

TORCH/PLATFORM IRENE OIL SPILL

SCOPING DOCUMENT FOR RESTORATION PLANNING

OCTOBER 20, 2004

FOR PUBLIC REVIEW AND COMMENT

Prepared by:

Platform Irene Trustee Council:

United States Fish and Wildlife Service
California Department of Fish and Game
United States Department of Air Force, Vandenberg Air Force Base
California State Lands Commission

With assistance from
Santa Barbara County **Planning and Development Department, Energy Division**

Torch/Platform Irene Oil Spill Scoping Document For Restoration Planning

I. INTRODUCTION

This scoping document was prepared by federal and state agency representatives and summarizes restoration project concepts for natural resources impacted by the Torch/Platform Irene Oil Spill (hereafter Spill or Torch Spill).

In September 1997, a pipeline owned or operated by Torch Operating Company, Nuevo Energy Company, and Black Hawk Oil & Gas Company (collectively the Responsible Parties) ruptured offshore from Vandenberg Air Force Base (VAFB) spilling crude oil into the environment, hereafter, "the Spill." The Department of the Interior through the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG), the California State Lands Commission (CSLC), and the United States Air Force, VAFB are the Trustees for the natural resources injured by the spill. The Trustees are authorized by federal and state law to assess the injuries caused by the Spill, to recover damages or monetary compensation for the injuries, and to use the damages recovered to restore, rehabilitate, replace, or acquire the equivalent of the affected natural resources.

Following the Spill, the Trustees assessed the Spill's impacts to natural resources, focusing on injuries to habitat, intertidal resources, seabirds, and human uses. The Responsible Parties agreed to a settlement of federal and state civil claims including money for natural resource damages.

The Trustees formed a Trustee Council, comprised of representatives from each of the Trustee agencies, to solicit public input, develop a Restoration Plan, and oversee restoration project implementation. The Trustee Council has chosen to use public scoping at this stage of restoration development to assist Trustees in identifying potential concerns and additional restoration projects.

This scoping document includes information on the Spill, the natural resource injuries from the Spill, restoration project concepts for the resources that the Spill impacted, and an explanation of the restoration planning process. Review of the projects described in this scoping document is the first step in the public review process. Section IV, at the end of this scoping document, provides details on how the public can participate in this restoration planning process.

1. Purpose of Scoping Document

The purpose of the scoping document is to present preliminary restoration project concepts for public review and comment. The Trustees seek public input on the merits of individual projects, as well as the effectiveness of the projects in addressing the natural resource injuries arising from the Spill, which is described below. In addition, the Trustees are interested in other project concepts that members of the public believe are more cost effective or better meet the objective of restoring resources injured by the Spill and that better meet the project selection criteria set forth below.

The proposed project concepts described in this scoping document address the following types of natural resources and associated services impacted by the Spill: birds; sandy beach and rocky intertidal shoreline habitats; and lost and diminished use of beaches for human recreation.

