

BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA

COPY 1

OFFICE OF THE COUNTY ATTORNEY

Timothy J. McFarland, General Counsel

326 REID AVENUE, PORT ST. JOE, FLORIDA 32456 • PHONE (850) 227-3113 • FAX (850) 227-2113

May 28, 2010

Robert J. McKee, Esq.
Krupnick Campbell Malone
Buser Slama Hancock Liberman & McKee
12 SE 7th Street
Suite 801
Fort Lauderdale, FL 33301

RE: Gulf County, Florida vs. BP, et al

Dear Mr. McKee:

Thank you for your May 26, 2010 correspondence, I immediately forwarded your letter to all the Commissioners. It has been a pleasure to be able to work with you regarding the needs of Gulf County, Florida. In concurrence with your statement that the presently filed litigation may now be muted by the apparent current change in conduct by BP, the Board of County Commissioners has asked that you immediately dismiss that action without prejudice.

Of course, Gulf County may again find itself in a position where litigation is required based upon the conduct of BP in this matter. As we discussed in our conference call on May 26, 2010, your services may again be considered for representation of Gulf County in any such future litigation. However, at this time, the Board of County Commissioners expressed through a vote of the Board their desire to not have representation by an outside firm with regard to these matters at this time. As such, the vote which occurred on Tuesday, May 25, 2010 was to terminate the current relationship with outside counsel with regard to this matter. However, I look forward to hearing from you again should the need arise with regard to litigation with BP.

I thank you for your gracious statement during our phone conversation that no funds will be due from Gulf County for the quick legal actions of your firm with regard to this litigation. We thank you for your efforts on behalf of Gulf County in that regard. If you have any further questions with regard to this matter please do not hesitate to contact me at your convenience.

Sincerely,



Timothy J. McFarland

TJM/sjl

cc: ~~Gulf County Board of County Commissioners~~
~~Jim Appleman, Esq.~~

FILED FOR RECORD
REBECCA L. MORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2010 JUN -2 AM 9:04

GULF COUNTY MOSQUITO CONTROL
1001 TENTH STREET
PORT ST JOE, FL 32456
(850) 227-1401 OFFICE (850) 229-9521 FAX

MEMO

DATE: WEDNESDAY, MAY 12, 2010

TO: BOARD OF COUNTY COMMISSIONERS

FROM: MARK COTHRAN, MOSQUITO CONTROL DIRECTOR *MC*

RE: SENTINEL CHICKEN PROGRAM

FOR THE BOARD'S INFORMATION:

I HAVE SUSPENDED OUR SENTINEL CHICKEN PROGRAM IN MOSQUITO CONTROL DUE TO BUDGET RESTRAINTS. THIS PROGRAM SERVED AS OUR FIRST LINE OF EVIDENCE WHEN INCREASED LEVELS OF MOSQUITO-BORNE DISEASE WERE PRESENT. THIS PROGRAM HAS BEEN IN PLACE IN OUR COUNTY SINCE APRIL 10, 2007. SINCE THIS TIME, THROUGH USE OF THIS PROGRAM, WE HAVE CONFIRMED MULTIPLE DISEASE OUTBREAKS COUNTYWIDE YET WE HAVE BEEN ABLE TO SUPPRESS MOSQUITO POPULATIONS IN THE CONCERNED AREAS TO AN ACCEPTABLE LEVEL NEGATING A SINGLE HUMAN CASE.

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2010 JUN -3 AM 9:15

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA

2010 JUN -2 AM 9: 04



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May 26, 2010

Sent via electronic mail only

Board of County Commissioners of Gulf County
Attention: Tim McFarland, County Attorney
1000 Cecil G. Costin, Sr. Boulevard
Port St. Joe, FL 32456

Re: *Gulf County v. BP, et al.*

Dear Mr. McFarland:

It has been my pleasure to be able to work with you regarding the needs of Gulf County. Touring the ravaged areas of Louisiana and southern Alabama, we have all dreaded the possibilities of what lay in store for the Florida Panhandle, including Gulf County.

I enjoyed speaking during the emergency management Board meeting during our first introduction to the County. When the Board immediately acted on their concerns that BP was "chilling" their actions as a governing body relating to protective pro-active efforts to secure their own coast, I was impressed by their resolve and willingness to act on behalf of the County and its citizens and to resolve to hire independent experienced counsel to secure their rights and interests in this matter. Just a few days after that resolution to hire outside counsel, with the vetting of potential law firms to fill that role, the commission voted. Commissioner Nathan Peters called me within minutes of that vote to inform that our lawfirms were selected to assist them in protecting the County's interests.

Upon that notification, we immediately began drafting a complaint for temporary restraining order to preclude BP's conduct which was chilling County responses to the imminent oil disaster. Members of the legal group began fervent legal research on the issues to be included in the TRO with a goal of immediate filing of the legal action there in the courthouse at Port St. Joe. Our legal team literally worked through two days and nights to research and to file the first effort to get BP to stop its foot-dragging with regard to the protective plan. Service of the action was in process to these foreign defendants immediately after filing. Although a press release on the filing was premature by 24 hours, the pleading for the restraining order was filed quickly, without delay, and apparently to good effect: within less than 3 days from the date of our filing of the lawsuit, both the State and BP worked with the County to



www.ApplemanLaw.com

PHONE 850-230-5550 | FAX 850-215-4909
405 W. Oak Avenue | PO BOX 880 | Panama City, FL 32402

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Board of County Commissioners of Gulf County
Attention: Tim McFarland, County Attorney
May 26, 2010
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approve the protective plan. Boom material was brought to strategic locations on the bay according to the plan by contractors for BP.

The Commissioners' quick action, in concert with its independent counsel, had successfully compelled both the State and BP to concerted immediate action. We are proud of our role in this expeditious re-focusing of BP on Gulf County's needs, and commend the Commissioners for their quick action.

It is apparent that the presently filed litigation may now be mooted by this change in conduct by BP. Accordingly, if you so direct, we could simply and immediately withdraw or dismiss that action. It is our perspective that, in light of the present circumstances, perhaps the most prudent course would be to dismiss the current action and instruct us to hold in abeyance any further legal action until losses or further difficulties arise for which the County needs us to take action, rather than choosing to disassociate with our lawfirms. We, of course, would take no further action without express written request from the Commissioners. If you have any questions or further directives, do not hesitate to contact me.

Sincerely,

Dictated but not read to avoid delay

Jim Appleman, Esq.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PANAMA CITY FIELD OFFICE
1002 WEST 23RD STREET, SUITE 350
PANAMA CITY, FLORIDA 32405

Regulatory Division
 North Permits Branch
 Panama City Section

June 2, 2010

EMERGENCY
LETTER OF PERMISSION AUTHORIZATION

In accordance with 33 CFR Part 325.2(e)(4), emergency procedures have been initiated for authorization of work in the wake of a recent explosion on the Transocean Deepwater Horizon drilling rig in the Gulf of Mexico and subsequent oil spill affecting areas within the regulatory boundaries of the U.S. Army Corps of Engineers (USACE), Jacksonville District, South Atlantic Division.

Permit Number: SAJ-2010-01551 (LP-JML)

Permittee:

Gulf County Emergency Operations Center
 1000 Cecil G. Costin, Sr. Blvd.
 Port St. Joe, Florida 32456

Dear Permittee:

Reference is made to your request on May 27, 2010 (as described below) for a Department of the Army Letter of Permission emergency authorization.

Upon the recommendation of the Chief of Engineers and under the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), you are hereby authorized by the Secretary of the Army to perform this work in accordance with your submitted data and plans. The authorized work is subject to the enclosed General Conditions and the following Special Conditions:

Proposed Work: The work as authorized is for the placement of temporary emergency containment booms into the waters of Indian Pass, Indian Lagoon, and the Gulf of Mexico, Gulf County, Florida. The booms are of Tertiary Strategy (Tier III) and will be placed in areas that have been identified as areas of particular value for ecological reasons. The booms will be placed in locations as shown on the proposed boom strategy (Enclosure 3). The length of each boom is listed on Table 1 (Enclosure 1). The total combined length for the tertiary booms will be 9700 feet.

Location/ Waterbody: The proposed work and/or structure(s) will be located in the tidal waters of Indian Pass, Indian Lagoon, and the Gulf of Mexico and will be placed due east of Cape San Blas, and northwest St. Vincent Island, in Gulf County, Florida. Latitudes and longitudes are shown in the attached Tier III Boom Requirements table (Enclosure 1) and shown on Figure 2 (Enclosure 3) of the drawings.

