

2007 Current Fiscal Year Report: Natural Resource Damage Assessment and Restoration Program

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1. Department or Agency

Department of the Interior

2. Fiscal Year

2007

3. Committee or Subcommittee

Natural Resource Damage Assessment and Restoration Program

3b. GSA

Committee

No.

25112

4. Is this New During Fiscal Year?

No

5. Current Charter

05/24/2005 05/24/2007

6. Expected Renewal Date

05/24/2007

7. Expected Term Date

Yes

8a. Was Terminated During Fiscal Year?

none

8b. Specific Termination Authority

05/24/2007

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Terminate

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Enacted

11. Establishment Authority

12. Specific Establishment Authority

agency

13. Effective Date

05/24/2005

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee

16a. Total Number of Reports

16b. Report Date

05/01/2007

Report Title

US DOI Natural Resource Damage Assessment and Restoration Federal Advisory Committee - Final REport to the Secretary

Number of Committee Reports Listed: 1

17a. Open

2 17b. Closed0 17c. Partially Closed0 Other Activities0 17d. Total2

Meetings and Dates

Purpose	Start	End
Discuss subcommittee reports; develop committee recommendations	11/29/2006	11/29/2006
Reach consensus on final Committee Recommendations and Final Report	05/01/2007	05/01/2007

Number of Committee Meetings Listed: 2

	Current FY	Next FY
18a(1). Personnel		
Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel		
Pmts to Federal Members	\$90,000.00	\$90,000.00
18a(3). Personnel		
Pmts to Federal Staff	\$65,000.00	\$65,000.00
18a(4). Personnel		
Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$25,000.00	\$25,000.00
18b(2). Travel and Per Diem to Federal Members	\$16,000.00	\$16,000.00
18b(3). Travel and Per Diem to Federal Staff	\$5,000.00	\$5,000.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other (rents, user charges, graphics, printing, mail, etc.)	\$2,000.00	\$2,000.00
18d. Total	\$203,000.00	\$203,000.00
19. Federal Staff Support Years (FTE)	0.50	0.50

20a. How does the Committee accomplish its purpose?

The Committee will provide advice and

recommendations on issues related to the Department of the Interior's authorities, responsibilities and implementation of the natural resource damage provisions of the Comprehensive Environmental Response, Compensation, and Liability Act. The Committee will provide advice and recommendations only. At the request of the NRDAR Program Manager or his/her designee, the Committee will meet periodically to gather and analyze information, discuss assessment and restoration practice issues, and – in an advisory capacity only – to develop recommendations for achieving ecologically sound, timely, and cost effective restoration of natural resources injured by releases of hazardous substances or oil..

20b. How does the Committee balance its membership?

The Committee will consist of a group of up to 30 members – selected from personnel in the Department and other Federal natural resource trustee representatives, as well as representatives from other interested parties – including, but not limited to, state and tribal natural resource trustee representatives, business and industry, and national and local environmental groups. The Committee will reflect the diversity and balance of representation from among the interested party groups necessary to fulfill its purpose. The representatives will be selected by virtue of education, training, knowledge, or experience, and will be qualified to discuss and give informed advice about natural resource damage assessment and restoration practice issues. Non-governmental Committee members must be appointed to represent a particular interest.

20c. How frequent and relevant are the

Committee Meetings?

Estimated Number of Meetings per Year - 4

Estimated Total Meetings - 16

20d. Why can't the advice or information this committee provides be obtained elsewhere?

Over twenty years of experience has shown – with few exceptions – that in spite of the adversarial legal context provided in the Federal statutes that authorize natural resource damage claims, restoration of injured natural resources can be achieved more quickly, more efficiently, and more effectively by utilizing cooperative approaches. In recognition of this, the NRDAR Program Office began a dialogue with various industry officials who represent potentially responsible parties – to identify cooperative approaches for achieving restoration of natural resources harmed by hazardous substances or oil. Strong interest was expressed in extending this dialogue to an intensive exploration of actual practice issues and protocols related to cooperative assessment and restoration of natural resources injured by hazardous substances or oil, in a non-case specific, programmatic context. This approach is squarely in accord with the Secretary's "4-Cs" approach to resolving environmental disputes – "Conservation through Consultation, Cooperation, and Communication."

20e. Why is it necessary to close and/or partially closed committee meetings?

21. Remarks

First meeting December 1, 2005 Second meeting
March 2, 2006 Third meeting July 26-27, 2006
Fourth meeting November 29-30, 2006 Fifth and
final meeting May 1, 2007

