipment for the response, some replied that they simply had not thought about the unaffected states having the ability to assist. Many responded that if personnel from unaffected states were a known and available resource, they would have taken

³⁶ NRT Assessment Report, *Feedback from the Deepwater Horizon Oil Spill*, May 31, 2012.

³⁷ *Ibid.*

steps to ask for their participation but were unsure of the process necessary to allow for such participation. EMAC was eventually used by some of the Gulf states to a minor extent, and included the use of National Guard troops, where cost reimbursement is provided by the federal government.³⁸

Creating the ACP and RCP responses at the local level with local buy-in and having contracts in place to implement the ACPs (as suggested in other sections of this report) would facilitate better use of the EMAC, because it would place the control back in the hands of those familiar with the EMAC process and resources and with existing EMAC agreements in place. Part of this process should also include the National Response Team (NRT) opening dialogue with state authorities and organizations (such as the National Emergency Managers Association, which oversees the EMAC and Pacific States/British Columbia Task Force) to better define the best processes for the FOSC or the unified command to mobilize resources from afar in support of a major NCP response, particularly to determine how EMAC or other national mechanisms can be employed to better use all response resources for efficient and effective response.³⁹

It is also recommended that any expanded EMAC conduct SONS exercises as Tier I exercises with all five Gulf coast states once every three years to build familiarity and experience with response procedures and develop a working culture of lessons learned. As part of the reporting mechanism related to the SONS exercise, the EMAC group could conduct annual meetings for elected officials and senior agency staff covering planning activities and the SONS response structure. This could be part of existing meetings or conferences that political leadership and senior-level NRT representatives attend.

Recommendation

Florida and other Gulf states should establish a common mechanism for access to multistate resources through the EMAC regardless of whether the incident response is handled through the NCP process or National Response Framework process. Such a mechanism should seek to integrate state environmental agency resources into the arrangement and develop guidance for national and regional response teams, joint meeting and training materials, integrated drills and exercises, and improvements in communication and coordination.

³⁸ ISPR, *BP Deepwater Horizon Oil Spill*, January 2011

³⁹ NRT Assessment Report, *Feedback from the Deepwater Horizon Oil Spill*, May 31, 2012.

7 Complete List of Recommendations

1. Several Florida agencies currently monitor oil drilling and well production activities from different perspectives and have mechanisms in place to alert state and local officials if a spill occurs. Current Florida laws, regulations, and agency practices regarding oversight and monitoring of offshore drilling appear to be adequate and do not require any changes at this time.
2. The Commission strongly recommends that Florida reside within a single USCG district. At a minimum, USCG Districts 7 and 8 should (a) achieve consistency in their general oil spill preparations and their SONS policies, procedures, and protocols regarding Florida oil spill contingency plans, preparedness activities (e.g., drills and exercises), Incident Command System deployment and operation, communication methods, and requirements for data collection, activity reporting, and response activity reimbursement and other forms; and (b) convene conferences on SONS planning, preparedness, and response for the Gulf Coast and Caribbean regions at least every three years.
3. State and local emergency preparedness and management responsibilities should include active participation in USCG ACP development and biennial drills and exercises.
4. RCPs and ACPs should be amended to ensure better organization, deployment, and management protocols for the Vessels of Opportunity program and relevant Oil Spill Response Organizations, emphasizing the importance of airborne surveillance and monitoring, preference in hiring and contracting local resources, and the value of local knowledge and experience in assessing tidal impacts and flow patterns in predicting the movement of spilled oil.
5. Initial state and local responses to oil spills threatening Florida's coastline (e.g., boom acquisition and placement, assembling and training cleanup personnel) should be improved through better area contingency planning, preapproved contracts, preparedness activities, and support for characterizing pre-impact baseline conditions.
6. USCG oil spill contingency plans, state spill plans, and other plans, should be amended to ensure support for—and participation in—coastal mapping and oil spill movement, monitoring, modeling, and interoperable spatial data analysis (e.g., Geospatial Assessment Tool for Operations and Response, and the Environmental Response Management Application).
7. USCG RCPs and ACPs and any incident or unified commands established to respond to SONS affecting Florida should be amended to include (a) placing a USCG representative and RP representative in Emergency Operations Centers at each level of government when a spill approaches state waters; (b) consolidating public health and scientific research/information services at the incident command level to reduce

redundancy and overlap; (c) incorporating local branches under the Incident Command System to ensure appropriate local involvement and integration into spill response and cleanup actions; and (d) coordinating and sharing data and information.