Purpose: To place a temporary emergency containment system designed to prevent oil spilled from a drilling rig accident from migrating into the waters of Indian Pass, Indian Lagoon, and the Gulf of Mexico in Gulf County, Florida.

SPECIAL CONDITIONS:

1. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. **Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided in Enclosure 5 of this permit.
3. **Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – July 2005" provided in Enclosure 7 of this permit.
4. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.
5. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 41 N. Jefferson Street, Suite 111, Pensacola, FL 32502. The Permittee shall reference this permit number, SAJ-2010-01551 (LP-JML), on all submittals.
6. **Self-Certification:** Upon completion of the authorized work the Permittee shall complete the attached "Self-Certification Statement of Compliance" form, attached, and submit to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the

deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form does not constitute approval of any deviations by the Corps.

7. **Endangered Species:** This Corps permit does not authorize you to take an endangered species, in particular the threatened loggerhead sea turtle (*Caretta caretta*), endangered green sea turtle (*Chelonia mydas*), endangered leatherback sea turtle (*Dermochelys coriacea*), endangered Kemp's ridley sea turtle (*Lepidochelys kempii*), endangered hawksbill sea turtle (*Eretmochelys imbricata*), or threatened gulf sturgeon (*Acipenser imbricate*). In the event of a Take involving sea turtles or gulf sturgeon, notify the following individuals immediately: Jason Lockwood, Project Manager at office number 850-763-0717 x-21, Jon Griffin, RD-NA-J at office number 904-232-1680, Lorna Patrick, FWS at office number 850-769-0552, and Bob Hoffman, NMFS at office number 727-403-2641 .
8. At the conclusion of the 2010 sea turtle nesting season, officially ending on October 31, 2010, the Permittee shall conduct sea turtle nesting surveys on the beaches to be utilized by sea turtles to the North and South of Indian Pass located between booms T-1 and T-3 to determine if and to what extent nesting sea turtles may have been affected by the placement of the containment booms. Nesting surveys must only be conducted by personnel with prior experience and training in nesting survey procedures. Surveyors shall have a valid Florida Fish and Wildlife Conservation Commission (FWCC) permit. Completed surveys must be submitted to the Corps at the address indicated in Special Condition # 5.
9. All contractors involved in this permitted activity shall be provided copies of this permit in its entirety. A copy shall remain on site at all times during construction.
10. No building or fill materials, tools or other equipment shall be stockpiled in waters of the United States.
11. The permittee shall implement the permitted activity in a manner that reduces to the maximum extent practicable impacts to coastal/estuarine resources such as but not limited to wetlands, submerged aquatic vegetation, etc.
12. The permittee shall dispose of the booms in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300).
13. The permittee shall accomplish the permitted activity in accordance with the attached boom plan designed specifically for Gulf County.
14. The permittee shall adhere to the marking requirements of the U.S. Coast Guard in accordance with 33 CFR Part 64.13 and other relevant citations as determined by the appropriate Coast Guard District Commander.

15. The permittee shall remove all structures associated with this permit no later than the 180th day following the effective date of this permit unless notified by the Corps that removal at an earlier date is required.
16. The permittee shall construct and operate the authorized structure in a manner that does not impede the public's right to free navigation.
17. During the implementation of the activities authorized in this permit, the Permittee must follow the enclosed Fish and Wildlife recommendations titled "Potential Emergency Response Activities and Recommendations for Minimizing Adverse Effects to Listed and Candidate Species and Designated Critical Habitat Areas" (Enclosure 6). As noted on the attached maps and to the extent practicable, all containment booms shall be rigidly installed with gaps in place or a few feet of space between the bottom of the boom and sea floor to allow sea turtles and other listed species to maneuver through them and prevent species from becoming entangled within the booms. The permittee shall conduct inspections of the containment booms to ensure that listed species do not become entangled or trapped within the booms. The inspections will occur at a frequency and duration sufficient to detect and document Take and report such information in accordance with Special Condition # 5.
18. The permittee shall perform regular inspection and maintenance to all portions of the permitted structure(s). Regular inspection shall occur no less than once per day. Repair to the authorized structure(s) shall be performed immediately after determining that the structure(s) is performing in a manner that deviates from its intended use or its permitted location.

If the work authorized is not completed on or before November 29, 2010 authorization, if not previously revoked or specifically extended, shall cease and be null and void.

It is the permittee's responsibility to ensure that the contractors working on this project are aware of all general and special permit conditions.

Please read this letter carefully and comply with its provisions. This permit is issued under provision of the Federal laws for the protection and preservation of the navigable waters of the United States. These laws provide that after the proposed work has been approved by issuance of a Department of the Army permit, it shall not be lawful to deviate from such plans either before or after completion of the work, unless modification of said plans has previously been submitted to and received the approval of the Department of the Army.

You should study and carefully adhere to all the terms and conditions of the permit. The District must be notified of the commencement and completion of the permitted work.

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Gulf County Emergency Operations Center
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Compliance with this and other conditions of the permit is essential. Failure to submit the notices requested may result in its revocation.

If for any reason it becomes necessary to make a material change in location or plans for this work, revised plans should be submitted promptly to the office from which it was issued in order for the revised plans to receive the approval required by law before initiating any additional work.

Instructions for Objecting to Permit Terms and Conditions: This letter contains an initial proffered permit for your proposed project/permit application. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by July 31, 2010.

Should you have any questions regarding this letter, please contact the project manager Jason Lockwood in writing the letterhead address, by telephone at 850-763-0717 x-21, or by email at jason.m.lockwood@usace.army.mil.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey:

<http://per2.nwp.usace.army.mil/survey.html>.

Your input is appreciated – favorable or otherwise. Please be aware this web address is case sensitive and should be entered as it appears above.

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BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Kevin D. O'Kane

Alfred A. Pantano, Jr.
Colonel, U.S. Army
District Commander

Enclosures

1. Table 1 – Tier III Boom Requirements Table – Gulf County
2. Figure 1 – Overview Map
3. Figure 2 – Proposed Booming Strategy
4. Exhibit II, Part 2 – Alternate Boom Types – 2 Pages
5. Sea Turtle and Smalltooth Sawfish Conditions
6. Potential Emergency Response Activities and Recommendations for Minimizing Adverse Effects to Listed and Candidate Species and Designated Critical Habitat Areas – 3 Pages
7. Standard Manatee Conditions for In-Water Work – July 2005

DISTRIBUTION LIST - FLORIDA

Letter of Permission authorization sent via e-mail to the following:

USACE-SAJ-RD-NP: Mike Holley Michiel.E.Holley2@usace.army.mil
 USACE-SAJ-RD-NP: Kevin O’Kane Kevin.D.Okane@usace.army.mil
 USACE-SAJ-RD0NL: Clif Payne Lyal.C.Payne@usace.army.mil
 USACE-SAM-OP: Terry Jangula Terrence.D.Jangula@usace.army.mil
 USACE-SAM-OP: Waylon Register Waylon.T.Register@usace.army.mil
 USCG: Lt. Jonathan Mangum Jonathan.M.Mangum@uscg.mil
 USEPA: Eric Hughes Hughes.Eric@epa.gov
 USEPA: Tom Welborn Welborn.Tom@epa.gov
 USEPA: Clay Miller Miller.Clay@epa.gov
 USEPA: Tim Landers Landers.Timothy@epa.gov
 USEPA: Brittany Croll Croll.Brittany@epa.gov
 USFWS: Lorna Patrick Lorna_Patrick@fws.gov
 USFWS: Ted Martin Ted_Martin@fws.gov
 USFWS: Don Imm Donald_Imm@fws.gov
 NMFS: Mark Thompson Mark.Thompson@noaa.gov
 NMFS: Robert Hoffman Robert.Hoffman@noaa.gov
 SHPO: Laura Kammerer lkammerer@dos.state.fl.us
 SHPO: Michael Hart mrhart@dos.state.fl.us
 THPO: Anne Mullins AnneMullins@semtribe.com
 FWCC: FWC.OilResponse.permit@MyFWC.com
 USACE-SAJ-RD-P: Terry Wells terrywells5@gmail.com

GENERAL CONDITIONS
33 CFR PART 320-330
PUBLISHED FR DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on **November 29, 2010**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort of if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

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Gulf County Emergency Operations Center
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REQUEST PERMIT TRANSFER: PERMIT NUMBER: SAJ-2010-01551 (LP-JML)

When the structures or work verified by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, the present permittee and the transferee should sign and date below. This document must then be provided to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida 32232-0019.

