Natural Resource Damage Assessment Process

Pre-assessment Screen
- Prerequisite to a formal NRDA
  - Is any action by the Natural Resource Trustee Council warranted?
    - YES
  - Has an injury to the natural resources occurred?
    - YES
  - Does a pathway of exposure exist to connect the contamination to those injuries?
    - YES

Assessment Plan
- Confirm contaminant exposure to Trust Resources.
- Develop an Assessment Plan to identify how the potential damages (or compensation) will be determined.
- Document fulfillment of the conditions and the legal NRDA procedures.
- Provide site-specific information needed to estimate injuries or identify needed studies.
- Draft Assessment Plan is available for public review and comment.

Assessment Implementation
- Phase to gather information, measure the injuries and determine the “damages” or compensation.
  - Step 1: Injury Determination
    - Determine injury through modeling or laboratory and field studies.
  - Step 2: Quantification
    - Identify the functions or “services” provided by the resources being injured.
    - Determine the baseline level of these services before the injuries.
    - Calculate the reduction in services resulting from the impacts.
  - Step 3: Damage Determination
    - Determine compensation to be provided by the Responsible Parties in the form of restoration projects or money for restoration.

Post-Assessment
- Prepare a Report of Assessment detailing the results of the Assessment Implementation phase.
- Propose a reasonable number of restoration alternatives including natural recovery.
- Select a preferred alternative based on several factors, including:
  - Technical feasibility.
  - Relationship of costs to benefits.
  - Consistency with response actions.

Phase 1: Assessment Plan and Field Studies
Phase 2: Assessment Implementation to reach early settlements
Phase 3: Litigation-oriented Damage Assessment
Phase 4: Recovery of damages from non-settling parties

Public Comment Opportunity

Portland Harbor Natural Resource Trustee Council

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