

We know that eggs crack because DDT contaminated them and they died from DDT. Dr. Sharp changed eggs by dangling from a helicopter. He put ceramic eggs in the nest. Then he incubates eggs in S.F. zoo. He brought baby eagles to school. Some are gray, white, and fluffy.

I hope that you can see all that we know about eagles is because of the Eagle Program in Catalina. We all hope they stay here so people could see this wild, beautiful creature.

Thank you for your help.

Sincerely,

Paulina Octavo

P.O. Box 1337
Avalon, CA 90704

Montrose S.R.P.
501 W. Ocean Blvd. Suite 4470
Long Beach, CA 90803

May 3rd, 2005

Dear Sirs,

We want the eagles to stay
on Catalina Island. We want
their restoration program to
stay on Catalina Island.

Can you please keep the
restoration program running be-
cause if the bald eagles
aren't here it won't be
the same it will be
different and plain. We need
the eagles to survive so
people in 5 years can see
them. Why are you
taking it away? If you change
your mind just send me a
letter to tell me why your

doing this and if you
change your mind.

Sincerely,
Lana Martin

DEPT. OF COMMERCE - NOAA
RECEIVED

MAY 28 2015

OFFICE OF GENERAL COUNSEL
NATURAL RESOURCES-S...

Dylan Norfleet
3rd Grade B-12
Avalon Elementary School
Avalon, CA. 90704
Mr. Greg Baker
Montross Settlement
Long Beach, CA. 90804
May 4, 2005

Dear Mr. Baker;

I am writing to persuade you to keep the Institute for Wildlife Studies Eagle Program funded on Catalina Island. I really do not want the eagles to go.

You should keep funding money because you dumped the D.D.T in the water. Why don't you just send money to the Northern Channel Islands and Catalina.

I really like the eagles
and so do evreyone eles and
if one pair of eagles can
bread without peaple, maybe
other eagles will start.

I really like the eagles
and I really do not to see
them go. In time mayxbe
the eagles will be able to
bread on there own soon.

Seriouly,
Dylan Nor fleet.

Milena Viljoen

From: INCREMENTAL SALES PROMOTIONS [incrementalsales@sbcglobal.net]
Sent: Monday, May 23, 2005 5:38 PM
To: msrp@noaa.gov
Subject: Save the Bald Eagle

Upon learning about the Santa Catalina Island, CA American Bald Eagle situation due to the damage cause by DDT, I urge the state and federal governments to continue to fund the project which insures the existance and the eagle's survival on the island. Our national symbol should received all the support that is possible. It is a wonderful sight to actually see a Bald Eagle in the wild, especially around Santa Catalina Island.

Ed Jezowski

Milena Viljoen

From: Brian Walton [walton@ucsc.edu]
Sent: Monday, May 23, 2005 5:59 PM
To: Greg Baker Manager Montrose Settlement Restoration Program
Subject: comments on MRPlan



Montrose
Settlement Restoration Plan Comment

see attached, thanks for opportunity to comment. BJW

Brian James Walton
Coordinator
SCPBRG
Santa Cruz Predatory Bird Research Group
Long Marine Laboratory, University of California
Santa Cruz, CA 95060
www.scpbrg.org
phone: (831) 459-2466
fax: (831) 459-3115

CELEBRATING SCPBRG'S 30TH YEAR OF RAPTOR CONSERVATION AND MANAGEMENT

May 23, 2005

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

Dear Greg:

Please accept these comments regarding the Montrose Restoration Plan.

The draft restoration plan departs from the spirit of the outcome of the court case when it comes to addressing the actual damages for which Montrose is accountable. The Judge in that case calculated the damages done to the resources and came up with a figure of \$7 million for peregrine falcon restoration.

Prior to the Montrose trial, peregrine falcon restoration activities on and around the Channel Islands had already been undertaken for more than a decade. Hundreds of thousands of dollars in grants, donations, and other funding sources was spent releasing peregrine falcons at hack sites on San Miguel, Santa Catalina, and Santa Rosa Islands, as well as several proximal mainland sites including Palos Verdes, Sudden Flats, Santa Ynez Ridge, Point Loma, and Westwood. The salvage of DDT-thinned eggs and subsequent fostering of peregrine chicks had also been conducted both on the northern Channel Islands and in areas that served as a source for the re-colonization of the islands. Prior to the settlement, most of the peregrines found breeding on the Channel Islands were the direct result of SCPBRG peregrine restoration activities.

Therefore the Plan incorrectly suggests, "Although peregrine falcons are naturally re-colonizing the Southern Channel Islands, as demonstrated by the recent breeding on Santa Barbara and Santa Catalina Islands"(Sec 7-12). Calling all the increases that are a result of management activity a natural recovery is misleading. The first re-colonizing pair on the Channel Islands consisted of a male released on San Miguel Island in 1985 and a wild-hatched female. This same male also acquired a second mate and territory (bigamy) in 1992. All of the islands (including Santa Barbara and Santa Catalina) were re-colonized by peregrines that had been released or banded by SCPBRG elsewhere. Monies spent prior to the Montrose Settlement resulted in the partial recovery of peregrines on and around the Channel Islands. The vast majority of data concerning the trends in eggshell thinning, DDE contamination, and reproductive success (or lack thereof) were collected prior to the end of the court case.

The plan also fails to recognize the ongoing contributions to Channel Islands recovery that are results of the significant, continuing (since the court case ended) releases of falcons near the Islands as a result of donations and non-Montrose contributed funding. These falcons and their offspring are omitted if the recovery on the Islands is called "natural."

During the trial, to try to minimize the effect of DDT, the defense tried to suggest that the historic peregrine population was only about 15 pairs, a statement that has been misused by parties on both sides of the issue many times since the trial. The actual number of territories occupied on the Islands each year was probably much larger. Nevertheless, even if that were an accurate guess many years ago, it is clear today that the actual recovery numbers of peregrines in all regions of the state are considerably larger than what researchers guessed in the 1970s and 1980s. As a result, the number of peregrines that would be expected to occur on the Channel Islands if the Montrose dumping had not occurred and if full restoration does occur is much, much larger than the fifteen pairs that people are using as a recovery goal.

Since 1994 there has been little funding for peregrine monitoring on the Channel Islands. What monitoring that has occurred has been opportunistic by SCPBRG biologists working on other projects on the islands or funded by donations. Restoration activities have been ongoing in the form of peregrine releases at mainland hacksites in the Santa Ynez Valley and Vandenberg Air Force Base to the north and peregrine chick salvaging from bridges and buildings in the Los Angeles Basin. These activities have continued to

enhance the restoration of peregrines to the Channel Islands. But very little comprehensive monitoring or analysis of peregrine reproduction has been possible.

The peregrine falcon restoration alternatives being considered in the MSRP Draft Restoration Plan can hardly be called restoration or monitoring. They can be characterized at best as a survey to determine the extent of the recovery through SCPBRG restoration activities and subsequent natural recruitment that has already taken place and a snapshot of the current levels of DDE contamination, eggshell thinning, and reproductive success. These activities do nothing to redress the harm caused to peregrine falcons attributable to Montrose Chemical as determined in the court case.

The harm caused to peregrine falcons attributable to Montrose Chemical extends far beyond the Channel Islands. Peregrine falcons were nearly extirpated from the West Coast and individual pairs continue to be reproductively repressed from San Francisco Bay to San Diego.

The budget and time frame for peregrine falcon “restoration” activities proposed in the MSRP Draft Restoration Plan alternatives 2 and 3 is not in sync with the scope of work suggested. While \$250,000 over a two-year period may be adequate for determining the distribution and number of pairs, determining productivity, and analyzing eggshell thinning and organochlorine contamination of Channel Islands peregrines, the amount of funding and the time scale proposed are not sufficient to determine recruitment, dispersal, and foraging behavior as suggested. Determining these latter parameters of peregrine population dynamics will require a geographically broader and much more sustained and intensive level of field effort with a correspondingly greater level of funding to accomplish (see below).

A two-year survey, monitoring, and contaminant analysis program will only serve to provide two snapshots of the status of Channel Islands peregrines and may not be sufficient for determining trends in population dynamics or contamination levels and reproductive effects. The alternatives proposed in the MSRP plan focus on the Channel Islands and do nothing to address the harm to mainland and Baja California Pacific Islands that have been attributed to Montrose Chemical.

