
Virginia
Area Contingency Plan
(VACP)

Planning and Response Tools

Annex F
March 2025

Record of Changes

Change Number	Change Description	Part Number	Change Date	Name
1				
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1000 Introduction

Planning and Response Tools, contains, Quick Response Cards (QRCs), checklists, and other necessary job aids and documents to assist emergency management preparedness specialists and response personnel; all items are “grab and go” for ease of use. In addition to this brief overview, the spreadsheet linked below provides a central repository for numerous tools to support personnel in planning for or responding to an oil discharge or hazardous substance release within the Fifth Coast Guard District coastal zone, including the Sector Virginia planning area. To maximize efficiency, this extensive spreadsheet is maintained by the Fifth District Response Advisory Team (DRAT); all tools are hyperlinked and incorporated by reference into this ACP.

2000 Purpose

Incidents involving oil and hazardous substances require planning and response personnel to mobilize resources and develop objectives, strategies, and tactics to mitigate the impact to the community and environment. Planning and response operations involve many tools, which will inform decision makers on the next course of action. The magnitude of the incident, environmental conditions, and discharge/release status are just a few of the factors one must consider before selecting the appropriate combination of tools to use.

Additionally, to be successful in the mitigation of oil discharges and hazardous substance releases, emergency preparedness and planning activities must take place well in advance of an incident. There are many tools for responders including training opportunities, lessons learned from previous incidents and exercises, and education on relevant policy and procedures.

3000 Scope

In the spreadsheet linked below, you will find some of the tools and other resources available to assist emergency planners and responders in their development of preparedness initiatives, response objectives, strategies, and tactics. This list, while extensive, is not all inclusive.

Beside the name of each tool (*hyperlinked as appropriate*) on the spreadsheet, you will find a brief description, purpose, and requirements for use of the tool. Some tools [*denoted with an asterisk (*)*] will require a username, password, and periodic log-in for continuous use. If you encounter trouble using the links provided, it is recommended that you right click on the link, edit hyperlink and copy and paste the Uniform Resource Locator (URL) into your browser to access the website. The following is a link to the [Planning and Response Tools Excel Spreadsheet](#) which is housed on the RRT3 website. Requests to update information within the spreadsheet should be directed to the Fifth District DRAT. Any tools not listed on the spreadsheet will be listed in this annex.

4000 Recommended Spill Report Form

This form has been developed to assist agencies and reporting parties in gathering, reporting, and documenting the information most needed in emergency reports. The use of this form is not mandatory; all entities are free to use whatever report/data capture form they find most useful.

Initial Assessment Questions	Information
------------------------------	-------------

Date and Time of Call	
Caller Name	
Caller Address	
Caller Phone Number	
Name of Person taking the Report	
Name of Potentially Responsible Party	
Name of vessel/facility, railcar/truck number or other identifying information.	
Type and size of vessel/facility	
Total quantity of fuel/chemical onboard or in tank	
Nationality (vessel only)	
Location of incident (i.e., street address, lat/long, mile post)	
Date and time of incident (or when discovered)	
Description of spill (i.e., size, color, smell, etc.)	
Type of incident (i.e., explosion, collision, tank failure, grounding, etc.)	
Material spilled	
Source of material spilled	
Estimated amount spilled	

Initial Assessment Questions	Information
------------------------------	-------------

Total potential quantity that could be spilled (i.e., total quantity in tank or on board)	
Environmental media impacted or potentially impacted by spill (i.e., air, water, ground/soil)	
Weather/sea conditions	
Point of contact (i.e., Responsible Party name, phone number, and address)	
Vessel/facility agent(s) (i.e., name and phone number)	
Name and contact information of insurance carrier	
Number and type of injuries or fatalities	
Description of who is on-scene and what response activities are being conducted or have been completed	
Have evacuations occurred?	
Agencies notified	

5000 NHPA Section 106 Emergency Consultation Form

In using the below NHPA Section 106 Form, FOSCs (or their designated representative) should complete the Cover Memo and Attachment 1 after initial contact is made to the Services. Attachment 1 should be filled out with the best available information at the time of the response and should account for all response actions taken or being considered.

Attachment 2 is intended to be submitted blank to the Services by the FOSC (or their designated representative), so the Services can both acknowledge the request for consultation as well as begin to consider the FOSC's actions or proposed actions during the emergency response.

NHPA Section 106 Consultation Form Cover Memo

FROM: FOSC U.S. Coast Guard/EPA	Name: Email:	Name: Email:
TO: SHPO	Name: Email:	Name: Email:
COPY: DOI Regional Environmental Officer	Name: Email:	Name: Email:

This is an:
☒ Initial Report ☐ Updated Report
INCIDENT DETAILS**Name of Incident:****Date of Incident:****Time of Incident:**

Incident Type (e.g., vessel grounding, vessel collision, pipeline, transfer):

Product(s) Released/Discharged:

Volume Released/Discharged (indicate whether gallons or barrels):

Potential Volume (indicate whether gallons or barrels):

Has the release/discharge been stopped, continuing, or is the status unknown?

