

EXECUTIVE SUMMARY OF THE MONTROSE SETTLEMENTS RESTORATION PROGRAM

DRAFT RESTORATION PLAN

PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT / ENVIRONMENTAL IMPACT REPORT

APRIL 2005 • NATURAL RESOURCE TRUSTEES

National Oceanic and Atmospheric Administration

U.S. Fish & Wildlife Service

National Park Service

California Department of Fish and Game

California Department of Parks and Recreation

California State Land Commission





The Natural Resource Trustees have developed a draft plan to restore natural resources injured and natural resource services lost due to past releases of DDTs and PCBs into the ocean off the coast of Southern California. Through the Montrose Settlements Restoration Program, the Trustees will use funds from legal settlements to implement a suite of restoration and monitoring actions addressing injuries to fish, fishing, bald eagles, peregrine falcons and various seabirds.

MONTROSE SETTLEMENTS RESTORATION PROGRAM

EXECUTIVE SUMMARY

*OF THE DRAFT
RESTORATION PLAN AND
PROGRAMMATIC EIS / EIR*

<i>Introduction</i>	2
<i>Restoration Goals, Objectives and Planning</i>	6
<i>Restoration Alternatives and Environmental Consequences</i>	10
<i>Alternative 1 (No Action)</i>	10
<i>Alternative 2 (Preferred)</i>	11
<i>Alternative 3</i>	14
<i>Environmental Consequences</i>	16
<i>Public Input and Comment Period</i>	18
<i>Public Meeting Schedule</i>	20

APRIL 2005



INTRODUCTION

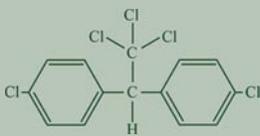
TO THE DRAFT RESTORATION PLAN

From the late 1940s to the early 1970s, millions of pounds of DDTs and PCBs were released from industrial sources through wastewater outfalls into the ocean at White Point, near Los Angeles (see map, facing page). These chemicals, banned in the United States today but made and used in the past for pesticide and industrial purposes, resulted in widespread impacts on the natural and human environment. The chemicals can cause birds to lay thin-shelled eggs which break easily, a factor contributing to the decline of peregrine falcons, bald eagles, and several species of seabirds throughout the Channel Islands. Even today, bald eagles reintroduced to Santa Catalina Island are unable to successfully hatch their eggs without human assistance. The human health risks associated with high levels of DDTs and PCBs in certain species of fish also led the State of California to issue fish consumption advisories for those fish and enact a commercial catch ban for one species in particular, white croaker. Although the release of DDTs and PCBs ended in the 1970s, these chemicals still contaminate the sediments, water, and living organisms of the Southern California Bight (SCB; see map).



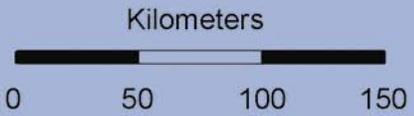
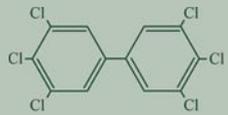
What are DDTs and PCBs?

DDTs and PCBs are toxic mixtures of chemicals that are very slow to break down in the environment. The chemicals can accumulate in plants and animals and move through the food web to become more concentrated in higher predators. Most of the DDTs and PCBs contaminating the marine environment near Los Angeles came from companies that dumped their waste products into the local sewer system, which discharges its wastewater into the ocean at White Point outfall, near Los Angeles.



DDTs are a group of three related chemicals (DDT, DDD and DDE). DDT was once one of the most widely used pesticides. One of the largest DDT factories in the world was located in Torrance, CA. During production, the factory dumped hundreds of tons of DDT waste products into the Los Angeles sewer system. The U.S. banned the use of DDT in 1972.

PCBs are a group of 209 related oil-like chemicals first manufactured in 1929. These chemicals, which were found to be good insulators and stable when exposed to heat and pressure, had many different industrial uses, such as making paints, transformer coolants, and hydraulic fluids. EPA banned the manufacture of PCBs in 1979.



In 1990, the state and federal governments initiated legal action against the Montrose Chemical Corporation (Montrose) and the other polluters responsible for discharging these wastes. In December 2000 the final settlement was signed, ending ten years of litigation. Under the terms of four separate settlement agreements, Montrose and the other defendants¹ agreed to pay \$140.2 million plus interest to the federal and state governments.

Of this amount, the U.S. Environmental Protection Agency (EPA) and the California Department of Toxic Substances Control (DTSC) received \$66.25 million plus interest to research and implement cleanup activities. They are using these funds to address cleanup of the contaminated sediments offshore, in addition to conducting public outreach, education, monitoring, and enforcement actions to try to reduce human exposure to fish contaminated by the discharges. An additional \$10 million (“swing money”) has been set aside for EPA cleanup actions, but may instead go to natural resource restoration depending on EPA’s final decision concerning cleanup of the site.

The Natural Resource Trustees (Trustees)² are federal and state agencies charged with protecting, managing and restoring natural resources. For the Montrose case, the Trustees received \$63.95 million plus interest. The Trustees have used \$35 million to reimburse past damage assessment costs and are using the remainder plus accumulated interest (approximately \$38 million to date) to plan and carry out natural resource restoration.

