

Resource restoration planning process begins for BP/Deepwater Horizon oil spill

September 29 2010

The Department of the Interior, the National Oceanic and Atmospheric Administration, and the co-trustees for natural resources affected by the BP/Deepwater Horizon oil spill announced today they have started the injury assessment and restoration planning phase of the Natural Resource Damage Assessment, a legal process to determine the type and amount of restoration needed to compensate the public for harm to natural resources and their human uses as a result of the spill.

This is the second phase of the NRDA process. Much of the initial "preassessment" phase has already occurred—and trustees have already received \$45 million in payments from responsible parties to conduct important preassessment activities including the collection of time-critical data in the field. During that phase, trustees collected time-sensitive data, reviewed scientific literature about the oil and its impact on coastal resources, and made initial determinations that resources have been injured and that those injuries can be addressed by appropriate restoration actions. During the injury assessment and restoration planning phase, trustees will assess the nature and amount of injuries and develop a restoration plan. Consistent with OPA, the trustees' goals are to recover from responsible parties damages equal to what is necessary to return the environment to the conditions that would have existed if the oil spill had not occurred (known as "baseline conditions") and to recover compensation on behalf of the public for the diminished value of the injured resources from the time of the injury until restoration is achieved. By regulation, these two phases will be followed by a "restoration" phase, during which the trustees will work with the public

to implement, and monitor restoration projects.

The second phase of NRDA began with a Notice of Intent to Conduct Restoration Planning indicates that the trustees, representing three federal Departments and the five affected states, have begun to formally identify and document impacts to the gulf's natural resources, and the public's loss of use and enjoyment of these resources, as the first stage under the regulations for developing a restoration strategy. Pre-assessment data collected, analyzed and quality-checked, are available to the public on the NOAA oil spill science missions and data website and the U.S. Fish and Wildlife Service oil spill response website.

"Our early analysis has documented clear detrimental effects to animals and habitats in the Gulf ecosystem," said Jane Lubchenco, Ph.D., under secretary of commerce for oceans and atmosphere and NOAA administrator. "While we will continue collecting and analyzing samples, the trustees also will begin crafting an equally comprehensive restoration strategy. Our goal is to forge a restoration plan that is steeped in science, sharpened by public input and strongly rooted in the public good. The citizens of the Gulf Coast deserve nothing less."

"The restoration of the Gulf of Mexico is a high priority for the entire Obama administration and we will be diligent and vigilant to ensure that the damages are fully assessed and a full and scientifically sound restoration strategy is both developed and implemented," said Tom Strickland, Assistant Secretary of the Interior for Fish and Wildlife and Parks.

Under the Natural Resource Damage Assessment process outlined by the Oil Pollution Act of 1990, the trustees have authority to identify potential restoration projects and will solicit public comment on these projects before finalizing the restoration plan. The public may also have opportunities to provide hands-on assistance in selected restoration

projects.

Federal regulations, under the Oil Pollution Act, require that the responsible parties be invited to participate in the NRDA process. The trustees will seek damages to implement the final restoration plan from the parties identified as being responsible for the spill.

According to the trustees, the full extent of potential injuries is currently unknown and may not be known for some time. However, according to the Notice of Intent, as of August 19, the trustees had documented oil on more than 950 miles of shoreline, including salt marshes, sandy beaches, mudflats and mangroves. As of June 29, the trustees had captured more than 1,900 live oiled birds and 400 live oiled sea turtles. They had also collected more than 1,850 visibly oiled dead birds, 17 visibly oiled dead sea turtles and five visibly oiled dead marine mammals. These numbers represent only a portion of the wildlife that have been impacted by the spill and the restoration planning process will further refine the total impact of this spill on the habitats and animals in the gulf.

The three federal trustees are the Department of the Interior (acting on behalf of the U.S. Fish and Wildlife Service, Bureau of Indian Affairs, National Park Service and Bureau of Land Management), NOAA (on behalf of the Department of Commerce) and the Department of Defense. State trustees for Alabama are the Geological Survey of Alabama and the Alabama Department of Conservation and Natural Resources. The Florida state trustee is the Florida Department of Environmental Protection. Louisiana State trustees are the Louisiana Coastal Protection and Restoration Authority, the Louisiana Oil Spill Coordinator's Office, the Louisiana Department of Environmental Quality, the Louisiana Department of Wildlife and Fisheries, and the Louisiana Department of Natural Resources. The State trustee for Mississippi is the Mississippi Department of Environmental Quality. Lastly, the Texas State trustees are the Texas Parks and Wildlife

Department, the Texas Commission on Environmental Quality, and the Texas General Land Office.

Provided by NOAA

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