

# Scoping Report for Early Restoration of the *Deepwater Horizon* Oil Spill

## Programmatic Environmental Impact Statement Development

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Prepared by

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## I. Introduction

### A. Background

On or about April 20, 2010, the mobile offshore drilling unit *Deepwater Horizon*, which was being used to drill a well for BP Exploration and Production Inc. (BP), in the Macondo prospect (Mississippi Canyon 252 - MC252), exploded, caught fire and subsequently sank in the Gulf of Mexico, resulting in an unprecedented volume of oil and other discharges from the rig and from the wellhead on the seabed. The *Deepwater Horizon* oil spill is the largest oil spill in U.S. history, discharging millions of barrels of oil over a period of 87 days. In addition, well over one million gallons of dispersants were applied to the waters of the spill area in an attempt to disperse the spilled oil. An undetermined amount of natural gas was also released to the environment as a result of the spill.

The state and federal natural resource Trustees (Trustees) are conducting the natural resource damage assessment (NRDA) for the *Deepwater Horizon* oil spill under the Oil Pollution Act of 1990 (OPA; 33 U.S.C. §§ 2701 et seq.). The federally designated natural resource Trustees for this incident include the National Oceanic and Atmospheric Administration (NOAA), the U.S. Department of the Interior (DOI), the U.S. Department of Agriculture, the U.S. Environmental Protection Agency, and U.S. Department of Defense<sup>1</sup>. The state Trustees include all five Gulf Coast states (Alabama, Florida, Louisiana, Mississippi, and Texas).

Pursuant to the OPA, federal and state agencies act as Trustees on behalf of the public to assess natural resource injuries and losses and to determine the actions required to compensate the public for those injuries and losses. OPA further instructs the designated Trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their Trusteeship, including the loss of use and services from those resources from the time of injury until the time restoration to baseline (the resource quality and conditions that would exist if the spill had not occurred) is complete.

On April 20, 2011, the Trustees entered into an agreement whereby BP is to provide \$1 billion toward early restoration projects in the Gulf of Mexico to address injuries to natural resources caused by the Spill. This early restoration agreement, entitled "Framework for Early Restoration Addressing Injuries Resulting from the *Deepwater Horizon* Oil Spill" (Framework Agreement), represents a preliminary step toward the restoration of injured natural resources. The Framework Agreement is intended to facilitate and expedite restoration in the Gulf in advance of the completion of the natural resource damage assessment process. However, restoration proposals developed pursuant to the Framework Agreement are not intended to provide the full extent of restoration needed to address all injuries caused by the spill. Restoration beyond early restoration projects will be required to fully compensate the public for natural resource losses from the Spill.

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<sup>1</sup> Although a trustee under OPA by virtue of the proximity of its facilities to the *Deepwater Horizon* oil spill, DOD is not a member of the Trustee Council and does not currently participate in Trustee decision-making.

The Trustees' key objective in pursuing early restoration is to begin tangible restoration of natural resources and natural resource services for the public's benefit while the longer-term process of fully assessing injury and damages is underway. As the first step in this accelerated process, the Trustees released, after public review of a draft, a Phase I Early Restoration Plan (ERP) in April 2012. In December 2012, after public review of a draft, the Trustees released a Phase II ERP. Collectively, the Phase I and Phase II ERPs include a total of 10 projects that were selected by the Trustees and, after negotiations in accordance with the terms of the Framework Agreement, agreed to by BP. Those restoration projects include nine distinct projects that were ready for implementation at the time of approval of the final ERPs, and one project the Trustees selected for completion following project design and final National Environmental Policy Act (NEPA; 42 U.S.C. §§ 4321 et seq.) review. The approved early restoration projects are all underway or completed.

## **B. Early Restoration Programmatic Environmental Impact Statement**

On May 30, 2013, the Department of the Interior issued a Notice of Intent (NOI) announcing the Trustees' intention to prepare a Programmatic Environmental Impact Statement (PEIS), in accordance with NEPA, to evaluate the environmental consequences of restoration projects that they intend to propose in a Phase III Draft Early Restoration Plan (DERP) and in subsequent early restoration plans. The Trustees intend to consider both ecological and recreational use restoration projects to restore injuries caused by the *Deepwater Horizon* oil spill, addressing the physical and biological environment as well as the relationship people have with the environment.

