

BUDGET The United States Department of the Interior **JUSTIFICATIONS**

and Performance Information
Fiscal Year 2024

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION PROGRAM

NOTICE: These budget justifications are prepared for the Interior, Environment and Related Agencies Appropriations Subcommittees. Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.



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NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION PROGRAM

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General Statement

FY 2024 Budget Request

The Natural Resource Damage Assessment and Restoration Program's (NRDAR Program) Fiscal Year 2024 request for current appropriations is \$8,388,000, an increase of \$351,000 over the FY 2023 enacted level. The request advances the on-the-ground restoration of natural resources injured by oil spills and the release of hazardous substances into the environment. The NRDAR Program will utilize requested funds to effectively deliver science-driven habitat restoration in collaboration with co-trustees using the growing balance of funds recovered in settlements.

Deposits from settlements into the Natural Resource Damage Assessment and Restoration Fund (NRDAR Fund) continue to exceed \$600 million annually and will continue to do so through the next decade. Fiscal Year 2024 receipts are estimated to exceed \$600 million, largely due to the finalized settlement for natural resource impacts arising from the Deepwater Horizon oil spill in the Gulf of Mexico. Between 2017 and 2031, the Deepwater Horizon settlement will deliver up to \$8.8 billion to the Restoration Fund in annual installments of \$490 million. In addition, a few long-running damage assessment cases have recently settled, while others are pending court approvals, and still others are in negotiations progressing towards settlement. The influx of settlement funds is expected to continue as these additional cases settle. While this means additional funding is deposited in the NRDAR Fund, the vast majority of these restoration settlements are shared jointly with other Federal, State, and Tribal co-trustees, and the use of settlement funds must be jointly approved by the trustees for a given case. While the Department of the Interior (Department) can rarely take unilateral action to use the funds, the Department continues to prioritize the delivery of funds for on-the-ground restoration projects.

The NRDAR Program is committed to maximizing benefits for both injured natural resources and for the American public's use and enjoyment of these resources. Many of these restoration actions will offer opportunities to address climate resiliency on lands and waters, to promote science driven conservation and stewardship, and to collaboratively engage locally led efforts to establish trails and open space in underserved communities. With more than \$2.0 billion dollars in settlement funds presently in the NRDAR Fund, and with additional settlements and payments on the horizon, moving forward deliberately and strategically to plan and implement restoration actions at dozens of sites nationwide will produce significant ecological, economic, and recreational benefits.

Total 2024 Budget Request
(Dollars in Thousands)

Budget Authority	2022 Actual	2023 Enacted	2024 Budget Request
Current	7,933	8,037	8,388
Mandatory	597,252	649,100	651,000
TOTAL	605,185	657,137	659,388
<i>FTE</i>	<i>16</i>	<i>18</i>	<i>18</i>

Fiscal Year 2024 fixed costs of \$329,000 are fully funded within the request.

The FY 2024 request also includes an estimate of \$659 million in permanent mandatory funds from negotiated legal settlement agreements and cooperative damage assessments with responsible parties and earned interest to be applied to the restoration of injured natural resources by the Department and its co-trustees for each case.

Executive Summary

The mission of the NRDAR Program is to restore natural resources injured as a result of hazardous substance releases into the environment. In partnership with other affected State, Tribal, and Federal co-trustee agencies, the NRDAR Program conducts science-based damage assessments that provide the basis for determining the restoration needs that address the public’s loss and use of these resources. Cooperation with its co-trustees and partners, and where possible, with the responsible parties, is an important component of meeting the NRDAR Program’s core mission.

Within this budget request, the NRDAR Program will support the Administration’s priorities such as incorporating climate science during restoration project planning to evaluate the long term viability of projects, determining the applicability of habitat acquisition and protection as a means of restoring injured resources, supporting Tribal Nations engaged in NRDAR cases, and engaging local and underserved communities during damage assessment, restoration planning, and restoration implementation.

The NRDAR Program is designed to cooperate with co-trustees to restore impaired natural resources that the Department manages. Damages are assessed and appropriate restoration projects identified to inform negotiated settlements or, in rare cases, litigation with potentially responsible parties. Recoveries, via in cash or in-kind services, from the potentially responsible parties finance or implement resource restoration, pursuant to a publicly-reviewed restoration plan.

The Office of Restoration and Damage Assessment (ORDA) manages the confluence of the technical, ecological, biological, legal, and economic disciplines and coordinates the efforts of six bureaus and three Departmental offices to accomplish this mission. The NRDAR Program has a nationwide presence

encompassing nearly the full span of natural and cultural resources for which the Secretary of the Interior has trust responsibility. Each bureau has its unique natural resource trusteeship and brings its expertise to bear on relevant sites. The NRDAR Program is an integrated Departmental program, drawing upon the interdisciplinary strengths of its bureaus and offices, while eliminating or minimizing redundant bureaucratic and administrative operations and expenses.



The **Bureau of Indian Affairs** is responsible for the administration and management of nearly 57 million surface acres and 59 million acres of sub-surface minerals estates held in trust by the United States for American Indians, Indian Tribes, and Alaska Natives, and provides assistance to 574 federally recognized Tribal governments to help protect water, natural resources and land rights.



The **Bureau of Land Management (BLM)** administers more than 244 million acres of Federal land located primarily in 12 Western States, including Alaska, characterized by grasslands, forests, deserts, coastline, and arctic tundra and an additional 700 million acres of onshore Federal mineral estate. The BLM sustains the ecological and economic health, diversity, and productivity of these public lands for the use and enjoyment of present and future generations.



Working in 17 States west of the Mississippi River, the **Bureau of Reclamation** manages 489 dams and 338 reservoirs covering more than 10 million acres associated with irrigation projects to protect local economies and preserve natural resources and ecosystems through the management and effective use of water resources.



The **U.S. Fish & Wildlife Service (FWS)** conserves, protects and enhances fish, wildlife, and plants and their habitats and manages over 95 million acres of land and waters within 568 National Wildlife Refuges, nearly 760 million acres of marine monuments, and 38 wetland management districts for the continuing benefit of the American people, providing primary trusteeship for migratory birds and over 2,000 threatened and endangered species.



The **National Park Service** preserves unimpaired the natural and cultural resources and values of the 85 million acres of land across the 424 units of the national park system and conserves the scenery and the natural and historic objects and the wildlife of these special places for the enjoyment, education, and inspiration of current and future generations.



In addition to the five bureaus with primary trust resource management activities, the **U.S. Geological Survey (USGS)** conducts scientific research in ecosystems, climate and land use change, environmental health and water resources, and provides access to natural resource science to support effective decision making on how to best restore injured natural resources impacted by the release of oil or hazardous substances in the environment.

The Office of the Secretary and the Office of the Solicitor also play key roles in making the NRDAR Program a fully integrated Departmental program. The Office of the Solicitor provides legal advice at both the program policy level and in all individual cases. In the Office of the Secretary, the Office of Policy Analysis provides economic analytical expertise to the NRDAR Program on both national policy and individual case management, and the Office of Environmental Policy and Compliance provides a link to response and remedial activities associated with oil spills or chemical releases.

