

## Natural Resource Damage Assessment & Restoration Program

### *Southeast Idaho Phosphate Mine Site — Idaho*



### What is NRDAR?

The **Natural Resource Damage Assessment and Restoration (NRDAR)** Program works in partnership with federal, state and tribal trustees to restore natural resources that are part of the public trust which have been injured by oil spills or hazardous substance releases. Natural resource restoration occurs at no cost to the taxpayer. Compensation for lost resources can come in the form of habitat restoration, increased opportunities for recreation, projects that benefit migratory birds and sensitive species, and more. At the Southeast Idaho Phosphate Mine Site, trustees will use the NRDAR program to evaluate and implement restoration resulting from the release of selenium and heavy metals.

The NRDAR process starts with the assessment of what resources have been injured and to what degree, and then develops a Restoration Plan that describes actions needed to restore injured resources back to the state they would be in but for the presence and effect of the contaminants. The Trustees then negotiate with potentially responsible parties to complete those restoration actions, reaching a settlement that would fund those actions, or taking other legal actions. This process is authorized under the Comprehensive Environmental Response Compensation and Liability Act, the Oil Pollution Act, and the Clean Water Act. The NRDAR Program restores a variety of resources considered to be part of the public trust. These include sources of recreation, migratory birds, threatened and endangered species, and more.

### What are Natural Resources?

Natural resources are defined ([40 CFR 300.5](#)) as water, air, soil, groundwater, and biota (birds, fish and other wildlife and the habitats that support them). The natural resources present and injured at a site vary depending on the site and the nature and distribution of the contaminants. These natural resources are a determining factor when developing the restoration plan. At the Southeast Idaho Phosphate Mine Site, key natural resources that may be addressed by restoration include riparian and wetland habitats that support migratory birds; fish and amphibians, and other wildlife; and fishing and other human recreational uses.

### What is a Trustee? Who are they?

Trustees are defined ([40 CFR 300.5](#)) as federal and state agencies, and tribes who have responsibility to manage natural resources in trust (hence, Trustees) for the American public. Most cases under the NRDAR Program involve multiple agencies acting in trusteeship of natural and cultural resources. This includes federal agencies, state agencies, and tribal governments. At the Southeast Idaho Phosphate Mine Site, the Trustees include the U.S. Department of the Interior, represented by the U.S. Fish and Wildlife Service, the U.S. Bureau of Land Management, and the U.S. Bureau of Indian Affairs; U.S. Department of Agriculture, represented by the U.S. Forest Service, Intermountain Region; the Shoshone-Bannock Tribes; and the State of Idaho represented by the Department of Environmental Quality, and the Department of Fish & Game.

### What is the Public's role in Restoration?

The public plays a critical role in natural resource restoration because the resources being restored are trust resources that are managed for the public good. Also, the public has an opportunity to become stewards of the restored areas that are located within areas of public use, such as within zoned open-space areas. Finally, many good restoration ideas and projects may be identified and accepted by those with interest in the restoration efforts (i.e., stakeholders), so a successful restoration often starts with the public vetting those ideas and projects.

### Highlights of DOI's Restoration Program

- *There are nearly 580 NRDAR cases, in all 50 states, that involve the U.S. Department of the Interior as a Trustee.*
- *Restoration plans are subject to public review and comment to ensure broad support before they are implemented.*
- *Case settlements have reached over \$1B since the Program's creation.*



**Restoration Program**

Natural Resource Damage Assessment & Restoration Program