In 2001, the Trustees created the Montrose Settlements Restoration Program (MSRP) as a multi-agency effort to manage the work of restoring the injured resources. Through the MSRP, the Trustees initiated a broad restoration planning effort, during which they asked scientific experts and the public to submit restoration ideas. During this period, the Trustees also initiated studies to support restoration planning, including a Feasibility Study on the reestablishment of bald eagles on the Northern Channel Islands, a comprehensive survey of fish contamination, and a survey of angler fishing practices and preferences.

As required by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or “Superfund”, see box, facing page), the Trustees must use the settlement monies to restore natural resources that were harmed by DDTs and PCBs, and must prepare a restoration plan subject to public review. The MSRP Draft Restoration Plan and Programmatic Environmental Impact Statement (EIS) / Environmental Impact Report (EIR) is a comprehensive document detailing the affected region, the restoration planning process, and restoration alternatives, including the Trustees’ Preferred Alternative. As an EIS / EIR, the document also addresses National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) requirements for environmental review. This Executive Summary is a brief introduction to the larger document.

¹ The other defendants were: Aventis CropScience USA, Inc. (formerly Rhone-Poulenc, Inc., and corporate successor to Stauffer Chemical Company); Chris-Craft Industries, Inc.; Atkemix Thirty-Seven, Inc.; CBS Corporation (formerly Westinghouse Electric Corp.); Potlatch Corporation; Simpson Paper Company; and County Sanitation District No. 2 of Los Angeles County (LACSD) and 150+ local government entities.

² The Natural Resource Trustees for the Montrose case are: the National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service, National Park Service, California Department of Fish and Game, California Department of Parks and Recreation, and the California State Lands Commission.

What is Natural Resource Damage Assessment and Restoration?

What are injured resources?

Hazardous substance releases can harm natural resources in a number of ways. The most immediate and visible impacts may be injured or dead organisms - such as fish, birds, wetland plants, and seagrasses. Other impacts may not be readily apparent. Nurseries for fish or nesting sites for birds may be destroyed, and birds and other wildlife may become ill from eating contaminated food.

A spill or release may also diminish the services that natural resources provide (e.g., fishing, boating, beachgoing, and wildlife viewing) and ecological services (e.g., providing habitat, nutrient cycling, and energy transfer through food webs).

Natural Resource Trustees are agencies that act on behalf of the public to identify the injuries to natural resources resulting from such incidences, and then restore the resources and their services.

What is damage assessment?

Natural resource damage assessment is a process to determine the nature and extent of injuries to natural resources and the restoration actions needed to reverse these losses. Natural Resource Trustees work together, when possible, with the parties responsible for the pollution to identify injured natural resources, the type and amount of restoration required, and the best methods to achieve restoration. The natural resource damage assessment process promotes cost-effective assessment and restoration — benefitting the public, the responsible parties, and the environment.

Applicable Laws

Several laws provide a framework for how the Natural Resource Trustees should conduct damage assessment and restoration. These laws include:

The *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)*, also known as “Superfund”, provides the government the authority to address cleanup and restoration of the nation’s hazardous waste sites. CERCLA regulations require the preparation and public review of a restoration plan to guide natural resource restoration actions.

The *National Environmental Protection Act (NEPA)* mandates that before federal agencies make decisions, they consider and publicly disclose the effects of their actions on the quality of the human environment. In developing this Restoration Plan, the Trustees are meeting NEPA requirements by preparing the document as an Environmental Impact Statement (EIS).

The *California Environmental Quality Act (CEQA)* requires that California’s public agencies identify the significant environmental effects of their actions and either avoid or mitigate those significant environmental effects, where possible. In developing this Restoration Plan, the Trustees are meeting CEQA requirements by preparing the document as an Environmental Impact Report (EIR).



RESTORATION

GOALS, OBJECTIVES AND PLANNING

The overall goals of the MSRP are to:

- Restore, replace, rehabilitate, or acquire the equivalent of the injured natural resources and the services those resources provide (“primary restoration”); and
- Compensate for the lost services of the injured natural resources while those resources are recovering (“compensatory restoration”).

The final consent decree for the Montrose case states:

“The Trustees will use the damages for restoration of injured natural resources, including bald eagles, peregrine falcons and other marine birds, fish and the habitats upon which they depend, as well as providing for implementation of restoration projects intended to compensate the public for lost use of natural resources.”

– *United States of America and State of California v. Montrose Chemical Corporation et al.* (page 5, lines 18-22)

The restoration objectives for the MSRP (i.e., the specific targets or milestones that will help accomplish the program’s overall goals) have been created with this provision in mind, and with input and feedback from the public during past restoration planning workshops.

