

**Montrose Settlements Restoration Program Trustee Council
Summary
May 5, 2004 Catalina Bald Eagle Workshop
May 6, 2004 Trustee Council Meeting
Sacramento, California**

The Montrose Settlements Restoration Program held a workshop for the Trustee Council on May 5, 2004, followed by a regular Trustee Council meeting on May 6, 2004.

MAY 5TH CATALINA BALD EAGLE WORKSHOP

Attendance

The following primary and alternate Trustee Council members were present:

Bill Conner	NOAA	Jennifer Boyce	NOAA
Patty Velez	CDFG	Julie Yamamoto	CDFG
Jim Haas	USFWS		
Suzanne Goode	CDPR		
Kate Faulkner	NPS		
Jonathan Clark	CSLC		

Also attending:

Greg Baker	MSRP / NOAA	Dave Garcelon	IWS
Dave Witting	MSRP / NOAA /CDFG	Peter Sharpe	IWS
Annie Little	MSRP / USFWS	Bob Risebrough	
Katherine Pease	NOAA OGC	Ron Jurek	CADFG
Kathy Verrue-Slater	CDFG	Chuck Henny	USGS
Chuck McKinley	DOI Solicitor	Joe Meistrell	LACSD
Becky Stanton	USFWS	Bob Delong	NOAA
Scott Sobiech	USFWS		

The Trustees held a one-day workshop on May 5th to discuss the background, status, trends, and management options for the Catalina Island bald eagle program. The objective of the workshop was to provide the Trustee Council a comprehensive review of the Catalina bald eagle efforts and the factors still affecting their exposures to contaminants of the case, to enable the Council to propose a direction for that portion of the overall draft MSRP restoration plan.

The invited participants presented information and engaged in discussions on the factors affecting the reproductive success of the bald eagle pairs on Catalina. Garcelon, Sharpe, Little, and Stanton described the history of the bald eagle reintroduction effort, trends in reproductive success/ failure, and contaminant trends. Meistrell described sediment contamination dynamics and reviewed data on the results thus far of EPA's pilot capping investigation. Delong presented data and perspectives on contaminant trends in marine mammals, especially as they relate to bald eagle exposures both on Catalina and in the Northern Channel Islands. The data and scientific perspectives, taken as a whole, led to an overall conclusion that DDE levels in Catalina bald eagles are unlikely to decline sufficiently in the foreseeable future to allow sustainable reproduction without human intervention.

Annie Little directed discussions in the afternoon revolving around the overall goals of the bald eagle restoration efforts, the considerations needing to be addressed, and the options available. The group initiated discussion of a decision tree that would identify various courses of action depending on the NCI study outcome. The goals discussion was picked up on the following day during Trustee-only discussions, and is under the summary for the second day of meetings (May 6th) below.

With the benefit of the information presented earlier in the day, several management options were aired/ debated during the afternoon of the bald eagle workshop:

- ✓ Opportunities to reduce the continuing costs of the current bald eagle egg manipulation and chick fostering program:
 - re-locate the incubation efforts from San Francisco Zoo to Catalina Island (having IWS conduct this work on-island);
 - cease funding the SF Zoo captive breeding program;
 - pursue approvals to obtain a limited number of chicks from California nests (e.g. 4-5 chicks per year);
 - investigate alternative sources of funding to IWS that offset some of the funding currently provided by the MSRP;
 - cutting the program back to an every other year manipulation/ fostering effort.

- ✓ Viability of reducing contaminant exposures through marine mammal carcass removals or dietary supplementation with clean food.

- ✓ Altering the current Catalina bald eagle program in some specific ways, e.g.
 - no longer fostering chicks to more highly contaminated birds, encouraging those pairs to break up and abandon their nests, freeing those territories for new bald eagles;
 - reduced egg manipulation (i.e. rather than removing and incubating all eggs, leave some eggs in nests with minimal intervention such as candeling and application of “tape” to thin areas).

Over the last 3 years the annual cost for the Catalina bald eagle program has averaged about \$250K, (assuming a portion of the costs for the San Francisco Zoo’s captive breeding and incubation programs are attributed to Catalina). Since the Zoo’s programs have not produced a sufficient number of chicks to support both the Catalina and NCI programs and the Trustees have had to incur additional expense to obtain bald eagle chicks from Alaska, there was discussion of whether it made sense to continue supporting the Zoo’s programs. It was suggested that egg incubation could be moved to Catalina and operated by IWS at a net cost savings. Further, it was proposed that the Trustees might begin obtaining a limited number (i.e. 4-5) of bald eagle chicks from California nests to replace those currently obtained from the SF Zoo’s captive breeding efforts at a net cost savings. With these and other considerations, it seemed possible to reduce the annual cost of the Catalina program significantly.