8. Congress should amend the Oil Pollution Act of 1990 or other laws to ensure that (a) incident command authorizations provide for reimbursement for actions undertaken by state or local governments to protect their resources and restore damaged areas during SONS events if the actions are included in an ACP; and (b) the Oil Spill Liability Trust Fund is capable of addressing SONS where there is no financially viable RP for whatever reason.
9. ACPs should improve identification, prioritization, and protection of environmentally sensitive areas/habitats through the use of state or region-specific information, best available technologies, tidal inlet protection strategies, and application of sound science, engineering, and technical principles that consider water currents, tidal variations, and the effects of protective measures used in environmentally and economically sensitive areas.
10. Florida state agencies should provide clear protocols and notification on the use (if any) of dispersants in state waters.
11. In the event of a SONS affecting Florida, any civil and/or criminal settlement framework should provide full compensation for restoring the impacted ecological and economic conditions within the state.
12. Florida DEP should review the voluntary early restoration program to determine whether it can be streamlined.
13. Florida should advocate that future OPA claims processes operate under a practical, equitable, reasonable, fair, efficient, consistent, timely, and transparent framework that includes provisions for: (a) proper staffing and office accessibility; (b) identifying errors in processing; (c) recommending claims processing improvements; and (d) providing free legal assistance for those who cannot afford it.
14. Florida and other Gulf states should establish a common mechanism for access to multistate resources through the EMAC regardless of whether the incident response is handled through the NCP process or National Response Framework process. Such a mechanism should seek to integrate state environmental agency resources into the arrangement and develop guidance for national and regional response teams, joint meeting and training materials, integrated drills and exercises, and improvements in communication and coordination.

Acronyms

ACP	Area Contingency Plan
BP	British Petroleum
CWA	Clean Water Act
DHS	Department of Homeland Security
DWH	Deepwater Horizon
FEMA	Federal Emergency Management Agency
FOSC	Federal On-Scene Coordinator
GCCF	Gulf Coast Claims Facility
ICS	Incident Command System
ISPR	Incident Specific Performance Review
MODU	Mobile Offshore Drilling Unit
NCP	National Contingency Plan
NOAA	National Oceanic and Atmospheric Administration
NRDA	Natural Resource Damage Assessment
NRT	National Response Team
OPA	Oil Pollution Act of 1990
OSC	Outer Continental Shelf
RCP	Regional Contingency Plan
RESTORE	Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States
RP	Responsible Party
RSOMT	Ecosystem Restoration Science, Observation, Monitoring and Technology Program
RTF	Restoration Trust Fund
SONS	Spill of National Significance
USCG	United States Coast Guard

Donald Butler

From: Martin, Blair <Blair.Martin@dot.state.fl.us>
Sent: Friday, December 14, 2012 10:02 AM
To: Donald Butler; tkopinsky@gulfcounty-fl.gov
Cc: Woodham, Alicia; Seigler, Robert (Lyle)
Subject: RE: Stumphole Options

Don/Towan,

Will one of you please call me or Alicia Monday morning? I can be reached at the number below and Alicia can be reached at 850-415-9550 or 850-330-1550. We need to know if you can execute a construction contract for \$1.473 Mill to complete the north revetment by June 30, 2013. And, we need a description of the project limits. Additionally, there will be funds (approximately \$427k) in 2014 that can be used for the design of the South end with an appropriate description. Please let us know if you are interested in these opportunities and if we can get the 2013 funds executed in time.

Thank you.

Blair L. Martin, P. E.

District ISD Manager
 850-415-9525
 fax: 850-415-9779
blair.martin@dot.myflorida.com

From: Donald Butler [<mailto:dbutler@gulfcounty-fl.gov>]
Sent: Monday, December 10, 2012 12:21 PM
To: Martin, Blair
Subject: FW: Stumphole Options

Blair

Gulf County has the possibility of applying for and receiving approximately \$700,000 of hazard mitigation funding that with a match, could be used at the Stumphole.

Thanks for the conversation.

