

**BOARD OF COUNTY COMMISSIONERS**

**GULF COUNTY, FLORIDA**

**INFORMATION**

**AUGUST 9, 2011**

**PAGE NO.**

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Phase 29  
FY2011  
Annex 5

**Gulf County HAS BEEN AWARDED FEDERAL FUNDS UNDER THE EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM.**

Gulf County has been chosen to receive \$6,594.00 to supplement emergency food and shelter programs in the county.

The selection was made by a National Board that is chaired by the Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross, Catholic Charities, USA, National Council of the Churches of Christ in the USA, The Salvation Army, United Jewish Communities and, United Way of America. The Local Board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A Local Board made up of representatives from (American Red Cross, Catholic Charities, Salvation Army, Gulf County Board of County Commission, a homeless or formerly homeless representative, and other appointed committee members) will determine how the funds awarded to Gulf County are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The Local Board is responsible for recommending agencies to receive these funds and any additional funds available under this phase of the program.

Under the terms of the grant from the National Board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) have an accounting system, 3) practice nondiscrimination, 4) have demonstrated the capability to deliver emergency food and/or shelter programs, and 5) if they are a private voluntary organization, they must have a voluntary board. Qualifying agencies are urged to apply.

Gulf County has distributed Emergency Food and Shelter funds previously with Gulf County Senior Citizens. This agency was responsible for providing over 2400 meals and 0 nights of lodging.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact Stephanie Richardson, Emergency Operations Center 1000 Cecil G. Costin Sr. Blvd. Bldg. 500, Port St. Joe, Fl. 32456, or call 229-9110 for an application. The deadline for applications to be received is August 18, 2011.

Ad Date: August 4, 2011  
Ad #2011-58  
Invoice: Gulf County Board of County Commissioners  
Publish as Display Ad

2011 JUL 27 AM 10:34

**NOTICE OF APPLICATION FOR TAX DEED**

**NOTICE IS HEREBY GIVEN** that Plymouth Park Tax Services LLC the holder of the following Tax Certificate, has filed said certificate for a tax deed to be issued thereon. The certificate number and year of issuance, the description of the property, and the names in which it was assessed are as follows:

Certificate No.	<u>1326</u>	Application No.	<u>2011 - 17</u>
Year of Issuance:	<u>2009</u>	R.E. No.	<u>06268-044R</u>

**Description of Property:**

**See EXHIBIT "A" Attached Hereto And By This Reference Made A Part Hereof**

2011 AUG - 3 AM 10: 26

Name in which assessed: Richard J. Nelson III & Theresa R. Nelso

All of said property being in Gulf County, State of Florida. **Unless** such certificate shall be redeemed according to law, the property described in such certificate will be sold to the highest bidder in the front Lobby of the Gulf County Courthouse, 1000 Cecil G. Costin, Sr. Blvd., Port St. Joe, Florida at 11:00 AM, E.T., Wednesday, the 14th day of September, 2011. Dated this 1st day of August, 2011.

REBECCA L. NORRIS  
CLERK OF THE CIRCUIT COURT  
GULF COUNTY, FLORIDA

BY: Donna L. Ray  
Donna L. Ray  
Deputy Clerk

CLERK OF THE CIRCUIT COURT  
GULF COUNTY, FLORIDA  
COMMISSIONERS

INFORMATION  
DATE 8/9/11 2

Certificate No. 1326  
Year of Issuance: 2009

Application No. 2011 - 17  
R.E. No. 06268-044R

**EXHIBIT "A"**

**DESCRIPTION:**

**COMMENCE** at the Northwest Corner of Section 7, Township 9 South, Range 11 West, Gulf County, Florida, and thence North 00 Degrees 04 Minutes 21 Seconds East 1341.09 feet to the Southwesterly right of way boundary of County Road No. 30-E, thence run along said right of way boundary as follows: South 23 Degrees 25 Minutes 11 Seconds East 1642.44 feet to a point of curve to the left, thence Southeasterly along said curve with a radius of 11426.79 feet thru a central angle of 00 Degrees 29 Minutes 20 Seconds for an arc distance of 97.50 feet, thence continue along said curve with a radius of 11426.79 feet thru a central angle of 00 Degrees 29 Minutes 54 Seconds for an arc distance of 99.39 feet, thence leaving said right of way boundary, run South 66 Degrees 05 Minutes 29 Seconds West 520.00 feet; thence run South 23 Degrees 54 Minutes 31 Seconds East 53.35 feet to a rod and cap for the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 23 Degrees 54 Minutes 31 Seconds East 46.01 feet to a rod and cap, thence run South 66 Degrees 09 Minutes 06 Seconds West 267.93 feet to the approximate mean high waterline of the Gulf of Mexico, thence run North 19 Degrees 21 Minutes 28 Seconds West along said approximate mean high waterline 35.62 feet, thence run North 14 Degrees 39 Minutes 38 Seconds West along said approximate mean high waterline 10.81 feet, thence run North 66 Degrees 10 Minutes 13 Seconds East 263.37 feet to the POINT OF BEGINNING. Containing 0.28 of an acre more or less.

**ALSO:**

**DESCRIPTION: 12 FOOT INGRESS/EGRESS EASEMENT**

A parcel of land lying and being in Section 7, Township 9 South, Range 11 West, and Section 12, Township 9 South, Range 12 West, Gulf County, Florida, and being more particularly described as follows: **COMMENCE** at the Northwest Corner of said Section 7, Township 9 South, Range 11 West, and thence North 00 Degrees 04 Minutes 21 Seconds East along the West boundary line of Section 6, Township 9 South, Range 11 West, for 1341.09 feet to the Southwesterly right of way line of County Road No. 30-E,

thence **South 23 Degrees 25 Minutes 11 Seconds East** along said right of way line for **1642.44 feet** to a point of curve; thence continue along said right of way line along the arc of a curve to the left which has a radius of **11,426.79 feet** and a central angle of **00 Degrees 29 Minutes 20 Seconds** for an arc length of **97.50 feet**; thence continue along said curve to the left which has a radius of **11,426.79 feet** and a central angle of **00 Degrees 29 Minutes 54 Seconds** for an arc length of **99.39 feet**, thence leaving said right of way line, **South 66 Degrees 05 Minutes 29 Seconds West** for **520.00 feet** to the **POINT OF BEGINNING**, thence **South 23 Degrees 54 Minutes 31 Seconds East** for **53.35 feet**, thence **South 66 Degrees 05 Minutes 29 Seconds West** for **12.00 feet**; thence **North 23 Degrees 54 Minutes 31 Seconds West** for **53.35 feet**; thence **North 68 Degrees 05 Minutes 29 Seconds East** for **12.00 feet** to the **POINT OF BEGINNING**.

**ALSO:**

**A 12' Easement for the Ingress and Egress as described in the Public Records of Gulf County, Florida, at O. R. Book 176, Page 310-321, located between County Road C-30 and the property described above.**

CERTIFICATE NO. 1326 OF May 27, 2009  
APPLICATION NO. 2011 - 17 R.E. NO. 06268-044R

TO: Richard J. Nelson III & Therese:  
2859 Hutchins Road  
Lawrenceville, GA 30044

**WARNING**

There are unpaid taxes on property which you own or in which you may have legal interest. The property will be sold at public auction on Wednesday, the 14th day of September, 2011 at 11:00 AM, E.T., unless the back taxes are paid. To make payment, or to receive further information, contact the Gulf County Clerk of the Circuit Court immediately at the Gulf County Courthouse, 1000 Cecil G. Costin, Sr. Blvd., Port St. Joe, Florida, (850) 229-6113.

**Description of Property Referred to Above is:**

**See EXHIBIT "A" Attached Hereto And By This Reference Made A Part Hereof**

**NOTICE TO RECEIVE  
SEALED BIDS  
BID NO. 1011-28**

**6**

The Gulf County Board of County Commissioners will receive bids from any person, company or corporation interested in providing the following for the Gulf County Beaches Fire Department:

**One (1) Hale Fire Pump and One (1) Hale Deluxe Pump Panel**

**Pump: Model - Hale HPX100-BD26**

- **Briggs and Stratton DM950D Diesel Engine**
- **Electric 12 Volt Start**
- **Hale 100 Pump End**
- **Mechanical Seal**
- **2 in NPT Female Suction**
- **1.5" NPT Discharge**
- **12 Volt Primer ESP**
- **Max Pump Flow - 180 gpm**
- **Max Pressure - 325 psi**

**Deluxe Pump Panel**

- **Master Switch**
- **Start Button**
- **Primer Level**
- **Low Oil Pressure Light**
- **Suction Gauge**
- **Single Discharge Gauge**
- **Throttle Controls**

Please indicate on the envelope **YOUR COMPANY NAME**, that this is a **SEALD BID** and include the **BID NUMBER**. Please provide an original and three (3) copies.

Bids must be submitted to the Gulf County Clerk's Office at 1000 Cecil G. Costin, Sr., Blvd., Room 148, Port St. Joe, Florida 32456 by Friday, September 2, 2011 at 4:30 p.m., E.T. Bids will be opened at this same location on Tuesday, September 6, 2011 at 10:00 a.m., E.T.

Any questions concerning this bid should be directed to David Richardson at (850) 227-9562 or Bobby Plair (850) 227-1115.

Gulf County reserves the right to accept or reject any or all bids.

**BOARD OF COUNTY COMMISSIONERS  
/S/ Warren Yeager, Jr., Chairman**

**Attest: Rebecca L. Norris, Clerk**

Publication Dates: August 4 & 11, 2011

Ad #2011-49

Invoice: Gulf County Board of County Commissioners

Ad Size: Legals

2011 JUL 22 AM 9:26

**6**

The Gulf County Board of County Commissioners is accepting applications for an Information Technology Director. Applications and a complete job description are available in our HR office or at [www.gulfcounty-fl.gov](http://www.gulfcounty-fl.gov). EOE Application deadline is Thursday, August 11, 2011 at 5:00 p.m., E.T. For more information, please contact Lynn Lanier, Deputy Administrator at 850-229-6106. Gulf County enforces a Drug-Free Workplace Policy and is an Equal Opportunity / Affirmative Action Employer.

**BOARD OF COUNTY COMMISSIONERS  
Warren J. Yeager, Jr., Chairman**

**Attest: Rebecca L. Norris, Clerk**

Ad Date: August 4, 2011  
Ad #2011-53  
Publish in Legals  
Invoice: Gulf County BOCC

2011 AUG 26 PM 1:42

## JOB NOTICE

The Gulf County Board of County Commissioners is accepting applications for two (2) PART-TIME Mosquito Sprayers with **NO** benefits. Hours of work will be determined on an as-needed basis. Applications and a complete job description are available in our HR office or at [www.gulfcountygovernment.com](http://www.gulfcountygovernment.com). Application deadline is Friday, August 12, 2011 at 5:00 p.m., E.T. A TABE score of 10.0 or higher is required, test date to be determined. For more information, please contact Mosquito Control Director Mark Cothran at 850-227-1401. Gulf County enforces a Drug-Free Workplace Policy and is an Equal Opportunity / Affirmative Action Employer.

**Board of County Commissioners**  
**/s/ Warren J. Yeager, Jr., Chairman**

**Attest: Rebecca L. Norris, Clerk**

Advertise: August 4, 2011

Ad #2011-51

Invoice: Gulf County Board of County Commissioners

Ad size: Help Wanted

2011 JUN 25 AM 9:39

## PUBLIC NOTICE

**A Public Hearing will be held at the Planning and Development Review Board (PDRB) meeting on Monday, August 15, 2011 at 8:45 a.m. EST, and at the Board of County Commissioners (BOCC) meeting on Tuesday, August 23, 2011 at 6:00 p.m. EST. Both public hearings will be held in the BOCC Meeting Room at the Robert M. Moore Administration Building, 1000 Cecil G. Costin Sr. Blvd., Port St. Joe, Florida. The public hearings will be to discuss and act on the following:**

1. Variance Application - by Eugene Behage - for Parcel ID # 06316-006R - Located in Section 23, Township 9 South, Range 11 West, Gulf County, Florida - Encroachment into side setback next to Salinas Park.
2. Development Application - by Port St. Joe FLA LLC - For Parcels ID #'s 06252-010R, 06252 - 000R, 06257-000R, 06257-200R - Located in Sections 25 & 36, Township 8 South, Range 11 West, Gulf County, Florida - Construct a Marina and RV Park.
3. Open Discussion
4. Staff

The public is encouraged to attend and be heard on these matters. Information prior to the meeting can be viewed at the Planning and Building Department at 1000 Cecil G. Costin Sr. Blvd., Room 312.

Ad #2011-59

Date: August 4, 2011 and August 11, 2011

Invoice: Gulf County Planning Department

**Size: Headline no smaller than 18 point**

**Must be at least 2 columns wide by 10 inches long**

**Must not appear in the newspaper portions where legal notices and classified advertisements appear**

**Proof of Publication required**

**Public Notice**

**A Public Hearing will be held at the Board of County Commissioners (BOCC) meeting on Tuesday, August 23 at 6:00 p.m. EST. The public hearings will be held in the BOCC Meeting Room at the Robert M. Moore Administration Building 1000 Cecil G. Costin Sr. Blvd. Port St. Joe, Florida. The public hearings will be to discuss and act on the following:**

**AN ORDINANCE AMENDING THE GULF COUNTY COMPREHENSIVE PLAN PER THE REQUIREMENTS OF FLORIDA STATUE 163 BY AMENDING THE ELEMENTS OF THE GULF COUNTY COMPREHENSIVE PLAN THROUGH TEXT ADDITIONS, REMOVALS AND REVISIONS TO THE GOALS, OBJECTIVES AND POLICIES OF THE RESPECTIVE ELEMENTS; ADDING AN ECONOMIC DEVELOPMENT ELEMENT; PROVIDING FINDINGS FOR ADOPTION; PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH; PROVIDING FOR SEVERABLITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The public is encouraged to attend and be heard on this matter. The ordinance and contents are on file with the Clerk of Court and at the Planning Department, Room 312 in the Robert M. Moore Administration Building 1000 Cecil G. Costin, Sr. Blvd. Port St. Joe, FL.

