

# **NRDA Overview**

**Natural Resource Trustees  
Presentation to NJ Industries,  
Sept. 14, 2004**

# Topics for Today

- NRDA Overview

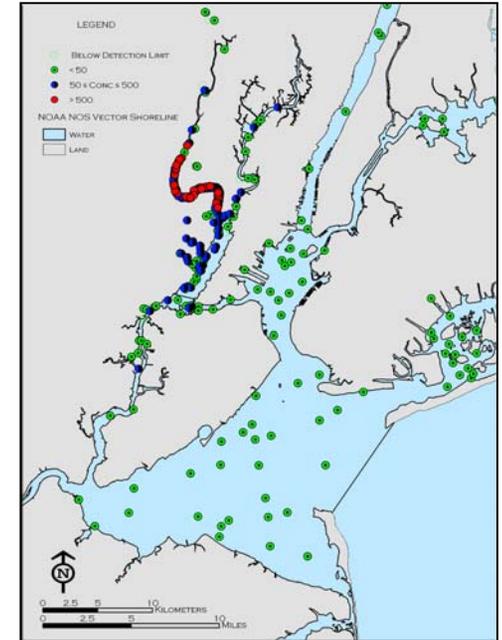


- Activities

- Players & Process

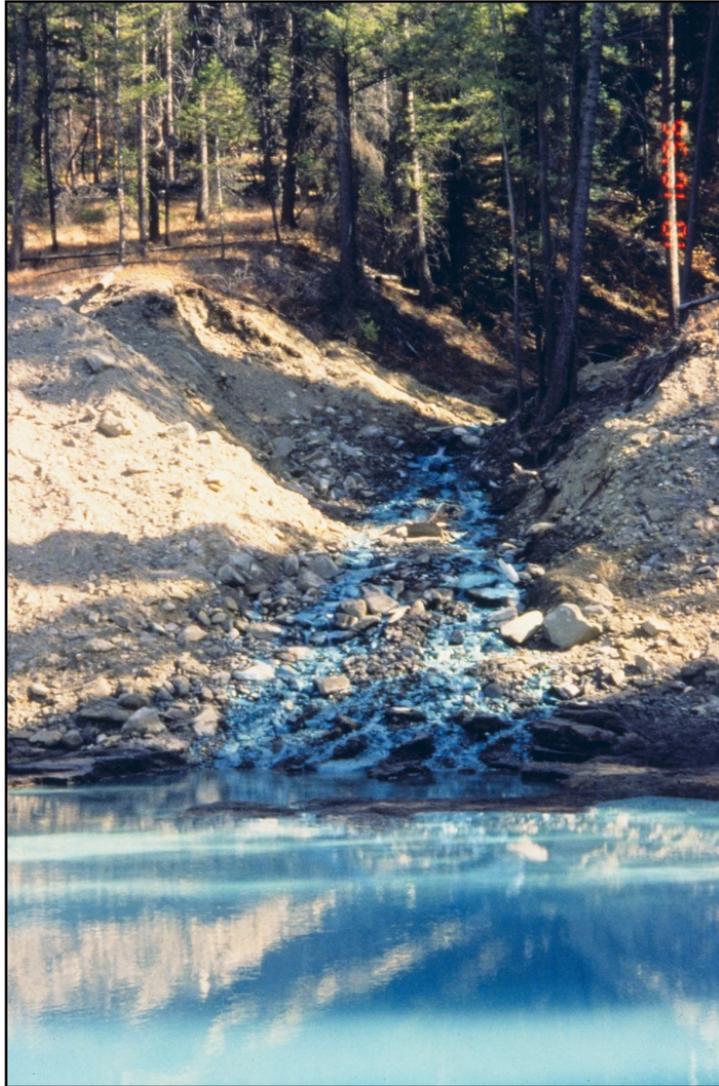


- Cooperative Assessment



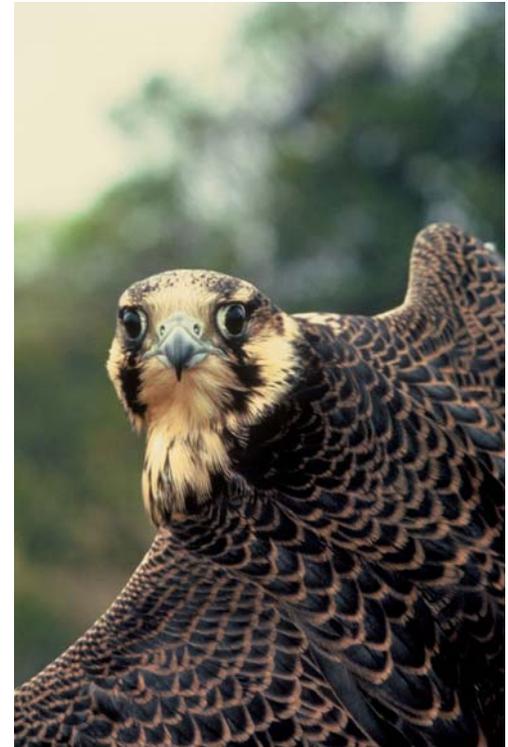
# **NRDA Overview**

Things happen...



# Process and Roles

- Release of hazardous substance
- Response: RI/FS, remedial decision (e.g., dredge, cap, no action, etc.)
- Restoration: to baseline and for interim lost resources or services/use (e.g., improvements to habitat, species, environmental quality, access, etc. -> NEXUS)



# Federal Superfund Law (CERCLA)

## EPA – Remediation

Reduce or eliminate *present and future* threats to human health and/or the environment from release of a hazardous substance

- Often directed at the substance itself (e.g., removal via dredging)

Cleanups may not address natural resource injuries caused by exposure to that substance



Photo credit: EPA

## Trustees – Restoration

Act on behalf of the public to restore natural resources injured by releases of hazardous substances, and to obtain compensation for the public's lost uses of the resources