SIGNATURE) (DATE) _____ (TRANSFEREE)

(Name - Printed) Lot/Block of site

(Street Address)

(City, State, and Zip Code)

Flood Plain Information:

This Department of the Army permit does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions. You should contact the local office in your area that issues building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If your local office cannot provide you the necessary information, you may request a flood hazard evaluation of the site by providing this office with a letter and a small scale map showing the location of the site. The request should be addressed to the **Chief, Flood Control and Floodplain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019**. Phone inquiries may be made at 904-232-2515.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Gulf County Operations Center		File Number: SAJ-2010-01551	Date: June 2, 2010
Attached is:			See Section below
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision.
Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or
Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Project Manager as noted in letter

If you only have questions regarding the appeal process you may also contact:

**for process:
Stuart Santos 904-232-2018**

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

TABLE 1

TIER III BOOM REQUIREMENTS TABLE - GULF COUNTY

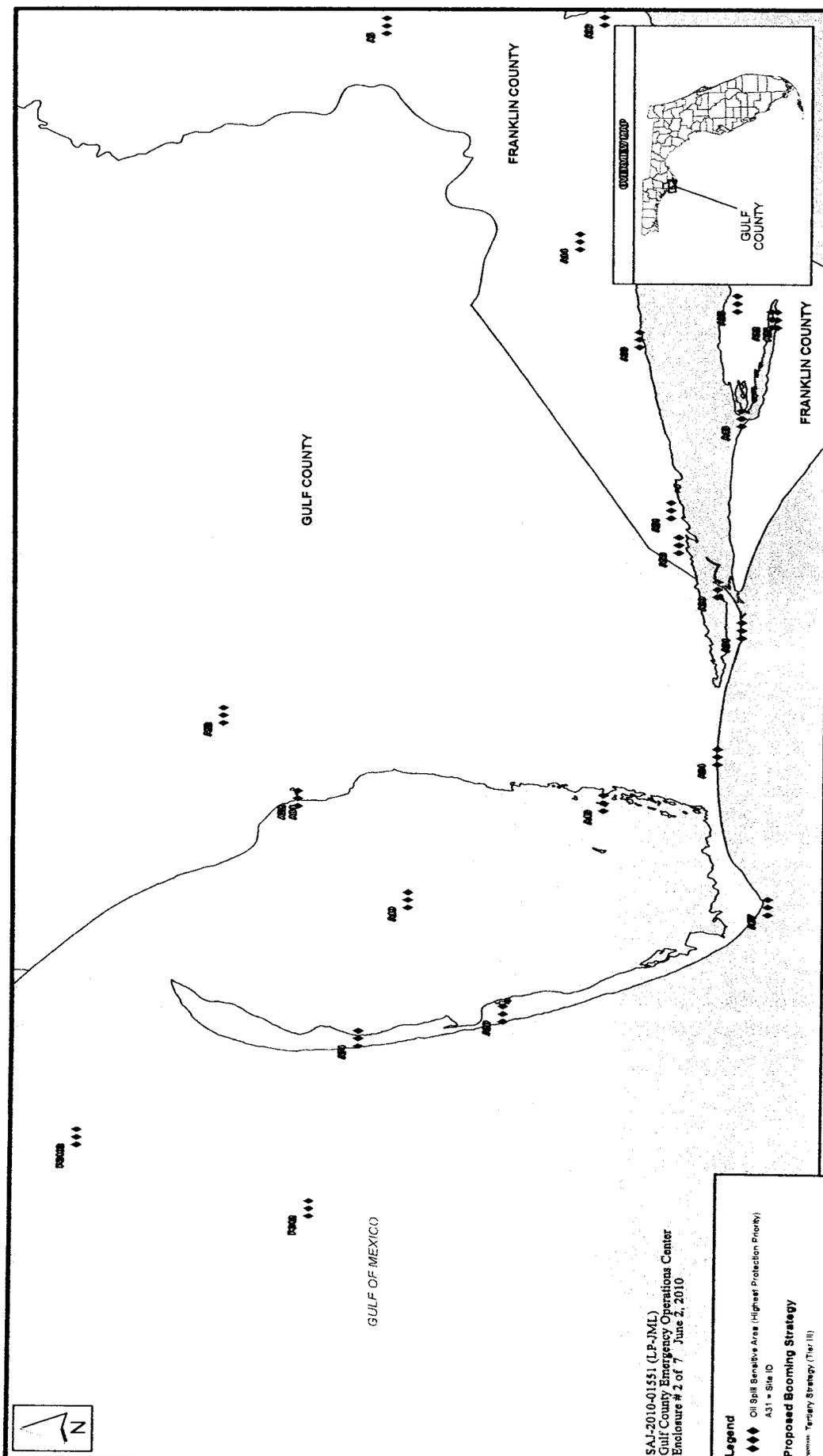
Boom No.	Section	Boom Type(s)* & Models	Start Coordinates	End Coordinates	Total Boom Length (ft)	Anchor Spacing (ft)	Anchor Type & Weight	Manufacturer	Monitoring of Boom 24 hours required. See Navigation Note below
T-1	--	Slickbar 24 Flotation, Freeboard 10.3" Draft 13.8"	29° 40' 38.04"N, 85° 13' 59.56"W	29° 40' 32.23"N, 85° 13' 53.67"W	780	50	60 lb. Danforth	Slickbar	
	A	18" Weldmaster, Hard, Flotation	29° 40' 46.45"N, 85° 13' 39.26"W	29° 40' 36.11"N, 85° 13' 37.79"W	2,710	50	35 lb. Danforth	Miller Weldmaster Corporation	X
B	29° 40' 36.11"N, 85° 13' 37.79"W		29° 40' 42.81"N, 85° 13' 23.85"W						
T-3	A	18" Weldmaster, Hard, Flotation	29° 41' 3.81"N, 85° 13' 16.95"W	29° 40' 53.37"N, 85° 13' 18.39"W	2,890	50	35 lb. Danforth	Miller Weldmaster Corporation	X
	B		29° 40' 53.37"N, 85° 13' 18.39"W	29° 40' 51.62"N, 85° 13' 0.77"W					
T-4	A	18" Weldmaster, Hard, Flotation	29° 41' 5.92"N, 85° 13' 17.03"W	29° 41' 8.01"N, 85° 12' 44.50"W	5,320	50	20 lb. Danforth	Miller Weldmaster Corporation	X
	B		29° 41' 8.01"N, 85° 12' 44.50"W	29° 41' 25.68"N, 85° 12' 33.39"W					

* Contractor may propose an alternate boom. Alternates considered to be equivalent will be accepted. See Table "Alternate Boom Types" for known approvable alternates.

Special Environmental Considerations

- All personnel must report marine mammal/turtle sightings to the Wildlife Reporting Hotline: 1-866-557-1401. Manage wastes in accordance with best management practices for the State of Florida.
- Be aware that marine mammals have been spotted in the area and that sea turtles are nesting April-September. Remote beach areas are also typically nesting areas for various seabirds including several endangered species. Piping Plover is one endangered species known to be in the area.
- Avoid damage to seagrass beds and, when practicable, avoid chewing up the bottom with props. This can be done by scheduling shallow water deployment during high tides.

Navigation Note: Booms noted by an "X" in this box shall be monitored 24 hours a day by the Contractor who shall have a manned boat and crew on site at all times in order to move the boom if necessary to allow navigation through the boom placement.



<p>PROJECT NO.: 31-63-100005 PROJECT MANAGER: MARK WHITE GIS ID: OVERVIEW.MXD</p>		<p>FIGURE 1 OVERVIEW MAP PROPOSED BOOMING STRATEGY DEEPWATER HORIZON OIL SPILL INCIDENT RESPONSE PLAN GULF COUNTY, FLORIDA</p>
<p>DRN BY: GIS DATE: 05/27/2010 CHK BY: ><</p>		
<p>REVISION NO.: 05 REVISION DATE: 05/28/2010 STATUS: DRAFT</p>		<p>221 HOBBS STREET, SUITE 108, TAMPA, FLORIDA 33619 PH: (813) 984-4400 FAX: (813) 984-9177</p>



SAJ-2010-01551 (LP-JML)
 Gulf County Emergency Operations Center
 Enclosure # 2 of 7 June 2, 2010

