

DARRRP



Office of Response and Restoration • Office of Habitat Conservation • General Counsel for Natural Resources

Protecting and restoring natural resources and the local economies that depend on them

Thousands of oil spills and hazardous waste sites contaminate our nation's coasts. Some of their effects are immediate and clearly visible, such as oiled shorelines, dead wildlife, closed fisheries, and lost recreation.

Others, such as declines in wildlife reproduction or contaminated sediments causing tumors in fish, are less obvious and require expertise and time to properly evaluate. Cleaning up contaminants released into the environment, assessing impacts, and restoring injured resources are best achieved through a cooperative, integrated approach.

From Injury to Restoration, NOAA is There

NOAA's Damage Assessment, Remediation, and Restoration Program (DARRRP) collaborates with other agencies, industry, and citizens to protect coastal and marine resources, respond to pollution incidents, assess risk and injuries, and restore those resources when injured. After an oil spill or hazardous substance release, NOAA's team of scientists, economists, restoration experts, and attorneys—

1. Act on-site during an emergency to collect data used to assist with cleanup and assess risk and injury to NOAA trust resources;
2. Ensure adequate protection of and evaluation of risk to NOAA trust resources during cleanup or remediation by coordinating with and advising cleanup agencies, including the U.S. Coast Guard and the U.S. Environmental Protection Agency, to assure long-term protection of natural resources;
3. Determine the extent and magnitude of environmental injuries and lost services;
4. Define the type and scope of restoration best suited to address these injuries and lost services;
5. Work cooperatively with responsible parties or pursue other strategies to resolve natural resource liability; and
6. Implement projects to restore injured NOAA trust resources and associated services.

For more than 20 years, DARRRP has worked cooperatively with federal and state agencies, tribes, industry, and communities.

DARRRP has protected natural resources at more than 500 waste sites and 160 oil spills, securing more than \$2.3 billion from responsible parties. Funds have been used to open over 47 miles of streams and to create, restore and protect almost 15,000 acres of habitat, including:

- Freshwater wetlands and saltwater marshes
- Oyster reefs and other shellfish habitat
- Coral and seagrass beds
- Waterfowl habitat
- Species recovery and monitoring programs
- Provide improved recreational opportunities



Working Cooperatively

NOAA's DARRRP encourages responsible parties to participate in cooperative damage assessment and restoration planning activities. By focusing on restoration early in the process, NOAA integrates risk and injury assessments with cleanup and restoration planning. This offers industry a practical and cost-effective way to resolve liability. In addition to working cooperatively with responsible parties at oil spills and hazardous waste sites, DARRRP regularly convenes industry, government, NGOs, and other stakeholder groups to identify methods for improving assessments and cleanups, reducing costs, and restoring resources more quickly and more effectively. Through such innovative partnerships, NOAA is reversing the effects of coastal contamination and ensuring that the environment is protected and restored.

Snapshots of Success

LAVACA BAY, TEXAS

Since 1948, Alcoa has operated a manufacturing facility on the eastern shore of Lavaca Bay, Point Comfort, Texas. This facility released mercury into the water, contaminating bay sediments, fish and shellfish. In 1986, state health officials closed part of the bay to fishing to prevent consumption of contaminated seafood. NOAA, the U.S. Department of the Interior, and Texas (the Trustees for this incident) worked cooperatively with Alcoa and EPA to collect data on resources injured and ongoing ecological risks from the contamination. This was completed during EPA's Remedial Investigation and Risk Assessment to develop clean-up plans for the site. As a result of this cooperation, remediation (clean-up) and restoration planning were combined, saving time and money.

Trustees included local citizen input when developing restoration plans for all identified resource losses, including projects that would best address recreational fishing losses. Under a settlement with the Trustees, Alcoa has implemented the following restoration projects—

- Created an oyster reef
- Restored a large tract of marsh
- Built or improved several recreational fishing piers and boat ramps

PATUXENT RIVER, MARYLAND

In April 2000, a Potomac Electric Power Company (PEPCO) oil pipeline ruptured beneath a marsh on a Maryland tributary. Roughly 140,000 gallons of heavy fuel oil flowed over the marsh and down the Patuxent River, oiling about 40 miles of environmentally sensitive creeks and shorelines.

Working together, NOAA, PEPCO, and co-Trustees assessed the injured natural resources. The spill impacted wetlands and shorelines, birds, fish and shellfish, turtles, and benthic communities, as well as residents who were unable to boat, canoe, or kayak. Again, citizen input helped select the restoration projects that are currently being implemented—

- Create an intertidal wetland
- Enhance beach shoreline
- Restore and protect migratory bird nesting habitat
- Create an oyster sanctuary
- Build canoe/kayak paddle-in campsites
- Rebuild a boardwalk
- Provide canoes for an education program
- Establish new boat access (including a disabled accessible launch) and improve an existing boat launch ramp

In both of these cases, the cooperative approach resolved the responsible party's liability, yielded restoration projects that met both resource needs and community concerns, and fostered greater trust among the natural resource agencies, the responsible party, and the local community.

Environmental Laws Addressing Contamination Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA/Superfund) and the Oil Pollution Act of 1990 (OPA)

Under these statutes, two types of liability are assigned for releases of oil or hazardous substances: responsibility for cleanup of the environment (which is overseen by the lead cleanup agency) and responsibility for addressing injury to natural resources (which is overseen by natural resource trustees). Natural resource trustees include tribal governments as well as state and federal agencies. As a natural resource trustee, NOAA acts on behalf of the public to protect and restore coastal and marine resources and their services. Natural resources include fish, plants, birds, other wildlife and their habitats, soil, and both surface and groundwater.

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