Ad #2011-60

Date: August 11 & August 18, 2011

Invoice: Gulf County Planning Department

- Size: **Headline no smaller than 18 point**
- Must be at least 2 columns wide by 10 inches long**
- Must not appear in the newspaper portions where legal notices and classified advertisements appear**
- Proof advertisement is required**

DUVAL COUNTY  
2011 AUG -3 AM 11:07  
DUVAL COUNTY  
COMMISSIONERS

Commissioner,

Sacred Heart Star Ad from July 28, 2011 attached. The Map sends a clear message. Wewahitchka / White City not listed, Carrabelle and Mexico Beach on the map.

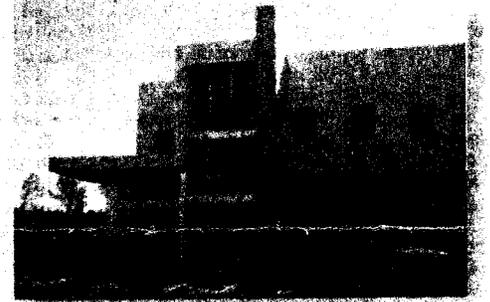
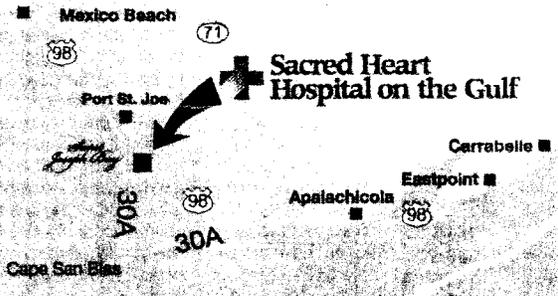
Wewahitchka supported sales tax. Result tax paying no services or even an acknowledgement.

2011 AUG -3 AM 11:50

# SACRED HEART HOSPITAL ON THE GULF

Proud to be Your  
*Community*  
**HOSPITAL**

- 24-Hour Emergency Department
- Inpatient Services
- Diagnostic & Imaging Services
- Laboratory Services
- Surgical Services
- Helipad for AIRHeart Air Ambulance



*Now Open!*

SACRED HEART  
MEDICAL OFFICE BUILDING

**Physician Offices**

- Primary Care
- General Surgery
- Orthopedics
- Pulmonology
- Vascular Surgery
- Other Specialists – *Coming Soon!*

**Medical Services**

- Physical Therapy
- Speech Therapy
- Davita Dialysis
- Mammography, Ultrasound & Bone Density Testing – *Coming Summer 2011*

**24/7 EMERGENCY CARE**



(850) 229-5600  
3801 E. Hwy. 98  
Port St. Joe, Florida 32456  
*Like us on* 

 **Sacred Heart  
Hospital on the Gulf**



# Chemical Addictions Recovery Effort, Inc.

Prevention • Intervention • Treatment • Recovery

August 1, 2011

Board of County Commission  
Gulf County, Florida  
1000 Cecil G. Costin, Sr. Blvd.  
Port St. Joe, FL 32456

Re: Request for Funding Assistance for FY 2011/2012 for Chemical Addictions Recovery Effort (CARE), Inc.

Dear Sir:

Please accept this letter as CARE's official request for payment of funds for Fiscal Year 2011/2012. The amount approved is \$10,000.00.

CARE is a non-profit agency dedicated to providing prevention, intervention, treatment and recovery services. CARE provides services to six counties: Bay, Calhoun, Gulf, Holmes, Jackson and Washington. Funding is provided through the Florida Department of Children and Families, local agencies, County Commissions, patient fees, Medicaid, donations and contracted work with other agencies.

We, at CARE, are very appreciative of the support of Gulf County Commissioners in helping us get people back on the road to recovery. It is caring individuals throughout our catchment area who make our job seem so worthwhile.

Thank you again for your generous support. You may reach me at (850) 872-7676, Ext. 4439 if you have any questions.

Sincerely,

Tunnie Miller  
Chief Executive Officer

TM/jbk

**ADMINISTRATION**

4000 East 3rd Street  
Panama City, FL 32404  
(850) 872-7676, x4432  
FAX: (850) 872-9202

**AWARE**

3407 North East Avenue  
Panama City, FL 32405  
(850) 769-6156, x21  
FAX: (850) 872-0089

**BAY OUTPATIENT**

4000 East 3rd Street  
Panama City, FL 32404  
(850) 872-7676, x4426  
FAX: (850) 872-8955

**JACKSON OUTPATIENT**

415C ... Drive  
Marianna, FL 32446  
(850) 526-3133  
FAX: (850) 482-5668

**PREVENTION PROGRAMS**

2766 Levy St.  
Cottondale, FL 32421  
(850) 352-3553  
FAX: (850) 352-2614

**PRIMARY CARE**

(DETOXIFICATION)  
4000 East 3rd Street  
Panama City, FL 32404  
(850) 769-1632  
FAX: (850) 872-0935

**SOS**

4000 East 3rd Street  
Panama City, FL 32404  
(850) 872-7676, x4426  
FAX: (850) 872-7679

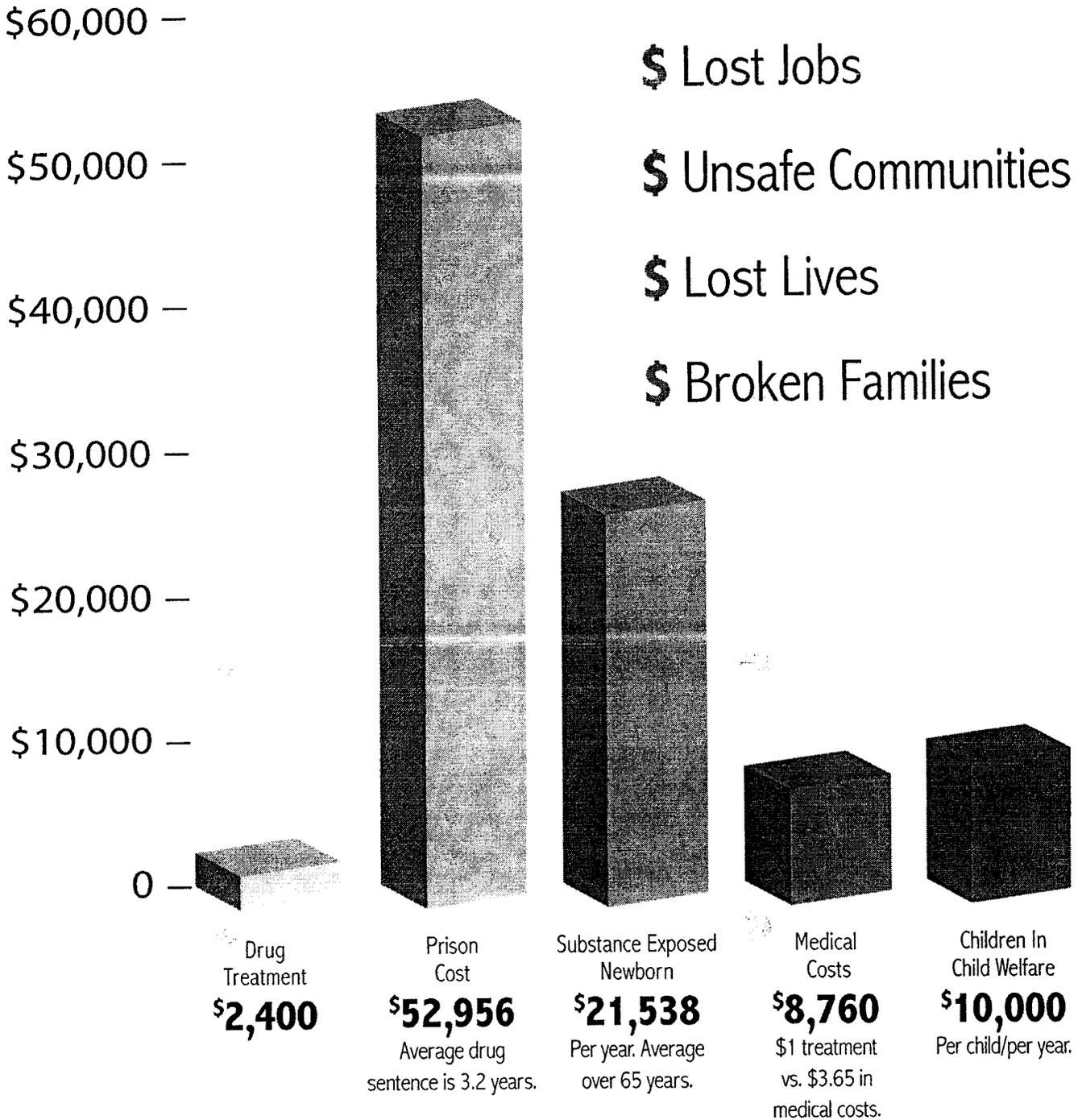
2011 AUG -3 AM 10:26

2011 AUG -3 AM 10:26  
COMMISSIONERS

13  
8/9/11 LL

# Substance Abuse Treatment is a Sound Investment

**Continue Investment or Pay Tomorrow**





## 10 REASONS TO FUND SUBSTANCE ABUSE DISORDER TREATMENT

### - IT MAKES GOOD BUSINESS SENSE -

- **Treatment is Cheaper than the Consequences**
  - \$2,400 for treatment vs. \$52,956 for prison
  - \$2,400 for treatment vs. \$10,000 per child annually in child welfare system
  - \$2,400 for treatment vs. \$1.4 million lifetime cost for substance exposed newborn
- **Treatment Works** - 58% Individuals Receiving Treatment are Successful - A better record than other chronic health diseases
- **Treatment is not a Revolving Door** - 77% in treatment have only one contact in 12 months
- **Treatment is Cost Efficient** – each \$1 in State GR generates \$2 additional in federal block grant funds and local match
- **Treatment Reduces Medical Expenses** – Every \$1 spent on treatment saves \$2.00 to \$3.65 in additional medical-related costs
- **Treatment Reduces Crime** – Studies report 40-60% reduction
- **Treatment Supports Local Jobs** – 69% of adults are employed post treatment
- **Treatment Employs Local Citizens** in over 16,650 jobs statewide – doctors, nurses, counselors and administrative staff who work at local businesses
- **Treatment Supports Local Economy** – over 6,429 vendors supply community treatment companies
- **85% of Those Currently in Treatment do not Qualify for Medicaid;** of those who do qualify, 56% need a substance abuse treatment service Medicaid does not cover

3/22/11

Florida Alcohol and Drug Abuse Association • 2868 Mahan Drive, Suite 1 • Tallahassee, FL 32308

Phone (850) 878-2196 • Fax (850) 878-6584 • [www.fadaa.org](http://www.fadaa.org)

# Substance Abuse Treatment is Cost Efficient

Adult Substance Abuse GR = **\$27.2 million**

Adults Served w/GR = 27,200 (20% of 138,000 total adults served)

## Increased Prison Costs (if 20% go to prison)

$5,440 \times \$53.34 \times 365 = \$106 \text{ million}$   
individuals    daily prison    days  
rate

## Increased Child Welfare Costs (if 20% have a child in child welfare system)

$5,440 \times \$10,000 = \$54.4 \text{ million}$   
individuals    per child/per year

## Increased Health Care Costs (if adult GR eliminated)

$\$27 \text{ million} \times \$2.00 \text{ increased costs} = \$64 \text{ million}$   
**OR**  
 $\$27 \text{ million} \times \$3.65 \text{ increased costs} = \$98.6 \text{ million}$

65% of inmates have substance abuse problems

52% in treatment today have criminal justice involvement

46% of those in treatment have dependant children

50-80% youth in child welfare due to parental substance abuse problems

\$2 increased medical costs- Washington state study **OR** \$3.65 increased medical costs- Maryland state study



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

August 1, 2011

Mr. Donald Butler  
Gulf County  
1000 Cecil G. Costin Jr. Blvd.  
Port St. Joe, FL 32456

SUBJECT: Florida Beach Management Program FY2012-13 Funding Request

Dear Mr. Butler,

Staff has completed a cursory review of your FY 2012-13 funding request application for the following project(s):

St. Joseph Peninsula Beach Restoration

Based upon that review, no deficiencies have been identified. The Department will proceed with its evaluation of your funding request for inclusion in the Department's Local Government Funding Request (LGFR) for FY 2012-13 to be submitted to the State Legislature. Project assessments will be forwarded to you when they have been completed.

For additional details, please contact Catherine Florco, project manager for your area, at (850)922-7706.

Sincerely,

Paden E. Woodruff, III  
Environmental Administrator  
Bureau of Beaches and Coastal Systems

2011 AUG -3 AM 10:26

2011 AUG -3 AM 10:03  
OFFICE OF THE SECRETARY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

INFORMATION 17  
8/9/11 CC



H. Frank Farmer, Jr., MD, PhD, FACP  
State Surgeon General

July 21, 2011

Mr. Warren J. Yeager, Jr., Chairman  
Gulf County Board of County Commissioners  
1000 Cecil G. Costin, Sr. Boulevard, Room 309  
Port Saint Joe, Florida 32456

2011 JUL 23 PM 12:04  
GULF COUNTY  
BOARD OF COUNTY COMMISSIONERS

Dear Mr. Yeager:

Our April 18 letter awarded state EMS county grant C0023 its initial funds, and stated you would be notified in July 2011, of the amount of the second and final payment for this grant. The amount is \$509.00 which is 45 percent of the funds your county deposited between January 1, 2011 and June 30, 2011 into the state EMS Trust Fund under section 401.113(1), *Florida Statutes*. The deadline to apply is October 12, 2011, 5:00 PM, Eastern Daylight Saving Time.

