

Louisiana's Proposed Statewide Regional Restoration Planning (RRP) Program for Oil Spills

Planning Workgroup Members:

Louisiana Oil Spill Coordinator's Office, Office of the Governor

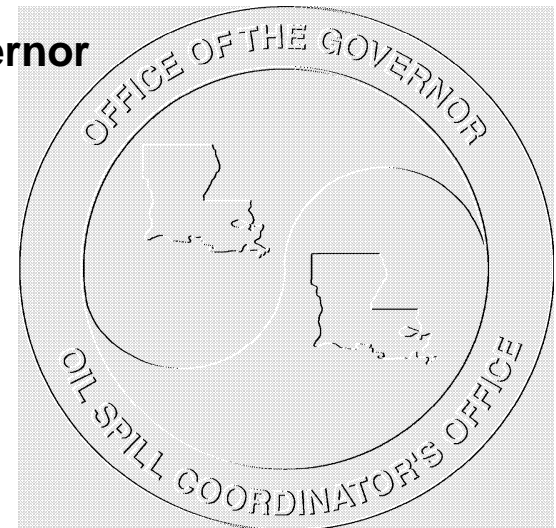
Louisiana Department of Environmental Quality

Louisiana Department of Natural Resources

Louisiana Department of Wildlife and Fisheries

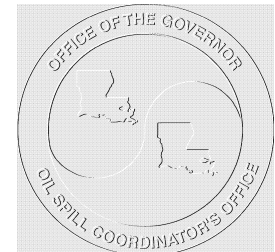
National Oceanic and Atmospheric Administration

U. S. Department of the Interior



Public Meeting Objectives

- **Proposed RRP Program and RRPs**
 - **Background/Scope**
 - **Purpose**
 - **Components**
- **Comments/Input**
 - **Proposed RRP Program and RRPs**
 - **Needs**
- **Restoration Project Solicitation**



Purpose of NRDA

The goal of the Oil Pollution Act of 1990 (OPA), 33 U.S.C. 2701 et seq., is to make the environment and public whole for injuries to natural resources and services resulting from an incident involving a discharge or substantial threat of a discharge of oil (incident).

This goal is achieved through the return of the injured natural resources and services to baseline and compensation for interim losses of such natural resources and services from the date of the incident until recovery.



Legal Basis

Natural Resource Damage Assessment (NRDA) authorities found in:

- **Legislation**
 - **Oil Spill Prevention and Response Act (OSPRA) - 1991**
 - **Oil Pollution Act (OPA) – 1990**

- **Regulations**
 - **State - March 1999**
 - **Federal - January 1996**



Natural Resource Trustees

- **State**

- Louisiana Oil Spill Coordinator's Office/Office of the Governor
- Louisiana Department of Environmental Quality
- Louisiana Department of Natural Resources
- Louisiana Department of Wildlife and Fisheries

