

## Script

### OO TIG RP 1/EA webinar Oct 16 and 17, 2018

#### **Slide 1: Deepwater Horizon Oil Spill Open Ocean Trustee Implementation Group Draft Restoration Plan 1 and Environmental Assessment: Birds and Sturgeon**

Hello everyone and Welcome to the webinar. The purpose of this presentation is to provide information about the Open Ocean Trustee Implementation Group's Draft Restoration Plan 1 and Environmental Assessment: Birds and Sturgeon. My name is Ashley Mills. I'm the Department of the Interior Representative on the Open Ocean TIG. In the next few days we will post this presentation and script to the Trustee's website. The address is at the bottom of this slide.

Before we start, I'd like to ask Lena Flannery to go over the webinar tools.

#### **Slide 2: Webinar Participation**

Hi everyone. I'd like to quickly run through some webinar logistics with you. Hopefully, now you are logged in to both the call and the webinar. You should be able to see the control panel on the right side of your screen. You should be dialing in using the phone number provided by GoToWebinar—that's the number and access code listed under "Audio" in the control panel. If you are using a computer with a microphone or speakers, please make sure those are turned off or muted so that we don't get feedback.

Please note that only presenters will be able to be heard during the webinar; attendees will be muted. Take a look at the question box at the bottom of the control panel. If you have technical issues with the webinar and are having trouble seeing or hearing the material please enter a note here in the question box. We will be able to see messages in the box as they come in. Please note the question box should only be used if you have technical issues with the webinar, not for other questions or comments.

I'll now pass it back to Ashley Mills to go through our agenda for today.

#### **Slide 3: Today's Agenda**

Thank you, Lena.

Today we'll provide brief overviews of the Open Ocean Trustee Implementation Group (or TIG), the settlement with BP for natural resource damages caused by the Deepwater Horizon oil spill,

and the Trustees' programmatic restoration plan developed to address damages. We will also provide an overview of the Open Ocean TIG Draft Restoration Plan 1 and Environmental Assessment for Birds and Sturgeon and we will describe the next steps in the restoration planning process.

At this time, I'd like to ask Laurie Rounds, of NOAA, to present the overview of the Open Ocean TIG. Laurie?

#### **Slide 4: Open Ocean TIG**

Thank you, Ashley. Hello, I'm Laurie Rounds. I am the Open Ocean TIG Lead for NOAA.

The Open Ocean Trustee Implementation Group, which consists of representatives from the federal trustees, is responsible for planning and implementing restoration for the Open Ocean Restoration Area. I represent NOAA. Ashley Mills is our representative from the Department of Interior, Ron Howard represents the Department of Agriculture, and Gale Bonanno represents the Environmental Protection Agency. The federal trustees for the Open Ocean TIG work together to restore the wide-ranging and migratory species injured by the spill. These include fish, sea turtles, marine mammals, deep-sea corals, sturgeon and birds. We will also coordinate with the state trustees, especially when proposed restoration projects overlap their jurisdictions.

The term 'open ocean' is sometimes confusing, and it is important to know that the restoration conducted by this TIG will focus on restoration for migratory species throughout their geographic range to address the multiple life stages injured by the spill. For example, we will conduct restoration for Gulf sturgeon in the northern Gulf of Mexico and associated river systems, but for highly migratory fish species we may work in the Caribbean Sea or North Atlantic Ocean.

#### **Slide 5: BP Settlement**

In 2016, the Deepwater Horizon Natural Resource Trustees reached a settlement to resolve BP's liability for natural resource injuries caused by the Deepwater Horizon oil spill.

Part of the settlement requires BP to pay \$8.8 billion dollars to federal and state trustees for the purposes of restoring natural resources and the services they provide that were injured by the spill. The settlement will be paid out incrementally over the course of 15 years – the first payment was made last year. Based on the kind and extent of injuries caused by the spill, the \$8.8 billion has been allocated among the Trustees' five broad restoration goals as indicated in the slide.

### **Slide 6: Trustees’ Programmatic Restoration Plan**

These goals are described in the programmatic restoration plan the Trustees developed prior to the settlement. The plan documents the natural resource injuries caused by the spill, such as injuries to fish, marine mammals, birds, sea turtles and other marine life, as well as to offshore, nearshore and coastal habitats and ecological functions. The assessment concludes that the scale of the injury is so massive, an ecosystem approach to restoration is needed.