Don

Donald Butler

Gulf County Administrator
 1000 Cecil G. Costin, Sr. Blvd., Room 301
 Port St. Joe, FL 32456
 (850) 229-6106
 (850) 229-9252 Fax

From: Clay Smallwood [<mailto:SmallwoodC@preble-rish.com>]
Sent: Wednesday, December 05, 2012 10:59 AM
To: Don Butler
Cc: Michael Dombrowski, P.E.; Joseph Morrow; Warren Yeager; Towan Kopinsky
Subject: Stumphole Options

Don,

Rick Scott
GOVERNOR



FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

50

Hunting F. Deutsch
EXECUTIVE DIRECTOR

December 10, 2012

Mr. David Richardson, Planner
Gulf County Planning Department
1000 Cecil G. Costin Sr. Blvd., Room 311
Port St. Joe, Florida 32456

Dear Mr. Richardson:

Thank you for submitting the **Gulf County's** plan amendment **No. 12-1ESR** adopted by **Ordinance No. 2012-09 on November 27, 2012**, for our review pursuant to the Expedited State Review process. The adopted package was received by the Department on **December 10, 2012**.

We have conducted a preliminary inventory of the plan amendment package to verify the inclusion of all required materials. The submission package was determined to be complete on **December 10, 2012**, and your adopted plan amendment will be reviewed pursuant to the process set forth in Chapter 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review.

If you have any questions, please contact Ana Richmond, Regional Planning Administrator who will be overseeing the review of the amendments (850) 717-8509.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/ts

cc: Charles D. Blume, Executive Director, Apalachee RPC

Florida Department of Economic Opportunity | The Caldwell Building | 107 E. Madison Street | Tallahassee, FL | 32399-4120
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax | www.FloridaJobs.org | www.twitter.com/FLDEO | www.facebook.com/FLDEO

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REGISTRATION
1-813 44

Lynn Lanier

From: Perryman, Alexandra <Alexandra.Perryman@MyFWC.com>
Sent: Wednesday, December 19, 2012 3:19 PM
Cc: Burr, Deborah
Subject: Waif Gopher Tortoise Recipient Sites
Attachments: Public guidelines for Waif Gopher Tortoises.pdf; Waif Fact Sheet.pdf

Local Government Representatives,

One of the biggest undertakings for the FWC Gopher Tortoise Program has been increasing our toolbox for handling "waif" gopher tortoises. A waif gopher tortoise is one that has been removed from the wild, is generally from an unknown location, and is not associated with a permitted relocation effort. Waif tortoises that do not exhibit health issues fall under the category of "releasable waif tortoises", meaning they can survive in a natural setting without human intervention. However because of their unknown origin, these tortoises cannot be released back into existing wild populations due to possible disease spread.

One option for waif tortoises identified in the Gopher Tortoise Management Plan, is to establish waif tortoise recipient sites. The requirements for a waif recipient site are very minimal, as there is no monetary incentive associated with establishing a waif recipient site unlike a permitted long-term protected recipient site. However, these sites do need to have suitable gopher tortoise habitat and cannot have an existing population of wild gopher tortoises. Establishing a waif recipient site can help restock gopher tortoises in areas where they have previously been depleted, thus contributing to the overall goal of the Gopher Tortoise Management Plan. Restocking natural areas using waif gopher tortoises can also help to retain local populations and provide educational opportunities for communities.

We are reaching out to local governments to see who would be interested in establishing a waif recipient site in their county. The permit is no cost, and there are no financial requirements or monitoring requirements for the landowner. We currently have one waif recipient site permitted for the City of Oakland Park. The waif recipient site is approximately 6 acres and they have been able to provide a home for 6 adult female gopher tortoises.

I have attached our Waif Tortoise Guidelines which contains more information on the requirements of waif recipient sites. Please review this document and if you have any questions or think you may be interested in establishing a waif recipient site please let me know!

Please feel free to forward this email as appropriate.

Thank you in advance,
 Allie

Allie Perryman
 Gopher Tortoise Local Government Coordinator
 Florida Fish and Wildlife Conservation Commission
 Division of Habitat and Species Conservation
 Species Conservation and Planning Section
 620 S. Meridian St/ MS 2-A
 Tallahassee, Fl. 32399
 (850)921-1145
Alexandra.Perryman@MyFWC.com

2013 JAN -2 AM 11:59
 COMMUNICATIONS SECTION
 TALLAHASSEE, FLORIDA

Guidelines for “waif” gopher tortoises (*Gopherus polyphemus*)