Where appropriate, the Trustees intend to evaluate early restoration project types in the PEIS to allow for tiering of NEPA analyses for future early restoration projects. As described in the NOI, examples of the early restoration project types the Trustees intend to evaluate in the PEIS could include: create and improve wetlands; protect shorelines and reduce erosion; restore barrier islands and beaches; restore submerged aquatic vegetation; restore oysters; restore and protect finfish and shellfish; restore and protect birds; restore and protect sea turtles; enhance public access to natural resources for recreational use; enhance recreational experiences; promote environmental and cultural stewardship, education, and outreach; enhance management of recreational uses; and remove and reduce land-based and marine debris.

Throughout the early restoration process, the Trustees have actively solicited public input on restoration project ideas through a variety of mechanisms, including public meetings, electronic communication, and creation of a Trustee-wide public website and database to share information and receive public project submissions ([www.gulfspillrestoration.noaa.gov](http://www.gulfspillrestoration.noaa.gov)). The Trustees had also previously received extensive comments and restoration project ideas during the scoping process for a comprehensive Gulf Spill Restoration PEIS initiated by NOAA on behalf of the Trustees in 2011. The draft comprehensive Gulf Spill Restoration PEIS is intended to apply to all natural resource restoration following the completion of the assessment, which is still underway. The PEIS that is the subject of the recent DOI Notice of Intent is specifically and more narrowly focused on early restoration.

After the draft early restoration PEIS is published, along with a programmatic early restoration plan and Phase III DERP, a public comment period will open and, during that time period, public meetings will be held to gather public comment on them.

### C. Scoping Process

As described in the NOI, the purpose of a scoping process is to identify the concerns of the affected public, state and federal agencies, and Indian tribes, involve the public in the decision making process, facilitate efficient early restoration planning and environmental review, define the issues and alternatives that will be examined in detail, and save time by ensuring that draft documents adequately address relevant issues. Following the scoping process, the Trustees will prepare a draft PEIS and proposed plans, at which time the public will be encouraged to comment on those documents.

The early restoration public scoping process included a 60-day public comment period which ended on August 2, 2013. During that time, five meetings were held across the Gulf of Mexico, one in each of the Gulf states, and one meeting was held in Washington, DC. These actions fulfilled public scoping requirements of both OPA and NEPA. Public scoping meetings were held at the following dates and locations:

- **Galveston, TX, on June 24, 2013:** Texas A&M University at Galveston's Ocean and Coastal Studies Building. Doors opened at 6:00 p.m.; formal meeting began at 6:30 p.m.
- **Mobile, AL, on June 27, 2013:** The Battle House Renaissance Mobile Hotel & Spa, 26 North Royal St. Doors opened at 6:00 p.m.; formal meeting began at 6:30 p.m.
- **Long Beach, MS, on July 16, 2013:** University of Southern Mississippi, FEC Auditorium, 730 East Beach Boulevard. Doors opened at 6:00 p.m.; formal meeting began at 6:30 p.m.
- **Houma, LA, on July 18, 2013:** Marriott Courtyard, 142 Liberty Street. Holiday Inn, 1800 Martin Luther King Blvd. Doors opened at 6:00 p.m.; formal meeting began at 6:30 p.m.
- **Washington, DC, on July 23, 2013:** US Department of the Interior, Main Interior Building Auditorium, 1849 C St. NW. Doors opened at 6:00 p.m.; formal meeting began at 6:30 p.m.
- **Pensacola, FL, on July 25, 2013:** Pensacola Bay Center, 201 East Gregory Street. Doors opened at 6:00 p.m.; formal meeting began at 6:30 p.m.

Notices of the public scoping meetings were sent through email distribution lists, posted on the *Deepwater Horizon* NRDA Trustees' website ([www.gulfspillrestoration.noaa.gov](http://www.gulfspillrestoration.noaa.gov)), announced in the *Federal Register*, and published in local and state newspapers. Both through the NOI and the public meetings, DOI and the other federal and state Trustees requested comments to identify the concerns of the affected public and to receive input on how to achieve the goal of restoring injured natural resources and the services they provide.

At the public meetings, DOI and the other Trustees gave an overview of the NEPA process and discussed the approach the Trustees plan to take with regard to developing a PEIS for early restoration. Following the presentations, the Trustees listened to attendee comments; the Trustees were available to answer additional questions from the public after close of the formal meeting.