We would propose that survey, monitoring, and contaminant analysis program be expanded to include the coastal mainland and Baja California Pacific Islands affected by Montrose and the budget for the program be revised taking into account the increased scope of work as well as the proposed population dynamics and foraging studies that appear to be under-funded. We would also suggest that decisions regarding the necessity of active peregrine restoration activities be revisited contingent upon the updated population recovery data gathered during the initial survey and monitoring phase.

We also believe that the concept of deciding whether or not to initiate bald eagle restoration activities based on the NCI Feasibility Study is misguided, and misinformed about bald eagle population dynamics. Whether or not bald eagles reintroduced to the Northern Channel Islands can successfully reproduce at this time is irrelevant to the continuing recovery of the West Coast subpopulation of Bald Eagles. The Channel Islands’ bald eagles are not a separate population, but rather a subpopulation of the western North American population that extends from Alaska to Sinaloa, Mexico. Bald eagles on the mainland are continuing to re-colonize their former range and are now breeding in Santa Barbara County just across the channel from the northern islands. Non-breeding and migrating bald eagles are somewhat social and the presence of newly released birds on the northern islands has already attracted dispersing eagles from Catalina Island, identified by their orange wing tags, as well as at least two unmarked juveniles of unknown mainland origin. Restoration of bald eagles to the Channel Islands should be undertaken with the goal of re-filling the island niches left vacated by the actions of Montrose Chemical in order to complete the breeding range continuum of the western N.A. bald eagle population, and maintain the bald eagle's place as a primary predator on the islands. Chronic organochlorine contamination may cause low productivity for territories that are occupied in the region, but allows “floating” adults dispersing into the region to find viable territories to occupy. Establishing the presence of bald eagles on the islands is already attracting recruitment of dispersing eagles from the mainland, and contributing breeding individuals to the mainland population. Continued study of reestablished bald eagles will also serve to illuminate future trends in contamination and help to assess any activities undertaken to reduce the affects of the DDT dumpsite.

Levels of Effort per Task

Distribution and # of pairs – will require 3 people with a boat and a large stock of homing pigeons for aquatic surveys. Should establish one or more (north and south) homing pigeon flocks on the mainland. Will also require 2-person land-based survey crews, maps, GPS, spotting scopes, binoculars, tripods, and radios. Initial surveys should take place in Jan-Feb prior to egg laying.

Productivity – will require 1 observer per island (possibly combining Anacapa and Santa Barbara). Will require weekly visits to each eyrie starting in late February through fledging. May require re-survey for pairs that fail and recycle elsewhere.

Recruitment – will require identification or banding of each individual breeding bird as well as banding of as many peregrines as possible from San Francisco to San Diego for a number of years and subsequent ID of each new breeding bird – requires trappers and mainland climber/banders.

Dispersal – will require banding of all island chicks. Will require subsequent mainland and island surveys to locate and identify dispersing birds – requires climber/banders and mainland surveys.

Foraging behavior – will require trapping, radio-telemetry, observers, and climbers.

I hope you find these comments useful. Let us know if you have questions or need more data.

Sincerely,

Brian James Walton
Coordinator
Santa Cruz Predatory Bird Research Group
Long Marine Lab
University of California
Santa Cruz, CA 95060
Walton@ucsc.edu
(831) 459-2466

hard copy mailed to Greg Baker

Milena Viljoen

From: CHERI L BRADSHAW [twomaitais@sbcglobal.net]
Sent: Monday, May 23, 2005 6:06 PM
To: msrp@noaa.gov
Subject: Continue funding on Catalina Island

Dear Mr. Baker:

Please continue funding of the Bald Eagle program at Catalina Island. My family and I visit Catalina each year and make it a point to see these eagles on the island. If you move the program to an uninhabited island, seeing these birds will be too difficult and far too expensive for us. Breeding is important, but equally important is the public's right to have convenient access to these animals. If you believe a northern channel island is a better breeding location, then please start a *second* program so we can continue to see these birds on Catalina Island. Thank you for your consideration.

Milena Viljoen

From: ItsTurtle@aol.com
Sent: Monday, May 23, 2005 6:15 PM
To: msrp@noaa.gov
Subject: Bald Eagle project at Catalina

Greg Baker. Please continue the Catalina program for establishing a healthy Bald Eagle population on Catalina Island. We are looking forward to the time when we can see them soaring over the island in ever increasing numbers. Thank you. Gwendola and Thomas Johnson.

Milena Viljoen

From: Hannah Nevins [hannah@oikonos.org]
Sent: Monday, May 23, 2005 6:14 PM
To: msrp@noaa.gov
Cc: jennifer.boyce@noaa.gov; Annie.little@fws.gov
Subject: Comments on MSRP Seabird Restoration Projects

P.O. Box 1103
Aptos, CA 95001
May 22, 2005

Greg Baker, Program Manager
Montrose Settlements Restoration Program (MSRP)
501 W. Ocean Blvd., Ste. 4470
Long Beach, CA 90802
(562) 980-3236, msrp@noaa.gov
Re: Comments on MSRP Seabird Restoration Projects

Dear MSRP Trustees and program manager,

I am a seabird biologist and my comments pertain to the goal to restore seabirds injured by chronic releases of DDT and PCBs into the Southern California Bight (SCB) as outlined in the draft MSRP.

Please see attached letter.

Thank you for considering my comments for the MSRP.

Hannah Nevins
831-684-9317

P.O. Box 1103
Aptos, CA 95001

May 22, 2005

Greg Baker, Program Manager
Montrose Settlements Restoration Program (MSRP)
501 W. Ocean Blvd., Ste. 4470
Long Beach, CA 90802
(562) 980-3236, msrp@noaa.gov
Re: Comments on MSRP Seabird Restoration Projects

Dear MSRP Trustees and program manager,

I am a seabird biologist and my comments pertain to the goal to restore seabirds injured by chronic releases of DDT and PCBs into the Southern California Bight (SCB) as outlined in the draft MSRP. My two main criticisms of the MSRP are that it (1) fails adequately assess and therefore address potential significant damages to migratory species, and (2) failed to recognize the human reliance on migratory species which were likely affected. This second issue is one that should be re-considered with project 13: Enhance nesting habitat for shearwaters in New Zealand (Table 5-4).

The dumping and flushing of DDT, and PCBs off Los Angeles affected marine birds at a geographic scale that extends beyond the Southern California Bight. Toxic pollutants off Southern California affected migratory marine birds, and may have contributed to the decline of species that breed in other other countries (White-winged and Surf Scoter, Canada; Black-vented Shearwater, Mexico; Pink-footed Shearwater, Chile; and Sooty Shearwater, New Zealand; Short-tailed Shearwater, Australia).

The MSRP and in particular the trustee of USFWS, a the primary federal agency responsible for the protection and management of migratory birds should consider increasing support for projects which address restoration of migratory seabirds, including shearwaters, grebes, loons, and sea duck in the final MRSP (See Mason et al. 2000 for complete list of species and abundance in the area). The Seabird Conservation Plan (USFWS, Pacific Region, January 2005) and the American Waterbird Conservation Plan provides ample framework, and extensive review of conservation threats, population status, and potential conservation solutions for migratory species. Migratory species were excluded from adequate sampled by the fact that the “*egg shell thinning*” criteria used in the Montrose case because of the fact that to asses this would require sampling at colonies which cross national boundaries and are thousands of miles away.

Although the MSRP indicates that migratory species were affected by chemical contamination, “*the [MSRP] Trustee Council concluded that it was likely that most, if not all, species of seabirds using the SCB had been exposed to DDTs or PCBs.*”[p.5-3], the subsequent ranking based on “*a location outside of the SCB*” however excluded all potential projects related to migratory species. Projects 13 and 17 (p.5-16) were summarily dismissed as having a weak nexus. I object to this premise, which by

Nevins

definition then excludes all potential internationally migrating species and stakeholders. This evaluation should certainly be reconsidered given the fact that many of these species are numerically dominant members of the avifauna in the Southern California Bight (e.g. ca. 366,000 Sooty Shearwaters [*Puffinus griseus*] in the SCB, 62,000 Pink-footed Shearwaters [*P. creatopus*] 62,000 birds in SCB; Mason et al. 2000). Despite the migratory nature of these birds, the damages to populations many of these species include populations which are considered threatened by international standards (ICUN listed Pink-footed Shearwater), and face considerable population-level threats which can be remedied with appropriately chosen restoration measures.

