



Cooperative Assessment Process



A partnership with industry, government, and environmental groups to restore natural resources injured by hazardous substance releases and oil spills.

NOAA developed the Cooperative Assessment Process (CAP) to promote cooperation among industry, government, and environmental groups to restore natural resources and their services. CAP focuses on sites affected by hazardous substance or oil contamination where there is potential natural resource damage assessment (NRDA) liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Oil Pollution Act (OPA), the Resource Conservation and Recovery Act (RCRA), or other authorities (including federal and state-lead sites).

A cooperative assessment process provides incentives for industry with pollution liability to assume responsibility for restoring natural resources. Cooperative assessments offer industry the opportunity to have more control over the timing of restoration actions without undermining the natural resource trustee responsibilities of government agencies. Industry partners may also benefit from reduced damage assessment costs and reduced risk of litigation.

The goals of CAP are to expedite the restoration of injured natural resources and associated services, and encourage innovative approaches to the damage assessment process. CAP also strengthens partnerships among industry, government, and the environmental community, and provides meaningful public involvement opportunities.

How CAP developed

CAP developed in response to industry requests for increased involvement and flexibility in natural resource damage assessment and restoration efforts. This approach evolved from the NRDA regulations requiring agencies to invite parties responsible for hazardous substance releases or oil spills to participate in the damage assessment.

NOAA explored the development of CAP by convening five meetings during 2001 with representatives from industry, environmental groups, and federal, state, and tribal agencies. Great interest and support led to the formation of a

broad-based workgroup, with members reflecting their respective stakeholder communities. At the 2004 National Cooperative Damage Assessment Workshop, trustee and industry participants expressed great interest in continuing the dialogue on damage assessment in regional settings across the country. In response, there was a commitment to organize a series of regional workshops, which occurred in 2005 and 2006. The objective of these workshops was to allow practitioners to explore ways to improve efficiency and coordination while also reducing conflict in natural resource damage assessment and restoration cases. Ultimately, these workshops are intended to be stepping stones to future discussions on damage assessment practice outside the context of cases.

How you can help

NOAA encourages the public to suggest sites at which CAP could be applied. For more information about CAP, please visit:

www.darrp.noaa.gov/partner/cap/index.html

NOAA continues to provide a forum for productive discussions to promote cooperative assessments through a CAP Website and ongoing interaction with workgroup members. NOAA hopes to build on its experience and serve as a clearinghouse for lessons learned in past NRDA's, while also exploring novel ways to conduct cooperative damage assessments.

We support federal and state agency efforts to expedite restoration through the use of cooperative natural resource damage assessments. Its success depends on industry cooperation, continued government oversight, meaningful and extensive community participation, and sound science.



- Scenic Hudson
- Coalition to Restore Coastal Louisiana
- Sierra Club
- Natural Resources Defense Council
- Center for Public Environmental Oversight
- Arbor Hill Environmental Justice Corporation
- Hudson River Sloop Clearwater
- New York Rivers United
- Appalachian Mountain Club
- Environmental Advocates of New York
- Hudson Riverkeeper

NOAA acts as a trustee on behalf of the public to restore coastal and marine resources injured by oil spills and hazardous substance releases. To learn more about CAP, please contact:

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