BP Oil Disaster: Restoration & Recovery

Overview of the RESTORE Act

April 2020

10-YEAR REVIEW

Photo Credit: Helen Rose Patterson, NWF
The Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012—better known as the RESTORE Act—was enacted on July 6, 2012.

The RESTORE Act creates a Gulf Coast Restoration Trust Fund (RTF), which is receiving 80% of any Clean Water Act (CWA) civil and administrative penalties paid by BP and other companies responsible for the Deepwater Horizon oil spill.
The total interest earned by the RTF will be added to Pot 2 (50%), Pot 4 (25%) and Pot 5 (25%).

April 2020
In April 2016, a federal court approved a settlement among the United States, the five Gulf states, and BP. Under that settlement, BP agreed to pay $5.5 billion in CWA civil penalties. $4.4 billion (80%) of that will flow through the RESTORE Act. Added to the money paid by other companies – $800 million from Transocean and $128 million from Anadarko – a total of $5.328 billion will flow through RESTORE.
NOTE: BP is paying CWA civil penalties over a 15-year period, with the first payment made in 2017. Transocean and Anadarko have already paid their penalties.

April 2020
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Over $1.05 billion of RESTORE funds spent on over 130 ecological projects Gulfwide

Over $190 million of RESTORE funds spent on planning and administration of projects Gulfwide

Over $660 million of RESTORE funds spent on over 180 human use projects Gulfwide
HOW CAN I PARTICIPATE IN THE RESTORE ACT?

**General Participation Opportunities**

Certain activities conducted under the various funding pots may trigger [*National Environmental Policy Act (NEPA)*](https://www.whitehouse.gov) review. If so, there may be an opportunity for public comment.

**WAYS TO PARTICIPATE:** Review and comment on any NEPA documents that are released.

**Direct Component (Pot 1)**

| 35% |

Before states (and, in Louisiana and Florida, some local governments) receive their *equal-share funds*, they must, among other things, develop a multi-year implementation plan. The public must be given at least 45 days to review and comment on those plans.

**WAYS TO PARTICIPATE:** Submit project ideas to the lead entities in each state; review and comment on multi-year implementation plans when they become available for public comment; attend any public meetings.

**Gulf Coast Ecosystem Restoration Council (Pot 2)**

| 30% |

The Gulf Coast Ecosystem Restoration Council is required to develop lists of priority projects and programs to be funded. These are called the *Funded Priorities List* (or FPL). Only members of the Council may submit proposals. The Council has approved its third list, FPL 3a, in March 2020. More information about the Council’s activities can be found on their website: restorethegulf.gov.

**WAYS TO PARTICIPATE:** Submit project ideas to individual Council members; attend meetings hosted by the Council or individual Council members; review and comment on the Funded Priorities List when it becomes available for public comment.

April 2020
States have developed state expenditure plans and received funds based on spill impacts. State applicants may periodically update their plans and submit their revisions to the RESTORE Council. As with the state expenditure plan, the public must be given at least 45 days to review and comment on these amendments.

**WAYS TO PARTICIPATE:** Submit project ideas to the lead entities in each state; **review and comment** on plan amendments when they become available for public comment; **attend** public meetings.

The National Oceanic and Atmospheric Administration (NOAA) is tasked with administering the **NOAA RESTORE Act Science Program.**

**WAYS TO PARTICIPATE:** We are not aware of any opportunities for members of the general public to participate.

Each of the Gulf states has received funds to award competitive research grants to Gulf Coast non-governmental entities and consortia (including universities) to establish **“Centers of Excellence”** focused on science, technology, and monitoring. Each state’s Centers of Excellence Program (CEP) is required to establish “rules and policies” governing competitive selection and grant administration.

**WAYS TO PARTICIPATE:** Provide input on research priorities when the CEP asks for public feedback; **review and comment** on CEP rules and policies.