APPENDIX A—COMPARISON OF RELEVANT OPA/NRDA AND NEPA COMPONENTS—Continued

OPA/NRDA process	NEPA parallels
Restoration Implementation Phase	**NEPA Process**
• Procedural Components • Close Administrative Record for Restoration Planning Phase • Opening administrative record for Restoration Implementation Phase • Present Demand • Establish account for recoveries • Implement Final Restoration Plan (includes monitoring/corrective actions)	• Procedural Parallels. —Close original Analysis File/Planning Record. —Open second Analysis File. —"Record of Decision". —Implement Final EIS.

EIS = Environmental Impact Statement.

Appendix B—Considerations to Facilitate the Restoration Process

I. Pre-incident Planning

General

NOAA believes that commitment of time, funding, and personnel to up-front planning prior to an incident will help ensure that the NRDA process results in appropriate restoration plans. Thus, trustees are encouraged to develop pre-incident plans.

Pre-incident Plan Contents

NOAA suggests that pre-incident plans:

(a) Identify natural resource assessment teams. The restoration process needs a systematic, interdisciplinary approach to insure the integrated use of science, economics, and law required in planning and implementing restoration. Trustees are encouraged to identify appropriately experienced personnel needed for natural resource assessment teams at the area and regional levels.

Personnel required for natural resource assessment teams should be appropriate to the scope and scale of the incident and natural resources and/or services affected. For instance, for incidents with complicated or long-term ecological impacts, the core team could include a natural resource trustee coordinator, restoration expert, resource biologist, environmental (petroleum) chemist, resource economist, quality assurance specialist, data manager/sample custodian, statistician, resource attorney, and administrative support specialist. If at all possible, the team should not be *ad hoc*; members should be knowledgeable about relevant statutes and regulations, and be able to establish a working relationship with the various parties likely to be involved in incidents.

(b) Establish trustee notification systems. Prompt notification is essential for efficient and effective initiation of the restoration process. Response personnel are required under the NCP to notify trustees whenever natural resources under their jurisdiction or management have been, or are likely to be, injured or lost as a result of an incident involving oil.

Thus, each trustee should establish emergency notification protocols so that the process can be initiated on a 24-hour basis. Notification could be coordinated to minimize the number of calls response personnel must make to the trustees. Notification protocols are also needed within the trustee agencies so that appropriate regional and local personnel can be informed of an incident. Area and Regional Contingency Plans should include contact information for each trustee and clear, unambiguous criteria for trustee notification (e.g., all spills, spills over a certain size, location, etc.).

(c) Identify likely support services. In many circumstances, the trustees may require specialized contractor support. For example, research vessels may be necessary for sample collection, or outside experts may be necessary to design and conduct studies. If, as part of pre-incident planning, the trustees can identify appropriate support services and pursue contracting procedures that will expedite incident-specific hiring of contractors, potentially detrimental delays in the assessment process can be avoided during actual incidents.

The types of support and expertise expected, as well as potential contractor and expert names, should be identified as part of pre-incident planning. Contracts should be established to allow rapid acquisition of contractor services. Identified contractors may even be called on to participate in pre-incident planning so that all parties are familiar with the specific needs of the restoration process.

Backup services should also be identified since the needs of both response and natural resource activities can exceed even regional capabilities.

(d) Identify natural resources and/or services at risk. In the NCP, regional and area planning committees are responsible for the identification of natural resources under their jurisdiction that are potentially vulnerable to oil spill incidents for given geographic areas. The plans may, for example, identify wetland habitats near oil terminals or bird rookeries near shipping routes. If there is an incident, the response teams will focus their efforts on protection of these natural resources and/or services considered most vulnerable.

Trustees should actively participate in such planning committees to identify natural resources and/or services at risk. Further, trustees should identify and evaluate possible assessment procedures for these natural resources and/or services. In addition to participating actively in regional and area planning activities, trustees should develop a working relationship with response agencies and officials.

(e) Identify available baseline and other relevant information. Trustees should identify and catalogue sources of baseline information as part of pre-incident planning, including seeking input on sources of information. Types of information that may be important include: (1) Petroleum hydrocarbon contamination in indicator organisms; (2) species census and inventory; (3) baseline data on species populations; (4) recreational use statistics; (5) values for selected natural resources and/or services; and (6) restoration measures applicable to injured natural resources and services. Familiarity with the types of baseline information and identification of data gaps and needs will allow the trustees to formulate better study designs and restoration approaches;

(f) Establish data management systems. Data management and record keeping are critical throughout the restoration process. Data management systems may best be designed during pre-incident planning to minimize the possibility of losing critical information during an incident. For small incidents, this may be a relatively simple filing system, but for large incidents, a centralized computer-based system may be essential.

Trustees may decide to develop consistent data management formats, such as field, laboratory and quality assurance forms, to facilitate data management. At a minimum, data management should address the: (1) Type and volume of data; (2) uses and users of the data; (3) availability of existing data management structures; (4) quality assurance needs; (5) reporting requirements; and (6) access to the data. Data management should also include provisions for distribution of updates for the trustees and others on a timely basis; and

(g) Identify assessment funding issues and options. Funding of trustee activities should be addressed during pre-incident planning because of the need to initiate actions expeditiously after an incident. Trustees may have several sources of potential funding, the: (1) Responsible parties; (b) Oil Spill Liability Trust Fund; and (c) agency funding. Trustees should consult the most up-to-date guidance available from the U.S. Coast Guard for access to the Fund and incorporate these procedures into pre-incident planning.

II. Regional Restoration Planning

General

OPA emphasizes making the public whole for injuries to natural resource and/or services. Where practicable, incident-specific restoration is the preferred alternative to compensate the public for their losses. However, for many incidents, such incident-