



Natural Resource Damage Assessment and Restoration in Texas

Deepwater Horizon Oil Spill



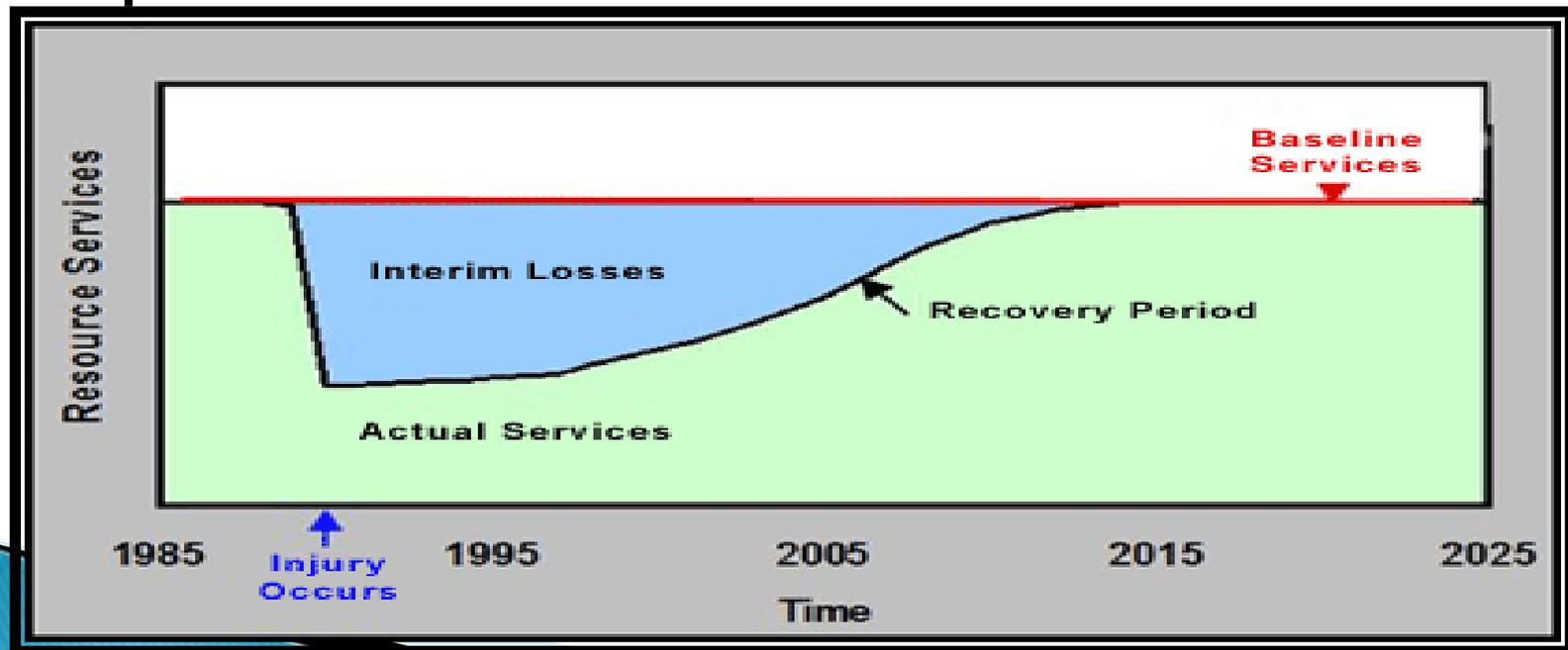
Topics

- ▶ Goal of Natural Resource Damage Assessment (NRDA)
- ▶ NRDA Authorities
- ▶ NRDA Process
- ▶ Injuries & Restoration
- ▶ Current Activities
- ▶ Next Steps
- ▶ Questions



Goal of Natural Resource Damage Assessment and Restoration

Return injured natural resources to baseline and compensate the public for the time period that services were impacted



Natural Resource Damage Assessment

- ▶ Focused on the restoration of injured natural resources
 - ▶ A cooperative process
 - ▶ A structured process defined in regulations
 - ▶ A legal and scientific process conducted parallel to, and continuing after, the spill response
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What are Natural Resources?



