

*DRAFT 6/24/2004*

**Invitation for Public Involvement**

**In Preparation of a Damage Assessment and Restoration Plan with Environmental Assessment for Restoring Natural Resources Lost as a Result of the *M/V New Carissa* Oil Spill on the Oregon Coast**

You are invited to participate in the planning process for the development of a Damage Assessment and Restoration Plan (DARP) and environmental assessment for the *M/V New Carissa* oil spill.

**What has already happened?**

**Background**

In 1999 the *M/V New Carissa* ran aground on the Oregon Coast and spilled 70,000+ gallons of oil. The Oil Pollution Act of 1990, a federal law enacted soon after the *Exxon Valdez* oil spill in Alaska, established a federal process for designated trustees to assess damages and restore natural resources lost as a result of an oil spill. The Natural Resource Trustees (**U.S. Department of Interior**, represented by the Bureau of Land Management, Fish and Wildlife Service and Bureau of Indian Affairs; the **U.S. Department of Agriculture**, represented by the U. S. Forest Service; the **State of Oregon**, represented by the Oregon Department of Fish and Wildlife and Oregon Department of Environmental Quality; the **Confederated Tribes of the Siletz Indians of Oregon** and the **Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon**) designated by the statute in this case have conducted a number of studies and assessments and have determined that:

- 2,300 seabirds and gulls were killed by the oil spill, including 262 marbled murrelets, listed under state and federal law as “threatened”;
- 460-800 shorebirds were oiled as a result of the incident; 4-8 western snowy plovers, listed under state and federal law as “threatened”;
- about 29,000 public recreation trips were lost or diminished as a result of the spill.

In 2001 the ship’s owner, operator and insurer (Responsible Parties) filed a lawsuit in federal court against the United States, alleging that agencies of the federal government (U. S. Coast Guard, National Oceanic and Atmospheric Administration) were responsible for causing the grounding. In June, 2004, the federal District court in Portland approved a settlement between the Responsible Parties and the United States.

As part of that settlement, federal Trustees were awarded \$4 million for natural resource restoration and retained the right to file a claim with the National Pollution Fund Center for the balance of any natural resource restoration needs which the Trustees identify. The National Pollution Fund Center, an agency of the U.S. Coast Guard, manages the Oil Spill Liability Trust Fund, which was also created by the Oil Pollution Act of 1990 and funded by the oil shipping industry.

**What happens next?**

**Proposal**

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Under the Oil Pollution Act of 1990, Trustees seek to restore public resources, lost or damaged as a result of an oil spill, to their baseline level that existed prior to the spill. Consequently, the Trustees' next step is to prepare a draft Damage Assessment and Restoration Plan which will outline alternatives for restoring the natural resources damaged by the *M/V New Carissa* oil spill to their pre-spill baseline. The environmental assessment will assess the environmental consequences of those restoration actions. Trustees anticipate having a draft plan to review by September, 2004.

**What we want to accomplish**

**Objectives**

The primary objective of the Damage Assessment and Restoration Plan is to restore the resources lost as a result of the spill to their pre-spill baseline. More specifically, the Trustees objectives are to implement restoration actions to address:

- more than 2,300 seabirds including 262 marbled murrelets that perished as a direct result of the spill;
- about 460 to 800 shorebirds that were injured or killed as a result of the spill;
- about 29,000 public recreation trips lost because of the public access closures necessitated by the spill

**What are some of the decisions to be made?**

**Decisions to be Made**

By law, the restoration must be focused on losses caused by the oil spill to Trustee resources (noted above) and identified in the natural resource damage assessment process. The types of decisions that the Trustees will be making include:

- What are the various methods for restoring lost seabirds and shorebirds? Which are the most effective?
- What types of restoration will best compensate the public for the lost recreation trips?
- Where should the restoration occur?
- What are the environmental effects of implementing various

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alternatives for restoration?

- What type of monitoring is necessary to insure that the restoration projects are working?

**Areas of Concern**

**Some of the Issues of the restoration plan and analysis**

- How effective are the various alternatives for restoration? Are there feasible restoration methods for each of the categories? What are the environmental effects of each of the alternatives?
- What would happen if the Trustees would do nothing? (No Action Alternative) Can the Trustees do nothing?
- How can the best ideas from the public be combined with input from the technical experts to make the most effective plan possible?
- Would the restoration affect other resources or uses?
- What is the cumulative effect of the restoration plan?

**How to get involved**

We encourage you to help by answering the following questions. All of the information we receive will be considered in the analysis process:

1. What is your area of expertise or relationship (recreationist, concerned citizen, etc.) to the proposal or to the potential environmental impacts of the proposal?
2. What issues do you think are important to consider in the restoration plan and analysis?
3. Within the limits prescribed by law, how do you expect to see the losses from the *M/V New Carissa* oil spill restored?

We invite you to send written comments on the proposal to the address below. **Comments should be sent so we will receive them by Friday, July 30, 2004.** They will be reviewed in the preparation of the Damage Assessment and Restoration Plan and environmental assessment.

**Where to send**

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**comments**

**Address comments to: Larry Mangan  
Bureau of Land Management  
Coos Bay District  
1300 Airport Lane  
North Bend, OR. 97459  
Telephone: 541-751-4231  
FAX: 541-751-4303  
Email: [coos\\_bay@or.blm.gov](mailto:coos_bay@or.blm.gov)  
Coos Bay District website:  
<http://www.or.blm.gov/coosbay/>**

Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours, 8:00 am to 4:30 pm, Monday through Friday, except holidays and may be published as part of the restoration document. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Thank you for taking the time to read this notice. We look forward to receiving your comments. Your contribution will help the Trustees make the best possible decision restoring the natural resource losses from the *M/V New Carissa* oil spill.