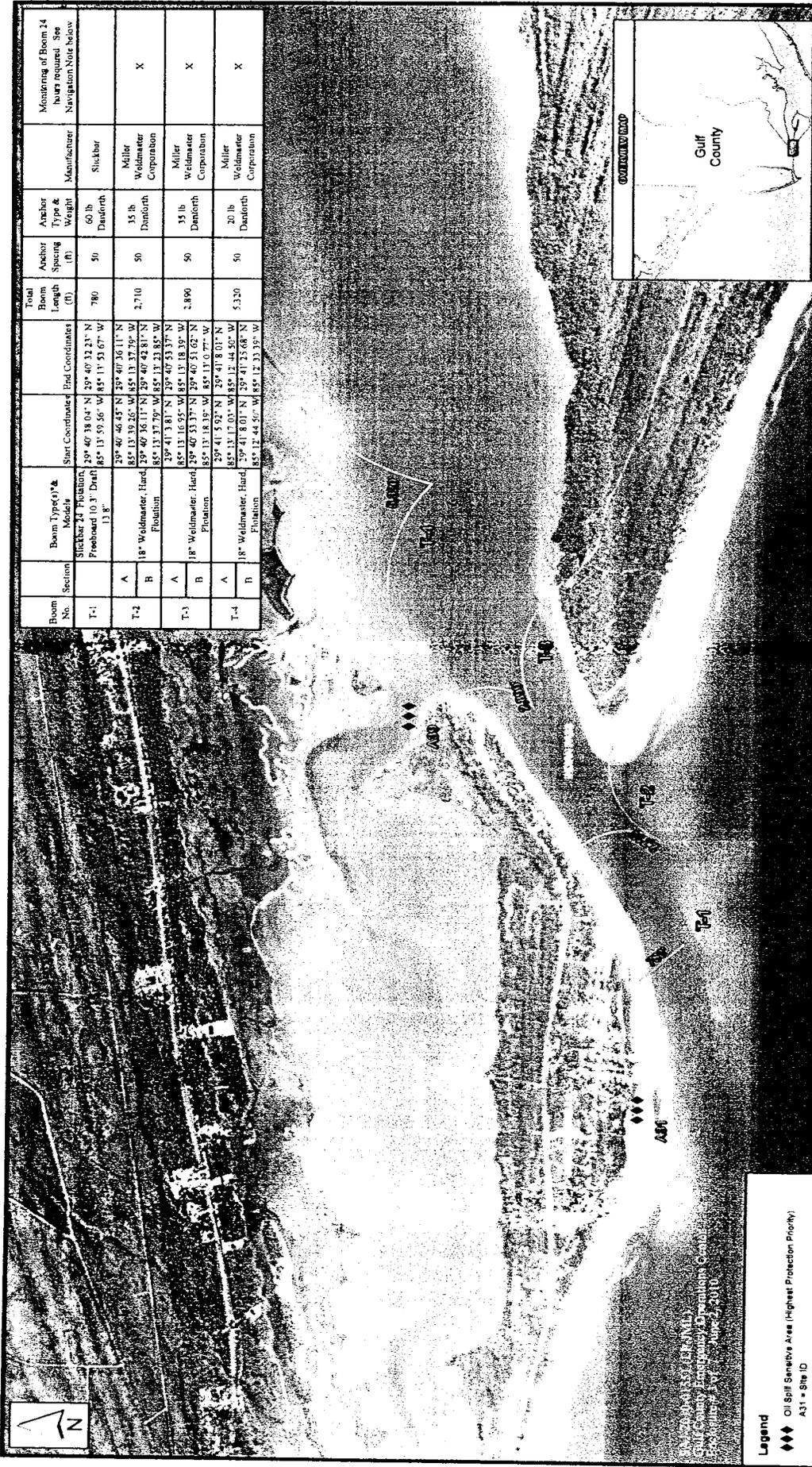
Legend
 ▲▲▲ Oil Spill Sensitive Area (Highest Protection Priority)
 A31 = Site ID

Proposed Booming Strategy
 *Energy Strategy (Tier III)

T1 = Tier 1 Booming Strategy
 Total Boom Length (ft) = 11,700

All boom length listed is approximate and specified in linear feet

*General Booming Strategy Data Provided by Florida Department of Emergency Management as of May 13, 2010
www.floridadisaster.org



Boom No.	Section	Boom Type/Model	Start Coordinates	End Coordinates	Total Boom Length (ft)	Anchor Spacing (ft)	Anchor Type & Weight	Manufacturer	Monitoring of Boom 24 hours required. See Navigation Note below
T-1		Sluckbar 24 Pination, Freeboard 10.3" Draft, 13.8"	29° 40' 38.04" N 85° 13' 59.36" W	29° 40' 32.23" N 85° 13' 53.67" W	780	50	60 lb Danforth	Sluckbar	
T-2	A	18" Weldmaster, Head, Pination	29° 40' 46.45" N 85° 13' 39.26" W	29° 40' 36.11" N 85° 13' 37.79" W	2,710	50	15 lb Danforth	Miller Weldmaster Corporation	X
	B	18" Weldmaster, Head, Pination	29° 41' 3.81" N 85° 13' 37.79" W	29° 40' 53.37" N 85° 13' 23.85" W	2,890	50	15 lb Danforth	Miller Weldmaster Corporation	X
T-3	A	18" Weldmaster, Head, Pination	29° 41' 5.92" N 85° 13' 18.39" W	29° 41' 8.01" N 85° 13' 17.03" W	5,320	50	20 lb Danforth	Miller Weldmaster Corporation	X
	B	18" Weldmaster, Head, Pination	29° 41' 8.01" N 85° 13' 17.03" W	29° 41' 23.68" N 85° 12' 44.50" W	5,320	50	20 lb Danforth	Miller Weldmaster Corporation	X

Legend

- ◆◆ Oil Spill Sensitive Area (Highest Protection Priority)
- A31 = Site ID

Proposed Booming Strategy

- T-1 = Tertiary Boom Identification

All boom length listed is approximate and specified in linear feet

* General Booming Strategy Data Provided by Florida Department of Emergency Management as of May 13, 2010.
www.floridadep.state.fl.us/emergencymanagement/

PROJECT NO. 31-63-100005
PROJECT MANAGER MARK WHITE
GIS ID: DETAIL_4
DRN BY: GIS
DATE: 05/25/2010
CHK BY: ><

REVISION NO. 04
REVISION DATE: 05/25/2010
STATUS: DRAFT

FIGURE 2
PROPOSED BOOMING STRATEGY
DEEPWATER HORIZON OIL SPILL
INCIDENT RESPONSE PLAN
GULF COUNTY, FLORIDA

221 HOBBS STREET, SUITE 108, TAMPA, FLORIDA 33619
 PH: (813) 684-4400 FAX: (813) 684-9177

Alternate Boom Types (Exhibit II, Part 2)

