

# Berman Restoration Projects

## Annual Report



**June 2008**



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On January 7, 1994, the barge Morris J. Berman ran aground on a reef off Punta Escambrón, releasing approximately 925,000 gallons of fuel oil into waters near San Juan, Puerto Rico. The oil spread along the northern coast of Puerto Rico, injuring resources along the shoreline and impairing their use for an extended period.



**Berman grounding site and spill area.**

The National Oceanic and Atmospheric Administration, National Park Service, and Puerto Rico Department of Natural and Environmental Resources are the natural resource Trustees for this spill. A settlement agreement reached on December 28, 2000, among the Trustees and the parties responsible for the spill resolved claims for natural resource damages. The settlement included payment of nearly \$10 million to the Trustees for compensatory restoration projects in three injury categories: grounding-related reef injuries, lost recreational beach use, and lost visitor use of national historic site resources.

To meet their responsibilities to plan and implement restoration using settlement funds, the Trustees prepared a Restoration Plan/Environmental Assessment, proposing restoration projects to address the injuries. After receiving input during a public comment period and two public meetings, several restoration projects were selected. These projects are described below under the category of injury they address.

Additional information on the projects is available from the Restoration Plan and Environmental Assessment, which may be found at <http://www.darrp.noaa.gov/berman> and <http://parkplanning.nps.gov>.

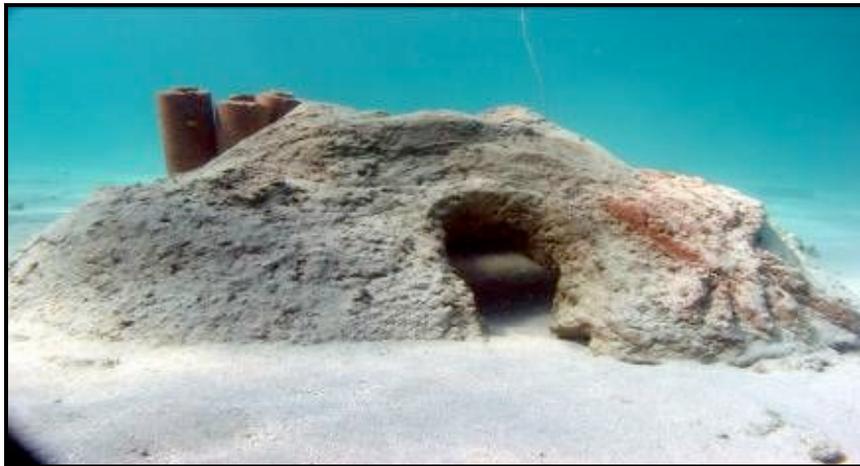
## **Projects to Restore Reef Resources**

Three projects were selected to restore reef habitat and other reef resources injured by the barge grounding and subsequent oil spill.

### **Condado Coral Trail Project (Lead Agency: NOAA)**

#### **Project Overview**

The Coral Reef Trail Project in Condado Lagoon will provide compensation for lost resources associated with the injured eolianite reef. This project consists of placing 30 prefabricated cement reef-replication modules (known as Taino reef modules) in the Condado Lagoon to create new reef habitat similar to that lost as a result of the grounding. The Condado Coral Reef Trail will consist of three underwater educational trails, each consisting of 10 Taino reef modules. These trails will be in front of the public beach between the Dos Hermanos Bridge and the breakwater that separates the Condado Lagoon from the Atlantic Ocean. The underwater trails combined with the comprehensive outreach and educational component of the project will give students and the public an opportunity to learn about coral reefs and natural resource restoration.



**Thirty Taino reef modules will be used to create the coral trails.**

#### **Project Status**

The San Juan Bay Estuary Partnership signed a contract with the National Fish and Wildlife Foundation on March 10, 2008, to begin implementing this restoration project. A baseline benthic survey of the site was conducted on June 14, 2008. The Taino reef modules will be deployed on site in July and August 2008.

#### **Funding**

Approved project budget:	\$60,000
Funds allocated in FY 2007:	\$0
Funds allocated in FY 2008:	\$66,000 (includes interest earned)
Funds obligated to date:	\$66,000

## Condado Seagrass Restoration (Lead Agency: NOAA)

### Project Overview

The Condado Seagrass Restoration Project involves the beneficial use of dredged marine sediments from San Juan Harbor to fill dredge holes in Condado Lagoon, approximately 1 mile southeast of the barge grounding site. Once these depressions are filled to grade and leveled, sunlight will be able to reach the seafloor and seagrass recovery can proceed naturally.

