

U.S. Department
of Transportation

Director
United States Coast Guard

4200 Wilson Blvd. Suite 1000
Arlington, VA 22203-1804
National Pollution Funds Center Staff Symbol: cm
Phone: (202) 493-6729
FAX: (202) 493-6896

**United States
Coast Guard**

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From: Director, National Pollution Funds Center
To: State Director, Bureau of Land Management, U.S. Department of Interior

Subj: INITIATION OF NATURAL DAMAGE RESOURCE ASSESSMENT (NRDA)

Ref: (a) Your letter 1703(NRDA)(932) of June 28, 1999 to CDR Ryan, NPFC
(b) Your letter 1703(NRDA)(932) of June 28, 1999 to Mr. John Cowden, Garvey, Schubert & Barer

1. Reference (a) requested \$545,381 from the Oil Spill Liability Trust Fund (OSLTF) for the initiation of natural resource damage. Your request was reviewed and is being returned without approval for the reason noted below:
 - a. Substantive changes were made to the Interagency Agreement requesting the funding. The changes included the unsatisfactory deletion of specific responsibilities and agreements the Federal Lead Administrative Trustee is expected to adhere to. Enclosure (1) is provided for your use and guidance in completing an Interagency Agreement that will enable us to maintain our fiduciary responsibility for the OSLTF.
2. In addition, the following comments are provided for your use when redrafting your request:
 - a. Reference (b) indicated a willingness to continue working with the Responsible Party (RP) to resolve their concerns for additional funding and participation in the NRDA process. Have there been any changes in this regard?
 - b. Task 1: Snowy Plover Population Exposure Assessment -- The Exposure Assessment (page 19) indicates the purchase of specific equipment items, i.e., 2 ATVs with trailer, 2 laptop computers, a spotting scope and binoculars. Equipment rental is the preferred OSLTF expenditure. However, if rental is not possible or it is more cost effective to buy the equipment than to rent it, purchases are acceptable. Any equipment that is purchased must be properly disposed of after its use for the INPDA or there will be no reimbursement from the OSLTF.
 - c. It is often unclear exactly what the RP has agreed to fund, e.g., the Task 2 description (pages 18-21) indicated the RP agreed to fund all sub-tasks except D for \$11,492 while the summary table (page 13) indicated an additional \$19,660 is needed. A delineation of items like that in Task 4 would expedite review.
 - d. Task 3: Lost Recreational Use and Cultural Injury Assessment -- What resource injuries are being studied and who is the trustee for these natural resources?
 - e. Task 6: Case Management -- Needs further justification and tie-in to specific tasks. The funding requested appears to be an excessive amount, e.g., the NOAA labor rate of \$1800/manday.
3. If you have any questions, please feel free to contact me or CWO Carl Moberg at (202) 493-6729 or 6730, respectively.

PATRICK E. RYAN
By direction

Encl: (1) NPFC Instruction M5402.1