

VIII. Common Murre Restoration Project Budget

As part of the settlement, \$4,916,430 has been allocated for common murre restoration. This amount, plus any interest earned, is available to fund the recolonization project for 10 years. A budget has been developed that lists the range of annual and cumulative costs anticipated for each major budgetary category (Table 1). Availability of

sufficient money to fund the project through years 9 and 10 may depend on interest earnings, because the upper end of the range of anticipated project costs exceeds the amount of the settlement. A more detailed budget will be available following the completion of contracting procedures.

Major budget categories include equipment (boats, motors, decoys, photo and audio equipment, decoys, vehicles,

etc.); operating costs (gas, aerial survey flights, travel, administrative support, etc.); salaries (salaries for agency personnel conducting recolonization project); contracts/agreements (seabird recolonization consultant, cooperative agreement for Farallon Islands work); public education/outreach (public meetings, press releases, press conferences, presentations, publications in popular and technical literature, etc.).

TABLE 1.—ESTIMATED MURRE PROJECT BUDGET

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Equipment	155,000 210,000	50,000– 70,000	75,000– 105,000	50,000– 70,000	55,000– 75,000	50,000– 70,000	50,000– 70,000	55,000– 70,000	50,000– 70,000	50,000– 70,000
Operating Costs	130,000 175,000	125,000– 170,000	120,000– 160,000							
Salaries	70,000 95,000	195,000– 260,000	205,000– 275,000	215,000– 290,000	225,000– 305,000	225,000– 305,000	235,000– 320,000	250,000– 335,000	260,000– 350,000	275,000– 370,000
Contracts/Agree- ments	20,000 25,000	80,000– 110,000	80,000– 110,000	30,000– 45,000	35,000– 45,000	25,000– 30,000	25,000– 35,000	25,000– 35,000	30,000– 35,000	30,000– 40,000
Public Education/ Outreach	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000	5,000– 10,000
Annual Total	380,000 515,000	455,000– 620,000	485,000– 660,000	420,000– 575,000	440,000– 595,000	425,000– 575,000	435,000– 595,000	455,000– 610,000	465,000– 625,000	480,000– 650,000
Cumulative Project Total	380,000 515,000	835,000– 1,135,000	1,320,000 1,795,000	1,740,000 2,370,000	2,180,000 2,965,000	2,605,000 3,540,000	3,040,000 4,135,000	3,495,000 4,745,000	3,960,000 5,370,000	4,440,000 6,020,000

IX. Responses to Comments

The Service received numerous oral and written comments at a public meeting held on November 17, 1994, in Sausalito, California, and during the public comment period that began with the November 4, 1994, **Federal Register** notice (**Federal Register**/Vol. 59, No. 213/55282). The Service appreciates the time and effort expended by the respondents.

A. General Comments Concerning This Plan

1. Length of the Public Comment Period. Comment: Several respondents stated that the initial 30-day public comment period was not sufficient to allow detailed review of the draft Plan.

Response: The Service extended the public comment period to 45 days.

2. Value of the Project. Comment: Many respondents expressed their belief that this project was an appropriate use of the settlement money and would help restore the bird species that was most impacted by the spill.

Response: The Service appreciates the support the public has shown for this project.

Comment: Several respondents said that the project was a waste of money and should not be implemented.

Response: In their legal complaints against the parties allegedly responsible for this oil spill, the State and Federal plaintiffs sought recovery for injuries to

the natural resources under the trusteeship of the United States and the State of California. During the pendency of this action, the United States and the State, through their designated Natural Resource Trustees, proposed certain projects to restore natural resources injured as a direct result of the spill. These projects included the common murre recolonization project that is the subject of this Final Plan, as well as the marbled murrelet habitat acquisition project. The plaintiffs and defendants agreed, and the court by entering a Consent Decree found, that the proposed projects were reasonable and appropriate measures to restore the affected natural resources.

The Consent Decree states that the Trustees may make other use of the proceeds of the settlement if they “determine that either of the proposed restoration projects are not feasible, practicable, or in the public interest.” However, the Trustees have not obtained any convincing information through the public comment process, or through their own continued review of the project, to indicate that either of the proposed projects is not feasible, not practicable, or not in the public interest. On the contrary, nearly all of the public comments supported the project in concept and focused on technical details that could be improved or clarified. Therefore, the Trustee Council has authorized the Service to proceed

with this project as described in this Final Plan.

3. Compliance With Environmental Regulations. Comment: Several respondents asked for clarification on how the Service will comply with the National Environmental Policy Act (NEPA) and other legislation designed to prevent adverse impacts of Federal projects on the environment.

Response: Preparation of an Environmental Impact Report or Environmental Assessment under NEPA is not required for this project because the restoration of species to their native range is an activity that is categorically exempt from NEPA and from its State equivalent, the California Environmental Quality Act. The Service has prepared and filed appropriate documentation of these exemptions. In addition, the Service has asked for and received a negative consistency determination from the California Coastal Commission, as required by the Coastal Zone Management Act.

The installation of decoys, tape recorders, cameras, and ladders at breeding colonies will take place during the non-breeding season to avoid disturbance of murre, cormorants, gulls, and other species protected by the Migratory Bird Treaty Act. Control of gulls and other predators is not currently a component of this project. The Service will obtain all necessary Federal, State, and local permits, and