ORIGINAL

Seventh Annual Public Meeting of the Deepwater Horizon Natural Resource Damage Assessment Trustee Council

[held virtually via GoToWebinar platform]

Thursday, June 16, 2022

6 p.m. Central

C O N T E N T S

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P R O C E E D I N G S

MR. FRANKLIN: Good evening. My name is Perry Franklin, and I will serve as your facilitator for the Deepwater Horizon Natural Resource Damage Assessment Trustee Council's seventh annual meeting. This meeting also serves as the annual meeting of the Regionwide Trustee Implementation Group.

The Trustees and their representatives will present a lot of useful information tonight, and then you will have a very important opportunity to give the Trustees some feedback.

This meeting is the Trustee Council's third virtual meeting. Whether you are listening via your telephone or your computer audio, please note that we have all incoming audio muted at this time. If you are experiencing technical difficulties and would like to request assistance, please use the questions box located on the right-hand side of the webinar's interface, and we will try to reach out and help you.

We have a court reporter who will transcribe the entire meeting, including your comments. The PowerPoint presentation and the transcript will be posted on the Trustee Council website in the very near future. Also, as you can see, we are providing an American Sign Language interpreter via live video.

The Trustees want me to point out that there are fact sheets on the Trustee Council's website, which is GulfSpillRestoration.NOAA.gov. Let me say that once again because there's a lot of useful information at this website. It is GulfSpillRestoration.NOAA.gov.

When you registered for tonight's webinar, you received an email from webinars@dwhtig.org confirming your registration. That email contains helpful instructions on how to manage your audio during tonight's webinar.

Additionally, you were asked if you would like to make verbal comment. We have received a number of requests, and we responded to each person via email with instructions on making

verbal comment to our listening panel. After the presentation portion of tonight's webinar, we will take verbal public comments and then will follow up with a Q&A period as time allows.

If you didn't make a request to give comment before this meeting, that's okay, as we will explain how to give comment later in tonight's presentation.

So, without further ado, let's go ahead and get started with tonight's content. I'd like to introduce you to Mr. Chris Blankenship, Chair of the Trustee Council.

Chris?

MR. BLANKENSHIP: Thank you, Perry.

Good evening, everyone. Welcome to this annual meeting of the Trustee Council and Regionwide Trustee Implementation Group, and thank you for your interest and attendance.

We do know that we have some elected officials who are in attendance, and we would like to extend a special thanks to them.

Since the settlement with BP in 2016, the

Trustees have held a meeting every year to bring you up to speed on our work. This is our seventh annual public meeting.

In tonight's presentation, I'm going to go over some slides that give you an update of what we've been doing since our last meeting. Then you'll hear an update from each of the restoration area Trustee Implementation Groups, and after that, we want to hear from you.

Perry will facilitate the public comment portion of the agenda, and then after that, we'll have an open house with the questions and answers.

Now let me tell you who the Trustee Council representatives are who are joining us tonight. We have a member representing each of the five Gulf states and a member who represents each of the four federal agencies involved. Many of these names may be familiar to you since quite a few of them were also with us last year.

Lisa Robertson is our Trustee Council representative for Florida. I, Chris Blankenship, am the Trustee representative for Alabama. Chris

Wells represents Mississippi. Bren Haase represents Louisiana. Robin Riechers represents Texas. Mary Josie Blanchard represents the Department of the Interior. Navis Bermudez represents the Environmental Protection Agency. Chris Doley represents NOAA, and Ron Howard represents the USDA.

Just as a quick review of our responsibilities, the Trustees are responsible for restoring the environment and compensating the public for natural resource injuries resulting from the Deepwater Horizon oil spill.

We used a natural resource damage assessment, released in 2016, to determine the extent of the injuries to natural resources and to seek restoration of injuries from the responsible parties.

The goal is to restore injured natural resources, such as wetlands, fish and birds, to the condition they would have been in had the spill not occurred.

We are also responsible for addressing

recreational uses, like boating, fishing, and swimming, that were lost or affected as a result of the oil spill.

Now I'll provide a little bit of background before I talk about our recent activities. This timeline shows the oil spill began in April of 2010. We began the natural resource injury assessment right away.

In April 2011, BP agreed to make $1 billion available for early restoration, even before the injury assessment was complete. So we were able to get a jumpstart on restoration.

From 2011 to 2016, we approved a total of five early Restoration Plans and 65 projects with a combined cost of $866 million. Some of those projects have been completed, while others are still underway.

In April 2016, the federal government and the five Gulf states reached a settlement with BP totaling approximately $20.8 billion. Of the $20.8 billion, the settlement provided $8.8 billion in Natural Resource Damage Assessment

funds, which we call here "NRDA," to support our work restoring the Gulf.

That includes the $1 billion for early restoration. So that means another $7.1 billion was allocated to fund post-April 2016 planning and restoration, and up to $700 million is available for adaptive management of unknown conditions.

On this timeline, you can see that the settlement date indicated here and "Today" indicated along the 15-year timeline for payments by BP of restoration funds.

In the 12 years since the spill, the Implementation Groups have approved more than 270 projects for an estimated cost of approximately $1.9 billion.

Along with the settlement, the Trustee Council finalized a programmatic Restoration Plan. By "programmatic," we mean that the plan includes overarching restoration goals for the entire Gulf ecosystem and broad restoration types that guide development and selection of restoration projects. The plan does not include a list of individual

restoration projects like you often see in Implementation Group Restoration Plans.

To accomplish this huge restoration effort, the settlement established Trustee Implementation Groups, often referred to as "TIGs," focusing on the different restoration areas.

