



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

263 13th Avenue S., Suite 177
Saint Petersburg, FL 33701

Rune Larsen,
Technical Manager, Port Stewart
International Tanker Management
Schauenburger Strasse
23, D-200095,
Hamburg, Germany

November 23, 2009

Dear Mr. Larsen:

On October 27, 2009, The National Oceanic and Atmospheric Administration (NOAA) and the Puerto Rico Department of Natural and Environmental Resources (DNER) were notified by the United States Coast Guard (USCG) that the T/V Port Stewart was aground near Yabucoa, Puerto Rico, with a cargo of seven million gallons of oil. It was also reported that the grounding and activities related to it (collectively, the Incident) may have caused impacts to natural resources in the vicinity. The natural resource trustee agencies (Trustees) with authority to address the injuries caused during the Incident visited the site on October 28, 2009 in an initial attempt to determine the impacts to resources.

Over multiple site visits the team confirmed that there was, in fact, substantial reef injury including fractured and crushed hard corals, dislodged hard and soft corals, areas of scraped and pulverized bottom, tug-boat cable damage, and patches of anti-fouling paint, all consistent with the grounding and extraction of the T/V Port Stewart.

At this stage, the Trustees have not fully documented the extent and severity of the coral reef injuries at the Incident site, but it is clear that injuries documented thus far will require immediate action to save the remaining live corals. Further site delineation and assessment will also be necessary in order to accurately depict the extent and severity of the coral reef impacts.

NOAA and/or Puerto Rico DNER have authority to pursue emergency restoration and assessment of natural resource injuries related to the T/V Port Stewart Incident under a number of laws and regulations, including: The Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), Natural Resource Damage Assessment (NRDA) Regulations at 15 C.F.R. Part 990, and Commonwealth Law 147 of July 15, 1999 (Law for the Protection, Conservation and Management of Puerto Rico Coral Reefs).

This enclosed table outlines a proposed schedule of emergency restoration actions to address impacts resulting from the grounding of the T/V Port Stewart. This is not a comprehensive schedule of all actions associated with emergency restoration or natural resource damage assessment for the Incident; rather, it is an overview of emergency restoration actions and a proposed schedule for implementation. The table describes the



type of emergency restoration actions currently identified as necessary, roles and responsibilities, and the proposed schedule for initiating and completing these actions. The table is general in scope and is subject to amendment as additional information is known. Task descriptions are not detailed, so as to provide latitude to both the responsible party and trustees to make minor, timely revisions in the field as emergency restoration proceeds. The Trustees propose to cooperatively develop a full plan for execution of emergency restoration and NRDA activities with the responsible party and its representatives.

Implementation of the restoration actions outlined in the table is intended to reduce or minimize the extent of long-term injuries to impacted coral reef resources and corresponding compensatory restoration requirements. However, successful implementation of these actions alone does not release the responsible party from its liability for natural resource damages resulting from this Incident. Technical matters can be coordinated with Tom Moore or Dan Hahn of NOAA and Craig Lilyestrom of the Puerto Rico Department of Natural and Environmental Resources:

Tom Moore
NOAA Restoration Center
Tom.Moore@NOAA.gov
727-551-5716 Office
727-647-6538 Cell

Dan Hahn
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Craig Lilyestrom
Puerto Rico Department of Natural and Environmental Resources
Marine Resources Division
Craig.Lilyestrom@drna.gobierno.pr
787-999-2200 x2689 Office
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The Trustees hope that the responsible party will engage quickly and cooperatively in order to most efficiently address emergency restoration and subsequent NRDA and restoration of the resources injured during the T/V Port Stewart Incident. Please feel free to contact me at +001-727-824-5388 with any questions you may have, or to discuss plans for moving forward on this matter.