Land, fish, wildlife, biota, air, water, groundwater, drinking water and other such resources that are controlled or managed by Federal or State governments, or Indian Tribes.

Statutory Authority

- ▶ Federal
 - Oil Pollution Act of 1990 (OPA)
 - Clean Water Act (CWA)
- ▶ Texas
 - Texas Oil Spill Prevention and Response Act (OSPRA)



Natural Resource Damage Assessment

- ▶ Trustees designated by the President and state governors
 - ▶ Trustees required to:
 - Assess injuries to natural resources and seek compensation
 - Restore, rehabilitate, replace, or acquire the equivalent of injured natural resources
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Texas Formula for NRDA

- ▶ Commitment to cooperative restoration-based approach
- ▶ Early integration of assessment into spill response
- ▶ Coordination between Trustees



Coordination, Cooperation, Collaboration

- ▶ Response Agencies
- ▶ Other Federal Agencies & Departments
- ▶ State & Local Entities
- ▶ Nongovernment Organizations
- ▶ Responsible Parties
- ▶ Public



What is Restoration?

- ▶ Restore, replace, rehabilitate, or acquire the equivalent
- ▶ Returns injured natural resources to baseline– the condition they were in before the spill
- ▶ Primary and compensatory
- ▶ Requires public input



Who Pays for Damage Assessment and Restoration?

- ▶ Responsible party

- ▶ Oil Spill

Liability

Trust Fund

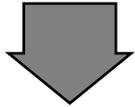
- ▶ Agency appropriated funds



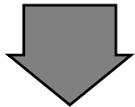
Natural Resource Damage Assessment Framework

We Are Here

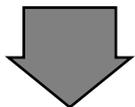
Release



Pathway



Exposure



Injury

PREASSESSMENT SCREEN

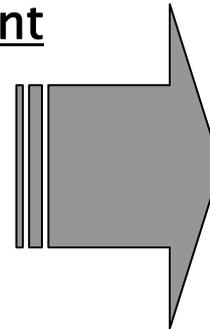
Early Data Collection Activities



RESTORATION PLANNING

Injury Assessment

Field Studies
Data Evaluation
Modeling
Injury
Quantification



Restoration Selection

Project Identification
Project Scaling
Draft Restoration Plan
Final Restoration Plan

Public and
Community
Involvement



RESTORATION IMPLEMENTATION

Deepwater Horizon Trustee Council Membership

▶ Federal Trustees

- U.S. Department of Commerce
 - National Oceanic and Atmospheric Administration
- U.S. Department of the Interior
 - Fish and Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs

▶ State Trustees

- Alabama
- Florida
- Louisiana
- Mississippi
- Texas

Texas Commission on
Environmental Quality

Texas General Land Office

Texas Parks and Wildlife
Department

Opportunities for Public Involvement

1) Oil Spill

2) Early Data Collection

★ 3) Public Information Meetings ← **WE ARE HERE**

4) Injury & Damage Quantification

★ 5) Public Restoration Scoping Meeting

6) Draft Restoration Plan

★ 7) Public Comment Period

8) Final Restoration Plan

9) Implement Restoration Projects

Current Natural Resource Damage Assessment Activities

- ▶ Collecting data on potentially injured natural resources
 - Water Column
 - Fish, Oysters, & Plankton
 - Subtidal Habitats
 - Shallow & Deepwater Corals
 - Shoreline Habitats
 - Birds
 - Marine Mammals & Turtles
 - Terrestrial Wildlife
 - Cultural Resources
 - Human Use
 - Submerged Aquatic Vegetation



More on Current Activities...

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



Summary

- ▶ **NRDA is restoration-focused**
 - Restoration is considered early & throughout the process
- ▶ **NRDA is a cooperative process**
 - Getting to restoration requires a common vision & coordination between co-trustees & public
- ▶ **NRDA is a legal process**
 - Trustees are required to demonstrate cause & effect between the release of oil & resource injury & lost use
 - The polluter pays for assessment & restoration

Questions?