We are authorized to provide this grant to your county by section 401.113(2) (a), *Florida Statutes* upon receiving the following state county grant forms: (1) a budget which totals exactly \$509.00, and (2) a Request for Grant Fund Distribution form with the top part completed.

All budget items must improve and expand EMS because replacement and continuation are not allowable for any county, rural or urban, per section 401.113 (1), *Florida Statutes*.

Complete and send the original plus one copy of the requested budget and signed Request for Grant Distribution form to: DOH EMS County Grants, Attn: Alan Van Lewen, 4052 Bald Cypress Way Mail Bin C18, Tallahassee, FL 32399-1738.

Thank you very much for your cooperation and support to improve and expand quality EMS in Florida. Please contact me if you have any questions: (850) 245-4440, extension \*2734.

Sincerely,

Alan Van Lewen  
Health Services and Facilities Consultant

cc: Ms. Towan Kopinsky, Grant Coordinator

2011 AUG -3 AM 10:26

INFORMATION  
DATE 8/11/11 LL

Florida Department of  
Law Enforcement

Gerald M. Bailey  
Commissioner

Office of Criminal Justice Grants  
Post Office Box 1489  
Tallahassee, Florida 32302-1489  
(850) 617-1250  
www.fdle.state.fl.us

Rick Scott, Governor  
Pam Bondi, Attorney General  
Jeff Atwater, Chief Financial Officer  
Adam Putnam, Commissioner of Agriculture

The Honorable Carmen McLemore  
Chairman  
Gulf County Board of Commissioners  
1000 Cecil Costin Boulevard  
Port St Joe, FL 32456

AUG 2 11 10 24  
 COMMISSIONERS

Re: Contract No. 2011-JAGD-GULF-1-B3-058

Dear Chairman McLemore:

This letter confirms our receipt and acceptance of all financial and programmatic reports applicable to the referenced project. While this concludes active administration of the subgrant agreement by the Florida Department of Law Enforcement, you are reminded that all supporting records must be maintained for a period of not less than three years from termination date for audit and examination. An audit performed in accordance with OMB Circular No. A-133 must also be conducted and submitted to the Office of Criminal Justice Grants, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

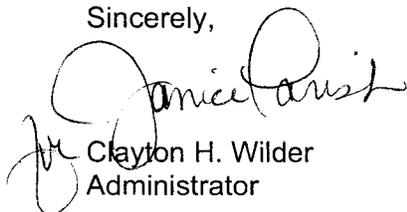
All non-expendable property acquisitions must be accounted for and maintained for as long as the equipment is in service. The Department must be notified prior to any disposition of non-expendable property and must be advised immediately of any lost or stolen items.

2011 AUG -3 AM 10:26

The Honorable Carmen McLemore  
Page Two

Any further inquiries relative to this project should be directed to your grant manager  
at 850/617-1250.

Sincerely,



Clayton H. Wilder  
Administrator

CHW/JP/st

cc: Major Bobby Plair



**Florida Department of Transportation**

**RICK SCOTT  
GOVERNOR**

1074 Highway 90  
Chipley, FL 32428

**ANANTH PRASAD, P.E.  
SECRETARY**

2011 AUG 20 AM 11:21  
COUNTY COMMISSIONERS

July 18, 2011

**Certified Mail:**  
7007 3020 0001 0595 4700

The Honorable Warren Yeager, Chairman  
Board of County Commissioners  
1000 Cecil G. Costin, Sr. Boulevard  
Port St. Joe, FL 32456

**Subject: TRAFFIC REGULATION CHANGE  
"NO PARKING ON RIGHT OF WAY" SIGNS  
S.R. 30 (U.S. 98) west of Pine Street and west of Selma Street  
Section 51010, Gulf County**

Dear Chairman Yeager:

This notice is to inform you of a pending traffic regulation change on a portion of the State Highway System within your governmental entity.

This change is being made in accordance with the Manual on Uniform Traffic Control Devices as amended and adopted by the Department under Rule 14.15.010. The change has evolved from recommendations determined from an approved engineering study and report.

This regulation will become effective upon placement of the implementing traffic control device (Florida Statutes 316.074) but no sooner than fourteen (14) days from the date of this notice pursuant to Florida Statutes 335.10. If you have any questions, you may contact Tammy Melchi by phone at (850) 415-9269 or by e-mail at [tammy.melchi@dot.state.fl.us](mailto:tammy.melchi@dot.state.fl.us).

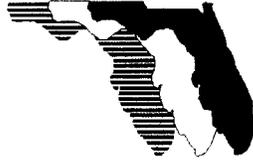
Regulation No. Date Approved	County Section	Route Number	Location	Regulation Change
3PR11-09 7/13/2011	Gulf 51010	S.R. 30 (U.S. 98)	west of Pine Street (M.P. 8.834 – M.P. 8.872) and west of Selma Street (M.P. 9.130 – M.P. 9.168)	"NO PARKING ON RIGHT OF WAY" SIGNS (NORTH SIDE ONLY)

Sincerely,

James T. Barfield, P.E.  
FDOT District Three Secretary  
JTB/JP/DM/mk

2011 AUG -3 AM 10:26

cc: Florida Highway Patrol, Gulf County Sheriff's Office



**Florida Department of Transportation**

RICK SCOTT  
GOVERNOR

Post Office Box 607  
Chipley, FL 324280-0607

ANATH PRASAD, P.E.  
SECRETARY

August 1, 2011

The Honorable Warren Yeager, Chairman  
Board of County Commissioners  
1000 Cecil G. Costin, Sr. Boulevard  
Port St. Joe, FL 32456

Subject: **"NO PARKING ON RIGHT OF WAY" SIGNS**  
S.R. 30 (U.S. 98) west of Pine Street and west of Selma Street  
Section 51010, Gulf County

GULF COUNTY  
BOARD OF COUNTY  
COMMISSIONERS  
2011 AUG -3 AM 11:08

Dear Chairman Yeager:

The Department has approved the "NO PARKING ON RIGHT OF WAY" signs at the referenced location.

By copy of this letter we are requesting the Florida Highway Patrol and the Gulf County Sheriff's Department place this location on their surveillance list for enforcement. If you have any questions, you may contact Tammy Melchi by phone at (850) 415-9269 or by e-mail at [tammy.melchi@dot.state.fl.us](mailto:tammy.melchi@dot.state.fl.us).

Sincerely,

  
James T. Barfield, P.E.  
FDOT District Three Secretary

*Handwritten initials*

JTB/JP/DM/mk

cc: Florida Highway Patrol, Gulf County Sheriff's Office

2011 AUG -3 AM 11:50

**Lynn Lanier**

---

**From:** Kutchinski, Stephanie [Stephanie.Kutchinski@dot.state.fl.us]  
**Sent:** Wednesday, July 20, 2011 11:40 AM  
**To:** commissioner1@gulfcountry-fl.gov; montford.bill.web@flsenate.gov;  
jimmy.patronis@myfloridahouse.gov  
**Cc:** Battles, Regina; McCall, Cheryl; Pettis, Olen; Castells, Dustin; Caskey, Brian; Warmath,  
Paula; Work Program Correspondence; Jones, Josephine; Golden, Lisa  
**Subject:** Work Program Amendment 12-AM-002M  
**Attachments:** 12-AM-002M.pdf

Attached for your information is the above referenced amendment(s) that have been sent to the Executive Office of the Governor for approval. When approved, the project will then be adopted into the Department's Five year Work Program for normal production processing. If you have any questions, please contact Cheryl McCall at (850) 415-9214.

Thank you,

***Stephanie Kutchinski***

FDOT - Office of Work Program  
605 Suwannee Street, MS 21  
Tallahassee, FL 32399-0450  
(850) 414-4648  
[Stephanie.Kutchinski@dot.state.fl.us](mailto:Stephanie.Kutchinski@dot.state.fl.us)

2011 AUG - 3 AM 10: 26



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.  
SECRETARY

July 15, 2011

TO: Governor's Office of Policy and Budget

FROM: L.K. Saliba, Director, Office of Work Programs *L.K. Saliba*

SUBJECT: Notification of Proposed Work Program Amendment to the  
FY 10/11-14/15 Adopted Work Program – 12-AM-002M

COPIES: Tommy Barfield

Pursuant to Section 339.135(7)(d)1, Florida Statutes, the Florida Department of Transportation is hereby providing you with the attached proposed Work Program Amendment.

cc: Chairperson, Senate Budget Subcommittee on Transportation, Tourism & Economic  
Development Appropriations  
Chairperson, Senate Committee on Transportation  
Chairperson, Senate Committee on Budget  
Chairperson, House Transportation & Highway Safety Subcommittee  
Chairperson, House Economic Affairs Committee  
Chairperson, House Transportation & Economic Development Appropriations Subcommittee  
Chairperson, House Appropriations Committee  
Executive Director of the Florida Transportation Commission  
Local Government

Amendment No.(s) 12-AM-002M  
2012-03-003

**Work Program Amendment Summary**

This work program amendment proposes to add \$106,735 in FY2012 to item number 422941-4 for the Port of Port St. Joe Bulkheading & Upland Improvement Project.

The additional funds will be used for the development of the Port which includes engineering, permitting, utilities (water, sewer, gas, electric), site grading and stabilization, concrete apron, steel, sheetpiling, excavation and fencing. The additional funding will enable this portion of the contract to be closed.

Funds and budget to support this amendment to transfer prior year funds from one approved seaport project to another is being requested under Section 311.09(10), F.S., from item #420535-1, Port of Key West.

DOT CENTRAL OFFICE:  
THE PROPOSED AMENDMENT(S) ARE:

BALANCED TO FUNDS (PAR)  
AND BUDGET (PBR)

Kendra Sheffield 7,15,11

BALANCED TO CASH FLOW

Linn L. Brown 7,15,11

A BUDGET AMENDMENT IS:  
 REQUIRED  
 NOT REQUIRED *etc*

Masha Johnson 7/15/11  
SIGNATURE DATE

EXECUTIVE OFFICE OF THE GOVERNOR:

THE PROPOSED AMENDMENT(S) ARE:  
 APPROVED       REJECTED

\_\_\_\_\_  
SIGNATURE      DATE

Form 360-020-01  
Work Program - 11/95  
As of: 7/14/2011

Florida Department of Transportation

\*\* Work Program Amendment \*\*

To: Governor's Office of Planning and Budgeting

Amendment: 2012 03 003

Notifications sent (by Central Office) to the following on: \_\_\_/\_\_\_/\_\_\_

Senate & House Appropriations Committees  
Senate & House Transportation Committees

Legislators  
Local Governments

MPO's

From: O.W.P.

Subject: Proposed Amendment to the Adopted Work Program

Proposed  
By:

*Bob Romig*  
District or Assistant Secretary Signature

*Catherine J. Kelly*  
Contact Person (please print)

Proposed Action:  Delete Project or Phase.  
 Advance Right-of-Way, Construction, or Public Transportation Phase over \$500,000; or Preliminary Engineering or Design Phase over \$150,000.

Add Phase over \$150,000.  
 Defer Right-of-Way, Construction, or Public Transportation Phase over \$500,000; or Preliminary Engineering or Design Phase over \$150,000.

Reason: **THIS WORK PROGRAM AMENDMENT PROPOSES TO ADD \$106,735 IN FY2012 TO EXISTING ITEM NUMBER 422941-4 PORT OF PORT ST. JOE BULKHEADING & UPLAND IMPROVEMENT PROJECT. FUNDS AND BUDGET TO SUPPORT THIS AMENDMENT TO TRANSFER PRIOR YEAR FUNDS FROM PROJECT 420535-1 PORT OF KEY WEST IS BEING REQUESTED IN ACCORDANCE WITH SECTION 311.09(10), F.S.**

Consistency requirements for TIP and STIP: (applies to Federal Funds only)

District (Central Office if Statewide Program) proposed amendment is:

Consistent with MPO's Transportation Improvement Program (TIP)

Consistent with State Transportation Improvement Program

TIP Amendment Required  
Anticipate Approval by: \_\_\_/\_\_\_/\_\_\_

STIP Amendment Required

Not applicable (not in MPO area)  
*NOT Required*

Not applicable

TIP/STIP consistency, or need for TIP and/or STIP amendment confirmed by:

*Catherine J. Kelly* 7/14/11  
(contact person signature) (date)

**Waldrop, Alicia**

**From:** Romig, Robert  
**Sent:** Thursday, July 14, 2011 3:41 PM  
**To:** Waldrop, Alicia  
**Cc:** Hart, Marion; Dahirrose, Meredith; Gibbs, Francis; Bradley, Ginny; Sheffield, Kendra  
**Subject:** Re: Urgent FW: FSTED request to transfer prior year funds

I delegate to Marion Hart Jr authority to sign documents referenced in this e-mail requiring approval of the Assistant Secretary for Intermodal Systems Development.

Bob Romig  
 State Transportation Development Administrator  
 Florida Department of Transportation  
 Office: (850) 414-5251  
 Cell: (850) 545-5240  
 E-Mail: [bob.romig@dot.state.fl.us](mailto:bob.romig@dot.state.fl.us)

Sent from my BlackBerry

---

**From:** Waldrop, Alicia  
**Sent:** Thursday, July 14, 2011 02:37 PM  
**To:** Romig, Robert  
**Cc:** Hart, Marion; Dahlrose, Meredith; Gibbs, Francis; Bradley, Ginny; Sheffield, Kendra  
**Subject:** Urgent FW: FSTED request to transfer prior year funds

Bob – Delegation of Authority for signature is needed in order to process the subject Work Program Amendment. If you will please reply with authorization for Marion Hart to sign on your behalf for this process to continue due to the time constraint, I will move forward. In addition to the required signature from Assistant Secretary, the Work Program Office, etc must sign before the Executive Office of the Governor signs. The 10 day clock started on July 7. We have 10 days to process the amendments.

The first is to transfer \$106,734.20 from closed out AOJ04 (420535) from Port of Key West to the Port of Port St. Joe. Add the funds to AP821 (42294149401) for Port St. Joe.  
 The second is to transfer \$5782.91 from the Port of St. Petersburg from closed out AI528 (408338) to the Port of Pensacola. Add the funds to AP127 (42235419401) for Port of Pensacola.

