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December 1, 2010

Governor-Elect Rick Scott
300 S.E. 2nd Street
Suite 850
Ft. Lauderdale, FL 33301

RE: BP Gulf of Mexico Oil Disaster – Actions for Florida Economic and Environmental Recovery

Dear Governor-Elect Scott:

Congratulations on your election as Governor of Florida. As you prepare to take office and review the many important issues confronting our state, I urge you to focus on Florida's economic and environmental recovery from the BP oil disaster. I, along with other members of our state's Congressional delegation, have been fighting to hold BP accountable and restore our economy, coastline and tourism industry in the wake of the disaster. I trust that you will join us in this fight.

I recommend three primary areas of focus in the near term for Florida, Florida businesses and our beautiful Gulf of Mexico ecosystem:

1. **Gulf of Mexico Economic and Environmental Recovery Act devoting 80% of BP Clean Water Act fines to the Gulf Coast** – BP will be liable for substantial fines under the Clean Water Act and Oil Pollution Act for the pollution caused by the Deepwater Horizon blowout. The monetary penalty is likely to range between \$5 billion and \$20 billion. Navy Secretary Ray Mabus, who led the preliminary restoration evaluation, proposed that 80% of the fines and penalties be directed to the Gulf Coast. Congressional action is required to implement the proposal.

Two weeks ago, I introduced H.R. 6434, the Gulf of Mexico Economic and Environmental Restoration Act of 2010. The Act directs that 80% of the BP penalties be distributed to Florida and other Gulf Coast states for environmental restoration, to bolster the Gulf seafood industry, to support tourism, and for vital academic research and analysis. Congressman C.W. "Bill" Young, who has championed Gulf and coastal causes for decades, and I are working together to develop a consensus moving forward. I consulted with the Florida Department of Environmental Protection, business owners and

academic leaders in developing the bill. I respectfully urge you to endorse our effort and engage in fighting for jobs and Florida's fair share of the BP oil pollution penalties. Your support for H.R. 6434 will show that our state stands united in wholly restoring the Gulf region.

2. **Gulf Coast Claims Facility ("GCCF") and payments to Florida businesses** -

As you are aware, President Barack Obama secured \$20 billion from BP to pay the claims of individuals, communities and businesses impacted by the BP oil disaster. The GCCF has paid out approximately \$765 million to Florida claimants to date. The bulk of the payments has compensated Florida individuals and business owners for lost earnings and lost profits.

Initially, the GCCF Administrator Ken Feinberg was hesitant about paying claims to individuals and businesses economically impacted but geographically distant from where oil reached the shores. Through much hard work, we were able to convince Administrator Feinberg to consider such claims. I am not satisfied, however, with the pace of GCCF's payment of other claims in Florida. Hotels, fishermen, restaurants and businesses throughout Florida deserve to have their claims paid in a timely fashion. They already have suffered economically through the recession that began in 2007 and should not be delayed. Keith Overton, senior vice president and chief operating officer of the TradeWinds Resort and chairman of the Florida Restaurant and Lodging Association, raised the issue at a news conference in Tampa last week. The TradeWinds' \$1.2 million claim has yet to be paid, and many others in our state are facing the same problem.

I spoke with counsel to the U.S. Justice Department this week to thank the Department for pressing the GCCF on timely payment and greater transparency. I urge you to speak up on behalf of Florida workers and businesses as well to ensure their legitimate claims are paid as soon as possible.

3. **State of Florida Claim Against BP for Damages** - Finally, the State of Florida itself, Florida taxpayers and local governments have suffered damages for lost revenues and other expenses as a result of the BP oil disaster. Florida needs you to steadfastly fight for our claims of sovereignty. Florida taxpayers should not be left on the hook for one dime of BP's damage. While distinct from the claims of individuals and small businesses and the fines and penalties BP will pay, Florida's claim against BP must be presented and pursued doggedly. The full damages may not be measurable now, but the State must aggressively establish a well-grounded and thorough claim. State taxpayers need to be assured that BP will make whole the damage done at a time when state and local budgets are already very tight.

I look forward to working with you on a complete economic and environmental recovery for Florida. The BP oil disaster has taken a major toll on our state and a full and robust recovery will require all of us working together on behalf of our great state. If you have any questions or comments, please do not hesitate to contact me in Tampa at 813-871-2817 or Washington, D.C. at 202-225-3376.

Sincerely,



Kathy Castor
United States Representative
Florida District 11

P.S. The Obama Administration's announcement today that the eastern Gulf of Mexico will be removed from the seven-year OCS drilling plan is good news for Florida's economy and environment.

cc: The Honorable C.W. "Bill" Young