

TESTIMONY OF JANE LYDER, DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR, BEFORE THE NATIONAL COMMISSION ON THE BP DEEPWATER HORIZON OIL SPILL AND OFFSHORE DRILLING

Tuesday, September 28, 2010

Chairmen Graham, Reilly, Members of the Commission, thank you for the opportunity to be here today to discuss the impacts of the Deepwater Horizon Oil Spill on fish, wildlife, and their habitats across the Gulf Coast and the Gulf of Mexico.

It has now been more than 165 days since the Deepwater Horizon oil rig exploded and sank nearly 50 miles off Louisiana's coast, triggering the largest oil spill in American history. In the past 10 days, the Unified Area Command announced that the Mississippi Canyon 252 Macondo well is now completely sealed. The sealing of the well was welcome news, and the recovery that has taken place along the Gulf Coast is a testament to the extraordinary work thousands of responders have been doing since April 20 to minimize the impacts of the spill on Gulf Coast residents, the regional economy, and one of the most diverse and dynamic ecosystems in the world.

The announcement marks a milestone in this effort as we shift from response to restoration. Still, I must caution that oil remains in the Gulf of Mexico, and marsh and coastal habitats will continue to be impacted. We will continue to aggressively address this as long as it remains a threat to our natural resources, local communities, and the regional economy.

Over the course of this response, the Department of the Interior, including U. S. Fish and Wildlife Service, National Park Service, Bureau of Land Management, and U.S. Geological Survey, has worked with partners led by our state fish and wildlife agencies to pursue restoration projects and minimize impacts to wildlife and their habitats.

Impacts to Wildlife and Habitat

The Department manages 36 national wildlife refuges and eight national park units along the Gulf Coast from Texas to Florida's peninsula that cover nearly three million acres of pristine freshwater, tidal and terrestrial habitats. There are 38 federally-listed species protected under the Endangered Species Act along the Gulf Coast for which the Service and National Oceanic and Atmospheric Administration (NOAA) Fisheries are concerned about relative to this spill, and 29 of those are endangered.

Approximately 1,000 miles of shoreline have been impacted, affecting approximately 275 miles of Department of the Interior lands. Currently, slightly more than 100 miles of Gulf Coast shoreline is experiencing moderate to heavy oil impacts. Nearly 500 miles of shoreline is experiencing light to trace oil impacts in Louisiana, Mississippi, Alabama, and Florida.

To give you a sense of the ecological value of these coastal habitats, consider that the northern Gulf Coast is home to one of every four Laughing Gulls. Nearly half of the southeastern population of Brown Pelicans – Louisiana's state bird - lives along the northern Gulf Coast and

generally nests on protected coastal islands. The Brown Pelican was taken off the endangered species list along the Gulf Coast less than a year ago. More than 35 percent of the southeastern populations of Royal Terns and Least Terns rely on northern Gulf Coast habitats as well.

The impacts so far have been significant.

Soon after the spill occurred, oil washed ashore at the Breton National Wildlife Refuge, which includes much of the Chandeleur chain of barrier islands, just as Royal Terns, Brown Pelicans, and Least Terns began nesting.

Oil also impacted the Delta National Wildlife Refuge and Grand Bay National Wildlife Refuge on the Mississippi coast. Bon Secour National Wildlife Refuge, a refuge located on the Alabama coast, was hit hard beginning in early June and continued to see impacts through the summer. Gulf Islands National Seashore was the only NPS unit oiled; most of the affected area was sandy shoreline, and a small part was marsh. Approximately 95% of the shoreline was oiled; approximately half of this was heavily oiled, one-quarter medium, and one-quarter light-medium. Much of the shoreline was oiled twice. Oiling of submerged aquatic vegetation at Gulf Islands appears to be low, but data is still being gathered. There has been some injury to seagrass beds and marshlands due to boat propellers and booms used in response activities at both Gulf Islands and Jean Lafitte National Park and Preserve.

Preliminary data as of this past weekend tells us that 8,180 birds have been collected or captured so far. Of those, 2,076 visibly oiled birds have been captured alive. Of those birds, 1,233 have been released back into the wild. The Service is moving aggressively to verify all of the data collected about those birds and is in the process of releasing species-by-species data as it is verified. You can find that information at <http://www.fws.gov/home/dhoilspill/collectionreports.html>. With more than 60 percent of the data verified, the three most affected species appear to be Brown Pelicans, Northern Gannets, and Laughing Gulls.

In early September, biologists with the Service and the Louisiana Department of Wildlife and Fisheries began survey work on nearly 100 bird nesting colonies along the coast. The results of those surveys are currently being analyzed.

The fall migration is underway. Songbirds and shorebirds began their migration to the Gulf Coast in July. Waterfowl began arriving in late August and early September. We know there are significant impacts to marsh and coastal wetland habitats along sections of the Louisiana coast, particularly near Grand Isle, Louisiana. We are continuing to monitor what the full impact will be to migratory birds and other wildlife.

As a result of negative impacts to these habitats, the Service joined with the Natural Resources Conservation Service to implement a Migratory Bird Habitat Initiative aimed at creating additional habitat on the ground by asking farmers to flood their fields. We hope this will reduce the probability of migrating birds coming into contact with oil impacted areas. Our biologists also wanted to try to offset any losses to foraging habitat. Other partners in this effort include Ducks Unlimited and Wildlife Mississippi.