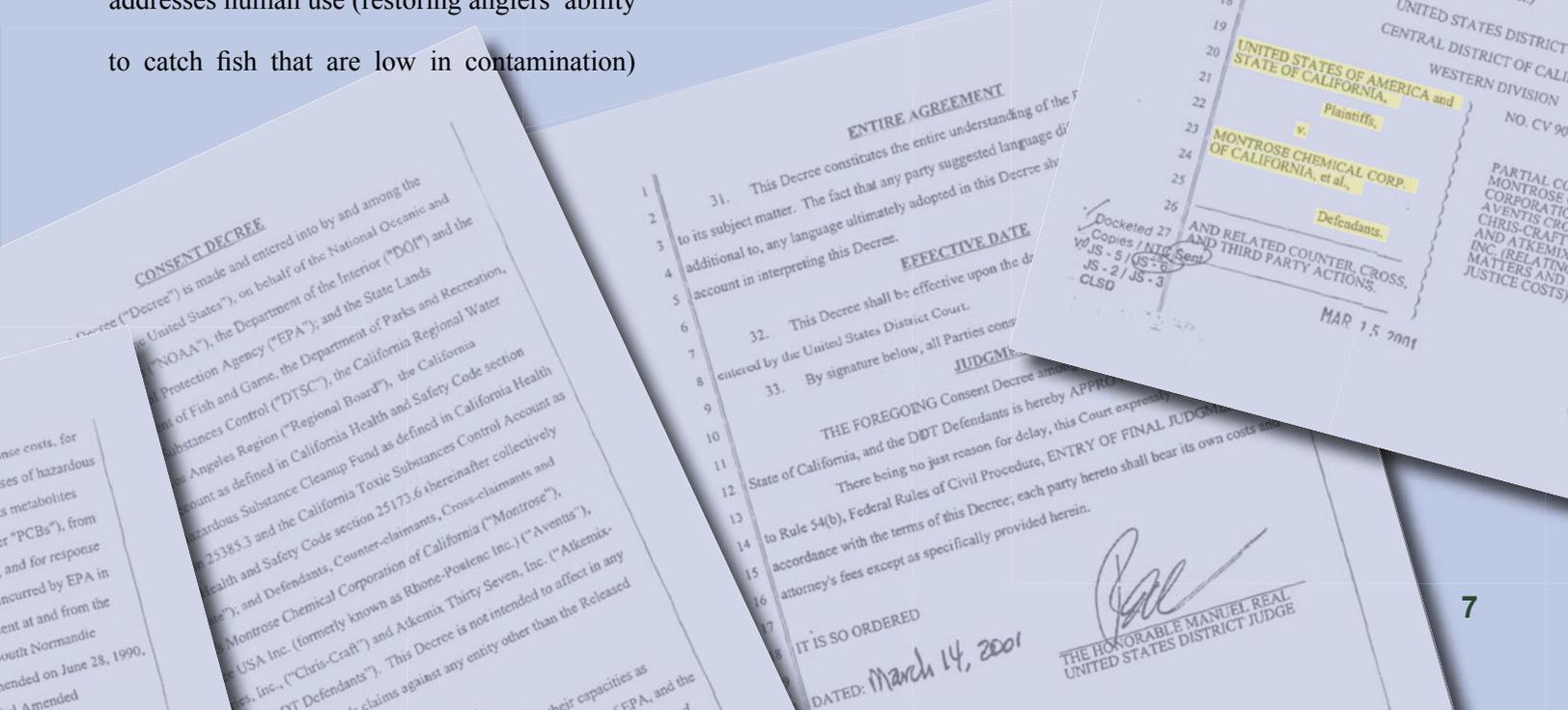
1 recovery of damages, including damage assessment costs and related respo
2 injury to, destruction of, and loss of natural resources resulting from relea
3 substances, specifically including d:chlorodiphenyltrichloroethane and it
4 (hereafter collectively “DDT”), and polychlorinated biphenyls (hereaft
5 facilities in and around Los Angeles, California, into the environm
6 costs incurred and for declaratory judgment for response costs to be i
7 ish releases of hazardous substances into the environm
8 Plant Property located at 20201 S
9 complaint was an

The MSRP restoration objectives are to:

- Restore fishing services within the Southern California Bight (SCB);
- Restore fish and the habitats on which they depend within the SCB;
- Restore bald eagles within the SCB;
- Restore peregrine falcons within the SCB; and
- Restore seabirds within the SCB.

Of the two fish-related objectives, one addresses human use (restoring anglers' ability to catch fish that are low in contamination)

and the other focuses on fish habitats. When the Trustees initially sorted and categorized the many restoration ideas they had compiled, they combined the fish-related objectives into a single broad category labeled "fishing and fish habitat." As a result, the evaluation of restoration actions has been organized into four categories (fishing and fish habitat, bald eagles, peregrine falcons, and seabirds) that encompass the five restoration objectives listed above.



RESTORATION IDEAS

The Trustees began collecting and compiling potential restoration ideas even before the case was settled. The early list of ideas was expanded through a public scoping process in 2002 and 2003. This process included consultation with scientists, as well as a series of public workshops to encourage public participation. The broad list of potential restoration ideas that the Trustees gathered was then evaluated in a two-step process.

Tier 1 Evaluation

The initial list of over 100 restoration project ideas was first screened and consolidated in a Tier 1 evaluation, using the following criteria:

- **Nexus:** relationship of the potential action to the injured resources or lost services;
- **Feasibility:** likelihood that the benefits will actually be achieved;
- **Resource benefits:** benefits to specific injured resources or lost services; and
- **Ecosystem benefits:** degree to which the potential action leads to sustainable improvements in broader ecological function.

The Tier 1 evaluation resulted in a shorter list of 17 potential restoration actions. Some of these are fully developed, specific projects, while others are still conceptual approaches that would require further development and environmental review prior to implementation.

The Trustees also received several ideas from the public suggesting that some restoration funding be used for more general public environmental outreach and education. Other submissions

outlined research that could be conducted to better understand the injuries (data gap studies).

The Trustees did not evaluate the outreach and education ideas gathered against specific actions that restore fishing and fish habitat, bald eagles, peregrine falcons, and seabirds. Rather, as the MSRP outreach program proceeds, these ideas will be considered as a means of implementing the program outreach objectives. Similarly, the Trustees will retain the data gap study ideas for consideration as planning and decision making proceed and specific data needs are identified.

