

**WRITTEN TESTIMONY OF
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**OVERSIGHT HEARING ON
“GULF RESTORATION: A PROGRESS REPORT THREE YEARS AFTER THE
DEEPWATER HORIZON DISASTER”**

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
U.S. SENATE**

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Introduction

Good morning Chairman Nelson, Ranking Member Wicker, and Members of the Committee. My name is Lois Schiffer, and I am the General Counsel at the National Oceanic and Atmospheric Administration (NOAA), within the Department of Commerce (DOC). Thank you for inviting NOAA to testify before you today on the NOAA’s role in restoring the Gulf of Mexico’s environment and economy following the Deepwater Horizon oil spill.

Background of Restoration Opportunities, Including Importance of Science to Inform Those Opportunities

The Gulf Coast region is vital to our Nation and our economy, providing valuable energy resources, abundant seafood, extraordinary beaches and recreational activities and a rich cultural heritage. A strong and vibrant ecosystem is key to the Gulf’s future. Even before the Deepwater Horizon oil spill of 2010, the ecosystems and economy of the Gulf Coast region (Gulf) were impaired by years of environmental problems, natural events, and resulting economic difficulties. In response to the oil spill and building on prior efforts to help ensure the long-term restoration and recovery of the Gulf Coast region, several large scale restoration efforts have begun including work under the Natural Resources Damage Assessment process; the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (the RESTORE Act), and projects through the National Fish and Wildlife Foundation. The Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) requires companies spilling oil to restore the affected natural resources to the condition they were in at the time of the spill and compensate for lost use of those resources. Almost immediately after the oil spill, the natural resource trustees began the natural resource damage assessment process as an important step. In addition, Congress enacted and President Obama signed the RESTORE Act, which dedicates 80 percent of any civil and administrative penalties paid under the Clean Water Act, after the date of enactment, by responsible parties in connection with the *Deepwater Horizon* oil spill to the Gulf Coast Restoration Trust Fund for ecosystem restoration, economic recovery, and tourism promotion in the Gulf Coast region. A third source of restoration funding has been provided to the National Fish and Wildlife Foundation (NFWF), under the criminal pleas by BP and by Transocean, for expenditure on Gulf restoration projects.

Each of these categories of funding stems from a set of conditions and requirements, and each is under the management of a specified and unique set of governance arrangements. The total amount of funds that may ultimately be available for restoration under the Natural Resource Damage Assessment and process, and under the RESTORE Act, remains uncertain at this time. Both the NRDA restoration and the RESTORE Act civil penalties are the subject of ongoing litigation. We recognize the importance of coordination across these Gulf restoration initiatives and will work closely with our partners to advance common goals, reduce duplication, and maximize the benefits to the Gulf Coast region. Federal, State, and local agencies, academic institutions, environmental organizations, and many other partners are actively working to plan and execute significant science and restoration pursuant to the specific authorities that guide each process. It is NOAA's view that all of this restoration and the entire region will benefit from collaborative work towards a science-based approach that focuses on the overall long-term health, prosperity, and resilience of the Gulf Coast region.

At NOAA, we have worked to stand up the NOAA Gulf Coast Ecosystem Restoration Science Program provided for in the RESTORE Act, and to use that as a basis to create collaboration and consultation among the scientists working on the other restoration components as well. This cooperation is non-binding and collaborative and is only one piece of the larger science coordination puzzle which will need to take place across all of the various scientific entities to share information and ideas and, to the extent possible and practical, harmonize activities and investments to achieve the best results. This coordinated science approach provides a sound foundation to support all the restoration efforts. Using this science approach as a model, we are also working to develop voluntary collaboration among the management entities, understanding that must be done in a way that respects the authority, responsibilities, and standards of each entity (Natural Resources Trustee Council, Gulf Coast Ecosystem Restoration Council, NFWF, science programs) and is done in a manner that expedites rather than slows each process.

