

TO:
X Office of Planning and Research
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FROM:
 Public Agency: Department of Fish and Game
 Address: Office of Spill Prevention and Response
1700 K Street, Suite 250, Sacramento, CA 95811
 Contact: Lisa Wolfe-Kolb
 Phone: (916) 445-9338

County Clerk
 County of: _____
 Address: _____

Lead Agency (if different from above):
 Address: _____
 Contact: _____
 Phone: _____

SUBJECT: *Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code*

State Clearinghouse Number (if submitted to State Clearinghouse): SCH# 2002-031095

Project Title: <i>Montrose Settlements Restoration Program Final Phase 2 Restoration Plan Environmental Assessment/Initial Study - Modified Kelp Forest Restoration Project</i>
Project Applicant: <i>Santa Monica Bay Restoration Foundation, Santa Monica Baykeeper, California Science Center</i>
Project Location (include County): <i>Palos Verdes Peninsula, California</i>
Description of Nature, Purpose, and Beneficiaries of Project Under the Oil Pollution Act of 1990, the Natural Resource Trustees for the Montrose case developed the Phase 2 Final Restoration Plan to restore injured and lost natural resources due to historic rebases of DDTs and PCBs into marine waters of the Southern California Bight. The California Department of Fish and Game, Office of Spill Prevention and Response (CDFG/OSPR) signed a Notice of Intent to Adopt Negative Declaration and Negative Declaration on April 5, 2012 for the Phase 2 Restoration Plan and filed a Notice of Determination on May 21, 2012. One of the Phase 2 preferred restoration projects – Palos Verdes Kelp Forest Restoration - has been modified in that removed sea urchins will be landed and composted rather than relocated. CDFG/OSPR prepared an Addendum to Negative Declaration dated June 19, 2012 for this project modification.

This is to advise that the CDFG/OSPR has approved the modified Kelp Forest Restoration Project on June 18, 2012 and has made the following determinations regarding the project:

2. The project will not have a significant effect on the environment.
3. A Negative Declaration and an Addendum to Negative Declaration was prepared by the State Lead agency for this project pursuant to provisions of the California Environmental Quality Act (CEQA).
3. A Phase 2 Restoration Plan Environmental Assessment/Initial Study for the Montrose Settlements Restoration Plan was prepared pursuant to the provisions of NEPA and CEQA.
4. Mitigation measures were not made a condition of the approval of the project.
5. Findings were not made pursuant to CEQA Guidelines section 15091.
6. A statement of Overriding considerations was not, adopted for this project.

This is to certify that the Addendum to the Negative Declaration, the Negative Declaration, the FONSI and the Final Phase 2 Restoration Plan Environmental Assessment/ Initial Study with comments and record of project approval are available to the General Public at: www.montrosere restoration.gov, or by contacting NOAA Montrose Settlements Restoration staff at (562) 980-3247 or via e-mail at msrp@noaa.gov.


 Signature: Lisa Wolfe-Kolb Office of Spill Prevention and Response Staff Counsel III
 Public Agency: _____ Title: _____

Date: June 19, 2012

Date Received for filing at OPR:

**CALIFORNIA DEPARTMENT OF FISH AND GAME
OFFICE OF SPILL PREVENTION AND RESPONSE
ADDENDUM TO NEGATIVE DECLARATION**

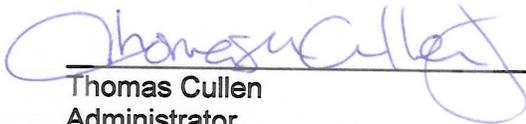
**Montrose Settlements Restoration Program Phase 2 Restoration Plan
Environmental Assessment/Initial Study**

NOTICE IS HEREBY GIVEN that the California Department of Fish and Game, Office of Spill Prevention and Response (CDFG/OSPR) has prepared this Addendum to an adopted Negative Declaration in the matter of the Montrose Settlements Restoration Program Phase 2 Restoration Plan Environmental Assessment/Initial Study (Phase 2 Restoration Plan). CDFG/OSPR signed a Notice of Intent to Adopt Negative Declaration and Negative Declaration on April 5, 2012 for the Phase 2 Restoration Plan and filed a Notice of Determination on May 21, 2012.

This Addendum to the adopted Negative Declaration has been prepared in accordance with California Public Resources Code (PRC) Section 15164 and documents a change to one of the preferred restoration projects – the Palos Verdes Kelp Forest Restoration Project. The Palos Verdes Kelp Forest Restoration Project has been modified by providing that instead of relocating removed sea urchins they will be landed and composted. A subsequent EIR pursuant to PRC Section 15162 is not required for this project modification because the modification does not involve any new significant environmental effects or a substantial increase in the severity of any previously identified significant effects. To the contrary, this project modification is expected to result in beneficial impacts as described in the attached memorandum dated June 6, 2012 Re: Methods Modification for the Kelp Forest Restoration Project. CDFG/OSPR has considered this Addendum to the Negative Declaration prior to making a decision on the modified Kelp Forest Restoration Project and will file a Notice of Determination within five working days after deciding to carry out or approve the project.