Tier 2 Evaluation

In the Tier 2 evaluation, the 17 potential restoration actions identified in Tier 1 were analyzed in greater detail, and the Trustees considered an additional two factors:

- **Environmental acceptability:** evaluation of the beneficial and adverse environmental consequences; and
- **Cost:** cost estimates and possible partnerships.

The Tier 2 process also included analyses that addressed the requirements of state and federal environmental review.

RESTORATION FUNDING, ALLOCATION AND PHASING

One important consideration for restoration planning was how available funds should be distributed between the different natural resources and services identified for restoration in the final Montrose consent decree. The final consent decree, signed in 2000, provided a principal amount of

approximately \$30 million for natural resource restoration, but did not specify how the restoration funds should be allocated. The ongoing restoration program operating costs are comparable to the interest currently accruing. As of summer 2004, interest had increased the amount available for the restoration program to an estimated \$38 million. The settlements also provided the potential that additional settlement funds currently set aside for EPA cleanup actions (i.e., the swing money, which is \$10 million plus interest) may instead go to natural resource restoration, depending on the outcome of EPA's ongoing cleanup research.

Taking these factors into consideration, along with the uncertain outcomes of the ongoing data gap studies (see box), the Trustees propose to commit approximately \$25 million during the first 5 years (Phase 1) of restoration implementation under this draft Restoration Plan. After 5 years,

several uncertainties should be resolved, including the outcome of the Northern Channel Islands Bald Eagle Feasibility Study and EPA's cleanup decision. The Trustees would then allocate the remaining restoration funds.

The Trustees propose to allocate the \$25 million for Phase 1 among the four restoration categories (fishing and fish habitat, bald eagles, peregrine falcons, and seabirds) on an approximately equal basis between fishing/fish habitat restoration and bird restoration as follows:

- \$12 million for fishing and fish habitat restoration projects; and
- \$13 million for bald eagle, peregrine falcon, and seabird restoration projects

This initial commitment is built into the restoration alternatives discussed in the next section.

MSRP Data Gap Studies

Fish Contamination Survey

From Fall 2002 to Spring 2004, MSRP and EPA collected over 3,000 fish from 28 locations off the Southern California coast, representing a wide variety of fish often caught by local anglers. A subset of the fish are being analyzed for DDTs, PCBs, dieldrin, chlordane, and mercury, to provide a comprehensive assessment of current levels of fish contamination. The data will be used for MSRP restoration planning, and to update fish consumption advisories and the commercial catch ban on white croaker.

Angler Survey

In 2002 and 2003, the MSRP and EPA interviewed 2,441 anglers at numerous sites along the coast of Los Angeles and Orange Counties to gather information on local fishing and fish consumption practices. The responses will be used to fill information gaps from other fishing studies, as well as for restoration planning and public outreach efforts.

Peregrine Falcon Survey

In 2004, MSRP funded a survey of Santa Catalina Island to determine whether peregrine falcons, which are currently breeding on the Northern Channel Islands, were beginning to re-colonize the Southern Channel Islands. Two pairs of peregrine falcons were observed nesting on Santa Catalina Island, although no evidence of egg laying was observed.

Northern Channel Islands (NCI) Bald Eagle Feasibility Study

The Trustees initiated a feasibility study in 2002 to determine whether bald eagles reintroduced to the Northern Channel Islands (and thus further from the source of contamination) might have greater reproductive success than birds on Santa Catalina Island on the Southern Channel Islands, which continue to show reproductive problems from DDTs and PCBs.



RESTORATION

ALTERNATIVES AND ENVIRONMENTAL CONSEQUENCES

NEPA, CEQA, and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) require consideration of a range of possible restoration alternatives, including a natural recovery alternative with minimal management actions (i.e., a No Action Alternative). The 17 potential projects evaluated in Tier 2 represent a range of individual injury-specific restoration options. In addition to evaluating the actions individually, the Trustees have considered ways that these actions can be combined to build a comprehensive Restoration Plan. The Trustees present three such alternatives in the Draft Restoration Plan: Alternative 1 (No Action Alternative), Alternative 2 (Preferred Alternative), and Alternative 3.

Alternative 1 (No Action)

The No Action Alternative assumes that the Trustees would not intervene to restore injured natural resources or compensate for lost services for any of the affected resources of the Montrose case. Instead, the Trustees would rely on natural processes for the gradual recovery of the injured natural resources and would only take the limited action of monitoring natural recovery.

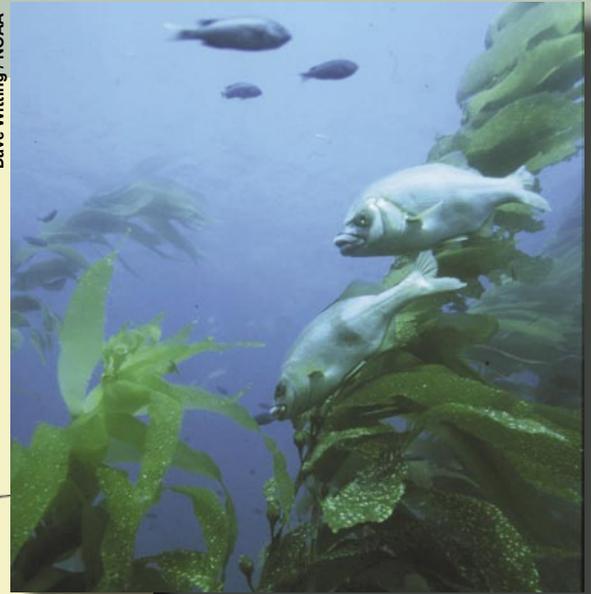
Although natural recovery may eventually occur for many of the injured resources, it may take a significantly longer time than would recovery under an active restoration scenario. In addition, there would be no compensation for any natural resource services lost during the recovery period. Certain events, such as the disappearance of bald eagles from and the introduction of exotic species on the Channel Islands, may not be addressed under a natural recovery alternative. Because feasible restoration actions have been identified that would address the injuries and lost services of the case, the Trustees found that this alternative, as an overall approach across all resource categories, does not fulfill the goals of the MSRP. However, this does not eliminate natural recovery as an option for specific resources (e.g., peregrine falcons) within

the overall framework of a comprehensive restoration alternative.