Effective restoration will be achieved most effectively if science is the foundation on which all of the approaches build. The importance of science is recognized by the requirements for assessment in the Oil Pollution Act and regulations that establish the NRDA process. Further, the NOAA Gulf Coast Ecosystem Restoration Science Program, described later in my testimony, and the State Centers of Excellence program, are both provided for under the RESTORE Act. The criminal pleas noted above also fund the National Academy of Sciences Gulf Program. Indeed, a strong investment in science is important as support for all of the restoration planning, implementation, and monitoring.

NOAA's Natural Resource Damage Assessment Role

NOAA has several critical roles mandated by the Oil Pollution Act (OPA). For example, from the moment of the Deepwater Horizon spill, NOAA had responsibility under the Act for cooperating on the response. One of NOAA's most important roles under the OPA and implementing regulations is that of a natural resource trustee. As a trustee, NOAA, along with our co-trustees, is charged with conducting a Natural Resource Damage Assessment (NRDA) to assess the natural resources and the damage to them caused by the oil spill and the response, as well as the value of the lost use of those resources until they are restored. This is an injury to the

public, and the public availability of those resources, and is in addition to any individual injury caused by the spill. In conjunction with assessment of the injury, the OPA requires development of a Restoration Plan, developed with public review and input. The NRDA process involves resolution of a claim for funding the restoration plan that is either paid by those causing the spill or submitted as a claim to a federal court for adjudication. The essence of the process is to identify the injury to trust resources caused by the spill, to determine the type and amount of restoration and rehabilitation needed to restore the resources to their pre-spill state or provide equivalent alternative resources, and to compensate for lost use by seeking that funding from those who caused the spill. Inherent in this process is the need to assess the injuries to natural resources that are caused by the oil spill itself, as well as those caused by actions carried out as part of the oil spill response. According to NOAA's regulations implementing the OPA, injury is determined relative to baseline, which is "the condition of the natural resources and services that would have existed had the incident not occurred" (15 C.F.R. § 990.30). For restoration, OPA requires the trustees to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resources and services (33 U.S.C. 2706, see also 15 C.F.R. § 990.30) and in doing so there must be a nexus between the types and magnitude of the injury and the restoration.

NRDA permits the trustees to recover not only for the injury to natural resources and services provided by the natural resources, but also for the public's lost uses of those resources, such as recreational fishing, recreational boating, hunting, and swimming, and the protections that effectively functioning marshes provide to the ecosystem. The goal is to assess the injury, and develop and implement a restoration plan that compensates the public for all of the ecological and human use loss injuries.

In general, stewardship of the Nation's natural resources is shared among several federal agencies, states, and federally recognized Indian tribes. NOAA, acting on behalf of the Secretary of Commerce, is the lead federal trustee for many of the Nation's coastal and marine resources.

The Deepwater Horizon NRDA Trustees (Trustees) are the trustee agencies from the states of Florida, Alabama, Mississippi, Louisiana and Texas; and the Department of the Interior (DOI), U.S. Environmental Protection Agency (EPA), NOAA, and U.S. Department of Agriculture (USDA). These nine entities (5 states and 4 federal agencies) have formed a Trustee Council that has worked cooperatively since shortly after the Deepwater Horizon spill to assess compensable injuries caused by the spill, and to develop a restoration plan to restore affected Gulf resources, compensate for lost uses including lost human uses, and to implement those plans. We note that two of the federal agencies — EPA and USDA — were added by Executive Order 13626 of September 10, 2012, and have joined the cooperative efforts since that time.

NRDA regulations explicitly seek participation in the assessment and restoration planning by responsible parties and the Trustees to facilitate the restoration of natural resources and their services injured or lost by oil spills (15 C.F.R. § 990.14(c)(1); 15 C.F.R. § 990.440(d)). The nature and extent of participation in restoration planning is left to the discretion of the Trustees (15 C.F.R. § 990.14(d)). OPA also encourages compensation of injured natural resources in the form of restoration, with public involvement in determining the types and magnitude of the restoration (33 U.S.C. 2706(c)(5)). Indeed, public involvement is an important component of the Oil Pollution Act and of the National Environment Policy Act (NEPA) Environmental

Assessment and Environmental Impact Statement processes that work together to inform decisions about restoration plan developing and implementation.