This scoping summary report was created to synthesize the many comments received during the public scoping process via the public meetings, either verbally or through a website console provided by the Trustees at the meetings, the Trustees’ website, email, and the U.S. mail. The Trustees will take this information under consideration as they write the draft PEIS. Further opportunities for public comment on the draft PEIS, and related plans, will be available and additional information will be provided throughout the early restoration process.

## II. Summary of Comments Received

### A. Public Meetings

As noted above, DOI, on behalf of the Trustees, held six public meetings to solicit public input. The number of attendees (not including those conducting the meetings) and number of speakers at each meeting are shown in the table below:

MEETING LOCATION	NUMBER OF ATTENDEES	NUMBER OF SPEAKERS
Galveston, TX	25	8
Mobile, AL	46	13
Long Beach, MS	125	20
Houma, LA	38	12
Washington, DC	21	4
Pensacola, FL	55	16

The following sections summarize the main points raised by speakers at the meetings. Speakers often raised more than one point, therefore, the number of comments will not equal the number of speakers noted above.

#### Galveston, TX Meeting

- Six speakers noted the need for land acquisition projects. Among the specific topics cited for acquisition were wetlands, seagrass habitat, prairies, and forests.
- One speaker urged additional protection for the Flower Garden Banks National Marine Sanctuary;
- One speaker cited the need for long term monitoring.
- One speaker cited the need for the plans to address climate change resiliency.
- One speaker urged that the Trustees avoid damage to natural resource restoration from infrastructure projects.
- One speaker spoke in favor of a project for a Gulf Coast Environmental Education Center.
- One speaker spoke in favor of a number of potential projects including restoring wetlands and seagrass habitats; restoring oyster reefs; creating sustainable fisheries; land acquisition for preservation purposes; and acquisition of water rights to facilitate freshwater inflows from headwater tributaries to bays and estuaries.

### **Mobile, AL Meeting**

- Seven speakers spoke in support of the Gulf State Park Enhancement project.
- Two others spoke in favor of both human use and ecological projects.
- One speaker noted the need for a project to help protect Dauphin Island, which had been weakened by some of the response efforts.
- Two speakers noted the need to address ecological restoration projects before human use projects, as natural resource protection is critical to human use.
- One speaker spoke in opposition to the Gulf State Park Enhancement project.
- One speaker cited the need for more clarity about how projects were selected, adding that no project should proceed if it is shown to have negative environmental impacts.
- One speaker cited specific support for barrier island, living shoreline, oyster reef, seagrass and dune restoration projects. For human use projects, need to apply practices that increase and maximize the environmental benefits and minimize the potential of environmentally harmful projects. Also cited the need for monitoring and for a clear articulation of the rationale for how projects have been selected for ecosystem and individual project reasons. Finally, noted interest in seeing a commitment to hire and train individuals affected by the spill.
- One speaker urged that more of the restoration work go to local firms.

### **Long Beach, MS**

- Two speakers noted general support for the ecosystem projects such as building living shorelines and wetland restoration projects, and agreed with providing more funding to them.
- One speaker spoke in favor of a project to support better planning to respond to a disaster.
- Two speakers discussed commercial products or approaches the Trustees might want to use.
- Three speakers spoke in opposition to the Gulf State Park Enhancement project.
- Three speakers spoke in opposition to human use restoration projects, specifying the Restoration Initiatives at the INFINITY Science Center.
- Two speakers spoke in opposition to the Popp's Ferry Causeway Park and the Pascagoula Beachfront Promenade Project.
- One speaker spoke in opposition to the placing of oyster cultch on contaminated oyster reefs.
- Two speakers urged the Trustees to focus on fishery restoration projects and implement an ongoing monitoring and data collection program for shrimp and other fisheries.
- Four speakers supported land acquisition projects.
- Three speakers cited the need for more focus on marine ecosystems.
- One speaker expressed support for project monitoring.
- One speaker spoke of the need for projects supporting education.
- One speaker identified criteria for the Trustees to use in choosing projects, including the specific environmental benefit it will have, the impact on public health, the impact on the local work forces, how it will be monitored, and how it will encourage public participation.
- One speaker pointed out the need to expedite projects that were ready to go.

