

# ***“MERMAIDS AND OIL SLICKS”***

***MEMOIRS OF FLORIDA’S FINAL DEEPWATER HORIZON RESPONSE STATE ON SCENE COORDINATOR***

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# TOPICS

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- Response Overview
- Key Challenges & Issues
- Lessons Learned / Key Takeaways
- Recovery Overview
- Questions

# RESPONSE OVERVIEW

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- Gulf
  - Five states
  - Multiple federal agencies
  - Unified Command
- Florida
  - Multiple state agencies
  - Eight counties (we got lucky)

# RESPONSE OVERVIEW

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- Year 1
  - Coordination with FL and Command leadership
    - Establish decontamination sites
    - Locate field command sites
  - Public meetings
    - Questions that couldn't be answered
    - Fact versus fiction

# RESPONSE OVERVIEW

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- Years 2 and 3
  - Unified Command
  - Marriott Points
  - Frozen Dinners

# KEY CHALLENGES & ISSUES

## PROCESS AND COMMUNICATION

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- County coordination (Stafford Act versus OPA 90)
- Response Management - starts with putting out the fire on cats' tails to performing the Broadway play Cats.
  - Area Contingency Plan (ACP) and mental health – ***needs follow-up***
  - Vessels of Opportunity (VOO)
  - Documentation
    - No record of early Response activities (OSAT 3)
    - Yes, Virginia, there is a Santa Rosa County
    - Missed commitments (segment tracker)
  - Operational Science Advisory Team (OSAT)
- “Big R” versus “Little R”

# KEY CHALLENGES & ISSUES

## SCIENCE AND TECHNICAL

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- Cleaning strategies (night versus day, deep cleaning versus leaving in place, deep cleaning impact on barrier islands)
- Modeling (lack of data before, during and after the spill)
  - 3 day oiling prediction
  - OSAT 3
- Saltmarsh cleaning methods
- Sargasm – habitat for more than just fish and turtles
- Samson

# LESSONS LEARNED KEY TAKEAWAYS

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- Need additional data (e.g., near shore wave data, baseline oiling information)
- Need additional layer of response plans beyond ACPs – Geographic Response Plans
- OPA 90 versus Stafford Act is a big, BIG deal. Regular communication between DEM, DEP, FWC and local governments would go a long way in reducing confusion and frustration.
- A South FL coastal spill would be inordinately more complex given the coastal system differences and number of local governments



# LESSONS LEARNED KEY TAKEAWAYS

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- Take advantage of the DWH spill, don't lose the lessons learned including:
  - Cleanup standard – Shoreline Cleanup Completion Plan
  - Segment tracker database
  - Pre-plan including VOO SOP, decon sites/logistics
  - Realistic environmental protection measures versus mental health measures