A waif gopher tortoise is a displaced gopher tortoise (e.g. removed from the wild) not associated with permitted relocation efforts. These tortoises are generally of unknown origin and therefore cannot be returned to the population in which they originally resided; occasionally, the origin is known but the site is sufficiently unsuitable to warrant accommodating the tortoise. Waif tortoises may appear visibly healthy or they may need medical care. Waif tortoises are further classified as:

- *Releasable Waif Gopher Tortoises* - Tortoises that may be released in designated wild, natural areas. These tortoises should: show no visible signs of illness, not be in need of medical care (tortoises may have received previous medical attention), have not been held in captivity for more than 6 months, not require human intervention for continued survival, and not have been exposed to other diseased tortoises while in captivity. Juvenile tortoises hatched in captivity may be considered for release into the wild in some cases.
- *Non-Releasable Waif Gopher Tortoises* - Tortoises which cannot be released into wild, natural areas. These tortoises may have one or more of the following conditions: exhibit signs of illness, require ongoing medical care, are sufficiently disabled to prevent successful burrowing or foraging, have been held in captivity for more than 6 months, have been exposed to other diseased tortoises while in captivity, or require human intervention for continued survival.

Placing Waif Gopher Tortoises

It is the goal of Florida Fish and Wildlife Conservation Commission (FWC) to return waif gopher tortoises to the wild whenever possible, especially if the origin is known and suitable habitat exist. Whenever possible, non-releasable waif gopher tortoises should be placed with already established and pre-permitted captive facilities (private, educational), and, similarly, releasable waif tortoises should be placed on regional and local specially designated waif tortoise sites.

As with all other captive gopher tortoises, waif gopher tortoises should be humanely cared for, e.g., keep tortoises in separate containers at moderate temperatures, depending on season; soak if necessary (refer to Holding and Transport section of gopher tortoise permitting guidelines for specifics). For those individuals or groups of gopher tortoises returning to the wild, an effort should also be made to minimize time held in captivity.

Releasable Waif Tortoise Sites

Releasable waif tortoises should be accommodated on wild, natural areas that have been previously permitted via a special purpose permit from the Protected Species Permit Coordinator (PSPC). Applicants must demonstrate that the proposed releasable waif site meets the below criteria prior to issuance of a permit. The permittee must notify the PSPC in writing within 10 days (at WildlifePermits@myFWC.com or by fax at (850) 921-1847) of receiving a waif tortoise. Special purpose permits may be amended as appropriate to meet the needs of releasable waif tortoises.

Criteria for Releasable Waif Tortoise Sites

Sites for releasable waif tortoises must be suitable set-aside areas that are not disturbed by construction activities, and that provide the tortoise with a safe environment. These areas should have a low existing resident gopher tortoise density, as defined in Appendix 7 of the Gopher

Tortoise Management Plan, or no resident gopher tortoise population and can be completely isolated from other populations. These areas must provide gopher tortoises with the following: 1) sufficient areas of forage (herbaceous and low-growing plants including native broadleaf grasses, legumes [bean/pea family], asters, blackberries and other fruits, prickly pear cactus, and a variety of other non-native grasses, except cogon grass); 2) sandy, well-drained, open (minimal tree canopy), sunny sites for burrowing and basking; 3) protection from dogs, cats, other exotic predators, human harassment, and busy roads (e.g., fencing). Such general conditions must remain after tortoises are relocated onto the site. Many small sites typically have gopher tortoises that normally "roam" between adjoining neighboring parcels to forage or burrow, so this should be considered as well. The herbaceous vegetation must be maintained (mowing, burning, etc.), and pesticides/herbicides should not be used in the release area.

The maximum stocking density allowed is two tortoises per acre of suitable tortoise habitat for releasable waif tortoise sites. Juvenile tortoises (less than 130 mm [5 inches] carapace length) are not considered in the maximum stocking density because of their low survivorship and minimal effect on the release site forage base.

Landowners who choose to accept waif tortoises should understand that receiving waif tortoises does not provide the economic benefit associated with the relocation of tortoises displaced from development sites. When possible, the owner or representative of the waif site should transport the tortoise to the release site. However, arrangements may be made to have the tortoise transported to the site if the landowner or site representative will be present to receive the tortoise. The waif site owner or representative is responsible for visually assessing the tortoise for injuries or illness prior to releasing the tortoise onto the waif site. If the waif tortoise is determined to need medical attention prior to release, the tortoise should be taken to a local wildlife rehabilitator or veterinarian. When a waif tortoise is accepted to the permitted releasable waif site, the permittee must notify FWC staff in writing within 10 days of accepting the waif tortoise.