## DWH ATTORNEY WORK PRODUCT / ATTORNEY-CLIENT COMMUNICATIONS

- Two speakers addressed the need for the Trustees to complete the comprehensive PEIS as well as this early restoration one and include a discussion of alternatives to projects chosen.
- One speaker noted the need to discuss injuries and alternatives to address them.
- Three speakers noted the need for more transparency and discussion of the rationale behind project selection.
- One speaker cited support for projects to restore and protect marine mammals, barrier islands, living shoreline, oysters, blue water, and seagrass.
- Three speakers urged Trustees to give preference to local firms in project work.
- Four speakers spoke in favor of the Restoration Initiatives at the INFINITY Science Center.
- Four speakers identified the need for more outreach to minority communities and for projects to address the needs of these communities.
- One speaker noted the need for more transparency throughout the process.

### **Houma, LA**

- Four speakers noted the need to expedite projects that were ready to go, especially those that had undergone substantial environmental review.
- One speaker expressed interest in projects to protect blue water.
- One speaker expressed the need for increased transparency and accountability.
- One individual spoke out against the Restoration Initiatives at the INFINITY Science Center and the Gulf State Park Enhancement Project.
- Two speakers urged the need for more transparency in project selection.
- Two speakers urged more outreach and consideration of tribal communities.
- One individual spoke of the need for more outreach to minority communities and another noted the importance of considering environmental justice in project selection.
- One speaker noted the need for a full environmental review of all projects.

### **Washington, DC**

- Two speakers urged the use of the Corps Network for staffing projects.
- One speaker spoke of the importance of education projects.
- One speaker urged that the Trustees move promptly on projects that are ready to go, citing the Louisiana coastal barrier projects.
- One speaker urged that projects be limited to enhancing living resources and restoring habitat. The speaker noted support for the Conservation Corps getting work, in conjunction with local citizens. In addition, the speaker noted that projects should identify and restore culture and provide long term community benefits and resiliency.
- One speaker opposed human use projects especially if they reduce public access and use, increase the carbon footprint or have negative environmental or cultural impacts.
- One speaker urged that the Trustees consider projects such as technology transfer that can enhance the skills of the local community. Projects should ensure local hiring.

- One speaker noted that the ERP should not include projects such as hotels, convention centers, roads, or highways that reduce public access and use, increase the area's carbon footprint and can have potential negative cumulative environmental and cultural impacts.

#### **Pensacola, FL**

- Six speakers urged the Trustees to move more quickly, especially on projects that were ready to go or had conducted environmental reviews.
- Three speakers urged support for oyster reef, living shoreline, and land acquisition projects.
- One speaker cited the need for a clear "purpose and need" section in the PEIS.
- Two speakers urged more transparency in the project selection process and in communicating about early restoration and its progress.
- One speaker cited the need for an environmental review of each project.
- Three speakers urged that the funds be spread across all areas of Florida affected by the spill and not concentrated only in one county.
- One speaker expressed support for projects focusing on the offshore environment.
- Two speakers addressed the need for more outreach and support for projects that would aid minority communities.
- Two speakers opposed a Florida fish hatchery project.

#### **B. Form Letters**

DOI received two form letters via email; one sent by approximately 2,700 individuals (Form letter 1) and one sent by approximately 1,300 individuals (Form letter 2). The substance of each letter is excerpted below.

##### **Form Letter 1**

- I am pleased to see that the majority of funds are to be spent on projects intended to restore damaged resources and public use of natural resources. However, I'm concerned that several projects fail to meet the criteria for NRDA funding and would further harm the health of the Gulf's environment.
- It is important that projects intended to replace loss of recreational use apply practices that increase environmental benefits. The Trustees should use oyster reef instead of artificial reef as there is a lack of science showing that artificial reefs bring comparable ecological benefits as natural reefs. Additionally, beach nourishment projects need to be completed with an eye towards minimizing impacts to nearshore reefs that are important recreational (surfing, diving, etc.) and ecological resources.
- Several projects violate the spirit and letter of OPA 90 and the public trust such as the INFINITY Science Center which does not seem to meet the criteria for NRDA funding. However, the most egregious of the projects contained in Phase III is the Gulf State Park Convention Center and Hotel in Alabama. Although purporting to address lost use of beaches by Alabama residents, this project will potentially limit access to those beaches by average Alabamans, unless they are paying customers. It is clear that this project is nothing more than an economic development

project in the guise of NRDA compensation. Moreover this project will destroy the limited habitat of the endangered Alabama beach mouse.