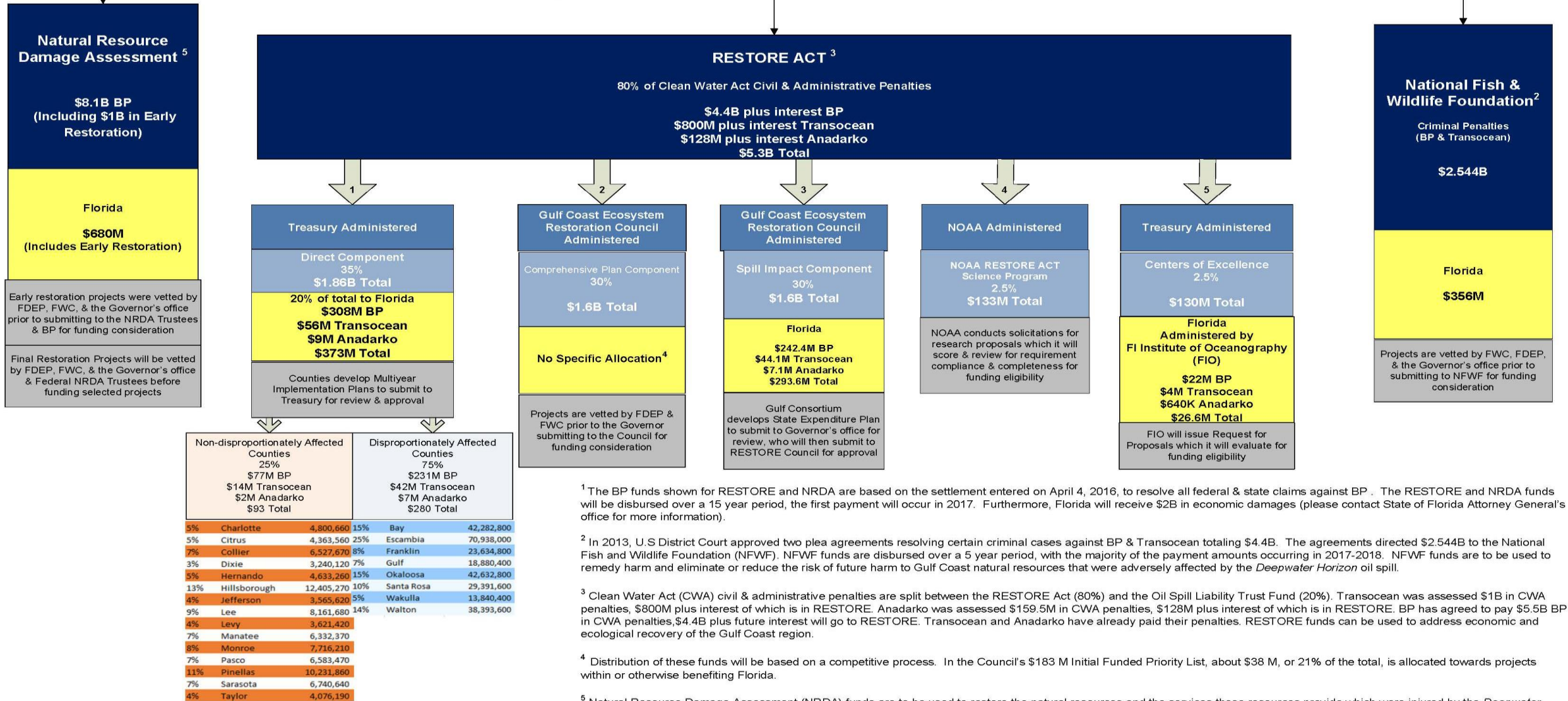
# RECOVERY OVERVIEW

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- 2016 BP Settlement with a 17 year payout
- Other Responsible Parties settled prior (TransOcean and Moex)
- Three categories of payments
  - Criminal
  - Civil
  - Economic (this includes two types – businesses and government)

# Resolution of Environmental Claims<sup>1</sup>

Dollar amounts approximate due to rounding



<sup>1</sup> The BP funds shown for RESTORE and NRDA are based on the settlement entered on April 4, 2016, to resolve all federal & state claims against BP. The RESTORE and NRDA funds will be disbursed over a 15 year period, the first payment will occur in 2017. Furthermore, Florida will receive \$2B in economic damages (please contact State of Florida Attorney General's office for more information).

<sup>2</sup> In 2013, U.S District Court approved two plea agreements resolving certain criminal cases against BP & Transocean totaling \$4.4B. The agreements directed \$2.544B to the National Fish and Wildlife Foundation (NFWF). NFWF funds are disbursed over a 5 year period, with the majority of the payment amounts occurring in 2017-2018. NFWF funds are to be used to remedy harm and eliminate or reduce the risk of future harm to Gulf Coast natural resources that were adversely affected by the *Deepwater Horizon* oil spill.

<sup>3</sup> Clean Water Act (CWA) civil & administrative penalties are split between the RESTORE Act (80%) and the Oil Spill Liability Trust Fund (20%). Transocean was assessed \$1B in CWA penalties, \$800M plus interest of which is in RESTORE. Anadarko was assessed \$159.5M in CWA penalties, \$128M plus interest of which is in RESTORE. BP has agreed to pay \$5.5B BP in CWA penalties, \$4.4B plus future interest will go to RESTORE. Transocean and Anadarko have already paid their penalties. RESTORE funds can be used to address economic and ecological recovery of the Gulf Coast region.