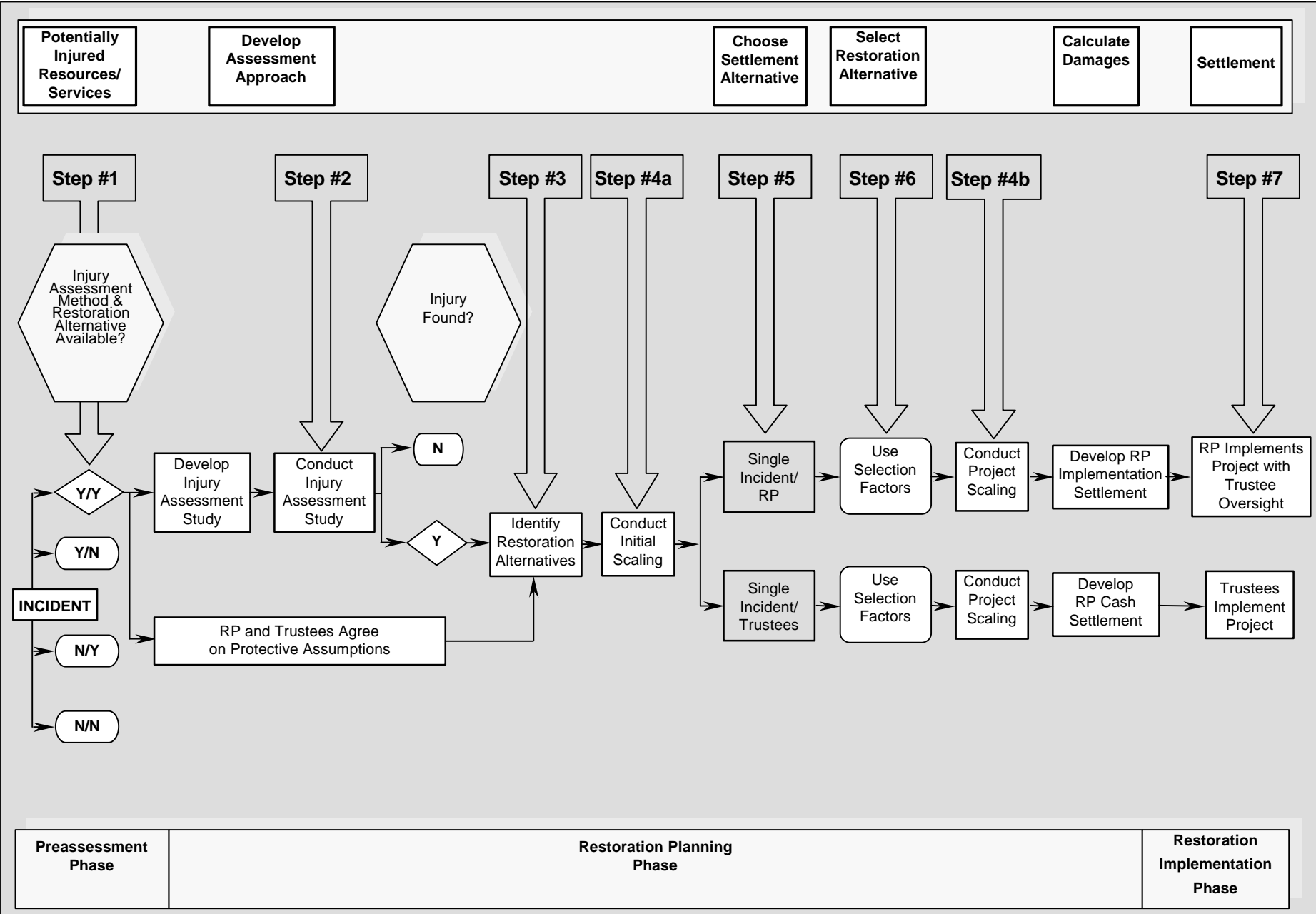
- **Federal**

- National Oceanographic and Atmospheric Administration
- U.S. Department of the Interior
- U.S. Department of Agriculture
- U.S. Department of Defense
- U.S. Department of Energy

- **Native American Tribes**



NRDA Process



The Issue

- **Spill Notifications in Louisiana (1991-2000)**
 - **Spill notifications/Year** **4000**
 - **% of U.S. spill notifications** **18**
 - **% of Gulf of Mexico spill notifications** **47**

- **NRDA Cases in Louisiana (1991-2000)**
 - **Number of cases initiated** **13**
 - **Number of cases settled** **7**
 - **Number of acres restored** **112**



Goals & Objectives of RRP Program

- **Goals**

- Increase restoration and make the public & environment whole
- Establish a statewide framework to improve implementation
- Develop a model that can be used by other states