First, while it is understandable that at the time of the damage assessment (1970s) few data were able to determine impacts to all species and so egg shell thickness was the main criteria for damages. Because migratory species by their very definition do not nest in the area - the extent of the damages to these species during the time of the impact remains unknown. Damages therefore were not adequately addressed, assessed, or mentioned in data gaps analyses. The trustees have failed to fill this gap in information about the extent of the damages although some data does exist. For example, Dacre (1974)¹ measured residual organochlorine pesticides in the fat of muttonbirds (*P. griseus*). Evidence from Tanka et al. (1986)² indicated that elevated organochlorine levels in shearwaters (150 and 89 ng/g in adults, wet weight) were attributed to pollution sources in the northern hemisphere foraging grounds. Significant evidence is available presenting the fact that NZ shearwaters inhabit California waters for considerable periods of time (5-6 month per year) and there has been elevated DDT/E in tissues of these animals—and these contaminants maybe transferred to the young which are harvested for human consumption. The issue of potential negative affects on human health as it pertains to this pathway of contaminants has not been considered in the draft MSRP. It is the responsibility of MSRP trustees to quantify potentially significant impacts and to address restoration for these species, and the humans which rely upon them for food.

I suggest that the MSRP both 1) identify the extent to which these migratory species may have been (and continue to be) affected by the Montrose contamination, and therefore 2) re-consider restoration projects for shearwaters, particularly those population which have imminent population threats (e.g. introduced mammals depredating adults, chicks and eggs), or are of considerable conservation value (e.g. internationally recognized threaten species), or have important human cultural links (e.g. muttonbird harvest).

There is scientific evidence that some of these abundant migratory species which forage annually in the Southern California Bight have declined substantially. Data suggests the abundance of Sooty Shearwaters have declined 90% in the California Current between 1987–1994 (Veit et al. 1997), and there is further evidence that contamination of foraging areas in the SCB is a potential contributing factor in this

¹ Bulletin of Contaminants and Toxicology.

² Tanaka, H., Ogi, H., Tanabe, S., Tatsukawa, R. and Oka, N. 1986. Bioaccumulation and metabolism of PCBs and DDE in short-tailed shearwater *Puffinus tenuirostris* during its transequatorial migration and in the wintering and breeding grounds. *Memoirs of National Institute of Polar Research*, (40), 434-442.

Nevins

decline. The Pink-footed Shearwater is considered globally threatened (ICUN). It nests in reduced numbers only on several islands off Chile. Pink-footed Shearwaters are affected by introduced predators (cats, rats), and habitat destruction by introduced grazers at their few colony areas.

The MSPR trustees must recognize the of humans use migratory species which were likely affected by the Montrose contamination. Humans harvest and consume chicks of short-tailed and sooty shearwaters in the southern hemisphere (Tasmania and New Zealand, respectively). This is consistent with criteria outlined in Tier 1 evaluations – namely:

- The potential effects of the proposed action [or inaction] on human health and safety
- Consistency with relevant federal, state, and tribal policies
- Consistency with relevant federal, state, and tribal laws

In the initial evaluation of projects the elimination of a proposal to enhance populations of shearwaters by removal of non-native predators without considering the importance of this species which will benefit humans (e.g. Ngai Tahu iwi, Rakiura Maori, New Zealand) who treasure these birds economically, and culturally. While I am not the appropriate spokesperson for these people, I would like to point out there has been no consideration by the MSRP to include these international stakeholders in the restoration process, to determine to potential impacts of ongoing chemical contamination of the SCB where populations of these birds spend a considerable amount of time foraging. Appropriate groups who should be included in restoration activities include the Rakiura Titi Islands Administering Body, the Titi Islands Committee, and the Ka Mate Nga Kiore Society. It is highly important to further investigate the extent of contaminant exposure from Montrose affecting the cultural harvest and human consumption of Sooty Shearwaters in New Zealand.

Moller et al. (2003) identified Sooty Shearwater colonies in New Zealand that are impacted by introduced ship rats (*Rattus rattus*) and have drafted a complete eradication/restoration plan designed to recover the loss of adult Sooty Shearwaters killed during the 1998 *Command* oil spill. Similar eradication/restoration plans could be drafted and applied toward these same colonies and toward colonies in Mexico (Black-vented Shearwater) and Chile (Pink-footed Shearwater) to remove non-native predators, and thus recover losses incurred by or equivalent to losses from environmental contamination associated with DDT in the SCB. Furthermore, toxicological monitoring of the migratory species listed above provides the MSRP Trustees with potentially useful seabird bio-indicators that could be used to detect the effect of dump-site mitigation on the flux of DDE and PCBs to the ecosystem.

Restoration of seabirds by removal of non-native mammals is one of the most demonstrably effective tools in seabird conservation³. Non-native mammals introduced to seabird nesting islands will continue to decimate seabird populations until they are no

³ International Council for Bird Preservation (ICBP) Seabird Specialist Group 1984
Priorities for seabird conservation and associated research (Tech. Pub. No. 2, p. 771-778).

longer viable. Without directed efforts to remove these pests completely, there will be no chance for these breeding colonies to recover from long-term damages (e.g. chemical contamination causing reduced survival and/or reproductive capabilities). Fortunately, by taking actions to remove predators, restoration of seabird populations is possible by replacing ecological equivalents of previously lost individuals. Because seabirds are long-lived with high adult survival, reducing mortality factors which target adult birds will be the most successful means to increase the long-term viability of the affected populations. I suggest that to effectively restore seabird populations affected by toxic pollutants, it is necessary to mediate other threats to the population (e.g. introduced predators). While I support seabird projects 1, 3, and 5 for this reason – projects 2 and 8 are clearly not designed to adequately restore seabirds (more on this below). Project 9: Restore Ashy Storm petrels to the Southeast Farallon Islands was also dismissed “*primarily due to its location outside of the SCB*”(p.5-19). This project should be reconsidered in place of project 8, for several reasons:

- 1) Nest box attraction (project 8) has not been shown to work for this species elsewhere, whereas elimination of predators (already complete on Anacapa Is.) has a far greater chance of success (project 9).
- 2) From a population-level assessment, it will be better to mitigate away from the contaminated area (project 9), then close to the source of continuing contamination (project 8). There is band/recapture data and individual movement data from radio telemetry showing interchange among Channel Is. and the Farallones. By increasing the numbers of ASSP at the Farallones, you would thereby increase individuals in “healthy” parts of the large (i.e. “metapopulation”) that is while ongoing chemical contamination of the marine environment by the Montrose Plume in the SCB.
- 3) It is expected that Storm-petrels on Anacapa will recover naturally with the recent removal of rats, and nest sites are not known to be limiting. Project 8 is really designed to monitor natural recovery.
- 4) Barn Owl depredation of ASSP (through secondary increases attributable to house mice abundance) appears to be important in limiting the recovery of this species at the Farallones. Project 9 would provide tangible, measurable results with lasting benefits to this species.

Of the non-seabird Tier 2 projects, I do not support the project to restore Bald Eagles on Santa Catalina. I do not support proposed restoration efforts of money to manage a small and non-sustainable population of Bald Eagles on Santa Catalina (B.2.3). It is not entirely clear how much money the trustees have already spent, although it is clear that a significant portion of funds has been allocated (\$270,000 per year) in “recent years”. While it is expected “Santa Catalina Island bald eagles are not likely to reach a state of self sustainability in the foreseeable future”[MSRP, p.b-6]. Thus, I am of the opinion that this is not a wise or prudent use of restoration funds given the ecological breadth of damages. Furthermore, the Catalina project does not demonstrate feasibility, cost-effectiveness, or consider this as an options. The data indicate continuing elevated loads of contaminants at this site and that restoration is not viable to sustain reproduction. This project is neither cost-effective, nor biologically sustainable work; money is better spent elsewhere.