Thank you,



Mary Elliott (M.E.) Rollé
Attorney-Advisor, NOAA
General Counsel for Natural Resources

**M/T Port Stewart Grounding Incident
Necessary Emergency Restoration Actions**

Emergency Restoration Action	Description of Action	Responsibilities for Action	Estimated Time Schedule of Action
Hard Corals Reorientation	<ul style="list-style-type: none"> • Flipping or righting hard corals; • Aggregating flipped corals into multiple groups (cache). 	<p><i>Implementation:</i> Trustees have initiated this action and are prepared to hand over responsibility the RP as soon as a team arrives on-site. Trustees will provide personnel to oversee actions and direct RP work as needed.</p>	<p><i>Initiate:</i> Immediately</p> <p><i>Complete:</i> December 15, 2010</p>
Soft Corals Reorientation	<ul style="list-style-type: none"> • Flipping or righting soft corals; • Aggregating reoriented soft corals into multiple groups (cache). 	<p><i>Implementation:</i> Trustees have initiated this action and are prepared to hand over responsibility the RP as soon as a team arrives on-site. Trustees will provide personnel to oversee actions and direct RP work as needed.</p>	<p><i>Initiate:</i> Immediately</p> <p><i>Complete:</i> December 15, 2010</p>
Site Mapping	<ul style="list-style-type: none"> • Mapping perimeters of multiple impact sites throughout entire area of impact. • Mapping of impacts to occur at a resolution that facilitates informed decision-making regarding emergency restoration and further assessment. 	<p><i>Implementation:</i> RP with Trustee support and oversight, as appropriate.</p>	<p><i>Initiate:</i> As soon as possible, but no later than January 3, 2010</p> <p><i>Complete:</i> January 15, 2010</p>
Demarcation of Impact Sites	<ul style="list-style-type: none"> • Mark impact sites using GPS and markers that will stay in place to extent feasible (e.g., submerged buoys; SS stakes) • Mark cache areas with submerged visible markers. 	<p><i>Implementation:</i> RP with Trustee support and oversight, as appropriate.</p>	<p><i>Initiate:</i> Immediately</p> <p><i>Complete:</i> January 3, 2010</p>
Video/ Photographic Documentation	<ul style="list-style-type: none"> • Record extent of impact sites using video and/or still photo documentation • Use markers, signs, etc. to georeference sites with photographic or video documentation with each impact area. • Add scale to pics/video • Record proximal un-impacted areas to each site as well to identify baseline conditions of resources, to extent feasible. 	<p><i>Implementation:</i> RP with Trustee support and oversight, as appropriate.</p>	<p><i>Initiate:</i> Immediately</p> <p><i>Complete:</i> January 31, 2010</p>

M/T Port Stewart Grounding Incident Necessary Emergency Restoration Actions			
Emergency Restoration Action	Description of Action	Responsibilities for Action	Estimated Time Schedule of Action
Establish and Maintain Coral Nursery Areas for ESA Listed staghorn Coral	<ul style="list-style-type: none"> Develop staghorn coral nursery areas to facilitate temporary holding and growth. Maintain these areas for a duration sufficient to support restoration operations. 	<i>Implementation:</i> Trustee's have already constructed one area, however more are needed. A trustee team working with the RP will setup additional areas as needed.	<i>Initiate:</i> Immediately <i>Complete:</i> December 15, 2009
Coral Reattachment Strategy	<ul style="list-style-type: none"> Develop a coral reattachment strategy for each impacted site, as appropriate. Strategy should determine whether, and to what extent, reattachment should occur off-site. 	<i>Implementation:</i> Trustee and RP Technical Staff, with final approval from Trustees.	<i>Initiate:</i> As soon as possible, but no later than December 15, 2009 <i>Complete:</i> January 3, 2010
Paint Removal	<ul style="list-style-type: none"> Develop a strategy for removing paint that minimizes resuspension of paint and sediment and results in removal of paint to extent practicable. Implement strategy as approved by trustees. 	<i>Implementation:</i> Trustee and RP Technical Staff, with final approval from Trustees.	<i>Initiate:</i> July 1, 2006 <i>Complete:</i> September 30, 2006
Coral Reattachment	<ul style="list-style-type: none"> Implement coral restoration strategy as approved by trustees. 	<i>Implementation:</i> Local Restoration Contractor, under contract to RP. Trustees will provide support, oversight, and direction as appropriate.	<i>Initiate:</i> As soon as possible, but no later than January 15, 2010 <i>Complete:</i> February 28, 2010