Deepwater Horizon Natural Resource Damage Assessment

Early Restoration

What Is Early Restoration?

Early Restoration provides an opportunity to implement restoration projects prior to the completion of the Natural Resource Damage Assessment (NRDA) process.

A NRDA is the process used by natural resource trustees to develop the public's claim for natural resource damages against the party or parties responsible for the spill and to seek compensation for the harm done to natural resources and the services they provide.

Typically in a NRDA, natural resource trustees develop a restoration plan or series of plans to compensate for the impacts following an assessment of the injuries. Plans for Early Restoration projects, however, may be developed prior to the completion of the injury assessment to achieve restoration faster.

NRDAs can be prolonged and complex, in some cases lasting many years. In the case of the *Deepwater Horizon* NRDA, Early Restoration will be fundamental to beginning the restoration of natural resources and their services prior to the completion of the full NRDA injury assessment. Early Restoration is not intended to address all injuries caused by the *Deepwater Horizon* spill.

Is Early Restoration Being Pursued for the *Deepwater Horizon* Oil Spill?

Yes. On April 21, 2011, the *Deepwater Horizon* NRDA Trustee Council announced an agreement under which BP committed to provide $1 billion toward Early Restoration projects.

This Early Restoration agreement is the largest of its kind ever reached and represents an initial step toward fulfilling the responsible parties' obligation to fund the complete restoration of injured natural resources.

These funds will be divided among the trustees as follows:

- $500 million split equally among the five Gulf states
- $200 million split equally among the federal trustees
- $300 million to fund state-proposed restoration projects to be selected by federal trustees

What Types of Projects Will Be Included?

Proposed early restoration projects must be linked to natural resources or their services that were observed or reasonably inferred to have been impacted by the Deepwater Horizon spill.

Examples of types of projects that might be funded include:

- Rebuilding coastal marshes
- Replenishing damaged beaches
- Improving human use of resources
- Conserving sensitive areas of ocean habitat for impacted wildlife
- Restoring barrier islands and wetlands

The trustees will consider projects based on criteria established in federal regulations, the agreement and, if applicable, state-specific criteria. The trustees also will take into account several practical considerations that, while not legally mandated, are nonetheless useful and permissible to help screen the large number of potentially qualifying projects. An Early Restoration plan or series of plans will be developed from projects approved by the trustees and BP. There will be multiple opportunities for public input on the plan or plans.

The long-term damage assessment will continue while early restoration planning is under way. BP and the other responsible parties ultimately will be obligated to compensate the public for the entire injury and all costs of the NRDA.