The Trustee Council provides coordination and ensures transparency, fiscal and scientific accountability, and consistency with the programmatic plan and across the Implementation Groups.

Besides determining the total amount of money BP will pay in NRDA damages, the settlement also provided where those funds will be spent. The funds are assigned to geographic restoration areas, one for each state and also two restoration areas called "regionwide" and "open ocean." Then, within each restoration area, funds are assigned to the restoration types that were injured in those areas. The icons indicate which restoration areas apply to each group.

And we'll leave this slide here for just a

second so you can see that.

The Gulf ecosystem is very diverse with a wide variety of natural resources and habitats that depend on each other as shown in this diagram.

The spill injured a wide range of wildlife and habitats. It also negatively impacted recreational opportunities, like fishing and boating. The injuries were across the entire Gulf ecosystem.

Because of those ecosystem-wide injuries, the Trustees, through the Implementation Groups, are taking a comprehensive and integrated ecosystem-level approach to restoring the Gulf, consistent with our programmatic Restoration Plan discussed a few moments ago.

We're seeing some common themes across all the restoration activities.

A lot of our projects are benefiting from multiple Restoration Types, as mentioned before. For example, projects focused on improving water quality also benefit recreational opportunities,

making areas more enjoyable for visitors, and restoration projects in wetlands, coastal, and nearshore habitats can also benefit birds and oyster populations.

When appropriate, we approve projects that span broad geographies.

We are also coordinating across funding sources to maximize Gulf ecosystem restoration. That is, along with NRDA funding, we're leveraging funds managed through other entities, including local and state agencies, the RESTORE Council, Gulf Environmental Benefit Fund that's managed by the National Fish and Wildlife Foundation, and NOAA's National Estuarine Research Reserve.

As we implement restoration projects, it is imperative that we manage them well and monitor their success. This monitoring and adaptive management evaluates the success of current projects and adapts them, as needed, to ensure that we maximize resource restoration. We can also use our monitoring information for future projects to improve their results.

Here is an update on the Monitoring and Adaptive Management work group, which is overseen by the Trustee Council and supports the TIGs in their Monitoring and Adaptive Management work.

The work group continues to build off the previously released Monitoring and Adaptive Management Manual to develop new guidance for restoration projects focused on birds, marine mammals, sea turtles, mesophotic, fish, and other restoration types.

The Monitoring and Adaptive Management Work Group is continuing to evaluate and make recommendations regarding our data management.

The work group also supported the development of the 5-year programmatic review, which you'll hear a little bit more about next.

The Trustee Council is committed to proactively communicate and report about our work. We're continuing to communicate progress through our annual reporting. This year we produced more than 270 project reports and our usual annual financial summary, all of which can be found on

the Gulf Spill website.

In 2021, we posted almost 60 different articles and updates to the Gulf Spill Restoration website, driving more than 100,000 visits to the site.

We also updated the site with new features to make it easier to access information, including a feature that shows all the Restoration Plans out for public comment at any given time and one-click access to provide public comment to those plans.

The Trustee Council's 2016 Programmatic Restoration Plan provides that the Trustees for the Deepwater Horizon oil spill may reexamine the restoration program to track progress towards meeting restoration goals and evaluate any potential needs for program adjustments.

To fulfill these commitments, the Trustees released the first Deepwater Horizon Natural Resource Damage Assessment Programmatic Review in November of 2021. The Programmatic Review provides an in-depth look at restoration progress through the end of 2020.

The Programmatic Review includes summaries of administrative and financial information, public engagement activities, monitoring data, and project accomplishments, some of which are shown to the right of this slide. The document also includes other metrics that support restoration program evaluation.

We'll include the URL to the document in the chat for easy reference.

The Programmatic Review is 100 pages. So the Trustees also created a story map, which is like an interactive factsheet. The story map has high-level information for administrative oversight, restoration planning, implementation process, monitoring and adaptive management, restoration implementation progress, restoration area updates, and future restoration planning. We found that the story map can be a nice way to explore the Programmatic Review, and we hope you will find it useful since it links directly to specific areas in the document.

We'll also include the URL to the story map

in the chat for easy reference.

Now we start the updates from the Trustee Implementation Groups on what they are doing for their restoration areas. As you hear from each representative, you'll hear some common themes. As we plan for future restoration, we are getting public input early in the process.

Generally speaking, the Trustee Implementation Groups have focused on a variety of activities, including restoring the Gulf's coastal habitats and access to those habitats. They are also looking at improving water quality and addressing living coastal marine resources, which include birds, oysters, turtles, and marine mammals.

Perhaps most important for many of you, you'll hear that restoration projects are continuing to move forward, both on the ground and in the water.

To begin, I will share some updates from the state of Alabama.

Again, I am Chris Blankenship, the

Commissioner of the Department of Conservation and Natural Resources in Alabama and the Lead Trustee for the State of Alabama. The other NRDA Trustee for Alabama is Dr. Nick Tew with the Alabama Geological Survey.

Next slide, please.

For the Alabama funding update, $295 million total was allocated to Alabama or allocated for the restoration area for Alabama. We received $192 million from BP to date. Of the $192 million received, $185 million is the approximate amount that's committed to projects and activities as of May of 2022.

Next slide.

The project I'd like to highlight today is the Bayfront Park Restoration and Improvement. Bayfront Park is a 20-acre park on Mobile Bay in South Mobile County that includes wetlands and coastal birding habitats. Park renovations funded by NRDA include construction of a pocket beach, new restrooms and park office, new playground, a new parking area, new boardwalk, pavilions, and

more. The designated conservation areas in the park will continue to be protected.