Wave Height (ft)	Current (ft/sec)	Max Wave Height (ft)	Max Current Velocity (ft/sec)	Min Depth (ft)	Manufacturer	Model Number	Freeboard	Draft	Tensile Strength	Type	Boom Material
							(inches)	(inches)	(lb)		
0.0-0.5	0.5-1.0	0.17	0.5	1.0	Versatech	GP 100	5.0	12.0		Flotation	Hard
		0.33	0.5	1.0	ABASCO	Beta 1A	6.0	12.0	5,000	Flotation	Hard
		0.33	0.5	1.0	ABASCO	NEO 3	6.0	12.0	5,000	Inflatable	Hard
		0.33	0.5	1.0	Enviro-USA	Protected Marina	6.0	12.0	5,200	Flotation	Hard
		0.33	0.7	1.0	Ro-Clean Desmu	Globe Boom LWU	6.0	8.0	7,000	Flotation	Hard
		0.33	0.7	1.0	Ro-Clean Desmu	Globe Boom PA	6.0	12.0	7,000	Flotation	Hard
0.0-0.5	1.0-1.5	0.33	0.9	1.0	Ro-Clean Desmu	Globe Boom LWU	6.0	12.0	9,000	Flotation	Hard
		0.33	1.0	0.7	Texas Boom	TXB-12	6.0	8.0	10,000	Flotation	Hard
		0.33	1.0	0.8	Elastec American Marine	EconoMax	6.0	10.0		Flotation	Hard
		0.33	1.0	0.9	Elastec American Marine	MaxiMax	6.0	11.0		Flotation	Hard
		0.33	1.0	0.9	Elastec American Marine	MiniMax	6.0	11.0		Flotation	Hard
		0.33	1.0	1.0	Elastec American Marine	Simplex	6.0	12.0		Flotation	Hard
		0.33	1.0	0.5	Canadyne	Contractor Boom	6.0	6.0		Flotation	Hard
		0.33	1.0	1.0	Canadyne	Contractor Boom	6.0	12.0		Flotation	Hard
0.0-0.5	1.5-2.0	0.33	1.2	1.0	ABBCO	Mark I	6.0	12.0	12,400	Flotation	Hard
		0.33	1.4	0.5	ABBCO	Mark IA	6.0	6.0	14,400	Flotation	Hard
		0.33	1.5	1.0	ABASCO	Beta 1B	6.0	12.0	15,000	Flotation	Hard
		0.33	1.5	1.0	ABASCO	NEO 4	6.0	12.0	15,000	Inflatable	Hard
		0.33	1.8	1.0	ABASCO	Beta 1C	6.0	12.0	17,500	Flotation	Hard
		0.33	1.8	1.5	ABASCO	Gamma 1A	6.0	18.0	17,500	Flotation	Hard
		0.33	1.8	1.5	ABASCO	NEO 5	6.0	18.0	17,500	Inflatable	Hard
		0.33	1.5	1.0	Ro-Clean Desmu	Contractor's Special	6.0	12.0	15,000	Flotation	Hard
		0.33	1.7	1.0	Enviro-USA	Protected Port	6.0	12.0	17,400	Flotation	Hard
		0.33	1.7	0.5	Enviro-USA	Rough River	6.0	6.0	17,400	Flotation	Hard
0.0-0.5	2.0-2.5	0.33	2.2	1.0	Texas Boom	TXB-18	6.0	12.0	22,000	Flotation	Hard
		0.33	2.2	0.7	Ro-Clean Desmu	Globe Boom ED	6.0	8.0	22,400	Flotation	Hard
		0.33	2.4	0.8	Ro-Clean Desmu	Globe Boom UHW	6.0	10.0	24,000	Flotation	Hard
		0.33	2.4	0.8	Ro-Clean Desmu	Globe Boom I	6.0	10.0	24,000	Flotation	Hard
0.0-0.5	2.5-3.0	0.33	2.9	1.0	Ro-Clean Desmu	Globe Boom ED	6.0	12.0	28,800	Flotation	Hard
0.5-1.0	0.5-1.0	0.67	0.9	1.5	Ro-Clean Desmu	Globe Boom PA	8.0	16.0	9,000	Flotation	Hard
0.5-1.0	1.0-1.5	0.50	1.9	1.0	ABBCO	Mark II	7.0	12.0	18,500	Flotation	Hard
		0.67	1.0	1.5	Canadyne	Airboom SC	8.0	16.0		Inflatable	Hard
		0.67	1.0	1.0	Canadyne	Contractor Boom	8.0	12.0		Flotation	Hard
		0.67	1.2	1.5	Ro-Clean Desmu	Globe Boom LWU	8.0	16.0	12,000	Flotation	Hard
0.5-1.0	1.5-2.0	0.50	1.5	0.5	Elastec American Marine	OptiMax I	7.0	6.0		Flotation	Hard
		0.50	1.5	0.9	Elastec American Marine	SkorBoom	7.0	11.0			
		0.50	1.5	0.9	Elastec American Marine	SkorBoom II	7.0	11.0			
		0.67	1.7	1.5	Enviro-USA	Unprotected Port	8.0	16.0	17,400	Flotation	Hard
		0.67	1.8	1.5	Ro-Clean Desmu	Contractor's Special	8.0	16.0	18,000	Flotation	Hard
0.5-1.0	2.0-2.5	0.67	2.0	0.5	Elastec American Marine	OptiMax II	8.0	6.0		Flotation	Hard
		0.67	2.0	0.7	Versatech	SH 100	8.0	8.0		Inflatable	Hard
		0.67	2.0	0.8	Elastec American Marine	PermaFence	8.0	10.0		Flotation	Hard
		0.67	2.0	0.8	Versatech	ZB 100	8.0	10.0		Inflatable	Hard
		0.67	2.0	1.2	Elastec American Marine	AirMax River	8.0	14.0		Inflatable	Hard
		0.67	2.0	1.5	Texas Boom	RTXB-24	8.0	16.0		Flotation	Hard
		0.67	2.1	1.5	ABASCO	Gamma 1B	8.0	16.0	20,500	Flotation	Hard
		0.67	2.1	1.5	ABASCO	NEO 6	8.0	16.0	20,500	Inflatable	Hard
		0.50	2.3	0.5	ABBCO	Mark IIA	7.0	6.0	22,500	Flotation	Hard
		0.83	2.3	1.5	ABBCO	Mark IIB	9.0	18.0	22,500	Flotation	Hard
0.5-1.0	2.5-3.0	0.67	2.5	1.2	Texas Boom	TXB-22-TTC	8.0	14.0	25,000	Flotation	Hard
		0.67	2.8	1.0	Texas Boom	TXB-18-TTC	8.0	12.0	28,000	Flotation	Hard
		0.67	2.8	1.0	Texas Boom	TXB-20-TTC	8.0	12.0	28,000	Flotation	Hard
		0.67	2.7	0.8	ABBCO	Hardboom I	8.0	10.0	27,000	Flotation	Hard
0.5-1.0	3.0+	0.65	4.5	1.0	Slickbar	FOB-500	7.9	11.8	44,750	Flotation	Hard
		0.67	3.2	1.5	Texas Boom	TXB-24-TTC	8.0	16.0	32,000	Flotation	Hard
		0.68	3.1	1.5	Slickbar	SFB-24	8.1	15.9	31,325	Flotation	Hard
		0.83	3.0	1.4	Texas Boom	RTXB-26	9.0	17.0		Flotation	Hard
		0.85	3.5	1.9	Texas Boom	TXB-32-TTC	9.0	25.0	35,000	Flotation	Hard
		0.84	4.5	0.9	Slickbar	ILB-500	9.1	10.6	44,750	Flotation	Hard
		0.97	4.5	1.6	Slickbar	FOB-750	9.8	19.7	44,750	Flotation	Hard
1.0-1.5	0.5-1.0	1.00	0.9	30.0	Texas Boom	TXB-370	10.0	360.0	9,458	Flotation	Hard
1.0-1.5	1.0-1.5	1.33	1.0	1.5	Canadyne	Airboom MP	12.0	18.0		Inflatable	Hard
		1.33	1.0	1.5	Canadyne	Airboom SC	12.0	18.0		Inflatable	Hard
		1.33	1.2	1.0	Ro-Clean Desmu	Globe Boom LWU	12.0	12.0	12,000	Flotation	Hard
1.0-1.5	1.5-2.0	1.00	1.7	1.7	Enviro-USA	Coastline	10.0	20.0	17,400	Flotation	Hard
		1.33	1.5	1.0	Ro-Clean Desmu	Globe Boom PA	12.0	12.0	15,000	Flotation	Hard
1.0-1.5	2.0-2.5	1.00	2.1	1.7	ABASCO	NEO 7	10.0	20.0	20,500	Inflatable	Hard
		1.33	2.0	2.0	Enviro-USA	Offshore	12.0	24.0	20,400	Flotation	Hard
1.0-1.5	2.5-3.0	1.33	2.5	2.0	Versatech	IB 100	12.0	24.0		Flotation	Hard
		1.33	2.8	2.0	ABASCO	Air Boom S	12.0	24.0	28,000	Inflatable	Hard
		1.33	2.9	2.0	ABASCO	NEO 8	12.0	24.0	28,800	Inflatable	Hard
		1.33	2.5	2.0	Ro-Clean Desmu	Contractor's Special	12.0	24.0	25,000	Flotation	Hard

Alternate Boom Types (Exhibit II, Part 2)