Finally, in regard to the approach for all projects - I suggest that both educational and research components be included in all projects in the final restoration plan. Without good education the public will remain uninformed and uninterested in seabird conservation and restoration. Without good research, population censusing, monitoring, we cannot evaluate population trends, and determine threats and negative impacts to mediate. Nor can we measure the effectiveness of our restoration efforts.

In summary, I suggest that MSRP should re-evaluate proposed studies to the benefit of migratory seabirds, particularly those with well defined conservation threats and solutions (e.g. project shearwaters [project 13], storm-petrels [project 9]). I am of the opinion that the MSRP focused too narrowly on the resident seabirds of the SCB, and in doing so failed to recognize the importance of pelagic, migratory seabirds which were affected by (and will continue to be affected by) Montrose contamination of their marine habitat. The negative impacts of this long-term contamination on humans who rely on these migratory species as a food source also were not taken into consideration – this should be addressed in the final MRSP.

Thank you for considering my comments and opinions. Should you have any questions or comments, or require further documentation of the literature sources I have used here, please contact me (831-684-9317).

Sincerely,

Hannah Nevins
P.O. Box 1103, Aptos, CA 95001 hannah@oikonos.org

Cc:Anne Hoeker, USFWS

Milena Viljoen

From: Craig Shuman [cshuman@HealTheBay.org]
Sent: Monday, May 23, 2005 7:15 PM
To: msrp@noaa.gov
Cc: Mark Gold; Tracy Egoscue
Subject: RE: Heal the Bay and Santa Monica Baykeeper Comments on Draft Restoration Plan

Attached are Heal the Bay's comments on the Draft Restoration Plan submitted in conjunction with Santa Monica Baykeeper. The original hard copy has been placed in the mail.

Please disregard the previous comments submitted with the e-mail copied below.

Thank you,

Craig Shuman, D.Env.
Staff Scientist
Heal the Bay

3220 Nebraska Ave
Santa Monica CA 90404
Phone: (310) 453-0395 x144
Fax: (310) 453-7927
cshuman@healthebay.org

From: Craig Shuman
Sent: Monday, May 23, 2005 6:02 PM
To: 'msrp@noaa.gov'
Cc: Mark Gold
Subject: Heal the Bay Comments on Draft Restoration Plan

Attached are Heal the Bay's comments on the Draft Restoration Plan.

Please contact me if you have any questions.

Thank you,

Craig Shuman, D.Env.
Staff Scientist
Heal the Bay

3220 Nebraska Ave
Santa Monica CA 90404
Phone: (310) 453-0395 x144
Fax: (310) 453-7927
cshuman@healthebay.org



May 23, 2005

Mr. Greg Baker
Program Manager
Montrose Settlements Restoration Program
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802

RE: Comments on MSRP Draft Restoration Plan

Dear Mr. Baker,

Heal the Bay is a nonprofit environmental organization with over 10,000 members dedicated to making the waters of Southern California clean and healthy for marine life and people. Santa Monica Baykeeper is a non-profit organization dedicated to the preservation and restoration of Santa Monica Bay, San Pedro Bay, and adjacent coastal waters. The Baykeeper has approximately 2,000 members, most of whom reside in Los Angeles County. The Baykeeper's mission includes the monitoring and protection of the region's waters, including local watersheds, marine sanctuaries, rivers, coastal estuaries, wetlands and bays from illegal dumping, hazardous spills, toxic sources and other pollution, including polluted runoff.

We have reviewed the Montrose Settlements Restoration Program Draft Restoration Plan (Plan) and have numerous concerns. Although comprehensive, we find the Plan lacks restoration alternatives likely to result in mitigation for natural resources damages. In addition, we feel that some of the proposed restoration options do not have a direct nexus to the damages incurred to natural resources.

Our specific comments are summarized below:

- A. We find it extremely disconcerting that only half of the money allocated for natural resource restoration in the final settlement will actually be used to restore natural resources lost or damaged by the contamination of DDTs and PCBs. The Plan should provide a detailed allocation of how the funds were spent and to what purpose. How will the \$35 million to reimburse past damage assessment costs be used to direct the restoration programs?
- B. There is an imbalanced allocation of restoration funds between birds and fish. The Plan states that assessments of damages to both seabirds and the marine community were inconclusive (pages 2-14 and 2-12, respectively). The Plan, however, proposes numerous projects, albeit worthwhile in another context, to restore seabird populations and fails to propose significant measures to restore the marine community. Almost any project that would benefit the marine community



would also benefit fishing services so would have a direct nexus to damages awarded through the settlement. The proposed projects to restore seabirds do not have this nexus and therefore do not warrant the expenditure of \$5.5 million.

Settlement funds should only be allocated for those populations most injured by the DDT and PCB discharges. For example, allocation of funds for bird population restoration projects for islands off of Baja should not be included on the list of recommendations.

C. The preferred Fishing/Fish Habitat Restoration plan is skewed towards direct fishing enhancements as opposed to actions to restore the ecology of the marine community impacted by the contamination. The Plan fails to consider additional options that could benefit the local ecological community and we find it imprudent to propose fishing and fish habitat restoration in the absence of the results of the fish contamination study.

1. Restoration of full tidal exchange wetlands is the proposed restoration action that is likely to result in ecological improvements through natural processes and is the only true mitigation proposed in the Plan. It is thus surprising that restoration funds are proposed to not exceed 25% of the \$12 million allocated for Fishing/Fish Habitat Restoration. Given the substantial loss of coastal wetlands in the area near the Palos Verdes shelf and the known benefit of these ecosystems to several key species in the marine community, it seems illogical to cap the allocation of funds at such a low percentage of the total. This is especially pertinent due to the extremely vague nature of the proposed wetland restoration program and what may be required to substantially contribute to an existing program or acquisition of new land. In addition, we recommend that the wetland restoration action(s) be focused on an area smaller than the entire Southern California Bight, such as marine fish nursery habitat located in the area between Pt. Dume and Bolsa Chica as this would create a greater nexus between local impacts and restoration actions.
2. We strongly disagree with the fishing access improvements and public information components of the Plan. While these are both very important projects that should be further developed and implemented, these actions do not qualify as mitigation for losses to natural resources. While the pier improvements would enhance the public's fishing experience, they would not provide any restorative service to the marine environment. In addition, these services would not increase the ability of shore based fishermen to catch fish with lower body burdens of PCBs and DDTs as proposed by the artificial reefs. Public information and outreach is one of the most critical components of the settlement, however, this is most appropriately addressed through the institutional controls administered by EPA and implementation of a new or expanded program would result in



redundancy of existing efforts. The results of the fish contamination study should most definitely be fed into existing outreach programs administered by the EPA, but no new programs should be implemented. There is no nexus between public outreach and natural resource restoration so no funds should be allocated to this project.

A possible project that might qualify under the natural resources restoration, but might be more appropriate under the EPA administered institutional controls, is the certification of clean white croaker sold in local markets. A simple program to establish certification of clean fish (at least below 100 ppb for DDT and PCBs) would reestablish the local commercial white croaker fishery in areas with minimal organochlorine bioaccumulation concerns. This would restore the public's loss of clean white croaker sold commercially.