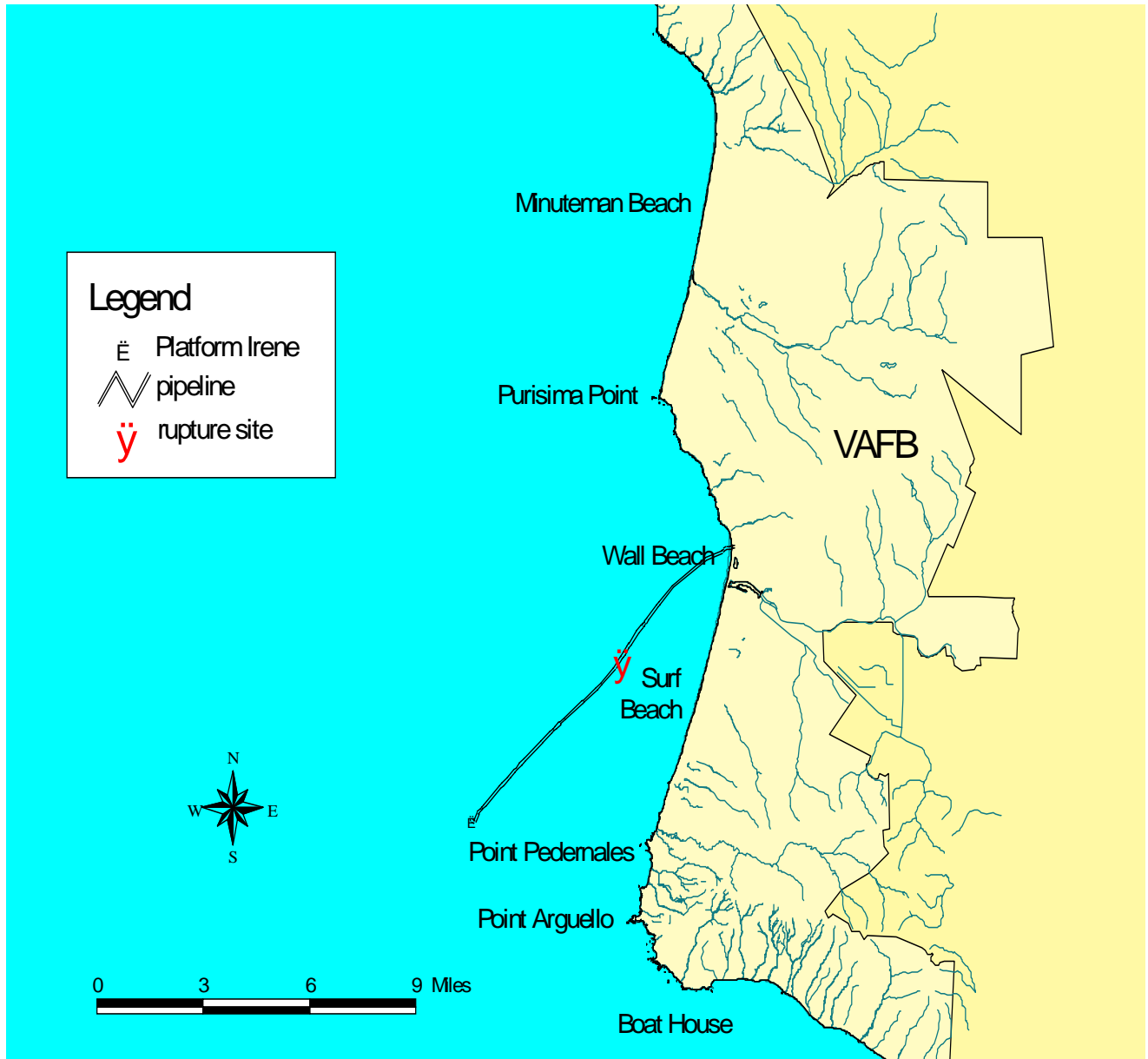
2. Background

The Spill. On September 28, 1997, a discharge of crude oil occurred from a rupture in a 20-inch pipeline owned or operated by Torch Operating Company, Nuevo Energy Company, and Black Hawk Oil & Gas Company. The pipeline runs from the offshore oil platform, Platform Irene, to a processing facility onshore in the City of Lompoc near Harris Grade Road in Santa Barbara County (see Figure I). This pipeline transports an emulsion of crude oil and water from Platform Irene on the Outer Continental Shelf to a holding facility on shore.

At the time of the Spill, the pipeline contained approximately 900 gallons of diesel and 800 gallons of anti-corrosion chemical compounds in addition to the oil and production water. The Spill released at least 163 barrels (or 6,846 gallons) of petroleum products into the Pacific Ocean. Subsequent movement of the crude oil resulted in fouling of approximately 17 miles of northern Santa Barbara County coastline, and caused impacts to a variety of natural resources. The degree of oiling varied along the affected coastline, with the most heavily oiled area being Surf Beach on the VAFB. Details on the natural resource injuries from the spill are discussed below in section 3.

The Civil Settlement. The United States, (on behalf the USFWS, VAFB, the United States Coast Guard, National Pollution Funds Center, and the United States Environmental Protection Agency) and the State of California (on behalf of CDFG, CSLC, and the California Coastal Commission) reached a \$3 million dollar settlement with the Responsible Parties for civil claims, including natural resource damages, arising from the Spill. The terms of the settlement were memorialized in a Consent Decree, a written

Figure 1 Platform Irene Oil Spill Location



agreement, which was reviewed by a U.S. District Court and subject to public comment prior to being approved by the Court on July 25, 2002. The Consent Decree required the Responsible parties to pay a total of \$2,397,000 for natural resource damages. The money for natural resource damages, together with interest earned on the entire \$3 million while held in escrow, was deposited into the Natural Resources Damage Assessment and Restoration Fund ("NRDAR Fund"), created pursuant to federal law (43 U.S.C. section 1474b), for the design, implementation, permitting (as necessary), monitoring, and oversight of restoration projects, and for the costs of complying with the requirements of law to conduct a restoration planning and implementation process. The Trustees jointly retain the ultimate authority and responsibility to use the funds in the Torch NRDAR account to restore natural resources in accordance with applicable law and the consent decree.

