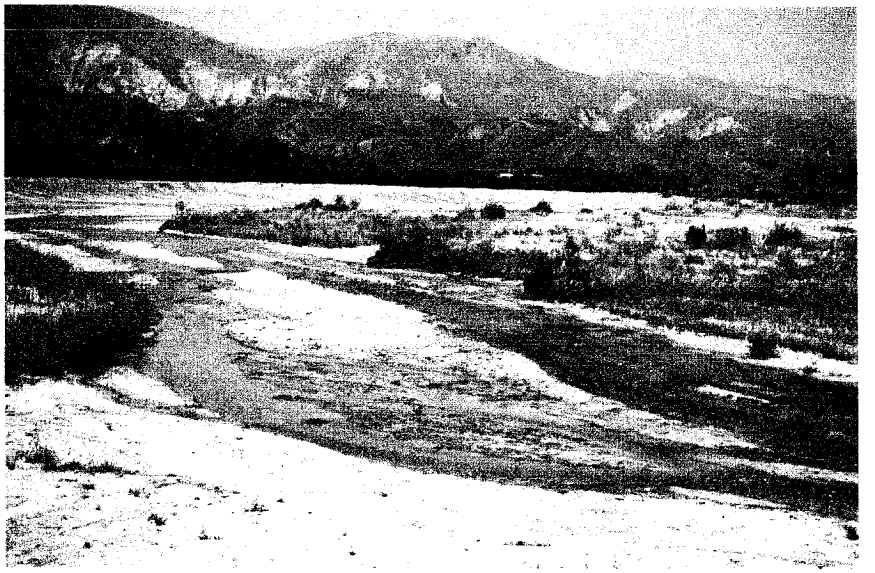
FINAL RESTORATION PLAN

and

ENVIRONMENTAL ASSESSMENT

for the

SANTA CLARA RIVER ARCO OIL SPILL



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When we see land as a community to which we belong, we may begin to use it with love and respect. That land is a community is the basic concept of ecology, but that land is to be loved and respected is an extension of ethics. The land ethic simply enlarges the boundaries of the community to include soils, waters, plants and animals, or collectively, the land. A land ethic changes the role of Homo sapiens from conqueror of the land-community to plain member and citizen of it. It implies respect for his fellow-members, and also respect for the community as such.

Aldo Leopold

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EXECUTIVE SUMMARY

On January 17, 1994, an oil pipeline owned by ARCO Pipe Line Company, ruptured during and following the Northridge earthquake. The largest oil spill occurred near the city of Santa Clarita, in Los Angeles County. Approximately 190,000 gallons, or 4600 barrels, of crude oil flowed from the pipeline break along a roadway, entered a storm drain, then an open drainage ditch, and on into the Santa Clara River. The oil flowed downstream for approximately 16 miles, where a dam was constructed to prevent further spread of the oil. Cleanup of the river included removing oiled vegetation, excavating soil and sediment, backfilling, and grading of the river bed.

As required under the federal Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) and the California Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Government Code 8670.1 et seq.), a Natural Resource Damage Assessment was performed to determine the injuries from the spill to the natural resources of the Santa Clara River, and to develop and implement the appropriate actions to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resources. The natural resources injured as a result of the spill and resultant cleanup activities included approximately 100 acres of woody and herbaceous vegetation and approximately 150 acres of sediment, fish including the arroyo chub and the federally endangered unarmored three-spine stickleback, a number of bird and other wildlife species, and riparian vegetation including critical habitat for the federally-listed endangered least Bell's vireo.

A Consent Decree was signed by federal, state, and county agencies, along with ARCO, and lodged by the court on January 17, 1997, for a settlement of 7.1 million dollars for natural resource damages resulting from the oil spill. After the settlement, a Trustee Council was formed composed of federal and state agencies, whose responsibility is to develop a Restoration Plan for the trust resources in and along the Santa Clara River and to allocate settlement funds associated with that effort. The Trustee Council also has the responsibility for implementation, oversight and monitoring to ensure that the restoration efforts are successful.