Assessing injury to natural resources in this context is difficult. Understanding complex ecosystems, the services these ecosystems provide, and the injuries caused by the release of oil and the response takes time – often years. The time of year the resource was injured, the type/source of oil, the amount and duration of the release, and the nature and extent of clean-up are among the many diverse factors that affect how quickly injury to resources can be assessed and restoration and recovery planning and implementation can occur. The OPA requires that the trustees be able to demonstrate connections between the release of the oil, exposure of the resources to the oil, and, finally, a causal connection between exposure and resource injury. Exposure and its effects on the resource can be direct and/or indirect. For example, the health of a dolphin might be adversely affected by being directly exposed to the oil in the water. It can also be exposed and affected by eating prey that becomes contaminated by the oil. But if the oil also adversely affects dolphin prey and causes a decrease in prey, then the dolphins can be affected by this indirect route as well.

In addition, because the Natural Resource Damage Assessment forms the basis for a Restoration Plan that may be litigated, an especially careful level of scientific rigor is required for the studies that are to demonstrate these connections in order to ensure that our studies will be accepted by a court as evidence in the case. For all of these reasons, the assessment and the restoration plan based on it may take a number of years to complete and even more time to implement. We note, for example, that the implementation of the restoration plan for the Exxon Valdez oil spill that occurred in 1989 is still ongoing. The NRDA process requires an objective, scientifically rigorous, and cost-effective assessment of injuries – and development of a restoration plan with public input that assures that harm to the public's resources is fully addressed.

Early Restoration

In April 2011, the Natural Resource Trustees announced an agreement under which BP would provide \$1 billion toward implementation of early restoration projects. This agreement is called the Framework Agreement for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill (Framework Agreement). A separate agreement among the Trustees allocated that \$1 billion as such: the five state trustees, DOI, and NOAA each receive \$100 million for funding early restoration projects pertaining to their primary trust resources. The remaining \$300 million is to be used to fund additional state-proposed restoration projects as selected by NOAA and DOI. All projects must be approved by the Trustee Council. The Framework Agreement represents an initial step toward fulfilling BP's obligation to fund the complete restoration of injured natural resources and compensate for lost use of those resources.

The Trustees' key objective in pursuing early restoration is to achieve tangible recovery of natural resources and natural resource services for the public's benefit while the longer-term injury and damage assessment is under way. As with the more complete assessment and restoration planning process, a restoration plan with opportunity for public input must accompany project selection.

Phase I and Phase II Early Restoration

The first early restoration plan, the Phase I Early Restoration Plan & Environmental Assessment (Phase I ERP/EA), was presented for public review and comment in December 2011 and finalized by the Trustees in April 2012. The eight projects included in the Phase I ERP/EA are now being implemented, and collectively will provide marsh creation, coastal dune habitat improvements, near-shore artificial reef creation, and oyster cultch restoration, as well as the construction and enhancement of boat ramps to compensate for lost recreational use of resources. The total estimated cost for the Phase I ERP/EA is \$62 million.

The trustees presented the Phase II Early Restoration Plan & Environmental Review (Phase II ERP/ER) for public review and comment in November 2012 and finalized it in December 2012. The Phase II ERP/ER projects, of which there are two, will help restore nesting habitats for beach-nesting birds and sea turtles harmed as a result of spill response activities. The total estimated cost for these two projects is \$9 million.