Is the release/discharge contained, spreading, or is the status unknown?

Indicate which Geographic Response Strategies exist for the area affected or potentially affected by the release/discharge:

INCIDENT DETAILS

Indicate which, if any, Response Actions have been or are being deployed:

CENTER LOCATION

Latitude (example: 40°10'8" N or 40.17):

Longitude (example: 74°51'53" W or -73.14):

Nearest Landmark/Town:

Location Type (Check all that apply below)	Name/Landmarks
<input type="checkbox"/> Port/Industrial/Canal	
<input type="checkbox"/> Riverine	
<input type="checkbox"/> Inshore/Estuarine	
<input type="checkbox"/> Nearshore/Coastal	
<input type="checkbox"/> Offshore/EEZ	
<input type="checkbox"/> Lake/Lacustrine (freshwater)	
<input type="checkbox"/> Wetland (freshwater)	

Attachment 1: Documentation of NHPA Section 106 Emergency Consultation During Emergency Response Activities – FOSC Initial

Date of Transmittal:

Time of Transmittal:

DESCRIPTION OF INCIDENT (Include Incident Command System (ICS) Form 201, other ICS forms as appropriate, or include hand drawn or digitally inserted map of incident action area): Be as complete as possible. Include detailed information on initial impacts, and other relevant information.

RESPONSE ACTIONS

This is an:

☐ Initial List of Response Actions

☒ Updated List of Response Actions

Action (check all that apply)	Details/Notes
<input type="checkbox"/> Barriers/Berms/Fences	
<input type="checkbox"/> Booming (Containment/Exclusion)	
<input type="checkbox"/> Dispersants	
<input type="checkbox"/> Flooding/Flushing	
<input type="checkbox"/> In-situ Burning	
<input type="checkbox"/> Manual Oil Removal/Cleaning	
<input type="checkbox"/> Net Use or Trawling	
<input type="checkbox"/> Nutrient Enrichment/Bioremediation	
<input type="checkbox"/> Oiled Vegetation Cutting/Removal	
<input type="checkbox"/> Oiled Debris Removal	
<input type="checkbox"/> Physical Herding	
<input type="checkbox"/> Pre-oiling Debris Removal	
<input type="checkbox"/> Sand Blasting	
<input type="checkbox"/> Sediment Removal/Dredging	
<input type="checkbox"/> Sediment Reworking/Tilling	
<input type="checkbox"/> Shoreline Cleaning	
<input type="checkbox"/> Skimming	
<input type="checkbox"/> Solidifiers	
<input type="checkbox"/> Sorbents (specify type in notes – e.g., sausage, pom-pom, particulate: Bagasse, peat moss, natural/organic, etc.)	
<input type="checkbox"/> Steam Cleaning	
<input type="checkbox"/> Surface Washing Agent/ Chemical Shoreline Cleaners	

RESPONSE ACTIONS	
This is an: <input type="radio"/> Initial List of Response Actions <input checked="" type="radio"/> Updated List of Response Actions	
Action (check all that apply)	Details/Notes
<input type="checkbox"/> Surface Collecting Agents/ Herders	
<input type="checkbox"/> Trenching	
<input type="checkbox"/> Vessel/Container Removal	
<input type="checkbox"/> Vacuuming	
<input type="checkbox"/> Other	

Additional information on response actions:

VESSELS/VEHICLES	
Vessel/Vehicles (check all that apply)	Details/Notes
<input type="checkbox"/> Airplanes	
<input type="checkbox"/> ATVs	
<input type="checkbox"/> Boats	
<input type="checkbox"/> Unmanned Aerial Vehicles (UAVs) or Unmanned Aerial Systems (UASs)	
<input type="checkbox"/> Heavy Equipment	
<input type="checkbox"/> Helicopters	
<input type="checkbox"/> Staging Areas	
<input type="checkbox"/> Truck or other automobile	

Attachment 2: Documentation of NHPA Section 106 Emergency Consultation during Emergency Response Activities - SHPO Response

Date of Transmittal:

FROM: SHPO	Name: Email:	Name: Email:
TO: FOSC U.S. Coast Guard/EPA	Name: Email:	Name: Email:
Name of Incident:		

Recommendations (may include information on cultural / historic resource types in the area, suggested areas to avoid, etc.):

Appendix C, Historic Properties Specialists Personnel Standards

These standards apply to individuals contracted to provide technical services to Federal On-Scene Coordinators as Historic Properties Specialists. Standards for individuals performing field Historic Properties duties in a spill response (such as Shoreline Cleanup Assessment Team [SCAT] Archaeologists), either for the responsible party or for the government, may be different:

1. The individual must meet the Secretary of Interior's Historic Preservation Professional Qualification Standards for either Prehistoric or Historical Archeology. In general, these require a graduate degree in Anthropology (or a closely related field), with a specialization in Archeology, and two and one-half years of professional experience. These standards can be found online at <http://www.cr.nps.gov/local-law/gis/html/quals.html>.
2. The individual must have demonstrated familiarity with the archaeology and environment of the area in question.
3. The individual must be fully familiar with Federal and State laws and regulations governing historic preservation, and with the operation of the State Historic Preservation Officer/Office (SHPO).
4. The individual must have, or must acquire training in compliance with the standards found in 29 CFR Part 1910 (Occupational Safety and Health Standards) and should be familiar with the basic principles of the Incident Command System. Additionally, the individual should have familiarity with the *National Oil and Hazardous Substances Pollution Contingency Plan (NCP)*; the applicable Area Contingency Plan (ACP); the *Programmatic Agreement on the Protection of Historic Properties during Emergency Response under the NCP (Programmatic Agreement)*; and specific procedures such as the SCAT process.

Appendix D, Historic Properties Specialist Checklist to Assess and Address Potential Effects on Historic Properties/Cultural Resources

THE FOLLOWING STEPS NEED TO BE TAKEN AS APPROPRIATE BY THE FEDERAL ON-SCENE COORDINATOR'S HISTORIC PROPERTIES SPECIALIST FOLLOWING ACTIVATION:	
	Understand and implement the Area Contingency Plan. If the spill/release occurs in an area where Geographic Response Strategies or Plans (GRS or GRP) have been developed, check the historic properties note on the GRS/GRP and discuss appropriate actions with the Federal OSC.
	<p>Identify the (1) locations(s) of known historic properties affected or potentially affected by the spill or release; and/or, (2) potential for undocumented historic properties to be affected or potentially affected by the spill or release.</p> <ul style="list-style-type: none"> ➤ <i>Notify/consult with the _____ State Historic Preservation Office.</i> ➤ <i>Notify/consult with the Bureau of Indian Affairs.</i> ➤ <i>Notify/consult with all appropriate Federal, State, local, and/or private landowner(s)</i> ➤ <i>Notify/consult with appropriate federally recognized tribes:</i> ➤ <i>Consult with archaeologists/historians/ residents knowledgeable about the area.</i> ➤ <i>Consult with Responsible Party's Historic Properties Specialist (if identified).</i> ➤ <i>Review (if available) aerial photos or other documentation of the area affected or potentially- affected by the spill or release (this could include digital photographs/videos).</i> ➤ <i>If necessary, conduct on-site inspection to determine presence of historic properties and prioritize.</i>
	Document effect of spill or release on historic properties or cultural resources.
	Assess whether emergency response strategies have the potential to affect historic properties.
	<p>Establish an historic properties policy for all spill-related field personnel.</p> <ul style="list-style-type: none"> ➤ <i>If ICS is in place, implement policy through the Unified Command (e.g., Federal OSC, Safety Officer, or other appropriate individuals). Provide specific instructions on the ICS-204 to ensure protection of historic properties and cultural resources. Additionally, provide input to the ICS-232 Resources at risk summary on Historic Properties/cultural resources.</i>
	<p>Help identify, prioritize, and develop strategies to protect historic properties.</p> <ul style="list-style-type: none"> ➤ <i>Provide information on response activities that have the potential to negatively affect historic properties.</i>
* It should be noted that additional steps may be required in more complex incident.	

ONE OR MORE OF THE FOLLOWING STEPS NEED TO BE TAKEN AS APPROPRIATE, AT THE RECOMMENDATION OF THE HISTORIC PROPERTIES SPECIALIST FOLLOWING APPROVAL BY THE FEDERAL ON-SCENE COORDINATOR:

	<p>Travel to the spill or release site to inspect or monitor on-site activities to minimize or eliminate potential historic properties impacts resulting from response-related activities.</p> <ul style="list-style-type: none"> ➤ Provide information on response activities that have the potential to negatively affect historic properties.
	<p>Conduct field survey(s) to provide recommendations to the Federal OSC on areas that need protection.</p>
	<p>Participate in assessment teams that survey oiled shorelines and adjacent lands.</p>
	<p>Create a Historic Properties Technical Advisory Group to review proposed cleanup strategies for shorelines and adjacent lands.</p>
	<p>Provide on-site monitoring of cleanup crews.</p>
	<p>Conduct archeological and/or historic recovery at an oiled site.</p> <ul style="list-style-type: none"> ➤ Arrange for appropriate permits. ➤ Arrange for disposition of records and collected materials.
	<p>Ensure the confidentiality of site location information for all activities identified above.</p>
	<p>Report any actual or suspected artifact theft to the Federal OSC, State Historic Preservation Officer, appropriate law enforcement officials and the landowner and/or land manager.</p>
	<p>Ensure compliance with applicable federal/state regulations.</p>

Appendix (E), Notice to Response Personnel: Required Actions upon Discovery of Cultural Resources

The Unified Command is required to comply with State and Federal laws that protect cultural resources from injury. The Historic/Cultural Resource Specialist helps the Unified Command and Federal On-Scene Coordinator ensure that cultural resources are appropriately considered during emergency response activities. Response personnel including contractors, sub-contractors, emergency responders, cleanup workers, and field crews play a crucial role in this process since they, by the nature of their work, are the people most likely to encounter cultural resources while in the field.

