

Birds and Oil - CWS Response Plan Guidance

In all circumstances where a polluter is identified the burden of cleanup and response lies with the polluter. However, responsibility for government overview of a response to an oil spill depends on the source of the spill. The identified **lead agency** has responsibility to monitor an oil spill response and to take control if an appropriate response is not undertaken by a polluter or their agent.

Lead agency responsibilities lie with:

- **Environment Canada**
 - For spills and incidents on federal lands and from federal vessels
 - Potentially for land-based incidents in waters frequented by fish
 - May take lead if environment is not being protected by other leads, Cabinet Directive 1973
- **Canadian Coast Guard**
 - For spills from ships
 - All spills of unknown sources in marine environment
- **Provincial Department of Environment**
 - For spills from land-based sources
- **Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) and Canada-Nova Scotia Offshore Petroleum Board (C-NSOPB)**
 - For spills related to offshore oil and gas exploration and production
- **Transport Canada**
 - To investigate ship source and mystery spills in the marine environment

The Canadian Wildlife Service has the responsibility for licensing activities which involve the handling or disturbance of birds, and of providing advice and often direction to other agencies, responders and the polluter during oil spill incidents.

1. Hazing¹

Purpose: Prevent birds from coming in contact with oil

Options:

- Hazing by helicopter
- Hazing by FRC or other watercraft
- Release of scare devices (e.g. Breco Buoys, Phoenix Wailer)
- Use of hazing sound makers: propane cannons, whizzers, bangers, pyrotechnic devices etc.

Scare devices have a limited range of influence and likely are not a viable option with a large slick. Use of Breco Buoys and Phoenix Wailers can be used but we consider them to be largely ineffective in the situation of a large slick. Logistically, helicopter hazing would be difficult unless it was possible for a helicopter to remain on a platform offshore overnight. Hazing by FRC or other vessels would be ideal.

¹ There are several scare techniques which may be effective and do not require a permit, however a permit under the Migratory Bird Regulations **is required** for the use of aircraft or firearms (defined as capable of emitting at projectile at more than 495 feet per second). Propane cannons, blank pistols or pyrotechnical pistols firing crackers shells with **less than 495fps are legal without a permit**. Most scare tactics are relatively short lived in terms of effectiveness as birds acclimatize to the disturbance so scare techniques should be alternated to be effective.

Short-term focused hazing by the most expedient means should be attempted to move the birds away from the slick, if logistical conditions permit. Vessels at the site should have the ability to use sound makers (propane canons, pyrotechnic devices) to disperse birds in local areas. Such equipment should be deployed immediately to these ships with trained personnel to operate them. The vessels on site should be tasked to actively search and monitor for congregations of birds which could be vulnerable to oiling. If such groups are found then attempts should be made to disperse the birds away from the oil.

2. Disperse oil

Purpose: Prevent birds from contacting oil by getting oil off the surface of the water as soon as possible.

Options:

- Dispersants
- Mechanical dispersal with FRCs or other vessels
- Natural dispersal by environmental conditions

For small spills, mechanical dispersal would be the preferred method.

3. Bird Collection²

Purpose: Implement a humane response to oiled birds as required by Environment Canada's National Policy on Oiled Birds and Oiled Species At Risk (<http://www.ec.gc.ca/ee-ue/default.asp?lang=En&n=A4DD63E4-1>)

Options:

- The only option would be a ship-based effort to detect and collect dead and live oiled birds, both within the slick and adjacent to it.

All vessels in or near the slick should understand the need to collect birds. All vessels should have dip-nets, large plastic collecting bags to hold dead birds, and cloth bags or cardboard boxes in which to hold live oiled birds. Efforts should be made to retrieve live oiled birds to ensure they are dealt with humanely.

4. Wildlife monitoring

Purpose: Determine potential impact of spill

Options:

- Ship-based surveys for oiled and unoiled wildlife
- Aerial surveys for oiled and unoiled wildlife. Will require structured surveys (e.g. strip or transect surveys of spill area)
- Placement of CWS staff on vessels and aircraft

² Only those individuals authorized to do so (nominee on an existing federal salvage permit) can be involved with the collection of migratory birds.

Dedicated ship-based bird surveys should be initiated immediately. Ideally arrangements should be made to have a CWS observer on vessels or flights. In addition trained seabird observers need to be placed on all vessels monitoring a slick. This should continue until the slick is dispersed.

5. Beached Bird Surveys

Purpose: Determine impact of spill on wildlife and retrieve any live oiled wildlife on beaches.

Options:

- Conduct daily beached bird surveys during the incident and until one week after slick has been removed or dissipated.

CWS or other government officials (CCG, Enforcement Officers) will oversee the collection of dead and live oiled birds³ as instructed in CWS' protocol for collecting birds during an oil spill response. This would only be required in circumstances where a large number of birds are potentially oiled or if the spill occurs in a sensitive area.

6. Drift Blocks

Purpose: Drift blocks may be deployed in slick to provide an estimate of bird mortality.

Options:

- Release from vessel
- Release from aircraft

The deployment of drift blocks would only be expected if there was a large spill and blocks should be released as soon as possible after a spill (CWS should be consulted to determine protocol for drift block deployment and tracking). The polluter or their agent would be expected to ensure drift blocks are tracked and collected as appropriate.

7. Live oiled bird response

Purpose: Implement a humane response to oiled birds as required by Environment Canada's National Policy On Oiled Birds And Oiled Species At Risk

Options:

- Rehabilitation
- Euthanization

CWS will be consulted to determine the appropriate response and treatment strategies which may include cleaning and rehabilitation or euthanization. CWS policy specifically requires that species at risk or other species of concern be rehabilitated.

³ Only those individuals authorized to do so (nominee on an existing federal salvage permit) can be involved with the collection of migratory birds.