



Deepwater Horizon Oil Spill Natural Resource Damage Assessment

Introduction

On April 20, 2010, the *Deepwater Horizon* Oil Spill set into motion the largest natural resource damage assessment in history.

What is a Natural Resource Damage Assessment?

A natural resource damage assessment is the process used by natural resource trustees to develop the public's claim for natural resource damages against the party or parties responsible for the spill. It also seeks compensation for the harm done to natural resources and those services they provide. The goal of a natural resource damage assessment is restoration of the injured or lost resources.

What is a Natural Resource Trustee?

Natural resource trustees are persons and agencies entrusted under the Oil Pollution Act and other applicable statutes and regulations

How Does NRDA Work?

During and after an oil spill, there are three main steps:

- 1. Pre-assessment:** Trustees determine whether injury to natural resources has occurred or is likely to occur. Work includes collecting time-sensitive data, reviewing scientific literature about the oil and its impact on coastal resources, and determining the extent and severity of injury.
- 2. Injury Assessment and Restoration Planning:** Scientific and economic studies assess and quantify the injuries and the loss of services. Trustees determine the need for and amount of restoration. A restoration plan or series of plans are developed to identify restoration projects to compensate the public.
- 3. Restoration:** Trustees work with the public and responsible parties to select, implement and monitor restoration projects. The responsible parties pay for assessment and restoration.

to restore injured natural resources and lost services resulting from an incident involving a discharge or substantial threat of a discharge of oil.

When did the *Deepwater Horizon* Oil Spill Natural Resource Damage Assessment (NRDA) Begin?

NRDA teams mobilized in the hours immediately following notification that a spill was occurring.

What is the Status of the *Deepwater Horizon* Oil Spill NRDA?

The *Deepwater Horizon* Oil Spill NRDA Trustees (Trustees) are in the injury assessment and restoration stage of the NRDA. Teams of scientists have been developing plans for wide-ranging studies to determine the amount of injury sustained as a result of the spill.

Once injuries are assessed and the scope and scale are determined, the Trustees will develop a restoration plan or series of plans to compensate the public for those injuries.

BP and the other responsible parties can either execute this plan or provide the Trustees with funding to implement the plan. Plans for emergency and early restoration projects have been developed prior to completion of the assessment.

What is NRDA restoration?

NRDA restoration means any action, or combination of actions, to restore, rehabilitate, replace or acquire the equivalent of injured natural resources and services provided by those resources.



Deepwater Horizon NRDA data collection

Primary restoration includes actions conducted by trustees to return injured natural resources to the condition that would have existed if the incident had not occurred. Some natural resources might recover very slowly, or not at all, from injuries due to an oil spill. Trustees are authorized to conduct primary restoration to speed the recovery of the injured resources, such as reconstructing physical habitat that was destroyed or taking measures to protect the population of an endangered species.

Compensatory restoration includes actions conducted by trustees to address the interim loss of natural resources and services that occur from the date of the incident until pre-spill condition recovery is completed. While the resource is impaired, it is unable to provide services on which other parts of the ecosystem and the public rely.

Trustees are authorized to ensure that compensatory restoration projects are implemented to compensate the public for these interim losses.

Emergency restoration actions are those taken by trustees prior to the completion of the NRDA and restoration planning process to prevent or reduce additional natural resource injuries and avoid potentially irreversible loss of natural resources.

Early restoration can be implemented prior to the completion of the NRDA process, when opportunities arise, to achieve

restoration faster. Projects must meet criteria set forth in the Oil Pollution Act of 1990 and its resulting regulations.

How is the public involved?

The public can become involved in the *Deepwater Horizon* Oil Spill NRDA process by submitting project-specific restoration ideas at www.gulfspillrestoration.noaa.gov/suggest-a-restoration-project. They may also become engaged in the ongoing formulation of a Programmatic Environmental Impact Statement or by participating in conversations while attending public meetings being held throughout the Gulf states.

This is by far the most transparent NRDA process in history.

- Never before have trustees publicly released so many work plans developed by Technical Working Groups; more than 150 have been published on www.gulfspillrestoration.noaa.gov, and many more are currently in development.
- Never before have so many pieces of raw data – over 2,500 – been made publicly available in a short amount of time.
- Never before have so many NRDA-focused public meetings been held so quickly.
- Never before have outreach efforts at the state and federal levels extended into so many corners of an affected citizenry. Additional public comment periods will ensure the voice of the public will continue to shape the Trustees' planning efforts.



Restoration planting

Deepwater Horizon Oil Spill Natural Resource Damage Assessment Trustees (Trustees)

The Trustees' responsibilities include both restoring injured resources to the condition they would have been in but for the spill and compensating for the temporal loss of natural resources and the ecosystem services they provide. This includes services lost from the time of injury until the time they are fully restored.

State Trustees

Alabama

- Department of Conservation and Natural Resources
- Geological Survey of Alabama

Florida

- Department of Environmental Protection
- Fish and Wildlife Conservation Commission

Louisiana

- Coastal Protection and Restoration Authority
- Oil Spill Coordinator's Office
- Department of Environmental Quality
- Department of Wildlife and Fisheries
- Department of Natural Resources

Mississippi

- Department of Environmental Quality

Texas

- Commission on Environmental Quality
- Parks and Wildlife Department
- General Land Office

Federal Trustees

The U.S. Environmental Protection Agency

The U.S. Department of Agriculture

The Department of Commerce

- National Oceanic and Atmospheric Administration

The Department of the Interior

- Fish and Wildlife Service
- National Park Service
- Bureau of Land Management