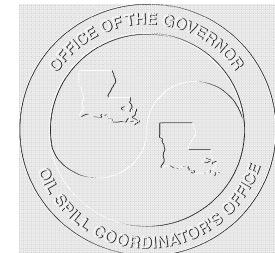
- **Objectives**

- Expedite restoration planning & implementation
- Increase flexibility related to the mechanisms through which NRDA cases are settled
- Pool funds to do larger, more cost-effective & ecologically significant restoration projects
- Increase predictability & consistency of the NRDA process
- Provide efficient way of dealing with abandoned facilities & non viable RP's



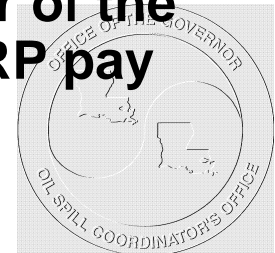
Proposed Potentially Injured Resources & Restoration Types

		DRAFT PROPOSED POTENTIALLY INJURED RESOURCE CATEGORIES														
		Coastal				Inland				Statewide						
		Coastal Marshes	Beach/Shoreline	Oyster Reefs (& other)	Water Column Org.	Herbaceous Vegetated Wetlands	Forested Vegetated Wetlands	Beach/Shoreline	Streambeds	Upland Vegetation	Water Column Org.	Birds	Wildlife	Recreational	Groundwater	Cultural
DRAFT PROPOSED RESTORATION TYPES	C/E ⁽¹⁾	Coastal Marshes														
		Coastal Beach/Shoreline														
		Coastal Oyster Reefs (& other)														
		Coastal Artificial Reefs														
		Coastal SAV														
	PP ⁽²⁾	Inland Herbaceous Vegetated Wetlands														
		Inland Forested Vegetated Wetlands														
		Inland Beach/Shoreline														
		Inland Streambeds														
		Inland Upland Vegetation														
	Ac/LP ⁽³⁾	Coastal Marshes														
		Coastal Beach/Shoreline														
		Inland Herbaceous Vegetated Wetlands														
		Inland Forested Vegetated Wetlands														
		Inland Beach/Shoreline														
	S ⁽⁴⁾	Inland Streambeds														
		Inland Upland Vegetation														
		Coastal Oyster Reefs (& other)														
		Inland Herbaceous Vegetated Wetlands														
		Inland Forested Vegetated Wetlands														
PF ⁽⁵⁾	Inland Beach/Shoreline															
	Inland Streambeds															
	Inland Upland Vegetation															
S ⁽⁴⁾	Coastal Water Column Org.															
	Coastal Oyster Reefs (& other)															
PF ⁽⁵⁾	Inland Water Column Org.															
	Birds															
PF ⁽⁵⁾	Wildlife															
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PF ⁽⁵⁾	Wildlife															
	Recreation															
PF ⁽⁵⁾	Groundwater															
	Cultural															



