

Natural Resource Damage Assessment and Restoration Program

Draft Plan to Restore Piping Plovers from Buzzards Bay Oil Spill



Thousands of gallons of oil spill into the Bay

On April 27, 2003, the Bouchard Barge 120 grounded on a shoal in Buzzards Bay and spilled an estimated 98,000 gallons of No. 6 fuel oil. About 100 miles of shoreline in Massachusetts and Rhode Island were oiled, restricting the public's use of the shoreline and resulting in the death of fish and wildlife, including the piping plover.

Piping plovers are migratory shorebirds that are protected under the federal Endangered Species Act, as well as under the Massachusetts and Rhode Island state Endangered Species Acts.

Trustees assess injuries

Pursuant to the Oil Pollution Act of 1990 and related state laws, when a spill like this occurs, federal and state agencies act on behalf of the public as trustees for natural resources and are given authority to pursue compensation for oil spill-related impacts on natural resources.

Trustees first assess natural resource injuries (known as a natural resource damage assessment or "NRDA") caused by an oil spill; they then determine the appropriate type and amount of restoration needed to compensate for the injuries.

For this case, the natural resource trustees are the U.S. Department of Commerce (National Oceanic and Atmospheric Administration), the U.S. Department of the Interior (U.S. Fish and Wildlife Service, or USFWS), the Commonwealth of Massachusetts (Executive Office of

Energy and Environmental Affairs, represented by the Massachusetts Department of Environmental Protection), and the State of Rhode Island (Rhode Island Department of Environmental Management).

When oil began washing onto beaches used by piping plovers that were feeding and nesting, the trustees worked cooperatively with parties responsible for the spill to assess the injuries to piping plovers and to determine damages necessary to compensate for those injuries.

The settlement is based on a negotiated estimate of 12 adult birds and five young that died as a result of the spill. To restore these birds and the young they would have raised, in December 2010, the responsible parties agreed to provide the trustees with \$715,000 to implement a comprehensive restoration program for piping plovers, including the costs of

oversight and monitoring. The funds were part of a \$6 million settlement that also included damages for shoreline and aquatic injuries and recreational lost use.

A three-part approach to restore piping plovers

In September 2011, the trustees held two public information meetings to describe the restoration planning process and to seek restoration ideas. Based on input received from the meetings and information from biologists familiar with piping plovers, the trustees have prepared a draft restoration plan and environmental assessment for piping plover.

The plan identifies and evaluates five alternatives to restore piping plovers. The preferred alternative is to implement an enhanced management program at breeding



Piping plovers like this one were oiled while looking for food after the spill.



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An intern helps to construct a barrier to help protect piping plover nests from predators.

sites in Massachusetts and Rhode Island. The program would consist of three activities to increase the survival and productivity of nesting piping plovers: predator management, enforcement, and outreach and education. Reducing predation is a key component of the program because predation is currently the most serious threat to breeding piping plovers. It results in the loss of eggs, chicks and adults throughout the piping plover's range. In Massachusetts, nearly 30 percent of nests are unsuccessful in some years due to predation.

Further, as human populations continue to grow, elevated predation pressure from species such as foxes, raccoons, skunks and crows that take advantage of human-supplied food can overwhelm shorebirds like piping plovers, which are much less abundant.

Biologists currently invest significant time and expense to discourage predators and reduce their impacts on nesting piping plovers at numerous sites in Massachusetts

and Rhode Island. Methods currently employed include placing wire exclosures around nests, using electric fencing to keep predators away from nests, and installing perch deterrents to keep predators away from nesting locations.

These activities will continue to be implemented where feasible, but for beaches where predation is one of the primary threats, we propose to selectively remove individual predators that have learned to target plover nests, chicks or adults. Removal efforts will be implemented by USDA-Wildlife services using approved lethal techniques for wildlife damage management.

Reducing predation is an effective way to increase the number of chicks hatched and fledged and to compensate for the losses sustained in the oil spill. The trustees only support removing predators when sound science indicates that it is our last or only resort to meet the wildlife mission of our agencies.

In combination with predator removal, we also propose to increase enforcement of local beach ordinances as well as to undertake additional outreach and education on piping plover nesting beaches. The objective of these management actions is to prevent or reduce activities that harass or harm nesting piping plovers.

Rigorous protection efforts are currently necessary to restore this rare migratory bird. The selected approach will help increase the size and productivity of the plover's population in Massachusetts and Rhode Island.

Providing input on the plan and taking next steps

The trustees are currently seeking public comment on the draft plan. After considering and incorporating public comments, the trustees will prepare a final plan. The trustees will then partner with land managers who are interested in implementing the preferred restoration alternative through projects on-the-ground.

Projects will be awarded later this year through the government's Grants.gov website. Project performance will be monitored to



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Piping plover chick.

determine if additional measures are needed to improve on the restoration.

Interested members of the public can review and comment on the draft plan. The public may also be able to volunteer or take part in restoration monitoring.

The plan is available at <http://www.fws.gov/newengland>; hard copies are also available at the Jonathan Bourne Public Library in Bourne and the New Bedford Free Public Library in New Bedford. Please forward written comments by August 1, 2012 to: USFWS, 70 Commercial Street, Suite 300, Concord, NH 03301, attention: Molly Sperduto; or email to molly_sperduto@fws.gov. Comments are due by August 1, 2012.

A separate restoration plan is under development for damages to other natural resources, such as lost recreational use and impacted shoreline and aquatic habitats. More information on those resources can be found at: <http://www.darrp.noaa.gov/northeast/buzzard/index.html>

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