During an incident response it is possible that you, as a person involved in the response, may discover cultural resources. In the course of your work if you find an item that you believe or suspect is cultural or historic, you must:

1. Stop work immediately at, near, and surrounding the area where you discovered the object, item, or artifact.
2. Leave the suspected cultural item in place, undisturbed, exactly where it was discovered. Do not pick the item up, touch it, or work around it.
3. If possible, mark the location where you discovered the item but do not disturb or penetrate the soil with any object or tool. There may be other artifacts under the soil that could be damaged by your actions.
4. Inform your field supervisor of the discovery as soon as possible.

After these initial actions, your field supervisor will immediately notify the Planning Section's Environmental Unit and the Historic/Cultural Resource Specialist. Further direction on how to proceed will be provided by the Unified Command. If you are unsure of something discovered being culturally sensitive, consider it to be sensitive and follow the steps listed above so that the Unified Command can be notified and, ultimately decide on the items' historic significance and the actions needed to protect it.

Compliance with these procedures is mandatory. They must be followed by all response personnel. Failure to comply with these procedures by excavating, removing, damaging, altering, or defacing any archaeological resource is a violation of multiple State and Federal laws and may result in fines/penalties, criminal prosecution, and imprisonment. For more information on actions related to the discovery of cultural resources, consult with your supervisor or contact the Historic/Cultural Resource Specialist.

For the purpose of this guidance, the term "cultural resource" includes, but is not limited to, pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Non-fossilized and fossilized paleontological specimens may also be considered cultural resources, depending greatly on the context in which they were discovered.

Appendix (F), NHPA Categorical Exclusion List

Releases or Spills Categorically Excluded from Additional National Historic Preservation Act Section 106 Compliance

Releases/Spills onto (which stay on):

- Gravel pads

- Roads (gravel or paved, not including the undeveloped right-of-way)
- Parking areas (graded or paved)
- Dock staging areas less than 50 years old
- Gravel causeways
- Artificial gravel islands
- Drilling mats, pads, and/or berms
- Airport runways (improved gravel strips and/or paved runways)

Releases/Spills into (that stay in):

- Lined pits; *e.g.*, drilling mud pits and reserve pits
- Water bodies where the release/spill will not: 1) reach land/submerged land; and 2) include emergency response activities with land/submerged land-disturbing components
- Borrow pits
- Concrete containment areas

Releases/Spills of:

- Gases (*e.g.*, chlorine gas)

Important note to Federal OSC:

- 1) If you are not sure whether a release or spill fits into one of the categories listed above;
- 2) If at any time, the specifics of a release or spill change so it no longer fits into one of the categories listed above;
- 3) If the spill is greater than 100,000 gallons; and/or
- 4) If the state historic preservation officer notifies you that a categorically excluded release or spill may have the potential to affect a historic property; you or your representative must engage in emergency consultation.

6000 RRT3 Environmental Consultation Guide for the Coastal Zone



Pre-Spill Consultation, Emergency Consultation, and Post-Response Procedures

Appendix 9-A3

February 2022.4

RECORD OF CHANGES

Maintenance of this plan is the responsibility of the Regional Response Team III (RRT3) Consultation, Natural Resources, and Damage Assessment (CNRDA) Workgroup. Minor changes may be made periodically, and an update and review will be conducted at least once per year, at a minimum, to validate points of contact. The most current version of the plan will be posted on the RRT3 Website under the Regional Contingency Plan (RCP) Appendix 9 and the USCG District 5 District Response Advisory Team (D5 DRAT) Sharepoint site.

FEBRUARY 2022 EDITION

Change Number	Date of Change/Review	Person & Agency Making Change	Description of Change/Update
2022.1	08 Dec 2022	Elisha Cook, USCG D5 DRAT	Added a Record of Changes table. Validated & updated Section 7 POCs in Enclosure 1.
2022.2	24 Mar 2023	Elisha Cook, USCG D5 DRAT	Validated & updated Section 7 POCs in Enclosure 1 for North Carolina.
2022.3	17 May 2024	Elisha Cook, USCG D5 DRAT	Renamed & reformatted to separate ESA/EFH & other species consultations & added RRT3 BMP link.
2022.4	01 Nov 2024	Elisha Cook, USCG D5 DRAT	Added link to NMFS Southeast ESA Section 7 Mapper and information about an option to use Google Forms for Emergency ESA Sec 7 in NC.
2022.5			
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Environmental Consultation Guidance for Coastal Zone

The U.S. Coast Guard (USCG) Fifth District units will use this guide and forms to inform and evaluate compliance to include consultation in accordance with the following authorities: Endangered Species Act (ESA), Magnuson-Stevens Fishery Conservation and Management Act (for Essential Fish Habitat [EFH]), Migratory Bird Treaty Act (MBTA), Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA). Consultation for ESA Section 7 and EFH shall take place with the Department of Commerce National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), and U.S. Department of the Interior's (DOI) U.S. Fish and Wildlife Service (USFWS). These agencies are referred to as "the Services." This form will be used to cover oil spill and/or hazardous substance response actions within the Fifth Coast Guard District coastal zone, which includes Delaware, District of Columbia, Maryland, portions of New Jersey, North Carolina, portions of Pennsylvania, and Virginia.