The Trustees’ plan is called a “programmatic plan” because, rather than identifying individual restoration projects, it identifies goals, restoration types and restoration approaches that set the course for more detailed, future project-level planning.

### **Slide 7: Overview of the Programmatic Restoration Plan**

Here is a diagram that shows the programmatic plan’s broad restoration goals, in purple (middle section of the slide), including habitats, water quality, living coastal and marine resources, restoration for lost recreational uses, and two foundational goals for adaptive management and administrative oversight. The plan breaks these goal areas down into 13 restoration types, shown in blue (right side of the slide), with defined approaches for restoration for each of these types. The approaches selected for the programmatic plan were subject to rigorous screening and analysis.

The OO Trustees are focusing on a set of these restoration approaches for further development in this first open ocean restoration plan, and we will discuss specific restoration types later in this presentation.

The programmatic plan specifically allocates funding to each of the seven restoration areas and to each of the 13 restoration types within those restoration areas. There are also allocations for adaptive management and administrative oversight in each restoration area. The allocation amounts account for the restoration needed for each restoration type and takes into consideration the restoration needed to address ecosystem-level injuries caused by the spill.

### **Slide 8: Open Ocean Restoration Area Funding Allocation**

This chart shows the restoration allocations for the Open Ocean Restoration Area. The total amounts include approximately \$42 million already being implemented through early restoration projects.

Each TIG develops restoration plans for their respective restoration area, consistent with the funding allocations.

There is \$70 million allocated for Birds and \$15 million allocated for Sturgeon.

The Open Ocean TIG Draft Restoration Plan 1 focuses on the Bird and Sturgeon Restoration Types. The second-post settlement restoration plan which we have initiated drafting, will propose projects to address Sea Turtles, Marine Mammals, Fish and Water Column Invertebrates and Mesophotic and Deep Benthic Communities. We anticipate releasing the Draft Restoration Plan 2 and Environmental Assessment in early 2019.

### **Slide 9: TIG Restoration Planning Cycle**

The Restoration Planning process generally follows the familiar planning cycle of plan, do, monitor, and adjust. The public is involved at specific steps in the process.

We started this cycle at Project Identification there in the top left of this slide. Restoration project ideas have been collected since 2010 when the internet-based Deepwater Horizon project portal was opened.

On March 31, 2017, the Open Ocean TIG initiated public engagement by soliciting restoration project ideas for the six Restoration Types identified in the Open Ocean Restoration Area.

We reviewed each project idea and developed the draft restoration plan we are presenting to you today. We're now seeking your review and input.

After considering and incorporating public input on this Draft Restoration Plan, we'll finalize the Restoration Plan and begin to implement it. During implementation, the progress and effectiveness of the restoration projects will be monitored and reported to the public. We will use this information to update the status of our restoration goals and it may influence our restoration planning priorities. As these priorities evolve, the public and TIG will explore new project ideas that reflect the monitoring information we've collected, and this continues the Restoration Planning Cycle, which will keep going until we've fully invested our allocation from the settlement.

I'd like to now to turn it over to Ashley to describe the Open Ocean TIG Draft Restoration Plan 1.

### **Slide 10: Deepwater Horizon Open Ocean TIG Draft Restoration Plan 1 and Environmental Assessment: Birds and Sturgeon**

Thanks, Laurie.

### **Slide 11: OO TIG Draft RP 1 Overview**

In developing the Open Ocean TIG draft restoration plan 1, we used a robust screening process to determine a reasonable range of alternatives.

In the draft plan, we evaluated these alternatives under both the Oil Pollution Act (OPA) and the National Environmental Policy Act (NEPA).

The draft plan proposes funding two preferred alternatives for birds and one preferred alternative for sturgeon.

Other potential bird and sturgeon projects considered in the restoration plan as part of the reasonable range of alternatives are not preferred by the Trustees. We do not intend to pursue non-preferred projects at this time.

