

FLORIDA COMMISSION ON OIL SPILL RESPONSE COORDINATION *MEETING #4*



*Santa Rosa
Beach, FL*

**October 29,
2012**



CALL TO ORDER, WELCOME, INTRODUCTIONS, AND ROLL CALL





TODAY'S AGENDA

9:00 – 9:15 am	Call to Order, Welcome, and Roll Call
9:15 – 9:20 am	Administrative Review
9:20 – 10:05 am	Natural Resource Damage Assessment
10:05 – 10:30 am	National Pollution Funds Center (NPFC)
10:30 – 10:40 am	BREAK
10:40 – 11:10 pm	Economic Damages – Gulf Coast Claims Facility
11:10 – 11:45 pm	Economic Damages – Deepwater Horizon Claims Center
11:45 – 12:45 pm	LUNCH
12:45 – 1:30 pm	Funding for Pre-Incident Activities
1:30 – 2:30 pm	Funding for Post-Incident Activities
2:30 – 3:10 pm	Status of Reports and Recommendations
3:10 – 3:15 pm	Closing Announcements
3:15 pm	ADJOURN

Agency

- Department of Homeland Security, USCG, and is housed within the National Pollution Fund Center (NPFC)

Source

- Barrel Tax (\$0.8)
- Transfers from other funds
- Interest
- Cost Recoveries from RP
- Penalties under CWA, OPA, Deepwater Port Act, & Trans-Alaska Pipeline Authorization Act

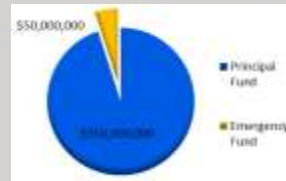
Amount

- **Emergency Fund:**
 - Consists of a recurring \$50 million from the Principle Fund.
- **Principle Fund:**
 - Consists of \$950 million or the remaining balance within the OSLTF.

Uses

- **Emergency fund:**
 - Natural resource damage assessments
 - FOSC'S response to oil spill incidents
- **Principle Fund:**
 - Compensate damage claims
 - To fund appropriations by Congress to Federal agencies

OIL SPILL LIABILITY TRUST FUND (OSLTF)



Agency

- Federal Emergency Management Agency (FEMA)

Source

- General Federal Budget

Amount

- **Essential assistance:** federal share is at least 75% of costs
- **Repair, restoration, or replacement of public facilities:** federal share is at least 75% of costs
- **Debris removal:** federal share is at least 75% of costs
- **Individual and household assistance:** federal share is 100%
- **Small project grants:** federal share not to exceed \$35,000
- **Emergency declaration assistance:** federal share is at least 75%, limited to \$5 million.

Uses

- **Emergency Declaration:**
 - Support for and coordination of state and local emergency assistance
 - Debris removal through grants to state and local governments
 - Grants for temporary housing and uninsured personal needs
 - Distribution of medicine, food, and consumables
- **Major Disaster Declaration:**
 - Distribution of supplies, evacuation support, and technical help
 - Perform life and property-saving assistance, clear debris, and conduct search and rescue missions
 - Hazard mitigation grants
 - Repair, restoration, and replacement of damaged federal and state facilities
 - Assistance to individuals unemployed as a result of the major disaster for up to 26 weeks
 - Grants to assist low-income migrant and seasonal farmworkers
 - Food coupons and food distribution

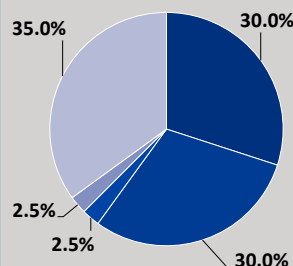
STAFFORD ACT FUNDING

- **Impact-Based State Allocations:** Gulf states receive 30% of RTF funds according to an intricate formula considering the portion of state shoreline oiled, the distance from the state to the *Deepwater Horizon* rig, and the state's 2010 coastal population

- **Gulf Coast Ecosystem Restoration Council:** receive 30% of RTF funds plus 50% of RTF interest and investment income

RESTORE ACT'S GULF COAST RESTORATION TRUST FUND (RTF)

- Impact-Based State Allocations - 30%
- Gulf Coast Ecosystem Restoration Council - 30%
- RSOMT Program - 2.5%
- Centers of Excellence Grants Program - 2.5%
- Equal-Share State Allocations - 35%