Alternative 2 (Preferred)

Based on the detailed evaluations performed in Tier 2, the Trustees have determined that conducting a specific set of actions (see “Project Descriptions for Alternative 2”, pages 12-13) would most effectively address the continuing injuries and lost services of the Montrose case and compensate for past injuries. The combination of these actions is therefore referred to as the Preferred Alternative. These actions would address all of the resource categories and are distributed throughout the Southern California Bight (see map, page 13). The total cost of these actions would fall within the limits of funding allocated for Phase 1 of restoration implementation.

Project Descriptions for Alternative 2



Above: Rubberlip surfperch swim amongst giant kelp. The proposed restoration reefs described in the Restoration Plan would generate similar habitat and attract species such as those pictured above.

Left: Map of proposed restoration projects for Alternative 2 (Preferred Alternative).

Fish and Fish Habitat

- **Construct artificial reefs and fishing access improvements.** Construct reefs to displace the more highly contaminated fish that occupy existing soft-bottom habitats with reef and water-column-feeding fish that are lower in DDTs and PCBs. This action also provides facility improvements to encourage fishing in areas where habitat manipulation is performed.
- **Restore full tidal exchange wetlands.** Contribute funding toward ongoing or planned larger-scale wetland restoration efforts in the Southern California Bight. In particular, restoration projects that involve habitat restoration that seeks to promote the production of commonly caught coastal fish species (e.g., California halibut) would be given the highest priority.
- **Provide public information to restore lost fishing services.** Develop and distribute (through outreach and education) reliable information concerning local fish contamination that enables the fishing public to make informed choices about fishing.
- **Augment funds for implementing Marine Protected Areas in the Northern Channel Islands.** Supplement existing management and monitoring activities within the recently created Channel Islands Marine Protected Areas (MPAs).

Bald Eagles

- **Restore bald eagles to the Northern Channel Islands only if the NCI Feasibility Study demonstrates they can successfully reproduce on their own.** Should the NCI Feasibility Study demonstrate that bald eagles can reproduce successfully in the Northern Channel Islands, restoration efforts would proceed. However, should the study indicate that bald eagles in the Northern Channel Islands exhibit high contamination levels and associated reproductive injuries, the Trustees would not pursue active restoration to any of the Channel Islands. The Trustees will continue to monitor the situation in the hope that conditions will improve in the future. Any remaining Phase 1 funding would either be set aside for future bald eagle restoration efforts on the Channel Islands (should eagles begin to successfully breed in the future) or reallocated to seabird restoration efforts. Under Alternative 2, funding for continued intervention to sustain bald eagles on Santa Catalina Island would cease after 2005, regardless of the outcome of the Feasibility Study.

Peregrine Falcons

- **Natural Recovery with Monitoring**
Monitor the ongoing natural recovery of peregrine falcons on the Channel Islands through periodic surveys and contaminant analysis. This action proposes peregrine falcon monitoring throughout the Channel Islands at least two times during Phase 1 of restoration.

Seabirds

- **Restore seabirds to San Miguel Island.** Enhance seabird nesting habitat on San Miguel Island in the Channel Islands National Park by eradicating the introduced black rat over a period of approximately 5 years.
- **Restore alcids to Santa Barbara Island.** Re-establish a once-active Cassin's auklet breeding population and augment Xantus's murrelets on Santa Barbara Island in the Channel Islands National Park through social attraction and habitat enhancement.

- **Restore seabirds to San Nicolas Island.** Restore the western gull and Brandt's cormorant colonies on the U.S. Navy-owned San Nicolas Island by eradicating feral cats on the island.
- **Restore seabirds to Scorpion Rock.** Restore seabird habitat to Scorpion Rock, off of Santa Cruz Island within the Channel Islands National Park, through the removal of non-native vegetation, the installation of artificial nesting boxes, and reduction in human disturbance.
- **Restore seabirds to Baja California Pacific Islands.**
 - **Coronado and Todos Santos Islands.** Restore seabird populations using social attraction, habitat enhancement, and reduction in human disturbance.
 - **Guadalupe Island.** Restore seabird populations through feral cat eradication. This action would be implemented as part of Alternative 2 should funding become available after the results of the NCI Feasibility Study are known (see "Bald Eagles," above).

- **Restore ashy storm-petrels to Anacapa Island.** Facilitate the breeding of ashy storm-petrels on Anacapa Island in the Channel Islands National Park through social attraction. This project would be implemented as a part of Alternative 2 should funding become available after the results of the NCI Feasibility Study are known (see "Bald Eagles," above).



Restoration efforts will aim to enhance several seabird species, such as Xantus's murrelets (above) and California brown pelicans (left).

