

Timeline of Past & Future Events

This resource provides a timeline of events related to three key Gulf restoration and recovery processes:

NATURAL RESOURCE DAMAGE ASSESSMENT

Under the Oil Pollution Act, the parties responsible for an oil spill must pay to restore the natural resources damaged by it. The amount the parties must pay is determined through a legal process called a Natural Resource Damage Assessment (NRDA).

The Deepwater Horizon NRDA has been in progress since 2010, and is overseen by federal and state natural resource trustees.

CLFAN WATER ACT **RESTORE ACT**

The parties responsible for an oil spill face civil and possibly criminal penalties for violating the Clean Water Act. The RESTORE Act, which was enacted in July 2012, diverts 80% of any civil and administrative penalties paid in connection with Deepwater Horizon to Gulf ecosystem and economic restoration.

The Gulf Coast Ecosystem Restoration Council created by the RESTORE Act has replaced the Gulf Coast Ecosystem Restoration Task Force that President Obama established in October 2010.

CLAIMS & LITIGATION **PROCESS**

The parties responsible for the oil spill must compensate people, businesses, and governments for related economic losses. In addition, individuals can file lawsuits for medical injuries caused by the oil spill or cleanup. Hundreds of lawsuits and claims have been filed.

The U.S. Department of Justice is engaged in litigation with the parties responsible for the spill for removal costs, damages under the Oil Pollution Act, and civil penalties under the Clean Water Act. The government reserved the right to add new claims and defendants in the future.



NRDA

2010 2011

Sept. 27, 2010

Trustees issue notice of intent (NOI) to conduct restoration planning

Feb. 17, 2011

Trustees issue NOI to begin restoration scoping and a programmatic environmental impact statement (PEIS)

Spring 2011

Trustees hold public meetings on PEIS in Gulf communities

- Oct. 2011

meetings in Gulf communities

Apr. 20, 2011

BP and trustees sign early restoration agreement

Dec. 14, 2011

Trustees release Draft Phase I Early **Restoration Plan** and Environmental Assessment

Sept. 21, 2010

Navy Sec. Ray Mabus releases America's Gulf Coast: A Long Term Recovery Plan After the Deepwater Horizon Spill

Aug. 2010 Multi-District Litigation (MDL) 2179 created; cases start to be added

Aug. 23, 2010 Gulf Coast Claims Facility (GCCF) opens to process spill-related claims from individuals and businesses

Oct. 5, 2010

Gulf Coast Ecosystem Restoration Task Force established by Executive Order 13,554

Jan. 11, 2011

National Commission on the BP Oil Spill releases Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling

Oct. 2010

Task Force holds 40 public

July 21, 2011 **RESTORE** Act is

introduced in the Senate (S.1400)

Oct. 5, 2011

RESTORE Act is introduced in the House of Reps. (H.R.3096)

Oct. - Dec. 2011

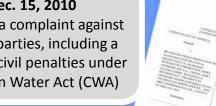
Task Force opens draft restoration strategy for public comment

Dec. 4, 2011

Task Force releases final Gulf of Mexico Regional Ecosystem Restoration Strategy

Dec. 15, 2010

U.S. files a complaint against various parties, including a claim for civil penalties under the Clean Water Act (CWA)





BP and Plaintiffs' Steering Committee agree on key terms of economic damages and medical benefits settlements; transitional court-run claims process opens

Sept. 10, 2012

EPA and USDA added as NRDA trustees by Executive Order 13,626

Nov. 13, 2012

Trustees hold a public meeting for comments on Draft Phase II Plan and Environmental Review

Oct. 10, 2012

Trustees release Draft Phase II Early Restoration Plan and Environmental Assessment

Sept. 10, 2012

Executive Order 13,626 provides that the

Task Force will disband 60 days after the

Restoration Council commences work

Dec. 21, 2012

Following a public meeting and comment period, trustees release Final Phase II Early Restoration Plan and **Environmental Review**