Date: June 19, 2012

DEPARTMENT OF FISH AND GAME
Office of Spill Prevention and Response



Thomas Cullen
Administrator

Memo

To: Montrose Settlements Restoration Program (MSRP) Trustee Council

From: David Witting, MSRP Fish Biologist

Date: 6 June 2012

Re: Methods modification for Kelp Forest Restoration Project

Description of the Kelp Restoration Project

The Montrose Settlements Restoration Plan (MSRP) Phase 2 Restoration Plan/Environmental Assessment/Initial Study (Restoration Plan) includes a Kelp Restoration Project that is designed to restore approximately 60 acres of impaired fish habitat back to fully functional kelp forest habitat. The fundamental restoration activity is addressing the impacts of high densities of sea urchin on the reef habitat. As described in the Restoration Plan, when sea urchins reach a critical density on the reef habitat, their foraging behavior changes. Urchin in healthy kelp forests tend to feed on drift algae that break off of adult kelp plants. Urchins that occupy urchin barrens, however, are highly mobile and will actively seek out and consume all available algae, including kelp recruits, which eventually leads to a persistent urchin barren state. In addition, during the restoration planning stage, MSRP staff determined that urchins occupying urchin barrens in the target restoration area were in a starved state and were unlikely to be providing significant ecological functions (e.g., reproductive or food web functions). To illustrate the poor condition of urchin barren urchins, we use an index that measures the weight of the gonad relative to the total weight of the animal (Gonadosomatic Index or GSI). The GSI required for urchins to be marketable in the commercial fishery is 15% or greater. Our data from urchin barren urchins suggest an average GSI of approximately 5%, far below that of a healthy or commercially viable urchin.

Project Methodology

As stated in the Restoration Plan,

“Kelp forest restoration can be achieved through a variety of methods including urchin control (preferred alternative) and kelp outplanting (see non-preferred alternative). Urchin control can be achieved through two possible mechanisms: 1) urchin relocation, where urchins are collected from the reef by SCUBA divers and relocated over a wide area in the same geographic location, and 2) crushing urchins on site, where urchins are destroyed at the site by SCUBA divers using a hammer or some other similar tool.”

In the Restoration Plan, the Trustees concluded that urchin relocation would be the method employed. This was largely because, at the time the plan was written, released for public comment, finalized, and adopted by the individual trustee agencies that make up the MSRP, urchin removal (i.e., landing and composting) was not considered to be a viable option primarily due to the fact the prior kelp projects were limited by their permits to a relocation-based methodology. During the recent development of the Scope of Work (SOW) for the first year of this project (attached with this memo), the MSRP's project partner, The Santa Monica Bay Restoration Foundation, has identified a mechanism through which a large fraction, if not all the urchins could be landed and composted rather than relocated.

Impact on Project Goals

From the perspective of the project's restoration goals, this is a preferred approach for several reasons:

1. Relocation of the urchins creates a risk that the urchins would re-aggregate in healthy reef habitat and create a new barren. This issue was brought up by a participant in our November 9, 2011, public meeting who asked if there was any way the urchins could be landed rather than relocated, thus assuring that the project would not simply relocate the barren.
2. In order to ensure that the urchins are relocated to an area where they are unlikely to create a new barren, they would need to be relocated to an area where they are unlikely to survive (e.g., the Redondo Canyon).

While it is unlikely that this would result in significant ecological impacts, it is difficult to assess the impacts to the destination habitats due to the great depth of the canyon. If the urchins are landed and composted as proposed in the new SOW, they will be used for agricultural purposes where the impacts will be largely/wholly beneficial.

3. The ultimate fate of the urchins could be easily tracked and evaluated if all or a majority of them are landed and composted.
4. The new methodology would create logistical and financial benefits. The project will run more efficiently during implementation because there will no longer be need to release urchins over a prescribed area. This would also reduce costs, as well as vessel operation and transit times associated with the project.

Environmental Impacts

This methodological change is unlikely to significantly change the environmental impacts of the project, as outlined in the Restoration Plan's impacts analysis.

1. Physical – The Restoration Plan did not anticipate any substantial adverse physical impacts associated with this project, and the change in methodology would not alter this analysis. Removal activities would be identical under the new methodology, and the need for vessel traffic would be reduced because the projects implementers would not be required to travel to relocation sites.
2. Biological – The Restoration Plan did not anticipate any substantial adverse biological impacts associated with this project, and the change in methodology would not alter this analysis. As stated above, the urchins that will be removed from the urchin barrens are in a starved state. Therefore, their continued existence in a new location (i.e., being relocated rather than composted) would not likely provide significant ecological services. Conversely, if the urchins were to create new barren, they would cause significant negative ecological impacts due to their foraging mode, as they are in their current locations. By removing these urchins (either by relocating or composting) the project area will experience an increase in production in the form of Kelp Growth and the diverse biota associated with healthy kelp forests that will far outweigh the biomass that was removed.
3. Human Use - The Restoration Plan did not anticipate any substantial adverse biological impacts associated with this project, and the change in methodology would not alter this analysis. The composting of urchins, as opposed to relocation, would have no impact on any recreational or commercial fishery. Sea urchins are commercially harvested in California with annual California landings totaling 4,600 to 5,500 metric tons of healthy sea urchins (i.e., GSI exceeding 15%) over the past 5 years (National Marine Fisheries Service Commercial Landings Database). This fishery is considered to be sustainable and resulting in minimal impacts to urchin populations and the habitats that they occupy. The Kelp Restoration project outlined in the Restoration Plan would remove approximately 110 metric tons of poor condition urchins (average GSI of 5%) over a 3 year period, representing approximately 0.7% of the average 3-year commercial harvest. Nor is the change in methodology anticipated to create controversy. As noted above, urchins are a species that are already harvested in substantial numbers, and the one public comment related to the original methodology was a suggestion to consider composting.

Recommendations to the Trustee Council

This methodological change has minimal or no impacts on the Restoration Plan's analysis of (1) feasibility of achieving restoration goals or (2) environmental impacts of the Kelp Restoration project. Therefore, the MSRP staff recommend adopting this change, and the analysis contained in this memorandum, without the need to reopen/revise the Restoration Plan.