The Department, through the NRDAR Program, conducts every damage assessment and restoration case in partnership with any co-trustees at various levels of government (Federal, State, and Tribal), and all restoration plans must undergo public review and be approved by affected State and Tribal governments. The NRDAR Program serves as a model of collaboration in its day-to-day operations and partnerships that have been developed with Tribal, State, and other Federal co-trustees, as well as with non-government organizations and industry.

The NRDAR Program supports and contributes to many of the Administration's priorities as they are inherently in sync with our mission and goals. For example, the National Environmental Policy Act (NEPA) evaluation and use of climate science help us to better evaluate the feasibility and projected longevity of proposed restoration projects. Restoration projects may include acquisition or the long-term protection of habitat. Restoration case teams are collaborative and inclusive, actively soliciting and engaging with local partners in identifying and implementing restoration projects to the benefit of all. The trustees often work with local community organizations to provide an educational component. Engaging with these community organizations, local youth have worked on projects to remove invasive species and monitor the success of habitat restoration.

Office of Restoration and Damage Assessment

The DOI Office of Restoration and Damage Assessment (ORDA) manages the NRDAR Program, and currently consists of eighteen (18) direct FTE. They include the Office Director and seven Program Office and budget staff, and one natural resource economist housed in the Office of Policy Analysis, and the Assistant Director for Restoration and eight Restoration Support specialists located in various field locations. The following organization chart goes beyond the small number of people in the Program Management Office and reflects the integrated management structure of the Program as a whole, with the inter-related components of six bureaus, the Office of the Solicitor, and the Office of Policy Analysis.



Restoration Program

Assessment & Restoration Program

Assistant Secretary - Policy,
Management, and Budget

Deputy Assistant Secretary – Policy
and Environmental Management

ORDA Office Director

**Executive
Committee**

Asst. Director-Operations

Restoration Fund Manager

Deputy Office Director

Operations
Staff

Asst. Director-
Restoration
Restoration Support Unit

Technical Support Group

Fish and Wildlife Service
National Park Service
Bureau of Indian Affairs
Bureau of Land Management
Bureau of Reclamation
U.S. Geological Survey (science)
Office of Policy Analysis (economics)
Office of the Solicitor (law)

The Restoration Program reports to the Deputy Assistant Secretary – Policy and Environmental Management, under the Assistant Secretary - Policy, Management, and Budget (AS-PMB). There is also a “Restoration Executive Committee” representative at the assistant director level for BIA, BLM, BOR, FWS and NPS; and a Deputy Associate Solicitor. The Restoration Executive Committee is responsible for overseeing policy direction and approving allocation of resources.

Good Accounting Obligation in Government Act Report

The Good Accounting Obligation in Government Act (GAO-IG Act, P.L. 115-414) enacted January 3, 2019, requires that Agencies report the status of each open audit recommendation issued more than one year prior to the submission of the Agency's annual budget justification to Congress. The Act requires Agencies to include the current target completion date, implementation status, and any discrepancies on closure determinations.

The Department of the Interior leadership takes audit follow-up very seriously and considers our external auditors, to include the Government Accountability Office (GAO) and Office of the Inspector General, valued partners in not only improving the Department's management and compliance obligations but also enhancing its programmatic and administrative operations. As stewards of taxpayer resources, the Department applies cost-benefit analysis and enterprise risk management principles in recommendation implementation decisions. The Department's GAO-IG Act Report will be available at the following link: <https://www.doi.gov/cj>

The Economic Benefits of Restoration

Federal investment in ecosystem restoration and monitoring protect Federal trusts, ensure public health and safety, and preserve and enhance essential ecosystem services while often also generating business activity and creating well-paying American jobs. With support from ORDA and BLM, the USGS Fort Collins Science Center has estimated the economic impacts of 21 specific restoration projects. In the February 2016 report entitled, *Estimating the Economic Impacts of Ecosystem Restoration: Methods and Case Studies*, USGS found that ecosystem restoration projects provide meaningful economic contributions to local economies and to broader regional and national economies, and estimate that between 13 and 32 job-years¹ and between \$2.2 million and \$3.4 million in total economic output² are contributed to the national economy per million dollars invested in ecosystem restoration. These results demonstrate how investments in resource restoration support jobs, small businesses, and rural communities. To date, 11 case studies analyzing local economic job impacts of ecosystem restoration projects have been completed on NRDAR cases.

Economic impact analyses measure how inflows of spending to a local economy generate and support jobs and business activity. In the case of a restoration project, money is directly spent in a local economy on services such as construction and environmental consulting. Firms providing these services purchase materials like rocks and riprap, monitoring equipment, and grass seed to accomplish their work. In many cases, project supplies are purchased within the local economy. In order to meet the resultant increase in demand, suppliers must also increase their purchases of supplies from other industries. This chain of spending creates a ripple effect of economic activity. Economic input-output models capture the

¹ Job-years measure the total number of annualized full and part-time jobs accumulated over the duration of a restoration project.

² Economic output measures the total value of the production of goods and services supported by project expenditures and is equal to the sum of all intermediate sales (i.e., business to business sales) and final demand (i.e., sales to consumers).

interactions between producers and consumers in an economy and describe the secondary impacts of project spending using regional economic multipliers.

ORDA coordinates across the NRDAR Program to evaluate and report on restoration and conservation outcomes to improve upon ecosystem services provided by the Department's trust resources. Building on past work by our economists, ORDA has established methods to capture factors to complete additional economic impact studies in future years.

Summary of Requirements Table

<i>amounts in thousands</i>	2022 Actual		2023 Enacted		Fixed Costs	Internal Transfers	Program Changes	2024 Request		Change from 2023	
	Amount	FTE	Amount	FTE	(+/-)	(+/-)	(+/-)	Amount	FTE	Amount	FTE
Discretionary Total	7,933	18	8,037	18	+329	0	+22	8,388	18	+351	18
Permanent (Receipts)											
Gross Receipts	604,534	0	657,100	0	0	0	+1,900	659,000		+1,900	0
<i>Sequestration</i>	-399		-399		0	0	0	-399		0	0
<i>Previously Unavailable</i>	+342		+399		0	0	0	+399		0	0
<i>Transfers Out</i>	-7,225		-8,000		0	0	0	-8,000		0	0
Net Receipts	597,252	0	649,100	0	0	0	+1,900	651,000	0	+1,900	0

Disclosure of Administrative Expenses

Section 403 Division G of the Consolidated Appropriations Act, 2023 (P.L. 117-328) directs the disclosure of overhead, administrative, and other types of administrative support spending. The provision requires that budgets disclose current amounts and practices with regard to overhead charges, deductions, reserves, or holdbacks from program funding to support government-wide, Departmental, or bureau administrative functions or headquarters, regional, or central office operations.

For 2024, ORDA’s costs related to overhead, administration, and central/regional operations are addressed in three components of the budget, all under the heading of External Administrative Costs. These costs include amounts paid to bureaus, the Department, or other Executive Branch agencies to support bureau, Departmental or Government-wide administrative costs.

