

The New Carissa Damage Assessment Restoration Plan



Bureau of Land Management, and Fish and Wildlife Service



Forest Service



Departments of Fish and Wildlife, and Environmental Quality



Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians of Oregon



Confederated Tribes of Siletz Indians of Oregon

Q&A:

Q. What's being announced?

The federal and state agencies and Native American tribes designated as natural resource trustees are releasing the final plan to restore the natural resources and recreation opportunities lost or damaged by oil spilled from a shipwreck on the Oregon coast.

Q. What oil spill?

On February 4, 1999, the New Carissa, an empty 660-foot long cargo ship, went aground just north of the entrance to Coos Bay, Oregon. Pounded in the high surf and strong winds of a pacific storm, the vessel began breaking up. An attempt was made to burn away some of its hundreds of thousands of gallons of fuel oil before the ship broke apart. The precise amount of oil released from the damaged ship is difficult to determine, but has been estimated by various sources at somewhere between 25,000 gallons and 140,000 gallons. Most of the spilled oil is something called "Bunker C," an extremely thick oil used for fuel by large ships.

The bow section was eventually re-floated and towed offshore, only to break its tow in a storm and go aground again near Waldport, Oregon, releasing additional oil. The bow section was again re-floated, towed far out to sea and sunk by the Navy. The heavier stern section remains stranded in the surf near the entrance to Coos Bay.

Q. What was damaged by the oil?

In addition to private property, there were many publicly owned natural resources at risk from this oil including birds, marine mammals, fish, shellfish, outer beaches and rocky shores, and the estuaries from Coos Bay to Yaquina Bay. Studies determined that:

- Four to eight western snowy plovers (a state- and federally listed threatened species) likely perished;
- 672 other shorebirds were injured or killed;
- 262 marbled murrelets (also a state- and federally listed threatened species) were killed;
- 2,203 other seabirds and gulls were killed;
- About 29,000 recreation trips were lost or diminished (valued at approximately \$400,000).

Q. What can be done about the damage?

According to the Oil Pollution Act of 1990, the parties responsible for an oil spill are liable for the costs to restore the injured natural resources. Federal agencies, state agencies and Native American tribes are the trustees for these resources, and they conduct a Natural Resource Damage Assessment to document and quantify injuries to the public's natural resources and services. For the New Carissa spill, the natural resource trustees include the U.S. Department of the Interior, the U.S. Department of Agriculture, the State of Oregon, the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon and the Confederated Tribes of Siletz Indians of Oregon.

The responsible parties in this oil spill are the owners, operators and insurers of the New Carissa, as well as the master of the ship at the time of the incident.

Q. Where exactly will the money come from?

In May 2004, a settlement agreement approved by a federal judge resolved several lawsuits related to the New Carissa spill. The part of the settlement agreement regarding natural resource damages requires the responsible parties to pay the United States \$4 million, but the settlement recognizes that is not full compensation for the natural resource damages. Under a separate agreement, the trustees are permitted to submit a claim to the Coast Guard's National Pollution Fund Center for any additional money needed to restore the damages. The National Pollution Fund Center manages the Oil Spill Liability Trust Fund that provides funding for cleanup and natural resource restoration costs for "uncompensated claims" resulting from oil spills in the United States. The money in the fund comes from a tax on oil transported within the United States.

Q. How was the restoration planned?

Planning was done according to regulations under the Oil Pollution Act; first by assessing the injury to natural resources, then by selecting the most appropriate restoration actions. In addition, the trustees were required to:

- identify a reasonable range of restoration alternatives;
- evaluate them;
- select a proposed alternative;
- write a draft plan to present the alternatives to the public;
- get public comments on the draft plan, and
- incorporate comments into a final plan.

The trustees developed a range of alternatives, identified the preferred alternatives, examined the effects on public health and safety, modified the draft plan in response to public comments, and are now releasing the final plan.

Q. What is the plan?

The Damage Assessment Restoration Plan sets forth a number of actions to restore the resources and

services lost to the public because of this spill. The plan includes details of the actions to be taken, as well as all the changes made to the draft plan, and should be consulted for details. In summary form:

- **Western snowy plover**

The plan calls for maintenance to be performed on the restored plover habitat area on Coos Bay's North Spit area every year, for the next thirty years, to restore the four to eight snowy plovers lost during the incident. The plan also calls for a multi-agency program to recruit and train volunteers to monitor critical plover breeding areas. This program will be a partnership between the Trustee agencies and not-for-profit organization.

- **Other Shorebirds**

The plan is to acquire, restore and manage key shorebird habitat parcels on the Oregon coast to restore the 672 shorebirds lost due to the spill. The plan also will fund the Sister Shorebird Program, which teaches school teachers about shorebirds through workshop training and a curriculum guide. This project would also sponsor free workshops to educate groups of Oregon teachers.

