Overview of the Natural Resource Damage Assessment Process

What is a Natural Resource Damage Assessment?

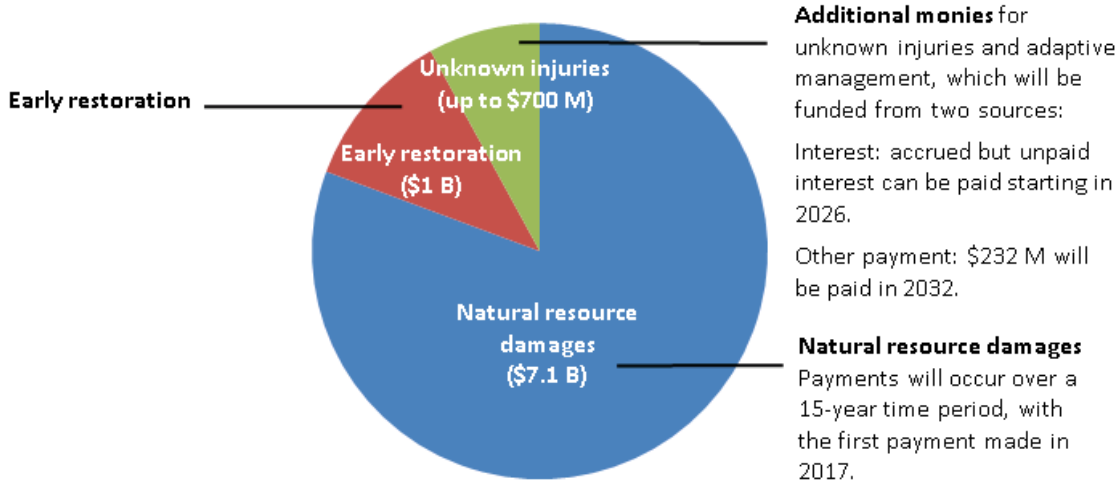
When an oil spill occurs, natural resources like fish, birds, and marshes may be injured. A natural resource damage assessment (**NRDA**) is a process focused on figuring out what those injuries are, coming up with a plan to fix those injuries, and then fixing them. This includes compensating the public for not being able to use the resources while they are injured (e.g., no recreational fishing or beach access). The costs of the NRDA are paid by the parties responsible for the spill.

What has happened in the BP Oil Spill?

Shortly after oil started to flow into the Gulf in 2010, a natural resource damage assessment (**NRDA**) started. The NRDA is being managed by a group of federal and state representatives called "**trustees**" (see page 3 for more information about them).

In April 2011, it was announced that BP had agreed to pay up to $1 billion so that some natural resource restoration projects could be started early (i.e. before the trustees finished figuring out what all the injuries were). This is called "**early restoration**." Approximately $870 million was obligated to projects during early restoration.