3. The lack of specificity pertaining to the number, size, material, design and location of proposed artificial reefs makes it difficult to effectively comment on this proposed action. The specifics of these components will be of utmost importance if the new artificial reefs are to achieve their intended goal. If artificial reefs are to be implemented, an intensive monitoring program will be necessary to evaluate the effectiveness of the artificial reefs to restore lost fishing services.
4. In association with the proposed artificial reefs, we are disappointed to see that the only mention of Marine Protected Areas was limited to the recently established marine reserves in the Channel Islands. While it is extremely important to monitor and enforce these existing marine reserves, the burden to do so is in no way linked to restoration activities to mitigate for contamination on the Palos Verdes Shelf. If indeed artificial reefs are to be established to compensate for lost fishing area, then why not create a marine reserve on the Palos Verdes Shelf in the zone of contamination. It makes little sense to leave the area open to fishing when; 1) there is a fish consumption advisory for the area due to cancer risks, 2) the area is closed to commercial fishing for white croaker due to DDT and PCB contamination, and 3) artificial reefs are being created to restore lost fishing services. Creation of a no-fishing zone on the Palos Verdes Shelf in the area of contamination would not only result in tremendous public health benefits, but would increase fisheries productivity, potentially benefiting ecological systems and fishing resources throughout Santa Monica Bay and the Southern California Bight through larval export and adult spill over.
5. As discussed above, with the exception of the proposed wetland restoration, there are no programs proposed to directly restore marine communities. An example of a project that would directly benefit local



and regional marine resources and in turn enhance fisheries resources would be to limit the use of once-through cooling by coastal power plants. The three power plants in Santa Monica Bay (El Segundo, Scattergood, and Redondo Beach) are permitted to withdraw close to 2 billion gallons of water each day from near-shore waters. Entrained in the cooling water flow are trillions of plankton, fish eggs and larvae that are killed as they are subjected to thermal and pressure stresses. Any mitigation program aimed at reducing the impact of cooling water intake systems would greatly benefit all marine life in Santa Monica Bay and the Southern California Bight. Examples of projects to achieve this goal would be to supplement funding for the conversion of any of these facilities to an alternative cooling technology that does not utilize once-through cooling. Another option would be to relocate an intake that currently exists in an enclosed bay or estuary. For example, power plants currently turn over the entire volume of nearby Alamitos Bay on a daily basis. Enclosed bays and estuaries are prime nursery habitat for a variety of ecologically and recreationally important species. Intakes located within these habitats have been found to have a far greater ecological impact than deep water open coast intakes¹.

- D. Heal the Bay and Santa Monica Baykeeper are supportive of the proposal to focus the majority of current bald eagle restoration efforts on Santa Cruz Island to determine if breeding pairs of birds can be sustainable. Also, the trustees should provide the minimum level of funding necessary to maintain the Catalina bald eagle restoration until such time as the DDT/PCB body burden in the eagles has been reduced below levels that cause reproductive harm. We believe that funding of eagle restoration efforts is a higher and better use of restoration funds than seabird population restoration efforts. Heal the Bay and Santa Monica Baykeeper strongly recommend that significant funds currently allocated for natural resource restoration be set aside immediately for specific restoration programs on Santa Catalina at a time when egg shell thinning risks have been minimized due to the pending sediment contamination remediation efforts. Perhaps the most critical and publicly visible natural resource damage caused by DDT and PCB discharges is the collapse of Channel Island bald eagle populations. It would be tragic if all of the funds allocated for recovery were spent before the bald eagles have a fighting chance of surviving in their natural environment without perpetual human assistance for generations to come. We urge NOAA, and the other trustees to set aside a significant portion of the settlement funds for utilization to restore Bald Eagle populations at a time when the DDT concentrations have dropped below critical levels. In the mean time, the trustees

¹ Tenera Environmental Services (2001). Morro Bay Power Plant Modernization Project 316(b) Resource Assessment. Duke Energy Morro Bay, LLC.



Thank you for the opportunity to comment on the Montrose Settlements Restoration Program Draft Restoration Plan. Please call us at 310-453-0395 (Heal the Bay) or 310-305-9645 (Santa Monica Baykeeper) if you have any questions about our comments.

Sincerely,



Mark Gold, D. Env.
Executive Director
Heal the Bay



Tracy Egoscue
Executive Director
Santa Monica Baykeeper

Milena Viljoen

From: Steven & Rene [trene53@comcast.net]
Sent: Monday, May 23, 2005 7:45 PM
To: msrp@noaa.gov
Subject: Concern for the Eagles

Dear Sir's

inportant that this work at Catalina Island stay up and running, Its a shame that we havent done more to protect these beautiful birds and now they are thinking of dropping the program because of funding, I feel like this is in our best interest for the public and mostly for the Eagles to keep this program up and running,

I feel it very

Thank you so

much . Rene'

Milena Viljoen

From: Ruby Miller [ramdjm@comcast.net]
Sent: Monday, May 23, 2005 8:34 PM
To: msrp@noaa.gov
Subject: Catalina Eagles

I recently read in the Daily Breeze and the Catalina Islander of the potential fate of the Catalina eagles. I am not one for getting involved in causes but I feel vehemently that the Conservancy's Program must continue. The Catalina Island Eagles are so close to producing on their own, it would be such a shame to stop this progress.

I have owned a home in Avalon since 1989 and have watched with total joy the reappearance of this majestic bird as well as my children and other family members. Please do not take this wonderful bird away from all who have had the pleasure of seeing its reappearance.

Ruby A. Miller

Milena Viljoen

From: szelman [szelman@lausd.k12.ca.us]
Sent: Monday, May 23, 2005 10:07 PM
To: msrp@noaa.gov
Subject: DDT dump site v. Eagles

5-23-05

Dear Mr. Baker,

I am contacting you about the DDT dump site near Palos Verdes. I am writing on behalf of the eagles who have no voice. They are part of our ecosystem and are beautiful. Please save them and give them a chance to live and reproduce in a non-toxic environment.

I. The EAGLES should be relocated to a natural environment which is NOT contaminated with DDT and PCBs. The eagles need to eat fish,etc. and swim in a non-toxic environment. Move them to Washington or Alaska.

II. Montrose, the six other companies, the LA County Sanitation Districts and the 150 municipalities should be held to returning the Palos Verdes Peninsula to its original Natural state. These companies and agencies should be required to clean up the dump site. Exxon oil company was held accountable in 1989 and the Alaskan area is about cleaned up. This was about 15 years ago and a remedy was found to clean the oil spill.

III. Solution. If it is possible to drill oil from beneath the ocean floor and if it is possible to store nuclear waste in leak free containers; then it must be possible to vacuum up the DDT and PCBs that are sitting on the bottom of the Palos Verdes Shelf. Vacuum up the 110 tons of deadly pesticides and store them elsewhere in containers like the nuclear waste disposal plan. Thank you for your attention. Sincerely, Sharon Zelman (818) 774-1757 4800 Vanalden Ave., Tarzana, CA 91356

Milena Viljoen

From: Tanya Wood [ttwreno@msn.com]
Sent: Monday, May 23, 2005 10:11 PM
To: msrp@noaa.gov
Subject: Bald Eagles

Dear Mr. Baker,

It was with great distress that I read of your organization's intent to pull funds away from the bald eagle restoration project on Catalina Island.

Although I am no longer a resident of California, I was born in Los Angeles and raised in Southern California. My daughter and son-in-law are homeowners in Oakland.

I have traveled to Catalina regularly since I was a small child and have introduced it not only to my own children but also to friends, who now frequent it on their own.

A few years ago I was thrilled, while hiking the Wrigley Road, to discover a tree wherein nested an eagle family. Later I learned it was through the efforts of your organization and the Conservancy on the island that young eagles were being given a chance to survive again in the wild, as nature intended.

I know you have heard all the arguments why Catalina needs to have their program continue. While I can appreciate the efforts by others to fund pet projects elsewhere, it would seem a giant step backward to disband a thriving, established, and soon to be self-sustaining project that has already proven its worth and whose disbanding at this time would probably be a disaster.

Please have your organization reconsider their current intentions and continue to support and, thereby, save Catalina's bald eagle population. It would be a crime to do otherwise.

Thank you.

Sincerely,

Tanya (Traughber) Wood
975 Lescon Circle
Reno, Nevada 89509
(775) 786-1247
ttwreno@msn.com

Milena Viljoen

From: Bradford Keitt [bkeitt@islandconservation.org]
Sent: Monday, May 23, 2005 10:08 PM
To: msrp@noaa.gov
Subject: public comment

23 May 2005

RE: Public comment on the Montrose Settlements Restoration Program Draft Restoration Plan

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

Dear Mr. Baker,

I am writing to provide feedback on the draft restoration plan for the Montrose Settlements Restoration Program. I agree with the council that the goal of restoration should be to enact programs that will have measurable and long-term or permanent benefits for the targeted species. Because of this, I support the preferred alternative two outlined in the DRP. This proposed action balances the available resources and distributes them to projects that utilize techniques already demonstrated to be effective. By avoiding projects that are unlikely to be maintained naturally after the active restoration phase, the council is taking steps to maximize the restoration potential of the damage assessment funds.