- **Marbled Murrelet**

For 262 marbled murrelets killed by the spill, the plan is to acquire occupied habitat on private lands from willing sellers. Once acquired, these parcels will be enhanced and managed for the continued benefit of the marbled murrelet. These parcels will be monitored yearly to verify continued occupancy.

- **Other Seabirds**

Three separate projects are planned to restore other 2,203 seabirds lost due to the spill. One is to protect a seabird colony by acquiring the parcel of land immediately adjacent to the colony. The development of this parcel could disturb the seabird colony resulting in reduced productivity or abandonment. The parcel would be managed as part of the Oregon Islands National Wildlife Refuge.

A second part of the project for seabirds is to reduce predation on seabird colonies along the south coast of Oregon. Predation on these colonies has increased with the increase in populations of non-native predators like red fox.

The effort to reduce the effects of predators on seabirds and shorebirds will be complimented by providing funds to the Oregon Parks and Recreation Department (OPRD) to fabricate 150 predator-proof garbage cans, through that agency's "Parks and Prisons" program.

The third component of the seabird restoration effort is a public awareness and education project. Signs are planned for all access points leading to seabird colonies and seal or sea lion haulout sites. The signs will inform and educate visitors that the rocks and islands are within the Oregon Islands National Wildlife Refuge and are closed to public access to protect the seabirds and other wildlife.

Recreation

In addition to ensuring that all projects met the overall objective of restoring lost public use resulting from the oil spill, the projects were screened to ensure that they: have multiple resource benefits; are likely to succeed; leverage funding from partnerships and other sources; improve public health and safety; and meet all other legal or regulatory requirements.

The recreation projects are:

1. Governor Patterson State Park Beach Trail and Parking Lot;
2. North Spit and Horsfall area directional sign and 2 entry kiosks;
3. North Spit and Horsfall area State/Federal Beach Sign Program;
4. Horsfall Day Use Area Expansion;
5. North Spit (interior) trail rehabilitation;
6. Horsfall Campground Accessible sites;
7. Fence removal from three locations on the North Spit;
8. Signs and placement of signs on North Spit sand roads;
9. Bluebill Campground Toilet Replacement;
10. Horsfall Road OHV Fencing;
11. BLM North Spit foredune sand road upgrade.

Q. What has changed from the draft plan?

A number of changes were made to the draft restoration plan before finalizing it. Some of these changes were in response to the many insightful issues raised during the public comment period, and some were the result of refinements made to the supporting data and analyses. These changes included:

- The section on acquisition of marbled murrelet habitat was revised to modify, expand and clarify the Trustees' criteria for selecting who would manage the lands. Based on comments received, the Trustees' first choice for managing the marbled murrelet tracts is a private conservation organization or one of the two Tribal Trustees (if a tract is within a Tribe's area of interest) with experience in managing forest lands for conservation purposes. As a second option, the Trustees would consider the USFS and the BLM as recipients and managers of the habitat. One exception is that USFS will receive priority consideration for one parcel, less than 500 acres in size, that is primarily surrounded by Siuslaw National Forest lands.
- The conservation organization or Tribe that is selected must agree to pay the applicable property taxes normally due to the county, and provide legally binding assurances that the parcel will be managed in a manner consistent with the explicit reason for acquisition and any standards determined by the Trustees.
- A list was added of aspects of the draft plan supported by specific public comments which did not require response or changes to the plan.
- A new section in Chapter 6 was added describing the public comment process for the draft plan, and the Trustees' responses to issues raised by the public.
- Additional information on economic consequences, monitoring requirements and the plan budget was included.
- Acres of marbled murrelet habitat to be acquired and managed were revised from 1,294 to 1,269 after correcting data.
- A number of editorial and factual changes were made to the plan based on comments received.

Q. What is the cost of all the proposed actions?

Preliminary estimated budget figures are presented in this table, but it is too early in the process to quantify costs of possible land acquisitions.

Restoration Type	Estimated Amount
Shorebirds <ul style="list-style-type: none"> • Western Snowy Plover • Shorebird Education Project • Shorebird Habitat Acquisition, Restoration and Management 	\$195,000 \$181,000 (unknown)
Seabird <ul style="list-style-type: none"> • Predator Management • Seabird Education Project • Seabird Habitat Acquisition and Management 	\$851,000 \$808,000 (unknown)
Recreation Projects	404,000
Total Estimate (excluding acquisition)	\$2,439,000

Copies of the plan and its appendixes are available for download from the U.S. Fish and Wildlife Service's Oregon Fish and Wildlife Office website (<http://www.fws.gov/oregonfwo/InfEd/NewCarissa/NewCarissaPage2.htm>). All documents other than the appendixes also may be obtained by contacting case manager Larry Mangan by telephone (541) 751-4231, or by mail at Coos Bay District Bureau of Land Management, 1300 Airport Lane, North Bend, OR 97459.