Wave Height (ft)	Current (ft/sec)	Max Wave Height (ft)	Max Current Velocity (ft/sec)	Min Depth (ft)	Manufacturer	Model Number	Freeboard	Draft	Tensile Strength	Type	Boom Material	
							(inches)	(inches)	(lb)			
1.0-1.5	3.0+	1.00	3.5	0.8	ABASCO	Shoreline Barrier	10.0	10.0		Inflatable	Hard	
		1.00	3.5	0.8	Elastec American Marine	ShoreMax	10.0	10.0		Inflatable	Hard	
		1.00	3.5	3.2	Texas Boom	TXB-36-TTC	10.0	38.0	35,000	Flotation	Hard	
		1.00	3.6	1.2	ABASCO	Sigma 24	10.0	14.0	36,000	Flotation	Hard	
		1.00	5.4	2.2	ABASCO	Sigma 36	10.0	26.0	54,000	Flotation	Hard	
		1.04	3.0	1.1	Slickbar	SL-24	10.3	13.8	30,000	Flotation	Hard	
		1.17	3.0	1.3	Versatech	PB 100	11.0	15.0		Flotation	Hard	
		1.17	3.0	1.3	Versatech	OB 100	11.0	15.0		Inflatable	Hard	
		1.33	3.0	1.3	Versatech	OB 100	12.0	16.0				
		1.33	3.0	2.0	Elastec American Marine	SuperMax I	12.0	24.0		Flotation	Hard	
		1.00	3.6	1.2	ABBCCO	Hardboom 2	10.0	14.0	36,000	Flotation	Hard	
		1.33	3.6	1.0	Ro-Clean Desmi	Globe Boom UHW	12.0	12.0	36,000	Flotation	Hard	
		1.33	3.6	1.0	Ro-Clean Desmi	Globe Boom I	12.0	12.0	36,000	Flotation	Hard	
		1.33	3.8	1.0	Ro-Clean Desmi	Globe Boom ED	12.0	12.0	38,400	Flotation	Hard	
		1.33	5.0	1.8	Ro-Clean Desmi	Globe Boom UHW	12.0	21.0	49,500	Flotation	Hard	
1.33	5.4	2.0	ABBCCO	Hardboom 3	12.0	24.0	54,000	Flotation	Hard			
1.33	5.4	2.0	Ro-Clean Desmi	Globe Boom I	12.0	24.0	54,000	Flotation	Hard			
1.33	5.7	2.0	Ro-Clean Desmi	Globe Boom ED	12.0	24.0	57,000	Flotation	Hard			
1.5-2.0	2.0-2.5	1.67	2.3	2.0	ABBCCO	Mark II ^c	14.0	24.0	22,500	Flotation	Hard	
1.5-2.0	3.0+	1.67	3.0	1.5	Elastec American Marine	AirMax Harbor	14.0	18.0		Inflatable	Hard	
		1.67	3.2	2.3	ABASCO	Epsilon	14.0	28.0	32,400	Flotation	Hard	
		1.67	4.2	2.3	ABASCO	NEO 9	14.0	28.0	42,000	Inflatable	Hard	
		1.67	4.2	3.0	ABASCO	Air Boom L	14.0	36.0	42,000	Inflatable	Hard	
		1.83	3.0	1.6	Versatech	PB 100	15.0	19.0				
		1.83	3.0	2.3	Elastec American Marine	SuperMax II	15.0	27.0		Flotation	Hard	
2.0-2.5	1.0-1.5	2.33	1.0	2.0	Canadyne	Aurboom MP	18.0	24.0		Inflatable	Hard	
		2.33	1.0	2.0	Canadyne	Aurboom SC	18.0	24.0		Inflatable	Hard	
2.0-2.5	3.0+	2.12	22.4	2.8	Slickbar	HDB-1500	16.7	34.1	223,748	Inflatable	Hard	
		2.33	3.0	1.8	Versatech	OB 100	18.0	22.0				
		2.33	3.0	2.1	Elastec American Marine	AirMax Offshore	18.0	25.0		Inflatable	Hard	
		2.33	3.0	2.5	Versatech	IB 100	18.0	30.0				
2.5-3.0	3.0+	2.67	3.0	2.0	Versatech	PB 100	20.0	24.0				
		2.67	3.0	2.3	Elastec American Marine	AirMax Open Water	20.0	28.0		Inflatable	Hard	
3.0+	2.0-2.5	5.33	2.1	1.0	ABASCO	Omega 1A	36.0	12.0	20,500	Flotation	Hard	
		5.33	2.0	1.0	Ro-Clean Desmi	Globe Boom PA	24.0	12.0	20,000	Flotation	Hard	
3.0+	3.0+	3.33	3.0	2.3	Versatech	OB 100	24.0	28.0				
		3.33	3.0	3.0	Versatech	IB 100	24.0	36.0				
		3.33	3.0	3.3	Elastec American Marine	AirMax Deepsea	24.0	40.0		Inflatable	Hard	
		4.33	3.0	2.8	Versatech	OB 100	30.0	34.0				
		4.33	3.0	3.3	Versatech	IB 100	30.0	40.0				
		5.33	3.0	3.3	Versatech	OB 100	36.0	40.0				
		5.33	3.2	1.0	ABASCO	Omega 1B	36.0	12.0	32,400	Flotation	Hard	
		6.33	3.0	3.8	Versatech	OB 100	42.0	46.0				
		7.33	3.0	4.3	Versatech	OB 100	48.0	52.0				
		8.33	3.0	4.8	Versatech	OB 100	54.0	58.0				
		9.33	3.0	5.3	Versatech	OB 100	60.0	64.0				
		10.00	3.0	7.8	Versatech	OB 100	64.0	93.0				

Shoreline/Marsh Protection

0.00	0.5	0.5	ABASCO	Alpha 1A	4.0	6.0	5,000	Flotation	Hard
0.00	0.5	0.5	ABASCO	NEO 2	4.0	6.0	5,000	Inflatable	Hard
1.00	0.5	0.8	ABASCO	Shoreline Barrier	10.0	10.0		Inflatable	Hard
0.00	0.8	0.5	Texas Boom	TXB-10	4.0	6.0	8,000	Flotation	Hard
0.00	0.5	0.5	Versatech	RB 100	4.0	6.0		Flotation	Hard
0.00	0.5	0.7	Elastec American Marine	SkorBoom	4.0	8.0		Flotation	Sorbent
0.00	0.5	0.7	Elastec American Marine	SkorBoom II	4.0	8.0		Flotation	Hard
0.00	0.5	0.5	Elastec American Marine	SuperSwamp	4.0	6.0		Flotation	Hard
0.33	0.5	0.7	Elastec American Marine	TundraGuard	6.0	8.0		Flotation	Hard
1.00	0.5	0.8	Elastec American Marine	ShoreMax	10.0	10.0		Inflatable	Hard
0.00	0.5	0.4	Elastec American Marine	SuperStream	3.0	5.0		Flotation	Hard
0.17	0.5	0.0	New Pig Corporation	BOM1001	5.0	0.0			Full Absorbent
0.67	0.5	0.0	New Pig Corporation	BOM1000	8.0	0.0			Full Absorbent
0.00	0.5	0.5	Enviro-USA	Calm Water	4.0	6.0	5,200	Flotation	Hard
0.00	1.2	0.5	Enviro-USA	River	4.0	6.0	12,200	Flotation	Hard



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Southeast Regional Office
 263 13th Avenue South
 St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



Attachment 2

Potential Emergency Response Activities and Recommendations for Minimizing Adverse Effects to Listed and Candidate Species and Designated Critical Habitat Areas

Use of Solidifiers

The Service has previously reviewed the biological evaluation prepared for Region 4 and the Caribbean Regional Response Teams for the Limited Pre-authorization and Use Policy for Chemical Countermeasures: Solidifiers, and concurred with the determination that endangered, threatened and candidate species are not likely to be adversely affected by this action.

Installation of Pilings, Docks or Other Manmade Structures

- a. Minimize onshore ground disturbing activities
- b. Minimize offshore area of impact
- c. Minimize removal of vegetation

Near Shore and Shoreline Prevention and Cleanup Response

1. Sandy beaches, mixed sand and shell beaches.

- a. All work should be conducted during daylight hours to avoid disturbing nesting sea turtles, except within 24 hours of projected oil landfall
- b. Operations at night (sunset to sunrise) shall be minimized and confined to just landward of the intertidal zone on both the Gulf and bay shorelines
- c. No work should occur within a marked 10-foot sea turtle nest buffer zone (sea turtle nests will be clearly marked with stakes, flagging tape, and signs)
- d. Locate staging areas off the beach, dunes, scrub and other vegetated areas
- e. Avoid equipment, vehicles or foot traffic or disturbance in dune, scrub or other vegetated areas
- f. Use only pre-identified access/egress areas and limit number
- g. Avoid hovering or landing of aircraft near posted bird sites
- h. Watercraft landings should be at designated entries and minimized in coordination with land managers or property owners
- i. Move equipment and materials via roadways rather than via shorelines when feasible; if necessary to use the beach, move vehicles and equipment along the beach just landward of the wrack line
- j. Ensure daily sea turtle nesting surveys and conservation activities are completed before work begins
- k. Follow Sea Turtle Nesting Beaches protocol (attachment 4)
- l. Follow Live Oiled Sea Turtle Response protocol (attachment 5)
- m. Avoid all posted bird or plant sensitive areas; if necessary to enter request assistance from a trained biologist to minimize disturbance to nests or plants
- n. Avoid use of mechanical equipment except for low tire pressure vehicles, such as ATV's and Gater 6x4's; if unavoidable, consult with the appropriate Field Office
- o. Remove all materials to stop/soak up oil off the beach each night if they create barriers to nesting sea turtles approaching from the Gulf beach

