

Department of the Interior Departmental Manual

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Series: Organization

Part 112: Policy, Management and Budget

Chapter 30: Office of Restoration and Damage Assessment

Originating Office: Office of Restoration and Damage Assessment

112 DM 30

30.1 Office of Restoration and Damage Assessment. The Office of Restoration and Damage Assessment (ORDA) is responsible for managing and administering the Department of the Interior's (Department) Natural Resource Damage Assessment and Restoration (NRDAR) Program to restore natural resources under the Department's trusteeship that are injured as a result of oil spills in waters of the U.S. or hazardous substance releases into the environment. The office manages the Department's Restoration Fund; develops guidance, policy, and regulations to facilitate restoration; and works in partnership with other affected State, Tribal, and Federal natural resource trustee agencies to assess and restore injured resources and the public's loss and use of the resources.

30.2 Program Authorities.

A. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended (42 U.S.C. §§9601, et seq.).

B. Oil Pollution Act of 1990 (OPA) (33 U.S.C. §§2701, et seq.).

C. Federal Water Pollution Control Act (FWPCA), (also known as the Clean Water Act (CWA)), as amended, (33 U.S.C. §§1251, et seq.).

D. National Oil and Hazardous Substances Pollution Contingency Plan (NCP), as amended (40 CFR Part 300).

E. CERCLA Natural Resource Damage Assessment and Restoration regulations (43 CFR Part 11), as amended.

F. OPA Natural Resource Damage Assessment regulations (15 CFR Part 990), as amended.

G. Executive Order 11514 – Protection and Enhancement of Environmental Quality, as amended.

- H. Executive Order 11988 - Floodplain Management, as amended.
- I. Executive Order 11990 - Protection of Wetlands, as amended.
- J. Executive Order 12088 - Federal Compliance with Pollution Control Standards, as amended.
- K. Executive Order 12580 - Superfund Implementation.
- L. Executive Order 12777 -. Implementation of Section 311 of the Clean Water Act, as amended, and the Oil Pollution Act of 1990 (OPA).
- M. Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, as amended.
- N. Executive Order 13007 - Indian Sacred Sites.
- O. Executive Order 13016 - Amendment to Executive Order 12580.
- P. Executive Order 13089 - Coral Reef Protection.
- Q. Executive Order 13158 - Marine Protected Areas.
- R. Executive Order 13175 - Consultation and Coordination with Indian Tribal Governments.
- S. Executive Order 13186 - Responsibilities of Federal Agencies to Protect Migratory Birds.
- T. Executive Order 13352 - Facilitation of Cooperative Conservation.
- U. Executive Order 13990 – Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis
- V. Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad

30.3 **Functions.** The office performs the following functions:

A. Identifies and prioritizes Department-wide NRDAR Program needs and develops policy and guidance for approval by the Assistant Secretary – Policy, Management and Budget.

B. Develops and manages the Department’s Restoration Fund budget, manages financial operations to ensure fiscal accountability, and produces financial reports.

C. Coordinates meetings of the Technical Support Group to develop annual funding priorities for NRDAR cases and recommends funding priorities to the Executive Committee for approval.

D. Provides technical assistance in assessment and restoration planning, implementation, and monitoring, as requested by the Department’s Authorized Official for NRDAR cases.

E. Evaluates the performance of Department-wide NRDAR activities including restoration of injured resources.

F. Coordinates the development and promulgation of the Department’s CERCLA NRDAR regulations and monitors developments in NRDAR law and practice that may affect the regulations.

G. Develops and maintains Department-wide NRDAR information management systems.

H. Provides periodic reports detailing the status and accomplishments of the NRDAR Program to the Executive Committee.

I. Ensures consistency in implementation of NRDAR policies among Bureaus/Offices.

J. Provides NRDAR Program representation for elected officials, Federal and State agencies, Tribal governments, other public and private organizations, and the general public.

K. Identifies and develops NRDAR training opportunities.

L. Identifies other NRDAR Program needs and brings them to the attention of appropriate Departmental officials.

M. Provides input to the supervisors of the Technical Support Group members and other personnel funded by NRDAR Program management funds to establish standards and evaluate work performance pertaining to responsibilities in NRDAR Program management.

N. Manages the dispute resolution process in accordance with 521 DM 2.5.

O. Coordinates with the Solicitor and affected Bureaus/Offices on Departmental settlement positions on bankruptcies.

P. Supports the Department's inland oil spill preparedness and response capabilities through training and planning activities.

30.4 Organization. The office is headed by a Director who reports to the Deputy Assistant Secretary – Policy and Environmental Management. The Director provides leadership and management support for the Department's NRDAR Program and serves as the Department's principal contact for NRDAR policy and program issues. The office (see attached organization chart) includes:

A. Deputy Director. The Deputy Director reports to and assists the Director in all aspects of the office activities. The Deputy Director oversees the Restoration Support Unit, headed by the Assistant Director for Restoration. The Restoration Support Unit, located in Denver, Colorado, is made up of multi-disciplinary professionals who assist the Department's NRDAR practitioners in all aspects of natural resource restoration planning, implementation, and monitoring.

B. Restoration Fund Manager. The Restoration Fund Manager reports to the Director, manages all aspects of the Department's Restoration Fund, develops annual Program budgets, and supervises program staff. Program staff work on communication and financial management matters for the Fund.

C. Assistant Director for Operations. The Assistant Director for Operations reports to and assists the Director with the operational aspects of the office activities.

D. Operations Specialists. Operations Specialists report to the Assistant Director for Operations and provide assistance in all aspects of program management.

30.5 NRDAR Technical Support Group. The Director is supported by the NRDAR Technical Support Group which includes representatives from the Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, U.S. Fish and Wildlife

Service, National Park Service, U.S. Geological Survey, Office of Policy Analysis, and Office of the Solicitor.

30.6 **Executive Committee.** The Director chairs the NRDAR Program's Executive Committee that is responsible for overseeing policy direction and approving allocations of resources. The Executive Committee is comprised of a representative at the Assistant or Associate Director level for the Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, U.S. Fish and Wildlife Service, National Park Service, and Office of the Solicitor.