External Administrative Costs			
(Dollars in Thousands)			
	FY 2022	FY 2023	FY 2024
	<u>Actual</u>	<u>Estimate</u>	<u>Request</u>
<u>DOI Working Capital Fund</u>			
Centralized Billings	114	115	166
Fee for Services	35	25	25
Direct Billings (Financial Mgmt)	<u>125</u>	<u>152</u>	<u>171</u>
Total, DOI Working Capital Fund	274	292	362
<u>DOI Office of the Chief Information Officer</u>			
Telecomm, Software and Support	5	5	5
<u>Fish and Wildlife Service</u>			
FWS User-Pay Cost Share	103	91	110
<u>Bureau of Safety and Environmental Enforcement</u>			
Personnel / HR Services	76	76	80
<u>U.S. Geological Survey</u>			
Common Services Support	73	80	80
<u>U.S. Department of Justice</u>			
DOJ Sec. 108 3% Offset Authority	225	150	150

Charges related to the Departmental Working Capital Fund (WCF) shown in the table reflect ORDA’s share of centralized Departmental expenses for items and expenses such as facility services, shared information technology management, security, mailroom services, costs associated with audited financial statements, and other WCF charges.

Charges related to the Office of the Chief Information Officer are for telecommunications, software licenses, and related services.

FWS levies its User-Pay Cost Share charges on damage assessment and restoration funds provided to the Service from the Restoration Program. Funds collected by FWS are used to offset a range of administrative costs and enterprise-level information technology expenses. For 2024, User-Pay Cost Share charges to the Restoration Program are estimated to be \$110,000. The amount identified for 2024 is an estimate based on 2023 workload, and the actual amounts to be billed may change depending upon actual 2023 workload, the timing of settlements, and the ability to recover such costs through settlement negotiations. Indirect costs are not assessed on previous settlements or in cases where FWS indirect costs were not included or recovered in the final settlement.

Charges related to the Bureau of Safety and Environmental Enforcement identified in the preceding table reflect the ORDA's share of personnel management and human resources (HR) services provided to the Office of the Secretary, covering items such as HR policies and procedures, staffing and delegated examining, employee classification, Senior Executive Service appointments, personnel security, reorganizations, and reductions-in-force.

The U.S. Geological Survey (USGS) applies a seven percent administrative assessment overhead charge to all funds provided to USGS, primarily to the Columbia Environmental Research Center. Funds collected by the Center are used to offset common client administrative and facility expenses. Funds provided to USGS from the Exxon Valdez Oil Spill settlement include a nine percent general administrative assessment.

The Department of Justice (DOJ) applies a three percent offset to some, but not all, civil litigation debt collections made on behalf of the Restoration Program. Authority for these offsets can be found in Section 108 of the Commerce, Justice, and State Appropriations Act for Fiscal Year 1994 (P.L. 103-121, 107 Stat 1164 (1994)). The offset is applicable to collections where the Department is the sole recipient of the funds. Funds subject to the offset authority are credited to the DOJ Working Capital Fund. The DOJ offset authority does not apply to restoration settlements jointly shared with non-Federal co-trustees that are collected by DOJ and deposited into the NRDAR Fund.

ORDA's Program Management activities, which includes administrative functions, funds management, and central and regional operations, does not assess or levy any internal program overhead charges, deductions, or holdbacks to support program operations.

Employee Count by Grade

Department of the Interior Natural Resource Damage Assessment and Restoration Employee Count by Grade (Total Employment)			
Employee Count by Grade	2022 Actuals	2023 Estimate	2024 Estimate
SES	1	1	1
Subtotal	1	1	1
GS/GM -15	4	4	4
GS/GM -14	3	4	4
GS/GM -13	4	3	3
GS -12	2	3	4
GS -11	1	2	2
GS -10	0	0	0
GS - 9	1	1	0
GS - 8	0	0	0
GS - 7	0	0	0
Subtotal, (GS/GM).....	15	17	17
Total employment (actuals & estimates)	16	18	18

Justification of Fixed Costs

Natural Resource Damage Assessment and Restoration Program			
Justification of Fixed Costs			
<i>(Dollars In Thousands)</i>			
Fixed Cost Changes and Projections	2023 Enacted Change	2023 Enacted to 2024 Request Change	Description
Change in Number of Paid Days	-21	+20	This column reflects changes in pay associated with the change in the number of paid days between 2023 and 2024. The number of paid days in 2024 is one day more than 2023.
Pay Raise	+222	+248	The President's Budget for 2024 includes one quarter of a 4.6% pay raise for 2023 and three quarters of a planned 5.2% pay raise for FY 2024.
Departmental Working Capital Fund	0	+51	The change reflects the final 2024 Central Bill approved by the Working Capital Fund Consortium.
Rental Payments	+23	+10	The amounts reflect changes in the costs payable to General Services Administration (GSA) and others for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. These costs include building security. Costs of mandatory office relocations, i.e. relocations in cases where due to external events there is no alternative but to vacate the currently occupied space, are also included.
Account Total Fixed Costs		+329	

Appropriations Language

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carryout the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., [\$8,037,000] \$8,388,000, to remain available until expended. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023.)

Authorizing Statutes

Comprehensive Environmental Response, Compensation, and Liability Act, as amended, (42 U.S.C 9601 et seq.). Section 106 of the Act authorizes the President to clean up hazardous substance sites directly, or to obtain cleanup by a responsible party through enforcement actions. Trustees for natural resources may assess and recover damages for injury to natural resources from releases of hazardous substances and use the damages for restoration, replacement, or acquisition of equivalent natural resources. Provides permanent authorization to appropriate receipts from responsible parties.

Federal Water Pollution Control Act (Clean Water Act), as amended, (33 U.S.C. 1251-1387). Authorizes trustees for natural resources to assess and recover damages for injuries to natural resources resulting from the discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, the waters of the contiguous zone, or in connection with activities under the *Outer Continental Shelf Lands Act* or the *Deepwater Port Act of 1974*, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States.

Oil Pollution Act of 1990, (33 U.S.C. 2701 et seq.) Amends the *Federal Water Pollution Control Act* and authorizes trustee(s) of natural resources to present a claim for and to recover damages for injuries to natural resources from each responsible party for a vessel or facility from which oil is discharged, or which poses a substantial threat of discharge of oil, into or upon the navigable waters or adjoining shorelines or the exclusive zone.

System Unit Resource Protection Act, (54 U.S.C. 100721-25). Provides that response costs and damages recovered under it or amounts recovered under any statute as a result of damage to any Federal resource within a unit of the National Park System shall be retained and used for response costs, damage assessments, restoration, and replacements. Liability for damages under this Act is in addition to any other liability that may arise under other statutes.

Natural Resource Damage Assessment and Restoration Fund; availability of assessments (43 U.S.C. 1474b). Provides permanent authorization for receipts for damage assessment and restoration activities to be available without further appropriation until expended.

Transfer of funds from Natural Resource Damage Assessment and Restoration Fund (43 U.S.C. 1474b-1). Provides authority to make transfers of settlement funds to other Federal trustees and payments to non-Federal trustees.

Dire Emergency Supplemental Appropriations for Fiscal Year 1992 (P.L. 102-229). Provides that the Fund's receipts are authorized to be invested and available until expended. Also provides that amounts received by United States in settlement of *U.S. v Exxon Corp. et al.* in FY 1992 and thereafter be deposited into the Fund.

Justification of 2024 Program Changes

The 2024 budget request for the NRDAR Program is \$8,388,000 and 18 FTE, a program change of +\$22,000 and +0 FTE from 2023.