This project is adjacent to a National Fish and Wildlife Foundation Gulf Environmental Benefit Fund project that will expand and leverage the work that's being done at Bayfront Park to a much larger area that extends to the foot of the Dolphin Island Bridge.

Next slide.

In Alabama, we'll continue the implementation and monitoring of projects. To date, we have had three Restoration Plans in Alabama and many worthy projects that are underway and encourage you to visit the Alabama section of the Gulf Restoration website to see a list of all of the projects and the status of those.

We recently conducted the Governor's Restoration Summit in Alabama in May of 2022 that explained not only the NRDA projects but also the federal RESTORE, Alabama RESTORE, and NFWF projects that are taking place in Alabama, and we produced an Alabama restoration document that's

available on our website.

And I am always available by email or phone for other questions you may have.

Next, I'd like to turn it over to Lisa Robertson with Florida to talk about the Florida restoration area and those projects.

MS. ROBERTSON: Good evening. I'm Lisa Robertson with the Florida Department of Environmental Protection, and I have the pleasure of representing the Florida Trustee Implementation Group tonight.

Next slide.

Seventy-one projects and planning activities have been approved in the Florida restoration area. In total, these projects and activities cost an estimated $251 million out of the $351 million received from BP so far.

As our total allocation is $680 million, we still have over $429 million in funds to conduct future restoration projects and activities as well as administrative oversight and adaptive management in Florida.

Next slide.

The Florida TIG has completed construction of about 15 projects through early restoration in our first post-settlement Restoration Plan. We held a virtual public meeting for the Florida TIG's annual public meeting in December of 2021. In June 2021, the Florida TIG approved its Restoration Plan II which includes 18 projects for implementation. Restoration types included in the plan are habitat projects on federally managed lands, sea turtles, marine mammals, birds, and providing enhanced recreational opportunities.

In April of this year, the TIG released the draft Restoration Plan for the fourth phase of the Phase 5 Florida Coastal Access Project for public comment, which proposes the Dickerson Bay addition.

In May, the TIG held one virtual meeting and one in-person meeting to collect public comments.

Next slide.

Our featured project is the Phase 3 Early Restoration Florida Pensacola Bay Living Shoreline

Project. Construction of this project was recently completed. This project uses living shoreline restoration techniques to provide shoreline habitat and reduced erosion at Project Greenshores Site 2 within Pensacola Bay. Breakwaters were constructed to reduce wave energy and create reef and saltmarsh habitat. Approximately four acres of reef habitat and nine acres of saltmarsh habitat were created along this urban shoreline of Pensacola, Florida.

With the successful construction of the living shoreline, NOAA will begin five years of post-construction monitoring to determine whether the project achieves the desired breakwater specifications and thick secondary productivity and saltmarsh habitat creation.

Next slide.

In addition to continuing to implement and monitor early restoration projects and final RP 1 and RP 2 restoration projects, the Florida TIG is in the process of finalizing the Phase 5.4 Florida Coastal Access Projection Restoration Plan. The

final plan should be released to the public next month.

The Florida TIG plans on starting restoration planning for its third Restoration Plan later this year, which may include the restoration types, water quality, and habitat projects on federally managed lands.

And, finally, the TIG will hold its annual public meeting in late fall of 2022.

Thank you for your time and attention, and now I'll pass it over to Maury Chatellier with the Louisiana TIG.

MR. CHATELLIER: Hey, thank you, Lisa.

Good evening, everyone. As Lisa said, my name is Maury Chatellier, and I am with the Louisiana Coastal Protection and Restoration Authority, and I am here tonight representing the Louisiana Trustees.

Next slide.

As others have done, we'll start with the Louisiana funding update. To date, the Louisiana Trustees have approved or committed $1.4 billion

of the just over $2 billion received from BP so far. Once the LA TIG receives its full funding after the 15 years, which will end in 2031, that full allocation will be at $5 billion. The $1.4 billion includes all the dollars allocated via resolution in calendar year '21 through May of this year.

For recent activities for the Louisiana Trustees, we've implemented a significant number of projects from previous Restoration Plans, and we'll touch on just a few tonight.

First off, the large-scale Barataria Marsh Creation Project, this was approved for construction through the LA TIG's Restoration Plan 3.3 and is being implemented by NOAA. This project will build up to 1,190 acres of wetland habitat in the Barataria Basin in Louisiana in an area that is currently open water and highly degraded marsh. Material will be dredged from the Mississippi River and pumped via long-distance sediment pipeline over 13 miles to build a new wetland platform. This project builds upon the

state's Long Distance Sediment Pipeline project where river sediment was dredged to create a reusable pipeline corridor.

Another project that we have ongoing that has started construction since our last update is the Lake Borgne project. This is from Louisiana's Restoration Plan 1.2. This project will create and enhance approximately 2,700 acres of marsh in St. Bernard Parish, making it the largest project ever by acreage ever constructed in Louisiana. This project is utilizing approximately 13 million cubic yards of fill material dredged from Lake Borgne.

And, finally, the Large Scale Marsh and Ridge Restoration, the Spanish Pass Increment, this Restoration Plan, again, 1.2, the project is located in Lower Barataria Basin near Venice, Louisiana. Just over 16 million cubic yards will be dredged from the Mississippi River making this project the largest project ever constructed by volume in the State of Louisiana. The natural channel banks and adjacent marsh in the area had

degraded due to natural and human causes. The objective of the project is to create approximately 137 acres of ridge and over 1,550 acres of marsh habitat. As of the beginning of this month, approximately 4.7 million cubic yards total have been dredged from the river and placed on-site.