Alternative 2 addresses the injured resources in the following ways:

Fish and fish habitat

Alternative 2 provides a diverse program of four actions that address both the restoration of human uses (fishing services) and the restoration of fish habitats. One of the actions, Construct Artificial Reefs and Fishing Access Improvements, addresses both fishing and fish habitat restoration and would be given the greatest emphasis in terms of budget distribution within this category.

Bald Eagles

Efforts to reintroduce bald eagles to Santa Catalina Island, one of the Southern Channel Islands, began in the 1980s; however, even today bald eagles on Santa Catalina Island have high concentrations of DDTs from their diet, produce abnormal eggs, and require continued human intervention (manipulation of eggs and fostering of chicks into their nests) to sustain their presence on the island. Assessments indicate that this situation is likely to persist on Santa Catalina Island for the foreseeable future. The NCI Feasibility Study currently under way seeks to determine whether the bald eagles reintroduced onto the Northern Channel Islands (and therefore further from the Montrose contamination source) can be self-sustaining (i.e., reproduce without human intervention). Alternative 2 thus provides sufficient funds to restore bald eagles on the Northern Channel Islands should the ongoing NCI Feasibility Study indicate that bald eagles can breed on these islands in a self-sustaining manner. This alternative does not continue funding the maintenance of bald eagles on Santa Catalina Island or other Channel Islands under a scenario in which long term human intervention is necessary because of continued reproductive injuries.

Peregrine Falcons

Previous peregrine falcon recovery efforts conducted by other organizations have been successful and the number of breeding pairs is increasing on the Channel Islands. Alternative 2 thus provides for monitoring of the continued natural recovery of peregrine falcons. The Trustees also recognize that peregrine falcons will benefit from seabird restoration projects, as an increase in the numbers of seabirds increases the availability of the preferred prey of peregrine falcons.

Seabirds

Alternative 2 incorporates a diverse set of projects that provide for significant benefits to several species of seabirds. Evidence indicates that the seabird species benefiting from these actions are known to have been injured by DDTs or had elevated levels of DDTs in their eggs. The Trustees have selected those seabird restoration actions considered to provide the greatest restoration benefits within the limits of funding.

Having considered the restoration goals and objectives, the current state of recovery of resources, and the continuing presence of contamination, the Trustees believe that Alternative 2 represents an optimal distribution of funding for natural resource restoration across the demonstrated injury types for the purposes of both primary and compensatory restoration.

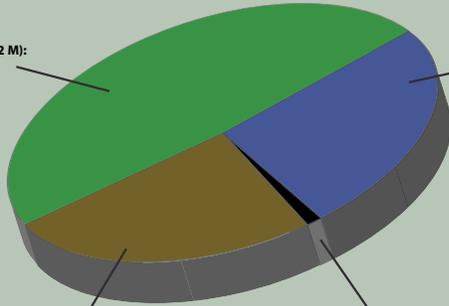
Alternative 3

In Alternative 3, a greater level of effort is devoted to restoration of continuing injuries and lost services (primary restoration), and consequently the set of actions proposed is less diverse than in Alternative 2.

Alternative 2 (Preferred)

FISHING / FISH HABITAT RESTORATION (\$12 M):

- Construct artificial reefs and fishing access improvements*
- Provide public information to restore lost fishing services
- Restore full tidal exchange wetlands*
- Augment funds for implementing Marine Protected Areas (MPAs) in the Northern Channel Islands



SEABIRD RESTORATION (\$6.5 M):

- Restore seabirds to San Miguel Island*
- Restore alcids to Santa Barbara Island*
- Restore seabirds to San Nicolas Island*
- Restore seabirds to Scorpion Rock*
- Restore seabirds to Baja California Pacific islands (Coronado and Todos Santos Islands)
- Restore seabirds to Baja California Pacific islands (Guadalupe Island)†
- Restore ash storm-petrels to Anacapa Island*†

BALD EAGLE RESTORATION (\$6.2 M):

- Restore bald eagles to the Northern Channel Islands only if the NCI Feasibility Study demonstrates they can successfully reproduce on their own

PEREGRINE FALCON RESTORATION (\$0.3 M):

- Monitor natural recovery of peregrine falcons on the Channel Islands

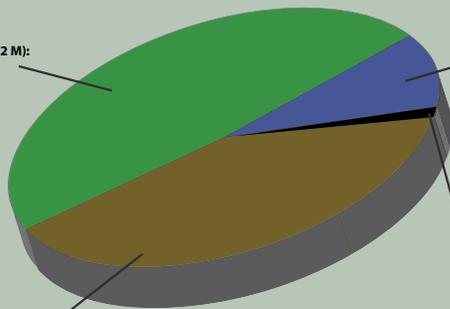
* These actions require further detailed development and subsequent NEPA and/or CEQA analysis prior to implementation.

† These projects would be implemented under the scenario where a portion of the funding for bald eagles is redistributed to seabirds after the NCI Feasibility Study results are known.

Alternative 3

FISHING / FISH HABITAT RESTORATION (\$12 M):

- Construct artificial reefs and fishing access improvements*
- Provide public information to restore lost fishing services



SEABIRD RESTORATION (\$2.7 M):

- Restore alcids to Santa Barbara Island*
- Restore seabirds to Scorpion Rock*
- Restore seabirds to Baja California Pacific islands (Coronado and Todos Santos Islands)
- Restore ash storm-petrels to Anacapa Island*

BALD EAGLE RESTORATION (\$10 M):

- Ensure a continued bald eagle presence in the Channel Islands even if the NCI Feasibility Study demonstrates they cannot successfully reproduce on their own.