The Trustee's Memorandum of Understanding. The Trustees signed a Memorandum of Understanding (MOU) creating a Trustee Council (TC) comprised of agency representatives to ensure the coordination and cooperation among the Trustees during the restoration planning process.

The TC will allocate natural resource damage funds for restoration projects, roughly in proportion to the injured resources being restored. The MOU dictates the division of the \$2,397,000 in damages for restoration projects as follows:

- Approximately \$396,000 will be used for sandy shoreline and dune habitat projects which will also benefit Western Snowy Plovers;
- Approximately \$104,650 will be allocated for a project to benefit mussel beds and other rocky intertidal resources;
- Approximately \$136,500 will be used for abalone projects;
- Approximately \$1,193,833 will be used for projects benefiting seabirds (e.g. murre, cormorants, and pelicans)
- Approximately \$65,520 will be used for human recreational beach use projects;
- An additional \$100,497 may be allocated to some or all of the categories above; and
- Up to \$400,000 may be used for Trustee Council administration.

In addition to the \$2,397,000 for Natural Resource Damage Assessment claims, other components of the settlement included:

- \$60,000 to Department of Fish and Game for civil penalties;
- \$119,000 to California Coastal Commission for California Coastal Act violations;
- \$60,000 to State Lands Commission for trespass damages;
- \$25,000 to USFWS for Endangered Species Act violations;
- \$100,000 to United States Department of Justice for civil penalties; and
- \$179,300 to United States Department of Justice for penalties for Clean Water Act

violations.

3. Summary of Injuries to Natural Resources and Services

The TC has determined that the Spill impacted the following natural resources and related services:

- a) Birds;
- b) Sand and gravel beach habitats;
- c) Rocky intertidal shoreline habitats; and
- d) Use of beaches for human recreation.

A summary of Spill injuries and impacts is presented below.

a) Injuries to Birds

The Spill directly harmed hundreds of seabirds and shorebirds, including Western Snowy Plovers (federally listed as threatened), and California Brown Pelicans, (state and federally listed as endangered). Brandt's Cormorants and Common Murres were among the most heavily impacted species. Live oiled birds were observed as far south east as Santa Barbara Harbor and as far north as Morro Bay.

During the Spill, shoreline and aerial surveys were conducted to locate and collect oiled birds and to estimate the number and distribution of seabirds at risk. To estimate the total number of birds injured as a result of the Spill, beach searches were conducted, scavenging rates (removal of bird carcasses by predators or scavengers) were estimated based on a scavenging experiment, and estimates were made regarding the numbers of birds beached along inaccessible segments of the coast. Between 635 and 815 seabirds and shorebirds are estimated to have been impacted by the Spill. This estimate includes 92 dead birds that were recovered, 32 birds that died in the rehabilitation center, and 18 birds that were rehabilitated and released.

b) Injuries to Sand and Gravel Beach Habitats

The oil came ashore on sandy beaches and on rocky intertidal areas from Minuteman Beach to Boathouse Beach at VAFB, and impacted at least 17 miles of Santa Barbara County coast shoreline. The estuaries at San Antonio Creek, Honda Creek, and the Santa Ynez River were also impacted.

Prior to the Spill, the sandy beach habitat within the spill area, due to limited public use over broad stretches of coastline, could be characterized as ecologically productive with little degradation, a healthy invertebrate population and associated vertebrate population that

fed upon them. These beaches are typically broad, with dune formations behind them. After the Spill, oiling of the sandy beaches consisted of variably sized ribbons of thick oil, as well as very large tar patties, up to three feet in diameter. Some stretches of beach had greater than 50% of their surface area below the high tide line visibly covered with oil. Additionally, the tides moved the oil from place to place throughout the intertidal zone and along the coast. Clean up actions removed much of the oil within a few days, although the continuing presence of oil at some locations required clean up actions to continue for almost six weeks. The clean up actions, which necessitated heavy equipment, many personnel, and removal of the marine plants and other matter constituting the wrack line, resulted in physical disturbances to the habitat.

The invertebrates on the beach, particularly the spiny sand crabs and the Pismo clams were vulnerable to large blankets of oil and sand compression caused by heavy equipment and likely suffered significant mortality from the Spill. A decrease in shorebird numbers, including Western Snowy Plovers, appeared to be associated with the injuries to the invertebrate populations and the clean up operations.

c) Injuries to Rocky Intertidal Shoreline Habitats

Rocky intertidal habitats are highly productive and diverse environments. There are extensive tracts of relatively undisturbed rocky intertidal habitat along the VAFB coast. These habitats are characterized by a rich diversity of invertebrate species, including black abalone, seastars, turf alga, rockweeds, barnacles, and mussels.