The purpose of the final Restoration Plan/Environmental Assessment is to outline the restoration alternatives that have been selected as compensation for injuries to natural resources caused by the spill. The Restoration Plan outlines the restoration activities that, once implemented, will restore, rehabilitate, replace or acquire the equivalent of the injured natural resources. The restoration alternatives that are outlined in this Restoration Plan include land acquisition/conservation easements, invasive non-native plant species control, restoration project grants program, information and education, and watershed evaluation and monitoring. Of the settlement dollars, 60% will be allocated for land acquisition/conservation easements, 20% for invasive non-native plant species control, 10% for a restoration project grants program, 5% for information and education, and 5% for watershed evaluation and planning. These percentages include any necessary oversight and monitoring costs for the respective restoration activities. The Trustee Council has the responsibility for the implementation and successful completion of the restoration projects.

1.0 Introduction

1.1 Purpose

The purpose of this final Restoration Plan/Environmental Assessment is to outline and provide a framework for the restoration alternatives that will restore, rehabilitate, replace or acquire the equivalent of the injured natural resources resulting from the ARCO oil spill along the Santa Clara River. The purpose of the Plan is also to inform the public on the overall approach of the restoration.

The restoration serves as compensation for natural resource injuries in order to make the environment and the public whole. The restoration planning, development, and implementation are being conducted under the authority of the federal Oil Pollution Act of 1990 (OPA) (33 U.S.C. 2701 et seq.) and the California Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Government Code 8670.1 et seq.). Restoration activities must comply with all applicable laws and regulations including the federal and state Endangered Species Act, the federal Clean Water Act, the federal Migratory Bird Treaty Act, the National Environmental Policy Act, the National Historic Preservation Act and the California Environmental Quality Act.

1.2 Oil Spill and Natural Resource Injuries

On January 17, 1994, an oil pipeline owned by ARCO Pipe Line Company ruptured during and following the Northridge earthquake (magnitude 6.8) in the Los Angeles area. The largest oil spill occurred near the city of Santa Clarita in Los Angeles County (Figure 1). Approximately 190,000 gallons, or 4600 barrels, of crude oil flowed from the pipeline break along a roadway, entered a storm drain, then an open drainage ditch, and from there flowed into the Santa Clara River. The oil flowed downstream for approximately 16 miles, where a dam was constructed to prevent further spread of the oil. Cleanup of the river included removing oiled vegetation, excavating soil and sediment, backfilling, and grading of the river bed (Figure 2).

As required under the OPA and the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, a Natural Resource Damage Assessment (NRDA) was performed to determine the injuries from the spill, and the resultant cleanup activities, to the natural resources of the area. The injured natural resources of the Santa Clara River included approximately 100 acres of woody and herbaceous vegetation, 150 acres of river sediment, an undetermined number of fish including the arroyo chub and the federally endangered unarmored three-spine stickleback, a number of bird and other wildlife species, and riparian vegetation including critical habitat for the federally endangered least Bell's vireo. In the NRDA process, the injuries are then translated to a damage figure which is the monetary sum of what it will cost to restore the equivalent of the injured natural resources. A damage settlement was agreed to by both ARCO and the trustee agencies that compensates for the injuries to natural resources, to make the environment and the public whole again.

