

PORTLAND HARBOR

Natural Resource Trustee Council



Important Message Regarding New Third-Party Restoration Projects

The Portland Harbor Natural Resource Trustee Council (Trustee Council) has determined that due to (1) the current resource constraints of its restoration planning representatives, and (2) the need to encourage a balance between the supply of and demand for natural resource damages (NRD) restoration credits, the Trustee Council will not assist third-party restoration proponents on any new restoration projects until further notice.

The Trustee Council is involved in a number of restoration projects that are currently in development. The restoration pause does not affect these current projects. Current projects are those where there is 1) a site-specific MOA between the Trustee Council and restoration proponent in place, 2) a conceptual design for the restoration project received by Trustee Council, and 3) a project-specific scope of work and budget developed by the Trustee Council and restoration proponent providing for the Trustee Council technical assistance for the design of the restoration project. This pause also does not apply to restoration projects proposed by potentially responsible parties who currently are working collaboratively with the Trustee Council to achieve settlement of their NRD liabilities if those projects are intended to resolve all or part of their NRD liability.

This pause does not prevent a third-party restoration proponent from proceeding with a restoration project on its own. However, the third-party proponent would be doing so at its own risk with no guarantees that the project would be suitable for NRD credits or for any specific number of NRD credits. If you have any questions, please contact Julie Weis (weis@hk-law.com) or Deirdre Donahue (deirdre.donahue@sol.doi.gov).