Thank you for this opportunity to comment,

Sincerely,

Bradford Keitt

Milena Viljoen

From: felisclay [felisclay@myway.com]
Sent: Monday, May 23, 2005 10:13 PM
To: msrp@noaa.gov
Subject: Comments to Trustees

I just wanted to express my interest in support of the bald eagle project on Catalina Island. I am interested in helping to increase the survivability of the only breeding population of bald eagles in Los Angeles County. Please consider other interests in your decision making process this coming month. Thank you for your time.

Clarisse Davis
323-351-4555

No banners. No pop-ups. No kidding.

Make My Way your home on the Web - <http://dell.myway.com>

Milena Viljoen

From: Juan-Pablo Galvan [jgalvan@islandconservation.org]
Sent: Monday, May 23, 2005 10:28 PM
To: msrp@noaa.gov
Subject: seabird and eagle restoration fund

Dear Mr. Greg Baker,

I am writing to you to voice my support for having some of the multi million dollar seabird and eagle restoration fund for coastal Southern California (S C Bight) go to restoring seabird populations in Mexico. I support this alternative for the following reasons:

- 1) provides money to restore seabird populations to regions impacted by the Montrose DDT releases.
- 2) The seabird restoration actions proposed by the council are all techniques proven to result in increases in seabird populations.
- 3) These actions will result in permanent, long term and measurable benefits to seabirds- species that are important members of the marine and terrestrial ecosystems of the Southern California Bight.
- 4) These seabirds also are a significant part of local eco-tourism and provide wildlife viewing opportunities for large numbers of tourists and residents alike.

Thank you for your time,

Juan Pablo Galvan

Milena Viljoen

From: mymak@juno.com
Sent: Monday, May 23, 2005 10:33 PM
To: msrp@noaa.gov
Subject: Bald eagles

We should bring bald eagles back to Santa Catalina, but not before the DDT problem is solved. The money allocated to the EPA should be used to solve the DDT problem first.

In the mean time, we should continue looking for successful ways to restore the birds. So, it's ok to bring the bald eagles to cleaner islands and see whether they succeed.

Milena Viljoen

From: Patricia Murrell [foxiepm@earthlink.net]
Sent: Monday, May 23, 2005 10:41 PM
To: msrp@noaa.gov
Cc: sharpe@iws.org
Subject: Catalina Island Bald Eagle Restoration

Greg Baker, Program Manager
Montrose Settlements Restoration Program
501 W. Ocean Blvd., Suite 4470
Long Beach, California 90802
562-980-3236
msrp@noaa.gov

To Whom It May Concern:

I find it very rewarding to help and encourage those in need. I've been there and most everyone is sometime.

Our National Emblem, the American Bald Eagle is a majestic, beautiful bird. It makes me feel proud as I watch it soar through the sky.

In Southern California, we don't get to see the bald eagle very often. It's been such a joy to watch them on Catalina Island via the cam video. To think that would end deeply saddens me. A day hasn't gone by since the beginning of March that I don't watch them. On April 5 of this year, I saw a need to help an eight-day-old eagle chick, which I asked my husband to fulfill -- to fly the chick from San Francisco to Catalina Island with Dr. David Garcelon. It was such an exciting day for my friends and me -- to think we could help and actually see an eagle up close. When you consider the number of people that visit Catalina each year and compare that number to the total number of people that visit all the other islands combined, that second number pales in comparison. People need to see the results of a program to support it. By removing the breeding program from Catalina Island, you will greatly reduce the number of people who will see the bald eagles on the Channel Islands.

It wasn't the eagle's fault that DDTs and PCBs were dumped into the ocean and caused the long-term problem. The very least we can do is help them to recover. If it means silting over the poisons and incubating their eggs, then so be it! We all must do our parts. I find it extremely encouraging that 33% of this year's eggs hatched successfully -- 3 of 9 to be exact.

We owe it to the bald eagle and the children of the future to make sure we can always see them close by. Therefore, I emphatically endorse **Alternative 3** as shown in the Executive Summary!

Sincerely and Passionately,

Patricia Murrell
9838 E. La Rosa Dr.
Temple City, California 91780
626-285-4485

Milena Viljoen

From: Milena Viljoen [Milena.Viljoen@noaa.gov]
Sent: Wednesday, May 25, 2005 2:06 PM
To: milena.viljoen@noaa.gov
Subject: FW: Montrose Questions/Comments

-----Original Message-----

From: Martin Hochman [mailto:martin.b.hochman@usa.net]
Sent: Monday, May 23, 2005 10:50 PM
To: Jennifer Boyce
Subject: Montrose Questions/Comments

I have spent some time tonight reading what is available on the NOAA and EPA websites on the Montrose project. Didn't have any success locating the information on how to provide comments now, or the comment deadline. I know that there have been multiple previous stages of public comment. After seeing reference on the NOAA Montrose webpage to the hundreds of tons of DDT-contaminated waste dumped off Catalina Island, but then no further reference to studies on this dumping, I am wondering if any work has been done to determine what impact the Catalina dump site (or sites) is having on the environment now. Looks like the only survey work done was on the site at the sewage outfall off Whites Point and the adjoining areas. Is this the case (if you know)?

I also notice fishing vessels carrying paying passengers (sport fishing) frequently fishing in the kelp beds off Whites Point. Since this location is right in the "red zone" of highest DDT contamination, is there a reason that no governmental agency has acted to prohibit fishing in this area? Is the fish in this particular area safe to eat on a regular basis, or any basis? I am not asking for your personal opinion on this, just wondering what the official positions of the various agencies are on this issue (probably just EPA's responsibility, and perhaps the State of CA's, I would guess).

Personally I would like to see any money from the settlement used to restore the damaged natural resources, and to prevent or minimize future damages to these natural resources (i.e., fish, marine mammals, and seabirds). Plus whatever can be done to protect human beings from the DDT and PCBs would seem a responsible use of the funds.

Considering how damp it gets here many nights because we are so close to the ocean (just a block inland from Whites Point), I wonder to what extent DDT and PCBs are falling on our properties through the night dampness from the ocean. Has EPA or anyone studied this possibility? If not, why not (if you know).?

Would you pass this information on to the appropriate office as a comment if that is possible.

Thank you.

Martin Hochman
2131 W. 37th Street
San Pedro, CA 90732

Milena Viljoen

From: Richard F. Ambrose [rambrose@ucla.edu]
Sent: Tuesday, May 24, 2005 6:17 AM
To: greg.baker@noaa.gov
Cc: msrp@noaa.gov
Subject: comments on Draft Restoration Plan



Comments on Draft ATT00038.txt (659
Restoration ... B)

Greg,

Attached are my comments on the Draft Restoration Plan. Sorry I didn't get them in yesterday; I thought I had sent them, but when I checked my email log, it looks like I didn't. I hope they are not too late to be useful.

Hope all is well,
- Rich



RICHARD F. AMBROSE
PHONE: (310) 206-1984
FAX: (310) 206-3358
EMAIL: rambrose@ucla.edu
<http://www.ph.ucla.edu/ese/>

OFFICE OF THE DIRECTOR
ENVIRONMENTAL SCIENCE AND ENGINEERING PROGRAM
10833 LE CONTE AVENUE
BOX 951772
LOS ANGELES, CALIFORNIA 90095-1772

May 23, 2005

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

Dear Mr. Baker:

Thank you for the opportunity to provide comments on the Draft Restoration Plan for the Montrose Settlements Restoration Program. As you know, I have a long history with this project, having served as an expert witness in the litigation against Montrose Chemical Corporation and on subsequent advisory panels, so I was particularly interested in the Draft Plan. It is exciting to see the number of excellent opportunities for restoring the natural resources and services impacted by DDT and PCBs in southern California.

My main reaction to the alternatives, including the preferred alternative, is that the distribution of resources among the main restoration categories (fishing/fish habitat, seabird, bald eagle and peregrine falcon restoration) does not reflect the nature and magnitude of the injuries. Most notable is the large fraction (25% in the preferred alternative) devoted to seabird restoration. Although efforts to restore and enhance seabird populations are important and valuable, the proposed restoration efforts are not clearly linked to actual injuries commensurate with the magnitude of the restoration effort. If any funding is to be allocated for seabird restoration, it should be a much smaller amount and in line with the amount of injuries actually experienced by seabirds.