Settlement Alternatives

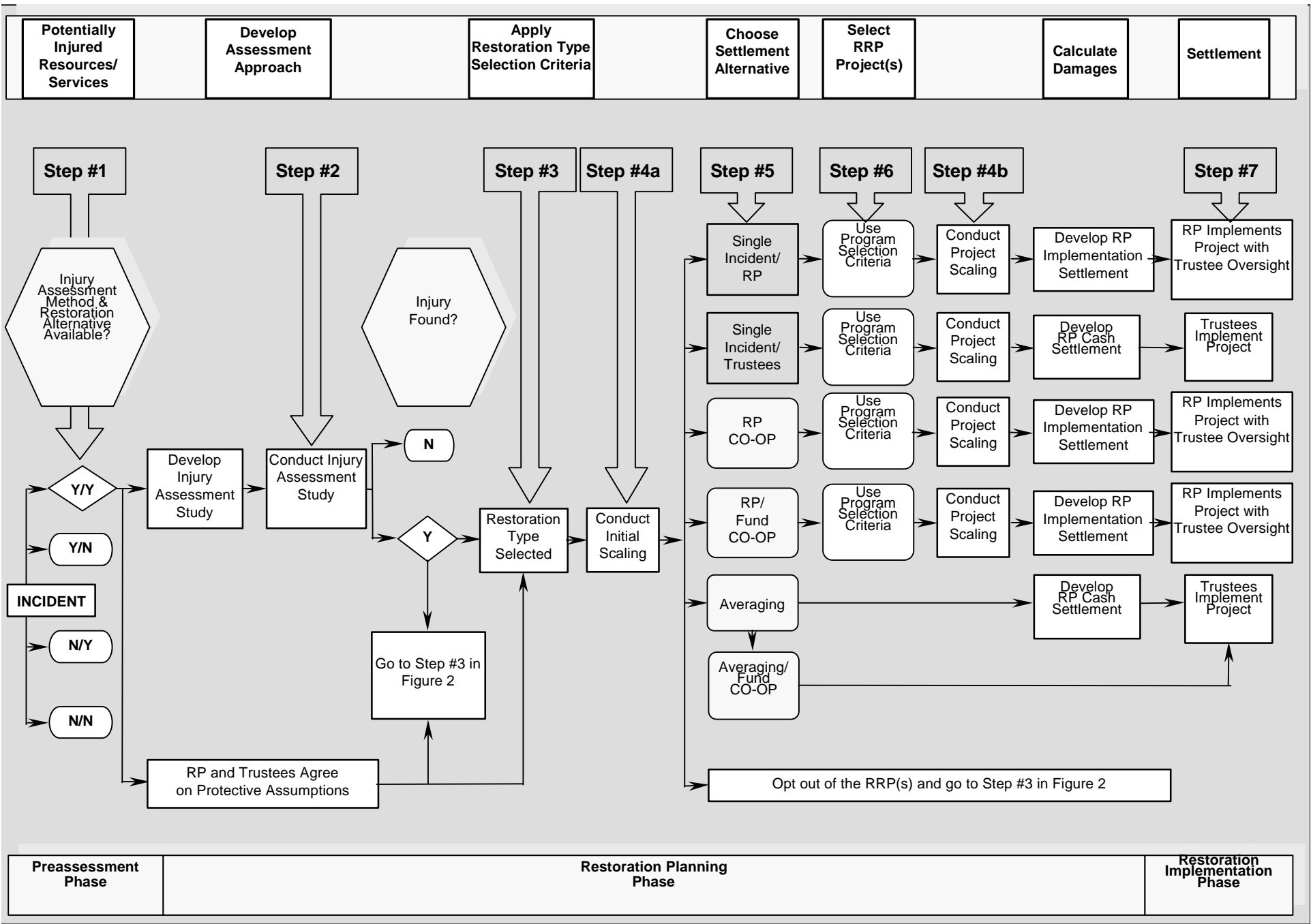
- **Additional settlement alternatives that may provide opportunities to:**
 - Implement projects more quickly & cost-effectively
 - Implement larger projects from pooled settlements
 - Partner to implement basin-wide, ecosystem-level initiatives
- **For example:**
 - A number of cooperative options where RP's could partner with each other, the trustees, or others to build larger projects.
 - Options to speed cash outs by scaling a number of the same types of projects upfront and having the RP pay the average cost of the "DSAYs"



Screening Criteria

- **In order to provide consistency throughout the process the proposed RRP Program provides screening criteria for the...**
 - **Selection of projects for incorporation in each plan**
 - **Selection of restoration type**
 - **Selection of “priority projects”**
 - **Project selection for implementation**





