



News Release

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Humboldt coast oil spill case settled

“Miracle Mile” of Marbled Murrelet habitat protected

Important restoration benefits for seabird species harmed by a 1999 oil spill near Humboldt Bay are provided in a settlement announced today.

Possibly the most important single wildlife benefit will be the permanent protection of Del Norte County’s “Miracle Mile Marbled Murrelet Complex.” Murrelets are a small seabird now federally protected under the Endangered Species Act as threatened. The Responsible Parties will acquire a permanent easement on the 624-acre Miracle Mile, a lush stand that contains 135 acres of old-growth redwoods plus rejuvenating forest that is significant breeding habitat for murrelets.

The black-and white murrelet spends most of its life at sea. But it nests high in the branches of California’s old-growth redwoods, where mating pairs lay just one egg a year. At the time of its listing biologists estimated that only 2,000 murrelets remain in California and Oregon.

The September 6, 1999 *M/V Stuyvesant* oil spill had severe impacts on Marbled Murrelets. Some 135 were killed, a substantial impact on their small population. The spill contaminated 60 miles of coastline and killed 2,400 seabirds.

“The Miracle Mile is an important area for murrelet conservation,” according to Steve Thompson, manager of California-Nevada Operations for the U.S. Fish and Wildlife Service. “I am pleased that its long-term protection will be made possible through this settlement.”

The settlement reached by State and federal agencies with the responsible parties will benefit all of the impacted species, as well as human users of the coast. The settlement will fund hiking trails and education activities at Patrick Point State Park and at Arcata’s McDaniel Slough Marsh Enhancement Project.

“The Department of Fish and Game is very pleased that this case has settled,” said Lisa Curtis, Administrator of the Department’s Office of Spill Prevention and Response. “We can now begin funding a wide variety of restoration projects that benefit the many species harmed by the spill,” she added.

Bird projects that will receive funds from the settlement include:

- Improving nest success of Marbled Murrelets through management of crows and ravens, one of their major predators, in and around Redwood National Park;
- Partnering with the City of Arcata to restore wetland habitat for aquatic birds in the McDaniel Slough Marsh Enhancement Project;
- Enhancing Snowy Plover habitat by restoring coastal dunes and reducing human disturbance;
- Restoring the Common Murre colony at Reading Rock with social attraction techniques that have been successful at other nesting sites, such as Devil's Slide Rock in San Mateo County;
- Improving nest success of Western and Clark's Grebes by reducing disturbance through public outreach and education; and
- Enhancing Double-Crested cormorant and Brown Pelican roosting sites in Humboldt Bay.

The Consent Decree lodged today with the United States District Court for the Northern District of California directs Bean Stuyvesant, LLC, Bean Dredging, LLC, Bean Dredging Corporation, Fleet National Bank, and Water Quality Assurance Syndicate to pay \$2.9 million for natural resource damages, penalties, and government costs resulting from the spill. The Miracle Mile easement will be purchased separately by the Responsible Parties so its cost is not included in the agreement total. Several years ago the cost of the easement was estimated at \$4.5 million.

The U.S. Department of Justice represented the U.S. Fish and Wildlife Service (Service) and Department of the Interior (DOI), U.S. Coast Guard and Department of Homeland Security (DHS), and National Oceanic and Atmospheric Administration (NOAA) and Department of Commerce in the case.

California Attorney General Bill Lockyer's staff represented the California Department of Fish and Game's Office of Spill Prevention and Response (DFG-OSPR), the North Coast Regional Water Quality Control Board (RWQCB), and the California State Lands Commission (CSLC).

Of the \$2.9 million, \$1.97 million will be used to restore natural resources injured by the spill. Another \$877,000 will reimburse DFG-OSPR, CSLC, DOI, and NOAA for their outstanding natural resource damage assessment (NRDA) costs. The DFG-OSPR will receive another \$44,000 and the RWQCB will receive \$4,000 to settle civil liabilities associated with the Stuyvesant spill under California's Lempert-Keene-Seastrand Oil Spill Prevention and Response Act and the Porter-Cologne Water Pollution Control Act.

The Save the Redwoods League, DFG-OSPR and the Service have entered into a memorandum of understanding that governs the League's management of the Miracle Mile Marbled Murrelet Complex in perpetuity, to enhance and protect the old growth habitat to help restore Marbled Murrelets. Another \$326,020 will be paid to the League to monitor Marbled Murrelets on the property and to monitor and enforce the conservation easement.

The spill occurred when the *Stuyvesant's* 65-foot dredging arm struck its own hull and ruptured one of the vessel's fuel tanks. Approximately 2,000 gallons of intermediate fuel oil (also called "bunker fuel") was released as the dredge traveled from the mouth of Humboldt Bay to approximately four miles out to

sea. The oil came ashore at numerous locations, contaminating over 3,100 acres along 60 miles of shoreline.

The spill killed at least 135 Marbled Murrelets; 1,600 Common Murres; 670 other seabirds; 3,282 kilograms of shrimp and over 6,000 fish. California's Oiled Wildlife Care Network treated 644 live, oiled birds. The response and cleanup, led by the DFG-OSPR and U.S. Coast Guard, required the efforts of more than 300 people from various federal, state, and local agencies and industry.

After the spill, the Service, DFG-OSPR and CSLC — as Trustees for Natural Resources — developed a draft Damage Assessment and Restoration Plan in 2004. Incorporating comments and suggestions from the public, that plan is expected to be completed this fall.

WEB LINKS FOR MORE INFORMATION:

www.dfg.ca.gov/ospr/organizational/scientific/nrda/NRDastuy.htm

www.fws.gov/sacramento