NRDAR Program Capacity (+\$22,000 / +0 FTE) – The proposed increase would provide for a modest amount of programmatic flexibility to address a wide range of potential contingencies that often arise in the NRDAR Program's operations. Items such as unforeseen developments in damage assessment case strategy - driven by external factors, or increased costs due to inflation can sometimes cause case delays. Occasionally additional case requirements arise after the Program's annual damage assessment or inland oil spill project allocations are funded for the year, or an ongoing restoration project has exhausted the available settlement funds and finds itself short of funds to complete the project. The proposed increase would provide a small amount of funds to allow for the completion of the planned assessment or restoration task.

Overview of NRDAR Programs

Damage Assessment

Program Overview

Damage assessment activities are an important first step taken by the Department on the path to achieving restoration of natural resources impaired through the release of hazardous substances and oil spills. The source, effect, and magnitude of the impairment must first be identified, investigated, and thoroughly understood if the subsequent restoration is to be effective. Through the damage assessment process, physical and scientific evidence of the impact to natural resources is documented and analyzed, which then forms the basis for a claim for appropriate compensation (or in-kind services) to compensate the American public for the loss and use of impaired natural resources managed by or under the control of the Department.

Damage assessment cases are conducted by one or more of the resource management bureaus within the Department: Fish and Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and Bureau of Reclamation. Support for economic analysis is provided by the Office of Policy Analysis; scientific and technical analysis and support is provided by the U.S. Geological Survey; and the Office of the Solicitor provides legal counsel. In nearly all cases, the Department's assessment activities are carried out in partnership with other Federal, State, and/or Tribal co-trustees. These partnerships have proven advantageous, as cooperation, consultation, and collaboration amongst the trustees facilitates addressing multiple resource management concerns across different levels of governments and consolidates those concerns into a single case. Trustees can also share data, achieve economies of scale, avoid duplication of effort and minimize administrative burdens and expenses. Responsible parties also benefit, as they are able to address all trustee concerns in a single, unified case.



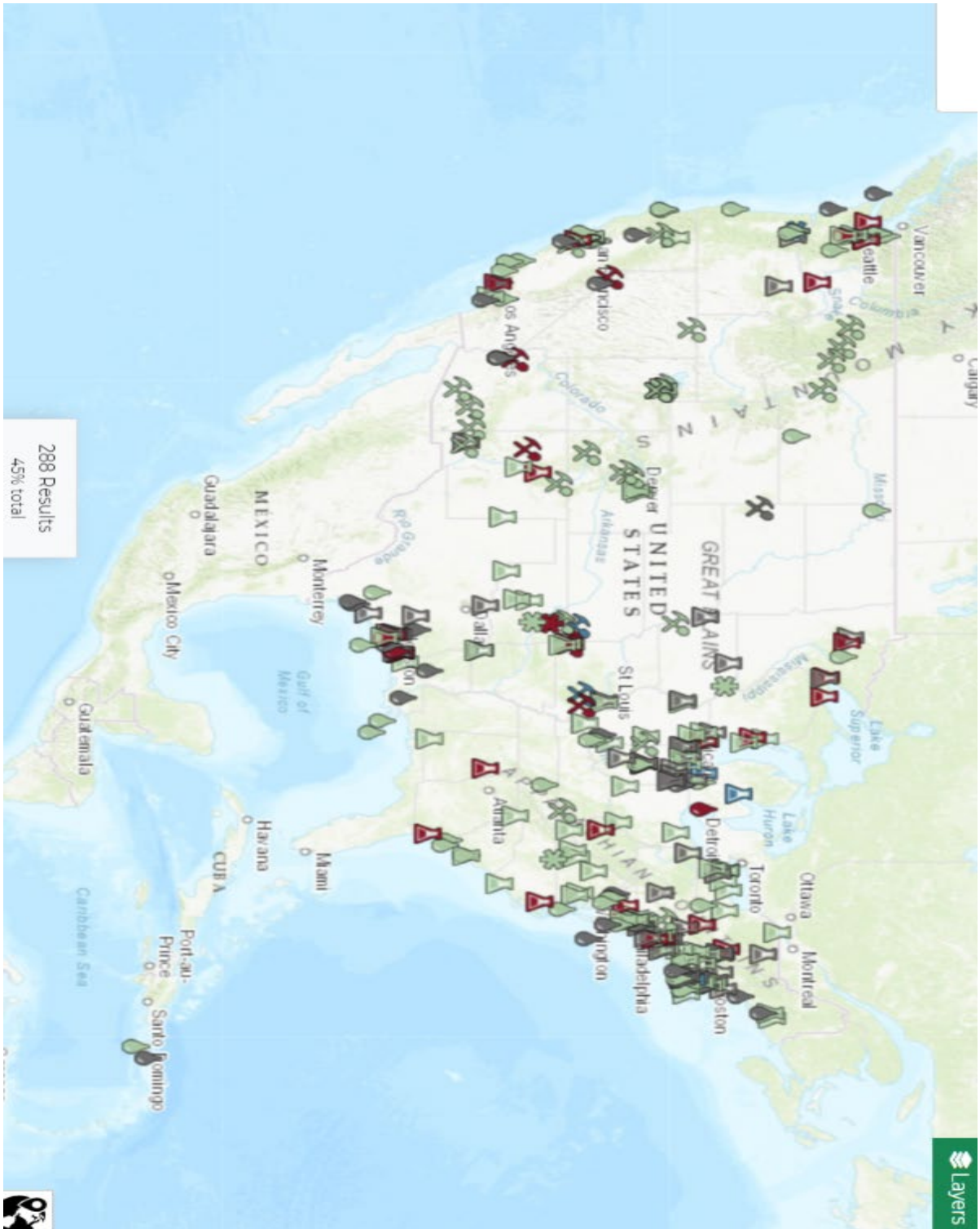
Field biologists surveying for fish in Silver Creek amidst mine tailings at the Richardson Flat Tailings Superfund Site, UT (FWS photo)

In 2024, ORDA will continue to utilize a mix of discretionary appropriations, recovered assessment costs from recent settlements and/or returned funds from completed assessments, as well as advanced funds from cooperative responsible parties, to meet its damage assessment workload requirements. Funding will support ongoing damage assessment efforts at approximately 33 sites and maintain the Restoration Program's damage assessment capability. The Program estimates 46 additional ongoing cases will continue to proceed towards settlement as well, using previously

allocated funds from prior years, with potentially up to 13 cases settling in 2024.

The base damage assessment funding will allow ORDA to maintain the current caseload of damage assessment projects and its focus on the highest priority sites. Additionally, increased focus will be given to cases conducting damage assessment activities in areas consistent with an emphasis on supporting Tribal and underserved communities.

The map on the following page shows a snapshot of the Department's damage assessment and restoration cases from the Damage Assessment and Restoration Tracking System ([DARTS](#)). This map displays the current status of the cases (assessment, restoration, assessment/restoration, or closed), as well as the type of incident (oil, mining, chemical or other). This system currently shows case documents for 288 of the Department's NRDAR cases for which there is a publicly available document such as an assessment plan, consent decree, or restoration plan.