The bald eagle restoration alternatives are problematic. As valuable as it would be to have a self-sustaining population of bald eagles at Catalina Island, available information suggests that this is not possible in the short term; the alternative of maintaining the bald eagle population through intensive human intervention is extremely expensive, and does not seem cost-effective for the Montrose Settlements Restoration Program. Thus, I support the Draft Restoration Plan's Alternative 2's decision to discontinue funding for the maintenance of bald eagles on Catalina Island. I would favor the restoration of bald eagles to the Northern Channel Islands **if** the NCI Feasibility Study demonstrates that a self-sustaining population can be established. If the Feasibility Study indicates that bald

eagles cannot be restored to the Northern Channel Islands at this time, then perhaps the funds allocated for bald eagle restoration could be “banked” for use at a later time, when DDT contamination of the environment is low enough that the eagle populations can be self-sustaining. In any case, it seems like the funding for bald eagle restoration associated with Alternative 2 would be the maximum appropriate amount.

Although it is only a minor component of the Restoration Plan, I question the justification for the peregrine falcon monitoring. As a scientist involved with a number of long-term monitoring programs in southern California, I certainly appreciate the importance of long-term monitoring, and I think any restoration effort undertaken by the MSRP should be monitored to ensure it is performing as planned. However, I fail to see the nexus between the peregrine falcon monitoring and the Montrose Settlement. Peregrine falcons recovery efforts have already been successful and the falcon population is increasing; since MSRP is not undertaking restoration efforts, why should it be monitoring the falcons?

For the fishing/fish habitat restoration component of the Restoration Plan, the potential restoration actions seem generally appropriate, but the amount of funding is inadequate. The injuries for this category were extensive and spread broadly across taxa; moreover, these injuries had the greatest direct impact on human use of the area’s resources. Considering the full scope of the settlement funding (including funds allocated to EPA), \$12 million for restoring all of the fishing/fish habitat injuries simply is not sufficient. The Final Restoration Plan should allocate a larger proportion of settlement funds to this category.

Although the fishing/fish habitat restoration component of the Restoration Plan deserves a greater share of the available funds, it is currently difficult to specify which actions under this category deserve the most attention. Such a decision must be informed by the results of the fish contaminant study, which are not yet available; it must balance the need to provide additional opportunities to fish for uncontaminated fish with the need to enhance the marine ecosystem. Thus, I encourage flexibility at present, with specific decisions about these potential actions being deferred until we have the needed information about the extent and nature of contaminants in fish in the region. When the fish contaminant information is available, the public should have an opportunity to comment again on the specific actions, including the specific size, design and locations of artificial reefs. However, I do want to comment now on one particular potential action listed in the Draft Restoration Plan: funding for implementing the Marine Protected Areas at the Northern Channel Islands. Although I appreciate the potential value of Marine Protected Areas as an ecological and fisheries management tool, I question the nexus between the actual injuries in this situation and the benefits to be accrued at the Northern Channel Islands. I suggest that, instead, further thought be given to how Marine Protected Areas could be implemented in the area with the greatest injuries (perhaps even by establishing marine reserves around artificial reefs built for fish habitat restoration).

I hope these comments are useful. Please feel free to contact me if you would like to discuss any of these issues. I look forward to seeing the Final Restoration Plan, and to following the progress of this important project in the future.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard F. Ambrose". The signature is written in a cursive style with a large, prominent initial "R".

Richard F. Ambrose, Ph.D.
Professor

Milena Viljoen

From: Chris Gill [gill_chrisellis@yahoo.com]
Sent: Tuesday, May 24, 2005 7:26 AM
To: msrp@noaa.gov
Subject: Re: Draft MSRP

Dear Dr. Baker;

I am writing to express my support for the preferred option (number 2) which designates \$6.5 million to seabird restoration, \$6.2 million to bald eagle restoration, \$12 million to fish restoration and \$0.3 million to Peregrine Falcon restoration.

I completed my Masters degree on Bald Eagle ecotoxicology in 1998 from Simon Fraser University, British Columbia. Based on my thesis and through field research on eagles in California, I have become familiar with the conservation issues surrounding bald eagles on the Channel Islands and the long-term DDT pollution that is characteristic of this area.

Unfortunately, based on the data I have reviewed, it will likely take several years until organochloride levels have reached concentrations that will allow bald eagles to successfully reproduce on the Channel islands without significant and costly human intervention. For example, between 1980 and 1986, 33 eagles were released on the island from hacking platforms (Garcelon 1988). Many of these birds matured and formed breeding pairs on the island, but all of the eggs produced broke in the nest. Mean levels of DDE in egg remains removed from nests in 1987 and 1988 were twice as high as that which has been shown to cause complete reproductive failure (Wiemeyer et al. 1984), implicating this contaminant as the causal agent of the lack of productivity (Garcelon et al. 1989). Furthermore, DDE concentrations did not decline significantly in bald eagle eggs between 1989 and 2004 in some territories, and declined slowly in others (Sharpe, 2004).

Bald eagles have made a dramatic come back in other areas of North America. Numbers continue to increase and in July of 1995, the US Fish and Wildlife Service upgraded the status of bald eagles in the lower 48 states to threatened from endangered.

I believe that the limited public conservation dollars could be used for more effective purposes than attempting to restore a bald eagle population situated in a contaminated environment that cannot survive without significant human intervention. The preferred option will provide the most effective use of conservation funding because it provides financial support for the restoration of seabird populations directly impacted from DDT. The habitat restoration projects provide for permanent, long term benefits to both the island ecosystems as well as marine ecosystems in Southern California.

Sincerely,

Chris Gill, MSc.

References:

Garcelon, D.K. 1988. The reintroduction of bald eagles on Santa Catalina Island, California. M.S. thesis, Humboldt State University, Arcata, California. 58pp.

Garcelon, D.K., R.W. Risebrough, W.M. Jarman, A.B. Chartrand, and E.E. Littrell. 1989. Accumulation of DDE by bald eagles *Haliaeetus leucocephalus* reintroduced to Santa Catalina Island in Southern California. Pages 491-494 in B.-U. Meyburg & R. Chancellor, eds. Raptors in the modern world. World Working Group on Birds of Prey and Owls, Berlin, London & Paris.

P. Sharpe. 2004. Restoration and Management of Bald Eagles on Santa Catalina Island, California. Prepared for Montrose Settlements Restoration Program, Arcata, California.

Wiemeyer, S. N., T. G. Lamont, C. M. Bunck, C. R. Sindelar, F. J. Gramlich, J. D. Fraser, and M. A. Byrd. 1984. Organochlorine pesticide, polychlorobiphenyl, and mercury residues

in bald eagle eggs 1969-1979 and their relationships to shell thinning and reproduction.
Arch. Environ. Contam. Toxicol. 13:529-549.

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Milena Viljoen

From: catalinarudy@juno.com
Sent: Tuesday, May 24, 2005 10:09 AM
To: msrp@noaa.gov
Subject: Santa Catalina Island Bald Eagle



Ltr-MontroseEagleR
estoration.d...

Greg Baker, Program Manager
Montrose Settlements Restoration Program
Attention Milena, Outreach Coordinator

Following up on our telephone communication of 5/23/05 please include the attached in the public testimony file.

Thank you, Rudy Piltch

RUDY PILTCH
P.O. BOX 312, AVALON, CA 90704
Phone: 310.510.0948; E-mail: catalinarudy@juno.com

Date: 5/24/05
Greg Baker, Program Manager and Trustees
Montrose Settlements Restoration Program
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802

Subject: Support the Santa Catalina Island Bald Eagle Restoration Program

Dear Mr. Baker and Trustees,

I'm informed that those responsible for administering the Montrose Settlements Restoration Program are considering terminating future funding for the Santa Catalina Island Bald Eagle restoration program and wish to strongly appeal for your continued support for this very important mission.

Records indicate a clear nexus between the demise of the Bald Eagles on Catalina Island and the dumping of DDT in the near vicinity by Montrose Chemical Corporation. You are besieged by many to share in the Trust however, the Trustees have a special moral, ethical, and social responsibility to participate in the complete restoration of the Bald Eagle to their native habitat on Santa Catalina Island.

