

APPENDIX C

Finding of No Significant Impact

Finding of No Significant Impact (FONSI)

Restoration Plan and Environmental Assessment
for the
January 17, 1994 ARCO Oil Spill
into the
Santa Clara River, Los Angeles and Ventura Counties, California

The United States Fish and Wildlife Service (FWS) is the lead federal trustee agency for the National Environmental Policy Act (NEPA) compliance for the Restoration Plan and Environmental Assessment (RP/EA) for the January 1994 ARCO Santa Clara River oil spill. The cooperating state trustee agency is the California Department of Fish and Game, Office of Spill Prevention and Response (CDFG-OSPR). The federal and state trustees participated in damage assessment and restoration planning activities to address injuries to natural resources as a result of the oil spill.

The RP/EA evaluated six restoration alternatives, including a 'no action' alternative, to compensate for the injuries to the natural resources from the oil spill. The public has been afforded two opportunities to participate in the restoration planning process. The first was during a public scoping meeting held on October 28, 1998. The second opportunity was a public meeting held on January 15, 2002, during the 45-day public comment period on the draft RP/EA. The draft RP/EA was available in hardcopy form and on the CDFG web page (the Service web page was unavailable at that time).

The 'no action' alternative was not selected because it would not meet the requirements under the Oil Pollution Act, with the goal of restoring lost natural resources, and would be contrary to the mandate of the trustees under the NRDA settlement agreement. The preferred restoration alternative includes five restoration actions: land acquisition/conservation easements, an invasive non-native plant species control program, restoration project grants program, information and education, and watershed evaluation and monitoring. At this time, it is premature to establish a FONSI for the invasive non-native plant species control program and the restoration project grants program. An Environmental Assessment/Environmental Impact Report (EA/EIR) will be developed by various governmental agencies and other groups for the watershed-wide effort of controlling invasive plant species in the Santa Clara River subsequent to finalizing the RP/EA. Once the grants program restoration projects are defined and selected, the Trustee Council and the project sponsors will ensure that the required environmental documentation is developed and approved prior to project implementation. Based upon the information included in this RP/EA, it has been determined that the implementation of land acquisition/conservation easements, information and education projects, and the watershed evaluation and monitoring would not significantly affect the quality of the environment.

DETERMINATION:

Based upon the environmental review and evaluation of the RP/EA, it has been determined that the proposed action of land acquisition/conservation easements, information and education, and the watershed evaluation and monitoring do not constitute a major federal action significantly affecting the quality of the environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended. Accordingly, an EIS is not required for these restoration projects and a FONSI can be made. An EA/EIR will be prepared for the invasive non-native plant species control program. For the restoration project grants program, the FONSI determination must be deferred until the projects are further defined and evaluated.

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