The Spill injured a number of animal species in the rocky intertidal zone, including abalone and mussels. During the Spill, black abalone and mussel beds were observed to be coated with oil along, or near, the shores of VAFB, and other nearby rocky shorelines.

d) Injuries Relating to Recreation Opportunities

In addition to injuries to the natural resources, the Spill had an impact on recreational opportunities along the Coast of Santa Barbara County. Physical oiling of the beaches and subsequent cleanup activities impacted beach-related recreational services including walking, jogging, swimming, surfing, tidal pool viewing, fishing, and picnicking. During the Natural Resource Damage Assessment, the Trustees estimated the lost value of beach recreation at approximately \$65,000.

II. THE RESTORATION PLANNING PROCESS

The restoration planning process is aimed at developing a strategy for restoring habitats,

species, and natural resource services that were lost or impaired as a result of the Spill.

This scoping phase is one of the first steps in the restoration planning process. The purpose of scoping is to involve the public at an early stage in restoration planning. The Trustees are seeking public input on the merits of individual projects included in this document. In addition, the Trustees are soliciting other project concepts that members of the public believe better meet the project selection criteria set forth below.

After evaluating public input on this scoping document, and alternative projects that the public may propose, the Trustees will prepare a draft Restoration Plan and Environmental Assessment for additional public review and comment. The draft Restoration Plan will identify: (1) a range of restoration alternatives, (2) the relative effectiveness of alternative actions in achieving restoration goals using criteria developed for evaluating the alternatives (listed below), and (3) the estimated costs of the restoration alternatives. Once comments on the draft Restoration Plan are considered, a final Restoration Plan and Environmental Assessment will be developed and then projects will be implemented.

Project Selection Criteria

The Oil Pollution Act of 1990, and other applicable laws, require the TC to use the Natural Resource Damage money for restoring, replacing, rehabilitating, and/or acquiring the equivalent of natural resources injured, and services lost, as a result of the Spill.

The TC will consider a reasonable range of restoration alternatives before selecting preferred alternatives. Each restoration alternative should address one or more specific injury associated with the Spill.

The TC has compiled the following set of criteria for analyzing potential restoration projects for this case:

THRESHOLD CRITERIA: A project must meet the following criteria in order to be further considered and evaluated using the Screening Criteria below. If any project does not meet the Threshold Criteria, it will not be given further consideration.

- A. **Consistency with Trustees. Restoration Goals:** Projects must meet the Trustees' intent to restore, rehabilitate, replace, enhance, or acquire the equivalent of the injured resources and resource services. In addition, projects must comply with applicable settlement documents.
- B. **Technical Feasibility.** The project must be technically and procedurally sound. Consider the level of risk or uncertainty and the degree of success of projects utilizing similar or identical techniques in the past.

INITIAL SCREENING CRITERIA: The following initial screening criteria shall be used to determine preferred and non-preferred projects.

- C. **Relationship to Injured Resources and/or Services (nexus).** Projects that restore rehabilitate, replace, enhance, or acquire the equivalent of the same or similar resources or services injured by the spill are preferred to projects that benefit other comparable resources or services. On-site and in-kind restoration projects are preferred but not required. Consider the types of resources or services injured by the spill, the location, and the connection or nexus of project benefits to those injured resources.
- D. **Avoidance of Adverse Impacts.** The project should avoid or minimize adverse impacts to the environment and the associated natural resources. Adverse impacts may be caused by collateral injuries when implementing, or as a result of implementing, the project.
- E. **Likelihood of Success.** Consider the potential for success and the level of expected return of resources and resource services. Consider also the ability to evaluate the success of the project, the ability to correct problems that arise during the course of the project, and the capability of individuals or organizations expected to implement the project.
- F. **Multiple Resource [and Service] Benefits.** Consider the extent to which the project benefits more than one natural resource or resource service. Measure in terms of the quantity and associated quality of the types of natural resources or service benefits expected to result from the project.
- G. **Time to Provide Benefits.** Consider the time it takes for benefits to be provided to the target ecosystem or public to minimize interim resource loss (sooner = better).
- H. **Duration of Benefits.** Consider the expected duration of benefits from the project. Long-term benefits are the objective.

ADDITIONAL SCREENING CRITERIA: The following additional screening criteria shall be used to further evaluate and prioritize projects for funding and implementation. These additional criteria are not considered to be of lesser importance than the initial screening criteria. However, in practice it may be difficult to apply these criteria to project concepts. These criteria are generally more appropriately applied after more detailed project plans and scopes of work are developed. If sufficient information is

available, these criteria may also be used during the initial screening process.