PEREGRINE FALCON RESTORATION (\$0.3 M):

- Monitor natural recovery of peregrine falcons on the Channel Islands

* These actions require further detailed development and subsequent NEPA and/or CEQA analysis prior to implementation.

Alternative 3 provides for the maintenance of breeding bald eagles on the Channel Islands even if the NCI Feasibility Study eventually demonstrates that the bald eagles on the Northern Channel Islands experience reproductive impairment similar to that of the bald eagles on Santa Catalina Island. Thus, Alternative 3 reserves a greater level of funding for bald eagle restoration to sustain the Santa Catalina Island birds until, and potentially long after, the conclusion of the NCI Feasibility Study. The funds available for seabird restoration are commensurately reduced.

Alternative 3 also recognizes the continuing human use impacts of fish contamination and state consumption advisories for several commonly caught species of fish and gives restoration of lost fishing services greater emphasis. Actions that benefit fish habitat but do not have as clear and measurable a benefit to anglers are not included.

SUMMARY

Table 1 lists the 17 potential restoration actions that received detailed Tier 2 evaluation and indicates how they are assembled into the three comprehensive alternatives in the MSRP Draft Restoration Plan and Programmatic EIS/EIR. Both Alternative 2 and Alternative 3 allocate \$25 million in restoration funding over the initial 5 years of implementation. Alternative 2 distributes funding across a wide range of actions that are both primary and compensatory in nature. Alternative 3 focuses greater effort on primary restoration by: (1) targeting the human use (fishing) benefits of fish restoration, and (2) reserving greater funding for long-term intervention to maintain bald eagles on the Channel Islands despite continuing reproductive injuries. By reserving greater

funding for bald eagles, Alternative 3 reduces the funds available for seabird actions. The Trustees' Preferred Alternative is Alternative 2.

ENVIRONMENTAL CONSEQUENCES

The environmental effects of the MSRP would be largely beneficial given its fundamental purpose; however, final analysis of all issues cannot be completed, given that certain actions, such as the construction of artificial reefs, are only developed to a conceptual level at this stage. The Trustees have identified 9 of the 17 projects evaluated in Tier 2 as needing further development and subsequent NEPA and/or CEQA analyses prior to implementation. These projects are:

- Construct artificial reefs and fishing access improvements;
- Restore full tidal exchange wetlands;
- Restore peregrine falcons to the Channel Islands;
- Restore seabirds to San Miguel Island;
- Restore alcids to Santa Barbara Island;
- Restore seabirds to San Nicolas Island;
- Restore seabirds to Scorpion Rock;
- Create/enhance/protect California brown pelican roost habitat;
- Restore ashy storm-petrels to Anacapa Island.

A more detailed discussion of environmental consequences is included in the complete document.

Potential Restoration Actions	Alternative 1 (No Action)	Alternative 2 (Preferred Alternative)	Alternative 3
Fishing/Fish habitat restoration		\$12 million	\$12 million
Construct artificial reefs and fishing access improvements		•	•
Provide public information to restore lost fishing services		•	•
Restore full tidal exchange wetlands		•	
Augment funds for implementing Marine Protected Areas in the Northern Channel Islands		•	
Bald Eagle Restoration		\$6.2 million	\$10 million
Restore bald eagles to the Northern Channel Islands only if the NCI Feasibility Study demonstrates they can successfully reproduce on their own		•	
Ensure a continued bald eagle presence in the Channel Islands even if the NCI Feasibility Study demonstrates they cannot successfully reproduce on their own			•
Peregrine Falcon Restoration		\$0.3 million	\$0.3 million
Restore peregrine falcons to the Channel Islands			
Monitor natural recovery of peregrine falcons on the Channel Islands		•	•
Restore peregrine falcons to the Baja California Pacific Islands			
Seabird Restoration		\$6.5 million	\$2.7 million
Restore seabirds to San Miguel Island		•	
Restore alcids to Santa Barbara Island		•	•
Restore seabirds to San Nicolas Island		•	
Restore seabirds to Scorpion Rock		•	•
Restore seabirds to Baja California Pacific Islands			
• Coronado and Todos Santos Islands		•	•
• Guadalupe Island		(Coronado and Todos Santos Islands)	(Coronado and Todos Santos Islands)
• San Jeronimo and San Martin Islands			
• San Benitos Islands			
• Asuncion and San Roque Islands		◇	
• Natividad Island		(Guadalupe Island)	
Create/enhance/protect California brown pelican roost habitat			
Implement entanglement reduction and outreach program to protect seabird populations			
Restore ashy storm-petrels to Anacapa Island		◇	•

◇ In Alternative 2, the Guadalupe Island project and the ashy storm-petrel project on Anacapa Island would be implemented under the scenario where a portion of the funding for bald eagles is redistributed to seabirds after the NCI Feasibility Study results are known.



