



Natural Resource Damage Assessment and Restoration Webinar

Sept. 1 2010



What We Will Discuss

Goal of NRDA

NRDA Authorities

General Steps in the NRDA Process

Case Example

DWH NRDA Status

Q&A



Tragically, oil spills happen...



Goal of Natural Resource Damage Assessment and Restoration

- ▶ **Compensate the Public for injuries to natural resources and for lost human uses**



NRDA is...

- ▶ Focused on the restoration of injured natural resources and lost human uses
- ▶ A cooperative process
- ▶ A structured process defined in regulations
- ▶ A legal and scientific process conducted parallel to, and continuing after, the spill response



Primary Authorities



- ▶ **Oil Pollution Act (OPA)**
- ▶ **Comprehensive Environmental Response, Compensation and Liability Act (Superfund)**
- ▶ **Clean Water Act (CWA)**
- ▶ **National Marine Sanctuaries Act (NMSA)**
- ▶ **Park System Resources Protection Act (PSRPA)**

Natural Resource Trustees Are:

- ▶ State Governors
- ▶ Tribes
- ▶ Secretaries of Federal Departments
 - Agriculture
 - Commerce (NOAA)
 - Defense
 - Energy
 - Interior
- ▶ Foreign Governments (under OPA)



DWH Trustee Council Membership

▶ Federal Trustees:

- U.S. DOC – NOAA
- U.S. DOI – FWS, NPS, BLM, BIA
- U.S. DOD – Navy

▶ State Trustees:

- Alabama
- Florida
- Louisiana
- Mississippi
- Texas

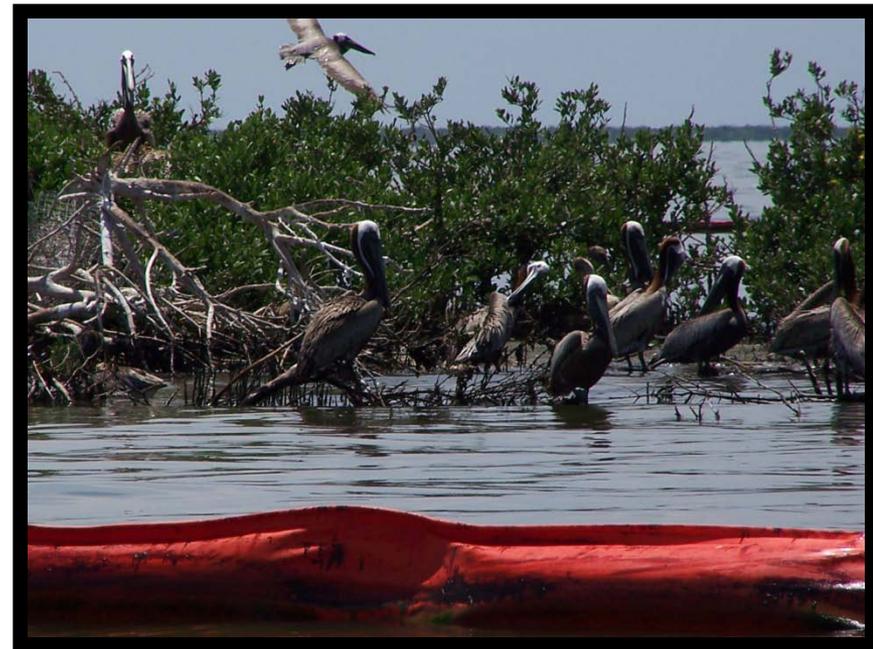
▶ Trustee Council:

- Goal: Work cooperatively to determine the magnitude and extent of injury to natural resources in the GOM from the DWH spill and fully restore those injured resources



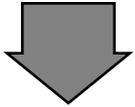
What Are Natural Resources?

- **Biota** (e.g. birds, fish, invertebrates, etc.)
 - death; disease; organ/tissue injury; reduced reproduction; behavioral abnormalities
- **Habitat**
 - marshes, mangroves, mudflats, vegetation
- **Water**
 - underwater oil plumes
- **Soil and Sediment**
 - oiled beaches
- **Air**



