

**Statement by Bill Williams
Gulf County Commissioner (Florida)**

**House Oversight & Government Reform Committee
Thursday, June 2, 2011
Rayburn Building, Room 2154**

Chair, Congressman Darrell Issa (CA)

On behalf of Florida's 67 counties, and more specifically the coastal counties, I would like to thank Chairman Issa and the committee members for the opportunity to address the House Oversight & Government Reform Committee this morning. Before I begin my presentation for the committee, I would also like to take this opportunity to publicly thank the Chairman for allowing his committee staff, Mr. Tyler Grimm and Mr. Ryan Hamilton, to spend two days in March in our Gulf coast communities. Their presence provided a special opportunity for our entire community to share their experiences and tell their stories.

I am here today to speak to you about the struggle Florida's counties and our constituents faced in the days following the Deepwater Horizon Oil Spill. It is clear in hindsight that even in the face of these struggles we cannot ignore the good intentions and herculean efforts by federal and state response teams, even the responsible party, to do the best they could while facing a unique and global tragedy.

However, as a lifelong Florida resident and survivor of close to 20 tropical storms and hurricanes, best efforts and good intentions are not enough. We must learn from our mistakes so that disaster response is not just swift, but clear, organized and collaborative of the communities impacted.

There is no question that Florida has the foremost disaster response team in our country and arguably the world. With a hurricane season that lasts six months and can boast upwards of 20 named storms a year, Florida can ill afford to be anything less than the best.

Yet in the immediate aftermath of the Deepwater Horizon Oil Spill our expert response teams were forced to operate under the Oil Pollution Act of 1990, rather than the tried and true federal Stafford Act.

Our traditional emergency management system was turned on its head, leaving Florida's counties at the mercy of a unified command structure that was established outside of Florida all together! For example, during the first critical weeks of the oil spill, individuals based in Alabama, who had never stepped foot in Gulf County and were using 10 year old maps were making final decisions regarding how Gulf County's beaches and all of Florida's beaches would be protected. Local expertise and resources were ignored as strangers decided whether to place oil protection booms near county beaches, inland water bodies and sensitive environmental resources.

To compound matters, communication from Unified Command was limited and rarely consistent from day to day. Leaving my county and all of Florida's counties in the dark and concerned that any preparation and response efforts would be too little too late. With little information coming from Unified Command, local communities were forced to expend significant financial resources gearing up and preparing for a potential event that couldn't be quantified or predicted. These financial commitments came, as you well know, at a time when Florida's counties and most governments were laying off employees and facing extreme budget

shortfalls due to the economy. Yet, it took more than four months for taxpayers to begin to see reimbursement for emergency expenditures.

Faced with these challenges, our coastal counties organized themselves under the umbrella of the Florida Association of Counties to address a range of concerns as we evolved from response to recovery. And while counties consistently met with state and federal officials, in most instances the role of local communities was minimized. More importantly in spite of our efforts, recommendations regarding what type of recovery structure would best meet the needs of the communities directly impacted were never specifically sought.

This story and these experiences have produced a short list of priorities that I would call “Lessons Learned”. I share these with you in hopes that Congress will take these concepts, review them and develop proposals so that any future disasters are operated with clear organization and collaboration, strong communications and focused on the local communities, individuals and businesses directly impacted.

We strongly encourage Congress to review and evaluate the OPA. Florida’s emergency response system, which operates under the Stafford Act, doesn’t just work - it is an example to be followed. Why not take the best response plans and teams in the world and use them as the foundation for other disasters. The Stafford Act works because local communities are the first responders, with the state government responding to local needs and the federal government responding to state needs. OPA failed because it was a top down approach that looked to the responsible party rather than utilize local expertise and resources. This lack of collaboration allowed for the duplication and even triplicate of efforts wasting precious resources.

In regards to claims in general, it would be our recommendation that Congress provide greater clarity and direction to this process. Probably the greatest frustration for everyone involved, both private and public, were constant changes in the claims process. There were eight different policies, procedures, processes and applications within the first two months. The summer was almost over before our businesses and individuals finally had a solid process.

As for public or government claims, it would be our recommendation that costs associated with first responder expenses, such as protection and preservation strategies, mitigation strategies and clean up should be clearly laid out similarly to the Stafford Act and not held hostage by the responsible party. In preparation for the next potential event a separate funding process should be established so state emergency operations and local first responder plans are not abrogated or delayed because of questions of financial capacity or whether the responsible party will approve specific costs.

In addition, loss of revenue claims by public entities should be included in a process that incorporates an independent third party review. The responsible party should not have leverage over states and local communities concerning economic issues, determining methodologies for measurement and potential veto authority over certain claims. An independent and unbiased process should be established. Almost a year had passed before a final and completed policy was approved and instituted for loss revenue claims.

We also ask that Congress establish and approve a Gulf Coast Recovery Fund with 80 percent going directly to environmental restoration and economic recovery of the Gulf Coast region. I personally support and ask Congress to support the

recommendations of the Secretary of the Navy's Report, published in September of last year.

Mr. Chairman, like you, we are committed to working with our federal and state partners to take these and other lessons learned to provide our citizens with the response and recovery efforts they deserve.

We are here to help and assist your committee in any way possible and hope you will continue to use us a resource. On behalf of Florida, I thank you for this opportunity to be here.

I am happy to answer any questions or provide additional information.