

Natural Resource Damages Documents and Resource Materials

This reference provides a listing of Natural Resource Damages (NRD) documents and resource materials for use by Trustees in NRD programs. The NRD Documents listing identifies various types of legal documents negotiated between and/or among Trustees, response agencies and responsible parties as well as examples of assessment and restoration plans. Examples of these documents can be obtained by contacting the State and/or agency identified or a member of the ASTSWMO NRD Focus Group. The resource materials section provides an array of more general information important to understanding the development of NRD programs. A listing of ASTSWMO NRD Focus Group members and a partial listing of Trustees and staff contact persons can be found at the end of this document.

Natural Resource Damages Documents	
Documents	State and/or Agency
Memorandum of Agreement Between State and Federal Trustees	TX, IN, CA
Memorandum of Agreement Among Tribal, Federal and State Trustees and Bureau of Indian Affairs Re: NRD Assessment	WA
Memorandum of Agreement Between State Trustee and Department of Defense	OH, MA
Memorandum of Agreement Between Trustees and EPA	IN, TX
Cooperative Management Agreement Among State Remedial Programs, State & Federal Trustees and EPA for NPL Sites	TX
Memorandum of Understanding Between the National Oceanic and Atmospheric Administration and the U.S. EPA	NOAA
Memorandum of Understanding Among EPA, U.S. Coast Guard, Departments of Commerce, Interior, Agriculture, Defense, Energy and Justice	
Memorandum of Understanding Among DOI, ASARCO Incorporated, U.S. EPA, Resurrection Mining Co., Newmont Mining Co., and State of Colorado	CO
Memorandum of Agreement Between Trustee(s) and PRP(s) to Conduct Cooperative Assessments	TX, CA, IN, OH, MA
Cooperative Fund Management Agreement	TX
Tolling Agreement	TX, CA, WA
Fox River/Green Bay Pre-Assessment Screen	www.dnr.state.wi.us/org/water/wm/lowerfox/index.html
Pre-Assessment Screen and Determination Assessment Plan	IN, OH, USFWS, WA, SC
Notice of Intent to File Suit Letter	WI, TX, NY
De Minimis Consent Decree for Natural Resource Damages	NM, MO
Consent Decree/Notice of Lodging	WA
Case Specific Restoration MOA Among Trustees	WA
Agreement with Non-profits for Restoration Implementation	TX
Hudson River Scope	TX, CA
Regional Restoration Plan	www.dec.state.ny.us Outdoors Natural Resources Reports & Data
	Karolien Debusscher, LA Oil Spill Coordinators Office/Office of the Governor (225) 219-5800

Natural Resource Damages Resource Listing	
Statutes, Regulations, and Executive Orders	
Oil Pollution Act (OPA)	US Code: Title 33
Federal Water Pollution Control Act (CWA)	
Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA)	DOI, Office of Environmental Policy & Compliance
Natural Resource Damage Assessment Primer (43 CFR Part 11)	U.S. Fish & Wildlife Service
Executive Summary – CERCLA Natural Resource Damage Assessment Regulations	U.S. Department of Interior Website
Natural Resource Damages Assessment Regulations	43 CFR Part 11 (DOI) 15 CRF (NOAA)
Executive Orders	No. 12580, No. 13016
Court Decisions/Citations	
The Federal Court Locator	The Center for Information Law & Policy www.cilp.org/Fed-Ct/fedcourt.html
United States of America, et. al. vs. Montrose Chemical Corporation of California, et. al.	
Kennecott Utah Copper Corporation v. U.S. Department of the Interior	
United States of America vs. ASARCO Incorporated; Government Gulch Mining Company, Inc.; Hecla Mining Company, Inc.; Sunshine Mining Company, Inc.; Sunshine Precious Metals, Inc.; Coeur d’Alene Mines Corporation; and Callahan Mining Corporation	
United States of America vs. ASARCO Incorporated; Government Gulch Mining Company, Inc.; Hecla Mining Company, Inc.; Sunshine Mining Company, Inc.; Sunshine Precious Metals, Inc.; Coeur d’Alene Mines Corporation; and Callahan Mining Corporation	Case # CV96-0122-N-EJL Filed September 30, 1999
State of Ohio vs. U.S. Department of the Interior	
Environmental Protection Agency (EPA) Information	
Eco Update	The Role of Natural Resource Trustees in the Superfund Process
Map of EPA Regions	www.epa.gov
Basic Superfund and OPA Documents	Explanation of Programs