May 6, 2013

Trustees announce intent to propose Phase III Early Restoration projects

June 4, 2013

Trustees announce intent to prepare an early restoration PEIS

June 24 - July 25, 2013

Trustees hold six public scoping meetings on the early restoration PEIS

Dec. 6, 2013

Trustees release **Draft Phase III Early** Restoration Plan and Draft Early **Restoration PEIS**

Dec. 6, 2013 - Feb. 19, 2014

Draft Phase III Plan and Draft PEIS open for public comment

June 29, 2012

Apr. 18, 2012

Following public meetings and

comment period, trustees release

Final Phase I Early Restoration Plan

and Environmental Assessment

RESTORE Act passes as part of surface transportation and federal aid highways act (MAP-21) [Pub. L. 112-141]

July 6, 2012

President Obama signs RESTORE Act, which establishes the Gulf Coast Ecosystem **Restoration Council**

Dec. 11, 2012

Restoration Council holds its first public meeting

Jan. 29, 2013

2013

Restoration Council releases Proposed Comprehensive Plan

Feb. - Mar. 2013

Restoration Council holds public meetings to receive input

May 23, 2013

Restoration Council releases Draft Initial Comprehensive Plan and Draft Programmatic Environmental Assessment (PEA)

May 23 - July 8, 2013

Draft Initial Plan and PEA open for public comment

Aug. 21, 2013

Restoration Council releases Final Initial Comprehensive Plan and PEA (plan approved on Aug. 28, 2013)

Sept. 6 - Nov. 5, 2013

The U.S. Treasury Department's draft procedures for administering the **RESTORE Act Restoration Trust Fund** open for public comment

Feb. 17, 2012

Jan.-Feb. 2012

Trustees hold 12 public meetings

for comments on Draft Phase I

Early Restoration Plan and

Environmental Assessment

DOJ, Coast Guard, EPA, and MOEX announce partial civil settlement (court approved June 18, 2012)

Nov. 15, 2012

DOJ and BP announce criminal settlement (court accepted Jan. 29, 2013)

Jan. 3, 2013

DOJ and Transocean announce criminal settlement (court accepted Feb. 14, 2013) and partial civil settlement (court approved Feb. 19, 2013)

Feb. 25 - Apr. 17, 2013

Phase I of the BP civil trial takes place in New Orleans, LA

Sept. 30 - Oct. 18, 2013

Phase II of the BP civil trial takes place in New Orleans, LA

Mar. 2012

June 4, 2012

Transitional process ends; Deepwater **Horizon Claims** Center opens

Nov. 8, 2012

Court holds fairness hearing on settlements

Dec. 21, 2012

Court approves economic damages settlement

Jan. 11, 2013

Court approves medical benefits settlement

Upcoming Events

The following events are expected in the coming months as Deepwater Horizon restoration and recovery processes continue to unfold in the Gulf. The public will have the opportunity to engage in many of these.

NATURAL RESOURCE DAMAGE ASSESSMENT

2014?

The Trustees will finalize the Draft Phase III Early Restoration Plan and Draft Early Restoration PEIS.

Timing Unknown

Once released, the programmatic environmental impact statement (PEIS) for Deepwater Horizon restoration activities will be open for public comment.

Timing Unknown

The amount the responsible parties will pay for natural resource restoration could be determined via settlement. If so, the "consent decree" - the court judgment approving the settlement – would be open for public comment before it is finalized.

CLEAN WATER ACT & RESTORE

2014?

The U.S. Department of the Treasury will release final procedures for administering the RESTORE Act Restoration Trust Fund.

2014?

The Gulf Coast Ecosystem Restoration Council approved its Final Initial Comprehensive Plan on Aug. 28, 2013. The Council must next develop a 10year funding plan and 3-year list of activities to be funded.

CLAIMS & LITIGATION PROCESS

Jan. 20, 2015

The third phase of the BP civil trial, which will determine Clean Water Act penalties, is scheduled to begin in New Orleans, LA.

Timing Unknown

In the case of a settlement of Clean Water Act civil penalties (that have yet to be resolved), the "consent decree" - the court judgment approving the parties' settlement would be open to the public for comment before it is finalized.