Ananth, Lora and Francis are also not available to sign before Monday.

*Alicia Waldrop*  
*Executive Assistant*  
*State Public Transportation*  
*and Modal Administrator Ofc.*

850-414-5246

Fax: 850-414-5201

\*\*\*\*\*

**"Safety is a choice"**

**Buckle up and save a life...yours!!!**

---

**From:** Bradley, Ginny  
**Sent:** Thursday, July 14, 2011 2:24 PM  
**To:** Waldrop, Alicia  
**Subject:** FW: FSTED request to transfer prior year funds

Alicia – The Reallocation Seaport Amendments referenced in the below e-mail and attached letter from FSTED are ready for signature. The 10 day clock started on July 7.

Thanks for your help.

Ginny Bradley  
Public Transportation Office  
Phone: (850) 414-4401  
[ginny.bradley@dot.state.fl.us](mailto:ginny.bradley@dot.state.fl.us)

---

**From:** Dahlrose, Meredith  
**Sent:** Friday, July 08, 2011 10:53 AM  
**To:** Sheffield, Kendra; Warmath, Paula; Ameen, Iman; Swearingen, Marilyn; Bradley, Ginny; Kelly, Catherine J.  
**Cc:** Henry, Dionne G.; Filer, Carl; Chadwell, Ed; Hunter, Brian; Clark, Raymond; McCloud, Ronald  
**Subject:** FSTED request to transfer prior year funds

The FSTED Council, in their meeting June 23<sup>rd</sup>, requested we use the “new process” to re-allocate funds from two prior year projects. We have received the letter starting the clock to file the work program amendment (attached). The first is to transfer \$106,734.20 from closed out AOJ04 (420535) from Port of Key West to the Port of Port St. Joe. Add the funds to AP821 (42294149401) for Port St. Joe. The second is to transfer \$5782.91 from the Port of St. Petersburg from closed out AI528 (408338) to the Port of Pensacola. Add the funds to AP127 (42235419401) for Port of Pensacola.

Thanks for your assistance in this matter. Catherine will be glad to work with you as needed to write up justifications/background.

Meredith Dahlrose  
State Seaport Manager  
[meredith.dahlrose@dot.state.fl.us](mailto:meredith.dahlrose@dot.state.fl.us)  
850-414-4551

NOTE ADDED: JULY 14, 2011

ALICIA – ATTACHED ARE THE TWO SEAPORT AMENDMENTS TO RE-ALLOCATE PRIOR YEAR FUNDS/BUDGET REFERENCED IN THE E-MAIL FROM MEREDITH. PLEASE ASK MR. ROMIG TO SIGN AS ASSISTANT SECRETARY AND RETURN TO ME SO WE CAN PROCESS. THE 10 DAY “CLOCK” STARTED ON JULY 7.

THANKS - GINNY

Proposed Work Program Amendment  
Amendment: 2012 03 003

Item Number: 4229414 County: GULF Project Manager: ED CHADWELL  
 Item Status: PRE-CONST.UNDERWAY Work Mix: SEAPORT CAPACITY PROJECT  
 Description: PORT OF PORT ST JOE  
 ConClass: MISCELLANEOUS Trans. System: 11 District: 03  
 Comments: SEAPORT HUB

Phase: 94 CAPITAL GRANT

Requested: 07/14/2011

Adopted Fund Amount	Fiscal Year	Pgm No.	Fund	Alloc	Bud Dist	Area	SAMCAT	Proposed Fund Amount
680,000	2009	76	LF	4	03		088794	680,000
680,000	2009	76	PORT	1	03		088794	680,000
	2012	76	DS	1	03		088794	106,735
<b>1,360,000</b>								<b>1,466,735</b>

Comments: PROGRAMMED FY2012 DS IN THE AMOUNT OF \$106,735 FUNDS AND BUDGET FROM D6 #420535-1 PORT OF KEY WEST PRIOR YEAR FUNDS UNDER SECTION 311.09(10), F.S.



# FLORIDA SEAPORTS

## CHARTING OUR FUTURE

502 East Jefferson Street, Tallahassee, Florida 32301

Phone: (850) 222-8028 · Fax: (850) 222-7552

E-mail: [info@flaports.org](mailto:info@flaports.org)

[www.flaports.org](http://www.flaports.org)

RECEIVED IN PTO  
11 JUL - 7 AM 3:53

July 6, 2011

Ms. Meredith Dahlrose  
State Seaport Manager  
Florida Department of Transportation  
605 Suwannee Street, MS 68  
Tallahassee, Florida 32399-0450

RE: FSTED Program Reallocation of Funds

Dear Ms. Dahlrose: *Meredith*

\* The Florida Seaport Transportation and Economic Development (FSTED) Council met on June 23, 2011, and considered a request by the Port of Key West to remand \$106,734.20 in program funds because the port's project, Mallory Dock Project - AOJ04, had been completed leaving a balance remaining. The FSTED Council approved the reallocation of the \$106,734.20 to the Port of Port St. Joe for its Bulkheading and Upland Improvement Project - AP821, and would like to request that the FDOT make these funds available to the Port of Port St. Joe as soon as possible for FY 11/12.

In addition, several years ago the FSTED Council authorized \$5,782.91 in Chapter 311 funds to be transferred from the Port of St. Petersburg to the Port of Pensacola for its Warehouse and Berth Improvement Project - ANT78. The funds were never transferred and ANT78 has now been completed. The Port of Pensacola would like the \$5,782.91 to be applied to the Dredging and Warehouse Improvement Project - AP127, and we request that the FDOT make these funds available to the Port of Pensacola as soon as possible for FY 11/12.

Please initiate the work program amendment process as provided in s. 311.09(10), Florida Statutes. If you have any questions or need additional information, please let us know.

Thank you for your cooperation.

Sincerely,

*Toy Keller*

Toy Keller  
Vice President Programs and Planning

cc: Richard Wainio, FSTED Chair  
Jim Fitton, Port of Key West  
Tommy Pitts, Port of Port St. Joe  
Clyde Mathis, Port of Pensacola

WP20 D\_ Display Propose\_Change  
Phase\_Sum Auth\_Req Fin\_proj\_Loc proj\_cost\_Hist Item\_Seg\_def Phases

FDOT - Work Program Administration 07-14-2011  
Phase Estimate Detail - ADOPTED 11:08:36

Requested Version: AM MORE: +  
Item/Segment: 422941 4 Status: 010 PRE-CONST.UNDERWAY Old Item Nbr: \_\_\_\_\_

Desc: PORT OF PORT ST JOE  
Trans Sys: 11 SEAPORT Man Dist : 03 Box Item: N  
Phase: 9 4 CAPITAL GRANT Phase Mgr :

Begin Search at FP Seq: \_\_\_\_\_ Phase Total: 1,360,000

FP	PDC	+	Total	AMT All	Dstr	Bud	Apr	Pay	O					
Seq	FYR	Fund	Pgm	Amount	-	Amount	TYP	Typ	Typ/Area	Dis	Cat	Seq	V	Status
01	2009	LF	76	680,000		680,000	E	4		03		1	Y	2 UNAUTH
	2009	PORT	76	680,000		680,000	E	1		03		1	Y	4 AUTH

_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

Comment:

AAA250-I: Successfully displayed.

F1=Help F3=Exit F5=Refresh F6=Clear F7=Bkwd F8=Frwd F15=Logoff

WP20      D\_ Display      Remove\_Change      Update  
Phase\_Sum Auth\_Req Fin\_proj\_Loc proj\_cost\_Hist Item\_Seg\_def Phases

FDOT - Work Program Administration      07-14-2011  
Phase Estimate Detail - AMENDED      11:12:59

Requested Version: AM      MORE: +  
Item/Segment: 422941 4      Status: 010 PRE-CONST.UNDERWAY      Old Item Nbr: \_\_\_\_\_

Desc: PORT OF PORT ST JOE  
Trans Sys: 11 SEAPORT      Man Dist : 03      Box Item: N  
Phase: 9 4 CAPITAL GRANT      Phase Mgr :

Begin Search at FP Seq: \_\_\_\_\_      Phase Total: 1,466,735

FP	PDC	+	Total	AMT All	Dstr	Bud	Apr	Pay	O					
Seq	FYR	Fund	Pgm	Amount	-	Amount	TYP	Typ	Typ/Area	Dis	Cat	Seq	V	Status
01	2009	LE	76	680,000		680,000	E	4		03		1	Y	2 UNAUTH
	2009	PORT	76	680,000		680,000	E	1		03		1	Y	4 AUTH
	2012	DS	76	106,735		106,735	E	1		03		1	Y	2 UNAUTH

Comment: PROGRAMMED FY2012 DS IN THE AMOUNT OF \$106,735 FUNDS AND  
BUDGET FROM D6 #420535-1 PORT OF KEY WEST PRIOR YEAR FUNDS  
UNDER SECTION 311.09(10), F.S.

WPA276-I: Successfully Proposed.  
F1=Help F3=Exit F5=Refresh F6=Clear F7=Bkwd F8=Frwd F15=Logoff

**Gulf Citizens for Clean Renewable Energy**

P. O. Box 354, Wewahitchka, FL 32465  
www.gulfbiomassincinerator.org  
nogulfincinerator@gmail.com  
Tel. 800 729 1363

July 6, 2011

Mayor Melvin Magidson  
City of Port St. Joe  
1000 Cecil G. Costin Sr. Blvd.  
Port St. Joe, FL 32456

Board Of County Commissioners, Gulf County  
1000 Cecil G. Costin, Sr. Blvd.  
Port St. Joe, FL 32456

City Commissioners, Port St. Joe  
1000 Cecil G. Costin, Sr. Blvd.  
Port St. Joe, FL 32456

Marsha Player, Administrator  
Gulf County Health Department  
c/o Gulf County Clerk of Courts  
1000 Cecil G. Costin Sr. Blvd.  
Port St. Joe, FL 32456

**Re: Rentech Biomass Incinerator, Port St. Joe, Florida**

Dear Mayor, Commissioners and Health Department,

We are writing on behalf of Gulf Citizens for Clean Renewable Energy (GCCRE) and other Gulf residents about the Northwest Florida Renewable Energy Center biomass incinerator project proposed by Rentech, Inc. for our community.

We have copies of information from 2009 to 2011 given to you by Mr. Glenn Farris of Biomass Gas & Electric, LLC, who is developing this project with Rentech, Inc. Much of this information is incomplete or inaccurate, but this letter rebuts only the recent claims by Mr. Farris in an email dated March 11, 2011 to Mayor Magidson and others. *A copy of the email is attached as Exhibit 1.* We hope that you will consider our corrected facts and reverse your support for this financially risky and dangerous project.

From our review of documents, it appears the Commissions and Health Department did not have complete information before you approved the prior version of

RECEIVED  
CITY OF PORT ST. JOE  
JUL 11 2011

2011 AUG -3 AM 11:49

INFORMATION  
DATE: 8-2-11 BR

this incinerator in 2009 and 2010. This letter provides you with current health and scientific information. There is substantially more information, in addition to what we are presenting with this letter, that should be considered by the County and City Commissions and the Health Department at this time.

***Therefore, we ask that the City and County Commissions and the Health Department:***

***(1) hold a joint public meeting to provide the public with the chance to ask questions and get responses from public officials, and***

***(2) provide the public with copies of any and all information provided by Rentech and/or Mr. Farris to the Commissions and the Health Department.***

The main issues we address in this letter are (1) national environmental groups' positions on this project, and (2) the types and quantities of particulate matter (PM) emissions and how they compare to fossil fuel burning.

**I. National environmental groups oppose projects such as the Rentech biomass incinerator**

In his March 11, 2011 email, Mr. Farris makes inaccurate statements regarding concerns our group has raised about carbon dioxide (CO<sub>2</sub>). CO<sub>2</sub> is the most prevalent greenhouse gas. Part of the reason the Rentech incinerator project is getting preferential government treatment and taxpayer and ratepayer subsidies is because it is supposed to reduce greenhouse gas emissions that cause climate change. Rentech makes unproven claims about the project's ability to reduce greenhouse gas emissions. Mr. Farris says this about our greenhouse gas data in the March 11<sup>th</sup> email:

*"The CO<sub>2</sub> emissions issue is moronic. The list of scientist and environmental organizations that disagree with them [i.e. GCCRE and other opponents] include: The Union of Concerned Scientists; the National Renewable Energy Laboratory; the Intergovernmental Panel on Climate Change; Southern Alliance for Clean Energy; and the national chapter of Greenpeace."*

Far from being "moronic," data on how CO<sub>2</sub> emissions from biomass burning contributes to climate change is supported by unrebutted scientific data. The crux of the issue about burning biomass for electricity is that developers like Rentech claim it is "carbon neutral" and will not contribute to climate change. However, scientific data shows burning biomass for electricity is not "carbon neutral" within a timeframe meaningful to addressing climate change.<sup>1</sup>

Scientific information on the climate change impacts of biomass burning is extensively documented by the Partnership for Policy Integrity and others, and is

---

<sup>1</sup> Rentech's use of staged incineration to gasify the biomass does not reduce the amount of CO<sub>2</sub> emitted to the atmosphere, nor increase the amount that can be reabsorbed out of the atmosphere.

collected at www.pfpi.net, and will not be repeated here. *A summary fact sheet is attached for your convenience as Exhibit 2.* It shows that biomass burning for electricity is not carbon neutral for decades.

According to “*Principles for Sustainable Biomass*” issued by twelve national and international environmental groups in May 2011, the Rentech project should not get preferential treatment and subsidies. *The Principles are attached as Exhibit 3.* The signatories to the *Principles* includes Union of Concerned Scientists, Greenpeace USA, and Southern Alliance for Clean Energy --- three groups who Mr. Farris claims *support* the Rentech biomass incinerator.