### **Slide 12: Restoration Goals for Birds**

More than 120 species of birds live in waters and wetlands of the northern Gulf of Mexico for at least a portion of their lives. Nearly 300 species use either the coast itself or coastal upland habitats directly adjacent to the Gulf.

The yellowish, circular area on this image represents Gulf bird residents.

The northern Gulf of Mexico intersects with three of the four major migration flyways in North America, including the Central, Mississippi, and Atlantic flyways, indicated by the three north-south arrows on this image. The Caribbean represents the closest breeding area for certain bird species affected by the spill that frequent the Gulf of Mexico to feed. This is shown as the green, more east-west arrow on the image.

At least 93 species of birds, including both resident and migratory species and across all five Gulf Coast states, were exposed to Deepwater Horizon oil in multiple northern Gulf of Mexico habitats, including open water, islands, beaches, bays, and marshes.

In screening projects for the Draft Restoration Plan 1 under the Birds restoration type, the Open Ocean TIG considered the following Trustee goals identified in the Trustee's programmatic restoration plan: Restoring lost birds by facilitating additional production and/or reduced mortality of injured bird species, and Restoring or protecting habitats on which injured birds rely.

In addition, the Trustees prioritized project ideas for bird species that were injured in the greatest numbers but did not have Deepwater Horizon-funded restoration projects approved for them (such as common loons, American white pelicans and black terns). At least several thousand individuals of these species were injured or died because of the spill. These species breed and spend substantial time outside the Gulf of Mexico.

### **Slide 13: Restoration Goals for Sturgeon**

The Gulf sturgeon is a federally threatened fish species that inhabits coastal waters and rivers in the northern Gulf of Mexico from Lake Pontchartrain in Louisiana to the Suwannee River in Florida. After spending the first 2 to 3 years in the river in which it hatched, a Gulf sturgeon becomes migratory, spending fall and winter in the Gulf of Mexico and spring and summer in the rivers where it spawns. Large numbers of this federally protected species from most Gulf sturgeon river populations were exposed to Deepwater Horizon oil, and a substantial number of these fish were affected by this exposure.

In screening projects for the Draft Restoration Plan 1 under the Sturgeon Restoration Type, the Open Ocean TIG considered the following Trustee goals identified in the Trustees' programmatic plan:

- Restoring and protecting Gulf sturgeon through improving access to spawning areas, and
- Increasing the reproductive success of Gulf sturgeon.

### **Slide 14: Project Screening Process**

The next two slides provide a brief summary of the OO TIG's screening process. Additional information about our screening process is in Chapter 2 of the draft restoration plan. I'd like to add a note here that in this presentation and in the draft restoration plan, the terms "project" and "alternative" are used interchangeably.

In total, we reviewed over 1,600 project ideas.

### **Slide 15: Project Screening Process**

After the initial screening and consistency screening, we then screened project ideas against Oil Pollution Act factors, including cost, likelihood of success and whether the project benefits more than one resource; as well as additional Open Ocean TIG criteria, such as how time sensitive the project is and if it offers opportunities for leveraging external funding.

### **Slide 16: Reasonable Range of Alternatives**

The screening process resulted in four alternatives for birds and two alternatives for sturgeon as well as a no action alternative for each birds and sturgeon.

The six alternatives evaluated in the Open Ocean TIG Draft Restoration Plan 1 and Environmental Assessment are listed on this slide.

**Slide 17: OO TIG Draft RP 1/EA Three preferred alternatives**

Three of the alternatives are preferred. These are: Restoration of Common Loons in Minnesota, Restoration of Black Terns in North and South Dakota, and Characterizing Gulf Sturgeon Spawning Habitat, Habitat Use, and Origins of Juvenile Sturgeon in the Pearl and Pascagoula River Systems.

The Trustees have determined that common loons and black terns may be most effectively restored by enhancing breeding success in areas where these birds nest.

For sturgeon, the Trustees have determined that a better understanding of sturgeon spawning habitat, habitat use and locations where juveniles originate may be needed before beginning sturgeon restoration.

I will provide more detail on these three projects in the next several slides.

**Slide 18: Restoration of Common Loons in Minnesota, USA**

Common loons nest in the northern United States, in areas of Minnesota, Wisconsin, Maine, Alaska, and also in Canada, primarily on lakes in evergreen forests. Recent migration data identify the Gulf of Mexico as the primary wintering area for common loons within the Mississippi Flyway.