Restoration Support

The restoration of natural resources is the mission of the Department's NRDAR Program. Every action the NRDAR Program undertakes during the damage assessment phase is done with the end goal of restoration in mind. Upon the successful conclusion of a damage assessment and achieving settlement with the responsible parties, bureaus work in partnership with other affected State, Federal, Tribal and/or foreign co-trustees to use settlement funds to identify, plan, and implement restoration activities. The NRDAR Program continues its coordinated effort to focus greater attention on restoration activities and to expedite the application of settlement funds to develop and implement restoration plans. Upon request, the Program's Restoration Support Unit (RSU) provides support to the Department's case managers and teams and assistance with meeting various legal and regulatory compliance requirements, identifying possible partnering opportunities, and drafting appropriate documents. The RSU's involvement in assessments, for example, allows restoration options to be identified earlier, which increases the efficiency and reduces restoration timelines. In addition, ORDA continues to work with the USGS to develop monitoring protocols to better measure restoration outcomes and the success and impacts of restoration efforts.

Program Overview

Following the release of a hazardous substance, the natural resource trustees evaluate the impairments to trust resources and develop a restoration plan that outlines the restoration projects to be conducted. The goal of the restoration project is to restore resources or services lost as a result of the spill or release to baseline condition, or the level that would exist had the spill or release not occurred. For example, if an oil spill impacts beach dune habitat that is used by shorebirds for nesting, then a restoration project could be designed to restore or create similar dune or beach habitat. Similarly, if the removal of a hazardous chemical or substance from a wetland resulted in the loss of that wetland, the resulting restoration projects could be designed to restore the same wetland at its current location to baseline condition, or to replace or acquire equivalent similar habitat. Lastly, many incidents also negatively impact the public's use and enjoyment of the lands and resources, and thus, many restoration plans include projects to compensate the public for that loss, often by way of increased access to the restored resources and providing for enhanced recreational opportunities such as trails, boat and kayak launches, and fishing piers.

In meeting the statutory and regulatory requirements of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Oil Pollution Act to restore, replace, or acquire the equivalent of impaired natural resources, these restoration activities encompass a wide variety of projects that support the Department's mission of conserving natural and cultural resources. By working with its co-trustees and local partners on restoration activities, the NRDAR Program can focus ecological restoration actions in a way that supports the Administration's initiatives and Departmental goals. ORDA estimates that approximately \$2.5 billion in settlement funds will be available in FY 2024 for restoration projects approved by co-trustees. In addition to settlement funds deposited into the NRDAR Fund, the Department is party to other natural resource damage settlements where settlement funds are deposited into a court registry or some other account selected by the trustees. Additionally, there are a number of settlements where the responsible parties have agreed to undertake or implement the restoration actions,

with trustee agencies providing oversight to ensure compliance with the terms of the settlement and adherence to the approved restoration plan. Once fully implemented, the restoration actions are then evaluated through long-term monitoring by the trustees to ensure they have been effective and met the goals of the restoration plans.

In addition to restoration planning and on-the-ground project implementation, ORDA looks to state-of-the-art science and novel techniques to assist case teams and trustee councils. The RSU works with scientists within the government, partners with non-government organizations (NGO) with specific skill sets or utilizes in-house expertise to advance the science of restoration and monitoring. The following are two examples of such efforts:

- Partnering with the FWS to support the National Wetlands Inventory (NWI) in deriving new wetland maps based on more-recent imagery—particularly in areas that contain high densities of early-phase NRDAR cases, many of which are located in or near disadvantaged communities. Many areas with early-phase NRDAR cases are currently covered by NWI data that are largely based on imagery from the 1970s or 1980s. Updated NWI data derived from more-recent imagery, will improve the quality of “best-available evidence” on which trustees and case teams base their decisions. Specifically, this funding will support the accurate identification of similar, nearby reference ecosystems, and thus, foster establishment of accurate baseline conditions, development of appropriate monitoring benchmarks, and delineation of areas with high potential for realty actions to protect similar resources off-site, when necessary.
- ORDA, in partnership with Tribal, State, NGOs, and academic partners developed a guide for NRDAR practitioners to help them assess and restore injuries to native freshwater mussels. This guide synthesizes state of the science, applied methods, and future research needs as a basis to suggest best practices for injury determination and restoration actions after exposures to hazardous substances. As a “living” document, ORDA will continue its partnership in future years to ensure this guide is updated with the most relevant science and techniques.

Deepwater Horizon / Gulf of Mexico Oil Spill Settlement

The April 2010 Deepwater Horizon (DWH) oil spill in the Gulf of Mexico resulted in the largest offshore oil spill in U.S. history. On April 4, 2016, the U.S. District Court for the Eastern District of Louisiana approved a historic \$20.8 billion settlement agreement with BP Exploration and Production (BPXP), the party found to be primarily responsible for the oil spill. Per the terms of the settlement, BPXP will pay the trustees up to \$8.8 billion for restoration to address natural resource damages. These funds will be used to implement restoration projects detailed in the trustees' Programmatic Damage Assessment and Restoration Plan and Programmatic Environmental Impact Statement. BPXP has made payment for the first six years, totaling \$2.7 billion to the Restoration Fund, with future annual payments of \$490 million scheduled to continue through 2031.

In FY 2024, ORDA will continue its focus on planning, implementation, oversight and monitoring of restoration actions nationwide. Restoration Support activities will advance restoration efforts and the

expenditure of settlement funds to develop and implement restoration plans. ORDA will continue to focus its activities in support of restoration of resources the Department manages and will see increased restoration outputs and outcomes through existing restoration support staff and resources and increased settlement funds. This will become especially apparent with the continued receipt of Deepwater Horizon oil spill settlement funds and the trustee council's abilities to begin implementation of larger on-the-ground restoration projects. While it is difficult to predict with certainty, ORDA anticipates the FY 2024 performance targets will include the cumulative restoration of 50,000 acres and 150 stream or shoreline miles. The Department and its co-trustees will accomplish these goals using settlement funds or in-kind services received in settlement of damage assessment claims with responsible parties.

Restoring Resources

Habitat restoration and protection is at the core of the NRDAR program. The end result of the assessment and planning process is to restore, replace, or acquire the equivalent of those natural resources that were impaired. The Department's bureaus charged with restoring these resources work closely with co-trustees in federal, state, and Tribal governments to improve the delivery of natural resources for the American public. Similarly, the Administration's priorities to address climate change, conserve lands and waters, strengthening government-to-government relationships with Tribal Nations, and supporting equity and environmental justice are core to the NRDAR program. Climate change and resiliency planning is a standard component in restoration planning through evaluations of long-term viability of projects through the National Environmental Policy Act (NEPA). Conserving and preserving lands is a major tool in the process for restoring natural resources, including land acquisition and establishing conservation easements for long-term protection of natural resources. Working with trustee councils in consensus building requires good relationships for NRDAR cases that include tribal resources, as well as those cases or projects that may affect tribal interests. Evaluating the impacts on under-served communities is critical to the restoration planning process through NEPA but also is key to the repair of areas that have been historically contaminated. This will continue to be a focus of the NRDAR program as more remedial plans are finalized in cooperation with the Environmental Protection Agency. The nature of the activities of the NRDAR process require that this program be strongly aligned with the Administration's priorities.