Next Steps for Early Restoration

The Trustees have spent substantial time working on Phase III of the Early Restoration Plan, and are proposing additional restoration projects in an upcoming Phase III Draft Early Restoration Plan (Phase III DERP). Further, the Trustees are developing a Programmatic Environmental Impact Statement (PEIS) under the auspices of the National Environmental Policy Act (NEPA) to evaluate the environmental effects of early restoration project types, as well as the early restoration projects that the Trustees intend to propose in the upcoming Phase III Restoration Plan. Examples of early restoration project types include: create and improve wetlands; protect shorelines and reduce erosion; restore barrier islands and beaches; restore submerged aquatic vegetation; restore and protect fish, oysters, birds and sea turtles; restore and protect the water column; enhance public access to natural resources for recreational use; and promote environmental and cultural stewardship.

At this time, the early restoration projects that the Trustees are evaluating for Phase III of early restoration include the proposed list of projects announced by the Trustees in the *Federal Register* on May 6, 2013 (78 FR 26319-26323). Additional proposed early restoration projects may be added. The Trustees also are currently engaged in a restoration scoping process to ensure that important issues are considered early in the decision making process. This scoping includes several important steps, such as (1) identifying the concerns of the affected public and federal agencies, states, and Indian tribes; (2) involving the public in the decision making process; (3) facilitating efficient early restoration planning and environmental review; and (4) defining the issues and alternatives that will be examined in detail. The Trustees invite public comments regarding the scope, content, and any significant issues the Trustees should consider in the PEIS.¹

¹78 FR 33431 (June 4, 2013)

The RESTORE Act

As we noted above, the Deepwater Horizon NRDA and Restoration Planning process is occurring concurrently with other restoration efforts, including those initiated by the RESTORE Act. The RESTORE Act provides for planning and resources for a regional approach to the long-term health of the valuable natural ecosystems and economy of the Gulf Coast region. The RESTORE Act establishes five categories of funding.

RESTORE Act Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program

As required by the RESTORE Act, NOAA established a Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program, abbreviated as the NOAA Gulf Coast Ecosystem Restoration Science Program, in January 2013. The Program will receive 2.5% of the funds, plus 25% of the interest, from the Gulf Coast Restoration Trust Fund.

The Program NOAA has developed seeks to achieve an integrative, holistic understanding of the Gulf of Mexico ecosystem and support, to the maximum extent practicable, restoration efforts and the long-term sustainability of the ecosystem, including its fish stocks, habitats, and fishing industries. The Program has been established within NOAA and includes engagement with its partners and stakeholders in the Gulf, including the Gulf States Marine Fisheries Commission (Commission) and the Gulf of Mexico Fisheries Management Council (FMC). During program implementation, we will continue regular consultation with the Commission and FMC, as required by the Act, and pursue engagement activities with academia, non-governmental organizations (NGOs), industry, and other partners and stakeholders. As one of several science programs supporting Gulf of Mexico science, NOAA is actively engaging and coordinating with other initiatives, such as the Gulf of Mexico Research Initiative, the Centers for Excellence developed under the RESTORE Act, the Gulf of Mexico Program at the National Academy of Sciences, , and the Gulf Environmental Benefit Fund at the National Fish and Wildlife Foundation, as well as with existing regional collaborative groups and research programs, such as the Gulf of Mexico Alliance (GOMA) and the Gulf of Mexico Research Initiative (GOMRI).

NOAA Science Program Background

Shortly after the RESTORE Act was passed, a development team led by senior executives from the National Marine Fisheries Service, National Ocean Service, Office of Oceanic and Atmospheric Research, and USFWS was convened to develop a framework for this new program. The development team worked diligently across NOAA, with the USFWS, and with key stakeholders including the Gulf of Mexico Fishery Management Council, the Gulf States Marine Fisheries Commission, the five Gulf States, federal partners, academic institutions, non-profit organizations and other entities across the Gulf region to solicit guidance in designing the program. The result is a program that will consider the entirety and connectivity of the ecosystem in the Gulf of Mexico; integrate and build on existing research, monitoring, and modeling efforts and plans; leverage existing partnerships already established among federal, state, and academic entities and with NGOs, and develop new partnerships as appropriate; and avoid duplication with ongoing activities in the Gulf of Mexico.