Background and Purpose

The purpose of this document is to help the Federal On-Scene Coordinator (FOSC) determine whether to initiate environmental consultation and/or coordination in accordance with 50 CFR § 402.05, 50 CFR § 530, and 50 CFR § 600.920(a)(1); and to assist the FOSCs through the process.

The FOSC should check the following databases and contacts for each of the Services to help identify the presence of federally protected species and/or habitats:

- Environmental Response Management Application (ERMA): <https://erma.noaa.gov/atlantic#/>
 - Geographic Response Strategies (GRS): Located in ERMA under 'Response Planning – Area Contingency Plans – Sector [Delaware Bay, Maryland NCR, Hampton Roads, North Carolina]'
 - NOAA Environmental Sensitivity Index (ESI) Maps: Located in ERMA under 'Natural Resources, Habitats, & Managed Areas – Environmental Sensitivity Index'
- NOAA ESA Species Matrix: Posted on RRT III website at https://www.nrt.org/site/doc_list.aspx?site_id=72
- Greater Atlantic Region ESA Section 7 Mapper: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>
- Southeast Region ESA Section 7 Mapper: <https://www.fisheries.noaa.gov/resource/map/southeast-region-esa-section-7-mapper>
- EFH Mapper: <https://www.habitat.noaa.gov/apps/efhmapper/>
- Atlantic Marine Assessment Program for Protected Species (AMAPPS) Marine Mammal Model Viewer: <https://apps-nefsc.fisheries.noaa.gov/AMAPPSviewer/>
- Information for Planning and Consultation (IPaC): <https://ecos.fws.gov/ipac/>

The FOSC should then evaluate response actions and their potential impacts, if any, on federally protected species and/or habitats. The scope of the consultation is focused on the agency's response actions during an incident, **NOT** the incident itself.

For ESA there are three thresholds, which are used to determine action necessary by the FOSC, are:

- (1) **No Effect** (none at all, negative or positive);
- (2) **May Affect**; Not Likely to Adversely Affect, (NLAA); and
- (3) **May Affect; Likely to Adversely Affect** (LAA).

The two EFH thresholds, which are used to determine action necessary by the FOSC, are:

- (1) **Would Not Adversely Affect (WNAA)**; and
- (2) **May Adversely Affect (MAA)**.

Whenever an FOSC makes a determination that federal response actions **may affect** ESA-listed (threatened or endangered) species and/or designated Critical Habitat or **may adversely affect** EFH, the action agency shall initiate consultation protocols. For emergency consultation, the FOSC shall initiate this consultation, as soon as practicable, via verbal or email notification. The form shall be sent via email to the Services after the consultation is initiated.

Responders should not delay emergency response actions while awaiting a response from the Services. If the FOSC determines consultations are not practicable during emergency response operations, refer to the NRT's Post-Response Procedures guidance for ESA Section 7 and EFH compliance requirements.

Depending on the scale and scope of emergency response actions, pre-spill planning consultations can minimize the level of effort of emergency consultation(s) and, in certain circumstances, even alleviate the need for emergency consultation(s). If pre-spill planning consultations were completed with the Services, BMPs may be incorporated into the GRSs, Area Contingency Plans (ACP), and Regional Contingency Plans (RCP).

More guidance regarding Section 7 consultation can be found in the 2001 Inter-agency Memorandum of Agreement Regarding Oil Spill Planning and Response Activities under the Federal Water Pollution Control Act's National Oil and Hazardous Substances Pollution Contingency Plan (2001 MOA) and the NRT's National Environmental Compliance (NEC) Subcommittee ESA guidance page at NRT.org¹. The 2001 MOA provides a framework for cooperation and participation among parties involved in oil spill planning and response. It outlines procedures to streamline ESA compliance process before, during, and after an incident. EFH consultations should be completed simultaneously with ESA Section 7 consultations. Additional NMFS ESA Section 7 consultation guidance can be found on the [Greater Atlantic Region](http://www.greateratlantic.fisheries.noaa.gov/protected/section7/index.html)² site, [Southeast Region](http://www.fisheries.noaa.gov/southeast/endangered-species-conservation/esa-section-7-interagency-consultation-southeast-united-states)³ site, and for USFWS guidance can be found on the [Northeast Region](http://www.fws.gov/northeast/EcologicalServices/federalconsultation.html)⁴ site.

For All Consultations

The regional NOAA SSC and/or DOI Regional Environmental Officer **shall** be informed whenever the FOSC engages in emergency consultation with the Services.

