



All About Florida

ILENE LIEBERMAN
PRESIDENT
BROWARD

DOUG SMITH
PRESIDENT ELECT
MARTIN

BILL WILLIAMS
FIRST VICE PRESIDENT
GULF

BRYAN DESLOGE
SECOND VICE PRESIDENT
LEON

RODNEY J. LONG
IMMEDIATE PAST PRESIDENT
ALACHUA

CHRISTOPHER L. HOLLEY
EXECUTIVE DIRECTOR

January 5, 2011

The Honorable Bill Nelson
United States Senate
716 Hart Senate Office Building
Washington, DC 20510

RE: Deepwater Horizon Oil Spill Recovery

Dear Senator Nelson:

On behalf of the Joint Oil Response Task Force of the Florida Association of Counties (FAC), the Florida League of Cities (FLC), and Florida School Board Association (FSBA), I want to take this opportunity to express our continued concern with the long-term impacts associated with the Deepwater Horizon oil spill and future recovery efforts for Florida.

As I am sure you are aware, in the aftermath of this event, a number of different work groups and task forces were formed at both the state and federal level to examine short and long term recovery issues. In several instances, the role of the local community was minimized and recommendations regarding what type of recovery structure would best meet the needs of counties and cities was never sought. As a result, our organizations formed their own task force for the purpose of developing a list of concerns and making specific recommendations for long term recovery. In brief, our recommendations include:

- Establishing federal oversight in the government claims process;
- Establishing a Gulf Coast Recovery Fund for recovery projects;
- Amending federal law and regulations to provide more local control in the response process;
- Appointing local government representatives to the Gulf Coast Restoration Task Force; and
- Developing a regional recovery plan for the 7 coastal counties impacted by the spill.

Because some of these recommendations would require Congressional action, we felt it was essential that your office understand the context of these issues and the solutions we seek. Accordingly, for your review and consideration, please find attached our Statement of Priorities for addressing the long-term recovery of our impacted communities.

Letter to The Honorable Bill Nelson
January 5, 2011
Page 2

At your convenience, we would appreciate the opportunity to discuss these recommendations with you and your staff.

Sincerely



Commissioner Bill Williams, Chairman
FAC/FLC/FSBA Joint Oil Response Task Force

BW/vir

cc: Senator Marco Rubio
Congressman Jeff Miller
Congressman Steve Southerland
Congresswoman Corrine Brown
Congressman Ander Crenshaw
Congressman Richard B. Nugent
Congressman Clifford B. Stearns
Congressman John L. Mica
Congressman Daniel Webster
Congressman Gus Bilirakis
Congressman C.W. Bill Young
Congresswoman Kathy Castor
Congressman Dennis A. Ross
Congressman Vern Buchanan
Congressman Connie Mack
Congressman Bill Posey
Congressman Tom Rooney
Congresswoman Frederica S. Wilson
Congresswoman Ileana Ros-Lehtinen
Congressman Allen West
Congressman Alcee L. Hastings
Congresswoman Sandy Adams
Congressman David Rivera
Rick Scott, Florida Governor
Jennifer Carroll, Florida Lieutenant Governor
Adam Putnam, Florida Commissioner of Agriculture
Pam Bondi, Florida Attorney General
Jeff Atwater, Florida Chief Financial Officer
Larry Naake, Executive Director, National Association of Counties
Mike Sittig, Executive Director, Florida League of Cities
Wayne Blanton, Executive Director, Florida School Board Association

**Florida Association of Counties
Florida League of Cities
Florida School Boards Association**

**Joint Oil Response Task Force
Statement of Priorities**

Gulf Coast counties and parishes have been on the front lines of the Deepwater Horizon oil spill containment, cleanup and recovery effort and have advanced hundreds of millions of local taxpayer dollars to respond to the spill. They continue to provide enhanced social services to meet the needs of people affected by the spill and will play an essential role in leading the restoration and recovery of the Gulf Coast environment and economy.

County and parish officials are very concerned that the needs of the Gulf Coast will go unheard and unmet now that the Deepwater Horizon well has been killed. The Obama administration must commit to keeping federal resources in the region until the oil spilled has been cleaned up completely, and to paying for a long-term, locally-driven economic recovery plan. Furthermore, the federal government must recognize that counties and parishes have governmental authority and responsibility to their residents and communities, and are not to be treated as subordinate “stakeholders” in the recovery process.