We also have three other projects that I'd like to touch on very quickly. These are from Restoration Plan No. 6. Our West Grand Terre barrier island project, this was highlighted at the Trustee Council meeting last year. This is our $92 million barrier island and marsh creation that will complete dredging the end of this month.

This project was delayed, as it took a direct hit from Hurricane Ida last year. The hurricane caused significant losses on the newly dredged sediment, and after a pause in construction, we found additional bar material, and the project, again, just completed dredging operations within the last couple weeks.

Golden Triangle Marsh Creation, this is a

project of $50 million just to the east of New Orleans. Again, a marsh creation project, dredging again in May, and it's scheduled to be completed early next year.

Then, finally, we have the Biloxi Marsh Living Shoreline project. This is a $66 million project over in St. Bernard Parish that is under construction. The project includes installation of multiple shoreline protection features, including wave attenuation devices, devices and shore jacks in an effort to reduce wave-induced erosion. Installation of these units began the beginning of the month, and it's estimated at project completion over 6,000 wave attenuation devices and over 7,000 shore jacks will ultimately be installed. So we're very excited to have all these projects under construction.

And then on the monitoring and adaptive management front activities over the last 12 months, we have continuation of the Louisiana Coastwide Fish and Shellfish Monitoring Program, guidance document for avian habitat restoration

and monitoring and a lower trophic level inventory.

The Trustees also finalized a MAM Strategy planning document that laid out a process for individual Trustees to prioritize monitoring adaptive management activities in Louisiana for effective and efficient evaluation of restoration resources injured by Deepwater Horizon.

After the process was finalized, the Trustees developed and ultimately approved nine separate MAM activities that meet the needs identified in the strategy. Collective approved budgets for these activities was just over $20 million, and it includes 1 to 5 years of funding, depending on the activity.

Again, these activities will provide information to identify data and information gaps needed by the TIG to inform the collective status of recovery of resources injured by the Deepwater Horizon spill.

So the project I'd like to highlight tonight for the Louisiana Trustees is the North Breton

Island Restoration. North Breton Island is located off the coast of Louisiana, 17 miles northeast of Venice and about 63 miles southeast of New Orleans. It's the southern most island in the Chandeleur barrier island chain, and it's part of Breton National Wildlife Refuge in Plaquemines Parish. This project was designed and implemented by the Department of the Interior through the U.S. Fish and Wildlife Service.

The top image you see here is a preconstruction aerial photo of the island taken in October of 2020. The project consisted of hydraulically dredging offshore material to create beach, dune, and back barrier marsh habitat and mangrove habitat to provide nesting and foraging habitat for brown pelicans, terns, skimmers, gulls, and other species affected by the spill. The total cost to implement the project was slightly over $55 million.

A total of about 6.6 million cubic yards of fill material was added to the island. Construction started in November of 2020, and all

the fill material was completed in December of last year. In addition to the fill material, over 14,700 linear feet of sand fencing was added along the dune crest of the island.

And in the bottom photo, you can see a post-construction aerial that was taken in February. This shows the 426 acres of newly constructed island.

The island will be planted with 282 acres of native vegetation on the dune, back barrier marsh platform, and a mangrove marsh area. Plannings for the mangrove area and the dune are expected in the fall of this year, with plannings of the back barrier marsh will take place 1 to 2 years late, as we have to let that marsh platform settle before it's ready to be planted.

Future efforts for the island consist of about 8 years of long-term monitoring of vegetable survival, habitat acreage, bird production estimates, and conditional parameters for island structures like bridges, shoreline position, and sediment volume. So it's a wonderful project to

have complete.

And for our future and ongoing activities, currently the TIG has three draft Restoration Plans underway. Ongoing Restoration Plan EA 3.2, this is our Large Scale Sediment Diversion Project that will reconnect the Mississippi River to Louisiana's Barataria Basin. The project will allow controlled release of fresh water nutrients and sediment back to the basin to rebuild wetlands and contribute to the broader restoration of the ecosystem.

The Trustees have developed a draft plan during the 90-day public comment period for the plan, which closed on June 3rd of 2021. The Louisiana Trustees and the Corps of Engineers received over 40,000 correspondence regarding both the Restoration Plan and the Environmental Impact Statement.

Since that time, the Trustees have been working to review and consider public input, prepare responses, and update the Restoration Plan and EIS where appropriate. Following

consideration of the comments and updates to the Restoration Plan and EIS, the Trustees will determine the appropriateness of the project for funding. That decision will be made after a public release of the final RP and the final EIS.

Also ongoing, Restoration Plan EA No. 8, which focuses on wetland, coastal, and nearshore habitat, looks to initiate one or more projects for design and possibly construction. The draft RP went out for public comment in March of this year. The Trustees accepted comments through April. The plan has been revised and went out to the Trustees the beginning of this month for final review, and actually, that review closed this week, and we're hopeful to have this final Restoration Plan published by the middle of next month, so fingers crossed on that.

And then, finally, we have initiated Restoration Plan 7.1. This is a Phase 2 plan to select construction alternatives for two bird restoration projects that were approved for engineering and design through RP 7. The Trustees

are proposing to select construction alternatives for Isle Au Pitre, which is a small bird island in Northern St. Bernard Parish, just north and west of the tip of the Chandeleur Island chain, and we're also looking to fund for construction alternative for a bird island in Terrebonne Parish. There are several species of greatest conservation need that nest on these islands, and these islands are some of the last remaining brown pelican colonies in the state.

Both islands are dangerously close to being lost to subsidence, sea-level rise, and natural erosive forces. The planning effort for this RP was initiated in February, and we have a very aggressive schedule and hope to have a draft plan out for public comment the middle of next month, with a final plan out before Thanksgiving.

