

**Statement by Grover Robinson
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**Senate Oceans, Atmosphere, Fisheries and Coast Guard Subcommittee
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Russell Senate Office Building, Room 253**

Chair, Senator Marck Begich (AK)

On behalf of Florida's 67 counties, and more specifically the 8 Gulf Coast counties in Northwest Florida, I would like to thank Chairman Begich and the committee members for the opportunity to address the Senate Oceans, Atmosphere, Fisheries and Coast Guard Subcommittee this afternoon.

I stand before you today as a seventh generation Floridian and Escambia County resident. Over nearly 200 years, my family has survived and thrived in Escambia County through a civil war, countless hurricanes, and several cycles of economic booms and deep recessions. However, the Deepwater Horizon oil spill of 2010 has rocked our community like no other event.

As Chairman of the Escambia County Commission I found myself at the epicenter of Florida's oil spill response for the last 14 months. It is my experiences during that time that I would like to share with your committee today suggestions related to OPA reform, as well as suggestions for monies from Clean Water Act penalties.

In April 2010, the United States and her Gulf Coast faced a crisis unlike anything we have ever seen. The tragedy that struck that day took 11 lives, cost countless jobs and caused extensive damage to our coastal resources.

Florida is experienced with disasters and Escambia County is no exception. Each year we prepare and respond to hurricanes that threaten our homes and beaches. Florida's emergency response teams are the best in the country and arguably the world. City, county and state first responders practice and prepare year round to respond and recover from potential disasters.

While hindsight is 20/20, one cannot forget the immediate crisis the Gulf Coast and Escambia County were facing when millions of barrels of oil began spilling into the Gulf of Mexico and threatening our pristine white sand beaches.

Shortly after the spill, Escambia County was given 48 hours to prepare for oil on our beaches. Our county then did what we were trained to do – we declared a state of emergency which predated the State of Florida and prepared a plan to block oil from entering our more fragile inland water estuaries. Within 24 hours of declaring our state of emergency, the State of Florida declared a state of emergency and we were introduced to the Unified Command Structure.

With the threat of oil imminent and a plan in place we were ready to do what was needed to protect our environment and ultimately our economy. Yet, we were stopped and instead told that we must accept the protection plans of experts that had never even stepped foot in Escambia County and knew nothing about the tidal plans and intricacies of our bays.

Now instead of putting up boom and protecting Pensacola Bay and the Perdido Bay Passes, we were arguing with strangers about what was best for local waterways.

This system of a federal-down approach set up through the Oil Protection Act (OPA) simply does not work in a disaster situation. While there are many aspects of OPA that are effective such as Command Structure for Federal Waters and the National Resource Damage Assessment (NRDA) process, the response process for local jurisdictions must be changed.

While I recognize that the Stafford Act, which is implemented during natural disasters, could not be applied uniformly to a man-made disaster, there is a fundamental element that should be applied regardless of the cause.

It is that local experts that should determine the response and recovery plans for local jurisdictions. The very people that have lived and made their livelihoods in their community are best suited to know where the priorities must be placed and what is needed to provide adequate protection to the environmental resources of that community. I would no more pretend to know how to adequately respond to a spill in the Gulf of Alaska or even how to defend Cape San Blas in Gulf County Florida than an outsider could know how to protect the gulf shores and estuaries in Escambia County.

Ultimately the oil that was 48 hours off shore actually ended up taking 30 days to make it to our beaches. This should have allowed us ample time to implement our plans to protect our passes and waterways. Unfortunately, OPA prevented us from effectively implementing our plans until July by which time the well was

nearly capped. We spent the first 75 days using inadequate plans provided to us by Unified Command that were not effective and wasted money.

My essential point today is local government provided better protection to the estuaries of Pensacola and Perdido Bays and the citizens of Escambia County, as well as provided cost savings to Unified Command and even British Petroleum. The only thing that prevented us from this protection and cost savings was OPA. I have said many times, including to Admiral Landry, it is my belief that the Coast Guard and the other federal agencies were staffed with good people who wanted to do the right things for our community and the nation; however, they were prevented by the rules presented in the Oil Pollution Act of 1990.

Therefore, OPA reform must be enacted to allow a more effective and coordinated defense of our environmental assets by local, state and federal jurisdictions working together. Local government has a place in the planning, coordination, communication, and implementation of disaster strategies and decisions and its omission will lead to failure as seen in May and June of 2010.

I would like to close by saying that there is still time to make some of this right through the NRDA process and the Clean Water Act.

Through the NRDA process, NOAA, DOI and other State trustees are conducting studies to identify the extent of resource injuries, the best methods for restoring those resources, and the type and amount of restoration required. This process so far has been inclusive and collaborative and for that we are grateful.

I am also pleased to say that Escambia County is recovering and our beaches are as beautiful as they ever were. But as with most tragedies, while we may recover on the outside, the scars never leave us.

Prior to the Deepwater Horizon Oil Spill, I operated a successful real estate business started by my late father in 1977. Like so many other businesses I filed and received a claim due to the oil spill, yet my business has never recovered. So much so that ultimately, my wife and I made the hard decision to merge with another firm after 34 years of existence.

I am not alone. There are countless small businesses out there that have suffered a similar fate. Any funds received due to fines from the Clean Water Act, should be directed to the coastal counties that were impacted from the spill so that

investments can be made for the long term recovery of this region and our communities, both environmentally and economically.

We must now turn this disaster around and seize the opportunities before us. We must take the opportunity to learn from our mistakes and reform OPA. We must take the opportunity through the NRDA process to help our environment fully recover from the tar on our white sand. And we must take the opportunity to use the Clean Water Act fines to invest in the Gulf Coast and help our economies not just survive this disaster but thrive in spite of it.

Thank you for all the work you do for our country and its citizens and thank you for taking the time today to hear my testimony.