- p. All floating oil absorbent materials or material placed to stop oil movement in the water shall be checked daily and prior to nightfall to ensure it remains floating during nighttime hours such that it does not create a barrier to animal movement
 - q. Drive at posted speed limits on coastal roads to reduce bird road kills
 - r. Locate site waste collection areas off the beach, dunes, scrub and other vegetated areas
 - s. Minimize removal of clean sediments
 - t. Consult with the appropriate Field Office if oil removal is required in any dune areas
 - u. Take preventative measures to avoid oiling of sea turtle, brown pelican, wintering piping plovers and shorebird nesting areas
 - v. Ensure that all excavations and temporary alteration of beach topography are filled, covered, or leveled to the natural beach profile prior to 8:00 p.m. each day
 - w. All vessels associated with oil spill response and cleanup shall operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow deep-water routes whenever possible
- 2. Marsh Fringe, Open-water Areas between Broken Marsh, Bayside shorelines**
- a. All work should be conducted from boats; avoid foot traffic in vegetated areas
 - b. Land or stage boats to avoid crushing the vegetation
 - c. All vessels associated with oil spill response and cleanup shall operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow deep-water routes whenever possible
 - d. Avoid disturbing any marsh soils or peat
 - e. Avoid hovering or landing of aircraft near posted bird sites
 - f. During flushing, prevent suspension of bottom sediments (avoid creating a muddy plume)
 - g. Avoid cutting of vegetation
 - h. Consult with the appropriate Field Office if necessary to clean oiled marshes
- 3. Tidal Flats**
- a. Avoid hovering or landing of aircraft near posted bird sites
 - b. Follow Marine Mammal Oil Spill Response Guidelines (attachment 6)
 - c. Minimize removal of clean sediments
 - d. Clean-up high priority bird feeding/nesting areas with low/no chemical use when possible
 - e. Consult with the appropriate Field Office if cleanup of tidal flats is necessary
- 4. Man-made Shorelines in Industrial Areas (e.g., riprap, seawalls, pilings, docks)**
- a. Follow Marine Mammal Oil Spill Response Guidelines (attachment 6)
 - b. Properly anchor and secure booms
- 5. Residential Areas/High Public Use Shoreline Areas (excluding beaches)**
- a. Drive at posted speed limits on coastal roads to reduce bird road kills
 - b. Follow Marine Mammal Oil Spill Response Guidelines (attachment 6)

- c. Properly anchor and secure booms
- d. Clean high priority bird feeding/nesting areas with low/no chemical use when possible
- e. Use barriers and signs to prevent people traffic in oiled areas

6. Interior Forested or Shrub/Scrub Cleanup Response

- a. Activities that may require removal of forested and shrub or scrub habitat should be minimized
- b. If burning is used, protect potential LA black bear den trees (any tree greater or equal to 36" dbh) with a rake line around its base at least 10 feet away from trunk
- c. If bears are observed during response activities contact the local Field Office and/or the State Wildlife Agency
- d. Avoid removing or damaging potential LA black bear den trees (any tree greater or equal to 36" dbh) when feasible (e.g., adjust heavy equipment ingress and egress routes accordingly)
- e. Remove all trash or anything that would attract wildlife from the work areas daily before ceasing operations
- f. If work is conducted during the denning season for LA black bears (December - April), consult with the Louisiana Field Office

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

July 2005

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

MAY 20 2010

THOMAS G. PELHAM
Secretary

COMMUNITY AFFAIRS
MAY 25 PM 1:42

The Honorable Carmen L. McLemore
Chair, Gulf County Board of County Commissioners
1000 Cecil G. Costin, Sr. Boulevard
Port St. Joe, Florida 32456

Re: Disaster Recovery Community Development Block Grant (CDBG) Program
Contract # 10DB-K4-02-33-01-K15 - Gulf County
21 Day Clearance Letter

Dear Chairman McLemore:

The Department of Community Affairs has received the items submitted in response to our 21 day letter.

We have reviewed the items and find that they meet program requirements.

Please note that we will review Gulf County's Housing Assistance Plan upon identification of your affordable rental housing projects.

Should you have any questions, please contact me at 850-410-0587 or audrine.finnerty@dca.state.fl.us.

Sincerely,

Audrine Finnerty
Community Assistance Consultant
Florida Disaster Recovery Program

FILED FOR RECORD
REBECCA L. MORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2010 JUN -2 PM 2:29

cc: Towan Kopinsky, Grant Coordinator, Gulf County
Jeffrey C. Winter, Jordan and Associates

INFORMATION
DATE: 6/8/10

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
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CHARLIE CRIST
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MAY 21 2010

COMMUNITY AFFAIRS
2010 MAY 25 PM 1:42

The Honorable Carmen L. McLemore
Chair, Gulf County Board of County Commissioners
1000 Cecil G. Costin, Sr. Boulevard
Port St. Joe, Florida 32456

Re: Disaster Recovery Community Development Block Grant (CDBG) Program
Contract # 10DB-K4-02-33-01-K15 - Gulf County
Pre-Agreement Cost Waiver Request

Dear Chairman McLemore:

The Department of Community Affairs recognizes that the timeline for completing your 2008 Community Development Block Grant (CDBG) Supplemental Disaster Recovery Initiative (DRI) project is limited and that many applicants may be prepared to proceed with project activities. This letter is to authorize expending funds for pre-award costs incurred after the application deadline of January 15, 2010.

This approval does not commit the Department to funding the project. However, if your application and project are funded, any CDBG Supplemental DRI eligible project costs incurred after January 15, 2010, may be reimbursed from grant funds provided you have complied with all other applicable CDBG Supplemental DRI grant procedures, including environmental review, departmental review of the construction plans, procurement of the construction contractor and payment of prevailing wages as specified in a wage decision issued under the Davis-Bacon Act, to all workers on any construction contract funded in whole or in part from the CDBG grant.

If you have any questions, please contact Audrine Finnerty, Community Assistance Consultant, by phone at (850) 410-0587 or by e-mail at audrine.finnerty@dca.state.fl.us.

Sincerely,

Jacquelyn W. Dupree, Community Program Manager
Florida Small Cities CDBG, Disaster Recovery and
Neighborhood Stabilization Programs

JWD/af

cc: Donald Butler, Chief Administrator
Towan Kopinsky, Grant Coordinator, Gulf County
Jeffrey C. Winter, Jordan and Associates

INFORMATION
DATE 6/8/10

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100
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Website: www.dca.state.fl.us

COMMUNITY PLANNING
Phone: 850-488-2356/SUNCOM 278-2356
Fax: 850-488-3309/SUNCOM 278-3309

AREAS OF CRITICAL STATE CONCERN FIELD OFFICE
Phone: 305-289-2402
Fax: 305-289-2442

HOUSING AND COMMUNITY DEVELOPMENT
Phone: 850-488-7956/SUNCOM 278-7956
Fax: 850-922-5623/SUNCOM 292-5623

FILED FOR RECORD
REBECCA L. NORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA

LAW OFFICES

KRUPNICK CAMPBELL MALONE
BUSER SLAMA HANCOCK LIBERMAN & MCKEE

2010 JUN -2 AM 9:04

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*** ADMITTED IN NY

† ADMITTED IN DISTRICT OF COLUMBIA

†† ADMITTED IN NORTH CAROLINA

††† ADMITTED IN CONNECTICUT

ADMITTED IN WASHINGTON

May 26, 2010

Sent via electronic mail only

Board of County Commissioners of Gulf County
Attention: Tim McFarland, County Attorney
1000 Cecil G. Costin, Sr. Boulevard
Port St. Joe, FL 32456

Re: *Gulf County v. BP, et al.*

Dear Mr. McFarland:

It has been my pleasure to be able to work with you regarding the needs of Gulf County. Touring the ravaged areas of Louisiana and southern Alabama, we have all dreaded the possibilities of what lay in store for the Florida Panhandle, including Gulf County.

I enjoyed speaking during the emergency management Board meeting during our first introduction to the County. When the Board immediately acted on their concerns that BP was "chilling" their actions as a governing body relating to protective pro-active efforts to secure their own coast, I was impressed by their resolve and willingness to act on behalf of the County and its citizens and to resolve to hire independent experienced counsel to secure their rights and interests in this matter. Just a few days after that resolution to hire outside counsel, with the vetting of potential law firms to fill that role, the commission voted. Commissioner Nathan Peters called me within minutes of that vote to inform that our lawfirms were selected to assist them in protecting the County's interests.

