

Deepwater Horizon Oil Spill Louisiana and Open Ocean Trustee Implementation Groups

Draft Joint Restoration Plan and Environmental Assessment #1:

Restoring Wetlands, Coastal, and Nearshore Habitats, Federally Managed Lands, Fish and Water Column Invertebrates, Sea Turtles, Submerged Aquatic Vegetation, and Birds of the Chandeleur Islands

EXECUTIVE SUMMARY

On April 20, 2010, the Deepwater Horizon (DWH) mobile drilling unit exploded, resulting in loss of life and discharge of millions of barrels of oil into the Gulf of America¹ (the Gulf) from the BP Exploration and Production, Inc. (BP) Macondo. As an oil pollution incident, the DWH oil spill is subject to the provisions of the Oil Pollution Act of 1990 (OPA; 33 United States Code [U.S.C.] Section [§] 2701 et seq.). A primary goal of OPA is to make the environment and public whole for injuries to natural resources and services resulting from incidents involving an oil discharge or substantial threat of an oil discharge. Immediately following the DWH oil spill, the DWH Trustee Council initiated an injury assessment pursuant to OPA and associated natural resource damage assessment (NRDA) regulations, which established the nature, degree, and extent of injuries from the DWH incident to both natural resources and the services they provide.

As part of the 2016 DWH legal settlement, BP agreed to pay \$8.1 billion in natural resource damages (inclusive of Early Restoration funding) over a 15-year period, and up to an additional \$700 million for adaptive management or to address natural resource injuries that may become apparent in the future, for a total of up to \$8.8 billion. Following this comprehensive settlement agreement, the DWH Trustees released the *Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement* (Final PDARP/PEIS), outlining the programmatic plan to restore natural resources impacted by the DWH oil spill.

In the Final PDARP/PEIS, the DWH NRDA Trustees established 13 restoration types under five programmatic restoration goals. The Final PDARP/PEIS also established a distributed governance structure that assigned a Trustee Implementation Group (TIG) for eight designated Restoration Areas.

The Louisiana Trustee Implementation Group (LA TIG) and Open Ocean Trustee Implementation Group (Open Ocean TIG) have cooperatively prepared this draft *Joint Restoration Plan and Environmental Assessment #1* (Joint RP/EA #1) which presents OPA NRDA and National Environmental Policy Act of 1969 (NEPA) evaluations for two sets of alternatives: one set for Chandeleur Islands Habitat Restoration and one set for Chandeleur Islands Fish and Water Column Invertebrates (FWCI) Restoration. The LA and Open Ocean TIGs propose to allocate \$10 million to fully implement the Fisheries Engagement and Restoration Project and approximately \$237 million toward implementation of Chandeleur Islands Habitat Restoration Alternative 5.

The Chandeleur Islands are a series of barrier islands in the Gulf marking the outer boundary of the Chandeleur Sound off the southeast coast of Louisiana and eastern St. Bernard and Plaquemines

¹ Formerly Gulf of Mexico, revised per Executive Order 14172 "Restoring Names That Honor American Greatness".

Parishes. The Chandeleur Islands habitats, including associated seagrass beds, are state and federally owned and collectively managed by the United States Fish and Wildlife Service (USFWS) via a Memorandum of Agreement with the Louisiana Department of Wildlife and Fisheries (LDWF) as the Breton National Wildlife Refuge (NWR).

This Joint RP/EA #1 addresses two of the programmatic goals established in the Final PDARP/PEIS: *Replenish and Protect Living Coastal and Marine Resources* and *Restore and Conserve Habitat*. Under these programmatic goals, this Joint RP/EA #1 addresses six restoration types. Table ES-1 provides a summary of the alternatives evaluated in this Joint RP/EA #1 and their respective programmatic restoration goals and restoration types.

Table ES-1. Summary of the Alternatives Evaluated in this Joint RP/EA #1 and Their Respective Programmatic Restoration Goals and Restoration Types.