You're not alone in your financial commitment which is, very likely, unique to the list of applicants seeking funding. In 1980 U.S. Fish and Wildlife Service, Institute for Wildlife Studies (IWS), with the cooperation of the California Dept. of Fish and Game and the Santa Catalina Island Conservancy, (with the assistance of hundreds of private supporters), initiated and pioneered this very unique restoration program. They have admirably carried this burden and demonstrate a high degree of feasibility in the future success of this project. They now need your continued assistance.

Avalon has been my home for more than 50 years and I'm very familiar with the pre and post Santa Catalina Island Conservancy years having been previously employed by the Santa Catalina Island Co. for 32 years in the capacity of resident architect and Director of land planning, (during the time when the Santa Catalina Island Conservancy was being formed) and have a high degree of confidence in the longevity of the Catalina Conservancy and commitment to their very delicate and important mission to restore, protect and preserve Santa Catalina Island for present and future generations.

One of our esteemed restoration scientists cautioned that, "if we feel we must take responsibility for the actions of our ancestors and do something to remove a cause of damage, don't lose heart if it takes longer to repair". Your continued financial support is crucial to the success of the Santa Catalina Island Bald Eagle Restoration program and one in which **you and the trustees can share great pride** with the knowledge that it will be of lasting value to many generations of Santa Catalina Island residents and visitors.

Respectfully, Rudy Piltch

Milena Viljoen

From: Peter Hodum [phodum@csulb.edu]
Sent: Tuesday, May 24, 2005 11:02 AM
To: msrp@noaa.gov
Subject: please select Alternative 2

Dear Mr. Baker,

As a conservation biologist and seabird ecologist, I strongly support Alternative 2. This alternative takes a more ecosystem-level holistic approach to problems that are systemic rather than single-species. Alternative 2 would provide money to help restore important seabird populations impacted by DDT releases using well-established and successful restoration techniques.

Seabirds are a critically important members of the terrestrial and marine systems of the Southern California Bight and to ignore them in favor of focusing exclusively on Bald Eagles would be to focus efforts too narrowly.

Additionally, seabirds, as much as Bald Eagles, provide wonderful ecotourism opportunities for the region.

Thank you for your willingness to consider Alternative 2.

With best wishes,
Peter Hodum, PhD.

Director, Juan Fernandez Islands Conservancy

Milena Viljoen

From: kameya82@netzero.net
Sent: Tuesday, May 24, 2005 5:26 PM
To: msrp@noaa.gov
Subject: "DDT May Outlast Bald Eagles"

Greg Baker
National Oceanic and Atmospheric Administration

Dear Mr. Baker:

It was "heart-wrenching" to read the article "DDT May Outlast Bald Eagles" by Marla Cone. Based on the facts provided, the answer to your question seems quite evident. The article states "... only 19% of the retrieved eggs have hatched..." Birds that begin to mate ... have collected so much DDT in their bodies" that produced eggs fail to thrive. "Today, approximately 10 tons...DDT deposits remain on the ocean floor..." and et cetera.

IMHO as a concerned citizen, the bald eagles need a safer habitat! A high price to pay for the horrific damage done by Montrose, but it's time to look to the future for generations to enjoy and not to selfish interests or political agendas.

Mr. Baker, I commend you, as well as David Garcelon and his team, for your dedication in rehabilitating the eagles. Thank you.

Sincerely,
Patricia Yoshino

Milena Viljoen

From: Jim Knight [jim_knight@juno.com]
Sent: Tuesday, May 24, 2005 6:03 PM
To: msrp@noaa.gov
Subject: Catalina Bald eagle

Dear Greg Baker

I think the program to help the Bald Eagle survive on Catalina Island is important. There is an absolute nexus between the Montrose Settlement Restoration Program and helping save this majestic raptor from the effects of DDT dumped in these waters years ago.

There are other implications to not helping keep the biological balance that has evolved for so many years in this ecosystem. If other raptors are allowed to dominate the area there could be a threat to the small island grey fox. And there no doubt other biological imbalances that we have yet to uncover.

I just read about new discoveries with the reintroduction of the wolf into Yellowstone. Scientists have seen the replenishment of the stream side habitat to the pre-wolf eradication at the turn of the century. Why? They now realize that the fear of wolves keeps the hoved, herbivores such as deer or elk away from lingering so long around the creek beds allowing it recover.

To paraphrase Shakespeare " there are more things in heaven and earth than man ever dreamed of".

Jim Knight

Milena Viljoen

From: Kathleen Walker [leenrgr@earthlink.net]
Sent: Tuesday, May 24, 2005 10:24 PM
To: msrp@noaa.gov
Subject: Catalina Island Eagles

After reading Sunday's article about the eagles I approached my third-graders with the information and suggested they express their opinions. I am enclosing the text of two of those letters. In addition, running the risk of seeming even more naive than the third-graders, I would like to see more resources put into neutralizing, removing, alleviating the DDT deposit off the coast. It seems more and more members of food chains will be impacted by its continuous status quo.

Here is the text of my students' opinions:

Dear Greg Baker,

How are you doing? I am doing fine. Please take the bald eagles somewhere else because other animals need help or we're just going to see few animals. But don't move the bald eagle so far that we can't see them anymore. Well, it's your choice. Sincerely, Victoria Grajeda

Dear Greg Baker,

I want the bald eagle to stay because it is the National Symbol. It is also one of my favorite birds. I also have never seen one and I want to. Sincerely, Kano Perfors Third graders--McKinley Elementary School, Burbank, CA.

Thank you for being receptive to opinions from the general public. Sincerely, Kathleen Walker



ENVIRONMENTAL STUDIES DEPARTMENT

SANTA CRUZ, CALIFORNIA 95064

19

May 2005

Mr. Greg Baker, Program Manager
Montrose Settlements Restoration Program
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802

Dear Mr. Baker;

I am a professor of ecology in the Environmental Studies Department at UCSC. In this capacity I conduct research on the economics of conservation and teach undergraduate and graduate level classes on conservation policy and conservation biology.

From my perspective, the Draft Plan for the Montrose Settlement is a fascinating case study. The option identified by the research team and authors of the document as the preferred option- number two- will, I strongly believe, lead to the biggest biodiversity bang for the buck. I hope you will choose option two in the final plan.

Sincerely,

Erika S. Zavaleta
Assistant Professor

DEPT. OF COMMERCE - NOAA
RECEIVED

MAY 20 2005

OFFICE OF GENERAL COUNSEL
NATURAL RESOURCES-SWR

Ms. Amber Siepel
322 Chestnut Ave
Santa Cruz, CA 95060

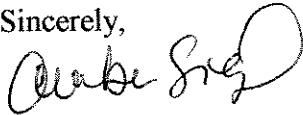
May 19, 2005

Mr. Greg Baker, Program Manager
Montrose Settlements Restoration Program
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802

Dear Mr. Baker;

I have had the pleasure of reading the Executive Summary of the Draft Restoration Plan for the Montrose DDT spill. This is a great plan and I lend my unqualified support to option 2. It makes sense to me to use this money efficiently to protect endangered seabirds now. Please don't squander it on options that the document and common sense show are expensive and potentially inhumane.

Sincerely,



Amber Siepel

DEPT. OF COMMERCE - NOAA
RECEIVED

MAY 25 2005

OFFICE OF GENERAL COUNSEL
NATURAL RESOURCES-SWR

Mary Franz
1395 Cerritos Drive
Laguna Beach, CA 92651

DEPT. OF COMMERCE - NOAA
RECEIVED

MAY 25 2005



OFFICE OF GENERAL COUNSEL
NATURAL RESOURCES-SWR

available.

20 May 05

Dear Mr Baker
I am writing to express
my support for continuation
of the bald eagle program
in Avalon. I'm so pleased
that progress has been
made, yet when egg shells
are too thin to make it
on the hatch, clearly we're
not all the way we need
to be.

Sincerely,

Mary Franz

Greg Baker, Pgm Mgr
Montrose Settlements
Restoration Program
501 W Ocean Blvd,
#4470
Long Beach CA
90802

Union printed on
REAL recycled paper with
postconsumer content. 05
4/03

NEW YORK
MAY 25 2005
315.474.1124 FAX 315.474.5399
card. also P
web: www.culturalworkers.org
Syracuse Cultural Workers, Box 6367, Syracuse, NY 13217
Tools for Change catalog \$1. Email: scw@culturalworkers.org