Non-Releasable Waif Tortoises

Non-releasable waif tortoises should be placed with an individual/facility that can properly care for the tortoise and has been issued a possession permit from the PSPC. The permittee must notify the PSPC in writing within 10 days of receiving a waif tortoise. Possession permits may be amended as appropriate to meet the needs of non-releasable waif tortoises.

Accepting Waif Gopher Tortoises

Waif gopher tortoises are sporadically encountered throughout the state. When a waif gopher tortoise is reported to FWC, every effort is made to place the tortoise at the closest appropriately permitted area. Individuals who want to accept waif tortoises should apply for a live possession permit by submitting a completed Scientific Collecting permit application either electronically through the FWC online permit site or by mail (paper-based applications are available upon request at (850) 921-5990, ext. 17310). Interested parties should visit the Protected Wildlife webpage at http://www.myfwc.com/License/Permits_ProtectedWildlife.htm for additional guidance on applying for a permit. Once you receive a possession permit, FWC staff will contact you to make arrangements when a waif tortoise in your area is in need of a home. When a waif tortoise is accepted, the permittee must notify FWC staff in writing within 10 days.

June 5, 2010

Get The Facts About Gopher Tortoises:

Waif Gopher Tortoises



Waif gopher tortoises

A waif gopher tortoise is a gopher tortoise that has been removed from the wild but is not associated with a Florida Fish and Wildlife Conservation Commission (FWC) permitted relocation effort. These tortoises are generally from unknown sites and therefore cannot be returned to their original location. Whenever possible, waif tortoises should be returned to wild habitats, unless health issues prevent it. Waif gopher tortoises are classified as releasable or nonreleasable.

Releasable waif gopher tortoises

To be considered releasable, waif tortoises should not:

- Show visible signs of illness;
- Need medical care;
- Have been in captivity for more than 6 months;
- Require human intervention for survival;
- Have been exposed to diseased tortoises.

Releasable waif tortoises can be accommodated in wild, natural areas that are permitted as waif recipient sites by the FWC Protected Species Permit Coordinator. Suitable habitat includes areas with sandy, well-drained soils; minimal tree



canopy; and sufficient foraging areas with low-growing, herbaceous plants. Waif recipient sites can generally receive up to two tortoises per acre.

Nonreleasable waif gopher tortoises

These tortoises must permanently remain in captivity and may have one or more of the following conditions:

- Exhibit signs of illness;
- Require ongoing medical care;
- Are sufficiently disabled to prevent successful burrowing or foraging;
- Have been in captivity for more than 6 months;
- Have been exposed to diseased tortoises;
- Require human intervention for survival.

Possession of a nonreleasable waif tortoise requires an FWC permit. These tortoises must be placed with an educator or a wildlife facility that can properly care for the animal for the rest of its life. Examples include schools or zoos that use waif tortoises for educational purposes.

Waif recipient sites

Both public and private landowners can help ensure the survival of these animals by offering their lands as recipient sites for waif gopher tortoises. Anyone interested in having property designated as a waif gopher tortoise recipient site must obtain a no-cost permit from FWC. Waif recipient sites do not receive the same incentives that long-term, protected recipient sites receive; however, waif sites face less-rigid requirements. A waif recipient site permit is valid for five years, and a lifetime permit is also available.

For more information on releasable or nonreleasable gopher tortoises contact the FWC Protected Species Permit Coordinator at (850) 921-1018 or visit MyFWC.com/GopherTortoise.



Florida Fish and Wildlife
Conservation Commission

ATTN: AGENCY REAL PROPERTY CUSTODIAN/MANAGER

The Florida Resources and Environmental Analysis Center (FREAC), under contract with the Florida Department of Environmental Protection, has prepared the Florida Public Lands Inventory for 2012-2013. This publication is in partial compliance with Sections 253.03 and 195.073, Florida Statutes, relating to accounting and documentation of public land ownership.

This year the data pertaining to the public land ownership(s) are available through the Public Lands Research Program's website at:

<http://floridapli.net>

On the website, select the button, *PLI Code Look-Up* and type in the name of your agency. Click the four-digit PLI code that corresponds to your agency's name to view the results. Your agency's four-digit code can **also** be found in parenthesis on the address label of the envelope that enclosed this letter. To use this code to look up your agency's ownership data on the website, select the second button, *Agency Data by PLI Code*, then enter your four-digit code on the screen.