The *Principles for Sustainable Biomass* say Rentech should get taxpayer subsidies only if it can **meet all nine criteria** contained in the *Principles*. Mr. Farris states in his email that Rentech is seeking such taxpayer subsidies in the form of a loan guarantee from the U.S. Department of Energy of about \$120 million. This is a government-backed loan that will be repaid by American taxpayers if Rentech defaults on the loan. According to the twelve groups, Rentech should get this loan guarantee only if it meets all nine *Principles*. Rentech’s project does not meet at least two of these *Principles*. Therefore, Mr. Farris’ claims that the above three groups support the Rentech incinerator are inconsistent with the *Principles*.

#### **I. First Principle that the Rentech Incinerator Violates: “Prevent Global Warming & Ocean Acidifying Emissions”**

The *Principles* say that biomass projects must:

**“Prevent Global Warming & Ocean Acidifying Emissions:** Biomass sources and facilities qualifying for incentives must result in lower life-cycle, cumulative and net greenhouse gases and ocean acidifying emissions, within 20 years and also over the longer term, than the energy sources they replace or compete with.”

The information Mr. Farris gave the Commissions in March, 2011 to support his claims about the project’s carbon dioxide emissions and climate change impacts is outdated, incomplete, and contrary to then-current science. In fact, Mr. Farris’ own data shows that Rentech does not meet the *Principle* on greenhouse gases.

Mr. Farris gave the Commission “*Life Cycle Assessment Comparisons of Electricity From Biomass, Coal, and Natural Gas,*” an unpublished paper from 2002 by Mann and Spath to try to show that the carbon dioxide emissions from the Rentech incinerator will help stop climate change. **The unpublished 2002 paper does not establish compliance with the *Principles*.** First, the unpublished paper benchmarks the global warming potential of biomass burning for electricity against **100 years**. The *Principles* require a having a lower “life-cycle” of cumulative and net greenhouse gas and ocean acidifying emissions over **20 years**. Second, the unpublished paper is based on using hybrid poplar for a fuel. The Rentech project will not use hybrid poplar. These are only two of the many flaws in this paper: it is totally contrary to current science on the global warming potential of burning biomass for electricity and contains nothing specific about the Rentech project.

In addition, the Spath and Mann paper uses a method of carbon accounting no longer held to be valid. The members of the Intergovernmental Panel on Climate Change, who Mr. Farris also claims support Rentech, published an article in October, 2009 stating, "Bioenergy therefore reduces greenhouse emissions only if the growth and harvesting of the biomass for energy captures carbon above and beyond what would be sequestered anyway and thereby offsets emissions from energy use." *Science*, p. 526, attached as *Exhibit 4*. The Rentech incinerator will emit at least 500,000 tons of carbon dioxide per year. Farris' report does not provide any data on how and where this carbon dioxide will be recaptured or how the project will guarantee growth of trees to capture 500,000 tons of carbon dioxide "beyond what would be sequestered anyway".

Farris and Rentech have provided no data, to our knowledge, to show that their project will meet the life-cycle standard required by Southern Alliance for Clean Energy, Union of Concerned Scientists, and others as described in the *Principles*. They have provided no information to show that the "growth and harvesting" of the biomass they plan to burn in Port St. Joe "captures carbon above and beyond what would be sequestered anyway and thereby offsets emissions from energy use," as currently required by IPCC scientists.

If the Commissions are in possession of information to back up Rentech's claims about the greenhouse gas emissions and climate change benefits of the project, based on current peer reviewed publications, we hereby request a copy.

## **B. Second Principle that Rentech Violates: "Avoid Toxic and Other Air Pollutants"**

The environmental groups' *Principles* say that biomass projects must:

**"Avoid Toxic and Other Air Pollutants:** Facilities receiving incentives for producing biomass energy must not contribute to greater air pollution per unit of energy produced than would result from the energy source they replace or compete with, including, for example, NOx, VOCs, and PM, must not increase local community exposure to such pollutants, and must not be afforded special treatment under the Clean Air Act."

Our review shows that for the pollutants NOx, particulate matter (PM) and carbon dioxide, the Rentech incinerator will contribute to greater air pollution per unit of energy produced than if coal were the fuel or the power was produced by other sources of renewable energy, like wind or solar, that have no smokestack emissions when operating.

**A comparison of the Rentech biomass incinerator to Deerhaven coal plant in Gainesville shows that it will emit 165% more PM and 17% more NOx per unit of energy produced.** (VOC numbers are not available). A detailed spreadsheet is attached as *Exhibit 5*.

Here's a summary:

	<b>Upgraded Deerhaven Coal Plant, Gainesville</b>	<b>New Rentech Wood Biomass</b>	<b>Biomass Pollution Difference vs Coal</b>
LBS per MWh			
CO2	1587	2403	51%
PM	0.12	0.32	165%
NOx	0.59	0.69	17%
VOC	not available	0.11	not available

**C. Claims that National Renewable Energy Laboratory supports the Rentech incinerator are unsubstantiated.**

Mr. Farris' email also claims that the National Renewable Energy Laboratory and the Intergovernmental Panel on Climate Change (IPCC) disagree with our position on the climate change impacts of CO2, but has provided no substantiation of these claims.

As noted above, the Science article from 2009, written by one of the authors of the now discredited carbon accounting system cited in the Spath and Mann paper, undermines Mr. Farris' claims. NREL has not issued any position that we are aware of which states that combustion of the types of biomass proposed to be burned by Rentech is carbon neutral within a timeframe that will help stop climate change.

**II. Mr. Farris minimized the amount of particulate matter emissions**

Mr. Farris' email states, "*The particulate emissions from the gasifier are estimated at 2.5 tons per year. This is 9.13 ounces per hour. The rest are from the gas turbines and are the same as if we were burning pipeline natural gas.*"

**In fact, the particulate emissions from the project as a whole are 77.73 tons per year according to Florida DEP's "Technical Evaluation and Preliminary Determination," page 13, which describes the "applicants" estimate of emissions. A copy is attached as Exhibit 6. In total, the Rentech incinerator will emit .32 tons of PM per megawatt hour. A natural gas plant emits about 0.12 tons per per megawatt hour --- 62.5% less than the Rentech biomass project.**

Therefore, it is not true that the Rentech project particulate emissions "are the same as if we were burning natural pipeline gas" as Mr. Farris stated in his email.

### III. The American Lung Association June 2011 Energy Policy States Opposition to Biomass Energy

Particulate emissions from biomass burning are one of the leading reasons why medical societies across the U.S. oppose subsidies for biomass electricity. In general, there are two sizes of particulate matter that causes health concerns. Mr. Farris does not address the most dangerous particulates, known as nano-particulates, which are below the size of 2.5 micrograms. Leading groups oppose biomass burning in large part due to the emissions of particulates, both large and small. The small particulates are more dangerous than the large ones because once inhaled into the lung they cross into the blood stream. There is no known safe limit and current air pollution technology does not control them. *In fact, the air pollution permit for the Rentech incinerator does not set a limit on nano-particulate emissions of 2.5 PM.*

Groups opposed to biomass burning for electricity include the American Lung Association in Florida. On June 11, 2011, the national American Lung Association issued its Energy Policy Statement and included this section on “*Biomass Combustion for Electricity:*”

*“The American Lung Association does not support biomass combustion for electricity production, a category that includes wood, wood products, agricultural residues or forest wastes, and potentially highly toxic feedstocks, such as construction and demolition waste.*

*The combustion of fossil fuels and biomass in the residential, commercial and industrial sectors in the United States generates a significant share of the nation’s air pollution, threatening the health and lives of millions of people, including those who are most vulnerable to harm.*

*The American Lung Association supports programs and policies to encourage a transition from coal, oil, and biomass use in the residential and commercial sectors to cleaner alternatives.*

*The American Lung Association strongly opposes the combustion of wood and other biomass sources at schools and institutions with vulnerable populations.*

*The American Lung Association strongly supports policies that encourage a transition from coal, oil, and biomass use in the industrial sector to cleaner alternatives.”*

*See Exhibit 7.*

In sum, there are serious gaps in the information provided to public officials by Mr. Farris and Rentech about this project. We look forward to hearing that the Commissioners will hold a public meeting to provide a full and fair opportunity for the public to obtain answers to these and other questions.

Please feel free to contact us at 800-729-1363, or [nogulfincinerator@gmail.com](mailto:nogulfincinerator@gmail.com) if you have further questions.

Very truly yours,



Gulf Citizens for Clean Renewable Energy

Cc:

President, Rentech, Inc.

Glenn Farris, Rentech, Inc.

Tom Ganey, Port St. Joe, Florida

Steven Smith, Executive Director, Southern Alliance for Clean Energy

Kathleen M. Rest, Executive Director, Union of Concerned Scientists

Larry Edwards, Greenpeace

Matthew McMillen, U.S. Department of Energy

Governor Rick Scott, State of Florida

State Representative Jimmy Patronis

State Senator William J. Montford

US Senator Bill Nelson

US Representative Steve Southerland

**List of Attachments:**

1-March 11, 2011 Email: Mr. Farris to Public Officials

2-Fact Sheet

3-Principles for Sustainable Biomass

4-Article from Science Magazine, 2009

5-Spreadsheet on Emissions

6-Florida DEP, Table 5

7-Excerpt from American Lung 2011 Energy Policy Statement

**Mel C. Magidson, Jr. P.A.**

**From:** Glenn Farris [gfarris@bioeh.com]  
**Sent:** Friday, March 11, 2011 9:45 AM  
**To:** Patricia Hardman; Warren Yeager; Tom Graney; mmagidson@gtcom.net; dbutler@gulfcountry-fl.gov  
**Subject:** Some Stuff for the Meeting  
**Attachments:** FL PSC Order Approving PPA.pdf; lifecycle2002.pdf; Air Permit Application Tables.pdf

To All,

Through intelligence gathering we have found out the following:

- Their national and local experts are Meg Sheehan and Dr. Ron Saff, respectively.
- This meeting will become the basis of the challenge. They site outrageous pricing at the expense of the rate/taxpayer. That we will be dumping toxic water into the local water supplies to poison the community and wildlife; that particulate matter emitted will cause massive and potential immediate brain, liver, lung cancer and death from heart attacks; and last but not least that there are more CO2 emissions from our operation than a coal fired power plant.
- They have more local participants than we know and we originally anticipated.
- They will claim that biomass power is not sustainable from a feedstock standpoint.

I would like to offer the below as our positions on each of these points in order:

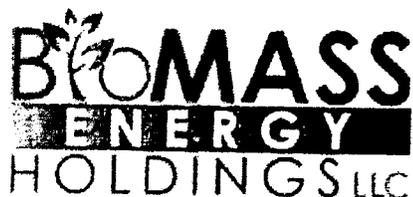
- I am not sure what makes them experts on the design, engineering and operations of power plants any more than I am an expert in the practice of law or medicine. I am not even sure they have ever visited a biomass power plant. Some of you have, at the University of South Carolina. Our experts and DEP's are true experts that have spent a lifetime learning and applying our craft.
- As you all know we have a loan guarantee not a grant. This just gives us a lower interest rate. To address pricing I have attached the Florida PSC order approving the contract and if you look at page 2 paragraphs 3,4,and 5 under the heading Amended Negotiated Contract, the PSC sites significant savings to the ratepayer with our project based upon their pricing models and forecasting. I have no idea whether this group is capable of such analytical work or where their data comes from.
  1. I have no idea where they get their water information. This is just an outright lie. All process water we use will be closed loop. We will treat and return to sewer stream.
  2. The gasifier particulate emissions are controlled by a bag house. Bag houses are 99.5%+ efficient. The particulate emissions from the gasifier are estimated at 2.5 tons per year. This is 9.13 ounces per hour. The rest are from the gas turbines and are the same as if we were burning pipeline natural gas. It would be interesting to see how the supporters of Sheehan, et al feel about natural gas power. I bet they are for it. AS far as the medical claims, I don't know but I know of no study linking clean biomass power and health problems. Remember that Burlington, VT is home to the largest utility biomass power plant in the US and has been operating since the mid-eighties and this city was named the healthiest city in the us in November 2008. Please see page 4 of the attached tables from our air permit.
  3. The CO2 emissions issue is moronic. The list of scientists and environmental

organizations that disagree with them include: The Union of Concerned Scientists; the National Renewable Energy Laboratory; the Intergovernmental Panel on Climate Change; Southern Alliance for Clean Energy; and the national chapter of Greenpeace. I have attached a summary of a lifecycle analysis that refutes their position, the full study is available.

- Somewhat surprised that they might and I stress might have several participants.
- Port St. Joe is a model for why this is not true. You had a paper mill there for 70+ years that used approximately 3X the amount of feedstock that we will use.

Sorry about the length of this email. I am not sure what approach we should take. There are no more public hearings to be had. We have already assumed that we will have a request for a DOAH hearing on the air permit. They will lose but it will take time and resources from our efforts to close quickly. I would appreciate any comments or thoughts any of you have.

S. Glenn Farris  
VP Business Development  
Biomass Energy Holdings, LLC  
770-662-0256  
[gfarris@bioeh.com](mailto:gfarris@bioeh.com)



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## Biomass Burning is Not “Carbon Neutral”

**I. To be considered “carbon neutral” in a timeframe that is meaningful to climate change, any type of electrical power generation cannot emit more than minimal amounts of carbon dioxide.** Due to outdated and erroneous federal policies, biomass combustion is mistakenly “assumed” to be carbon neutral.

**II. Scientific reports show the carbon neutral assumption is no longer valid.**

□ “*Biomass Sustainability and Carbon Policy Study*”<sup>1</sup> (the Manomet Study) states, “**Forest biomass generally emits more greenhouse gases than fossil fuels per unit of energy produced...** For biomass replacement of coal-fired power plants, the net cumulative emissions in 2050 are approximately equal to what they would have been burning coal; and for replacement of natural gas cumulative total emissions are substantially higher with biomass electricity generation.”