The NOAA SSC may be able to facilitate communications between the USCG and the Services; however, it is the sole responsibility of the FOSC to initiate, conduct, and complete the consultation.

The DOI Regional Environmental Officer may also be able to facilitate communications between the action agencies and USFWS.

¹ National Response Team (NRT) National Environmental Compliance (NEC) Homepage link:
[https://nrt.org/Main/Resources.aspx?ResourceType=Endangered%20Species%20Act%20\(ESA\)%20Section%207&ResourceSection=2](https://nrt.org/Main/Resources.aspx?ResourceType=Endangered%20Species%20Act%20(ESA)%20Section%207&ResourceSection=2)

² NMFS Greater Atlantic Region Section 7 Consultations link:
<https://www.greateratlantic.fisheries.noaa.gov/protected/section7/index.html>

³ NMFS Southeast Region Section 7 Consultations link:
<https://www.fisheries.noaa.gov/southeast/endangered-species-conservation/esa-section-7-interagency-consultation-southeast-united-states>

⁴ USFWS Northeast Region Section 7 Consultation link:
<https://www.fws.gov/northeast/EcologicalServices/federalconsultation.html>

U. S. Coast Guard (USCG) District Incident Management and Preparedness Advisors (IMPAs) and District Response Advisory Teams (DRATs) are excellent resources for all required consultations (ESA, EFH, State Historic Preservation Office (SHPO), and Tribal Historic Preservation Office (THPO)).

The USCG IMPA and DRAT are available 24/7 via District command centers.

Note: This is a guidance document only. Units are encouraged to suggest modifications to this document to the RRT3's Consultation, Natural Resources, and Damage Assessment (CNRDA) Workgroup.

FOR FURTHER GUIDANCE WITHIN THE USCG, PLEASE CONSULT WITH:

U.S. Coast Guard Natural Resources, COMDTINST 5090.3A (series)

Commanding Officer's Environmental Guide, COMDTPUB P5090.1 (series)

Environmental Consultation Form

Primary points of contact for RRT3 coastal zone area of responsibility and North Carolina (under USCG District 5) are included in Enclosure (1). The Environmental Consultation Form is included as Enclosure (2) and the NMFS/USFWS Response Form is Enclosure (3).

When used for emergency consultation these forms are intended to provide as much detailed information as possible to the Services within 48 hours of the federal action agency undertaking emergency response actions. It is not intended to be comprehensive, and **responders should not delay emergency response actions while awaiting a response from the Services**. These forms assist the FOSCs in meeting their statutory obligations to conduct environmental consultations. This form is also designed to document communication efforts between the Action Agencies and the Services as well as provide a consistent template for use in compiling relevant information and recommendations during emergency response operations.

Note: The Services will review the supplied information and respond with avoidance and minimization measures to mitigate potential impacts to any ESA-listed (threatened or endangered) species, designated Critical Habitat, EFH, or other protected species. The conservation measures and best management practices (BMPs) are then incorporated into response actions and specialists may be brought into the response to provide additional oversight and guidance via Pollution Removal Funding Authorization (PRFA).

Once these forms are submitted, the Services will consider the proposed response actions and use ENCLOSURE 3: NMFS / USFWS Response, to provide information on protected species and habitats in the area, and provide recommendations for avoidance and minimization measures for FOSC implementation.

Enclosures

(1) Section 7 Primary Points of Contact

(2) Environmental Consultation Form

Section I – FOSC Response Activities

Section II – ESA / EFH Effects Determinations & Measures to Reduce Impacts

Section III – Consultation for Other Species

(3) NMFS / USFWS Response

Section I – ESA / EFH Recommendations

Section II – Other Species / Habitat Recommendations

ENCLOSURE 1: PRIMARY POINTS OF CONTACT

RRT3 COASTAL ZONE AREA OF RESPONSIBILITY

NOAA SSC for RRT3

Mr. Frank Csulak
NOAA
61 Inlet Drive
Point Pleasant, New Jersey 08742
Phone: (732) 371-1005
After Hours Number: (206) 526-4911
E-mail: frank.csulak@noaa.gov

NOAA NMFS Representative for RRT3

NOAA Greater Atlantic Regional Fisheries
Office
55 Great Republic Drive
NOAA Fisheries Service
Gloucester, Massachusetts 01930
Phone: (978) 281-9300
E-mail: nmfs.gar.garfo@noaa.gov

USFWS Representatives for RRT3**Response Coordinator for MD, Western
PA, VA, WV and DC**

Ms. Jo Ann Banda
U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
Phone: (804) 824-2413
Cell: (804) 694-7647
E-mail: joann_banda@fws.gov

**Response Coordinator for NJ, NY, DE,
Eastern PA (Delaware Watershed)**

Ms. Sarah Scheaffer
U.S. Fish and Wildlife Service
New Jersey Field Office
4 E. Jimmie Leeds Road, Suite 4
Galloway, New Jersey 08205
Phone: (609) 833-1476
E-mail: sarah_scheaffer@fws.gov

