



Buzzards Bay Oil Spill in Massachusetts and Rhode Island

A cooperative natural resource damage assessment

April 2008 Update

On April 27, 2003, approximately 98,000 gallons of No. 6 fuel oil spilled into Buzzards Bay when the Bouchard Barge 120, owned and operated by the Bouchard Transportation Co., struck an obstacle in the bay. Spreading across the bay and along more than 90 miles of shoreline, the oil slick affected several public resources including: ♦ *aquatic organisms, and sandy and rocky beach and wetland habitats along the shore;* ♦ *wildlife including hundreds of birds such as loons, scoters, mergansers, terns, eiders, and federally protected piping plovers and roseate terns;* ♦ *harvestable shellfish beds throughout Buzzards Bay; and* ♦ *recreational activities such as boating, shellfishing and beach use.*

The spill also affected tribal resources and the Wampanoag Tribe settled separately with Bouchard.



Bouchard barge being off-loaded after initial impact
Credit: U.S. Coast Guard

Since 2003, the federal and state Natural Resource Trustees, including the National Oceanic and Atmospheric Administration, the United States Fish and Wildlife Service, the State of Rhode Island, and the Commonwealth of Massachusetts, have led a cooperative natural resource damage assessment (NRDA) with representatives of the Responsible Party, the Bouchard Transportation Co. The NRDA's purpose is to restore public resources injured by the spill and compensate the public for lost recreational uses.

Natural Resource Injury Assessment and Findings

To evaluate impacts of the oil spill, the Trustees, in cooperation with Bouchard's representatives, have extensively surveyed the shoreline, collected and analyzed data on oiled and dead birds, undertaken recreational lost use surveys, and collected and analyzed samples of oil, water, sediment, and shellfish tissue for presence of oil. Findings to date document impacts to an array of natural resources and recreational uses, as follows:

♦ **Recreational Use Resources:** The Trustees completed an assessment of injury to recreational shellfishing, shoreline use, and boating in the summer of 2007. The Recreational Use Injury Report, which is being reviewed and approved by the Trustees, will be completed and placed into the Administrative Record for public review in summer of 2008.

♦ **Aquatic Resources:** In the fall of 2007, the Trustees completed an assessment of injury to various aquatic resources, including fish and shellfish species and the aquatic habitats that support those species. The Aquatic Resources Injury Report, which is being reviewed and approved by the Trustees, will also be completed and placed into the Administrative Record for public review in summer of 2008.

♦ **Wildlife Resources:** By June 2005, the Trustees completed assessments of injuries to rare northern diamondback terrapins and federally protected beetles, and the reports can be found in the Administrative Record. The Trustees continue to assess injuries in three categories of birds: piping plovers, common and roseate terns, and all other impacted bird species. The cooperative assessment of bird injuries includes a technically complex quantification of the total number of birds killed by the spill - based on the number of dead birds - and assessment of non-lethal impacts such as reduced reproductive success. The Trustees are also assessing potential injuries to marine mammals.



Oiled Piping Plover
Credit: USFWS



Loons at Bird Rehab Center
Credit: Dale Young, EEA

♦ **Shoreline Resources:** The Trustees completed an assessment of injury to shoreline areas and intertidal benthic habitats in the summer of 2007. The Shoreline Resource Injury Report is being drafted. The Trustees plan to finalize the report and place it into the Administrative Record in summer of 2008. In addition, the Trustees anticipate that a study examining the feasibility of implementing a project to address erosion on Ram Island, as a possible shoreline restoration option, will be completed by summer of 2008.

Next Steps

Many factors contribute to determining how quickly natural resource damage cases are resolved, including the size of the spill and the degree of impact to ecological and recreational resources and services. Likewise, there are several factors affecting how quickly restoration actions can be implemented and how fast natural resource recovery may occur. These factors include the type of resources injured, the time of year the incident occurred, and the type, amount, and extent of the oil or hazardous waste released.

The Trustees expect to complete Injury Assessment Reports for recreational use resources, shoreline resources, and aquatic resources during 2008, and for bird injuries in 2009. The Trustees, in consultation with Bouchard's representatives, have also begun restoration planning concurrent with the completion of the injury reports.

The Public's Role

Following the completion of the injury reports, the Trustees will prepare draft Restoration Plans for each resource category and will publish them for formal public review and comment. After considering public comment, the Trustees will identify the preferred restoration project(s) that will compensate the public for environmental harm caused by the oil spill.



Newborn Common Tern
Credit: Bill Byrne, MassWildlife



Samples of shellfish being collected for analysis
Credit: NOAA

These projects will be implemented by either the Responsible Party with Trustee oversight or by the Trustees using funds provided by the Responsible Party.

The Trustees plan to publish the draft Restoration Plan for Recreational Use Resources in 2009. Draft Restoration Plans for all other resource categories will likely be developed in 2009 or 2010 and will be available to the public for review and comment at that time.

The Trustees welcome and have been responding to inquiries from citizens, community and environmental groups, and local and regional officials to help explain the Natural Resource Damage Assessment process, share information about potential injuries and losses resulting from this incident, and solicit ideas for appropriate restoration projects.

To Learn More

Existing information and work products relating to this cooperative damage assessment may be accessed at:

◆ www.darrp.noaa.gov/northeast/buzzard/index.html
(NOAA's Damage assessment overview and Administrative Record)

◆ www.buzzardsbay.org/oilspill-4-28-03.htm
(Buzzards Bay National Estuary Program: Oil Spill Response and Clean-up)

◆ Local Administrative Record Repositories:

Bourne Public Library
Diane Ranney, Assistant Director
Jonathan Bourne Library
Bourne, MA 02532
(508) 759-0644

New Bedford Public Library
Teresa Coish, Library Director
613 Pleasant Street
New Bedford, MA 02740-6203
(508) 991-6279

◆ Trustee Contacts:

Dale Young
Massachusetts Executive Office of Energy and Environmental Affairs
Natural Resource Damages and Restoration Director
617-626-1134
Dale.Young@state.ma.us

Kate Clark
NOAA, Assessment and Restoration Division
Regional Resource Coordinator
401-782-3235
Kate.Clark@noaa.gov

Veronica Varela
U.S. Fish and Wildlife Service
Natural Resource Damage Assessment and Restoration Specialist
603-223-2541, ext. 16
Veronica_Varela@fws.gov

Mary Kay
Rhode Island Department of Environmental Management
Deputy Chief Legal Counsel
(401) 222-6607
mary.kay@DEM.RI.GOV



Group of terns loafing on the rocks.
Credit: Bill Byrne, MassWildlife