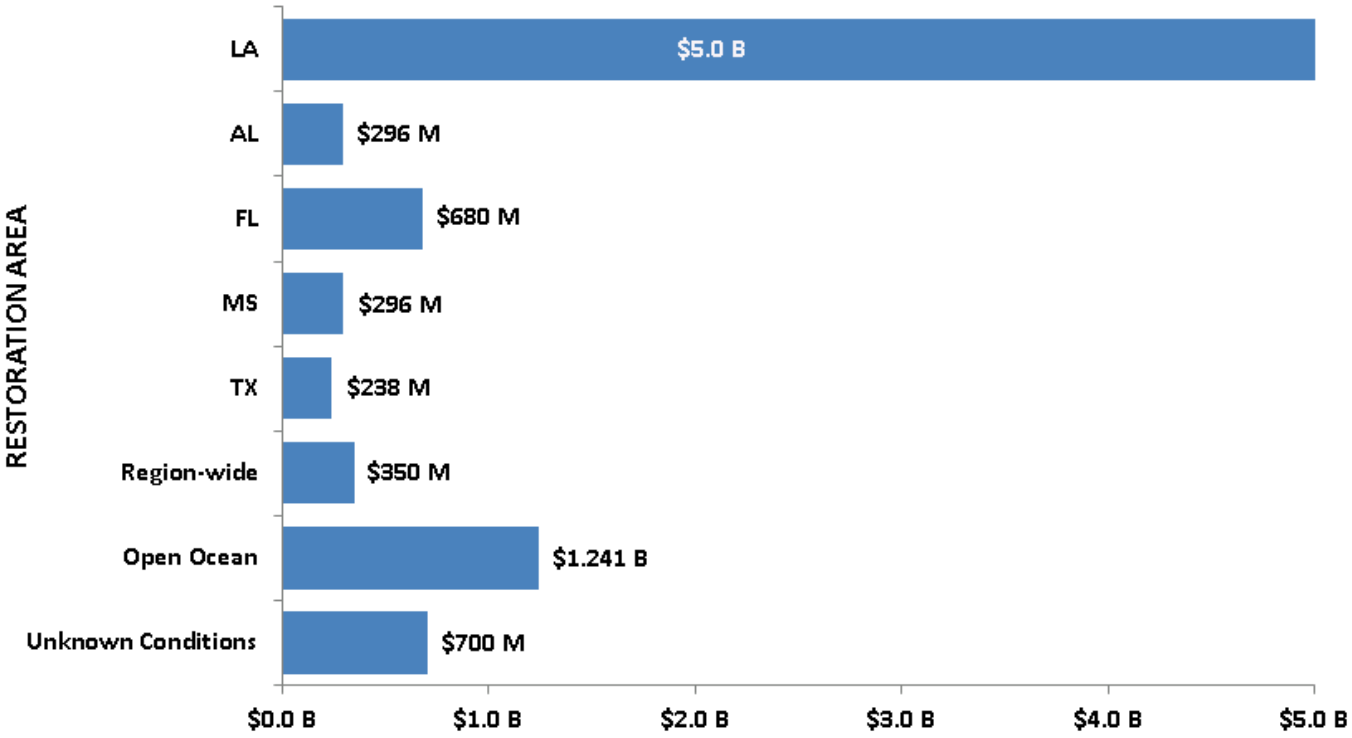
In April 2016, a federal court approved a settlement among the United States, five Gulf states, and BP. Under that settlement, BP agreed to pay up to a total of $8.8 billion for natural resource damages. This amount includes:



A large document called the "Programmatic Damage Assessment and Restoration Plan and Programmatic Environmental Impact Statement" (PDARP), which was finalized in 2016, provides "guidance for…selecting future restoration projects" with the remaining money.

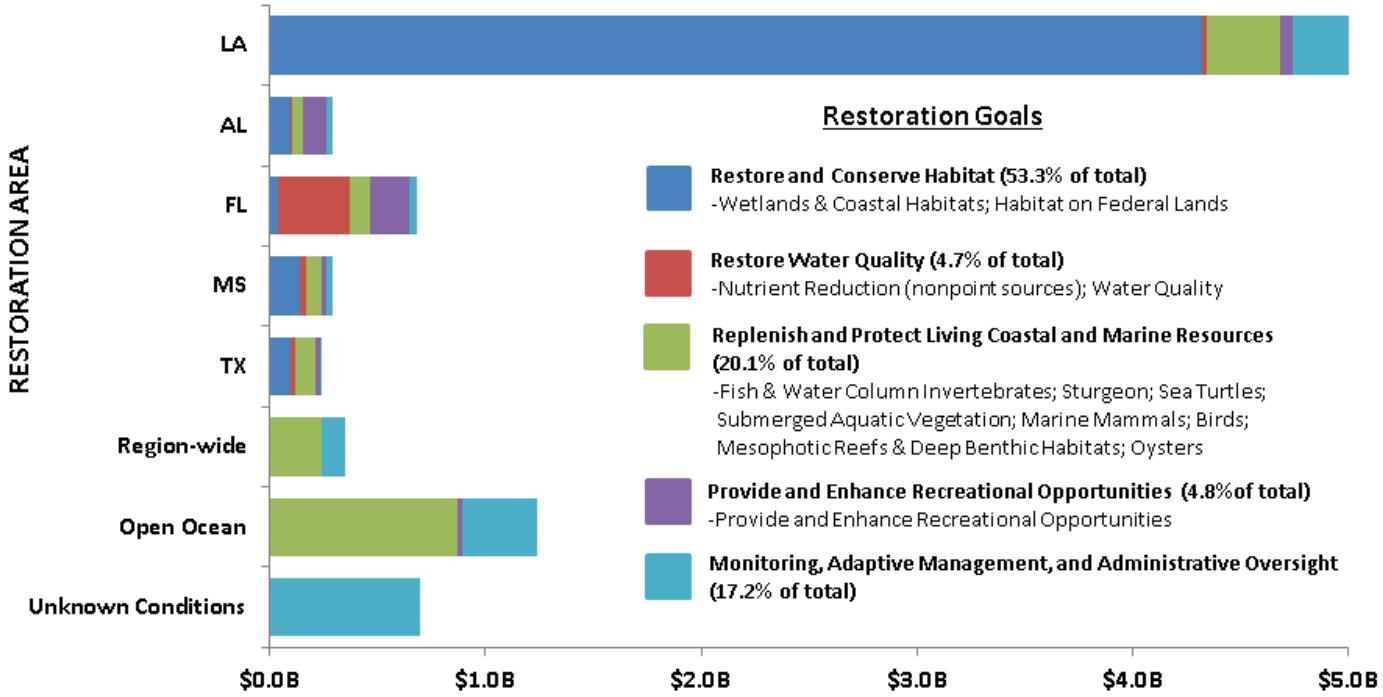
How is this money being divided?