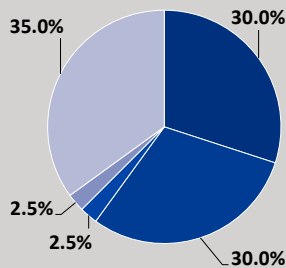


- **Gulf Coast Restoration, Science, Observation, Monitoring, and Technology (RSOMT) Program:** 2.5% of RTF funds plus 25% of RTF interest and investment income will go towards ensuring the long-term ecological and economic sustainability of Gulf fisheries

RESTORE ACT'S RTF CONTINUED

- Centers of Excellence Grants Program:** Gulf states will receive 2.5% of RTF funds in equal shares, plus 25% of RTF interest and investment income, to award competitive grants for the establishment of "Centers of Excellence" in NGOs, consortia, or universities
- Equal-Share State Allocations:** 7% (35% total) of the funds go to each Gulf and may be used for ecological and economic restoration of the Gulf

- Impact-Based State Allocations - 30%
- Gulf Coast Ecosystem Restoration Council - 30%
- RSOMT Program - 2.5%
- Centers of Excellence Grants Program - 2.5%
- Equal-Share State Allocations - 35%



- Distribution of Florida's Equal-Share Funds:** the RESTORE Act specifies how Florida must divide its equal-share funds:
 - Disproportionately affected Florida counties – 75% of funds
 - Nondisproportionately impacted counties – 25% of funds

RECOMMENDATIONS FOR FUNDING REPORT



- Group Discussion...





FUNDING FOR PRE-INCIDENT ACTIVITIES

1. How are oil spill preparedness activities organized and staffed in the counties?
2. Are counties involved with current updates to the ACP?
3. What kind of preparedness activities (drills, exercises) do counties participate in now?
4. How are they funded – and what is the process?
5. Do counties partner with each other – and USCG – in current oil spill planning and preparedness activities?
6. What is the difference between the funding structure for hurricane preparedness vs. oil spill preparedness?
7. How could pre-spill planning and preparedness activities be improved – and funded?



FUNDING FOR POST INCIDENT ACTIVITIES

1. Do counties have procedures for mobilizing staff, equipment, supplies, and etc. when notified of a spill?
2. How are initial mobilization activities funded?
3. Are procedures in place for coastal protection and cleanup when oil is predicted to hit county coastlines?
4. How are protection/response activities funded?
5. What is the funding procedure/process?
6. Are there procedures for counties to communicate with each other in the event of an oil spill watch/warning?
7. How will counties communicate and interact with state agencies during future oil spills?

FUNDING QUESTIONS



- What was the practical effect of Governor Crist's emergency disaster declaration (Executive Order 10-99) on the availability of funding to prepare for and respond to the DWH spill?

FUNDING QUESTIONS



- Is the RESTORE Act a useful and appropriate model for a permanent federal Gulf-wide disaster relief fund?



FUNDING QUESTIONS

- If the Commission recommends that the responsible party's input be reduced in authorizing/approving state and county expenditures for preparation and response activities, how should that be implemented?
 - Should there be a threshold or trigger for reducing the RP's input into reimbursement decisions? If so, what should it be?
 - If the RP's input is reduced, should the USCG assume full decision-making power? If not, who else should be involved?



FUNDING QUESTIONS

- How would you judge the performance of BP's Gulf Coast Claims Facility in addressing claims for economic damages related to the DWH spill?
 - Funded at \$20B; must waive the right to sue
- Is the GCCF a good model for a permanent Gulf-wide program for addressing economic damages?
 - If not, what changes would you recommend?



FUNDING QUESTIONS

- Who else should we be talking to regarding funding for pre-event planning, response/cleanup, and natural resources / economic damages?



STATUS OF REPORTS

Report Title	Draft Release Date	Comments Received and Integrated	Final Report
Report 1 – Analysis of current state and federal laws addressing oil spill planning and response.	9/28		
Report 2 – Analysis of the effectiveness of the use of the Incident Command System in the DWH incident.	10/5		
Report 3 – A study of the National Response Framework and National Contingency Plan during a major oil spill incident.	10/12		
Report 4 – Analysis of other Gulf state laws and implementation related to spill planning and response.	10/26		
Report 5 – Analysis of the adequacy of existing funding mechanisms for large oil spills.	11/2		
Report 6 – Summary of lessons learned from the DWH incident.	11/9		
Final Report	11/12		

USCG Area Committee leads were asked to notify county-level Area Committee members about the work of the Commission and were directed to the draft reports on the Commission's website (<http://www.dep.state.fl.us/deepwaterhorizon/commission.htm>) and the project email address (floilspillcommission@tetratech.com). This will help facilitate awareness and input of Florida counties not represented on the Commission.

CLOSING ANNOUNCEMENTS



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