Deepwater Horizon Oil Spill Natural Resource Damage Assessment

Early Restoration - Phase II

Early restoration provides an opportunity to implement restoration projects prior to the completion of the natural resource damage assessment process.

A natural resource damage assessment is used by natural resource trustees to develop the public's claim for natural resource damages against the party or parties responsible for a spill. Compensation is sought for the harm done to natural resources and those services they provide.

Typically, natural resource trustees develop a restoration plan(s) to compensate for the impacts following a damage assessment. Plans for early restoration projects, however, may be developed prior to the completion of the injury assessment to achieve restoration faster.

Natural resource damage assessments can be prolonged and complex, in some cases lasting many years. In the case of the 2010 *Deepwater Horizon* Oil Spill Natural Resource Damage Assessment (NRDA), early restoration is fundamental to beginning the restoration of natural resources and their services prior to the completion of the full injury assessment.

Early Restoration for the *Deepwater Horizon* Oil Spill

On April 21, 2011, the *Deepwater Horizon* Oil Spill NRDA Trustees (Trustees) announced an agreement under which BP committed to provide $1 billion toward implementation of early restoration projects. This agreement is the largest of its kind ever reached. It represents an initial step toward fulfilling the responsible parties' obligation to fund the complete restoration of injured natural resources.

These early restoration funds are divided as shown below:

- $500 million split equally among Louisiana, Mississippi, Alabama, Florida and Texas
- $200 million split equally between NOAA and the U.S. Department of the Interior (DOI)
- $300 million to fund additional state-proposed restoration projects to be selected by NOAA and DOI

Phase II Early Restoration

The Trustees announced the Phase II Early Restoration Plan & Environmental Review (Phase II ERP/ER) in December of 2012. The Phase II projects, of which there are two, will help restore nesting habitats for beach-nesting birds and sea turtles impacted as a result of the *Deepwater Horizon* Oil Spill response activities.

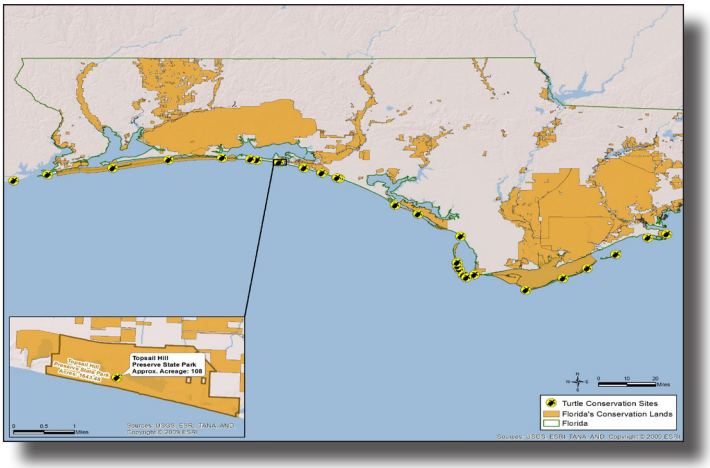
Because loggerhead sea turtles and beach-nesting birds begin nesting along the Northeast Gulf coast in February, the Trustees recognized these projects needed to be implemented in a timely manner to be effective during the 2013 season, and therefore proposed these projects while additional early restoration projects are being developed in accordance with the Framework Agreement.

More details about the projects, as well as information about the eight projects within the Phase I Early Restoration Plan/Environmental Assessment, can be found at **www.gulfspillrestoration.noaa.gov/early-restoration**.

Phase II ERP/ER Summary

PHASE II ERP/ER - Project Title/Description	Estimated Cost*
Enhanced Management of Avian Breeding Habitat Injuries by Response in the Florida Panhandle, Alabama and Mississippi This project will reduce disturbance to nesting habitat for beach-nesting birds on approximately 1,800-2,300 acres of state beaches in Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, and Franklin counties in Florida; federal beaches on St. Vincent National Wildlife Refuge in Franklin County, Florida; on Bon Secour National Wildlife Refuge in Baldwin and Mobile counties in Alabama; and on Gulf Island National Seashore – Mississippi District in Mississippi.	$4,658,118.00
Improving Habitat Injured by Spill Response: Restoring the Night Sky This project will improve the quality of nesting beach habitat by addressing artificial lighting, a pervasive negative impact to nesting loggerhead sea turtle females and hatchlings on Gulf beaches. Sites in Baldwin County, Alabama, and along public conservation lands and nesting beaches in Florida's Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, and Franklin counties, are included in this project proposal.	$4,321,165.00
Total Estimated Cost	$8,979,283.00

**Actual costs may differ depending on future contingencies, but will not exceed the amount shown without further agreement between the Trustees and BP.*

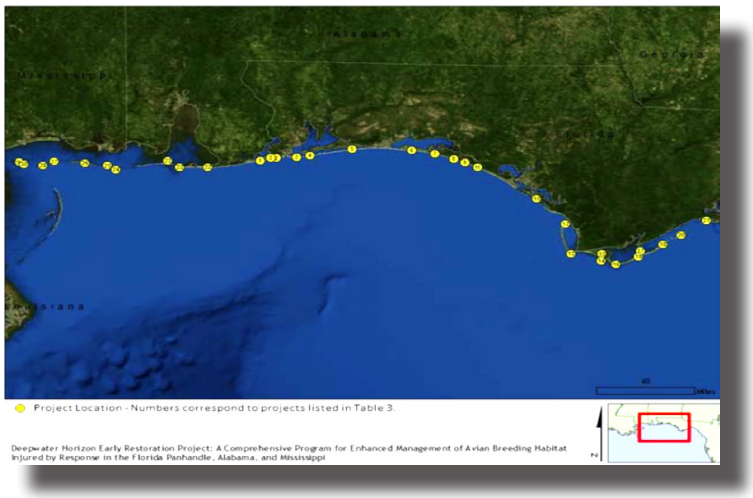


Improving habitat injured by spill response: Restoring the Night Sky project locations.

Public Involvement

In addition to on-going efforts to solicit early restoration project ideas from the public, the Trustees received input on the Phase II draft ERP/ER. The Phase II draft ERP/ER projects were the focus of a public meeting held in Pensacola, Fla. on Nov. 13, 2012. During the comment period, more than 1,000 individuals and organizations submitted comments, which the Trustees carefully considered.

The comments, as well as the Trustees' responses to them, are included in the final Phase II ERP/ER plan, which can be viewed at **www.gulfspillrestoration.noaa.gov.**



The locations of avian breeding habitat restoration projects are highlighted on the map above.