Natural Resource Damages Resource Listing continued	
Notification and Coordination with Natural Resource Trustees	www.epa.gov (Superfund)
ECO Update – Ecotox Thresholds	OSWER 9345.0-12FSI, January 1996
Superfund Natural Resource Trustee Notification and Coordination Manual	Region X
Natural Resource Damage Assessment	www.issiinc.com/nrd/nrda2.htm
Natural Resource Damages Overview	
State Contact List	www.astswmo.org , ECOS
Notification of Natural Resource Trustee Letter	Proposed use by EPA to notify Trustees
CERCLA Coordination with Natural Resource Trustees	Memorandum from Tim Fields
Natural Resource Damages and Restoration: Integrating the Process Into Spill Response & Contaminated Site Cleanup	Authors: Martin McHugh & Kate Joyce
Restoration Based on Claims for Natural Resource Damages – SER 1996 Conference	Author: Martin McHugh State of New Jersey Website
Natural Resource Damages Under CERCLA, OPA and CWA	Author: Gordon J. Johnson Advanced Environmental Enforcement & Training Seminar New York Attorney General’s Office
Factors Impacting the Development of State Natural Resource Damage Assessment Programs	Author: Tom Eggert Wisconsin Department of Natural Resources
Natural Resource Damage Assessments: An Evolving Approach	Author: Michele Straube Computer Law Reporter, Inc., June 1996
Beyond Cleanup: Restoring America’s Natural Heritage, Facts About Superfund’s Natural Resource Damage Assessment and Restoration Program	U.S. Fish & Wildlife Service
Natural Resource Damages: New Jersey’s New Approach	Author: Dennis J. Krumholz & Marilyn R. Greenberg Environmental Law, February 15, 1999
Green Bay Recreational Fishing Report	www.fws.gov/r3pao/nrda/index.html
Fishing Damages from Fish Consumption Advisories in the Waters of Green Bay	http://spot.Colorado.EDU/~morey/papers/gb-toc.html
Gaussian Quadrature vs. Simulation for the Estimation of Random Parameters: Some Evidence from State Preference Recreational Choice Data	http://spot.Colorado.EDU/~morey/papers/quadvssimul.pdf
Compendium of Groundwater Valuation Methodologies	www.astswmo.org
Perspectives on Achieving Cooperation in Assessing Injury and Planning the Restoration of Natural Resources	www.astswmo.org
Fact Sheet Natural Resource Damage Assessment and Restoration	www.astswmo.org
Natural Resource Damages (NRD) Checklist	www.astswmo.org