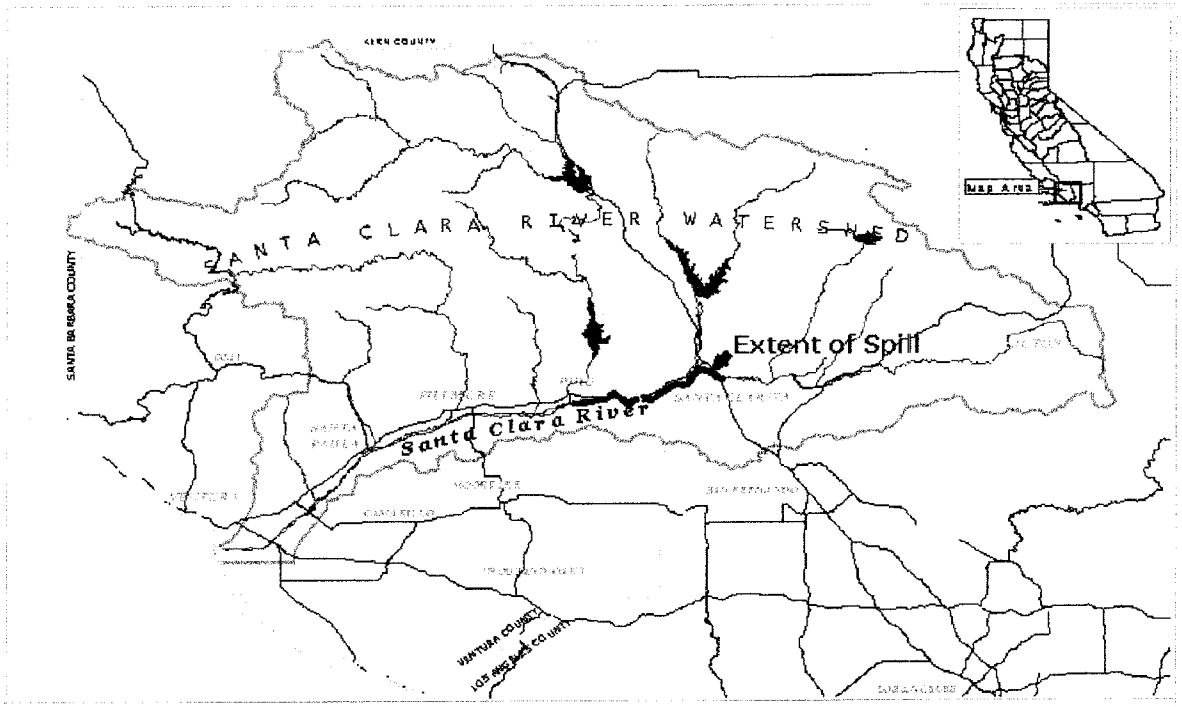

FIGURE 1. Extent of oil spill in the Santa Clara River watershed.

Ventura Fish & Wildlife Office
October 2001

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Figure 2. Cleanup of the oil in the Santa Clara River.

1.3 Consent Decree

A Consent Decree was signed in December of 1996 and January 1997 by federal, state, and county agencies, along with ARCO, and was lodged by the court on January 17, 1997, for a settlement of 7.1 million dollars for natural resource damages resulting from the 1994 oil spill. It is stated in the Consent Decree that the "Natural Resource Trustees plan to use said funds for habitat rehabilitation, revegetation, and or protection of areas within the Santa Clara River watershed, and wildlife projects which will benefit the least Bell's vireo (Figure 3) and other threatened or endangered species or species of special concern in and along the Santa Clara River." Subsequent to the settlement, a Trustee Council was formed. The Council is comprised of federal and state agencies, the U.S. Fish and Wildlife Service and the California Department of Fish and Game, respectively. Initially, there were two trustees and two alternates from each agency on the Trustee Council, for a total of four trustees and four alternates. Currently, there are two trustees and two alternates on the Council, one trustee and alternate from each respective agency. It is also stated in the Consent Decree that the "Natural Resource Trustees, as co-equal joint trustees, commit to the expenditure of funds for the design, implementation, permitting as necessary, monitoring and oversight of restoration projects in and along the Santa Clara River."

The Trustee Council is responsible for the development and implementation of the Restoration Plan/Environmental Assessment for the Santa Clara River, and the allocation of settlement funds associated with that effort. The Trustee Council is also responsible for oversight and monitoring to ensure successful completion of the restoration projects.

Figure 3. Adult least Bell's vireo with nestlings.

1.4 Mission, Goals and Objectives

The trustees developed the following mission and goal statement for the Santa Clara River Trustee Council. This statement provides the framework for the Restoration Plan and outlines the overall responsibilities of the Trustee Council.

"The mission of the Santa Clara River Trustee Council is to restore natural resources in the Santa Clara River watershed, in accordance with the Consent Decree, with the goals of contributing to permanent protection of the river's natural ecosystem and of providing lasting value to the public."

The trustees also developed objectives that were formulated to support the Council's goals. The implementation of the Restoration Plan will facilitate the meeting of these objectives.

* Promote a land ethic which includes stewardship and responsibility for the natural resources.

* Promote watershed management that is consistent with the river's natural dynamic processes.

* Target the entire watershed, including tributaries and upland systems, with an emphasis on contiguous wildlife corridors.

* Enhance and maintain the natural biological diversity of the watershed.

* Maximize benefits to sensitive species, including listed threatened and endangered species and species of special concern.

* Incorporate local government along with public participation in the restoration plan development and implementation.

* Include community outreach by way of education projects and through other restoration activities such that the biological, economic, and aesthetic importance of the river is conveyed.

* Promote restoration projects with long-lasting benefits.

* Promote partnerships and collaborative efforts to maximize funding, efficiency, and expertise.