New England Area

Mr. Andrew Major
U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301
Cell: (603) 748-8082
E-mail: Andrew_major@fws.gov

DOI Representative for RRT3

Mr. John Nelson
Office of Environmental Policy and Compliance
U.S. Department of the Interior
Phone: (215) 597-5012
Cell: (215) 266-5155
E-mail: john_nelson@ios.doi.gov

NORTH CAROLINA COASTAL ZONE ONLY**NOAA SSC for Sector North Carolina**

Mr. Frank Csulak
NOAA
61 Inlet Drive
Point Pleasant, New Jersey 08742
Phone: (732) 371-1005
After Hours Number: (206) 526-4911
E-mail: frank.csulak@noaa.gov

NOAA NMFS Representative for Sector North Carolina

NOAA Southeast Regional Office
263 13th Avenue South
NOAA Fisheries Service
St. Petersburg, Florida 33701
Phone: (727) 824-5312
Emails: For Emergency Consult:
nmfs.ser.emergency.consult@noaa.gov
Non-emergency:
nmfs.ser.esa.consultations@noaa.gov

For NMFS ESA Section 7 Emergency Consultations in the Southeast, which includes North Carolina, there is a new webpage: <https://www.fisheries.noaa.gov/endangered-species-conservation/endangered-species-act-emergency-consultations-southeast>. The webpage includes a link to a Google Form interface that may be used to submit an emergency consultation. You do not have to have a Google account to use this form and can simply click on the form from the webpage. However, if you need to upload additional documentation for your consultation, you will need to send that separately to their main emergency email address: nmfs.ser.emergency.consult@noaa.gov. You may, of course, continue to submit emergency consultations to their emergency email inbox, but you now have a choice. The Google form may help action agencies and contacts unfamiliar the emergency consultation procedures to ensure an immediate request so NMFS can quickly provide the needed BMPs and information to proceed with the action within 48 business hours.

USFWS Representatives for Sector North Carolina

Mr. Brian Spears, Regional Spill Response Coordinator
U.S. Fish and Wildlife Service
Phone: (251) 928-9765
Cell: (251) 284-5295
E-mail: brian_spears@fws.gov

DOI Representative for Sector North Carolina

Ms. Joyce A. Stanley, MPA
Regional Environmental Officer
U.S. Department of the Interior, Office of Environmental Policy and Compliance
Phone: (404) 331-4524
Cell: (404) 852-5415
Fax: (404) 331-1736
E-mail: joyce_stanley@ios.doi.gov

ENCLOSURE 2: ENVIRONMENTAL CONSULTATION FORM

This form will be utilized by the U.S. Coast Guard (USCG) Federal On-Scene Coordinator (FOSC) for pre-spill, emergency, and post-response environmental consultations. It will be filled out by the USCG and used by the Department of the Interior's (DOI) U.S. Fish & Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) to review response actions for potential impacts to federally listed species. The form provides information to initiate and conclude emergency consultations under ESA Section 7 and to document (1) a "No Effect" determination, (2) to request technical assistance, or (3) to document up to the May Affect, Not Likely to Adversely Affect threshold. Additionally, information beyond this form may be required by the Services.

FOSCs (or their designated representative) should complete Section I (Tables A – E) after initial notification is made to the Services. Section I should be filled out with the best available information accounting for all response actions taken or being considered. FOSCs may work with Service representatives during the emergency consultation process to determine the presence and effects to species/habitats and implementation of conservation measures in Section II. In addition to ESA/EFH consultation, when needed and applicable, Section III should be reviewed /completed to inform and evaluate additional needs for compliance with the following authorities: Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA), and Migratory Bird Treaty Act (MBTA). **Enclosure (3) is intended to be submitted blank to the Services, so the Services can both acknowledge the request for consultation as well as begin to consider the FOSC's actions or proposed actions during the emergency response.** This form should also be used to provide updates to the Services as the incident evolves and FOSC actions are adjusted based on operational objectives.

SECTION I. FOSC RESPONSE ACTIVITIES

<input type="checkbox"/> Initial Report [Date] <input type="checkbox"/> Updated Report [Date]		
FROM: USCG FOSC Insert USCG FOSC Unit	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: USFWS Office	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: NMFS ESA Office	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: NMFS EFH Office	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: NOAA Scientific Support Coordinator	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: DOI Regional Environmental Officer	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: Fifth District Response Advisory Team	Name: David Pugh Email: David.E.Pugh1@uscg.mil	T: (757) 398-6376 C: (757) 373-4133
	Name: Elisha Cook Email: Elisha.FS.Cook@uscg.mil	T: (757) 398-7780 C: (757) 630-1430
COPY: EPA On-Scene Coordinator for Region	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.