Oil Pollution Act NRDA Framework

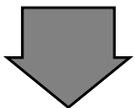
Release



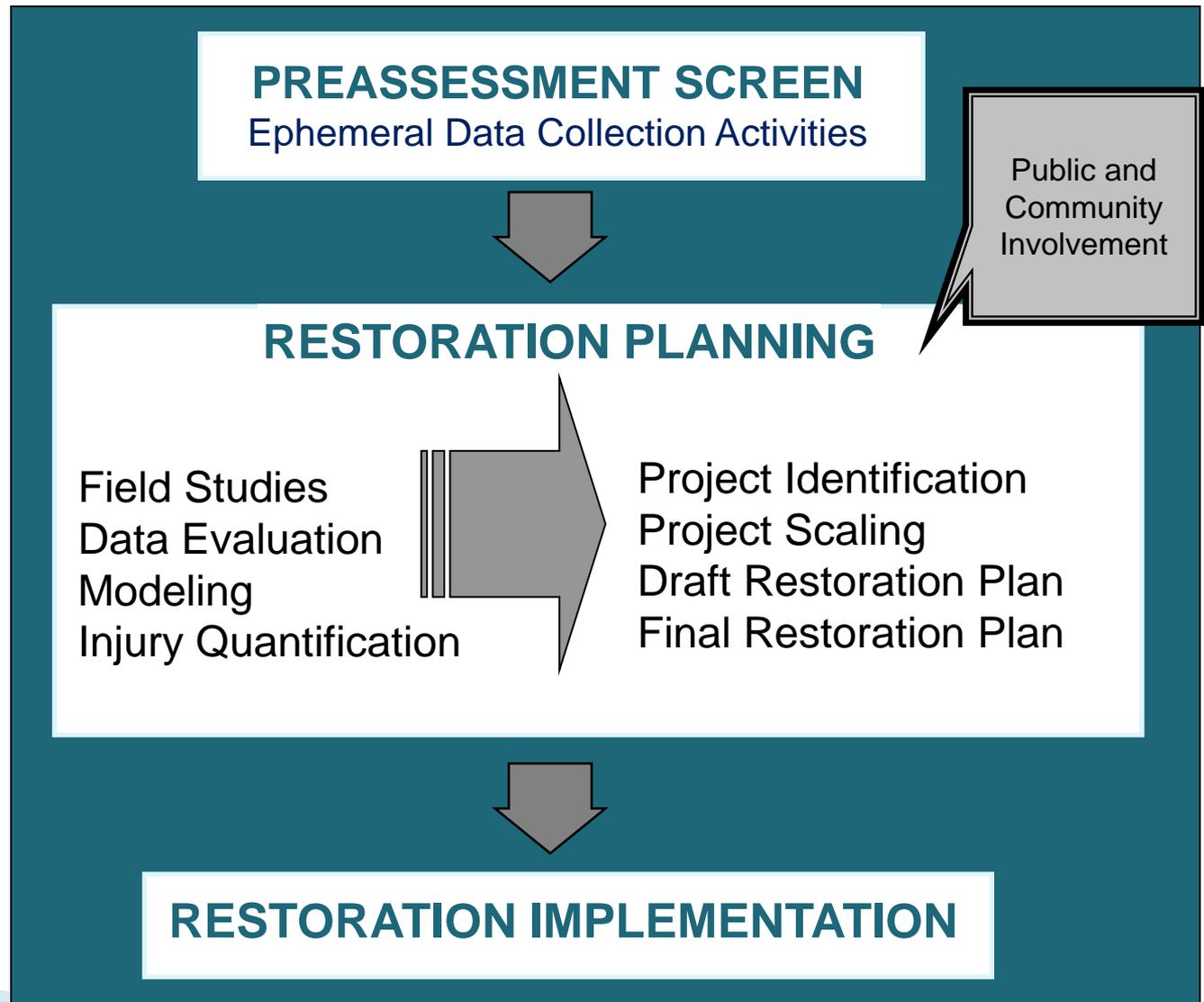
Pathway



Exposure



Injury



What is Restoration?

- ▶ Restore, replace, rehabilitate, or acquire the equivalent
- ▶ Primary Restoration: returns injured resources to baseline, i.e., the condition they would have been had the release of oil never occurred
- ▶ Compensatory Restoration: to compensate for the time it takes to reach baseline and for lost uses.

An Example of an Oil Spill NRDA in FL: Tampa Bay Oil Spill, 1993

Incident and Impact

- ▶ Over 350,000 gallons of mixed fuels spilled
- ▶ Oil fouled 13 miles of beaches
- ▶ Injured birds, sea turtles, mangroves, seagrasses, salt marshes, shellfish beds, water column resources and bottom sediments.
- ▶ Recreational uses of local waterways, beaches and shellfish beds disrupted by the spill and necessary response actions.

Ecological Restoration

- ▶ Sea turtles, birds
- ▶ Restoring dune vegetation and habitat

Recreational Restoration

- ▶ Fishing piers and boat ramps
- ▶ Public boardwalks and walkways ramp.



In Summary, Three Things...