□ Environmental Working Group’s *Clearcut Disaster: Carbon Loophole Threatens U.S. Forests*<sup>2</sup>, states, “Because wood and other biomass materials have a very low energy density, and because biomass power plants are significantly less efficient than gas and even coal plants, **carbon dioxide emissions from biomass per unit of energy generated are about 1.5 times higher than from coal and three to four times greater than from natural gas.**”

“EWG’s analysis of government projections predicts that **over the next 15 years about 4.7 billion tons of carbon will be generated from burning biomass, most of it from whole trees... This massive pulse of uncounted carbon dioxide will effectively erase 80% of the reduction in CO<sub>2</sub> emissions from the power sector that is at the heart of federal climate legislation.**”

□ *Science*, October, 2009,<sup>3</sup> Searchinger et al. state,

“However, exempting emissions from bio-energy use is improper for greenhouse gas regulations. Replacing fossil fuels with bio- energy does not by itself reduce carbon emissions, because the CO<sub>2</sub> released by tail- pipes and smokestacks is roughly the same per unit of energy regardless of the source.”

“Thus, maintaining the exemption for CO<sub>2</sub> emitted by bioenergy use under the protocol (IPCC) wrongly treats bioenergy from all biomass sources as carbon neutral. For example, the clearing of long-established forests to burn wood or to grow energy crops is counted as a 100% reduction in energy emissions despite causing large releases of carbon.”

“However, **harvesting existing forests for electricity adds net carbon to the air.** That remains true even if limited harvest rates leave the carbon stocks of regrowing forests unchanged, because those stocks would otherwise increase and contribute to the terrestrial carbon sink.”

□ *Nature*, 2008, Lussayert, et al.<sup>4</sup> state,

“The potential consequences were downplayed in the carbon-neutrality hypothesis.”

“Old-growth forests accumulate carbon for centuries and contain large quantities of it. We expect, however, that much of this carbon, even soil carbon, will move back to the atmosphere if these forests are disturbed”.

□ Eric Johnson,<sup>5</sup> in “*Goodbye Carbon Neutral*” notes that under the current regulatory accounting schemes: “If carbon neutrality is presumed, it makes no difference to a carbon footprint if a forest is standing or if it has been chopped down for fuel wood.”

□ Ingerson in an extensive study<sup>6</sup> notes:

“Wood fuels are often considered “carbon-neutral,” but when evaluating the potential for long-term carbon storage in harvested wood, burning must be treated like any other wood loss because it definitely accelerates the release of carbon.” p.14

“Wood has a lower hydrogen content than fossil fuels, which causes it to release more carbon per unit of heat.” p. 20

“But timing still matters. If the source forest regenerated instantly, biomass would earn its “carbon-neutral” label, but the longer it takes to regenerate forest carbon after a biomass harvest, the longer that carbon dioxide remains in the atmosphere

<sup>1</sup> “Biomass Sustainability and Carbon Policy Study,” Manomet Center for Conservation Sciences, June 2010

<sup>2</sup> “Clearcut Disaster: Carbon Loophole Threatens U.S. Forests,” Environmental Working Group, June 2010

<sup>3</sup> *Science*, 325:529, October 23, 2009

<sup>4</sup> *Nature*, 455:213, 2008

<sup>5</sup> Environmental Impact Assessment Review, 2008

<sup>6</sup> “Wood Products and Carbon Storage”, EDF April, 2009

exerting its heating effect.” p.20

- Harmon notes<sup>7</sup>: “Timber harvest, clear cutting in particular, removes more carbon from the forest than any other disturbance (including fire). The result is that harvesting forests generally reduces carbon stores and results in a net release of carbon to the atmosphere. The majority of forest carbon released comes from what is left behind in the forest to decompose naturally, burned on site, or transported as waste from a mill where it is burned for fuel. Each of these outcomes of logging results in the release of carbon into the atmosphere.”
- David Beebe on February 24, 2009 in writing about the Tongass Futures Roundtable notes the study by Janisch and Harmon<sup>8</sup>: “However, it has also been shown the carbon uptake accrued over a given harvest rotation would not make up for the amount of carbon stored in the originally logged old-growth. Managed stands on 80 year rotations stored only *half* the carbon of old growth forests. The point of this being, once those ‘warehouses’ storing carbon are destroyed, it takes centuries to rebuild the lost carbon capture and storage capacities at a time when our planet desperately needs these services.”
- EPA Endangerment Ruling<sup>9</sup> says: “Indeed, for a given amount of CO<sub>2</sub> released today, about half will be taken up by the oceans and terrestrial vegetation over the next 30 years, a further 30 percent will be removed over a few centuries, and the remaining 20 percent will only slowly decay over time such that it will take many thousands of years to remove from the atmosphere.”
- Archer, referring to the long time necessary to re-sequester carbon given the current loss of buffering capacity on the oceans and other changes in the ecosphere which have occurred, states<sup>10</sup> “This substantial portion of a pulse will persist in the atmosphere, longer than Stonehenge, longer than time capsules, longer than nuclear waste, far longer than the age of human civilization so far.”

**IV. The erroneous “carbon neutral” assumption has resulted in massive unwarranted subsidies for biomass combustion power plants. The law needs to be changed to reflect current science.**

**V. In response to changing science, on June 7, 2010, Massachusetts announced proposed changes to its Renewable Portfolio Standard to require electricity produced by burning biomass meet strict conditions. *These conditions can be replicated on the federal level.***

**VI. Industry claims that biomass plants do not burn whole trees, but only “residues” from the forest are untrue. Industry documents saying that current and future plants will burn whole trees and are compiled at [www.ewg.org](http://www.ewg.org), “Did they really say that? See for yourself.”**  
<http://www.ewg.org/agmag/2010/06/did-they-really-say-that-see-for-yourself/>

<sup>7</sup> Harmon, Mark. 2007. Letter to California Air Resources Board. Comment on Forest Protocols. Online at: [http://www.arb.ca.gov/lispub/comm/bccomdisp.php?listname=forestghg07&comment\\_num=22&virt\\_num=22](http://www.arb.ca.gov/lispub/comm/bccomdisp.php?listname=forestghg07&comment_num=22&virt_num=22).

<sup>8</sup> Janisch, J. E., and M. E. Harmon. 2002. Successional changes in live and dead wood carbon stores: implications for net ecosystem productivity. *Tree Physiology* 22 (2-3): 77-89.

<sup>9</sup> 74 Fed. Reg. 18899 (2009).

<sup>10</sup> Archer, David. 2009. *The long thaw: how humans are changing the next 100,000 years of Earth's climate.* Princeton Univ. Press.

## PRINCIPLES for SUSTAINABLE BIOMASS

Biomass should be grown, sourced, and utilized *only* in appropriate scales, places, and manners. Programs designed to promote the biomass/bioenergy industry must include enforceable limits on what types of biomass sources and facilities can be incentivized. This document addresses principles that we believe should govern direct and indirect public incentives for bioenergy. We believe that the public has a right to know - and that legislators and regulatory authorities have a duty to ensure - that public biomass incentives protect core environmental values and genuinely reduce greenhouse gas emissions.

**Assure Sustainability:** Production, sourcing, and utilization of biomass receiving public incentives must assure the protection of all natural ecosystems (including those on public and private lands), habitat values, and air quality and water quality and quantity, and must not adversely affect soil productivity or contribute to soil erosion.

**Prevent Global Warming & Ocean Acidifying Emissions:** Biomass sources and facilities qualifying for incentives must result in lower life-cycle, cumulative and net GHG and ocean acidifying emissions, within 20 years and also over the longer term, than the energy sources they replace or compete with.

**Protect Conservation Land:** Incentivized biomass must not come from protected areas or agricultural conservation lands, including but not limited to any area designated by federal or state governments for conservation purposes, such as Wilderness or Wilderness Study Areas, old-growth forests, Inventoried Roadless Areas, or aquatic buffers, *except for invasive alien species and for material whose removal is necessary to protect public health and safety.*

**Safeguard Special Ecosystems:** Incentivized biomass harvest must not occur on lands identified at the federal or state level as endangered, rare, or threatened at the global, national, or state level, such as old-growth forest stands and native grasslands or on other seriously diminished ecosystems such as late successional stands, *except for material whose removal is required for restoration of the characteristic structure, composition and function of the ecosystem involved, if consistent with the other principles herein.*

**Prevent Loss of Natural Ecosystems:** Biomass removed from lands converted from forests, grasslands or other natural systems into plantations or simplified, intensively managed or cultivated systems, will not qualify for incentives if the conversion occurs after the adoption date of such incentive program.

**Protect Threatened and Endangered Species:** Incentivized biomass harvest must not occur on lands identified at the federal or state level as harboring or potentially harboring any species classified as endangered, rare, or threatened at the global, national, or state level, or is a candidate for such status, *except for material whose removal is required for restoration of the species habitat and protection of the species.*

**Avoid Toxic and Other Air Pollutants:** Facilities receiving incentives for producing biomass energy must not contribute to greater air pollution per unit of energy produced than would result from the energy source they replace or compete with, including, for example, NOx, VOCs, and PM, must not increase local community exposure to such pollutants, and must not be afforded special treatment under the Clean Air Act.

**Be Energy Efficient:** Biomass energy use supported by public incentives must meet strong standards for efficiency in the conversion of biomass to useful energy.

**Require Sustainable Procurement:** Biomass energy producing facilities benefiting from public incentives must develop and implement a biomass sourcing plan that satisfies the above principles and is capable of supplying the facility for its operational life, accounting for competing biomass demand in the sourcing area.

**Environmental Working Group \* Environmental Defense Fund \* Friends of the Earth  
Geos Institute \* Greenpeace USA \* National Wildlife Federation  
Natural Resources Defense Council \* Southern Alliance for Clean Energy  
Southern Environmental Law Center \* Union of Concerned Scientists  
The Wilderness Society \* World Wildlife Fund**

complement prior studies that highlight the importance of short- and medium-lived pollutants (14–17).

The top 10 pollutant-generating activities contributing to net RF (positive RF minus negative RF) in year 20 are shown in the bottom chart, page 526, which takes into account the emission of multiple pollutants from each source activity (18). The seven sources that appear only on the left side (purple bars) would be overlooked by mitigation strategies focusing exclusively on long-lived pollutants.

The distinctly different sources of near-term and long-term RF lend themselves to the aforementioned two-pronged mitigation approach. This decoupling is convenient for policy design and implementation; whereas the importance of long-term climate stabilization is clear, the perceived urgency of near-term mitigation will evolve with our knowledge of the climate system. Additionally, optimal near-term mitigation strategies will reflect decadal oscillations (19), seasonal and regional variations (20, 21), and evolving knowledge of aerosol-climate effects (22, 23) and methane-atmosphere interactions (22)—considerations unique to the near term.

Thus, short- and medium-lived sources (black carbon, tropospheric ozone, and methane) must be regulated separately and dynamically. The long-term mitigation treaty should focus exclusively on steady reduction of long-lived pollutants. A separate treaty for short- and medium-lived sources should include standards that evolve based on periodic recommendations of an independent international scientific panel. The framework of “best available control technology” (strict) and “lowest achievable emissions rate” (stricter) from the U.S. Clean Air Act (24) can be used as a model.

Such a two-pronged institutional framework would reflect the evolving scientific understanding of near-term climate change, the scientific certainty around long-term climate change, and the opportunity to separately adjust the pace of near-term and long-term mitigation efforts.

#### References and Notes

1. D. Archer *et al.*, *Annu. Rev. Earth Planet. Sci.* **37**, 117 (2009).
2. The e-folding time (required to decrease to 37% of original airborne amount) is on the order of days to weeks for short-lived pollutants (e.g., black and organic carbon, tropospheric ozone, and sulfur dioxide), a decade for medium-lived (e.g., methane and some halocarbons), and a century for long-lived (e.g., nitrous oxide, some halocarbons). CO<sub>2</sub> takes roughly a century to reach 37%, then decays more slowly over millennia.
3. C. P. McMullen, J. Jabbour, Eds., *Climate Change Science Compendium 2009* (U.N. Environment Programme, Nairobi, EarthPrint, 2009); [www.unep.org/compendium2009/](http://www.unep.org/compendium2009/).
4. S. Solomon *et al.*, *Climate Change 2007: The Physical*

*Science Basis: Contribution of Working Group I to the Fourth Assessment Report of the IPCC* (Cambridge Univ. Press, New York, 2007).

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6. J. B. Smith *et al.*, *Proc. Natl. Acad. Sci. U.S.A.* **106**, 4133 (2009).
7. A. Sokolov *et al.*, *J. Clim.* **22**, 5175 (2009).
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9. T. M. Lenton *et al.*, *Proc. Natl. Acad. Sci. U.S.A.* **105**, 1786 (2008).
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11. RF is a property of the climate at a point in time. Increases in RF create planetary energy imbalance, with more incoming solar radiation than outgoing infrared radiation and a warming effect on the system.
12. T. F. Stocker, A. Schmittner, *Nature* **388**, 862 (1997).
13. R. B. Alley *et al.*, *Science* **299**, 2005 (2003).
14. J. Hansen *et al.*, *Philos. Trans. R. Soc. London Ser. A* **365**, 1925 (2007).
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17. F. C. Moore, M. C. MacCracken, *Intl. J. Strategic Change Mgmt.* **1**, 42 (2009).
18. D. Koch, T. C. Bond, D. Streets, N. Unger, *Geophys. Res. Lett.* **34**, L05821 (2007).
19. K. Trenberth *et al.*, in (4), pp. 235–336.
20. D. Koch, T. Bond, D. Streets, N. Unger, G. van der Werf, *J. Geophys. Res.* **112**, D02205 (2007).
21. A. Stohl, *J. Geophys. Res.* **111**, D11306 (2006).
22. P. Forster *et al.*, in (4), pp. 129–234.
23. V. Ramanathan, G. Carmichael, *Nat. Geosci.* **1**, 221 (2008).
24. U.S. Clean Air Act, [www.epa.gov/oar/caa/](http://www.epa.gov/oar/caa/).
25. The same analysis applied to the IPCC's SRES marker scenarios (A1, A2, B1, and B2) (26) produces results that fall largely within the bounds of these two scenarios (fig. S1).
26. N. Nakicenović, R. Swart, Eds., *Special Report on Emissions Scenarios* (IPCC, Cambridge Univ. Press, Cambridge, 2000).
27. Data for year 2000 RF are based on (14), emissions are from (28), decay rates are based on the lifetimes on p. 212 in ref. (22) and historical CO<sub>2</sub> decay is calculated according to p. 824 in (29). Growth rates are from (28) and (30). Zero growth of emissions assumed for BC, OC, SO<sub>x</sub>, and halocarbons. Each year's RF for short-lived pollutants (BC, OC, O<sub>3</sub>, SO<sub>x</sub>) is due only to emissions in that year; thus, the RF does not accumulate from one year to the next. The contributions of black carbon and ozone are conservative, as they do not reflect recent near-double estimates of black carbon's RF (23) nor recent estimates of ozone's indirect land sink effect (31).
28. EDGAR 3.2 ([www.mnp.nl/edgar/model/](http://www.mnp.nl/edgar/model/)).
29. G. Meehl *et al.*, in (4), pp. 747–845.
30. Climate Analysis Indicators Tool v6.0 (<http://cait.wri.org/>).
31. S. Stith, P. M. Cox, W. J. Collins, C. Huntingford, *Nature* **448**, 791 (2007).
32. T. C. Bond *et al.*, *Global Biogeochem. Cycles* **21**, GB2018 (2007).
33. The author thanks J. Harte for providing encouragement and critique.