The Department, together with its Federal, State, and Tribal partners are involved in hundreds of ongoing restorations across the nation. Many of these sites' restoration needs present opportunities for restoration actions that are in sync with Administration priorities, including support for Tribal nations and protecting habitat and natural and cultural resources. The following pages illustrate the successful implementation of natural resource restoration within the NRDAR program. From implementing beach and dune improvements to restore shoreline and protect wetlands, to supporting regional dam removal projects that connect fisheries to upstream areas, to providing funds to continue long-term monitoring of key avian species, the Department has many restoration success stories that support natural resource recovery across the country and beyond.

Lordship Point Gun Club Site, Raymark Industries Superfund Site, and Housatonic RCRA Site, CT

In 2022, federal, state, and private partners completed the restoration of 34 acres of degraded marsh at the [Great Meadows Marsh Unit](#) of the S.B. McKinney National Wildlife Refuge. Great Meadows Marsh is

among Connecticut's most extensive remaining salt marshes, designated a “Globally Important Bird Area” by the National Audubon Society and BirdLife International. Once more than 1,400 acres in size, the marsh was reduced to half that area, and portions no longer functioned properly due to the addition of dredged soils, spread of non-native plants, and sea-level rise. The degraded marsh produced abundant mosquitoes that plagued nearby residents and visitors alike.



Pre-Restoration, September 2021
Water impounded on the invasive *Phragmites* marsh and high nuisance mosquito production

Restoration, March 2022
Removing invasive plants, creating drainage and constructing a tidal creek to restore tidal flushing

Area on the Great Meadows Marsh showing pre-restoration conditions and immediately after construction of the tidal creek.
(Photo: Jim Turek, NOAA)

After years of planning and fundraising, the \$4.65-million effort to restore 34 acres of salt marsh and adjacent upland areas at Great Meadows Marsh broke ground in November 2021. The project cost included \$808,000 from three NRDAR cases in Connecticut: Lordship Point, Raymark Industries, and Housatonic River RCRA Site plus \$75,000 from ORDA. General Electric Corporation was responsible for contamination of the Housatonic River from its source in Pittsfield, Massachusetts, to where it meets Long Island Sound just east of Great Meadows Marsh. Lordship Point Gun Club and Raymark Industries Superfund sites are also at the mouth of the river. These case settlements supported planning and engineering, and leveraged funds for the project construction and future monitoring. Using settlement money to restore the marsh to benefit fish, wildlife and people helps compensate for environmental impacts associated with these sites.



Same area in July 2022 showing the native plantings and the regrowth. (Photo: Jack Matthias, Audubon CT)

The U.S. Fish and Wildlife Service, Audubon Connecticut, the Connecticut Department of Energy and Environmental Protection (CT DEEP), the National Oceanic and Atmospheric Administration (NOAA), and the Town of Stratford partnered on this [exciting local restoration project](#).

Before any soil was moved, a controlled burn was performed to clear standing vegetation, especially the invasive, non-native common reed (*Phragmites australis*). Construction crews then removed excess soil piles, or berms, along with tons of topsoil containing pieces of common reed that could resprout.

Workers carefully re-graded the site and dug new channels to allow rainwater to drain freely. They created a new 12-foot-wide channel to bring seawater to the marsh during high tide, discouraging both invasive plants and mosquitoes, and created raised hummocks, or mounds, near existing saltmarsh sparrow nesting areas to offer the birds refuge from sea-level rise.



Salt Marsh Stewards plant spikegrass and saltmeadow cordgrass alongside volunteers during the week of Earth Day 2022. (Photo: Corrie Folsom-O'Keefe/Audubon CT)

Once the site was cleared of common reed and modified to suit tidal flow and wildlife, volunteers, local high school students, contractors, and project partners planted more than 165,000 grasses and other nonwoody plants. The high school students participated through Audubon Connecticut's first-ever "Salt Marsh Steward" program. In partnership with the Town of Stratford, they hired 12 local high school students to plant marsh vegetation. Participants gained work experience while learning about salt marsh conservation and interacting with other students, volunteers, community members, and conservation professionals.

Tides now regularly flood the restored area, nourishing the newly planted native salt marsh grasses, wildflowers, and shrubs. With restoration comes increased resiliency to climate change and renewed potential to support rare species, including saltmarsh sparrow, diamondback terrapin, and marsh pink, for years to come. The project design targets higher marsh elevations for both regularly flooded and irregularly flooded marsh communities, creating greater resiliency to sea level rise. In addition, the project will reduce habitat for breeding mosquitos and provide enhanced recreational and educational opportunities for adjacent underserved communities. The work included reopening a trail that had been closed for several years and installing two new accessible viewing platforms. The marsh is now more welcoming to visitors.

Invasive species management, including control and removal of common reed, will continue at the site, and partners will plant additional salt marsh grasses. In 2023, partners began restoring another six acres of salt marsh just inland of the original project site.

Tittabawassee River, MI

The Tittabawassee River System Area was injured as a result of releases of hazardous substances (primarily polychlorinated dibenzo-p-dioxins and dibenzofurans) from The Dow Chemical Company (Dow) plant property in Midland, Michigan. The area includes a 24-mile stretch of the Tittabawassee River south of its confluence of the Chippewa River, the 22-mile Saginaw River, and portions of the 1,143 square mile Saginaw Bay. A number of natural resources, including sediments, invertebrates, fish, birds, and mammals, were exposed to and adversely affected by releases from Dow's Midland plant. As a result, the State of Michigan issued fish consumption advisories throughout the site, wild game advisories for the floodplains of the Tittabawassee and Saginaw Rivers and soil contact/movement advisories for the Tittabawassee River floodplain, and the U.S. Environmental Protection Agency and the State of Michigan have been overseeing Dow's cleanup of the site for many years.

In parallel with the ongoing cleanup, the Trustees conducted a natural resource damage assessment to



A nature trail through the newly restored pollinator area at Eagle Ridge. (Photo: Lisa Williams, FWS)

determine the extent of injuries to natural resources and the services they provide as well as the amount and types of restoration needed to make the public whole for losses over time. The Trustees for the site are the State of Michigan, represented by the Department of the Environment, Great Lakes, and Energy, the Department of Natural Resources, and the Department of Attorney General; the Saginaw Chippewa Indian Tribe of Michigan; and the U.S. Department of the Interior, represented by the U.S. Fish and Wildlife Service and the Bureau of Indian Affairs.

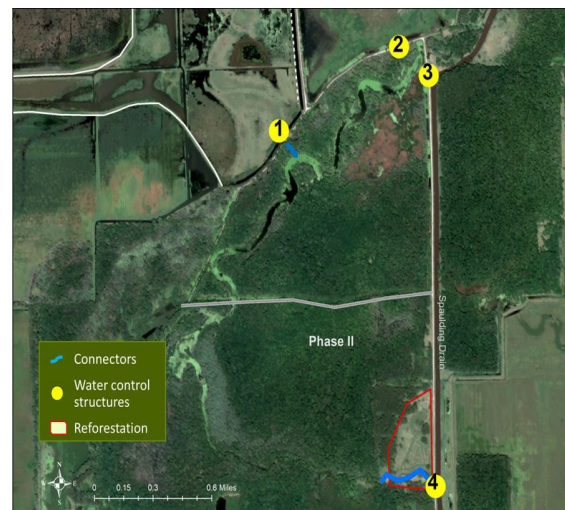
A settlement was reached in 2020 and includes a suite of restoration projects to benefit natural resources and provide for public use and enjoyment of them, as well as funding for the Trustees to do additional restoration and monitoring over time. Two of those restoration projects were completed in 2022 as described below.