- I. **Compliance with Applicable Federal, State, and Local Laws and Policies.** The project must comply with appropriate laws and policies.
- J. **Public Health and Safety.** The project must not pose a threat to public health and safety.
- K. **Protection of Project [Maintenance and Oversight].** Consider the opportunities to protect the implemented project and resulting benefits over time through conservation easements, land acquisition, or other types of resource dedication. Long-term protection is preferable.
- L. **Opportunities for Collaboration.** Consider the possibility of matching funds, in-kind services, volunteer assistance, and coordination with other ongoing or proposed projects. External funding and support services that reduce costs or extend benefits are preferable. Funds, however, shall not be used to offset the costs of ongoing mitigation projects required pursuant to state or federal law.
- M. **Cost-Effectiveness.** Consider the relationship of expected project costs to expected resource and service benefits. Seek the least costly approach to deliver an equivalent or greater amount and type of benefits.
- N. **Total Cost and Accuracy of Estimate.** The total cost estimate should include costs to design, implement, monitor, and manage the project. Its validity is determined by the completeness, accuracy, and reliability of methods used to estimate costs, as well as the credibility of the person or entity submitting the estimate.
- O. **Comprehensive Range of Projects.** Consider the extent to which the project contributes to the more comprehensive restoration package. Evaluate the project for the degree to which it benefits any otherwise uncompensated spill injuries.

III. POTENTIAL RESTORATION PROJECT CONCEPTS

The following restoration project concepts are being considered by the Trustees and were developed for settlement purposes for the Natural Resource Damage Assessment. Restoration concepts may be added or deleted at any time during the restoration planning process, until the restoration plan is finalized. To develop the restoration project concepts presented in this document, the Trustees consulted various experts in seabird conservation, abalone and mussel research, and local experts. A summary of proposed

Torch/Platform Irene
Scoping Document

restoration project concepts are presented in Table 1, with details following.

Table 1. Summary of Proposed Restoration Project Concepts

PROJECT	DESCRIPTION	LOCATION	RESOURCE BENEFITS	NEXUS
1. Seabird Colony Protection Program	Develop program to protect seabirds during nesting season by reducing human disturbance of roosts & colonies.	Coastline colonies from central Big Sur Coast down to Ventura	Enhanced seabird viability.	Seabirds were one of the primary resources impacted by the Spill.
2. Sandy Beach & Dune Habitat Restoration.	Eradicate iceplant & European beach grass, & replant native vegetation.	Surf Beach & Wall Beach.	Improvements to Beach/dune ecosystem & Snowy Plover nesting.	Both sandy beaches and Snowy Plovers were impacted by the Spill.
3. Black Abalone Restoration	Black Abalone artificial culturing and out-planting disease-resistant black abalone	Rocky intertidal habitat near VAFB	Restore declining species/habitats important to intertidal ecosystem maintenance.	Black Abalone were directly impacted by the Spill.
4. Mussel Bed Restoration	To speed up natural restoration at damaged mussel beds - mussel transplanting	Rocky intertidal habitat near VAFB	Restore declining species/habitats important to intertidal ecosystem maintenance.	Mussel beds were directly impacted by the Spill.
5. Boardwalk (OB to Estuary).	Construct boardwalk, viewing platform, and interpretive signs from parking lot viewing estuary, per OB Master Plan.	Ocean Beach	Improved access for bird watching in the Santa Ynez River estuary & reduced foot traffic in Snowy Plover nesting areas.	Both human recreational uses and Snowy Plovers were impacted by the Spill.
6. Boardwalk (Surf Station to Beach)	Construct wheelchair-accessible boardwalk from RR track crossing to the beach.	Surf Station	Handicapped accessible & reduced foot traffic in Snowy Plover nesting areas.	Both human recreational uses and Snowy Plovers were impacted by the Spill.
7. OB Host Site & Interpretive Signage	Construct host site & interpretive signage	Ocean Beach	Provides environmental, wildlife, and habitat educational signage and host interpreter facilities	Compensatory facilities at coastal recreational site close to the public affected by the Spill.
8. Point Sal Improvement	If access road is reopened, re-grade and gravel parking lot; construct a pit toilet and water system, install picnic benches, interpretive signs, and a stairway to the beach.	Point Sal	Access and service upgrades for recreational use.	Compensatory facilities at alternative coastal recreational site close to the public affected by the Spill.
9. Point Sal Land Acquisition	Acquire 90 acres of coastal habitat between Point Sal	Point Sal	Land for coastal access & protection of	Compensatory land acquisition for

PROJECT	DESCRIPTION	LOCATION	RESOURCE BENEFITS	NEXUS
	and Mussel Rock		coastal habitat.	impacts to human use, seabirds, & habitat.