To date, counties and parishes in the Gulf Coast region have been frustrated and disappointed by the federal government’s approach to working with local governments in responding to the Deepwater Horizon oil spill. Most recently, President Obama established a Gulf Coast Ecosystem Restoration Task Force that has no local government representation. This has added to the counties’ disappointment and furthers the view that the Obama administration does not fully understand or desire to honor the intergovernmental partnership between counties and the federal government.

As such, Gulf Coast counties and parishes recommend the following actions:

- 1) President Obama should establish clear federal oversight and require full transparency of the BP governmental claims process immediately and a single federal point of contact should be named.**

Under the Oil Pollution Act, counties and parishes are entitled to be reimbursed in a timely manner for out-of-pocket expenses associated with the containment and cleanup of the oil spill, for the costs of providing additional public services during and after the spill response, and for lost government revenues associated with the spill. While individuals and business now are filing claims via the third-party Gulf Coast Claims Facility led by Kenneth Feinberg, local governments still must file claims directly to BP. BP has a clear conflict of interest in adjudicating these claims and frequently does not respond or pay them in a timely manner. Moreover, BP has told local officials that it will not honor

claims for economic losses or lost government revenue that it associates with the federal drilling moratorium and not directly with the oil spill.

To ensure that BP fulfills its financial obligations to Gulf Coast governments, Florida's counties and cities request that the federal government name an individual to lead federal oversight of the BP governmental claims process. The individual should be accessible to local officials within 24 hours, report to President Obama and the Congress on the status of government claims no less than every 90 days, advocate before BP on behalf of local governments, and require BP to make the current status of all government claims publicly available on www.RestoreTheGulf.gov at all times.

2) Congress should establish a Gulf Coast Recovery Fund, as recommended by Sec. of the Navy Ray Mabus, and local governments should be represented on the Gulf Coast Recovery Council.

Environmental restoration and economic recovery of the Gulf Coast region is a long-term commitment, and counties and parishes expect the federal government to remain involved until the job is complete. Counties and parishes support the main recommendation contained in the September 2010 report, "*America's Gulf Coast: A Long Term Recovery Plan after the Deepwater Horizon Oil Spill*," i.e., the establishment of a Gulf Coast Recovery Fund. Gulf Coast counties and parishes should be represented on the Gulf Coast Recovery Council recommended by Sec. Mabus in order to ensure that local needs and priorities are supported by the fund. Furthermore, the counties recommend that at least 80 percent of recovery funds go directly to coastal restoration projects.

3) Congress should consider changes to the Oil Pollution Act disaster response model to provide for more local control, clear operational protocols, and a fair and effective local government reimbursement process.

In contrast to a Presidentially-declared disaster in which FEMA is the federal partner, counties and parishes experienced many problems with the Unified Command structure and federal-centered response model utilized for the containment and cleanup of the Deepwater Horizon oil spill and, as such, recommend that Congress carefully review and amend the Oil Pollution Act and the National Contingency Plan (40 CFR 300). These problems included a lack of federal coordination among agencies, unclear operational protocols on the ground, poor communication with local agencies, lack of support for local needs, plans and resources, and an ineffective and inefficient strategy for local government reimbursement.

Gulf Coast counties and parishes stand ready to work with the Congress to provide information, input and recommendations as it moves forward with changes to the Oil Pollution Act.

- 4) **As stated previously, the federal government should appoint county and parish representatives to the Gulf Coast Restoration Task Force immediately.**

The Gulf Coast Restoration Task Force currently has no local government representation. As outlined in a letter from the National Association of Counties to U.S. EPA Administrator Lisa Jackson on October 8, 2010, Florida's counties and cities respectfully request that local representatives be appointed to the task force no later than the task force's next official meeting.

- 5) **The impacted counties, as a region, must speak as one voice and organize its resources to return the environment to its prior state or improve it if at all possible. Similarly, given the economic impact created by this single event, the region needs new and creative economic development initiatives. To that end, a regional recovery plan is proposed that would include the following components:**

- **Environmental Remediation**: A comprehensive plan that provides for environmental remediation for the waterfronts of those 7 coastal counties impacted by the spill.
- **Economic Diversification**: A comprehensive economic development plan that covers:
 - The establishment of a 501(c)(3) to administer state, federal, and grant money coming to the region, as well as any funds paid from fines by BP and others;
 - Enhanced incentives by the state of Florida to help attract new jobs to Northwest Florida;
 - Initiatives involving branding and tourism; and,
 - The development of a S.T.E.M. Coast Foundation and New Florida Initiative Pilot Program.