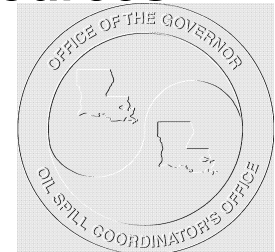
Preassessment Phase

Restoration Planning Phase

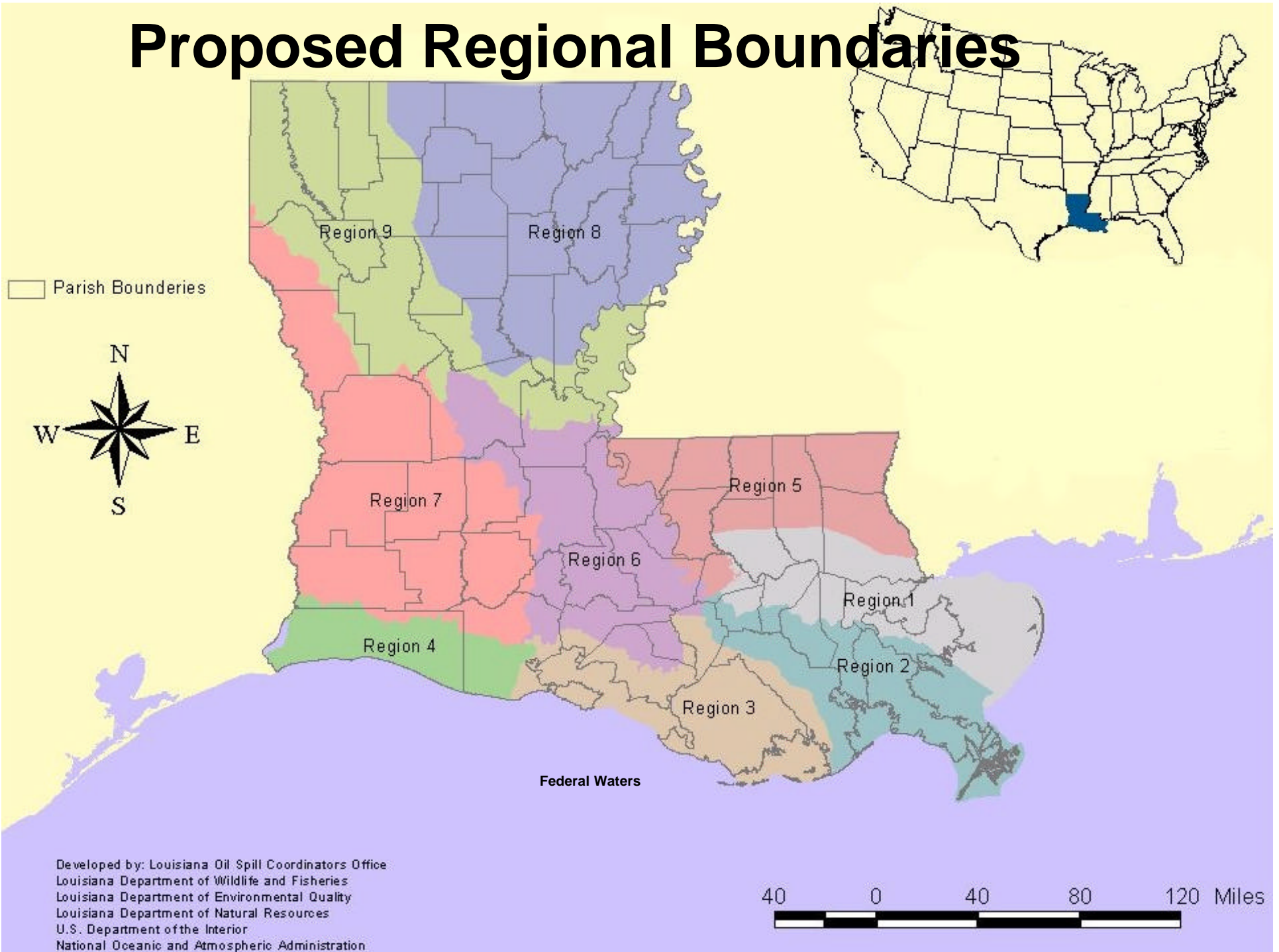
Restoration Implementation Phase

What Will RRP Program Look Like?