NRDA: process to assess *past, present, and future* injuries to natural resources from exposure to hazardous substances and determine restoration needed to compensate the public for injuries to resources and lost uses of those resources



Photo credit: Kent Olsen

# TRUSTEES, per the National Contingency Plan:

- State Governors
- Tribes
- Secretaries of Fed Agencies
  - Agriculture
  - Commerce (NOAA)
  - Defense
  - Energy
  - Interior (FWS)
- Foreign Governments (under OPA)



# Legislative Mandates



- Clean Water Act (CWA)
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund)
- Oil Pollution Act of 1990 (OPA)
- National Marine Sanctuaries Act (NMSA)
- Park System Resource Protection Act (16 USC 19 JJ)
- Applicable State Laws

# Trustees...

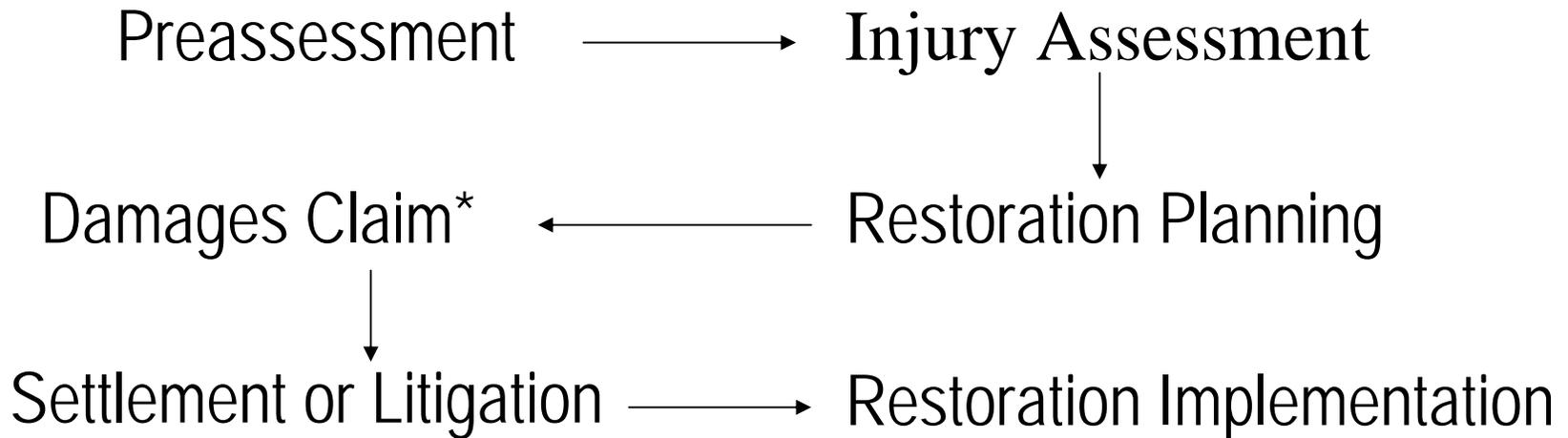
- Coordinate w/response agencies (e.g., EPA) by integrating trustee concerns and science into the cleanup process
- Assess injuries
- Evaluate and scale restoration alternatives for
  - ◆ Returning resources to baseline
  - ◆ Compensating for interim lost resources or services
- Oversee and/or implement restoration plan