The ownership data are derived from Florida Department of Revenue's tax roll data. These data are provided to facilitate compliance with the statutory requirement. Each public agency is asked to provide county property appraisers with corrective data relating to their real property ownership annually (Section 193.085, Florida Statutes, and Ad Valorem Tax Administration Rule 12D-1.04). Please note that the parcel data provided are taken directly from tax roll information supplied to the Department of Revenue by each county property appraiser's office.

Each public owner should review the ownership data and communicate any changes to the appropriate property appraiser's office so that the tax roll records will accurately reflect your agency's real property ownership.

Should you require a printed copy of your agency's public land ownership data, our office will make arrangements to provide you with a hard copy.

If you have any questions relating to the Florida Public Lands Inventory data, please contact:

The Public Lands Research Program
(850) 644-9292

or write to:

The Public Lands Research Program
Florida State University
Room C2200 UCC
296 Champions Way
P. O. Box 3062640
Tallahassee, FL 32306-2640

Sincerely,

Anthony K. (Tony) Roberts
Research Scientist, Public Lands Research Program
troberts@ispa.fsu.edu

2012 DEC 10 PM 6:24



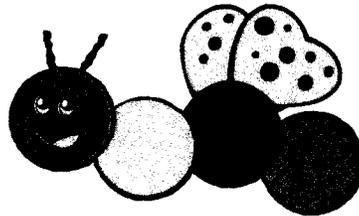
Calhoun County · Gulf County · Liberty County · Madison County · Wakulla County

Sharon T. Gaskin, Executive Director

P.O. Box 38, 200 North Second Street, Wewahitchka, Florida 32465

850-639-5080 Phone · 850-639-4173 Fax

www.floridachildren.org



NORTH FLORIDA
Child Development^{INC}



Save the Date

2013 JAN 24 11:00 AM
Gulf County Early Learning Center
176 Field of Dreams, Port St. Joe, FL

Sharon Gaskin, CEO of North Florida Child Development, Inc.
invites you to attend the
"Grand Opening" of our new
South Gulf County Early Learning Center

Date: Thursday, January 24, 2013

Time: 11 AM EST (10 AM CST)

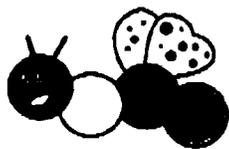
Location: 176 Field of Dreams, Port St. Joe FL

Hwy 98 across from GCSC's Gulf/Franklin Campus

RSVP: Please call Sebrina by January 10th at 639-5080 ext. 10
or email smcgill@floridachildren.org

We look forward to seeing you.

1-8-13 LL



**NORTH FLORIDA
Child Development^{INC}**

58

Mr. Don Butler, Administrator
Gulf County Board of Commissioners
1000 Cecil G. Costin, Sr., Blvd
Port St. Joe, FL 32456

December 10, 2012

Subject: Match Request for Early Learning Coalition of Northwest Florida

Dear Don,

Matt Bonner, with the Early Learning Coalition of Northwest Florida (ELCNWFL), asked me to follow up on a request submitted to the County Commissioners on June 20th regarding a funding request.

The ELCNWFL is a State-funded program that requires local match; just as my Federal funded program requires local match. Dollar for dollar their participation in our community makes a major economic impact to small businesses that provide Early Child Development and Family Care Programs in the County of Gulf, these are among your small business owners, as well as me, and the local school district receives funding through ELCNWFL. Gulf County only has one family daycare center, two school district's pre-kindergarten programs, one private provider, and NFCD, a non-profit that operates two centers. NFCD alone employees approximately fifty teachers and support staff, not counting the Corporate Office in Wewahitchka. NFCD's payroll for Gulf County is \$1.8 million, if I do not leverage the match of 0.25 of the requested funding, we would lose our program. Similarly ELCNWFL funding is reduced, and when that occurs, less children and families with financial need go without quality care.

What many municipalities fail to understand is that this business is part of your economic development base. Stabilizing the workforce in Gulf County, is a priority, and we do that through high quality Early Child Development programs for children in Gulf County who are not old enough to go to school or who leave school and continue their day at one of our sites.

Please, as the Manager, Chairman, and Board of Directors of our County and Cities, if you have not considered this contribution, reconsider the wide-spread impact such a small amount is going to make and most importantly with further explanation of the match and how impacting this well thought out investment will make as you are Investing in the future of the children in the communities that you all are elected to serve.

