

Deepwater BP Oil Spill

Programmatic Environmental Impact Statement

Public Scoping Comment Summary

Background

On April 20, 2010, an explosion and fire on the *Deepwater Horizon* off-shore drilling rig killed 11 men. The rig sank and left the oil well leaking millions of barrels of oil into the Gulf of Mexico. Under the Oil Pollution Act, those responsible for an oil spill incur liability to clean up the oil and to restore injured public natural resources.

Natural resource trustees, including the National Oceanic and Atmospheric Administration (NOAA), Department of the Interior, and trustee agencies from the states of Florida, Alabama, Mississippi, Louisiana, and Texas, are leading efforts to assess and restore affected Gulf resources.

The Natural Resource Damage Assessment (NRDA) is the process used to evaluate the impacts to natural resources and lost human use of those resources. The trustees continue to collect information on natural resources to assess potential impacts to fish, shellfish, marine mammals, turtles, birds, and other sensitive resources, as well as their habitat (e.g., wetlands, beaches, and coral). Lost recreational human uses, such as fishing, hunting, and beach enjoyment also are being assessed.

The purpose of the NRDA is to quantify injuries to our nation's natural resources, the subsequent loss of resource services, and the time required for natural resources to recover. The outcome of the NRDA is a restoration plan or series of plans that will compensate the public for natural resource injuries and lost use of those resources. There are likely to be many recommendations for specific actions to be undertaken as part of a comprehensive restoration plan.

What's a PEIS?

In accordance with the National Environmental Policy Act (NEPA), the trustees initiated the NEPA process through the development of a Programmatic Environmental Impact Statement (PEIS) for restoration from all the impacts of the Deepwater BP oil spill.

The PEIS will serve as the core planning document for restoration associated with the Deepwater BP oil spill. The purpose of the PEIS is to provide an analysis of potential environmental effects associated with the implementation of proposed types of restoration. To

maximize efficiency and reduce the time needed for restoration planning, restoration planning is being combined with the analysis of legal requirements under a PEIS.

The trustees want to begin the process of restoring your resources as soon as possible. Given the scope of resources affected across five states – and the Gulf itself – and the need to consider different types of restoration to offset those potential impacts, restoration planning must be done comprehensively and include public input up front. A PEIS can also help focus complex restoration needs across the region to help generate more effective restoration projects, and expedite future project implementation.



Members of the public gather for PEIS public scoping meeting

PEIS Public Scoping Process

The public restoration scoping process included meetings held across the Gulf of Mexico and Washington, DC, in March and April 2011. The purpose of the meetings was two-fold:

1. to receive public input on the identification of broad restoration types that can address natural resource injuries resulting from the BP spill, and
2. to receive public input on the environmental and socioeconomic impacts of implementing restoration that the federal government should consider when developing the PEIS.

NOAA began the formal scoping process by publishing a Notice of Intent in the *Federal Register* on Friday, February 17, 2011. The public scoping comment period ended on May 18, 2011.

PEIS Public Comments Received

NOAA received a total of 7,773 comments from 320 individual submissions via www.gulfspillrestoration.noaa.gov, written comments, emails, voicemails, and verbal comments given at the public scoping meetings. Of the 320 submissions, several included identical letters signed by multiple individuals. Each signature is accounted for as a separate comment.

One “comment” is defined as a statement by one individual (whether on behalf of himself or on behalf of an organization). A comment may include multiple ideas related to restoration. In fact, many comments included ideas related to multiple restoration categories.

Of the comments received:

- 23 were completely unrelated to the oil spill (mostly in the form of online scripts or advertisements).
- 61 were spill related but outside the scope of restoration (e.g., comments related to response efforts).
- 137 unique affiliations were represented. Most are environmental non-governmental organizations, and several are organizations representing commercial, social, cultural, or recreation associations.
- The Sierra Club, Sea Turtle Restoration Project, and the Gulf Restoration Network each submitted form letters signed by about 2,500 members each.

Those comments that focused on restoration planning were organized into the following categories:

- land acquisition and conservation;
- marsh restoration;
- hydrologic restoration (e.g. diversions, culverts);
- beach, barrier island, and/or dune restoration;
- submerged aquatic vegetation restoration;
- shellfish restoration;
- marine mammals and sea turtles;
- birds and terrestrial wildlife;
- offshore resources (including corals and excluding resources already listed);
- invasive species removal;
- human use of natural resources;
- socioeconomics;
- implementation approaches (e.g., use of local advisory groups, local labor resources, etc.);
- monitoring and evaluation (i.e., related to restoration); and
- a general category to capture comments not related to any other category

The remaining categories are outside the focus of restoration and include seafood safety, public health, response and assessment, and private claims.

See Figure 1 for a breakdown of comment categories of all comments received. The second chart in the figure provides detail of the “Other” category.