[Eagle Ridge Nature Area:](#) A ribbon-cutting event was held in July 2022 to celebrate the opening of the [Eagle Ridge Nature Preserve](#),

which protects a unique and diverse area for both wildlife and public enrichment. The grounds feature a unique 140-acre land parcel, which includes forest, sandy ridges, and natural wetlands.

Restoration work conducted at the nature preserve included re-connecting a wetland, control of invasive plants in several areas, and creation of a pollinator-friendly area. The public will be able to enjoy nature trails, a boardwalk with wetlands access and viewing areas, and more now that the preserve is open to the public. Educational signage highlights connections to the Anishinaabe peoples, wildlife, ecology, and unique topographical features. The new nature area is adjacent to the existing Stratford Woods Park, allowing for easy access to public parking and facilities. The Trustees oversaw the work, which was conducted by Dow along with the City of Midland, Chippewa Nature Center, Arnold Center, and Pheasants Forever.

[Ferguson Bayou Restoration at Shiawassee National Wildlife Refuge:](#) Using funds from the settlement, the Shiawassee National Wildlife Refuge (Refuge) created a new connection channel and installed four water control structures to restore flow through the Ferguson Bayou area of the Refuge. Ferguson Bayou is a paleo-channel of the Flint River that had been disconnected from river flows for many decades. This project reconnected the Ferguson Bayou to the Flint River flow via Spaulding Drain and thus increased the hydrologic connection from the Flint River/Spaulding Drain system to thousands of acres of floodplain within the Refuge. This project allows more flow and connectivity for fish and other aquatic organisms through this system. The



Ferguson Bayou re-connection from Spaulding Drain

increased distribution of flow also increases nutrient retention in the floodplain marshes and improves water quality for downstream communities.

[Port Gardner Bay, WA](#)

As part of a Natural Resource Damage Assessment & Restoration settlement, nearly 350 acres of estuary and upland habitat at Blue Heron Slough, along Interstate 5 in the Snohomish River estuary, have been restored. Dikes have been breached, reconnecting this habitat critical to salmon, bull trout, and migratory birds to the Snohomish River watershed and Puget Sound for the first time in nearly 100 years.



Blue Heron Slough after dike breaching event

The Port Gardner Assessment Area included the lower Snohomish River, Everett Waterfront, East Waterway, and a portion of Possession Sound near Everett, Washington. This area serves a commercial shipping industry and contains many facilities and both private and municipal wastewater outfalls. Numerous industrial operations have been identified as sources of contamination to Port Gardner. The restoration is a result of a 2019 settlement with the Port of Everett and other parties over the release of oil and other hazardous substances in nearby Port Gardner Bay. The pollution posed a threat to species including bull trout and Chinook salmon, the primary food source of endangered Southern Resident killer whales.

The restoration work was partially funded through a consent decree with Port Gardner Bay Trustees, who agreed to address legacy pollution around the former site of a Weyerhaeuser paper mill and other areas in Port Gardner Bay. The Port Gardner Natural Resource Trustee Council included the Department of the



U.S. Fish & Wildlife Service staff at the unveiling for the restoration of Blue Heron Slough near Everett, WA on September 1, 2022

Interior, as represented by FWS, the Tulalip Tribes, the Suquamish Tribe, the State of Washington, as represented by the Department of Ecology (WDOE), and the Department of Commerce, as represented NOAA. Other partners involved in the restoration included the Port of Everett, Wildlands, and more.

In September 2022, the Port of Everett gathered with Tribal, federal, state and local government leaders and the many project partners involved in the creation of the Blue Heron Slough to unveil the new 353-acre estuary. The [Blue Heron Slough Restoration project](#) is a milestone for both the Port Gardner

NRDA case and for Snohomish River salmon recovery. Federal, state and Tribal efforts to secure restoration from the release of hazardous substances resulted in two settlements that led to the project's construction. Blue Heron Slough joins a series of restoration projects restoring over 1,500 acres of Snohomish Estuary wetlands—the largest estuary restoration effort in Puget Sound.

The goal of the \$20 million project was to restore the 353-acre slough near the mouth of the Snohomish River to its natural estuarine condition. Port partner Wildlands and contractor Dungeness developed a mosaic of channels, marshes, mudflats, and riparian areas, which were reconnected to riverine and tidal influences by breaching the existing dike in four places. This project has been in the works for over 30 years and is the largest undertaking in port history.

The project restored critical habitats for threatened species of salmon, steelhead and bull trout by reconnecting an off-channel rearing and refuge habitat for the fish. A total nine miles of channels were restored. Not only will Blue Heron Slough benefit salmon and other wildlife, but it provides other important benefits including water quality improvements, reduced flooding, and greenhouse gas carbon capture resulting in a more resilient community and ecosystem.

[Sharon Steel Superfund Site \(Midvale Tailings\). UT](#)

In 1995, the City of West Jordan, a community near Salt Lake City, set forth a vision for a large urban nature park in the heart of the Salt Lake Valley. This vision was laid out in a proposal to FWS to restore natural resources injured by the Sharon Steel and Midvale Slag CERCLA (“Superfund”) sites. The location they chose to become the “[Big Bend Nature Park](#)” was a 70-acre parcel of land located between the Jordan River, which runs through the Salt Lake valley connecting Utah Lake to the south with the Great Salt Lake to the north, and the Jordan River Trail (a regional commuter trail running the length of the valley). Today, nearly 30 years later, this project is nearing completion and is an example of the power of early vision, a large group of stakeholders, persistence in the face of technical and funding difficulties, and the support of the NRDAR Program.



Restored Jordan River bank and public access point, Big Bend Nature Park, West Jordan, Utah (Photo: Eric McCulley)

The Sharon Steel Natural Resource Damage settlement was awarded in 1991 to the Department of the Interior, through FWS, and the State of Utah, with funds to be used to restore natural resource that had been injured by the operations of the Sharon Steel Mill and Midvale Slag sites, located just downstream of the Big Bend site. While the Big Bend was upstream of contaminated soils and sediments that had been released into the river by those operations, it had been severely impacted by realignment, straightening and dredging of the channel upstream of the mill in order to get the river “out of the way” of the mill’s operations. These actions created a deeply incised channel where the river level was 6-8 feet

below the level of the floodplain. This disconnected the river from the floodplain, resulting in the loss of native riparian vegetation and replacement by more drought-tolerant exotic and noxious plant species that do not provide the same habitat quantity and quality to neotropical migratory birds and other wildlife.