So that concludes the Louisiana Trustee update. At this point, I will turn the presentation over to my good friend, Mr. Chris Wells, representing the Mississippi Trustees.

MR. WELLS: Thank you, Maury, and as he said,

I'm Chris Wells. I'm the Executive Director of the Mississippi Department of Environmental Quality, and I'm representing the Mississippi TIG here tonight.

Before I get to the funding update, I want to point out this title slide here. The theme for tonight from the Mississippi TIG or the project that we want to highlight is really a multicomponent project, Phase 4 Early Restoration Project, and this is an aerial photo of the southern shore of Graveline Bay, which is one of the five components of that project, referred to as the Restoring Living Shorelines and Reefs in Mississippi Estuaries Project.

This particular component was a 12-acre integrated subtidal and intertidal reef, which was completed last August, August of 2021, and it was designed with ridges with a maximum reef height of 6 inches.

For our funding update, you'll see here that the $295 million that was allocated to Mississippi in total, about 56 percent of that funding has

thus far been allocated towards projects. $166 million in projects is either completed or underway, and on June 3rd of this year, just very recently, we published the Restoration Plan 3, which selected over $19 million in projects.

When those funded projects are implemented beginning later this year, we will have committed 184- of the $193 million in settlement funds that have been received to date, and again, ultimately, our total allocation is $295 million.

In terms of recent activities, as I mentioned, we released recently the third Restoration Plan. The draft was released in 2021, and the final plan was released June 3rd. It includes seven projects. One is a habitat on federally managed lands project, one bird project, one sea turtle project, two marine mammal projects, and two recreational opportunity projects.

In February of this year, we requested project ideas and put out a solicitation for project ideas for our Restoration Plan 4, which

may include wetlands, coastal, and nearshore habitats, nutrient reduction, and providing enhanced recreational opportunities.

And as we move forward, we will continue the implementation and monitoring of the projects that have been approved to date. We will finalize our Restoration Plan 4. We're scheduled to release that in the spring of next year. In November, we will hold our annual Restoration Summit. I hope everyone can attend, and at that summit, we will also conduct the annual meeting of the Mississippi TIG as the one component of our summit.

And, again, I mentioned earlier our featured project is the Restoring Living Shorelines and Reefs in Mississippi Estuaries Project. There are several photographs here. I just wanted to, I guess, point these out. In the upper left is Bangs Bayou, which is part of the Grand Bay NERR. We built a 3-acre intertidal reef out of oyster bags and limestone cultch in areas along the north and south banks of Bangs Bayou. The specific reef locations were selected by the Grand Bay NERR

research staff.

The bottom left is a photo of a 90-acre Deer Island subtidal reef, which was completed in January of 2021. It was build in an area with historic oyster reef, and also DMR--Mississippi Department of Marine Resources artificial reef. It was designed with ridges of low and high vertical relief ranging from zero to 3 feet and required 45,000 cubic yards of limestone.

And on the right of the screen is just south of the mouth of Wolf River in St. Louis Bay. This was a 1,600-foot living shoreline breakwater made of oyster-crete rings which you can see to the right. This was the first use of oyster-crete rings in Mississippi.

To the south of the breakwater is a 30-acre variable relief subtidal reef ranging from .2 to 3 feet, which was intentionally placed near an existing TNC reef, which will soon be enhanced and expanded. The construction of this component was completed last February.

And with that, I'll turn the mic over to

Robin Riechers with Texas.

MR. RIECHERS: Thank you, Chris.

Again, my name is Robin Riechers, and I'm with the Trustee Agency of the Texas Parks and Wildlife Department, and I'm representing the Texas Trustee Implementation Group tonight.

For our federal Trustees, I'm representing them as well as my sister agencies, my sister state agencies, the general land office, and the Texas Commission on Environmental Quality.

Next slide. Yes.

Texas is set to receive a total of $238 million. To date, we have received $157 million, and approximately $109 million or 46 percent of the Texas allocation has been committed or allocated for projects or planning activities to date.

Tonight I will be highlighting some of the projects that the TIG has been working on during the past year. The Texas TIG began construction activities associated with McFaddin Beach and Dune Restoration and Pierce Marsh Wetland Restoration

Projects.

In the photograph on the right, elevation is being raised to support marsh vegetation at Pierce Marsh. This is the first phase of a multiphase project.

We have also made significant progress on the construction of a new campground at Galveston Island State Park, which was part of early restoration, and construction on that is nearing completion. It's very near to completion.

From a monitoring standpoint, monitoring is ongoing for the Indian Point Shoreline Erosion Project and is anticipated to begin for the Texas Rookery Island, what we call Dickinson Bay Island No. 2 Project, later this year.

The monitoring for the Laguna Atascosa Habitat Acquisition Project and the Mid-Coast Habitat Acquisition Project are expected to be completed this year.

Our featured project tonight is the Bahia Grande Hydrologic Restoration Project. This project is about 9 miles west of South Padre

Island and located at the intersection of the Bahia Grande in the Brownsville Ship Channel. This project which is currently about to complete construction is restoring the flow of water to an area which has very high salinities and dissolved oxygens that can get so low that not much wildlife can survive. Restoring the flow will help improve salinity and dissolved oxygen fluctuations, providing better habitat for aquatic and wetland species.

This is a strategically important project because it is part of a larger-scale effort, which aims to provide landscape-scale improvements to the Bahia Grande area. To date, this area has received funding and implemented projects that are preserving high-quality habitat and improving hydrology and habitat quality for wildlife.

