



Beneficial Use of Dredged Material for Wetland Restoration: NRDA Perspective

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Note: The content for this presentation was provided by Angela Sunley, Natural Resource Damage Trustee for the Texas General Land Office. Ray Newby is presenting on her behalf.

Natural Resource Damage Assessment (NRDA) 101

The legal and technical process under state and federal laws to determine the type and amount of restoration needed to compensate the public for harm to natural resources that occur as a result of an unauthorized release of hazardous substances or oil

- Oil Pollution Act
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Clean Water Act
- Texas Oil Spill Prevention and Response Act
- Texas Water Code



Deepwater Horizon NRDA Settlement

Texas allocations:

- Habitats – \$100 million
- Water Quality – \$22.5 million
- Sea Turtles – \$7.5 million
- Birds – \$20 million
- Oysters – \$22.5 million



Texas Deepwater Horizon Trustees (Texas TIG)

- Texas Parks and Wildlife Department
- Texas Commission on Environmental Quality
- Texas General Land Office
- U. S. Environmental Protection Agency (EPA)
- U. S. Department of Commerce, represented by National Oceanic and Atmospheric Administration (NOAA)
- U.S. Department of the Interior, represented by U.S. Fish and Wildlife Service (USFWS)
- U.S. Department of Agriculture (USDA)





Restoration Planning

- Funding paid out over 15 years
- Maximize restoration benefits with available funding
- Success with previous BUDM projects – Pierce Marsh
- Coastwide uplift for Gulf of Mexico species
- Landscape scale approach for restoration

Working with USACE

- Challenges with dredging costs
- Continuing Authorities Program (CAP 204)
 - Section 204 of the Water Resources Development Act of 1992, as amended, authorizes the USACE to implement projects for the protection, restoration and creation of aquatic and ecologically related habitats, including wetlands, or to reduce storm damage to property, in connection with dredging for the construction or operations and maintenance of an existing authorized federal navigation project. There is a \$10.0 million federal project limit.
- Texas General Land Office BUDM MOA with USACE
- Planning with USACE operations for maintenance dredging events
 - Operations Dashboard - View for Hydrographic Surveys and Contract Dates
 - <https://experience.arcgis.com/experience/d4ba5e6561334e259297f0a50bc47127>

Ongoing Work and Next Steps

Ongoing

- CAP 204 Study

Next Steps

- Finalize engineering and design
- Permitting
- Construction



Questions/Discussion

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