<i>Natural Resource Damages Resource Listing continued</i>	
ASTSWMO White Paper: Coordinating Natural Resource Damage (NRD) Issues with the Federal Superfund Program	www.astswmo.org
Department of Interior Restoration Program	http://restoration.doi.gov
Saginaw River Basin, Michigan Restoration Project	www.fws.gov/r3pao/eco_serv/env_cont/ecprev.html
U.S. Fish & Wildlife Service, Region 1 (West Coast) Restoration Projects	http://pacific.fws.gov/es/Restoration.htm
Kalamazoo River, Michigan Restoration Project	www.fw.gov/r3pao/nrda/kalamazoo/
Other Restoration Projects via Links	http://contaminants.fws.gov/Issues/Restoration/cfm
U.S. Fish & Wildlife Service Training Site	http://www.nctc.fws.gov/
Integrating Natural Resource Damage Assessment and Environmental Restoration Activities at DOE Facilities, October 1993	U.S. Department of Energy Office of Environmental Guidance Washington, D.C
Reinvigorating Natural Resource Damages Actions Through the Public Trust Doctrine	James P. Powers
<i>State Regulations/Laws Related to Natural Resource Damages</i>	
Washington Model Toxics Control Act Cleanup Regulation, Chapter 173-340 WAC	www.wa.gov/ecology/tcp/regs/reg_main.html
Washington Sediment Management Standards, Chapter 173-204 WAC	www.wa.gov/ECOLOGYS/sea/smu/sediment.html
Delaware Hazardous Substance Cleanup Act 7 Del C Chapter 91	http://sirb.awm.dnrec.state.de.us
Delaware Regulations Governing Hazardous Substance Cleanup Chapter 10	http://sirb.awm.dnrec.state.de.us/rulesreg.htm
Texas Natural Resources Code, Chapter 40, Subchapter C Oil Spill Prevention and Response Act	http://glo.state.tx.us/nrda
Texas Administrative Code. Title 31 - Natural Resources and Conservation. Chapter 20 - Natural Resources Damage Assessment	http://glo.state.tx.us/nrda
Louisiana Natural Resource Damage Assessment Rule LA Register, Vol. 25, #3 March 20, 1999	www.state.la.us/osr/reg/register.htm
<i>National Oceanic & Atmospheric Administration (NOAA) Guidance</i>	
Rapid Assessment Program – Damage Assessment & Restoration Program	National Oceanic Atmospheric Administration
Natural Resource Damages: Temporary Sanctuary for Federal Sovereign Immunity	Author: Marc G. Laverdiere

Natural Resource Damages Resource Listing continued	
Scaling Compensatory Restoration Actions Guidance Document for Natural Resource Damage Assessment under the Oil Pollution Act of 1990	NOAA, December 1997
NOAA's Damage Assessment Center	http://www.darp.noaa.gov
Economic Valuation	
The Measurement of Environmental and Resource Values: Theory and Methods	Resources for the Future, Washington D.C. 516 pp. Freeman III, A. Myrick. 1993
Valuing Natural Assets: The Economics of Natural Resource Damage Assessment	Resources for the Future, Washington D.C. Kipp, R. and V.K. Smith (eds). 1993
Economics of Natural Resources and the Environment	Johns Hopkins University Press, Baltimore, MD 373 pp. Pearce, David W. and R. Kerry Turner. 1990
Environmental Economics	Prentice-Hall, Inc., Englewood Cliffs, NJ, 349 pp. Seneca, Joseph and Michael K. Taussig. 1984
Recreation Economic Decisions: Comparing Benefits and Costs	Venture Publishing, State College, PA Walsh R. 1986
Natural Resource Damages: Law and Economics	John Wiley and Sons, Inc. Somerset NJ Ward, K. and J. Duffield. 1992
Measuring Economic Losses From Ground Water Contamination: An Investigation of Household Avoidance Costs	Water Resources Bulletin 26(3): 451-463 Abdalla, C., W. (1991)
The Valuation of High-Amenity Natural Land	The Appraisal Journal: 48-53 Adams, V. A. M., Bill (1991)
Application of Wetland Valuation Techniques: Examples from Great Lakes Coastal Wetlands	Institute of Water Research. East Lansing, MI 48824-1222 Amacher, G. S.; Brazee, Richard, J.; Bulkley, Jonathan, W.; Moll, Russell, A. (1988)
Investigation and Valuation of Fish Kills	Special Publication #24. AFS, Bethesda, MD. 96 pp. American Fisheries Society. 1992
On the Social Rate of Discount	American Economic Review 68(4) Baumol, W., J. (1968)
Economic Value of Wetlands-Based Recreation	Ecological Economics 2: 129-147 Bergstrom, J., C.; Stoll, John, R.; Titre, John, P. (1990)
The Economics and Ethics of Old-Growth Forests	Environmental Ethics 14 (Spring): 43-62
Economic Benefits Associated with Boating and Canoeing on the Lower Wisconsin River	Economics Issues 84 (February) Boyle, K., J. and Bishop, Richard, C. (1984)
A Comparison of Contingent-Valuation Studies of Ground Water Protection	University of Maine. Orono, ME Boyle, K., J. (1994)