In the event that the NCI study indicates there is nowhere in the Channel Islands where bald eagles can self-sustain, Bill Conner posed the question of what it would take to indefinitely fund a program to maintain bald eagles somewhere in the Channel Islands (either on Catalina or Santa Cruz). One approach would be to identify an annual budget, then establish an annuity, endowment, or some financial mechanism to generate that amount annually for a long period, e.g. several decades. This question was picked up again the following day (see May 6th meeting notes below). This led to the further airing of options to cut costs for the Catalina bald eagle program and a request that IWS further investigate available options for reducing the budget to bare bones. No specific conclusions or decisions were reached on this day.

The May 5th workshop was adjourned at 4PM.

MAY 6TH TRUSTEE COUNCIL MEETING

The following primary and alternate Trustee Council members were present:

Bill Conner	NOAA	Jennifer Boyce	NOAA
Patty Velez	CDFG	Julie Yamamoto	CDFG
Jim Haas	USFWS		
Suzanne Goode	CDPR		
Kate Faulkner	NPS		
Jonathan Clark	CSLC		

Also attending:

Greg Baker	MSRP / NOAA	Katherine Pease	NOAA OGC
Dave Witting	MSRP / NOAA / CDFG	Kathy Verrue-Slater	California AG
Annie Little	MSRP / USFWS	Chuck McKinley	DOI Solicitor
Scott Sobiech	USFWS	Steve Kellogg	URS (contractor)

The meeting began with a recap by Greg Baker on the current status of development of the restoration plan EIS/EIR. Comments received on the draft Tier 1 evaluations of projects (circulated for internal review last February/ March) were summarized; comments are being incorporated and the final write-ups will be put into the administrative record once after one last review by counsel.

As a result of the Tier 1 evaluations, 17 restoration projects/ concepts have been brought forward for detailed evaluation falling into four categories, Fish, Bald Eagles, Peregrine Falcons, and Seabirds. The Council discussed how to handle other kinds of work within the eventual draft RP: public outreach, additional data studies, and operating costs of the program. The Exxon Valdez restoration plan was identified as a possible example where a budget for operations was distinctly identified in the plan itself. Baker indicated that the team is not planning on identifying general outreach and education as its own separate "category" of restoration, but rather that outreach costs would be factored into budgets of all projects. Data studies would be dealt with in a similar way.

Fishing

Dave Witting presented information and analysis conducted thus far on fish restoration projects / concepts. Detailed evaluations are currently being performed on four restoration concepts: 1) artificial reef construction with associated fishing access improvements, 2) wetlands restoration aimed at fish habitat improvement, 3) MPAs, and 4) fishing education and outreach. The Council agreed that staff should continue to develop these concepts for the draft restoration plan.

Rough cost estimates were provided, however, all of these concepts are highly scalable. Reef costs vary substantially based on whether materials are obtained for free and how reefs are constructed. Ambrose's 2000 study estimated a need of 76 hectares of reef for primary restoration at a cost of \$15-30 million. Potential costs for access improvements (e.g. pier enhancements, fishing barge, etc.) have yet to be developed but are also highly scalable. Wetlands restoration is proposed to be limited to MSRP contributing to a larger scale multi-party effort, and focusing on restoration that enhances production of California halibut. The option of "jumpstarting" halibut production with cultured juveniles could be included at roughly \$750K for three years per site. Conner suggested that evaluation of such a jumpstarting effort should be evaluated not in terms of absolute benefits, but in terms of the likely reduction in restoration time that such active efforts would likely provide when compared with habitat creation alone.

The MPA concept has many possible options from small to larger scale. It was agreed that Dave should take the step of writing up this option based on his best understanding of the Council's discussions and circulate it for review along with the others.

Fishing education / outreach will also be developed as a project, and it was recommended that it be described on the basis of an estimated budget of in the ballpark of \$500K - \$1M over several years.

Bald Eagles

Annie Little initiated follow-up discussion from yesterday's workshop on bald eagle restoration. The Council agreed that the overarching goal is to restore self-sustaining bald eagles to the Channel Islands if possible. If found to not be possible based upon the NCI study outcomes, the Trustees could consider maintaining a breeding population somewhere in the Channel Islands for as long as possible. The Council did not reach consensus on whether this should be identified as a preferred option.

Based on estimated cost savings from modifications discussed previously (i.e. obtaining all chicks from the wild rather than providing annual funding to the captive breeding program at the SF Zoo, and moving the incubation work to Catalina), it was estimated that annual costs for continuing the Catalina program on an interim basis could be pared back to about \$205,500 / year. Cost savings would also accrue to the NCI feasibility study. The Council agreed that we should initiate this transition, i.e. inform the SF Zoo that we would no longer fund the captive breeding and incubation program at their Avian Conservation Center, and work with IWS to prepare to operate the incubation work on Catalina.