# The Process

Hazardous Substance Release → Response → Restoration

## **NRDA/Restoration Process:**



\*Primary plus compensatory restoration plus cost of assessment

# Assessing Injuries to Trustee Resources



- Biota and their habitats
- Surface water and sediment
- Ground water
- Geologic (soils and upland resources)
- Air



# NRDA:

- A process to determine the appropriate amount and type of restoration needed
- Intersection between environmental sciences, economics, and law
- The preferred calculation of damages is the cost of implementing this restoration
- NRDA progress/success is focused on and measured by the amount of restoration achieved.



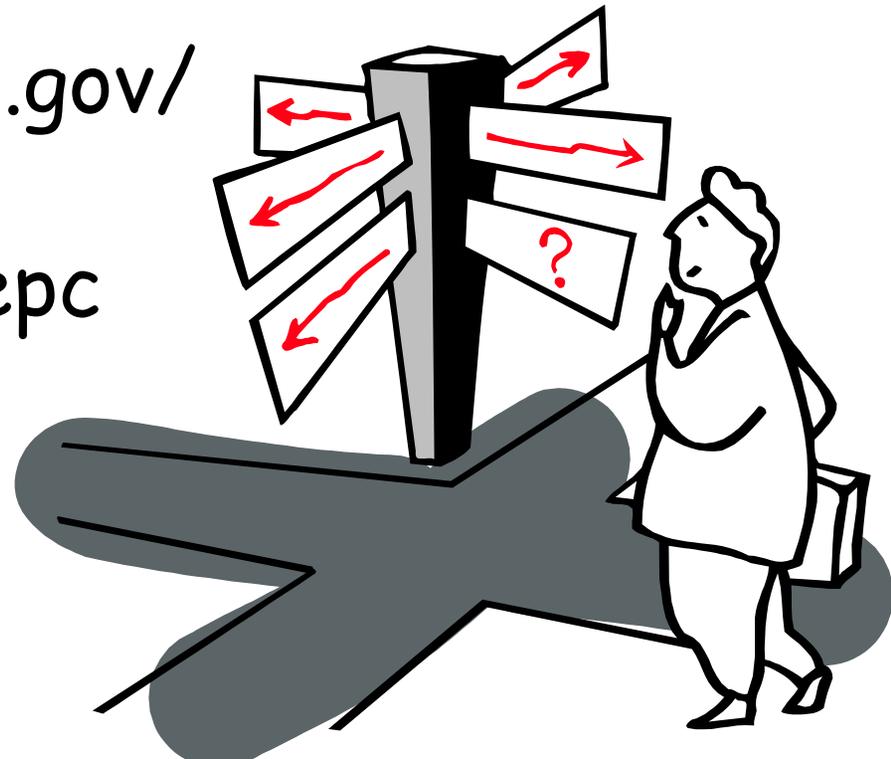
# Websites

<http://www.darp.noaa.gov>

<http://www.darp.noaa.gov/cap.htm>

<http://restoration.doi.gov/>

<http://www.doi.gov/oepc>



# Federal Trustee Contacts:

- Tom Brosnan, NOAA  
301-713-3038 x186  
[tom.brosnan@noaa.gov](mailto:tom.brosnan@noaa.gov)
- Tim Kubiak, US FWS  
609-646-9310  
[tim.kubiak@fws.gov](mailto:tim.kubiak@fws.gov)