The objective of this project is to reduce mortality and increase reproductive success of common loons at breeding, nesting, and migration staging locations in Minnesota by focusing on restoration activities that include:

- acquisition and/or easements of lakeshore loon nesting habitat,
- enhancement of loon productivity by providing artificial nesting platforms in targeted lakes and engaging Minnesota lake associations in loon conservation activities, and,
- reducing exposure to lead-based fishing tackle.

We propose to fund \$7.52 million for this project.

**Slide 19: Restoration of Common Loons in Minnesota, USA**

*Acquisition of lakeshore loon nesting habitat.* To facilitate direct protection and ensure future availability of nest sites and supporting habitat, the Trustees propose to partner with the state of Minnesota to purchase the counties' interest in School Trust Lands to acquire foraging and nesting habitat on shoreline parcels in Cass and Itasca Counties.

The figure on this slide shows a generalized map of waterbody locations in these counties. It is the Trustees' current understanding that several School Trust parcels are potentially available.

The selected parcels would be transferred to the state of Minnesota to manage for preservation, conservation and land protection. As part of that process, acquired parcels would be subject to permanent conservation easements.

Signage would be installed on acquired parcels used by nesting loons to advise the public of any access restrictions that could be imposed during loon breeding season.

*Habitat Enhancement.* The Trustees propose to enhance loon productivity by installing artificial nest platforms in targeted lakes and by recruiting Minnesota lake associations in loon conservation activities.

Artificial nesting platforms would be placed along targeted lakeshores in lakes managed and/or owned by the state of Minnesota, and where a “lake association” has agreed to manage platforms according to the state of Minnesota guidelines.

*Reduction in exposure to lead-based fishing tackle.* Ingestion of lead fishing tackle has been found to be the cause of death in 10% to 20% of Minnesota loons turned in by private citizens annually, and has been identified as the leading cause of mortality in adult common loons.

The Trustees anticipate increasing adult loon survival rates by funding intervention projects that promote the use of alternatives to lead fishing jigs and sinkers in Minnesota.

## **Slide 20: Restoration of Black Terns in North and South Dakota**

The second preferred alternative for birds is Restoration of Black Terns in North and South Dakota.

The North American black tern breeds in freshwater wetlands throughout the northern U.S. and southern Canada. Once a common summer resident in wetlands of the northern Prairie Pothole Region, breeding populations of black terns have declined significantly over the past century. These declines are most likely attributed to extensive loss and degradation of wetland habitats in this region.

This proposed project would protect 2,000 acres of wetland habitat and 1,000 acres of adjacent upland grassland habitat to enhance and improve breeding site selection and foraging conditions for black terns in more than 30 counties in North and South Dakota located in the Prairie Pothole Region.

Conservation easement agreements would be implemented on a voluntary basis with participating landowners as part of ongoing U.S. Fish and Wildlife Service conservation programs in those states. The Service has been working in partnership with private landowners



to acquire voluntary wetland and grassland conservation easements in the U.S. portion of the Prairie Pothole Region for over 50 years.

We propose to fund \$6.25 million for this project.

### **Slide 21: Restoration of Black Terns in North and South Dakota**

The USFWS Habitat and Population Team (or HAPET for short) has decision support tools to strategically target conservation efforts to achieve the highest conservation outcome, especially for breeding ducks.

More recently, HAPET has also developed decision support tools for other bird species, including black terns. The Trustees would use the HAPET black tern decision support tool to identify priority tracts of wetland and grassland habitats to protect, thereby helping to restore black terns. The figure on this slide is an example map of the predicted use of landscapes by black tern in portions of North and South Dakota based on HAPET analysis.

The geographic location and components of this project directly address critical threats to black terns that winter in the Gulf of Mexico. The project would leverage existing USFWS conservation/restoration programs specifically to restore black terns.

I would like to note that although targeted at black terns, it is likely that project benefits will accrue to other bird species and biota that make use of conserved or restored habitat.