▶ NRDA is Restoration-Focused

- Restoration is considered early and throughout the NRD process

▶ NRDA is a Cooperative Process

- Getting to restoration requires a common vision & coordination with:
 - Co-Trustees and the public
 - Moves more quickly if Responsible Party shares the same vision and works cooperatively with the Trustees

▶ NRDA is a Legal Process

- Trustees are required to demonstrate causality between the release & resource injury and lost use
- The polluter pays for assessment and restoration

Current NRDA Activities for DWH

Pre-assessment Phase:

- ▶ Technical Working Groups (TWGs) composed of State and Federal natural resource trustees are working with the RP's consultant
- ▶ TWGs implementing baseline and post-impact field studies for multiple resource categories:
 - Water Column – fate and transport
 - Fisheries and Plankton
 - Submerged Aquatic Vegetation
 - Subtidal Habitats
 - Shallow and Deepwater Corals
 - Shoreline Habitats: Beaches, wetlands, mudflats
 - Birds
 - Marine Mammals and Turtles
 - Terrestrial Wildlife
 - Human Use: Fishing, hunting, and beach recreational closures

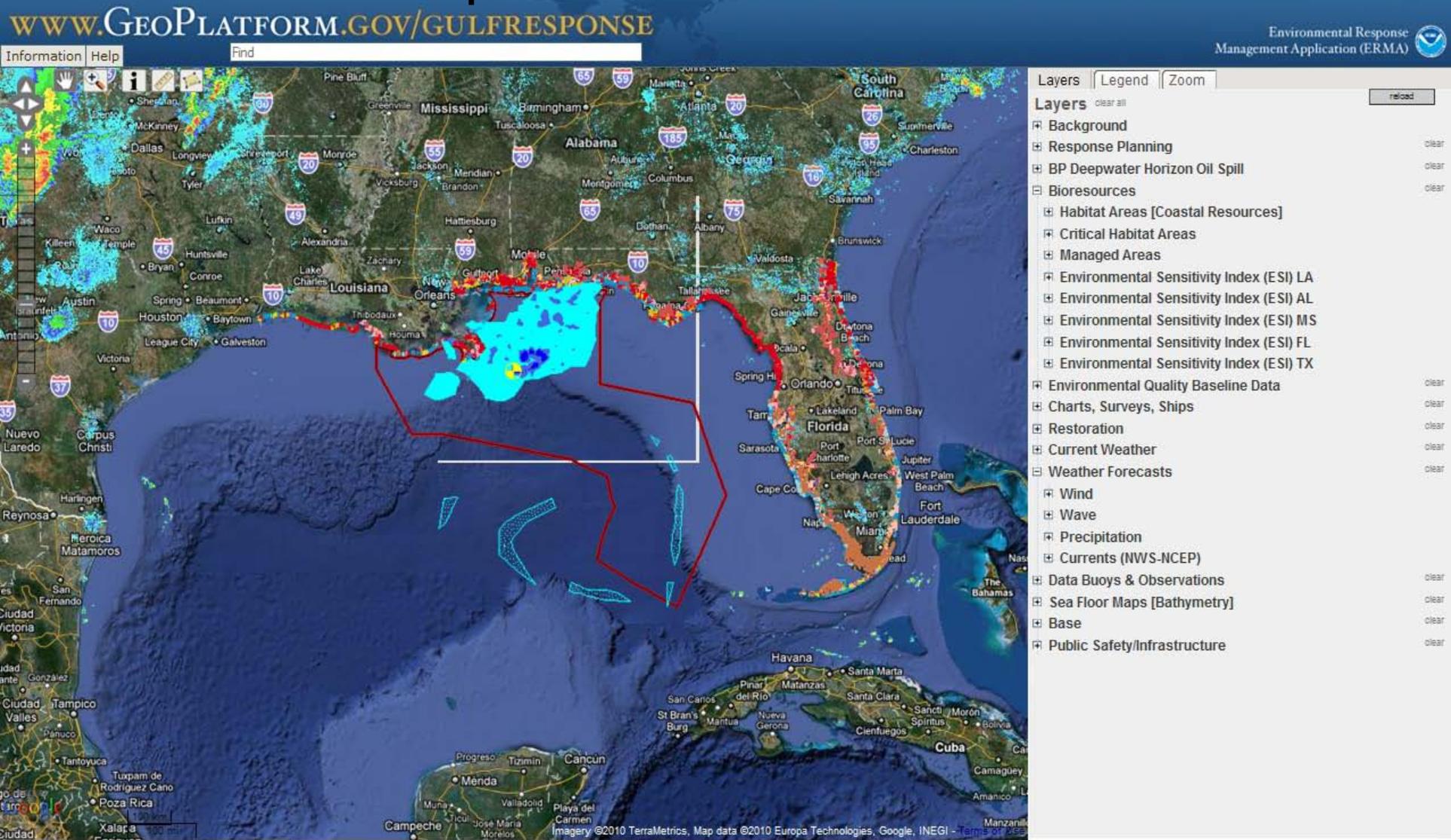


Current NRDA Activities for DWH

- Sample collection includes water, sediment and tissues
- Data collected via land and ship-based sampling and aerial surveys
- Trustees will assess impacts from the response, including dispersant use at the surface and at depth



GeoPlatform.Gov – Monitoring Oil Spill Response and Restoration





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