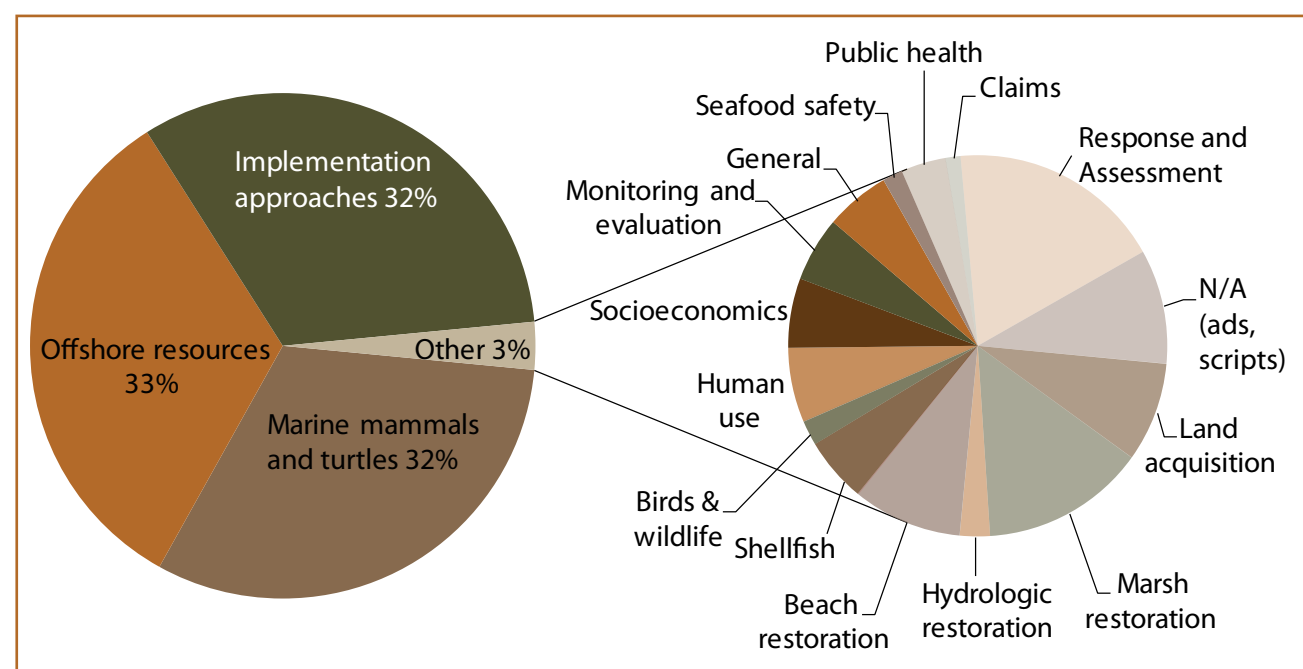


Figure 1. Comment Categories of All Comments Received

Comments by State

Residents and organizations from the Gulf states generated about 73% of the total comments. Figure 2 illustrates the state of residency identified by each commenter and does not necessarily reflect the location of interest or reflect concerns specific to that state. The most frequent comment categories by state:

Florida:

Beach, barrier island, and dune restoration
Response and assessment
Implementation approaches

Alabama:

Response and assessment
Shellfish restoration
Human use of natural resources
Monitoring and evaluation

Mississippi:

Implementation approaches
Public health
Human use of natural resources
Socioeconomics

Louisiana:

Implementation approaches
Marsh restoration
Shellfish restoration
Response and assessment

Texas:

Marsh restoration
Land acquisition and conservation
Offshore resources

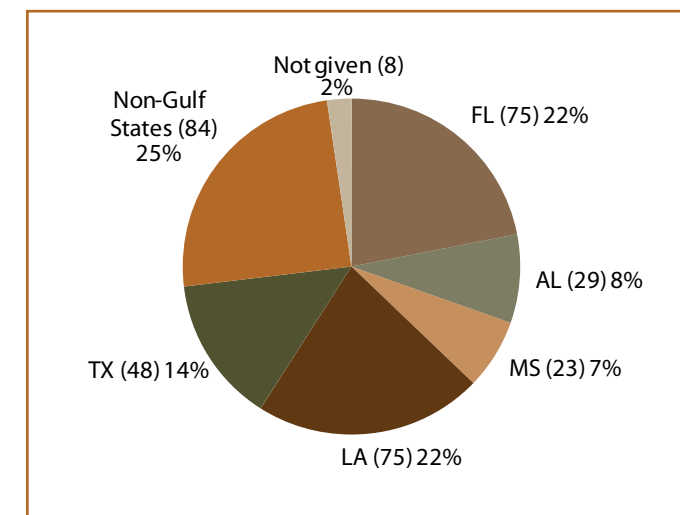
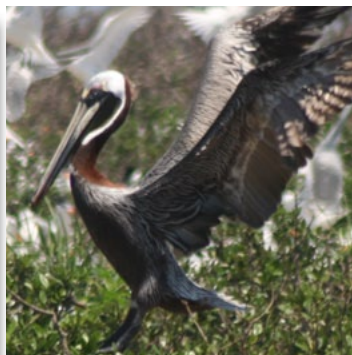