### **Slide 22: Characterizing Gulf Sturgeon Habitat in the Pearl and Pascagoula River Systems**

The preferred alternative for sturgeon is Characterizing Gulf Sturgeon Habitat in the Pearl and Pascagoula River Systems.

Trustee analysis indicates between 1,100 and 3,600 Gulf sturgeon were exposed to Deepwater Horizon oil in the nearshore areas of the northern Gulf of Mexico, representing a large proportion of the populations from six of the eight river systems occupied by Gulf sturgeon. This species' exposure to oil likely resulted in immune system suppression and genetic changes.

Effective Gulf sturgeon restoration requires a better understanding of habitat use, an ability to identify and prioritize habitats most in need of restoration, and a framework for monitoring the results. Information on the location and extent of essential spawning habitat, patterns of accessibility and use of this habitat by adult Gulf sturgeon, and origins of juvenile sturgeon is extremely limited for the Pearl and Pascagoula River systems, where populations are believed to comprise only a few hundred individuals.

This proposed project would identify and characterize potential sturgeon spawning habitat in the Pearl and Pascagoula River systems; describe habitat accessibility and patterns of habitat

use during spawning periods; determine the river of origin for juvenile sturgeon, and synthesize data needed to evaluate and prioritize Gulf sturgeon spawning habitat restoration projects such as in-stream barrier removal, spawning reef creation, or riparian restoration.

The estimated cost of this project is \$2.15 million.

### **Slide 23: Characterizing Gulf Sturgeon Habitat in the Pearl and Pascagoula River Systems**

The Trustees would map and characterize potential sturgeon spawning habitat throughout the Pearl and Pascagoula River systems using side scan sonar habitat mapping. These maps would also document the pre-restoration condition of potential spawning habitat so we can monitor change after the project is completed.

We are proposing to track movement and behavior in a number of ways including fitting 30 adult sturgeon with acoustic transmitters in each river system. During handling, the sex of each adult fish would be determined and tissue samples would be collected for analysis so we can learn more about parentage and adult spawning site fidelity.

In the Pearl River system, we would collect telemetry data to show us which parts of the rivers adult sturgeon use during the spawning season. This information would be used to identify and prioritize potential restoration projects.

The Trustees would also create water chemistry maps for the Pearl, Bogue Chitto and Pascagoula watershed. This information, together with telemetry and habitat data would help to determine where in the rivers juvenile sturgeon are surviving to become adult sturgeon.

### **Slide 24: Next Steps**

Now that we have provided an overview of the Open Ocean TIG Draft Restoration Plan 1 for Birds and Sturgeon, and the three preferred alternatives, I'll briefly describe what the next steps are in the restoration planning process specific to this restoration plan.

### **Slide 25: TIG Restoration Planning Cycle**

The yellow star on the right side of the slide next to "Draft Restoration Plan" indicates the step where we are now. We are currently accepting public comments for the actions proposed in the Draft restoration plan. After the close of the public comment period on November 9th, the Open Ocean TIG will consider all input received during the public comment period and then finalize the restoration plan. A summary of comments received and the Open Ocean TIG's responses will be included in the Final Restoration Plan and Environmental Assessment.

After finalizing the Restoration Plan, we will begin to implement it. During that time, we will monitor the projects. We will use this information to update the status of our restoration goals and it may influence our restoration planning priorities. As these priorities evolve, we will explore new project ideas that reflect the monitoring information we've collected, and this continues the Restoration Planning Cycle, which will keep going until we've fully invested our allocation from the settlement.

**Slide 26: Submit Your Comments**

Comments may be submitted via our online comment portal on the Open Ocean Restoration Area page or by U.S. mail.

Public comments will be accepted on or before November 9, 2018.

**Slide 27: Upcoming Events**

Other coming events relative to the Open Ocean TIG include our annual public webinar, which will be held in November. The date and registration information will be posted on the website below very soon.

And as noted earlier in this presentation, the Open Ocean TIG has initiated drafting of a second post-settlement restoration plan, which we anticipate releasing in early 2019.

**Slide 28: Thank You**

Thank you for your time and interest in Gulf Restoration. We look forward to receiving comments on the draft plan. We will post the presentation and script from today's webinar to the Trustee's website in the next few days.

We will now conclude this webinar presentation. Thank you.