- It is essential that the NRDA Trustees complete an environmental impact statement for each project that will likely have a significant environmental impact to ensure that this money is not funding environmentally damaging projects. Rather than selecting projects one-by-one, the NRDA Trustees should create a comprehensive plan for Gulf restoration that guides project selection.
- We are concerned that there are again no projects proposed that would restore the marine environment, which took the brunt of the damage during the BP disaster. For example, BP's oil polluted the Western Atlantic Bluefin tuna's only known breeding ground during the peak of its spawning season. NRDA funds could help pay to transition surface longline fishermen to more selective gear that could protect spawning Bluefin and other ocean wildlife, while keeping fishermen in business.

## **Form Letter 2**

As a resident of the Gulf region, I have the following concerns about the early restoration process:

- A Gulf-wide, integrated approach to restoration is the best way to ensure that the region truly recovers from the impacts of the oil disaster. I ask that the Trustees recommit to this approach and present a holistic vision for restoring the ecosystem in the draft PEIS for early restoration.
- Thus far, marine restoration projects have been virtually absent from early restoration, and the heavy emphasis on coastal projects is of concern given the injuries to natural resources in the marine environment.
- The following restoration types should be included in the PEIS for marine restoration options: restore and protect finfish, restore and protect sea turtles, restore and protect marine mammals, restore and protect migratory birds, track the fate and recovery of injured natural resources and lost human uses, and enhance management of recreational use of fisheries.
- The Trustees should make available to the public a summary of documented, emerging or likely natural resource injuries and lost human uses as part of the draft PEIS.
- Some of the human-use restoration projects proposed for phase III early restoration are simply not appropriate for NRDA funding. Specifically, the construction of a lodge and meeting facility that the Trustees intend to propose as part of a broader suite of enhancements to Gulf State Park in Alabama is not appropriate under the law. Erecting these structures would disturb and reduce the resilience of dune habitats, which provide protection from storms and habitat for the federally endangered beach mouse. The lodge and meeting facility would neither restore the public's access to and use of injured natural resource services (beach and water access) nor make the public whole for those losses. There are other projects proposed for Phase III that could also be inappropriate for implementation with NRDA dollars, including a boardwalk and promenade in Mississippi and construction of artificial reefs that could impact existing habitats.

### C. Other Written Submissions

In addition to the information provided at the public meetings and in the form letters noted above, DOI received 30 other written submissions, either delivered to DOI in hard copy or via email. As well as letters from private citizens, DOI received submissions from the

- Louisiana Wildlife Federation;
- the Gulf Restoration Network (for itself and Alabama Coast United, Apalachicola Riverkeeper, Asian Americans for Change, Atachafalay Basinkeeper, BISCO, the Center for Fair Housing, Inc., Coastal Women for Change, Galveston Baykeeper, Global Green USA, Gulf Coast Center for Law and Policy, the Gulf Island Conservancy, Immaculate Heart Community Development Corp., Institute for Sustainability Education and Development, Islede Jean Charles Band of Biloxi-Chitimachi-Choctaw, Louisiana Bucket Brigade, Louisiana Environmental Action Network, Lower Mississippi Riverkeeper, Mobile Bay Sierra Club and Alabama Chapter Sierra Club, NAACP-Biloxi Branch, Operation HomeCare, Inc., Pelican Coast Conservancy, Sierra Club Delta Chapter, SouthWings, Steps Coalition, and the Mother's Project-Gulf Mothers for Sustainability);
- the Ocean Conservancy;
- the Louisiana League of Women Voters (2 signatures);
- the National Wildlife Federation;
- the Environmental Defense Fund;
- the Corps Network;
- the Navarre Beach Area Chamber of Commerce (3 signatures);
- Jefferson Parish of Louisiana;
- the Nature Conservancy;
- the Mississippi Coalition for Vietnamese-American Fisher Folks and Families (with 73 signatures); and
- a joint letter from the National Audubon Society, the Coalition to Restore Coastal Louisiana, the Environmental Defense Fund, and the Lake Pontchartrain Basin Foundation.