The Texas TIG will continue implementing 17 active restoration projects. The TIG will continue planning activities associated with the Dressing Point and Rollover Rookery Island Projects, dredge material planning, and Essex

Bayou habitat restoration engineering.

We'll also continue to acquire suitable habitat on Follets Island. Work towards beginning marsh restoration construction at Bessie Heights will continue, and we will continue to implement future phases of the Pierce Marsh Wetland Restoration Project, which you just saw previously.

Additionally, our efforts to restore sea turtle populations in Texas will continue. We're currently in year seven of a 10-year project that seeks to help recover sea turtle populations through enhancing nesting success, preventing mortality through enforcement of current turtle excluder device regulations, and by enhancing stranding and rehabilitation efforts.

During the upcoming year, the Texas TIG will continue progress on finalizing the Restoration Plan, our Restoration Plan No. 2. In the draft Restoration Plan, there were 13 proposed preferred projects, four of which were in the wetlands, coastal, and nearshore habitat restoration type,

two projects addressing nutrient reduction, one project focused on oyster restoration, two projects contributed to the sea turtle restoration I just mentioned, and four projects sought to restore birds. We expect this Restoration Plan to be finalized during this Summer.

Again, I want to thank you for the opportunity to present the work of the Texas Trustee Implementation Group tonight and for you being with us tonight, and with that, I will turn the presentation over to Laurie Rounds who will be representing the Open Ocean Group tonight. Thank you.

MS. ROUNDS: Well, thank you very much, Robin, and hello, everybody. My name is Laurie Rounds with NOAA, and I'd like to provide the update for the Open Ocean Trustee Implementation Group.

The federal Trustees make up the TIG with representatives from NOAA, the Department of the Interior, U.S. Environmental Protection Agency, and the U.S. of Agriculture.

The Open Ocean TIG has committed approximately $340 million for restoration planning and implementation out of the $518 million in settlement funds that have been received to date from BP. Additional information about how these funds have been committed is available in this year's funding chart, which you can find on our Web page.

So, next, I'd like to share some information about our restoration activities. The Open Ocean Trustees are implementing 21 restoration projects that were approved in our first two Restoration Plans. We're also nearing completion on three early restoration projects. One of these projects, the Bike and Pedestrian Use Enhancement Project in the Mississippi part of the Gulf Islands National Seashore, began construction this past fall and will soon complete nearly 2 miles of trail, enhancing visitors' experience and improving safety and accessibility.

We will also complete our final year of implementation for the Oceanic Fish Restoration

Project. This early restoration project partnered with fishing vessel owners to voluntarily refrain from pelagic longline fishing to reduce mortality of fish such as swordfish and tuna. This project has made it possible for more than 23,000 fish that would otherwise have been caught to grow and reproduce. As the project comes to a close, the team will meet with participants to learn from their experiences in the project. They will also complete project reporting and monitoring, including a study about the survivorship of released fish.

Implementation also continues for three monitoring and adaptive management activities shown on this slight. I'd like to highlight one of these projects that is evaluating the cumulative impact of multiple stressors on cetaceans. Recently, the project team developed a model of stressor effects on Gulf of Mexico sperm whales. The model will help us plan and understand how reducing the effects of stressors can help to restore injured marine mammal species.

This year, the model will be further developed and reviewed by additional experts to improve its accuracy and prevision.

The Open Ocean TIG is also planning for future restoration. In April, we released a strategic plan to help guide restoration for fish and water column invertebrates. The plan incorporated stakeholder input to identify priority species and set restoration objectives.

Also, this year, we began drafting a third Restoration Plan which will propose projects to restore injured seabird species. Project alternatives are being developed based on our screening of project ideas submitted to the Trustees last year. We anticipate completing the draft plan for public comment this winter.

So, next, I'd like to highlight one of our projects, the Mesophotic and Deep Benthic Communities Coral Propagation Technique Development Project. Coral propagation is a restoration technique that seeks to enhance reproduction of species in the lab and field by

providing natural or artificial materials to enhance settlement of larva and by using techniques such as fragmentation to grow corals.

So, through this project, NOAA and the Department of the Interior are developing special facilities at three labs that are designed to grow deep sea coral species and develop techniques for their restoration.

In 2021, small coral colonies were carefully collected and successfully reared in the NOAA Hollings Marine Lab and the Wetland and Aquatic Research Center managed by the U.S. Geological Services, which is part of the Department of the Interior. Using fragmentation, lab staff were able to produce 18 small coral fragments from just six colonies.

In addition to this success, one species of these corals called Swiftia exserta had male and female colonies that spawned naturally in two labs. The smart and quick-acting lab staff retained the fertilized eggs that settled onto cured ceramic tiles. Tiles are used in the lab to

mimic the substrates that coral would normally use to settle and grow. So, currently, 10 new coral recruits continue to thrive and grow with the help of our partner, the Florida Aquarium. So this may be the first time that this coral species has successfully spawned and recruited in a lab setting. By observing and studying this spawning event, we can learn more and share more about methods to support coral reproduction. It will also help us develop settlement substrates for coral recruitment and restoration sites.

The team is closely monitoring the coral's health and condition in anticipation of expanding to a network of aquaria that will help grow coral and test techniques for the restoration in the Gulf of Mexico.

So there are also many exciting restoration activities happening over the next year. Our deep sea coral restoration teams and several partners have begun multiple at-sea expeditions for more than 150 days at sea across the north central Gulf of Mexico. During these expeditions, we will map

deep sea communications, assess habitat conditions, and collect coral samples for studies to develop restoration techniques.

