DEEPWATER HORIZON OIL SPILL NATURAL RESOURCE DAMAGE ASSESSMENT OVERVIEW

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Marine Mammal Commission Meeting
8 April 2015

Questions to Panelists

- What is your big picture goal/funding portfolio
- What specific aspects of your funding may relate to marine mammals
- Share some specifics: funding opportunities/constraints, funding levels/cycles, etc.

Natural Resource Damage Assessment (NRDA)

- Oil Pollution Act, 15 CFR 990
- Who: Trustees
- Responsibilities:
  - Determine amount of injury to natural resources and lost services

  - Develop and oversee implementation of restoration plan(s) to compensate the public for injuries and lost services
  - Ensure the polluters pay for restoration

Trustees

- NOAA
- DOI
- EPA
- USDA
- Alabama
- Florida
- Louisiana
- Mississippi
- Texas

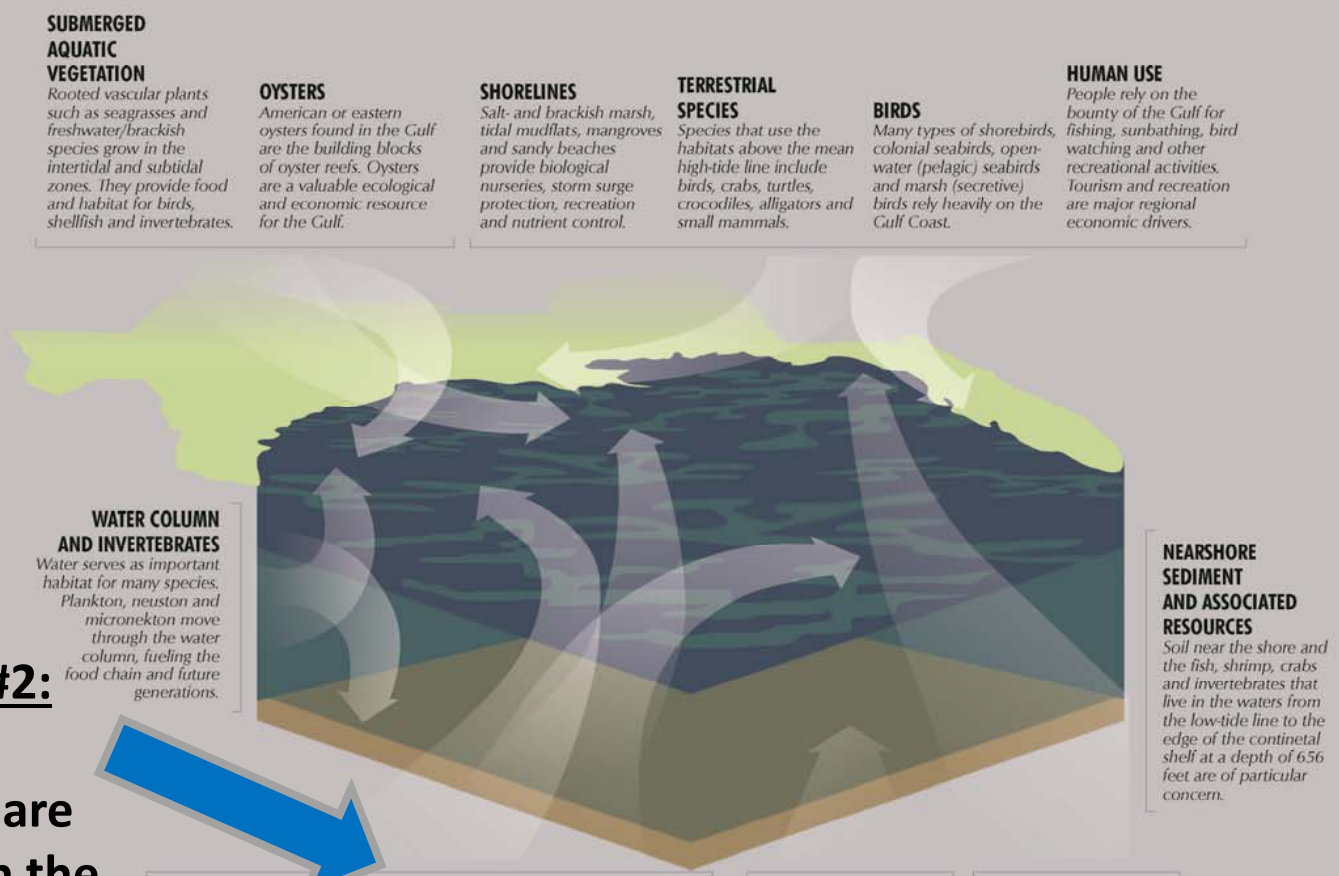
Question #1:
Big Picture Goal/Funding Portfolio

OPA Requirements:

- Trustees mandated to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resources and services; restore to baseline conditions (if not for spill); compensate the public for interim losses that occur during the time it takes those resources to recover
- Trustees must implement monitoring that allows for the evaluation of success (meeting performance criteria) and / or the need for corrective actions
- The amount and type of restoration will be dependent upon the amount and type of injury that is ultimately quantified

Trial date not set; injury assessment not complete; amount/type of restoration not yet determined

NRDA Injury Categories



<u>Question #2:</u>
Marine Mammals are included in the NRDA Assessment

A Sample of Marine Mammal Restoration Options

- *Habitat enhancement* – e.g., debris removal, noise reduction, habitat restoration
- *Direct resource response* – e.g., stranding network, disentanglement
- *Bycatch reduction* – e.g., collaborative partnerships to reduce bycatch, observers
- *Other threat reduction* – e.g., hook and line interactions, illegal feeding
- *Restoration science* – to support restoration decision-making

Question #3: Funding Opportunities/Constraints

Restoration Monitoring is required to:

- Meet requirements under OPA (Section 990.55) to implement monitoring to evaluate project success and / or the need for corrective actions
  - Reasonable monitoring and oversight costs cover those activities necessary to gauge the progress, performance, and success of the restoration actions
- Illustrate restoration outcomes to the public
- Demonstrate regulatory compliance (e.g., NEPA, ESA)

Monitoring also supports restoration decision-making by:

- Assessing overall restoration progress
- Addressing information needs to improve restoration project selection, design and implementation
- Informing science-based adaptive management approach to reduce risk associated with less well understood options

NRDA Summary

- Trustees responsible for selecting and implementing restoration that will demonstrably restore for injuries, and managing funds from case resolution
  - Draft DARP will be released for public comment
- Timing and scale of full resolution uncertain, but will focus on injury compensation
- Science must support restoration implementation and evaluation decisions (i.e. adaptive management)