DOI also received 16 separate letters or emails from Mississippi (8), Florida (4), Louisiana (1), Texas (1), Alabama (1), and New York (1), as well as two submissions that were unrelated to the issues posed by the scoping exercise. One of these submissions included information on an effective solution that the submitter's firm had to remediate hydrocarbon contamination in various media and the other included excerpts from the submitter's book on entrepreneurship.

The key points raised in the various submissions are summarized below. The total number of commenters who made a similar (though not always identical) point appears in parentheses. Each signature is counted as a separate comment. For example, some organizations such as the Gulf Restoration Network, the National Audubon Society and the Mississippi Coalition for Vietnamese-American Fisher Folks and Families submitted a single letter with multiple signees, as identified in the list of submitters, above. The following compilation does not include comments received at the public meetings or in the form letters, which are discussed above.

### **Comments on the PEIS and Project Selection Process**

- Complete the comprehensive PEIS and companion Restoration Plan (7)
- Need to evaluate alternatives at the PEIS level (1)
- Need to develop a “Purpose and Need” Statement for the PEIS and the Early Restoration PEIS; need to explore and evaluate all proposed alternatives to the proposed action (33)
- Early Restoration PEIS needs to include a summary of injuries (2)
- Need to include detailed costs of monitoring (1)
- Need a commitment to long-term monitoring (3)
- Need a firm commitment to project monitoring (31)
- The process thus far has not adequately involved the public - need more transparency in how projects are selected (4)
- Process is moving too slowly; avoid delay on projects that have already been thoroughly vetted, such as the Louisiana Barrier Island projects (11)
- The framework should stand as the sole criteria for the consideration and selection of projects (73)
- Trustees should use additional criteria (listed) in selecting projects (28)

### **Comments on Types of Projects**

- Give sufficient attention to marine resources in Phase III and later phases to ensure restoration addresses the offshore injuries (3)
- Include projects to restore and protect finfish (1)
- Include projects to restore and protect sea turtles (1)
- Include projects to restore and protect marine mammals (4)
- Include projects to restore and protect birds (1)
- Include projects to restore and protect offshore habitats (3)
- Include projects to enhance management of recreational use of fisheries (1)
- Include projects to reduce pollution in the marine environment (1)
- Include projects to restore or enhance water quality (3)
- Include projects to enhance wetland function (3)
- Include projects to enhance tidal and coastal vegetation (3)
- Include projects to enhance and protect barrier islands (27)
- Include projects for living shoreline restoration (27)
- Include projects for oyster reef restoration (27)
- Include projects for sea grass restoration (27)
- Include projects for dune restoration (27)
- Include projects to support fishery management and consumption of Gulf seafood (1)
- Include project to protect Dauphin Island (1)
- Include projects to acquire land - coastal wetlands, prairies, and forests (1)
- Include a climate change resilience and resistance plan (3)

- Focus on ecological restoration projects first, with increased public access and human use benefits a corollary objective (2)
- Expressed opposition to the Gulf State Park project (30)
- Expressed opposition to Infinity Science Center (30)
- Expressed opposition to Popps Ferry and Pascagoula projects (27)
- Stated opposition to Louisiana fish hatchery projects (1)
- Expressed support for Infinity Science Project (6)
- Expressed support for a specific project that had been proposed to the Trustees in Navarre Beach (4)
- Expressed support for all Alabama projects (1)
- First round of projects should involve restoration of shallow water environments where people earn their livings from oysters, crabs, and shrimp (1)
- Expressed opposition to work on barrier islands (1)
- Projects designed to enhance recreation must not impair ecological services (3)
- Use oyster reefs not artificial reefs (1)
- Human use projects should be tied to the maximum extent possible to the restoration of the natural resource upon which the human use depends (1)
- The project selection should be heavily weighted towards ecosystem restoration and more specifically the restoration of fisheries habitat and/or populations (73)

#### **Other**

- The Trustee Council should partner with the Conservation Corps on the early restoration projects currently under review to help launch the Gulf Coast Restoration Corps (1)
- The NRDA process could be more responsive to and reflective of the actual damaged resources; Trustees could institute a process whereby if a certain number of comments were received on a topic then the topic would have to be modified, extensively reviewed, or responded to in detail. Group suggests a second comment period and a second draft of the documents to allow the public to see how well the Trustees responded to the comments received (73)

### **III. Summary**

All public comments in their entirety will be made a part of the administrative record for this case. This document is only intended to be a summary of the comments received by the Trustees during the public scoping process.