1. Seabird Colony Protection Program

The goal of this project is to implement a regional seabird protection and human disturbance reduction program. The program would include:

- a) Developing and enforcing appropriate seabird protective measures,
- b) Educating the public and specific user groups about these measures, and
- c) Monitoring and evaluation to ensure effectiveness and integration into long-term seabird management programs.

Protection and disturbance reduction measures would address excessive noise from aerial overflights, intrusive landings on islands and rocks, close approach of sensitive coastal areas by unauthorized boats and other watercraft, and close approach on foot, or by vehicle, on land. Such measures may include positioning buoys around breeding rocks, posting signs, and developing educational programs for visitors, pilots, kayakers, and sport fishermen to maintain a specified distance from colonies during the breeding season. New measures would be integrated with other multiple uses of coastal environments to prevent or minimize disturbance to seabirds on a site-by-site basis.

This project would target coastal seabird colonies and roosting sites between central Big Sur Coast down to Ventura, which many of the impacted species frequent, seasonally, or throughout the year. This section of the coast lies outside National Marine Sanctuary boundaries, and is not currently benefiting from seabird restoration or conservation programs.

This project has five objectives:

- 1) Identify and collate available data for all seabird colonies and roosts in the restoration area,
- 2) Document the types and degree of human disturbance throughout the restoration area, and identify specific colonies that require specialized efforts and protection,
- 3) Develop, implement, and enforce appropriate protective measures to reduce disturbance at specific colonies and roosts and throughout the restoration area, and take corrective measures, where appropriate, possibly including:

- Monitoring public compliance, making appropriate modifications when necessary,
 - Posting signs at coastal launching ramps to educate sport and commercial fishermen, kayakers, and others about the sensitivity of nearby seabird colonies,
 - Publishing pamphlets for distribution through marine supply and sporting goods stores,
 - Producing videos for television public service announcements, and distribution to tourist information services, lodging facilities, local school districts, kayak sales and rental companies, etc,
 - Placing buoys around seabird colonies with warnings about approaching too close,
 - Conducting public outreach presentations to community groups and schools,
 - Preparing and presenting educational modules for U.S. Coast Guard, airplane pilots, and local and regional agencies to promote awareness of seabird conservation,
 - Exploring the feasibility of video surveillance at key colonies,
 - Developing wildlife interpretive program materials to promote public awareness and enhance seabird viewing events at selected vantage points, and
 - Improving surveillance at all colonies by increasing patrols from project staff and wardens.
- 4) Monitoring seabird population, breeding success, and attendance patterns to evaluate project effectiveness, and
- 5) Developing public viewing areas and educational programs about seabirds to increase public awareness and appreciation of these natural resources.

2. Sandy Beach and Dune Habitat Restoration

The nature of sandy beaches makes direct restoration of this habitat difficult. Instead, the TC proposes to restore natural resource services lost to the Spill through restoration of dune habitat immediately adjacent to impacted sandy beaches. Proposed beach/dune habitat improvement projects include eradication of non-native vegetation that presently degrades natural habitat quality, and re-establishment of native vegetation, which will increase the capacity of the habitat to support nesting of the Western Snowy Plover.

The proposed restoration project seeks to remove key non-native plant species in the areas with the greatest potential for habitat improvements, thereby increasing suitable Snowy Plover nesting areas. The invasion and expansion of non-native vegetation (specifically, iceplant (*Carpobrotus spp.*) and European beachgrass (*Ammophila arenaria*)) across much of the beach and dune habitat has rendered large expanses of

habitat unsuitable for nesting by snowy plovers, as well as reduced the available habitat for native plant species.

The proposed project area is located at Ocean Beach (OB) on VAFB. This beach is comprised of two main segments, separated by the Santa Ynez River:

- 1) Wall Beach, extending approximately 1.1 miles north of the Santa Ynez River Mouth, and
- 2) Surf Beach, extending approximately 3.5 miles south of the river mouth.

Dunes between the beach and the railroad tracks on each of these segments are proposed for restoration consideration.

This project has two major elements:

1. Eradication of non-native European beach grass and iceplant through the selective use of herbicides and hand-treatment, and
2. Re-establishment of native vegetation (sand verbena, *Abronia spp.*), focusing on areas currently in non-native vegetation monoculture where native vegetation is not likely to re-establish naturally.

