

DOI NRDAR Activities, List of Meetings, and Future Discussion Topics

- Targeted Regulatory Revision
 - February 29, 2008 – Proposed rulemaking published in Federal Register
 - April 17, 2008 – Ad-Hoc Industry NRD Group sponsor Washington session to meet with DOI NRDAR Program Manger (DeLuise) and Solicitor (Carlucci) to go over proposed rule
 - May 29, 2008 – End of 90-day public comment period
 - Date TBD - Address public comments and draft final rule
 - Date TBD – DOI review of final rule
 - Date TBD – OMB/interagency review of final rule
 - Date TBD – Final rule published in Federal Register

- Technical Workshops, Papers, Symposiums
 - April 2, 2008 – DOI NRDAR National Workshop in Phoenix: open day for all invited federal and non-federal participants that includes sessions on FACA in terms of Final Recommendations and Planned Follow-up; Developing and evaluating on- and off-site restoration alternatives (technical legal, local political and policy issues); Cultural resources and valuation issues (overview of what are cultural resources, why they matter, and how they are being measured economically); and Appropriate restoration of human use services (e.g., research or educational programs, recreational amenities, stocking of sport fish/Pitman Robertson-Dingell Johnson type projects)

 - May 8-9, 2008 – Hudson – Delaware Chapter SETAC 2008 Spring Meeting at Seton Hall University, South Orange, NJ, with themes of “Assessment of Risks in Small Tidal and Non-Tidal Watersheds and Emerging Contaminants.”

 - August 2008 – SETAC special symposium (whose steering committee includes Ralph Stahl, Roger Helm, Bob Haddad, Al Makie, Dale Young, David Charters), titled, “The Nexus between ERA and NRDA Under CERCLA” with objective of understanding and improving the common scientific underpinnings, overlaps, and boundaries as related to collection, interpretation, and utilization of environmental data, and the subsequent management actions that area developed using this and other information. (Stahl added at the JAT meeting the following objectives: identify and address barriers between ERA and injury determination, identify data needs for both procedures and how to combine or not combine the data needs, and how to translate ERA data to injury data or vie versa. Stahl stated the end product of the symposium will be a booklet available at no cost to all SETAC members. Lastly, Stahl expects the symposium to include a discussion on best methods for injury quantification.)

Mid-Atlantic JAT Meeting April 17, 2008
Robert Burr (DOI NRDAR Regional Coordinator) Presentation

- September 11, 2008 – API proposed Gulf Coast/Southeast JAT Meeting, Huston, TX
- Fall (November 16-20) 2008 – Recently confirmed dedicated special symposium at SETAC meeting in Tampa, FL, entitled, “Approaches for effective ecological restoration monitoring,” to start and aid development of flexible guidance on cost-effective restoration planning and monitoring; identify useable data for programmatic needs; establish increased presence in various restoration-oriented working groups (e.g., Society of Ecological Restoration); and develop effective performance criteria.
- December 8-11, 2008 – Contributing sponsor to USGS (Carl Shapiro)/USFS (Greg Arthaud) “A Conference on Ecosystem Services” (ACES 2008), in Naples, FL, , whose objective is to identify recent advances in understanding and managing ecosystem services provided to humans and to identify and highlight needs for additional research and action that inform future place based studies and restoration. Will include a focused NRDAR track.
- Spring 2009 – NRDAR ‘All Practitioners’ meeting with co-sponsorship from Federal, State, and Tribal trustees, industry groups, and NGOs; Potential focus areas:
 - Scoping future workshops on implementing FACA recommendations
 - Injury Determination
 - Ecological Service Losses: Quantifying and Scaling Restoration
 - Human Use Losses: Quantifying and Scaling Restoration
 - Oil Spills – Lessons Learned
 - NRDAR Innovations
 - Assessment
 - Restoration
 - Economics
- DOI to prepare policy on NEPA Compliance with and as part of NRDAR Restoration Planning by investigating use of categorical exclusions or projects that have already undergone the NEPA process.
- Encourage use of existing restoration plans and databases
 - November 2007 – DOI Met with Society for Ecological Restoration
 - March 2008 – DOI Initiated paperwork for sponsorship of SER’s database: Global Restoration Network

Joint Assessment Teams – What are they, value, and topics

- Local forum for “frank and open” dialogue to inform NRDAR practitioners on concepts and processes that are new or have been tried in other Regions or have been used by practitioners but who want open dialogue so to improve interactions and outcomes from using the process.
- Allow or increase participation in times of fiscal / political constraints.
- Enable real-time discussion of concepts or practices that are new or have been troublesome based on recent experience. Potential topics may include:
 - If encourage restoration early in the NRDA process, how to scale restoration projects in the absence of full injury quantification;
 - Examples of trustee coordination with response and how best to do;
 - How implement restoration projects in a fashion that all stakeholders are content;
 - What are the impediments to getting to restoration faster;
 - Is it possible for the US government to settle a case prior to the Record of Decision and how does this affect getting to restoration faster;
 - Is NRDA fundamentally about restoration;
 - At sites where there is ongoing RI/FS work, how address the trustees desire for compensatory restoration during interim removal (conflicts between trustees and regulators?? conflicts between RP and trustees??);
 - Does Net Environmental Benefit Analysis play into the restoration of natural resources in an NRDA context;
 - Update of recent court NRD related decisions as litigation informs conduct of future NRDAR cases;
 - Key practice issues such as:
 - Baseline, injury determination/quantification, and causation
 - Quantification/scaling of resource injury/related service losses
 - Remediation/restoration coordination
 - Basis of cooperative/coordinated NRDAR and what happens if not possible or cooperation fails during conduct of case

Recent Government Reports of NRD Interest

- Congressional Research Service Report: Oil Spills in U.S. Coastal Waters: Background, Governance, and Issues for Congress, February 5, 2008;
- EPA March 4, 2008 Federal Register Notice: Science Advisory Board Committee discussions on recent version of its draft “Valuing the Protection of Ecological Systems and Services”;

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- EPA April 14, 2008 Federal Register Notice: Availability of a final report titled, "Application of Watershed Ecological Risk Assessment Methods to Watershed Management" (EPA/600/R-06/037F)