

RESOLUTION NO. 09-249

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING OFF-SHORE OIL AND GAS DRILLING IN STATE WATERS IN THE GULF OF MEXICO; STATING THE POSITION OF THE BOARD OF COUNTY COMMISSIONERS AS BEING AGAINST ALL OIL AND GAS DRILLING IN STATE WATERS IN THE GULF OF MEXICO; AND SETTING FORTH FINDINGS.

WHEREAS, the Legislature of the State of Florida has under consideration proposals which would permit the installation of rigs, pipelines and related infrastructure to enable drilling for either oil or natural gas near the beaches and in the shallow waters of the Gulf of Mexico and other areas off the Florida coastline within State waters; and

WHEREAS, specifically, the Island of Anna Maria, Coquina Public Beach, the City of Bradenton Beach, Manatee County Public Beach, the City of Holmes Beach, the City of Anna Maria, Bayfront Park, Bean Point, Bradenton Beach City Pier and portions of the beaches of Long Boat Key are within Manatee County; and

WHEREAS, the unique location of the above-described beaches in close proximity to each other increase the probability these beaches will bear a disproportionate burden of the environmental damage and cost of clean-up from oil spills and related accidents caused by oil drilling were it to occur in State Waters and specifically within the formation known as the Tampa-Sarasota Arch; and,

WHEREAS, all of these public parks provide public access to the beach which is a unique characteristic within the State of Florida given the high population growth rate the State has experienced along its coastal shores; and

WHEREAS, public beach access is important not only as major recreational and economic engine for Manatee County and the State of Florida, but also serves as an important free recreational resource; and

WHEREAS, some of the free public beach access provided on Anna Maria Island would be adversely impacted if the sand were to become polluted by the impacts of oil and gas drilling; and

WHEREAS, the State of Florida's Comprehensive Plan in the Coastal Marine Resources Element provides that a policy is to: "Encourage land and water uses which

are compatible with the protection of sensitive coastal resources.” Additionally, the State Comprehensive Plan provides as a policy: “Avoid the exploration and development of mineral resources which threaten marine aquatic estuarine resources.” (Section 187.201(8)(b)6&8 F.S.); and

WHEREAS, the Board of County Commissioners finds that beach quality sand that is suitable for marine turtle nesting, sea turtle habitats and the nesting of shore birds is essential to the Island communities of Anna Maria Island, Holmes Beach and Bradenton Beach, and

WHEREAS, the Manatee County Comprehensive Plan, Coastal Element, provides that a policy is to: “Minimize the disturbance of natural shoreline resources that provide shoreline stabilization and protect landward areas from the effects of storm events.” (Policy 4.4.2.5); and,

WHEREAS, the impact to the sand resources of Manatee County critical to the beaches of Anna Maria Island, Holmes Beach and Bradenton Beach need to be addressed in the context of the above cited goals and policies of the State of Florida and Manatee County Comprehensive Plans with respect to the cumulative impacts of off-shore oil and gas drilling within State Waters; and

WHEREAS, the regional impact to public safety warrants not allowing oil and gas drilling in State waters, with particular reference to the existing military installations which conduct training missions in the vicinity of the waters of the Gulf of Mexico in Northwest Florida; and,

WHEREAS, the location of viable pipeline route alternatives to service the oil or gas drilling platforms could have an impact direct or cumulative to the beach compatible mineral resources utilized for the beach nourishment of Anna Maria Island by the Manatee County Shore Protection Program over which the oil or gas drilling infrastructure would be constructed; and

WHEREAS, there has been no analysis specific to Southwest Florida as to the cumulative impact to the benthic habitat along any proposed pipeline route as a result of numerous pipelines constructed to serve off-shore oil or gas drilling; and

WHEREAS, there has been no specific data on ambient underwater sound levels in the area within State waters proposed for off-shore oil and gas platform construction and pipeline routes; and

WHEREAS, the Board of County Commissioners finds that marine mammals and many fishes are highly dependent on sound for communication, navigation, foraging and

predatory avoidance and a long-term cumulative impact of the noise from off-shore oil drilling on these mammals and fishes have not been adequately analyzed; and

WHEREAS, hard bottom and sea grasses serve as high-quality habitat for a variety of commercially and recreational important fish species; and

WHEREAS, the Terra Ceia Aquatic Preserve has been established by State Legislation and the aquatic preserves are defined in Section 258.37, F.S., as exceptional areas of submerged lands and its associated waters set aside for being maintained essentially in its natural or existing conditions; and

WHEREAS, the negative impacts of potential oil and gas drilling within the Gulf of Mexico in State waters in close proximity to aquatic preserves would disproportionately impact the Terra Ceia Aquatic Preserve within Manatee County.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida:

Section 1. The above findings contained the preamble of this resolution are hereby adopted as findings by the Board of County Commissioners.

Section 2. The Board of County Commissioners hereby states its opposition to any allowance of off-shore oil and gas drilling with the State of Florida waters in the Gulf of Mexico.

Section 3. The Board of County Commissioners finds that the following issues warrant further study and analysis prior to allowing off-shore oil and gas drilling within State waters:

A. An assessment panel (i.e. "honest brokers") would need to be established to provide an impartial analysis of the risks to coastal communities associated with allowing off-shore oil and gas drilling within State waters.

B. A marine based comprehensive management plan is critical and should be prepared prior to consideration of any off-shore oil drilling in State waters to identify valuable environmental resources as to location and type and how they would potentially be impacted by off-shore oil and gas drilling infrastructure and related pipelines.

C. An analysis needs to be performed as to the performance security or insurance policy that would be required to be provided by any entity performing oil or gas drilling in State waters in the Gulf of Mexico to guarantee a source of funds to pay for the environmental damage from oil spills or other related infrastructure accidents or occurrences.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this _____ day of _____, 2009.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Dr. Gwendolyn Y. Brown, Chairman

ATTEST: R.B. SHORE
Clerk of the Circuit Court

By: _____
Deputy Clerk