#### Supporting Online Material

[www.sciencemag.org/cgi/content/full/326/5952/526/DC1](http://www.sciencemag.org/cgi/content/full/326/5952/526/DC1)

10.1126/science.1177042

#### CLIMATE CHANGE

## Fixing a Critical Climate Accounting Error

Timothy D. Searchinger,<sup>1\*</sup> Steven P. Hamburg,<sup>2\*</sup> Jerry Melillo,<sup>3</sup> William Chameides,<sup>4</sup> Petr Havlik,<sup>5</sup> Daniel M. Kammen,<sup>6</sup> Gene E. Likens,<sup>7</sup> Ruben N. Lubowski,<sup>2</sup> Michael Obersteiner,<sup>5</sup> Michael Oppenheimer,<sup>1</sup> G. Philip Robertson,<sup>8</sup> William H. Schlesinger,<sup>7</sup> G. David Tilman<sup>9</sup>

Rules for applying the Kyoto Protocol and national cap-and-trade laws contain a major, but fixable, carbon accounting flaw in assessing bioenergy.

The accounting now used for assessing compliance with carbon limits in the Kyoto Protocol and in climate legislation contains a far-reaching but fixable flaw that will severely undermine greenhouse gas reduction goals (1). It does not count CO<sub>2</sub> emitted from tailpipes and smokestacks when bioenergy is being used, but it also does

not count changes in emissions from land use when biomass for energy is harvested or grown. This accounting erroneously treats all bioenergy as carbon neutral regardless of the source of the biomass, which may cause large differences in net emissions. For example, the clearing of long-established forests to burn wood or to grow energy crops is counted as a 100% reduction in energy emissions despite causing large releases of carbon.

Several recent studies estimate that this error, applied globally, would create strong incentives to clear land as carbon caps tighten. One study (2) estimated that a global CO<sub>2</sub> target of 450 ppm under this accounting would cause bioenergy crops to expand to displace virtually all the world's natural forests and savannahs by 2065, releasing up to 37 gigatons (Gt) of CO<sub>2</sub> per year (compa-

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rable to total human CO<sub>2</sub> emissions today). Another study predicts that, based solely on economic considerations, bioenergy could displace 59% of the world's natural forest cover and release an additional 9 Gt of CO<sub>2</sub> per year to achieve a 50% "cut" in greenhouse gases by 2050 (3). The reason: When bioenergy from any biomass is counted as carbon neutral, economics favor large-scale land conversion for bioenergy regardless of the actual net emissions (4).

The potential of bioenergy to reduce greenhouse gas emissions inherently depends on the source of the biomass and its net land-use effects. Replacing fossil fuels with bioenergy does not by itself reduce carbon emissions, because the CO<sub>2</sub> released by tailpipes and smokestacks is roughly the same per unit of energy regardless of the source (1, 5). Emissions from producing and/or refining biofuels also typically exceed those for petroleum (1, 6). Bioenergy therefore reduces greenhouse emissions only if the growth and harvesting of the biomass for energy captures carbon above and beyond what would be sequestered anyway and thereby offsets emissions from energy use. This additional carbon may result from land management changes that increase plant uptake or from the use of biomass that would otherwise decompose rapidly. Assessing such carbon gains requires the same accounting principles used to assign credits for other land-based carbon offsets.

For example, if unproductive land supports fast-growing grasses for bioenergy, or if forestry improvements increase tree growth rates, the additional carbon absorbed offsets emissions when burned for energy. Energy use of manure or crop and timber residues may also capture "additional" carbon. However, harvesting existing forests for electricity adds net carbon to the air. That remains true even if limited harvest rates leave the carbon stocks of regrowing forests unchanged, because those stocks would otherwise increase and contribute to the terrestrial carbon sink (1). If bioenergy crops displace forest or grassland, the carbon released from soils and vegetation, plus lost future sequestration, generates carbon debt, which counts against the carbon the crops absorb (7, 8).

The Intergovernmental Panel on Climate Change (IPCC) has long realized that bioenergy's greenhouse effects vary by source of biomass and land-use effects. It also recognizes that when forests or other plants are harvested for bioenergy, the resulting carbon release must be counted either as land-use emissions or energy emissions but not both.

To avoid double-counting, the IPCC assigns the CO<sub>2</sub> to the land-use accounts and exempts bioenergy emissions from energy accounts (5). Yet it warns, because "fossil fuel substitution is already 'rewarded'" by this exemption, "to avoid underreporting . . . any changes in biomass stocks on lands . . . resulting from the production of biofuels would need to be included in the accounts" (9).

This symmetrical approach works for the reporting under the United Nations Framework Convention on Climate Change (UNFCCC) because virtually all countries report emissions from both land and energy use. For example, if forests are cleared in Southeast Asia to produce palm biodiesel burned in Europe, Europe can exclude the tailpipe emissions as Asia reports the large net carbon release as land-use emissions.

However, exempting emissions from bioenergy use is improper for greenhouse gas regulations if land-use emissions are not included. The Kyoto Protocol caps the energy emissions of developed countries. But the protocol applies no limits to land use or any other emissions from developing countries, and special crediting rules for "forest management" allow developed countries to cancel out their own land-use emissions as well (1, 10). Thus, maintaining the exemption for CO<sub>2</sub> emitted by bioenergy use under the protocol (11) wrongly treats bioenergy from all biomass sources as carbon neutral, even if the source involves clearing forests for electricity in Europe or converting them to biodiesel crops in Asia.

This accounting error has carried over into the European Union's cap-and-trade law and the climate bill passed by the U.S. House of Representatives (1, 12, 13). Both regulate emissions from energy but not land use and then erroneously exempt CO<sub>2</sub> emitted from bioenergy use. In theory, the accounting system would work if caps covered all land-use emissions and sinks. However, this approach is both technically and politically challenging as it is extremely hard to measure all land-use emissions or to distinguish human and natural causes of many emissions (e.g., fires).

The straightforward solution is to fix the accounting of bioenergy. That means tracing the actual flows of carbon and counting emissions from tailpipes and smokestacks whether from fossil energy or bioenergy. Instead of an assumption that all biomass offsets energy emissions, biomass should receive credit to the extent that its use results in additional carbon from enhanced plant growth or from the use of residues or biowastes. Under any crediting system, credits must reflect net changes in carbon stocks, emissions of non-CO<sub>2</sub> greenhouse gases, and leakage emissions resulting from

changes in land-use activities to replace crops or timber diverted to bioenergy (1).

Separately, Europe and the United States have established legal requirements for minimum use of biofuels, which assess greenhouse gas consequences based on life-cycle analyses that reflect some land-use effects (1, 14). Such assessments vary widely in comprehensiveness, but none considers biofuels free from land-based emissions. Yet the carbon cap accounting ignores land-use emissions altogether, creating its own large, perverse incentives.

Bioenergy can provide much energy and help meet greenhouse caps, but correct accounting must provide the right incentives.

#### References and Notes

1. Additional references supporting the themes of this Policy Forum can be found in the supporting online material.
2. M. Wise *et al.*, *Science* **324**, 1183 (2009).
3. J. M. Melillo *et al.*, *Unintended Environmental Consequences of a Global Biofuel Program* (MIT Joint Program Report Series, Massachusetts Institute of Technology, Cambridge, MA, 2009).
4. International Energy Agency, *Energy Technology Perspectives: In Support of the G8 Plan of Action: Scenarios and Strategies to 2050* [Organization for Economic Cooperation and Development (OECD)/IEA, Paris, 2008].
5. IPCC, *2006 IPCC Guidelines for National Greenhouse Gas Inventories*, prepared by the National Greenhouse Gas Inventories Programme [Institute for Global Environmental Strategies (IGES), Tokyo, Japan, 2007].
6. E. Manichetti, M. Otto, in *Biofuels: Environmental Consequences and Interactions with Changing Land Use: Proceedings of the Scientific Committee on Problems of the Environment*, R. W. Howarth, and S. Bringezu, Eds. (Cornell Univ. Press, Ithaca, NY, 2009), pp. 81–109.
7. T. Searchinger *et al.*, *Science* **319**, 1238 (2008).
8. J. Fargione, J. Hill, D. Tilman, S. Polasky, P. Hawthorne, *Science* **319**, 1235 (2008).
9. R. Watson *et al.*, Eds., *Land Use, Land-Use Change, and Forestry* (IPCC, Cambridge Univ. Press, Cambridge, 2000).
10. UNFCCC, *Report of the Conference of the Parties on Its Seventh Session: Action taken by the COP (FCCC/CP/2000/13/Add.1, UNFCCC, Geneva, 2002)*, Addendum, part 2.
11. UNFCCC, *Updated UNFCCC reporting guidelines on annual inventories following incorporation of the provisions of decision 14/CP.11 [FCCC/Subsidiary Body for Scientific and Technological Advice (SBSTA)/2006/9, Geneva, 2006]*, p. 23.
12. European Commission, *Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003*, Official Journal of the European Union L 275, 25.10.2003.
13. The American Clean Energy and Security Act of 2009, H.R. 2454, 111th Cong., 1st Sess. (as passed by U.S. House of Representatives July 2009).
14. T. D. Searchinger, in *Biofuels: Environmental Consequences and Interactions with Changing Land Use: Proceedings of the Scientific Committee on Problems of the Environment*, R. W. Howarth and S. Bringezu, Eds. (Cornell Univ. Press, Ithaca, NY, 2009), pp. 37–52.
15. The authors express thanks for the support of the German Marshall Fund of the United States.

#### Supporting Online Material

www.sciencemag.org/cgi/content/full/326/5952/527/DC1

10.1126/science.1178797

*Exhibits*

2009 Generation = 1893755 MWhr (2009) EPA Clean Air Markets <http://camdataandmaps.epa.gov/gdm/index.cfm>  
 Average Generation 2000-2009= 1815221 MWhr (2000-2009) EPA Clean Air Markets <http://camdataandmaps.epa.gov/gdm/index.cfm>

CO2 149608 lbsMMWhr (2009) EPA Clean Air Markets <http://camdataandmaps.epa.gov/gdm/index.cfm>  
 PM 117 0.12 Projected Emissions, Florida 2011 DEP Permit #0010006-005-AC with 2000-2009 Average Generation  
 NOx 50 0.59 Projected Emissions, Florida 2011 DEP Permit #0010006-005-AC with 2000-2009 Average Generation

**NORTHWEST FLORIDA RENEWABLE ENERGY CENTER**

Annual generation = 481,000 MWh Net 55 MW 67 MW Gross  
 Assuming 55 MW net

CO2 TPY 579,000 lbsMMWh  
 PM 78  
 NOx 166  
 VOC 27

Failed to disclose, estimated by reference to GREC biomass facility One half of GREC rate  
 p. 13 DEP Air Permit Tech Evaluation  
 p. 13, DEP Air Permit Tech Evaluation  
 p. 13 DEP Air Permit Tech Evaluation

lbs per MWh	Upgraded Deereven Coal	New NVRREC Wood Biomass	Biomass Pollution Difference vs Coal
CO2	1587	2403	51%
PM	117.00	0.32	165%
NOx	0.59	0.69	17%
VOC	not available	0.11	not available

**Table 5. Applicant's Estimate of Annual Emissions from the NWFREC in TPY.**

Pollutant <sup>1</sup>	CTG	Char Combustor	Cooling Towers	Material Handling <sup>2</sup>	Aux. Boiler	Flares TO	Emergency Equipment	Total
SO <sub>2</sub>	11.9	59.1	0	0	0.09	3.64	negligible	74.73
PM	61.6	2.5	1.03	12.5	0.03	neg	0.07	77.73
PM <sub>10</sub>	61.6	2.5	0.73	7.0	0.03	neg	0.07	71.93
NO <sub>x</sub>	118.1	42.0	0	0	1.47	3.18	1.24	165.99
CO	72.3	67.7	0	0	1.24	17.34	1.24	159.82
VOC	13.7	7.0	negligible	0	0.08	6.56	0.15	27.49
SAM <sup>3</sup>	1.2	5.9	negligible <sup>4</sup>					7.1
HAP	5.8	5.2	negligible					11.0
Hg	Neg.	6 lb/yr	negligible					6 lb/yr
NH <sub>3</sub> <sup>5</sup>	5.2	3.4	negligible					8.6
F <sup>6</sup>	negligible							~0
Pb	negligible							~0

1. Pollutants listed above are PSD-pollutants except HAP and Hg.
2. Includes emission from biomass dryer.
3. SAM - sulfuric acid mist. The Department estimated SAM = 10% of SO<sub>2</sub> emissions.
4. Negligible (Neg.) means zero (0) or that it does not affect the last significant figure in the estimate.
5. Emissions of NH<sub>3</sub> are primarily from "slip" of reagent used in the SCR and SNCR NO<sub>x</sub> control systems.
6. F - fluoride.