Figure 2. Comments by State Residency as Identified by Each Commenter, Excluding Form Letters

PEIS Summary of All Comments by Restoration Category

Category	Total Comments
Land acquisition and conservation	46
Marsh restoration	2,515
Hydrologic restoration	50
Beach, barrier island, or dune restoration	2,522
Submerged aquatic vegetation restoration	33
Shellfish restoration	63
Marine mammals and turtles	2,493
Birds and terrestrial wildlife	24
Offshore resources, including coral reefs and fisheries	2,614
Invasive species removal	21
Human use of natural resources	39
Socioeconomics	2,594
Monitoring and evaluation	7,513
Implementation approaches for restoration	5,103
General	41



Restoration options may benefit but are not limited to dunes, bluefin tuna, birds, and human use

Deepwater BP Oil Spill Programmatic Environmental Impact Statement Next Steps

All PEIS public scoping comments are being read and considered. The trustees are writing the draft PEIS, which is scheduled to be released to the public for review and comment in fall 2012.

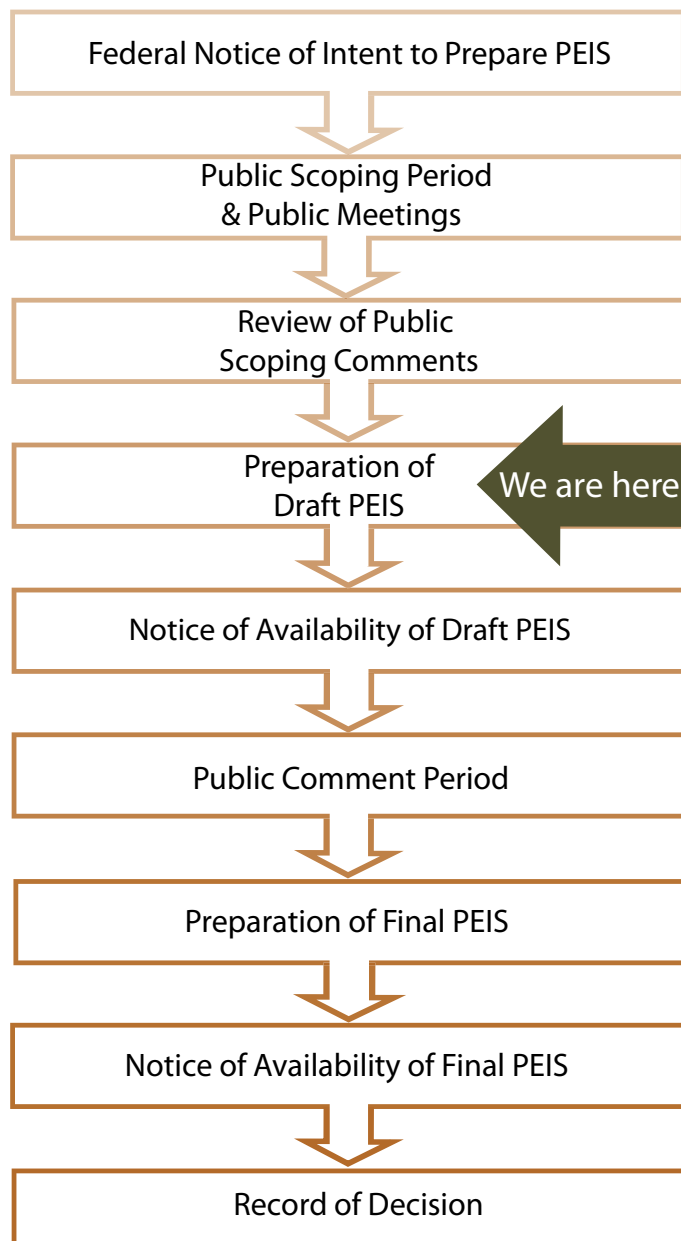
After a second public comment period, the trustees will prepare a final PEIS, scheduled to be released in late 2012.

All PEIS public scoping comments in their entirety have been made a part of the administrative record for this case. Review the comments that met the website publication guidelines (no profanity, no personal information, etc.) at www.gulfspillrestoration.noaa.gov/see-what-others-are-saying.

Simultaneously, the trustees are accepting restoration project ideas for early restoration consideration at www.gulfspillrestoration.noaa.gov/suggest-a-restoration-project. In April 2011, BP and the trustees reached an agreement under which the company will provide \$1 billion for such early restoration projects.

Project selection will follow a transparent process overseen by the trustees. During that process the public will have the opportunity to review proposed projects and comment on a draft early restoration plan. These comments will also become part of the administrative record but are separate from PEIS comments.

The Nine Step PEIS Process



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www.gulfspillrestoration.noaa.gov