I have also forwarded a sample letter that you may use. Please forward the letter and check if submitting one, to Matt Bonner at Early Learning Coalition of Northwest Florida, email matt.bonner@elcnwf.org or fax to 747-5450. I also hold the honor and privilege as a Board Member of the ELCNWFL and felt it my respectful duty to educate you as my professional partners regarding the scope of the work of the Coalition and how it is so integrated within the economic scope of our communities.

Respectfully Yours,

Sharon Gaskin
Chief Executive Officer



www.floridachildren.org

850-639-5080 Phone • 850-639-4173 Fax

P.O. Box 38, 200 North Second Street, Wewahitchka, Florida 32465

Sharon T. Gaskin, CEO

Calhoun County • Gulf County • Liberty County • Madison County • Wakulla County

INFORMATION 58
DATE: 1-8-13

Date

Lynne Eldridge, Executive Director
Early Learning Coalition of Northwest Florida, Inc.
703 West 15th Street, Suite A
Panama City, FL 32401

Dear Mrs. Eldridge:

Thank you for your recent request to obtain assistance in the collection of your match funding requirement.

Option 1:

We are pleased to announce that we are able to meet your request in the amount on \$ _____.

Option 2:

However, we regret to inform you that we are not able to meet your request due to _____.

Your organization recognizes and commends the efforts of the Early Learning Coalition of Northwest Florida, Inc. and its services to the community.

Sincerely,

Title



Jonathan P. Steverson
Executive Director

Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Phone: (850) 539-5999 • Fax: (850) 539-2777

December 13, 2012

Clerk of the County Court:

Pursuant to Section 189.417, Florida Statutes, the Northwest Florida Water Management District is pleased to provide its annual Governing Board meeting schedule. The 2013 schedule is enclosed.

Our Board meetings are held at District headquarters located at 81 Water Management Drive, Havana, Florida. All meetings are open to the public.

Sincerely,

Savannah White
Executive Assistant

Enclosures

FILED FOR RECORD
GENERAL RECORDS
CLERK OF COUNTY COURT
2012 DEC 17 7:10:56

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

JOYCE ESTES
Secretary-Treasurer
Eastpoint

JOHN ALTER
Malone

GUS ANDREWS
DeFuniak Springs

STEPHANIE BLOYD
Panama City Beach

JON COSTELLO
Tallahassee

NICK PATRONIS
Panama City Beach

BO SPRING
Port Saint Joe

NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

81 Water Management Drive
Havana, Florida 32333
(850) 539-5999

**GOVERNING BOARD MEETING
SCHEDULE FOR 2013**

*All meetings are scheduled to begin at 1:00 p.m., ET,
at District Headquarters, unless otherwise indicated.

January 10, 2013

February 14, 2013

March 14, 2013

April 11, 2013

May 9, 2013

June 13, 2013

July 11, 2013

August 8, 2013

September 12, 2013

Governing Board Meeting 4:00 p.m., ET
Budget Public Hearing 5:05 p.m., ET

September 26, 2013

Budget Public Hearing 5:05 p.m., ET

October 10, 2013

November 14, 2013

December 12, 2013



To the Gulf County Commissioner Meeting attendees

I would like to apply for your approval to temporarily close U.S. Highway 98 for an athletic event.

Name of event: Beach Blast Sprint and Olympic Distance Triathlon and Duathlon
Sprint Distance 0.35mile swim, 15mile bike, 6.1 mile run
Olympic Distance 0.7mile swim, 25mile bike, 6.2mile run

Date: April 27, 2013

Contact: Olga Cemore, Race Director, ph: 850-914-2348 or call 850-867-0117

Approximate schedule: First start - Olympic distance 8:00am,
Second start - Sprint Distance 8:30am.
Last finisher of Olympic distance in at 11:45am,
Last finisher of Sprint distance 11:30am. All ET.

Details:

1. For safety of everyone involved, race participants, volunteers and spectators, we need uniformed men to assist when athletes cross U.S. Highway 98 after the swim part of the race. There will be a carpet laid on the road to keep everyone on the same path. Carpet is to be removed after the event.