	Restoration Goals	Restoration Types	Alternatives
Chandeleur Islands Habitat Restoration	<i>Restore and Conserve Habitat</i>	Wetlands, Coastal, and Nearshore Habitats	<ul style="list-style-type: none"> Habitat Restoration Alternative 2: Beach, Dune, Marsh, Sand Reservoirs, and New Harbor Island
		Habitat Projects on Federally Managed Lands	<ul style="list-style-type: none"> Habitat Restoration Alternative 3: Beach, Dune, Marsh, Pocket Marshes, and New Harbor Island
	<i>Replenish and Protect Living Coastal and Marine Resources</i>	Submerged Aquatic Vegetation	<ul style="list-style-type: none"> Habitat Restoration Alternative 4: Beach, Dune, Marsh, Feeder Beach, and New Harbor Island
		Sea Turtles	<ul style="list-style-type: none"> Habitat Restoration Alternative 5: Beach, Dune, Marsh, Sand Reservoirs, Pocket Marsh, Feeder Beach, and New Harbor Island (preferred)
		Birds	
Chandeleur Islands Fish and Water Column Invertebrate Restoration	<i>Replenish and Protect Living Coastal and Marine Resources</i>	Fish and Water Column Invertebrates	<ul style="list-style-type: none"> FWCI Restoration Alternative 2: Chandeleur Islands Fisheries Engagement and Restoration (preferred) FWCI Restoration Alternative 3: Chandeleur Islands Fisheries Resource Monitoring and Management

Tiering from the Final PDARP/PEIS, the Regionwide TIG prepared *Regionwide Trustee Implementation Group Final Restoration Plan / Environmental Assessment 1: Birds, Marine Mammals, Oysters, and Sea Turtles* (Regionwide RP/EA #1), which selected data collection and Engineering and Design (E&D) efforts under the “Conservation and Enhancement of Nesting and Foraging Habitat for Birds, Component 1: Chandeleur Islands, LA” for funding. These E&D efforts resulted in engineering design alternatives for Chandeleur Islands Habitat Restoration. As such, alternative screening for Chandeleur Islands Habitat Restoration, a “Phase 2” project², focuses on the nuances between four different habitat restoration design alternatives for the same project rather than screening from a pool of potential projects.

To develop a reasonable range of alternatives for Chandeleur Islands FWCI Restoration, the TIGs considered FWCI restoration goals specified in the Final PDARP/PEIS, public input processes including the Open Ocean TIG’s June 2023 request for project ideas to inform restoration planning for FWCI, and development of the Open Ocean FWCI Strategic Plan. The TIGs considered this input in formulating then screening two alternatives focused on enhancing ecosystem benefits for fishery resources within the Chandeleur Sound area of the Breton NWR: the Chandeleur Islands Fisheries Engagement and Restoration Project and the Chandeleur Islands Fisheries Resource Monitoring and Management Project.

The Department of Interior (DOI) is the lead federal Trustee for preparing this Joint RP/EA #1 pursuant to NEPA (42 U.S.C. § 4336a(a)(1)(A)). The three other federal Trustees of the LA and Open Ocean TIGs (the National Oceanic and Atmospheric Administration [NOAA], the United States Department of Agriculture [USDA], and the United States Environmental Protection Agency [USEPA]) are acting as cooperating agencies for the purposes of compliance with NEPA in the development of this Joint RP/EA #1 (42 U.S.C. § 4336a(a)(3)). Each federal cooperating agency has reviewed the analysis for adequacy in meeting the standards set forth in its own NEPA implementing procedures and intends to adopt the NEPA analysis (42 U.S.C. § 4336a(b)). Adoption of the EA would be completed via signature on the relevant NEPA decision document.

The public is encouraged to review and comment on this draft Joint RP/EA #1 during the 30-day comment period, as specified in the public notice published in the Federal and Louisiana Registers. Comments may be submitted during the comment period by one of the following methods:

- *Via the internet at the following URL:* <https://parkplanning.nps.gov/LAOOTIGRP1>;
- *Via hard copy to:* Coastal Protection and Restoration Authority, Attn: Maury Chatellier, 150 Terrace Ave., Baton Rouge, LA 70802; or
- *Via webinar:* registration for, and details specific to, the webinar are provided in a web story posted at the following URL: <http://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>.

² The Final PDARP/PEIS also outlines provisions for TIGs to phase restoration projects across multiple restoration plans. For example, a TIG may propose funding a planning phase (e.g., initial E&D and compliance) in one plan for a conceptual project (i.e., “Phase 1”). This allows the TIG to develop information needed to fully consider a subsequent implementation phase of that project in a future restoration plan (i.e., “Phase 2”).

Submissions must be postmarked no later than 30 days after the release date of the draft Joint RP/EA #1. To facilitate public comment, a public review meeting is scheduled via webinar for June 26, 2025, at 11:00 am central time. Comments will be summarized in the final Joint RP/EA #1, and all public comments will be included in their entirety in the administrative record.