<sup>4</sup> Distribution of these funds will be based on a competitive process. In the Council's \$183 M Initial Funded Priority List, about \$38 M, or 21% of the total, is allocated towards projects within or otherwise benefiting Florida.

<sup>5</sup> Natural Resource Damage Assessment (NRDA) funds are to be used to restore the natural resources and the services those resources provide which were injured by the *Deepwater Horizon* oil spill.

# Restoration Funding in Dollars

Major Restoration Categories	Unknown Conditions	Regionwide	Open Ocean	Alabama	Florida	Louisiana	Mississippi	Texas	Total Restoration Funding*
<b>1. Restore and Conserve Habitat</b>									
Wetlands, Coastal, and Nearshore Habitats				65,000,000	5,000,000	4,009,062,700	55,500,000	100,000,000	4,234,562,700
Habitat Projects on Federally Managed Lands				3,000,000	17,500,000	50,000,000	5,000,000		75,500,000
Early Restoration (through Phase IV)				28,110,000	15,629,367	259,625,700	80,000,000		383,365,067
<b>2. Restore Water Quality</b>									
Nutrient Reduction (Nonpoint Source)				5,000,000	35,000,000	20,000,000	27,500,000	22,500,000	110,000,000
Water Quality (e.g., Stormwater Treatments, Hydrologic Restoration, Reduction of Sedimentation, etc.)					300,000,000				300,000,000
<b>3. Replenish and Protect Living Coastal and Marine Resources</b>									
Fish and Water Column Invertebrates			380,000,000						380,000,000
Early Restoration Fish and Water Column Invertebrates			20,000,000						20,000,000
Sturgeon			15,000,000						15,000,000
Sea Turtles		60,000,000	55,000,000	5,500,000	20,000,000	10,000,000	5,000,000	7,500,000	163,000,000
Early Restoration Turtles		29,256,165						19,965,000	49,221,165
Submerged Aquatic Vegetation						22,000,000			22,000,000
Marine Mammals		19,000,000	55,000,000	5,000,000	5,000,000	50,000,000	10,000,000		144,000,000
Birds		70,400,000	70,000,000	30,000,000	40,000,000	148,500,000	25,000,000	20,000,000	403,900,000
Early Restoration Birds		1,823,100		145,000	2,835,000	71,937,300		20,603,770	97,344,170
Mesophotic and Deep Benthic Communities			273,300,000						273,300,000
Oysters		64,372,413		10,000,000	20,000,000	26,000,000	20,000,000	22,500,000	162,872,413
Early Restoration Oysters				3,329,000	5,370,596	14,874,300	13,600,000		37,173,896
<b>4. Provide and Enhance Recreational Opportunities</b>									
Provide and Enhance Recreational Opportunities				25,000,000	63,274,513	38,000,000	5,000,000		131,274,513
Early Restoration Recreational Opportunities			22,397,916	85,505,305	120,543,167	22,000,000	18,957,000	18,582,688	287,986,076
<b>5. Monitoring, Adaptive Management, and Administrative Oversight</b>									
Monitoring and Adaptive Management		65,000,000	200,000,000	10,000,000	10,000,000	225,000,000	7,500,000	2,500,000	520,000,000
Administrative Oversight and Comprehensive Planning		40,000,000	150,000,000	20,000,000	20,000,000	33,000,000	22,500,000	4,000,000	289,500,000
Adaptive Management NRD Payment for Unknown Conditions	700,000,000								700,000,000
<b>Total NRD Funding</b>	<b>\$700,000,000</b>	<b>\$349,851,678</b>	<b>\$1,240,697,916</b>	<b>\$295,589,305</b>	<b>\$680,152,643</b>	<b>\$5,000,000,000</b>	<b>\$295,557,000</b>	<b>\$238,151,458</b>	

\* The total restoration funding allocation for the Early Restoration work; each restoration type; and monitoring, adaptive management, and administrative oversight is \$8.1 billion (plus up to an additional \$700 million for adaptive management and unknown conditions).

# THANK YOU!

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- Final thought: ***Don't waste the DWH experience - invest in updating FL's plans and revise based on DWH lessons learned so the next Response personnel have it a bit easier – mermaids!***
- Questions

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