Designated Federal Officer

Frank De Luise DFO

Committee Members	Start	End	Occupation	Member Designation
Bascietto, John	05/24/2005	05/24/2007	DOE	Regular Government Employee (RGE) Member
Beehler, Alex	05/24/2005	05/24/2007	DOD	Regular Government Employee (RGE) Member
Bresnick, William	05/24/2005	05/24/2007	Industry	Representative Member
Brighton, William	05/24/2005	05/24/2007	DOJ	Regular Government Employee (RGE) Member
Burlington, Linda	05/09/2006	05/24/2007	DOC/NOAA	Regular Government Employee (RGE) Member
Carlucci, John	05/24/2005	05/24/2007	DOI	Regular Government Employee (RGE) Member
Casano, Pat	05/24/2005	05/24/2007	Industry	Representative Member
Clements, Will	05/24/2005	05/24/2007	Academia	Representative Member
De Luise, Frank	05/24/2005	05/24/2007	DOI	Regular Government Employee (RGE) Member
Goldsmith, Barbara	05/24/2005	05/24/2007	Industry	Representative Member
Gover, Lisa	05/24/2005	05/24/2007	Tribal	Representative Member
Hartman, Barry	05/24/2005	05/24/2007	Industry	Representative Member
Helm, Roger	05/24/2005	05/24/2007	DOI/FWS	Regular Government Employee (RGE) Member
Jensen, Tom	05/24/2005	05/24/2007	Industry	Representative Member
King, Nancy	05/24/2005	05/24/2007	State of Indiana	Representative Member
Kress, Stephen	05/24/2005	05/24/2007	Environmental Organization	Representative Member
Landis, Wayne	05/24/2005	05/24/2007	Academia	Representative Member

Mueller, Jon	05/24/2005	05/24/2007	Environmental Organization	Representative Member
Polasky, Steve	05/24/2005	05/24/2007	Academia	Representative Member
Potter, Craig	05/24/2005	05/24/2007	Industry	Representative Member Regular
Ricker, Rob	05/24/2005	05/24/2007	DOC/NOAA	Government Employee (RGE) Member
Seiler, Richard	05/24/2005	05/24/2007	State of Texas	Representative Member
Shurtleff, Mark	05/09/2006	05/24/2007	State of Utah	Representative Member
Smith, Michael	05/24/2005	05/24/2007	Industry	Representative Member
Stahl, Ralph	05/24/2005	05/24/2007	Industry	Representative Member Regular
White, Sharmian	05/24/2005	05/24/2007	DOA/FS	Government Employee (RGE) Member
Wooley, Charles	05/24/2005	05/24/2007	DOI/FWS	Regular Government Employee (RGE) Member
Work, Shannon	05/24/2005	05/24/2007	Tribal	Representative Member
Young, Dale	05/24/2005	05/24/2007	State of Massachusetts	Representative Member

Number of Committee Members Listed: 29

Narrative Description

Two committee meetings were held in FY 2007. The Committee completed its work and produced a final report to the Secretary containing several recommendations and a proposed 'tiered approach' for implementation.

What are the most significant program outcomes associated with this committee?

Checked if
Applies

Improvements to health or safety

☐

Trust in government

☐

Major policy changes

☒

Advance in scientific research

☐

- | | |
|---|-------------------------------------|
| Effective grant making | <input type="checkbox"/> |
| Improved service delivery | <input type="checkbox"/> |
| Increased customer satisfaction | <input type="checkbox"/> |
| Implementation of laws or regulatory requirements | <input checked="" type="checkbox"/> |
| Other | <input type="checkbox"/> |

Outcome Comments

DOI began implementation of the Committee recommendations in the summer of 2007. Final outcomes are anticipated to include regulatory revisions and improved guidance documents, leading to improved environmental health.

What are the cost savings associated with this committee?

Checked if Applies

- | | |
|----------------------------|-------------------------------------|
| None | <input type="checkbox"/> |
| Unable to Determine | <input checked="" type="checkbox"/> |
| Under \$100,000 | <input type="checkbox"/> |
| \$100,000 - \$500,000 | <input type="checkbox"/> |
| \$500,001 - \$1,000,000 | <input type="checkbox"/> |
| \$1,000,001 - \$5,000,000 | <input type="checkbox"/> |
| \$5,000,001 - \$10,000,000 | <input type="checkbox"/> |
| Over \$10,000,000 | <input type="checkbox"/> |
| Cost Savings Other | <input type="checkbox"/> |

Cost Savings Comments

Unable to determine at this date as the Department of the Interior is still in the process of implementing the Committee recommendations. what those recommendations will be.

What is the approximate Number of recommendations produced by this committee for the life of the committee?

17

Number of Recommendations Comments

The final Committee report includes 17 recommendations, nine of which are highlighted in the executive summary. The time frames for implementing these recommendations varies, and is described in the report as a 'tiered approach' to implementation.

What is the approximate Percentage of these recommendations that have been or

will be Fully implemented by the agency?

100%

% of Recommendations Fully Implemented Comments

DOI intends to fully implement all the Committee recommendations. The Committee recommended a 'tired approach' to implementation of the recommendations. Work is already underway on 11 of the 17 recommendations, but none completed to date.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

65%

% of Recommendations Partially Implemented Comments

To date, DOI has begun to implement 65% (11/17) of the Committee recommendations.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

In October 2007, the Deputy Secretary met with members of the Committee to thank them for their service and to update them on implementation efforts to date.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

The Committee recommendation form a blueprint for many of the current and future activities of the Restoration Program. to date, the Department has drafted regulatory revisions and begun implementation of over half of the Committee's recommendations.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input type="checkbox"/>

Access Comments

N/A