### Project Status

In February 2008, the Army Corps of Engineers (ACOE) confirmed that they have no resources available to contribute toward implementation of the Condado Seagrass Project. Also in February, Javier Vélez Arocho, Secretary of the DNER offered \$500,000 to assist with the seagrass project. In March 2008, John Iliff, NOAA Trustee Representative sent a letter to the Secretary relating concerns about allocating Berman funds for implementation of the Condado Seagrass Restoration Project due to the fact that there are not enough resources to currently complete the project.

Congress did not appropriate funds to the ACOE under the Water Resource Development Act for San Juan harbor maintenance dredging as required to support the Condado Lagoon Seagrass Restoration Project. Without ACOE funds, the \$750,000 of settlement funds from the reef injury restoration account that were to be used as a 25% local cost share for the project are insufficient to undertake the Seagrass Restoration Project. Accordingly, the Trustee Council will reallocate these funds from the seagrass project for their use in acquiring additional land within the San Miguel parcel. This alternative use of funds was contemplated in the RP/EA in the event the Condado Lagoon Project was not feasible.

### Funding

Approved project budget:	\$750,000
Funds allocated in FY 2007:	\$0
Funds allocated in FY 2008:	\$750,000 (transferred to land acquisition project; see below)
Funds obligated to date:	\$0



**Aerial view of the Seagrass Restoration and Coral Reef Trail Projects  
in Condado Lagoon, San Juan, Puerto Rico.**

# **Projects to Restore Lost Recreational Beach Use and Lost Reef Services**

## **Land Acquisition (Lead Agencies: PRDNER and NOAA)**

### **Project Overview**

This restoration project entails acquisition of a 270-acre privately-owned shoreline property within Puerto Rico's Northeast Ecological Corridor (NEC). It is intended to provide resource services to restore both lost recreational beach use and lost reef services. The parcel provides habitat for over 40 rare species of plants and animals including a major nesting beach for the endangered Leatherback Sea Turtle.



**Aerial view of land acquired in Puerto Rico's Northeast Corridor.**

After evaluating several alternatives, the Trustees determined that acquiring lands for conservation purposes would best address lost beach use. Approximately \$2.6 million in settlement funds are available for projects to address lost recreational beach use. These funds, combined with funds from the lost reef services, were used to purchase the San Miguel parcel in the NEC. Several potential sites were evaluated, after which the Trustees selected the 270-acre privately-owned shoreline property. The land will be managed as a Natural Reserve under the Puerto Rico Department of Natural and Environmental Resources and the public will have access for low-impact recreational activities.

### **Project Status**

This land acquisition was completed in August 2007, and the land has been transferred to Puerto Rico DNER. The option to add additional funds to the Cooperative Agreement with the Trust for Public Lands (TPL) remains open. Because appropriate funding was not available for the Condado Seagrass Restoration Project, an additional \$750,000 from that project will be allocated to the Trust for Public Lands (TPL) land-acquisition activities in the Northeast Ecological Corridor (NEC). As

in the original land acquisition, these additional properties will also be transferred to Puerto Rico DNER, and will become part of the NEC Natural Reserve.

**Funding**

Approved Reef Restoration Account budget for project:	\$5,600,000
Approved Beach Restoration Account budget for project:	\$2,600,000
Transfer from Reef Restoration Project:	<u>\$750,000</u>
Total Project Budget:	\$8,950,000
Funds allocated in FY 2007:	\$8,200,000
Funds allocated in FY 2008:	\$0
Funds obligated to date:	\$8,200,000

**Projects to Compensate for Lost Visitor Use  
of San Juan National Historic Site**

The oil spill and grounding caused a reduction in visitor services at San Juan National Historic Site for approximately six weeks. More than 123,000 visitors to the El Morro and San Cristobal forts were affected. Approximately \$1.8 million (including \$1,493,604 in the settlement plus interest accrued in the NRDAR Fund) is available for projects to address lost visitor use of the historic site. The three restoration projects selected are described below.