Our restoration partnerships with fishermen are also expanding. We're partnering with the Return 'em Right campaign to provide descending devices for reef fish restoration. We're also conducting dock-site talks with shrimp fisherman. These have helped us identify bycatch reduction devices that will be tested over the coming year to certify improved technology for reducing finfish bycatch.

We're also working with the shrimp fishery to identify prototypes for small bar spacing and turtle excluder devices, or TEDs. Testing of the prototypes began this summer, and next, the successful prototypes will undergo additional testing with our fishery partners.

We're also restoring birds through our common loon and black tern projects. After conducting multiple field surveys for common loons last year, the project team identified several promising

sites at nesting lakes to construct artificial nest platforms over the remainder of the project.

The project team will also continue to work with league associations and many other partners to enhance habitat.

And, as I mentioned earlier, we're developing our third draft Restoration Plan focused on seabirds. Following its release, we will consider public comments and then select projects for implementation. We anticipate projects will include a range of restoration actions such as enhancing breeding habitat, reestablishing breeding colonies, and reducing seabird bycatch.

So thank you very much, and we look forward to sharing the results of these ongoing activities over the coming year.

Next, Ron Howard will provide the Regionwide Tig update.

MR. HOWARD: Thank you, Laurie.

Good evening, and I hope all is well. I am Ronald Howard with the United States Department of Agriculture, and I'm currently serving as the

Chair of the Regionwide TIG, Trustee Implementation Group, along with Angela Sunley of the Texas Trustee as the Vice Chair.

Next slide, please.

Our TIG's finding, update highlights a commitment of approximately $104 million to date for restoration planning and implementation out of the $156 million received from BP so far.

As a reminder, once the Regionwide TIG receives its full funding after 15 years, the total allocation will be $350 million. For additional detail, please see the funding chart that's located on the Regionwide Restoration Area website.

Next slide.

The Regionwide TIG has been quite busy. Last September, we released our first Restoration Plan. That plan included nearly $100 million for restoration of sea turtles, birds, marine mammals, and oysters.

Lately, we have been busy writing project implementation plans to get all these important

projects underway. We are also continuing to oversee the important monitoring of our early restoration projects.

Our Colonial Waterbird Monitoring Activity is ongoing. This project consists of coastal-wide area nests, photographic surveys, as well as nest dotting for counting analyses.

The Regionwide TIG plans on utilizing information generated from this activity along with the established ongoing small-scale monitoring program. As a part of Regionwide TIG's Restoration Plan 1, approximately 99 acres of property at Fort Morgan Peninsula in Alabama was acquired for conservation in late December 2021.

This $6.5 million land acquisition project provides conservation and enhancement of nesting and foraging habitat for birds. These birds--these types of habitats were injured by the Deepwater Horizon oil spill.

The area is known as Pilot Town for its historical significance as a former location of a community of bar pilots that helped shelfs

navigate sandbars in Mobile Bay. The settlement was destroyed in a 1906 hurricane. Nestled among surrounding homes, resorts, and local business exists a diverse ecosystem that provides a haven for many coastal species.

The Pilot Town property includes sandy shrub scrub, coastal marsh, and several brackish inland lagoons, which provide important habitat for a host of species.

This acquisition was a joint effort of the Trustees from the Alabama Department of Conservation and Natural Resources and the Department of Interior as well as The Nature Conservancy.

Next slide.

As for our future activities, we anticipate continuing to implement monitoring of our four early restoration projects. We also hope to begin implementation of the 11 projects approved in Restoration Plan 1.

We are also continuing to work on our Colonial Waterbird Area Surveys and will be

discussing current and future regionwide priorities.

I thank you for your time and attention, and with that, I'll hand the floor back to Perry. Thank you.

MR. FRANKLIN: Thank you, Mr. Howard, and thank you to all of tonight's speakers who prepared such informative updates.

Now we're going to start the public portion of tonight's meeting, public comment portion of tonight's meeting. I'd like to remind each of you that when you registered for the webinar, we provided you the opportunity to sign up to make comment during the meeting. At this time, I'd like to remind you that the Trustee Council representatives shown on your slide are here on the webinar to listen to your public comments, and as with previous Trustee Council public meetings, the Trustees will be listening only but will not be answering questions.

If you have a specific question, please save those and ask them during the next portion of

tonight's meeting, which will be a formal open house where we will address your questions, and that section will be facilitated by Mr. Ben Frater.

And, also, please remember tonight we are handling the NRDA process. So your questions should be germane to the NRDA process.

If you signed up to provide comment, then you should have received an email earlier this week with your number in the speaking order. If you did not sign up to speak, no worries. We will give you directions shortly in how to give a public comment.

As a reminder, all attendees are automatically muted, and we will unmute you when it is your turn to make public comment.

If you have called in using your phone and are planning to speak, you must enter your individual audio PIN. Please note this PIN is different than the access code that you were given.

As shown on the slide, if you are using your

phone, please make sure computer audio is not selected. So just please take a second and look at the screen to orient yourself.

When I call your name, we will unmute your line, and you will have 3 minutes to speak. I thank you in advance for respecting the 3-minute rule.

Prior to making your comments, please state your name for the record, and if you're representing an organization, please state the name of the organization as well.

At this time, I'd like to call our first individual to make public comment. Scott Bushbaum.

Mr. Bushbaum, the floor is yours.

[No response.]

MR. FRANKLIN: It appears that you are self-muted. If you would unmute yourself, Mr. Bushbaum, we would be able to hear.

MR. BUSHBAUM: Thank you.

MR. FRANKLIN: Okay. Please proceed.

MR. BUSHBAUM: Thank you. I'm glad you can

hear me.

First, I wanted to thank you for the opportunity to not only make a comment but just all the work that everyone has put into all of the TIG and all of the monitoring and so forth for the project after what happened.