The up to $8.8 billion is being divided among eight different restoration areas, as shown:



How will the money be spent?

Within each restoration area, the money will be divided among different restoration goals, which are further divided into different restoration types (note that the chart lists the restoration types below each restoration goal):

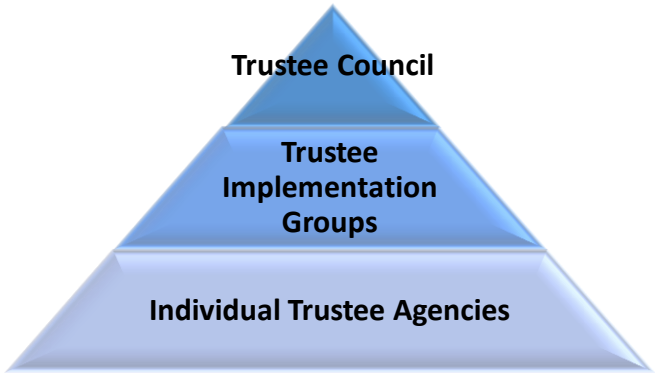


Who is in charge?

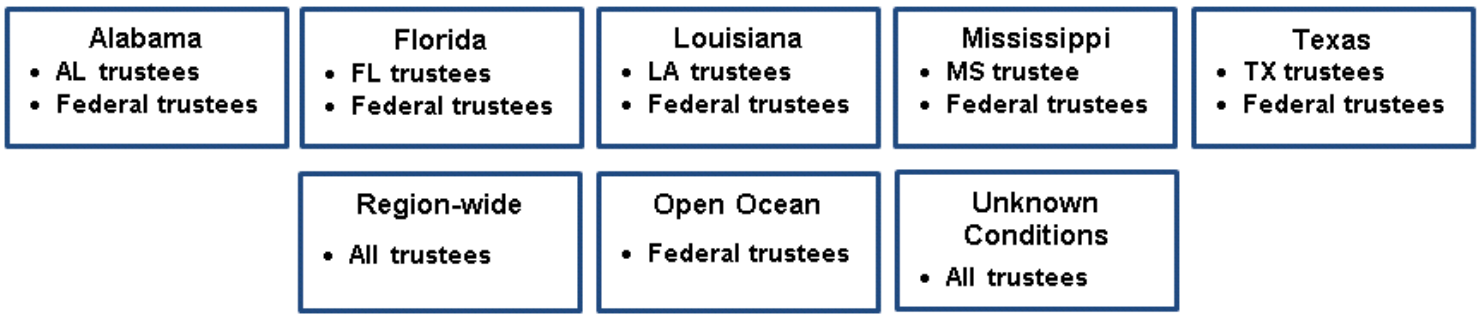
The restoration process is being managed by a group of federal and state representatives (called "**trustees**") that formed a "**Trustee Council**" in order "[t]o work collaboratively on the NRDA." The members of the Trustee Council are listed below.

