



No convention center was damaged in the BP oil spill (guest opinion)

Guest opinion By **Guest opinion**

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By Cyn Sarthou

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Who can forget the heartbreaking photos of oil-covered convention centers after the BP oil disaster?

Well, actually, it was pelicans, fish, beaches and wetlands. But that hasn't stopped the state of Alabama from trying to milk the disaster to get a new convention center.

On April 20, 2010, the nation's worst environmental disaster hit the Gulf Coast, and five years later, communities across the region continue to feel the effects of the environmental destruction caused by BP's oil. Since 2010, citizens across the Gulf have acknowledged that for our communities to be made whole, we must put resources into meaningful restoration that restores our environment, which is the foundation for community and economic recovery.

To jump-start this process, BP made an early "down payment" of \$1 billion toward its Natural Resource Damage Assessment (NRDA) obligation to begin repairing the damage to wetlands, water bottoms and wildlife caused by the oil disaster. The way these funds are allocated is vital: Any dollar spent in this "early NRDA" process is deducted from BP's overall bill for the natural resource destruction its spill caused.

The U.S. Department of the Interior and other federal agencies are designated as Natural Resource Damage trustees, and are required to ensure that in the aftermath of an oil disaster funds are used to repair the natural resources damaged. The fact that in the aftermath of the 2010 oil disaster BP agreed to fund \$1 billion in Early NRDA restoration process does not change the focus of NRDA, nor does it excuse them from evaluating the full extent of harmful impacts a chosen project could have on the environment as required by law.

Miles of beaches and other coastal habitats along Alabama's coast were damaged by BP's oil. Despite BP's claim that the Gulf Coast has been "fixed," coastal communities in Mobile and Baldwin counties continue to feel the impacts caused by the damage to their environment - from low seafood catch to tar balls washing up on the beach. Yet on Oct. 2, 2014 the NRDA trustees approved a the Phase III Early Restoration Plan that allocated \$58.5 million of NRDA funds to subsidize a hotel and convention center in Alabama's Gulf State Park.

In the Early NRDA process, the Trustees are required to ensure that these funds are actually used to repair or replace natural resources. Nobody can seriously think that building a convention center restores our natural resources or makes up for any of the damage caused by BP. As of 2010, no convention center existed within the Gulf State Park, and certainly none were damaged by BP's oil. Since Alabama announced its plan to subsidize a Convention Center with BP disaster restoration money in 2012, thousands of citizens across the Gulf indicated that this was a terrible project on which to spend our limited restoration funds. Despite this significant outcry, the NRDA trustees are allowing Alabama to squander \$58.5 million out its \$100 million share of the funds to "restore" the public's ability to look at the beach through the window of a conference room.

The decision by the NRDA trustees to fund the project, in our opinion, violates NRDA and is a violation of the public trust. Alabama and the trustees should focus these funds on a project or projects that will address damage to the natural resources of Alabama and/or the lost use of those resources. To add insult to injury, the trustees failed to fully assess the environmental impacts of the hotel and convention center, including impacts on endangered species that call the beaches and dune habitat of the Gulf State Park their home - many of which were injured by the disaster.

The approval of this project sets a terrible precedent -- not just for the Gulf Coast, as it undermines the public's trust that other BP funds will be used responsibly, but also for other restoration efforts pursued after any national disaster requiring NRDA. We at the Gulf Restoration Network did not feel we could sit idly by and let this misuse of restoration dollars happen. In turn, we filed suit to have the courts declare that the federal agencies violated NEPA and the Oil Pollution Act by approving the project.

Our trustees are supposed to look out for the public and our natural resources, not misspend precious restoration dollars. Because of this, our hope is that the trustees will correct this egregious error by withdrawing the funds for the convention center and move forward with restoring the Gulf Coast.

(Cyn Sarthou is executive director of Gulf Restoration Network.)

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