I was fortunate enough to read the original document that was sent to President Obama when the third-party investigation took place into the reason behind the Deepwater Horizon oil spill in its entirety. It led me to join this Trustee meeting and public comment.

My question is about the Mid-Barataria sediment diversion, which was the last public comment meeting that I had an opportunity to partake in, and my question is, how significant was the damage from the last hurricane? I think there was some mention of Hurricane Ida. If Hurricane Ida did at all impede progress on this, how significant was that damage, and what is the likelihood now that these hurricanes are occurring rapidly and often enough that something like this

could impede project in the future and then costs associated with that being taken into consideration into the monitoring and the costs and build?

MR. FRANKLIN: Does that conclude your verbal comment, Mr. Bushbaum?

MR. BUSHBAUM: It's more of a question than a comment, I suppose, but my comment would then be take into consideration, of course, and I know you are continually monitoring and upgrading all of the work that's being done in light of hurricanes, including Hurricane Ida and future hurricanes and more significantly will be the costs associated to rebuild the Barataria sediment diversion and other buildouts by Army Corps of Engineers due to hurricane and other events, tidal events. And is this being incorporated into the budget drafts as these projects continue?

MR. FRANKLIN: Very good. I'm going to ask the team to try and capture from your verbal comment the questions that you had embedded in that comment, as we have very few individuals

signed up to make public comment. And the next portion of tonight's meeting is geared to be an open house where individuals can have their questions answered, and so if you'll just stay a part of the process tonight, if we don't capture your question perfectly, I would ask you to come back during the next portion and ask that question again where we can have the appropriate individuals in place to answer your question.

Does that conclude the comment that you would like to place into public record?

MR. BUSHBAUM: The comment is to make certain that appropriate funding is being asked from BP and taken into consideration, of course, while impacts from tidal events, including hurricanes, take place over the next 5 to 10 years.

MR. FRANKLIN: Very good. I do thank you for your participation.

At this time, if we could put the previous slide back up. There we go. We want to encourage individuals to make a public comment during this meeting. This is the way your voice is included

in the public record, and this is the way that we have all of the thoughts and hopes and aspirations of the general public included in the process, and so we have numbers of individuals who previously signed up to make public comments, but either the speakers address their concerns in those very comprehensive updates or they had a change of heart.

So, at this time, Mr. Bushbaum is now the only individual on the list to make public comment, and what I'd like to do is just encourage you. If you're looking at this slide and you want to make public comment, we would love for you to enter your name into the questions box to request an opportunity to speak, and I'll be glad to call you forward to put your comment into the public record.

At this time, we'll take about 30 seconds and let individuals who are considering such to enter their name into the questions box, and then we'll call you forward.

[Pause.]

MR. FRANKLIN: And for those who are considering to type in their name, if they'd like to make public comment, please know there's another portion of tonight's agenda where we're going to have a formal open house, and there are some questions that will be answered in the next portion of the agenda. So this does not conclude tonight's meeting. In some of the formats previously, the public comment was the last portion of the agenda.

[Pause.]

MR. FRANKLIN: While we're giving individuals the opportunity to consider making public comment, I just want to remind you of the location of where you can find those fact sheets that the Trustee Council have put together for you, the general public. You can go to the website, GulfSpillRestoration.NOAA.gov, and you can get many fact sheets on these projects.

MR. BLANKENSHIP: This is Chris Blankenship back again. We may have lost Perry from the webinar. I think I see Perry moving now. Maybe

he's back. Let's see. Perry?

MR. FRANKLIN: Was I frozen?

MR. BLANKENSHIP: Yes, sir.

MR. FRANKLIN: Okay. Well, during that moment, I was talking about the location of the fact sheets and where to find those fact sheets, and of course, they're at the Trustee Council's website, which is GulfSpillRestoration.NOAA.gov.

The transcript of tonight's meeting will be posted at that website as well as many fact sheets that are very informative, and we invite the general public to go to those.

Okay. So it looks like we're going to wrap up this portion of tonight's agenda, and we're going to move forward. So, at this time, I'd like to turn the meeting back over to Mr. Blankenship to close this portion of the meeting and to transition us into the formal open house, which includes the Q&A session. Mr. Blankenship?

MR. BLANKENSHIP: Thank you, Perry, and thank you for all of the state representatives that gave the presentation on behalf of the state TIGs and

to our Open Ocean and Regionwide TIG representatives. Thank you for providing that information, and thank you for the public comment that was given.

We are committed to restoring the natural resources of the Gulf of Mexico for years to come and will continue to keep you updated as we strive to maintain our rapid rate of progress.

I'd encourage you to check the website on a continual basis to see updates to projects and to find the most updated information.

Thank you all for attending this presentation. We hope you found this meeting informative.

Now we will transition into the open house or the question-and-answer session with a number of our Trustee representatives.

I'll turn it over to Ben Frater, with the Department of the Interior who will moderate the question-and-answer portion of the open house.

Ben, take it away.

[End of recorded session.]

CERTIFICATE OF REPORTER

I, CHERYL NICHOLSON, Certified Court Reporter, Certified LiveNote Reporter, and Certified Realtime Systems Administrator, hereby certify that the foregoing proceedings were recorded by me stenographically and electronically at the time and place mentioned in the caption hereof and thereafter transcribed by me; that said proceeding is a true record of the testimony given by said participants; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was taken; and further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Cheryl L. Nicholson

CHERYL L. NICHOLSON
Electronic Notary Public in and for the Commonwealth of Virginia
Notary Registration Number- 270604
My Commission expires July 31, 2024.

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