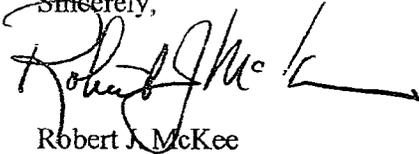
Upon that notification, we immediately began drafting a complaint for temporary restraining order to preclude BP's conduct which was chilling County responses to the imminent oil disaster. Members of the legal group began fervent legal research on the issues to be included in the TRO with a goal of immediate filing of the legal action there in the courthouse at Port St. Joe. Our legal team literally worked through two days and nights to research and to file the first effort to get BP to stop its foot-

Board of County Commissioners of Gulf County
Attention: Tim McFarland, County Attorney
May 26, 2010
Page 2

dragging with regard to the protective plan. Service of the action was in process to these foreign defendants immediately after filing. Although a press release on the filing was premature by 24 hours, the pleading for the restraining order was filed quickly, without delay, and apparently to good effect: within less than 3 days from the date of our filing of the lawsuit, both the State and BP worked with the County to approve the protective plan. Boom material was brought to strategic locations on the bay according to the plan by contractors for BP. The Commissioners' quick action, in concert with its independent counsel, had successfully compelled both the State and BP to concerted immediate action. We are proud of our role in this expeditious re-focusing of BP on Gulf County's needs, and commend the Commissioners for their quick action.

It is apparent that the presently filed litigation may now be mooted by this change in conduct by BP. Accordingly, if you so direct, we could simply and immediately withdraw or dismiss that action. It is our perspective that, in light of the present circumstances, perhaps the most prudent course would be to dismiss the current action and instruct us to hold in abeyance any further legal action until losses or further difficulties arise for which the County needs us to take action, rather than choosing to disassociate with our lawfirms. We, of course, would take no further action without express written request from the Commissioners. If you have any questions or further directives, do not hesitate to contact me.

Sincerely,



Robert J. McKee

RJM/mb

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy facilities or small qualifying facilities and approval of revised tariff schedule REF-1, by Gulf Power Company.

DOCKET NO. 100164-EQ

In re: Petition for approval of revisions to standard offer contract and rate schedules COG-1 and COG-2, by Tampa Electric Company.

DOCKET NO. 100167-EI

In re: Petition for approval of amended standard offer contract, by Progress Energy Florida.

DOCKET NO. 100168-EI

In re: Petition for approval of a renewable energy tariff and standard offer contract, by Florida Power & Light Company.

DOCKET NO. 100169-EI
ORDER NO. PSC-10-0340-PCO-EU
ISSUED: June 1, 2010

2010 JUN - 2 PM 2: 29

FILED FOR RECORD
REBECCA L. MORRIS
CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA

The following Commissioners participated in the disposition of this matter:

- NANCY ARGENZIANO, Chairman
- LISA POLAK EDGAR
- NATHAN A. SKOP
- DAVID E. KLEMENT
- BEN A. "STEVE" STEVENS III

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

BACKGROUND

On February 22, 2007, the Commission adopted amendments to Rule 25-17.0832, Florida Administrative Code, and new Rules 25-17.200-25-17.310, Florida Administrative Code, relating to renewable generating facilities. The new rules require each investor-owned utility (IOU) to file by April 1 of each year a standard offer contract for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kW or less. Gulf Power Company (Gulf), Tampa Electric Company (TECO), Progress Energy Florida, Inc. (PEF), and Florida Power & Light Company (FPL) have filed the

DOCUMENT NUMBER DATE

04536 JUN-1 0

FPSC-00110001100101

INFORMATION
6/8/10

ORDER NO. PSC-10-0340-PCO-EU
DOCKET NOS. 100164-EQ, 100167-EI, 100168-EI, 100169-EI
PAGE 2

required standard offer contracts. We have jurisdiction over this matter pursuant to Section 366.04 and 366.91, Florida Statutes (F.S.).

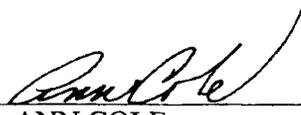
Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, giving the utility a reason or written statement of good cause for doing so within 60 days. We require additional time to gather information and make an informed decision on the proposed standard offer contract tariffs. This reason constitutes good cause to suspend the tariffs, consistent with the requirements of the statute.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Gulf Power Company's, Tampa Electric Company's, Progress Energy Florida, Inc.'s, and Florida Power & Light Company's standard offer contracts are suspended pending further review. It is further

ORDERED that these dockets shall remain open.

By ORDER of the Florida Public Service Commission this 1st day of June, 2010.



ANN COLE
Commission Clerk

(SEAL)

MCB

ORDER NO. PSC-10-0340-PCO-EU
DOCKET NOS. 100164-EQ, 100167-EI, 100168-EI, 100169-EI
PAGE 3

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

DATE: APR 12 2010
TO: Director
FROM: Associate Administrator for Disaster Assistance *JAL*
SUBJECT: Designation of Economic Injury Disaster # 12119 in the State of FLORIDA
Disaster Number FL-00055 .

In accordance with the Secretary of Agriculture's designation, the Farm Service Agency (FSA) is accepting emergency loan applications in :

FLORIDA ALABAMA GEORGIA

As a result of the Secretary's designation, you are authorized to accept and process applications for Economic Injury Disaster Loans from small business concerns and small agricultural cooperatives without credit elsewhere in the designated counties. Please note that "agricultural enterprises" as defined in Section 18(b)(1) of the Small Business Act are not eligible for such loans. However, "nurseries" that are victims of drought disasters are eligible.

This office provides the following information:

State	Number SBA (FSA)	Authorized by FSA	Termination Date
FLORIDA	12119 S2988	04/06/2010	12/06/2010
ALABAMA			
GEORGIA			

The Interest Rates are:

BUSINESSES AND SMALL AGRICULTURAL COOPERATIVES WITHOUT CREDIT AVAILABLE ELSEWHERE	4.000
NON-PROFIT ORGANIZATIONS WITHOUT CREDIT AVAILABLE ELSEWHERE	3.000

Incident: Excessive Rainfall

Incident Period: 11/11/2009 through 12/23/2009

The specific primary and contiguous counties are listed below.

Primary Counties:

BAY	CALHOUN	ESCAMBIA	GULF
HOLMES	JACKSON	LIBERTY	OKALOOSA
SANTA ROSA	WALTON	WASHINGTON	

Contiguous Counties:

FLORIDA		
FRANKLIN	GADSDEN	LEON
WAKULLA		
ALABAMA		
BALDWIN	COVINGTON	ESCAMBIA
GENEVA	HOUSTON	
GEORGIA		
SEMINOLE		

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CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
2010 JUN - 1 PM 12: 12

DISASTER NEWS

Economic Injury Loans for Small Businesses

SBA Disaster Assistance – Field Operations Center- East – 101 Marietta Street, NW, Suite 700, Atlanta, GA 30330

Release Date: May 27, 2010
Release Number: 10-455, FL 12119

Contact: Michael Lampton
Phone: 404-331-0333

SBA Disaster Loans Available Following Secretary of Agriculture Disaster Declaration in Florida

ATLANTA - The U.S. Small Business Administration announces today that federal economic injury disaster loans are available to small businesses, small agricultural cooperatives and most private non-profit organizations of all sizes located in Florida as a result of excessive rainfall that occurred on Nov. 11 through Dec. 23, 2009.

The SBA's disaster declaration includes the following counties: Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton and Washington

"When the Secretary of Agriculture issues a disaster declaration to help farmers recover from damages and losses to crops, the Small Business Administration issues a declaration to assist eligible entities affected by the same disaster," said Frank Skaggs, director of SBA's Field Operations Center East.

Under this declaration, the SBA's Economic Injury Disaster Loan program is available to eligible farm-related and nonfarm-related entities that suffered financial losses as a direct result of this disaster. Agricultural producers, farmers and ranchers are not eligible to apply to SBA.

The loan amount can be up to \$2 million with rates of 3 percent for non-profit organizations and 4 percent for small business and terms up to 30 years. The SBA determines eligibility based on the size of the applicant, type of activity and its financial resources. Loan amounts and terms are set by the SBA and are based on each applicant's financial condition. These working capital loans may be used to pay fixed debts, payroll, accounts payable, and other bills that could have been paid had the disaster not occurred. The loans are not intended to replace lost sales or profits.

Disaster loan information and application forms may be obtained by calling the SBA's Customer Service Center at 800-659-2955 (800-877-8339 for people with speech or hearing disabilities) Monday through Friday from 8 a.m. to 6 p.m.; Saturday and Sunday from 9 a.m. to 5:30 p.m. EDT or by sending an e-mail to disastercustomerservice@sba.gov. Loan applications can be downloaded from the SBA's website at www.sba.gov/services/disasterassistance. Completed applications should be mailed to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155. Those affected by the disaster may apply for disaster loans from SBA's secure website at <https://disasterloan.sba.gov/ela/>.

Completed loan applications must be returned to SBA no later than December 6, 2010

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For more information about the SBA's Disaster Loan Programs, visit our website at www.sba.gov/services/disasterassistance

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CLERK OF CIRCUIT COURT
GULF COUNTY, FLORIDA
JAN - 1 PM 12:11