Program Engagement and Coordination

To be successful, the Gulf Coast Ecosystem Restoration Science Program must harness the expertise of the scientific community in the Gulf of Mexico and beyond, and link it to the region's pressing science needs. An engagement process that connects researchers, resource managers, and resource users and allows their collective knowledge to inform the direction of the Program is required. NOAA, working with our USFWS partners, initiated this engagement process early in the program development phase and has continued it as we move to early stages of implementation. NOAA and FWS have already had over 100 meetings with stakeholders including representatives from the Commission, the FMC, universities, federal agencies, and non-governmental organizations. These meetings shaped the Program's current framework and continued engagement over the coming months will inform the Program's goals and priorities.

It is important to keep in mind that this Program is one of several recently created research programs focused on increasing our understanding of the Gulf of Mexico. Others include the Gulf of Mexico Program at the National Academies, the Gulf of Mexico Research Initiative, and the State Centers of Excellence also authorized in the RESTORE Act. These programs will add their activities to the existing federal and non-federal research programs already active in the Gulf of Mexico. NOAA is actively engaging and coordinating with these other new initiatives as well as existing research programs. This includes engaging with the Gulf of Mexico University Research Collaborative, which has assembled a group of organizations funded as a result of Deepwater Horizon to discuss science planning efforts and coordination, as well as discussing coordination mechanisms across federal agencies with on-going scientific activities in the Gulf.

While the categories of restoration and science RESTORE addresses will encompass those undertaken by NRDA, both will be undertaken in a fully-coordinated manner. Those projects that have been already funded through NRDA will be excluded from potential funding in the Gulf Coast Ecosystem Restoration Science Program, and vice versa.

Program Framework

The purpose of the NOAA Gulf Coast Ecosystem Restoration Science Program is to achieve an integrative, holistic understanding of the Gulf of Mexico ecosystem, as well as to support (to the maximum extent practicable) restoration efforts and the long-term sustainability of the ecosystem, including its fish stocks, habitats, and fishing industries.

The Program is being developed with several guiding principles in mind, including:

- Requiring an ecosystem approach, considering the entirety and connectivity of the system;
- Integrating and building on existing research, monitoring, and modeling efforts and plans (e.g., NRDA science, Gulf of Mexico States' Centers of Excellence, Gulf of Mexico Research Initiative, Gulf Coast Ecosystem Restoration Strategy and associated Science Needs Assessment);
- Leveraging partnerships established among federal, state, academics, and NGOs, and develop new partnerships as appropriate;

- Working within a management and policy framework developed with other entities in the Gulf, including USFWS, the Commission, and FMC; and
- Designing a scalable and modular approach that adapts to funding availability, defines the unique roles and responsibilities of NOAA and avoids duplication with federal, state, academic, and NGO activities or NRDA science efforts.

The Program’s emphasis is on conducting and synthesizing science, observations, and monitoring to provide useful information that improves understanding and management of the Gulf of Mexico ecosystem, enhances restoration projects, and supports sustainable fisheries.

Program Focus Areas

To address the broad science categories articulated in the RESTORE Act (marine and estuarine research; marine and estuarine ecosystem monitoring and ocean observation; data collection and stock assessments; pilot programs for fishery independent data and reduction of exploitation of spawning aggregations; cooperative research), NOAA first consulted the numerous documents developed in recent years that identify a wide range of science needs for the Gulf of Mexico, including the Gulf Coast Ecosystem Restoration Task Force’s Gulf of Mexico Ecosystem Science Assessment and Needs (April 2012). Many of these reports were produced with extensive stakeholder input and in consultation with resource managers throughout the Gulf States. Based on review of these documents, and in response to Section 1604 of the Act, NOAA has initially identified the following goals, which are still considered draft pending input from the science community in the Gulf of Mexico:

- Support Healthy, Diverse and Resilient Coastal Habitats
- Support Healthy, Diverse and Sustainable Living Coastal and Marine Resources
- Support Sustainably Managed Fisheries
- Support Healthy and Well-managed Offshore Environments
- Support Healthy, Sustainable, and Resilient Coastal Communities able to adapt to a changing environment

Additionally, four focus areas have been identified by NOAA to ensure that the research, observations, science, and technology are coordinated, complement existing and future efforts (e.g., NRDA science, RESTORE Council), and address the critical knowledge needs facing the Gulf of Mexico ecosystem restoration and management in an integrated and holistic manner.

These focus areas are:

- Periodic “State of health” assessments for the Gulf, incorporating environmental, socio-economic, and human well-being information
- Integrated analysis and synthesis of data - Synthesis and analysis of existing and new data to understand interconnections, inform ecosystem perspective, and produce policy-relevant information
- Ecosystem processes, functioning and connectivity through integrative field/laboratory efforts to provide foundational information to support restoration planning and implementation and fisheries science
- Holistic approaches to observing and monitoring that encompass the next generation of observing and monitoring technologies, including those for fisheries and other natural

resources, and data integration tools focused on the observing needs in the Gulf of Mexico

Program Organization and Next Steps

NOAA has decided to house the Program within the National Ocean Service's National Center for Coastal Ocean Science (NCCOS). NCCOS's experience running grant programs focused on pressing coastal and ocean issues, its experience working in the Gulf of Mexico, and its demonstrated ability to transfer the results of researchers to resource managers make it a logical home for the Program. An Executive Oversight Board and Advisory Working Group established under NOAA's Science Advisory Board will keep the program connected to other research programs within NOAA and the larger science community. A Gulf-based director for the Program will keep the Program grounded in the region.

Development of the Program will be guided by application of the language of the Act to the science needs of the region as described by resource managers, researchers, residents, and other stakeholders. Given that the amount of funds to be made available and the science priorities of other programs established under the Act have yet to be defined, NOAA envisions that its science investments will evolve over time, adapting to changing information and knowledge. As noted previously, considerable work to identify science needs has been conducted in the region and provides an opportune starting point to frame an investment strategy. With additional engagement of partners in the region, NOAA will develop a science plan that seeks to achieve a holistic understanding of the Gulf of Mexico ecosystem that will contribute significantly to the science needed for the long-term sustainability of the Gulf of Mexico ecosystem, including its fisheries, and help inform restoration and management efforts.

NOAA is following a series of steps to implement the Program including:

- Conducting a review and assessment of science needs to support sustainability of the Gulf of Mexico ecosystem that have been determined previously;
- Developing a Science Plan framework that describes the program and lists a set of draft Goals for consideration to assist engagement with partners and stakeholders;
- Engaging partners to identify and prioritize ecosystem and management science requirements and gaps, including but not limited to coordination with other Trust Fund recipients;
- Identifying strategic early investments to assist the integration and synthesis of science priorities and to address known priority gaps;
- Conducting competitive processes for issuing awards for addressing the science needs;
- Continuing refinement of Science plan in coordination with partners through the life of the Program.

The Gulf Coast Ecosystem Restoration Science Program represents an opportunity and capacity to help integrate the disparate science efforts across the Gulf into something that will advance overall understanding of the Gulf of Mexico as an integrated ecosystem—not business as usual. The program will contribute to the science needed for the long-term sustainability of the Gulf of Mexico ecosystem, including its fisheries, and help inform restoration and management efforts. NOAA, with USFWS, has established a program with appropriate oversight, coordination and

engagement mechanisms to help ensure maximum leveraging of resources to meet overall science needs and reduce duplication of effort. This includes explicit efforts to connect with the State Centers of Excellence and other science components of RESTORE, the National Academies of Science Gulf Program, NRDA, and existing Federal and state science and technology programs. NOAA is working with stakeholders and our partners to ensure that this program meets the objectives identified by Congress and to carefully coordinate our efforts with other science programs to obtain the best, most valuable science for the funding that has been dedicated to the Gulf Coast Ecosystem Restoration Science Program.