2. Bicycles leaving Beacon Hill Park entering U.S. Highway 98 will face potential hazard of entering the open traffic. Due to a significant decline of the road when leaving the Park, we need to be able to permit cyclists safely make a turn (East U.S. Highway 98). Traffic is not to be stopped unless an officer is letting race participants make the turn on U.S. Highway 98, no more than 10 minutes at the time.

Traffic control at major intersections will be provided by Highway Patrol to safe the local law enforcement office a burden. Sergeant Richard V. Warden may be reached at (850) 873-7020 to verify this information.

This event has been bringing hundreds of athletes to the area for 8 years. It is a great community event, locals love to volunteer and small business enjoy athletes and their families coming to their establishments.

Olga Cemore
December 19, 2012

Olga Cemore
P.O. Box 864
Panama City, FL 32402
www.BeachBlastTriathlon.com

Ph 850.867.0117

Fax 850.914.2398

2012 DEC 19 PM 3:00

FILED FOR RECORD
RECORDS SECTION
CLERK OF SUPERIOR COURT
GULF COUNTY, FLORIDA

1-873 4



UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Atlanta Regional Office
Suite 1820
401 West Peachtree St., N.W.
Atlanta, Georgia 30308-3510

December 13, 2012

Jeremy T.M. Novak
County Attorney
Gulf County
1000 Cecil G. Costin, Sr. Boulevard, Room 302
Port St. Joe, FL 32456

RE: Gulf County, Florida
EDA Award No. 04-19-69057
Approval of Lease to Polar Specialty Contractors

Dear Mr. Novak:

Gulf County, Florida has entered a Financial Assistance Award dated November 13, 1995 with EDA bearing the subject Award number. The Award provided financial assistance for the construction of an industrial building located at 115 Highway 381 in Gulf County. In connection with the Award, the County delivered to EDA an Agreement and Mortgage dated January 19, 1998 in the amount of \$230,600.00 as recorded in the public records of Gulf County, Florida. The Agreement and Mortgage requires EDA's prior written consent to any lease of the subject industrial building.

The County now proposes to lease the industrial building to Polar Specialty Contractors (Polar) and the County seeks EDA's consent to the County entering the lease. EDA does hereby consent, pursuant to the Agreement and Mortgage, to the County entering the lease with Polar. For identification purposes, a copy of the EDA-approved lease is attached to this correspondence which was delivered to EDA in final form in your letter dated December 12, 2012.

Do not hesitate to contact me at 404-730-3019 if you have any questions regarding this correspondence.

Sincerely,

H. Philip Paradice, Jr.
Atlanta Regional Director



1-813 44



United States Department of the Interior



NATIONAL PARK SERVICE
Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., SW.
Atlanta, Georgia 30303

IN REPLY REFER TO:
S7417 (SER-P)
FL-Cape San Blas
D-FL-1265AA

RECEIVED
NATIONAL PARK SERVICE
SOUTHEAST REGIONAL OFFICE
JAN 2 2013

December 27, 2012

Warren J. Yeager
Commissioner
Board of County Commissioners
1000 Cecil G. Costin Sr. Blvd.
Room 302
Port St. Joe, FL 32456

Dear Commissioner Yeager:

Thank you for submitting the Federal Lands to Parks application requesting conveyance of the Cape San Blas Lighthouse structures to Gulf County for public park and recreation use pursuant to the requirements of the Federal Lands to Parks program. As you may know, we also received an application from the City of Port St. Joe. Both applications proposed the removal and relocation of the structures to new sites as required by the notice of surplus for the property.

After reviewing the two applications and in consultation with the General Services Administration and the Florida State Historic Preservation Office, we have concluded that the best plan for the acquisition, relocation, and use of the structures is that which is offered by the City. Thus, we regret to inform you that we were not able to approve the county's application.

After relocation, the lighthouse structures will continue to reside within Gulf County and will be much better protected from the elements, particularly shore erosion, that have placed the structures under impending loss where presently situated. We believe the new site proposed by the city provides the best solution for the long term protection and public use of these cherished resources.

We appreciate Gulf County's concern, time and effort towards addressing this offer. If you have any questions, please do not hesitate to contact me at 404-507-5689.

Sincerely,

John R. Barrett
Program Manager
Federal Lands to Parks
Southeast Region

cc: Debbie Young, GSA

2013 JAN -2 AM 11:58

RECEIVED
NATIONAL PARK SERVICE
SOUTHEAST REGIONAL OFFICE
JAN 2 2013

REGISTRATION
2013-1-8-13 LL