Monitoring throughout the life of the project will evaluate project success and use of restored areas by Snowy Plovers. A 10-year project is required to achieve maximum benefits and ensure that the project area will not be readily re-colonized by non-native vegetation.

4. **Black Abalone Restoration**

Black abalone are an important intertidal species that once occurred in dense concentrations along the southern and central California coast. This species has been adversely affected in southern California by the combined effects of a commercial fishery and a disease called withering syndrome (WS), which has diminished black abalone populations in southern California. Black abalone are not a preferred species for commercial trade, hence restoration efforts to maintain their stocks and research efforts to combat WS have received little attention. This project will seek to restore, by artificial culturing and out-planting, disease resistant black abalone.

The project will begin by establishing a program to artificially culture WS-resistant black abalone from VAFB and/or other nearby areas in a hatchery situation. To maximize abalone survival in the field, survivors of WS that are more resistant to this disease will be

used as broodstock. After out-planting, monitoring will be conducted for five years to document success in establishing and recruiting black abalone.

5. Mussel Bed Restoration

The value of mussel beds in the coastal region is well documented. Mussel beds are one of the most diverse habitats in the world and are relied upon by many marine animals as an important food source. When damaged, they may take as long as 15-20 years to recover fully. Many organisms depend on this stable habitat for their livelihood, including the diverse assemblage found within the mussel bed itself. Other animals such as birds, seastars, and sea otters also rely on mussels as an important food source. This project will seek to speed up the natural restoration process for damaged mussel beds by seeding barren areas with adult mussels.

Instead of taking mussels from other mussel beds along the coast and risk damaging otherwise healthy beds, adult mussels of the species *Mytilus californianus* would be collected from an offshore platform (could be from Torch's Platform Irene) at minimal cost. These mussels would be relocated, using various techniques, along the VAFB coast as close to the injured beds as possible. The transplanted mussels would be monitored for several years.

6. Human Recreational Use Projects

To develop potential projects to compensate for human use impacts, the TC collected restoration concepts from staff at the Santa Barbara County Planning and Development Department, Energy Division. These project concepts include beach access improvements through facilities construction and land acquisition. These projects will result in an improved visitor experience, and enhance the quality and amount of public use at those areas most heavily impacted by the Spill. There are five projects proposed to compensate for lost and diminished use of beaches for human recreation:

- Ocean Beach Park (OB) Estuary Boardwalk and Viewing Platform,
- Surf Beach Coastal Access Boardwalk,
- Ocean Beach Host Site and Interpretive Signage,
- Point Sal Property Improvement, and
- Point Sal Land Acquisition.

1. OB Estuary Boardwalk and Viewing Platform

The first project is the construction of a boardwalk and viewing platform into the Santa Ynez River Estuary to provide improved visual access of the marsh/wetlands for wildlife viewing and educational and interpretive services to park visitors. The proposed location is on the northeast end of the Ocean Beach parking lot.

The project involves constructing a wooden boardwalk at low elevation extending for approximately 375 feet northeast from the Ocean Beach parking lot into the estuary of the Santa Ynez River. A platform and interpretive/educational kiosk would be constructed at the end of the boardwalk that provides information relating to environmental concerns, seabird identification, and natural habitats. Care would be taken to assure that construction design and materials would focus on minimizing any adverse impacts to the wetland habitat.

Lost human uses of resources occurred at Ocean Beach due to the Spill. The park was closed for a period, the beach was oiled and heavy equipment and cleanup activities disrupted public recreation at Ocean Beach Park. The project would provide access for bird watching in the Santa Ynez River Estuary and reduced foot traffic in snowy plover nesting areas.

2. Coastal Access Boardwalk – Surf Beach Location

Similar to the above project, except located at Surf Beach, a third project proposed by Santa Barbara County would involve the construction of a boardwalk from Surf Station to the beach shoreline. The boardwalk would be wheelchair accessible from the proposed railroad crossing to the beach. Again, this project will facilitate handicap access, and reduce foot traffic in snowy plover habitat.

3. Ocean Beach Host Site and Interpretive Signage

The fourth project involves constructing a host site at Ocean Beach. A trailer pad for a mobile dwelling unit would be built, along with appropriate lighting and electrical hookup equipment. Interpretative or education signage would be added throughout the park that provides information relating to environmental concerns, wildlife identification, and natural habitats surrounding Ocean Beach. The host site would be built in anticipation of Santa Barbara County providing a host for Ocean Beach.