The Gulf Coast Ecosystem Restoration Council

The following section describing the Gulf Coast Ecosystem Restoration Council is being submitted on behalf of the Department of Commerce.

The Department of Commerce recognizes that a strong and vibrant ecosystem is the key to the Gulf's future. We also recognize this unique and unprecedented opportunity to implement a coordinated Gulf region-wide restoration effort in a way that restores and protects the Gulf Coast environment, reinvigorates local economies, and creates jobs in the Gulf region; these actions will ultimately help to ensure the long-term environmental health and economic prosperity of the Gulf Coast region.

The Commerce Department recognizes that the RESTORE Act builds upon the foundation and the goals set by the Administration of restoring the Gulf Coast ecosystem and economy to a stronger place than before the Deepwater Horizon oil spill. Our goal and commitment is to ensure the long-term improvement and restoration of the Gulf Coast and its unique ecosystems. Under the RESTORE Act, we will focus on restoration that complements the ongoing NRDA process and other efforts. The RESTORE Act establishes the Gulf Coast Ecosystem Restoration Council (the Council) as an independent entity in the Federal Government to help restore the ecosystem and economy of the Gulf Coast region by developing and overseeing implementation of a Comprehensive Plan and carrying out other responsibilities.

The Commerce Department is honored to have been recommended by the Gulf Coast States and selected by the President to serve as Chair. We believe the Department is uniquely positioned to lead this effort because we bring together a diverse range of expertise and experience from across our bureaus, including NOAA's expertise in science-based natural resource restoration, The Economic Development Administration (EDA)'s expertise in sustainable economic development, and International Trade Administration (ITA)'s expertise in travel and tourism promotion, to help implement the integrated approach to Gulf restoration envisioned by the RESTORE Act.

Under the Department's leadership, the Council has been working to ensure that it is ready to move efficiently and effectively to implement a restoration plan once funds become available. Since its establishment, the Council has convened and established basic processes; assembled a transition staff; released *The Path Forward to Restoring the Gulf Coast: A Proposed*

*Comprehensive Plan*² describing the Council's path to developing its restoration plan; hosted public listening sessions in all five Gulf Coast States with over 1,500 individuals in attendance to gather early input on the plan; and recently selected an Executive Director. As soon as funding becomes available, the Council intends to establish an office in the Gulf Coast region. Additionally, the Council has been addressing important issues upfront to help ensure that we do not cause unnecessary delays down the road. This includes addressing environmental compliance considerations and working to ensure regulatory processes associated with restoration projects are effective and efficient.

While the Council faces several challenges, including uncertainty surrounding the ultimate amount and timing of funding that may be available and no current dedicated funding to operate, the Council has been able to make significant progress in a short time. The Council recently released its Draft Initial Comprehensive Plan (Draft Plan) and Draft Programmatic Environmental Assessment for public comment. The Draft Plan establishes overarching restoration goals for the Gulf Coast region; provides details about how the Council will solicit, evaluate, and fund projects and programs for ecosystem restoration in the Gulf Coast region; outlines the process for the development, review, and approval of State Expenditure Plans; and highlights the Council's next steps. The Council expects to release a Final Plan this summer. The Council will continue to build more detail into the Plan and its associated processes as existing uncertainties are resolved, ultimately leading to a comprehensive, region-wide, multi-objective restoration plan over time.

Conclusion

Thank you again, Chairman Nelson and Members of the Committee, for the opportunity to discuss NOAA's role in Gulf of Mexico restoration. I appreciate the Committee's time and attention, welcome any questions, and look forward to working with you further on this important effort.

² 78 FR 32237 (May 29, 2013)