**Funding for all San Juan NHS Projects**

Settlement amount:	\$1,493,604
Interest earned:	<u>\$380,012</u>
Subtotal	\$1,873,616
Funds allocated:	\$200,000
Funds available:	\$1,640,044

**Improve and Extend the Coastal Promenade at El Morro (Lead Agency: NPS)**

**Project Overview**

This project at the El Morro Coastal Promenade (or “Paseo”) involves several subprojects: (1) extending the Promenade from its current terminus at the Water Battery eastward to connect with an existing stairway accessing the upper levels of the fort; (2) completing the overlook at the Water Battery; and (3) applying a non-slip treatment to the existing walkway. The estimated cost of these projects is \$1,375,000. Of the projects selected to compensate for lost visitor use of the San Juan National Historic Site, this project has the highest priority and, therefore, will be completed first. Funds remaining after this project is completed will be allocated to the projects listed below.

**Project Status**

Designs for subprojects 1 (Promenade extension) and 2 (completing the overlook) are being pursued under an NPS contract with AJC Architects, Inc. for \$149,623.93. The complete set of final construction documents including drawings and specifications are scheduled for delivery to NPS in September 2008. San Juan NHS intends to manage and perform the construction for subprojects 1 and 2, as well as for subproject 3 (existing walkway resurfacing), which will be completed last.



**El Morro Historic Site at tip of the San Juan Peninsula.  
Water Battery and terminus of Promenade are shown in foreground.**

**Funding**

Approved project budget:	\$1,376,054
Funds allocated in FY 2007:	\$0
Funds allocated in FY 2008:	\$200,000
Funds obligated to date:	\$149,624

**Restoration of El Morro Water Battery (Lead Agency: NPS)**

**Project Overview**

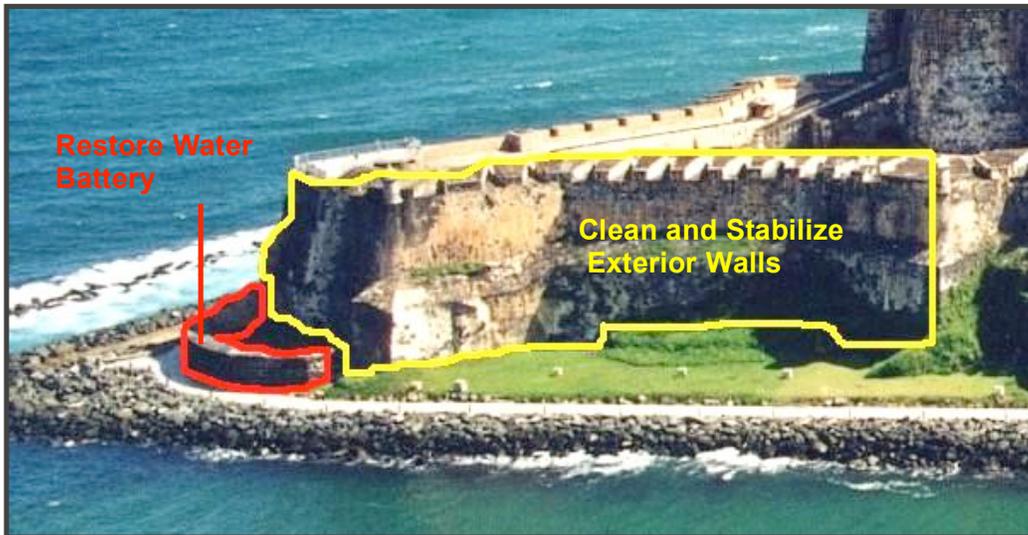
This project will stabilize and preserve the interior and exterior surfaces of the historic Water Battery area as well as adjacent exterior walls facing the shoreline. It will correct unsafe conditions resulting from hundreds of years of deterioration caused by the tropical climate and wind and wave erosion. The estimated cost of the project is \$140,000.

**Project Status**

This project has not yet begun; it will be scheduled in 2009 or 2010 after completion of the Promenade improvement/extension.

**Funding**

Approved project budget:	\$140,000
Funds allocated in FY 2007:	\$0
Funds allocated in FY 2008:	\$0
Funds obligated to date:	\$0



**El Morro Water Battery and walls to be restored.  
The existing Promenade (“Paseo”) is shown in the foreground.**

### **Clean and Stabilize Exterior Walls of El Morro (Lead Agency: NPS)**

#### **Project Overview**

This project involves cleaning, stabilizing, and restoring approximately 25,000 square feet of the exterior walls of El Morro adjacent to the Water Battery. The estimated cost of the project is \$350,000.

#### **Project Status**

This project has not yet begun; it will be scheduled in 2009 or 2010 after completion of the Promenade improvement/extension.

#### **Funding**

Approved project budget:	\$350,000
Funds allocated in FY 2007:	\$0
Funds allocated in FY 2008:	\$0
Funds obligated to date:	\$0