Big Bend Restoration Project Conceptual Plan. Existing river channel is on the east and north boundaries of the property, Jordan River Trail is on the western boundary. Elevated viewing hill located between pond (dark blue) and inset floodplain (aqua)

Between 1996 and 2003, West Jordan and the Utah Reclamation, Mitigation and Conservation Commission acquired the project lands (at a cost ten times less than their current price). However, the restoration proposed by the city turned out to be inadequate to address the injuries at the site, resulting in a hiatus on the project from 2003-2010. However, in 2011, spurred by the completion of the Jordan River Trail in the area, West Jordan and the FWS worked with the National Park Service’s Recreational Trails and Conservation Assistance (RTCA) program to bring stakeholders together to understand the site’s issues and develop a shared vision for a project that would restore the

site as well as provide value to the community living around it.

Out of that process and eight years of planning and fundraising came the 2019 [Big Bend Restoration Plan Update and Environmental Assessment Addendum](#), with \$805,000 from the Sharon Steel NRDAR settlement to be used as funding match for the \$5-8 million project. The new plan adopted by the City called for the Jordan River to be moved from the eastern boundary of the site into a new channel meandering through an “inset floodplain” through the center of the property (see figure above). The western side of the site, between the Jordan River Trail and the new river channel is being developed as a Nature Park, with an urban fishing pond surrounded by trees and pollinator plantings, trails, view points and interpretive signage. The eastern side of the site, between the new and old river channels, will be managed as a limited-entry migratory bird and wildlife reserve. Currently, the western, Nature Park side of the site is about 80% complete, with work being done to finish trails and plantings around the pond, and to develop site access amenities such as a parking lot and restroom facilities. Excavation of the inset floodplain was scheduled for 2023, with connection to the river and planting with riparian vegetation scheduled to be completed by 2025. In addition to habitat restoration at the Big Bend site, Sharon Steel funds will also be used to support a Community Science (also known as “Citizen Science” or “Participatory Science”) program that will monitor changes (hoped-for increases) in vegetation species and structural diversity and ecological services such as use of the site by migratory birds, pollinating insects and other wildlife; improvements in water quality such as decreased sediment transport and

improved water quality flowing out of the site, and floodwater attenuation and storage. This effort will provide high-quality information that will be used for “adaptive management” at the site, document and quantify restoration progress and success, and provide information and data that can be used to design and manage other restoration sites. This effort is also being supported by ORDA’s RSU, which aims to increase the quality and efficacy of NRDAR restoration projects throughout the United States.



*Community Scientists collect river cross-section measurements
(Photo: Dan Potts)*

Once completed, the [Big Bend Nature Park](#) will become one of the “gems” of the Jordan River, providing quality wildlife habitat, improved water quality, recreational access, and increased opportunities to observe, understand and study wildlife, natural resources, ecology and sustainable urban development in the heart of one of the most densely populated areas in Utah.

Inland Oil Spill Preparedness

The Inland Oil Spill Preparedness Program was established in FY 2015 to update and develop training for field-based response personnel. In response to increasing oil spill incidents commensurate with petroleum products demand and aging infrastructure, this program has enhanced the Department's coordination with National Response System planning efforts and increased inland oil spill response readiness. The Department's inland oil spill training course continues to be maintained and provided by the US Fish and Wildlife Service's National Conservation Training Center (NCTC). From 2015 through 2022, ORDA provided 28 one-week-long courses to nearly 700 practitioners – 500 of which were Department staff, 49 other Federal agency staff, and 142 responders from State, local, and Tribal governments. ORDA has also worked with NCTC to hold 20 Oil Spill Response webinars with 4,750 viewers. Through the National Park Service, ORDA has held 2 Cultural Resources Spill Support courses.

Program Overview

The objective for the Inland Oil Spill Preparedness Program is to improve overall preparedness and the ability to respond to inland oil spills in ways that better protect the Nation's natural and cultural resources, historic properties, and public lands. The Department is a primary Federal natural resource trustee with land and natural resources that could potentially be affected by inland oil spills, including those managed by the Department's bureaus, and the trust lands and resources of Native American Tribes. When an inland oil spill occurs, personnel from the Department's bureaus are often among the first responders, along with State and local responders and on-scene coordinators from the Environmental Protection Agency (EPA). Pre-incident preparation requires contingency planning, including response teams efforts, planning, advancing spill response science, and conducting inland oil spill drills. Through the National Response System, the EPA leads the Federal response for inland oil spills, and the U.S. Coast Guard leads the Federal response for spills occurring offshore and in navigable waterways, including major rivers, lakes, and bays.

In FY 2024, the Program will prioritize readiness by updating regional and local spill contingency plans, and through participation in regional and national oil spill exercises.

Program Management

The primary mission of the Office of Restoration and Damage Assessment (ORDA) is to oversee the Department's NRDAR Program. ORDA's Program Management efforts and activities focus on providing the tools, processes, and resources necessary for the Department's bureaus to achieve the efficient restoration of natural resources.

Program Overview

The current funding level provides ORDA the ability to implement its strategic vision, direction, management, and coordination of inter-Departmental activities for the NRDAR program. ORDA manages the intersection and complex interdisciplinary relationships between biology, environmental toxicology, natural resource management, economics, and law. The Program Management functions include allocating damage assessment project funding; monitoring program performance and ensuring accountability; providing the framework for identifying and resolving issues that raise significant management or policy implications; managing the NRDAR Fund; developing the Department's policies and regulations for conducting and managing damage assessment and restoration cases; responding to Departmental, Office of Management and Budget, and Congressional inquiries; and ensuring coordination among Federal, State, and Tribal governments. Program Management funds also cover fixed costs such as office rent, the Departmental Working Capital Fund, and other similar charges.

In 2024, Program Management activities will support ongoing efforts to improve efficiency and effectiveness and to reduce costs. The 2024 request provides funding for staff within ORDA to manage settlement funds, maintain support systems, and promote restoration. In addition, funds will be provided to trustee bureaus and supporting offices for Technical Support Group (TSG) participation and overall program collaboration and support, commensurate with the recent growth in the number and size of settlements and the resulting restoration case workload.

ORDA continues to utilize and refine its information technology tools including the Damage Assessment and Restoration Tracking System (DARTS), an online database system used to house case information, case proposals, and related documents. ORDA will continue to enhance existing tools to improve effectiveness using integrated systems to track damage assessments, restoration actions, and outcomes. This online system supports case management from initiation, through damage assessment, claim close-out, restoration implementation and monitoring, and case closure. Users have the ability to enter information about individual restoration projects and have them displayed on their case pages for the public to view. This system produces functional reports for use by stakeholders; high-quality, accessible, relevant data; and provides a single, efficient location for data and documents. In 2023, enhancements to the system were made to include improvements to the data management library which allows users to search for information across several external repositories housing scientific data including USGS's ScienceBase and NOAA's DIVER system. Users have access to information across a spectrum of other systems which they can then use to support their work on their individual NRDAR cases. In addition to this search capability, DARTS will provide downloadable reports containing information about the study, the case it relates to, and a link to the system where the data is stored, cutting down the time for users

having to search for this information across multiple systems. In 2024, a system upgrade is planned to ensure DARTS is operating in the most efficient manner possible, meeting emerging cybersecurity requirements, and allowing users to access information in a user-friendly format.

ORDA will continue its proactive outreach and coordination with Federal, State, and Tribal co-trustees to address issues of mutual interest among the different levels of government. These efforts will focus on improving assessment and restoration techniques and sharing best practices to increase efficiency and effectiveness while reducing costs.