***Deepwater Horizon* Trustee Council**	
Federal Members	**State Members**
US Dept. of the Interior – US Fish and Wildlife Service; National Park Service; Bureau of Land Management **US Dept. of Commerce –** National Oceanic and Atmospheric Administration **US Environmental Protection Agency** **US Dept. of Agriculture**	**State of Louisiana –** Coastal Protection and Restoration Authority; Oil Spill Coordinator's Office; Dept. of Environmental Quality; Dept. of Wildlife and Fisheries; Dept. of Natural Resources **State of Mississippi –** Dept. of Environmental Quality **State of Alabama –** Dept. of Conservation and Natural Resources; Geological Survey of Alabama **State of Florida –** Dept. of Environmental Protection; Fish and Wildlife Conservation Commission **State of Texas –** Parks and Wildlife Dept.; General Land Office; Commission on Environmental Quality

The settlement created a new governance structure for the trustees, dividing responsibilities among three main groups:



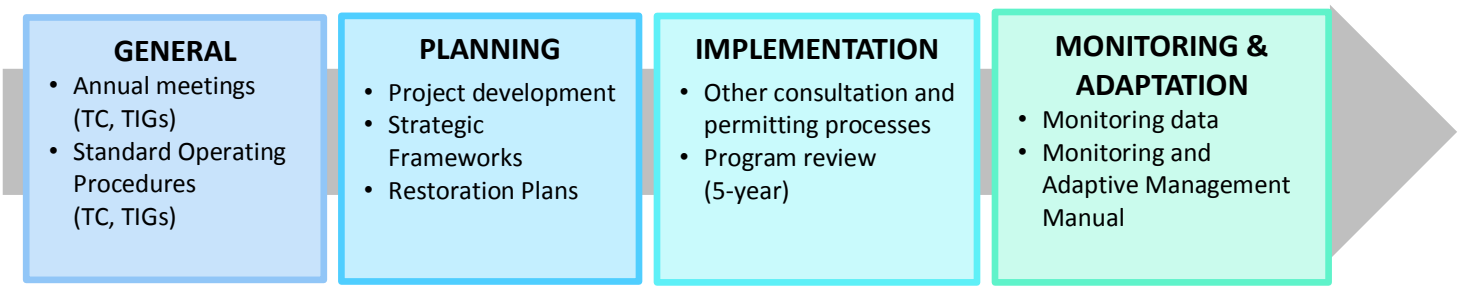
Each of these groups has different responsibilities, but most of the decisions regarding restoration will be made by the trustee implementation groups (**TIGs**). There is one TIG for each restoration area (so eight in total). The members of each TIG vary:



Adapted from Figure 7.2-1 ("Composition of the TIGs"), from PDARP, page 7-9

How can I participate?

There are different ways the public can participate in the NRDA process here. Some of these opportunities are highlighted below:



- **GENERAL**: There are some general opportunities for the public to participate. For example:
  - **Public meetings**: the trustees have committed to an annual public meeting for the trustee council (TC) and for each of the trustee implementation groups (TIGs).
  - **Standard Operating Procedures (SOPs)**: the Trustee Council has released its SOPs, but these procedures will continue to be revised, and each TIG may produce its own SOPs. Although the SOPs have not been open to the public for comment, there may be a way to informally participate in their future development (e.g. writing letters, meetings).

- **PLANNING**: There are ways for the public to participate in restoration planning:
  - **Project development**: the public can suggest project ideas (e.g., on the trustees' website). The public will be notified when a TIG is starting restoration planning, and may be updated on those efforts.
  - **Draft restoration plans**: the public will have the opportunity to comment on draft restoration plans as they are released, and possibly on some draft strategic frameworks.

- **IMPLEMENTATION**: There may also be opportunities to engage during implementation:
  - **Other laws**: the restoration projects may trigger other laws and regulations that provide the public with opportunities to engage.
  - **Program review**: according to the PDARP, "[t]he Trustee Council may re-examine the restoration program approximately every 5 years…" While no public role has been defined in that review, it will likely be an important point to try to engage.

- **MONITORING AND ADAPTATION**: The public will have access to at least some monitoring data. The trustees released a Monitoring and Adaptive Management Manual (Version 1.0) in January 2018. Although this was not open to the public for comment, there may be a way to informally participate in future developments (e.g. writing letters, meetings).

These are some of the ways the public may be able to participate. You can find more information on the NRDA process, as well as on some current opportunities to participate, on the trustees' website at www.gulfspillrestoration.noaa.gov.