Another important trust resource for us is inter-jurisdictional fish. We are evaluating injury to fish, shellfish, and their supporting habitats. The Gulf of Mexico fishery is complex, and to accomplish this we have segmented the evaluation into ecosystem components including coastal zone fisheries, deepwater fisheries, shellfish, and bottom-dwelling organisms. In addition, the Trustees are developing plans to assess injury to specific species of concern such as the threatened Gulf Sturgeon and whale sharks.

In mid-June, as this year's sea turtle nesting season along the northern Gulf Coast was about to begin, Interior's biologists and those with the Florida Fish and Wildlife Conservation Commission and NOAA began considering a range of steps that could be taken in an effort to limit the potential impacts to sea turtle hatchlings. Among the early concerns was that surface oil could saturate sargassum pads that young turtles depend on for shelter and food and ultimately have a devastating impact on this year's population.

What resulted was partnership to translocate sea turtle nests from the northern Gulf coast of Florida and Alabama to the Atlantic Coast of Central Florida at the Kennedy Space Center. Assistant Secretary of the Interior Tom Strickland captured the gravity of the effort when he said, "This is an extraordinary rescue mission to deal with an unprecedented threat to iconic threatened and endangered sea turtles. Nothing on this scale has ever been attempted, but the scientific consensus is that it is worth the risk given the magnitude of the threat."

We will not know how well this translocation worked for some years. We do know, however, that biologists with the Department of the Interior and NOAA in partnership with staff from the Kennedy Space Center, the National Fish and Wildlife Foundation, the Florida Fish and Wildlife Conservation Commission, FedEx Custom Critical, and scores of volunteer conservationists with the Sea Turtle Network came together to do something extraordinary as oil flowed unabated from the Deepwater Horizon oil well.

In all, 278 nests were moved to an incubation center set up at Kennedy Space Center by the time the effort was suspended in early August as habitat conditions improved. So far, nearly 15,000 hatchlings have been released into the Atlantic Ocean along a 25-mile stretch of Florida's Space Coast.

The translocation effort was suspended in early August after surveys found sargassum habitats in the Gulf of Mexico off the northern Gulf Coast to be in good shape and largely out of harm's way. We continue to monitor those habitats as the end of the nesting season approaches in early October.

Overall, 1,125 sea turtles have been captured alive or collected dead over the course of our response. Of those, 592 were collected dead and 533 have been captured alive. So far, 314 sea turtles have been released to date.

Restoring Natural Resources

Many of the long-term impacts from the oil spill are unknown and may not manifest themselves for years.

To address that, the Department of the Interior is working with the Department of Commerce through NOAA; the States of Texas, Louisiana, Mississippi, Alabama, and Florida; and the Department of Defense to complete a comprehensive natural resource damage assessment and restoration blueprint identifying the injury to natural resources along the Gulf Coast and across the Gulf of Mexico associated with this oil spill. The Department of Agriculture and Tribal governments also have been invited to participate. These Trustees will work together to develop a restoration plan that restores the region's natural resources to their pre-spill condition.

The Natural Resources Damage Assessment and Restoration (NRDAR) program, is leading the effort to manage and control the assessments and appropriate restoration projects, as authorized under the Oil Pollution Act of 1990. The purpose of NRDAR is to restore natural resources injured as a result of oil spills or hazardous substance releases into the environment. The Natural Resources Damages Assessment (NRDA) process focuses on demonstrating a pathway of the oil to natural resources, identifying injured natural resources, determining the extent of the injuries, recovering damages from those responsible, and planning and carrying out natural resource restoration activities to pre-spill conditions at no cost to American taxpayers. The NRDA process may help accelerate activities so this extraordinary ecosystem can be restored more quickly.

The Deepwater Horizon Oil Spill Trustee Council established 13 technical working groups in an effort to focus and organize this work. Those working groups are as follows: Bird Technical Working Group, Water Column Technical Working Group, Fish Technical Working Group, Marine Mammals and Sea Turtles Technical Working Group, Submerged Aquatic Vegetation Working Group, Coral Technical Working Group, Shoreline Technical Working Group, Terrestrial and Freshwater Technical Working Group, Human Uses Technical Working Group, Chemistry Technical Working Group, Cultural Resources Technical Working Group, Data Management Technical Working Group, and Aerial Imagery Technical Working Group.

To address the long-term ecological, economic and health impacts of the Deepwater Horizon oil spill, the President asked Navy Secretary Ray Mabus, a former Mississippi governor and son of the Gulf, to develop a long term Gulf Coast Restoration Plan. Work is moving forward aggressively to build a framework that will allow the people of the Gulf to build upon the recovery process and create a more resilient Gulf Coast for the future.

Conclusion

We're five months removed from the explosions aboard the Deepwater Horizon oil rig that triggered this oil spill. The well is now dead and we are transitioning to restoration of natural resources and revitalization of local economies.

We've documented impacts to fish, wildlife, and their habitats and are working to evaluate the long-term impacts from this spill. There is much that remains uncertain, but we are learning a great deal through the work of some of our nation's best biologists and scientists. Through the effort of the Trustee Council, we will be positioned to better predict the future health of the region's recreational fisheries, its migratory birds and wildlife, and its imperiled species as well as the local tourism economies that those resources support through some of the nation's most robust wildlife-dependent recreational opportunities.

This Administration is committed to helping the people and communities of the Gulf Coast region persevere through this latest environmental and economic disaster. The restoration of the region's rich natural resources to their pre-spill condition and the development and implementation of our integrated Gulf Coast Ecosystem Restoration initiative are evidence of that commitment.

Thank you for the opportunity to present testimony on this important topic this morning. I would be pleased to answer any questions from the Commission.