- **Statewide RRP Program**
 - Will provide...
 - ✓ Decision making process
 - ✓ Additional Settlement Alternatives
 - ✓ Project selection/screening criteria
 - State Restoration Trust Fund
 - Implementing MOA
- **Regional Restoration Plans**
 - Will identify...
 - ✓ Resources potentially injured by oil incidents
 - ✓ Restoration types suitable to restore injured resources
 - ✓ Restoration Projects for each type
 - A division of the state into planning regions
 - ✓ 9 are currently proposed



Proposed Regional Boundaries



Developed by: Louisiana Oil Spill Coordinators Office
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Environmental Quality
Louisiana Department of Natural Resources
U.S. Department of the Interior
National Oceanic and Atmospheric Administration

40 0 40 80 120 Miles

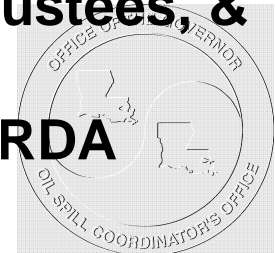
Status of the process

- Since April 1999, the trustees have had 16 planning meetings
- Since October 2000, the trustees have had 15 informal scoping meetings with regulatory agencies, environmentalists, parishes, landowners, industry, etc.
- Released Public Review Document and NOI to begin formal scoping for the EIS and solicitation of restoration projects for plans
- Public meetings in July
- Programmatic DEIS in Fall 2001
- Public Hearings in late Fall 2001
- FEIS in Winter 2002
- Begin implementation in Spring 2002



Anticipated Benefits

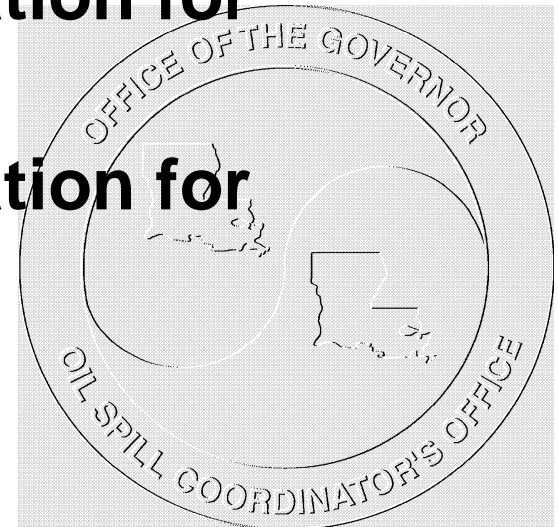
- Provide greater opportunities to make the public & the environment whole for injuries to trust resources/services
- Expedite restoration of injured resources/services
- Pool individual case recoveries to provide for implementation of larger, ecologically significant restoration projects
- Minimize cost of restoration planning & implementation
- Provide more consistency & predictability through detailing the NRDA process, thereby reducing uncertainty
- Improve coordination between restoration activities under the NRDA mandates & other restoration efforts in the State
- Enhance capability for trustees to restore resources/services injured by oil incidents for which there is no viable RP
- Maximize opportunities for partnering among RPs, trustees, & other public & private restoration efforts
- Increase opportunity for public participation in the NRDA process through pre-incident planning



Potential of the Proposed Louisiana RRP Program

**Establish the Model for the Nation for
NRDA**

**Establish the Model for the Nation for
Restoration**



Purpose of Public Meetings

- **Comment/Input on:**
 - **Potential Injured Resources/Services**
 - **Suitable Restoration types**
 - **Settlement Alternatives**
 - **Screening Criteria**
 - **Regional Boundaries**
- **Solicitation of projects**

Shreveport, LA	~	July 17, 2001
Monroe, LA	~	July 18, 2001
Alexandria, LA	~	July 19, 2001
New Orleans, LA	~	July 24, 2001
Lake Charles, LA	~	July 25, 2001
Baton Rouge, LA	~	July 26, 2001

For Locations and More Information:
www.darp.noaa.gov