PUBLIC INPUT

ON THE DRAFT RESTORATION PLAN

The natural resource restoration planning process is guided by NEPA, CEQA, and CERCLA requirements, which require significant public involvement to support and direct the planning process. Public involvement for the MSRP Draft Restoration Plan and Programmatic EIS/EIR to date has included:

- The release of a scoping document on August 24, 2001. The document, which included notices of public meetings to discuss restoration planning, was advertised in local newspapers, posted to the program website, and sent to nearly 500 individuals, organizations, and government agencies.
- Publication of a Federal Register notice on October 9, 2001, establishing an official public scoping period extending from October 9, 2001, to November 24, 2001.
- Publication of a Notice of Preparation in the California State Clearinghouse on March 15, 2002, establishing a second 30-day comment period from March 15, 2002, to April 15, 2002.
- A second round of technical and public workshops to encourage review of the Program's goals and objectives, to solicit restoration ideas, and to review screening criteria for the proposed projects.
- A March 17, 2003, public announcement distributed to the mailing list, further soliciting restoration ideas.
- A 2004 fact sheet updating the public on restoration planning progress to date.

Throughout the restoration planning process, the Trustees have maintained open channels of communication with the public, other organizations, and government agencies. The MSRP encourages public review and comment on the Draft Restoration Plan and Programmatic EIS / EIR. A comment period has been opened and will extend from Friday, April 8, to Monday, May 23, 2005. During this time, a series of public meetings will be conducted in affected locations to accept comments on the Draft Restoration Plan and Programmatic EIS / EIR. The public meeting schedule is listed on the following page.

The MSRP seeks comments on individual restoration actions, the evaluation criteria, the restoration alternatives (including the

proposed allocation of restoration funds across the different actions/categories of resources), or any other aspect of the draft plan. Electronic copies of the complete document are available on the program website at www.montroserestoration.gov. Hard copies can be requested by contacting the MSRP Outreach Coordinator at (562) 980-3236. Comments should be submitted by May 23, 2005 to:

Greg Baker, Program Manager
Montrose Settlements Restoration Program
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802
msrp@noaa.gov

The public is also encouraged to follow the MSRP planning process by visiting the program website, or by contacting staff at the phone number and address above.

Public Meeting Schedule

The Montrose Settlements Restoration Program Public Comment Period for the Draft Restoration Plan and Programmatic EIS / EIR will extend from Friday, April 8, to Monday, May 23, 2005. The following public meetings have been scheduled to discuss the Plan and receive public comment:

Saturday, April 23, 2005

1:00 – 3:00 p.m.
Cabrillo Marine Aquarium
John M. Olguin Auditorium
3720 Stephen White Dr.
San Pedro, CA 90731

Sunday, April 24, 2005

5:00 – 7:00 p.m.
Long Beach Aquarium of the Pacific
Honda Theater
100 Aquarium Way
Long Beach, CA 90802

Thursday, April 28, 2005

10:00 – 12:00 p.m.
Long Beach Federal Building
Suite 3470
501 W. Ocean Blvd.
Long Beach, CA 90802

Monday, May 9, 2005

7:00 – 9:00 p.m.
Channel Islands National Park
Visitor Center Auditorium
1901 Spinnaker Dr.
Ventura, CA 93001

MONTROSE SETTLEMENTS RESTORATION PROGRAM and the U.S. ENVIRONMENTAL PROTECTION AGENCY

The Montrose Settlements Restoration Program (MSRP) is related to but separate from the U.S. Environmental Protection Agency (EPA) Superfund cleanup. EPA is currently focusing on containing the DDTs and PCBs that remain in the sediment along the Palos Verdes Shelf, in an effort to reduce present and future risks to human health and the environment.

EPA has conducted a pilot capping project, in which areas of contaminated sediment were covered with a thick layer of clean sediment. The data collected will be used to decide if a full-scale capping project should be implemented.

EPA is also implementing the Fish Contamination and Education Collaborative (www.pvsfish.org), a participatory outreach and education

program bringing together government agencies and local community groups to address health risks posed by fish contamination in the Palos Verdes Shelf area. As a contributor, MSRP has worked with FCEC to create and distribute outreach tools that promote understanding of fish contamination issues that affect the ethnically diverse populations in the area.

To learn more about EPA's Palos Verdes Shelf work, visit www.epa.gov/region09/features/pvshelf, or call (800) 231-3075.



Available outreach materials include:

"Fishing Resources in Southern California," a fish identification card to help anglers identify the fish they catch.

"Protect Your Health!" an FCEC guide to fish advisories in the Palos Verdes Shelf area, available in 14 languages.

"There's Something Fishy Going On." MSRP and Cabrillo Aquarium are developing an educational comic book for kids and parents alike. The story follows two children and their animal friends as they learn about fish contamination in the Palos Verdes Shelf area, and will be ready for distribution in 2005.

For copies of these publications, please contact the MSRP at msrp@noaa.gov, (866) 795-7786, or (562) 980-3236.



MONTROSE SETTLEMENTS RESTORATION PROGRAM

TRUSTEE COUNCIL

NOAA	JENNIFER BOYCE, <i>Restoration Center</i> ROB RICKER, <i>Damage Assessment Center (alternate)</i>
NPS	KATE FAULKNER, <i>Channel Islands National Park</i>
USFWS	JAMES HAAS, <i>Environmental Contaminants Division</i> SCOTT SOBIECH, <i>Environmental Contaminants Division (alternate)</i>
CDFG	PATTY VELEZ, <i>Office of Spill Prevention and Response</i> JULIE YAMAMOTO, <i>Office of Spill Prevention and Response (alternate)</i>
CDPR	SUZANNE GOODE, <i>Angeles District</i>
CSLC	JONATHAN CLARK, <i>Legal Division</i>

PROGRAM STAFF

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MSRP	DAVE WITTING, <i>Fish Biologist</i>
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