4. Point Sal Property Improvement

The fifth project involves improving property access and services improving public education, and enhancing recreational facilities for the public at the Point Sal property. This would be done by re-grading and graveling the parking lot at the site, constructing a pit toilet and water system, installing picnic benches, interpretive signs, and a stairway to the beach. This project will only be considered if the Point Sal access road is repaired and re-opened (which is currently being discussed by Santa Barbara County staff).

5. Point Sal Land Acquisition

The intent of this project is to acquire coastal property with sandy shoreline habitat, coastal dunes, bluffs, and wetlands (freshwater seeps) to compensate for natural resource damage to similar habitats. The property is located on the coastline between Point Sal and Mussel Rock, in northern Santa Barbara County.

During a survey of the site in 1990, John Storrer, biologist and author of the Point Sal Reserve Management Plan, observed “flocks of roosting pelicans, cormorants, gulls, and shorebirds” there. Storrer recorded “up to 150 pelicans in mixed flocks with Heerman’s, California, and western gulls on Paradise Beach”. The property adjoins a marine mammal haul-out area immediately to the south. Also, Point Sal is an historic nesting site for peregrine falcons. Although not related to the effects of the Torch Oil Spill, it is worth noting that the site contains two rare plant species (*Cirsium rothophilum* and *Senecio blochmaniae*).

Acquisition of this site would be subject to the provisions of the Point Sal Reserve Management Plan. The basic premise of this plan is that resource protection should be given the highest priority, due to the extreme sensitivity of the Point Sal area. The benefits of acquisition and management include eliminating current forms of disruptive human uses (e.g. firearms), and remediating problems related to presently uncontrolled recreation activities.

The acquisition of this key property would add 0.6 miles to the approximately 5 miles of coastline currently owned by the public along Santa Barbara County’s northern coast (out of 64 miles of coastline). The acquisition project would be consistent with the goals and policies of the Santa Barbara County Local Coastal Plan, Coastal Access Implementation Plan, and the Point Sal Reserve Management Plan. The recipient and manager of this property could be The Nature Conservancy, the U.S. Fish and Wildlife Service, the State Department of Parks, or Santa Barbara County. The County’s Coastal Resources Enhancement Fund could provide matching funds for land management in the future, to ensure continued protection of sensitive coastal resources.

IV. PUBLIC PARTICIPATION

Public participation in the restoration planning process is both desirable and necessary, and regular communication with the public is an important part of preparing and implementing the restoration plan. The goals of this public scoping process are to:

- Solicit the public's review of proposed restoration project concepts in this scoping document,
- Identify additional restoration project concepts that best restore the resources injured by the spill (note, project concepts become public property once they are submitted to the Trustee Council),
- Involve the public in the development of the restoration plan,
- Identify issues of concern to the public related to the restoration plan, and
- Keep the public informed of restoration developments and progress

Public Meeting

The Trustees will hold a public meeting at the Lompoc City Council Chambers on November 4, 2004 from 7:00pm – 9:30pm. The Lompoc City Council Chambers is located at 100 Civic Center Plaza, Lompoc California. Directions can be obtained by calling the agency contact below. At this meeting the Trustees will present a brief overview of this scoping document and accept public comment.

Further information on this public meeting and other activities of the Trustees will be distributed to those on our mailing list and will be announced on the Department of Fish and Game website at <http://www.dfg.ca.gov/ospr> and through press releases. Please call the agency contact below if you wish to be added to the mailing list.

Responsibility for conducting public participation activities lies with the TC. The TC will sponsor public meetings under the formal notice and comment process.

Written Comments/ Project Proposals

Written comments are encouraged. Comments on this scoping document and proposed restoration project concepts described in this document and/or any additional restoration proposals are **due to the Trustee Council by December 15, 2004.** Comments and project proposals must be received by that date to be considered in the draft Restoration Plan/Environmental Assessment. Comments will be considered a matter of public record and releasable under the Freedom of Information Act. Please send comments and/or project proposals to the agency contact below.

Torch/Platform Irene
Scoping Document

Agency Contact: Ms. Melissa Boggs-Blalack, Environmental Scientist, California Department of Fish and Game, Oil Spill Prevention and Response, 213 Beach Street, Morro Bay, California 93442. Phone: (805) 772-1756. E-mail: Mboggs@OSPR.DFG.CA.GOV

Future Public Comment Opportunities

In addition to commenting on this scoping document and/or submitting additional project concepts, public notices and public participation opportunities will include commenting on a draft restoration plan. After the scoping process is complete, the Trustee Council will prepare a draft restoration plan. When this is complete, there will be another public meeting and a comment period of at least 30 calendar days.