The Council discussed how a decision tree could be developed that identifies potential and preferred options for bald eagle restoration given different future outcomes of the ongoing NCI study. Not all preferred options were agreed upon at this meeting; however, the initial structure of the decision tree was as follows:

If NCI study results indicate:

- 1) NCI bald eagles can successfully reproduce on their own, then either
 - continue active restoration on NCI until numbers approach baseline, and
 - abandon Catalina program
 - maintain Catalina programor,
 - cease active restoration on NCI and instead just monitor for natural restoration, and
 - abandon Catalina program
 - maintain Catalina program

- 2) NCI bald eagles have similar reproductive impairment to Catalina, then either
 - continue Catalina program and abandon NCI program
 - continue NCI program and abandon Catalina program
 - continue both programs
 - abandon both programs

- 3) NCI bald eagles have worse reproductive impairment, then either
 - continue Catalina program only
 - abandon both programs

The Council discussed but did not at this meeting reach specific agreement on which options should be put forward as preferred in the draft RP. The Council agreed, however, that they would not recommend pursuing mainland bald eagle restoration under any of these scenarios.

The Council discussed but did not reach a conclusion on possible mechanisms for sustaining funding over a long term for bald eagle restoration, should it be necessary to actively maintain the birds for decades. Further research needs to be done to investigate potential investment vehicles and assurances that funds would not be diverted at some later point in time when the Trustee Council for this case is no longer active.

Peregrines

Annie summarized recent developments, including the survey effort on Catalina (2 suspected pairs needing confirmation as to whether they are breeding). For restoration planning, both active restoration to the Southern Channel Islands and monitoring only of natural recovery will be developed. In addition, a project involving restoration of peregrines on Los Coronados Islands in Baja will be developed.

Seabirds

There are eight seabird restoration projects being evaluated in detail. The eight were discussed one by one, and total rough costs were estimated at \$9-12M.

The eight projects discussed were:

San Miguel Island rat eradication – estimated at \$2.12 M.

Restore alcids to Santa Barbara Island - \$350K - \$700K

Enhance seabird colonies on SCI – costs yet to be estimated

Restore ashy storm-petrels to Farallon Islands - \$677K

Restore seabirds on Baja Islands (six separate sub-projects ranging in total cost from \$5.3M to \$8.9M)

Brown pelican roost habitat improvement – estimated at \$100K or less

Entanglement reduction program - \$25K

Restoring ashy storm-petrels to Anacapa Island - \$759K

The Council agreed that these should be written up for detailed evaluation.

Allocation of Restoration Funding

The Council went through an exercise of developing a starting point for allocating restoration funds for the purpose of estimating the scale of projects being evaluated in restoration planning. To start with, an assumption was made that we were allocating a total of \$30M in funds. The Council identified \$ 5M to set aside for long term MSRP program operations, leaving \$25M to be divided among restoration categories. Ongoing data gap studies were included in the mix of funding assumptions: \$1.125M for fish data gap studies, and \$4.4M for bald eagle studies.

The Council proposed that up to \$10M be reserved for bald eagle restoration; under certain scenarios, not all of these funds would be needed (e.g. if NCI bald eagles are found to be able to reproduce successfully on their own), in which case any remaining bald eagle funds would go to supplement seabird restoration work.

The Council proposed that \$12M be allocated to fish restoration work.

The remaining \$3M was proposed to be split between peregrine falcon and seabird restoration.

It was proposed that the draft restoration plan also develop specific proposals for use of the \$10M “swing money” from the final settlement, should that be made available in the event EPA selects no in situ remedy. It was decided that for allocation purposes at this point, we should assume that the \$10M would be split between fish and seabird restoration projects.

General Trustee Council Business

Two resolutions were circulated and signed. Resolution 04-02 authorizes the FWS to expend an additional \$10,700 on further stable isotope analytical work, as discussed by the Council at the January 15th 2004 meeting.

Resolution 04-03 was signed, which authorizes NOAA to fund an accounting review of the Court Registry and DOI Trust fund accounts where settlement funds reside. NOAA proposed the accounting firm they

already under contract, Cotton and Company, to undertake this review. The resolution specifies that up to \$20K may be used for this purpose.

A proposal was also made to investigate whether Cotton and Company could be employed to review the six Trustee Agencies' cost documentation packages for 2003, due in September 2004. Baker agreed to pursue this question. Further, we agreed that we needed to identify representatives on the Trustee Council's cost committee. We identified Katherine Pease, Jim Haas, and Cathy Verue-Slater as the three who would review cost documentation. The understanding is that they would focus on overall appropriateness of expenditures, assuming we would be able to have Cotton and Company perform the detailed checks for accuracy and completeness of the packages.

Greg Baker also provided notice to the Council that the final cost for the Angler Survey is likely to be up to \$10K over the original \$200K estimated in 2002. At that time it was proposed that the Trustees would contribute \$75K and EPA would contribute \$125K. This work was not funded with advance funding, but with an understanding that NOAA would seek cost reimbursement after the fact.

It was agreed that the next Trustee Council meeting would be held from 8:30-4 in Long Beach on July 13th.

The meeting adjourned at 3:30 PM.