The Department regulates major stationary (PSD) sources in accordance with Florida's PSD program pursuant to Rule 62-212.400, F.A.C. However, the project is not a major stationary (PSD) source as explained in accordance with the explanation that follows:

As defined in Rule 62-210.200(189), F.A.C., a "major stationary source" (subject to PSD) is:

1. Any of the following stationary sources (commonly known as the "list of 28") of air pollutants which emits, or has the potential to emit (PTE), 100 TPY or more of any PSD pollutant:
  - Fossil fuel-fired steam electric plants of more than 250 mmBtu/hr heat input,
  - Coal cleaning plants (with thermal dryers),
  - Kraft pulp mills,
  - Portland cement plants,
  - Primary zinc smelters,
  - Iron and steel mills,
  - Primary aluminum ore reduction plants,
  - Primary copper smelters,
  - Municipal incinerators capable of charging more than 250 TPD of refuse,
  - Hydrofluoric acid plants,
  - Sulfuric acid plants,
  - Nitric acid plants,
  - Petroleum refineries,
  - Lime plants,
  - Phosphate rock processing plants,
  - Coke oven batteries,
  - Sulfur recovery plants,
  - Carbon black plants (furnace process),
  - Primary lead smelters,
  - Fuel conversion plants,
  - Sintering plants,
  - Secondary metal production plants,
  - Chemical process plants,
  - Fossil-fuel boilers (or combination thereof) totaling more than 250 mmBtu/hr heat input,
  - Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels,
  - Taconite ore processing plants,
  - Glass fiber processing plants,
  - Charcoal production plants;

### Exhibit 7

The environmental and health impact of biomass power is directly related to the feedstock from which the energy is derived. The choice of biomass feedstocks often presents a tradeoff between cost, fuel-quality, and environmental and health impacts. For example, urban waste, such as construction or demolition debris, is usually inexpensive relative to other biomass feedstocks, and combusting this debris at a biomass plant diverts it away from landfills. However, such waste may be of low-quality, meaning that more feedstock is required to produce a given amount of electricity, or contain high-levels of impurities, resulting in greater air emissions.

#### *Biomass: Health and Environmental Impacts*

The primary concern surrounding biomass is air pollution. Electricity production from biomass releases many of the same air pollutants as fossil-fuel generation, although the quantities may differ substantially on per MWh basis. Particulate matter (PM) emissions are the most significant health threat from biomass power plants. Without controls, combustion of wood and wood wastes for power production can result in PM emissions that are more than 20 percent higher than emissions from an uncontrolled coal plant. Emissions of carbon monoxide and VOCs can be more than 400 percent and 2,000 percent higher than emissions from a coal plant, respectively. In contrast, NO<sub>x</sub> emissions may be nearly 60 percent lower and SO<sub>2</sub> emissions are virtually eliminated (WDNR 2010). Wood wastes, such as construction and demolition debris, may also contain toxic air pollutants. The potential for toxic emissions from construction and demolition debris varies, depending on state fuel standards (NESCAUM 2006). Like fossil fuels, biomass combustion also emits other hazardous air pollutants. The impact of these emissions on human health is generally similar to the impact of emissions from fossil fuel combustion. Limited data are available on how various feedstocks affect overall emissions from biomass power.

Producing electricity from biomass also releases CO<sub>2</sub> into the atmosphere, as well as small amounts of methane and nitrous oxide. Biomass energy has the potential to reduce carbon dioxide emissions because the CO<sub>2</sub> released can be balanced by the CO<sub>2</sub> captured in growing the feedstock. However, the overall CO<sub>2</sub> benefit depends on how much energy was used to grow, harvest, and process the fuel. For example, planting fast-growing energy crops on otherwise unproductive land leads to additional carbon absorption by plants that offsets emissions from their use for energy without displacing carbon storage in plants and soils. On the other hand, clearing or cutting forests for energy, either to burn trees directly in power plants or to replace forests with bioenergy crops, has the net effect of releasing otherwise sequestered carbon into the atmosphere, similar to the extraction and burning of fossil fuels.

The technologies available to control emissions from fossil fuel-fired power plants are generally well-suited for reducing emissions from biomass facilities. Fabric filters and electrostatic precipitators are the primary devices used to control PM emissions. EPA recently determined that fabric filters are also the most effective control employed by biomass plants to limit mercury emissions.

#### Municipal Solid Waste and Landfill Gas

Municipal solid waste (MSW) can be used as a fuel for electricity generation in two ways: direct combustion (waste-to-energy) and landfill gas capture. Landfill emissions are generated by microorganisms that produce methane gas. Landfill gas consists primarily of carbon dioxide, methane,



Douglas E. Barr  
Executive Director

# Northwest Florida Water Management District

50

81 Water Management Drive, Havana, Florida 32333-4712  
*(U.S. Highway 90, 10 miles west of Tallahassee)*

(850) 539-5999 • (Fax) 539-2777

August 1, 2011

2011 AUG -3 AM 11:24

Chairman  
Gulf County Commission  
Post Office Box 901  
Port St. Joe, FL 32456

Dear Sir/Madam:

In accordance with the provisions of Section 373.536(5)(c), Florida Statutes, the Northwest Florida Water Management District's Standard Format Tentative Budget Submission including information for the preceding fiscal year, the current fiscal year and proposed amounts for the upcoming fiscal year is now available. This report may be viewed on the District's web site at <http://www.nwfwmd.state.fl.us/bizfinance.html>.

If you have any questions regarding this report, please contact me at (850) 539-5999.

Sincerely,

Jean Whitten  
Director, Division of Administration

JW/ab

Enclosure

GEORGE ROBERTS  
Chair  
Panama City

PHILIP K. McMILLAN  
Vice Chair  
Blountstown

STEVE GHAZVINI  
Secretary/Treasurer  
Tallahassee

PETER ANTONACCI  
Tallahassee

STEPHANIE BLOYD  
Panama City Beach

JOYCE ESTES  
Eastpoint

TIM NORRIS  
Santa Rosa Beach

JERRY PATE  
Pensacola

RALPH RISH  
Port St Joe

50

Lynn Lanier

---

**From:** Commission Clerk [CommissionClerk@psc.state.fl.us]  
**Sent:** Tuesday, August 02, 2011 4:29 PM  
**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 454902)  
**Attachments:** 05416-11.pdf

The attached order or notice has been issued by the Public Service Commission.

If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.

When replying, please do not alter the subject line; as it is used to process your reply.

Thank you.

2011 AUG -3 AM 11:50

INFORMATION  
DATE: 8/9/11 51

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of amended  
standard offer contract, by Progress Energy  
Florida, Inc.

DOCKET NO. 110092-EI  
ORDER NO. PSC-11-0329-CO-EI  
ISSUED: August 2, 2011

CONSUMMATING ORDER

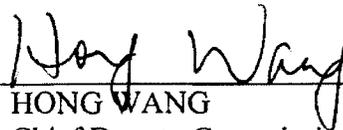
BY THE COMMISSION:

By Order No. PSC-11-0295-TRF-EI, issued July 8, 2011, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-11-0295-TRF-EI has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 2nd day of August, 2011.



HONG WANG  
Chief Deputy Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

TLT

DOCUMENT NUMBER-DATE

05416 AUG-2 =

52  
FPSC-COMMISSION CLERK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

**Lynn Lanier**

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**From:** Commission Clerk [CommissionClerk@psc.state.fl.us]  
**Sent:** Wednesday, July 20, 2011 4:23 PM  
**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 009345)  
**Attachments:** 05020-11.pdf

The attached order or notice has been issued by the Public Service Commission.

If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.

When replying, please do not alter the subject line; as it is used to process your reply.

Thank you.

2011 AUG -3 AM 10:26

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF HEARING

TO

FLORIDA POWER &amp; LIGHT COMPANY

PROGRESS ENERGY FLORIDA, INC.

OFFICE OF PUBLIC COUNSEL

SOUTHERN ALLIANCE FOR CLEAN ENERGY, INC.

FLORIDA INDUSTRIAL POWER USERS GROUP

PCS PHOSPHATE – WHITE SPRINGS

FEDERAL EXECUTIVE AGENCIES

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 110009-EI

NUCLEAR COST RECOVERY CLAUSE.

ISSUED: July 20, 2011

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission will hold a public hearing in the above docket at the following time and place:

August 10-12, 15-19, 24-26, 2011,\* 9:30 a.m. (ET)  
 Betty Easley Conference Center, Room 148  
 4075 Esplanade Way  
 Tallahassee, Florida 32399-0850

\*The starting times on August 11, 12, 15-19, and 24-26, 2011 will be announced at the conclusion of the hearing on the previous day. The hearing may be adjourned early if all testimony is concluded.

DOCUMENT NUMBER-DATE

05020 JUL 20 =

FPSC-COMMISSION CLERK

NOTICE OF HEARING  
DOCKET NO. 110009-EI  
PAGE 2

PURPOSE AND PROCEDURE

The purpose of this hearing shall be to receive testimony and exhibits relative to issues and subjects, including, but not limited to, the following:

Should any FPL 2010 Nuclear Cost Recovery Clause rate-case type expenses be disallowed from recovery?

Do FPL's activities through 2010 related to Turkey Point Units 6 & 7 qualify as "siting, design, licensing, and construction" of a nuclear power plant as contemplated by Section 366.93, F.S.?

Should the Commission approve what FPL has submitted as its 2010 and 2011 annual detailed analyses of the long-term feasibility of completing the Turkey Point 6 & 7 project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

Was FPL's 2010 decision to continue pursuing a Combined Operating License from the Nuclear Regulatory Commission for Turkey Point Units 6 & 7 reasonable? If not, what action, if any, should the Commission take?

Should the Commission find that for years 2009 and 2010 FPL's project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as FPL's final 2009 and 2010 prudently incurred costs and final true-up amounts for the Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as reasonably estimated 2011 costs and estimated true-up amounts for FPL's Turkey Point Units 6 & 7 project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2012 costs for FPL's Turkey Point Units 6 & 7 project?

Should the Commission approve what FPL has submitted as its 2010 and 2011 annual detailed analyses of the long-term feasibility of completing the Extended Power Uprate project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

Should the Commission find that for the years 2009 and 2010 FPL's project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Extended Power Uprate project?

NOTICE OF HEARING  
DOCKET NO. 110009-EI  
PAGE 3

What system and jurisdictional amounts should the Commission approve as FPL's final 2009 and 2010 prudently incurred costs and final true-up amounts for the Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as reasonably estimated 2011 costs and estimated true-up amounts for FPL's Extended Power Uprate project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2012 costs for FPL's Extended Power Uprate project?

What is the total jurisdictional amount to be included in establishing FPL's 2012 Capacity Cost Recovery Clause factor?

Should the Commission approve what PEF has submitted as its 2011 annual detailed analysis of the long-term feasibility of completing the Levy Units 1 & 2 project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

Should the Commission find that for the year 2010, PEF's project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Levy Units 1 & 2 project? If not, what action, if any, should the Commission take?

What system and jurisdictional amounts should the Commission approve as PEF's final 2010 prudently incurred costs and final true-up amounts for the Levy Units 1 & 2 project?

What system and jurisdictional amounts should the Commission approve as reasonable actual/estimated 2011 costs and estimated true-up amounts for PEF's Levy Units 1 & 2 project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2012 costs for PEF's Levy Units 1 & 2 project?

Should the Commission approve what PEF has submitted as its 2011 annual detailed analysis of the long-term feasibility of completing the Crystal River Unit 3 Uprate project, as provided for in Rule 25-6.0423, F.A.C? If not, what action, if any, should the Commission take?

For the year 2009, should the Commission find PEF reasonably and prudently managed its Crystal River Unit 3 Uprate license amendment request? If not, what dollar impact did these activities have on 2009 incurred costs?

NOTICE OF HEARING  
DOCKET NO. 110009-EI  
PAGE 4

Should the Commission find that for 2010, PEF's project management, contracting, accounting and cost oversight controls were reasonable and prudent for the Crystal River Unit 3 Uprate project? If not, what action, if any, should the Commission take?

What system and jurisdictional amounts should the Commission approve as PEF's 2009 and 2010 prudently incurred costs for the Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as reasonable actual/estimated 2011 costs and estimated true-up amounts for PEF's Crystal River Unit 3 Uprate project?

What system and jurisdictional amounts should the Commission approve as reasonably projected 2012 costs for PEF's Crystal River Unit 3 Uprate project?

What is the total jurisdictional amount to be included in establishing PEF's 2012 Capacity Cost Recovery Clause factor?

The Commission may consider any other matters or motions that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement.

#### ORDER OF PRESENTATION

The order of presentation of witnesses shall be set forth in the prehearing order to be issued in this docket.

#### PREFILED TESTIMONY

Testimony, exhibits, and data relative to the issues above shall be prefiled as set forth in the Order Establishing Procedure issued in this docket.

#### JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes, including Section 366.93, Florida Statutes. This hearing will be governed by said Chapter as well as Chapter 120, Florida Statutes, and Rules 25-6.0423, 25-22, and 28-106, Florida Administrative Code.

NOTICE OF HEARING  
DOCKET NO. 110009-EI  
PAGE 5

PRACTICE AND PROCEDURE

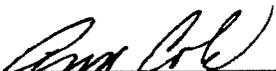
At the hearing, all parties shall be given the opportunity to be heard and to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on August 1, 2011. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service.

By DIRECTION of the Florida Public Service Commission this 20th day of July, 2011.

  
\_\_\_\_\_  
ANN COLE  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
(850) 413-6770  
[www.floridapsc.com](http://www.floridapsc.com)

KY