



*New York State Archives*

**New York State Division of Fish, Wildlife, and Marine  
Resources Natural Resources Damages Unit Natural  
Resource Damages Case Files 20891**

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## Overview of the Records

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| <b>Repository:</b>     | New York State Archives  |
| <b>Summary:</b>        | This series contains the Natural Resources Damages Unit's case files for compensation, which pay for cleanup and restoration, for injuries to natural resources resulting from a spill or release of contaminants into the environment. Files include pre-assessment screening records, preliminary estimates of damages; Restoration and Compensation Determination Plan; Public Participation Plan; public comments; documentation of damages to natural resources. Included are case files for Lake Ontario natural resource damages. |
| <b>Creator:</b>        | New York (State). Division of Fish, Wildlife, and Marine Resources. Director's Office  |
| <b>Title:</b>          | Natural resource damages case files  |
| <b>Quantity:</b>       | 3 cubic feet   |
| <b>Inclusive Date:</b> | 2002   |
| <b>Series:</b>         | 20891  |

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## Administrative History

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The Natural Resource Damages Unit coordinates the Department of Environmental Conservation's role, which is often technical and administrative, in pursuing compensation claims for injuries which happen to natural resources in the course of a spill or release of contaminants into the environment. The Unit seeks to develop cases, identify and assess the value of damages, and design the restoration, enhancement or replacement of damaged natural resources. In most situations, the Department's Division of Environmental Remediation pursues the remediation (i.e., cleanup) of damages while the Natural Resource Damages Unit then concentrates on restoration of the resources back to their original condition.

Several federal and State statutes authorize New York to pursue Natural Resource Damages. The federal laws are the 1980 Superfund Act, the Oil Pollution Act, and the Clean Water Act. The State laws are the Environmental Conservation Law, Navigation Law, and common law. Natural resources are defined to include biological and geologic resources along with air, groundwater and surface water.

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## Scope and Content Note

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This series contains case files for compensation for injuries which happen to natural resources in the course of a spill or release of contaminants into the environment. The compensation pays for the cleanup and restoration of the injured resources. This series contains case files for Lake Ontario natural resource damages.

Typically, a case file consists of a wide variety of records documenting damages which have occurred to natural resources along with plans for the restoration of those resources. Thus, a case file usually includes pre-assessment screening records, documenting the potential for pursuing a natural resource compensation claim in a particular situation; preliminary estimates of damages; Restoration and Compensation Determination Plan; Public Participation Plan; public comments; injury reports, which consist of summaries of scientific and technical documentation of the damages which have occurred to natural resources (example, records documenting PCB levels in soil, fish, birds and animals in the damaged area); detailed technical and scientific documentation itself (for example, water and soil dioxin, metal, and chemical analyses, fish analyses, etc.); NRD Assessment Plan (a key document summarizing the damages and plans for restoration); documentation of litigation between the Department of Environmental Conservation (DEC) and the responsible party concerning the claim ("record" copies of litigation records are held by the Department of Law); agreements (copies) signed by DEC and the responsible party concerning actions to be taken and compensation to be paid; final reports, documenting restoration activities which occurred; background files, press releases and other miscellaneous documentation.

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## Other Finding Aids

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### **Available at Repository**

Container list is available at the repository.

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## Use of Records

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### Access Restrictions

There are no restrictions regarding access to or use of the material.

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## Administrative Information

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### Acquisition Information

This series includes records from transfer list 010167.

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