<i>Natural Resource Damages Resource Listing continued</i>	
Valuing Public Goods: A Comparison of Survey and Hedonic Approaches	The American Economic Review 72(1): 165-177 Brookshire, D., S.; Thayer, Mark, A.; Schulze, William, D.; D'Arge, Ralph, C. (1982)
The Hedonic Travel Cost Method	The Review of Economics and Statistics 66(3): 427-433 Brown, G., Jr.; and Mendelsohn, Robert (1984)
Measuring Nonuse Value: A Comparison of Recent Contingent Valuation Studies	W-133 Sixth Interim Report University of Georgia, Dept. of Agriculture and Applied Economics. Athens, GA Brown, T.C. (1993)
Making CERCLA Natural Resource Damage Regulations Work: The Use of the Public Trust Doctrine and Other State Remedies	Environmental Law Reporter - News & Analysis 9185(18): 10299-10307 Carlson, C.
Distributed Costs of Environmental Contamination	Ecological Economics, 3:215-229 Clites, A.H., Fontaine, T.D. and Wells, J.W.
Environmental Economics: A Survey	Journal of Economic Literature (June): 675-740 Cropper, M. L., and Oates, Wallace E. (1992)
Natural Resource Damage Valuation	Vanderbilt Law Review 42 (no. 2): 269-340 Cross, F. B. (1989)
Recreational Demands for Maintaining Instream Flows: A Contingent Valuation Approach	American Agricultural Economics Association 63(4): 666-675 Daubert, J., T. and Young, Robert A. (1981)
Benefits Transfer: Conceptual Problems in Estimating Water Quality	Water Resources Research 28(3): 675-683 Desvousges, W.; Parsons, G. (1992)
Option Prices for Groundwater Protection	Journal of Environmental Economics and Management 15: 475-487 Edwards, S., F. (1988)
The Effect of Water Quality on Rural Nonfarm Residential Property Values	American J. Agr. Econ August: 529-534 Epp, D., J.: and Al-ani, K.S. (1979)
The Value of Coastal Wetlands for Recreation: An Application of Travel Cost & CVM	Journal of Environmental Economics & Management 26(4): 299-312 Farber, Stephen C. (1988)
Economic & Biological Aspects of Genetic Diversity	Society and Natural Resources 6: 1-16 Gowdy, J.M. (1993)
Further Problems with Neoclassical Environmental Economics	Environmental Ethics 16: 161-175 Gowdy, J. and Olsen, Peg (1994)
The Evaluation of River Quality Improvements by the Contingent Valuation Method	Applied Economics 23: 1135-1146 Green, C. H. (1991)
Valuing Environmental Resources: A Constructive Approach	Journal of Risk & Uncertainty 7: 177-197 Gregory, R.L., Sarah; Slovic, Paul (1993)
<i>Natural Resource Damages Resource Listing continued</i>	

Public and Private Claims in Natural Resource Damage Assessments	The Harvard Environmental Law Review 20(1): 111-163 Jones, C., A.; Tomasi, Theodore, D.; Fluke, Stephanie, W. (1996)
Valuation and the Consequences of Multiple Sources of Environmental Deterioration: The Case of the New York Striped Bass Fishery	Journal of Environmental Management 40: 257-273 Kahn, J., R.; and Buerger, Robert, B. (1994)
Theoretical and Empirical Specifications Issues in Travel Cost Demand Studies	American Journal of Agricultural Economics (68): 660-667 Kealy, M.J. a. B., R. C. (1986)
The Dollar Value of Wetlands: Trap Set, Bait Taken, Don't Swallow	National Wetlands Newsletter July-August: 7-11 King, D. (1998)
Evaluating the Performance of Benefit Transfer: An Empirical Inquiry	JEEM 33: 75-93 Kirchhoff, S.B. C., Jeffrey T. LaFrance (1997)
Economic Evaluation of Aesthetic Amenities: A Case Study of River View	Water Resources Bulletin: 257-266 Kulshreshtha, S.N. and Gilles, J.A., (1993)
Economic Values of Increasing Rare and Endangered Fish	Fisheries Economics 21(11): 6-10 Loomis, J.B. Q. W., Douglas S. (1996)
Natural Resource Damage Assessment: The Role of Resource Restoration	Natural Resources Journal 34(Winter): 153-178 Mazzotta, M., J.; Opaluch, James, J.; and Thomas A. Grigalunas (1994)
The Effect of Risk Beliefs on Property Values: A Case Study of a Hazardous Waste Site	Risk Analysis 10(4): 485-497 McClelland, G., H.; Schulze, William, D.; Hurd, Brian (1990)
Alternative Ways to Measure Recreation Values by the Travel Cost Method	American Journal of Agricultural Economics 65: 332-336 Menz, F.C. (1983)
Biodiversity and the Precautionary Principle	AMBIO 22(2-3): 74-79 Meyers, N. (1993)
The Random Utility Model in Recreation Demand: A Bibliography	Journal Articles: 1-10 Parsons, G., R.; and Hauber, A. Brett (1996)
An Economic Analysis of Wildlife Habitat Preservation in Alberta, Canada	J. Agric. Econ. 41: 411-418 Phillips, W. H., T.; Adamowicz, W. (1993)
Reinvigorating Natural Resource Damages Actions Through the Public Trust Doctrine	The New York Environmental Lawyer 15(3): 21-32 Powers, J. P. (1995)
A Review of Fisheries Economic Valuation Methods	Sport Fishing Institute, Washington D.C. 121 pp. Riely, Patricia and Rockland, David (1988)
Wetlands Protection: The Role of Economics	Environmental Law Institute, Washington D.C. 89 pp Scodari, Paul F. (1994)
Economic Aspects in the Investigation of Groundwater Contamination Episodes	Groundwater 23(2): 190-197 Shecter, Mordechai (1985)
On Separating Defensible Benefit Transfers from "Smoke and Mirrors"	Water Resources Research 28(3): 685-694 Smith, K., V. (1992)
<i>Natural Resource Damages Resource Listing continued</i>	
Nonmarket Valuation of Environmental Resources: An Interpretive Appraisal	Land Economics 69(1February): 1-26

Monetary Values of U.S. Amphibians	Herb Review 20 92S) Society for the Study of Amphibians and Reptiles
National Survey of Fishing, Hunting and Wildlife-Associated Recreation	U.S. Gov't Printing Office, Washington D.C. U.S. DOI, Fish and Wildlife Service and U.S. Dept. of Commerce, Bureau of the Census. (1991, 1985)
Assessing Natural Resource Damages Using Environmental Annuities	Ecological Economics II: 35-41 Unsworth, R., E.; Bishop, Richard, C. (1994)
Benefits Transfer of Outdoor Recreation Demand Studies	Water Resources Research 28(3): 707-713 Walsh, R.; Johnson, D.; McKean, J. (1992)
Measuring Willingness-to-Pay for Wetlands Preservation with the Contingent Valuation Method	Wetlands 10(No. 2): 187-201 Whitehead, J., C. (1990)
What's a Lake Worth?	Lakeline 14(2): 37-39 Williams, V. (1994)
Natural Resource Damage Litigation Under CERCLA	Harvard Environmental Law Review 14: 189-215 Woodard, D.H., Michael (1990)
Valuing Natural Resource Damages: Economics for CERCLA Lawyers	News & Analysis 14: 10311-10317 Yang, E.J. (1983)
<i>Eco Toxicity as Related to Injury Determination</i>	
Comparing Ecosystem Services and Values (with Illustrations for performing Habitat Equivalency Analysis)	Dennis M. King, Ph.D. Center for Environmental & Estuarine Studies University of Maryland
Using Ecosystem Assessment Methods in Natural Resource Damage Assessment	Dennis M. King, Ph.D. Center for Environmental & Estuarine Studies University of Maryland
Development and Application of Benchmarks in Ecological Risk Assessment. Environ. Toxicol. Chem. 18(9):1869-1870.	Clark, J.R., Reinert, K.H., and Dorn, P.B. 1999.
Automated Program to Estimate the Ecotoxicity of Industrial Chemicals Based on Structure-Activity Relationships.	Clements, R.G. and J.V. Nabholz, 1994. Office of Pollution Prevention and Toxics, Ecological Effects Branch, U.S. Environmental Protection Agency, Washington, D.C.
Data Quality Evaluation of Toxicological Studies Used to Derive Ecotoxicological Benchmarks.	Durda, J.L., and D.V. Preziosi. In press. Submitted for publication in Human and Ecological Risk Assessment, April 1999.
Toxicological Benchmarks for Contaminants of Potential Concern for Effects on Soil and Litter Invertebrates and Heterotrophic Processes: 1997 Revision.	Efroymsen, R.A., M.E. Will, and G.W. Suter II. 1997a. Oak Ridge National Laboratory. ES/ER/TM-126/R2. http://www.hsrdr.ornl.gov/ecorisk/tm126r21.pdf
<i>Natural Resource Damages Resource Listing continued</i>	
Toxicological Benchmarks for Screening Contaminants of Potential Concern for Effects	Efroymsen, R.A., M.E. Will, G.W. Suter II, and A.C. Wooten. 1997b.

on Terrestrial Plants: 1997 Revision.	Oak Ridge National Laboratory. ES/ER/TM-85/R3. http://www.hsr.gov/ecorisk/tm85r3.pdf
Prediction of Daphnia Magna EC50 Values From Rat Oral LD50 and Structure	Enslin, K., T. M. Tuzzeo, B. W. Blake, J. B. Hart, and W. G. Landis.1989. In Aquatic Toxicology and Environmental Fate: Eleventh Volume ASTM STP -1007, G. Suter and M. Adams, Eds. American Society for Testing and Materials, Philadelphia, pp 397-409.
Canadian Sediment Quality Guidelines for DDTs, Interim Sediment Quality Guidelines (ISQG)	Environment Canada. 1997. Guidelines and Standards Division. January, 1998 Draft
The Potential for Biological Effects of Sediment-Sorbed Contaminants Tested in the National Status and Trends Program.	Long, E.R., and L.G. Morgan. 1990. NOAA Tech. Memo. NOS OMA 52. U.S. National Oceanic and Atmospheric Administration, Seattle, WA. 175 pp.
Incidence of Adverse Biological Effects Within Ranges of Chemical Concentrations in Marine and Estuarine Sediments.	Long, E.R., D.D. MacDonald, S.L. Smith and F.D. Calder. 1995. Environmental Management 19(1):81-97.
Guidelines for the Protection and Management of Aquatic Sediment quality in Ontario	Persaud, D, R Jaagumagi, and A Hayton. 1993. Ontario Ministry of the Environment, Water Resources Branch, Toronto
A Preliminary Evaluation of Sediment Quality Assessment Values for Freshwater Ecosystems.	Smith, S.L., D.D. MacDonald, K.A. Keenleyside, C.G. Ingersoll and L.J. Field. 1996a. J. Great Lakes Res. 22(3):624-638
The Development and Implementation of Canadian Sediment Quality Guidelines.	Smith, S.L., D.D. MacDonald, K.A. Keenleyside and C.L. Gaudet. 1996b. Ecovision World Monograph Series, pp.233-249.
Toxicological Benchmarks for Screening Potential Contaminants of Concern for Effects on Aquatic Biota: 1996 Revision.	Suter, G.W., and C.L. Tsao. 1996. ES/ER/TM-96/R2.
The AQUIRE (Aquatic toxicity Information Retrieval) database.	U.S. EPA. n.d. Office of Research and Development, National Health and Environmental Effects Research Laboratory, Mid-Continent Ecology Division (MED), Duluth, Minnesota. http://www.epa.gov/ecotox/
ECOTOX Technical Support Document.	U.S. EPA. 1998. http://www.epa.gov/ecotox/
National Recommended Water Quality Criteria - Correction.	U.S. EPA. 1999. Office of Water. EPA 822-Z-99-001. April.
Development and Evaluation of Consensus-based Sediment Quality Guidelines for Freshwater Ecosystems.	D.D. MacDonald, C.G. Ingersoll, T. A. Berger Archives of Environmental Contamination and Toxicology, Vol. 39, pages 210-31, 2000

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