A. Consultation Details	
Name of Unit Requesting Consultation	Click or tap here to enter text.
Type of Consultation Requested	Select consultation type from dropdown menu.
FOSC	Rank/Name Email Phone Number
FOSCR	Rank/Name Email Phone Number
Person Completing Form	Rank/Name Email Phone Number
Date Form Initially Completed	Date
Date Consultation / Technical Assistance Completed	Date
Are there previously completed ESA consultation documents that are applicable to this area / action (e.g., dispersants, in-situ burning, surface washing agents)	<input type="checkbox"/> Yes <input type="checkbox"/> No List any previous consultations documents.

B. Incident / Event Details	
Name of Incident	Incident Name
Date of Incident	Enter Date
Type of Incident / Event (e.g., vessel grounding, vessel collision, pipeline, transfer, training/exercise)	Click or tap here to enter text.
Product(s) Released / Discharged	Click or tap here to enter text.
Volume Released / Discharged (in gallons)	Enter volume in gallons.
Potential Volume (in gallons)	Enter volume in gallons.
Has the release / discharge been stopped, ongoing, or is status unknown?	Click or tap here to enter text.
Is the released / discharge contained, spreading, or is the status unknown?	Click or tap here to enter text.
Latitude/Longitude for action area (Decimal degrees and datum [e.g., 27.71622°N, 80.25174°W NAD83; online conversion: https://www.fcc.gov/media/radio/dms-decimal])	Latitude°N Longitude°W Choose Datum
Location (nearest landmark / town)	Click or tap here to enter text.
Location Type (check all that apply below) <input type="checkbox"/> Port / Industrial / Canal <input type="checkbox"/> Riverine <input type="checkbox"/> Inshore / Estuarine <input type="checkbox"/> Nearshore / Coastal <input type="checkbox"/> Offshore / EEZ <input type="checkbox"/> Lake / Lacustrine (freshwater) <input type="checkbox"/> Wetland (freshwater)	Click or tap here to enter text.
Please attach any maps, aerial photographs, or additional information that will support the information in this consultation form. Examples of such supporting documentation include, but are not limited to: <ul style="list-style-type: none"> • Aerial images of response action area and surrounding area. • Map of response action area with elements proposed (polygons showing proposed response action elements). 	

B. Incident / Event Details

- Map of response action area with critical habitat units or sensitive habitats overlay (e.g., seagrass beds, Essential Fish Habitat, etc.).

C. Incident and Response Actions**Describe the incident/event and proposed response action objectives.**

Describe in detail the equipment and methods needed; the anticipated schedule (e.g., days, weeks, months) for each phase of the response; long-term vs. short-term impacts; duration of short-term impacts; dust, erosion, and sedimentation controls; restoration areas; whether the response actions are part of a larger action or plan; and what approvals will need to be obtained. Attach the ICS-201 and other ICS forms as applicable.

Click or tap here to enter text.

Action (check all that apply)	Details / Notes (Provide any additional pertinent details and note whether the actions have been taken or are being considered).
<input type="checkbox"/> Barriers / Berms / Fences / Dams	Click or tap here to enter text.
<input type="checkbox"/> Booming (Containment / Exclusion – provide details in notes)	Click or tap here to enter text.
<input type="checkbox"/> Culvert Blocking	Click or tap here to enter text.
<input type="checkbox"/> Dispersants	Click or tap here to enter text.
<input type="checkbox"/> Elasticity Modifiers	Click or tap here to enter text.
<input type="checkbox"/> Emulsifying Agents	Click or tap here to enter text.
<input type="checkbox"/> Flooding / Flushing	Click or tap here to enter text.
<input type="checkbox"/> In-situ Burning	Click or tap here to enter text.
<input type="checkbox"/> Manual Oil Removal / Cleaning	Click or tap here to enter text.
<input type="checkbox"/> Natural Attenuation (indicate with or without monitoring in the notes)	Click or tap here to enter text.
<input type="checkbox"/> Net Use or Trawling	Click or tap here to enter text.
<input type="checkbox"/> Nutrient Enrichment / Bioremediation	Click or tap here to enter text.
<input type="checkbox"/> Oiled Vegetation Cutting / Removal	Click or tap here to enter text.
<input type="checkbox"/> Oiled Debris Removal	Click or tap here to enter text.
<input type="checkbox"/> Physical Herding	Click or tap here to enter text.
<input type="checkbox"/> Pre-oiling Debris Removal	Click or tap here to enter text.

C. Incident and Response Actions

<input type="checkbox"/> Sand Blasting	Click or tap here to enter text.
<input type="checkbox"/> Sand Cleaning (non-chemical)	Click or tap here to enter text.
<input type="checkbox"/> Sediment Removal / Dredging	Click or tap here to enter text.
<input type="checkbox"/> Sediment Reworking / Tilling	Click or tap here to enter text.
<input type="checkbox"/> Shoreline Assessment	Click or tap here to enter text.
<input type="checkbox"/> Shoreline Cleaning	Click or tap here to enter text.
<input type="checkbox"/> Skimming	Click or tap here to enter text.
<input type="checkbox"/> Solidifiers	Click or tap here to enter text.
<input type="checkbox"/> Sorbents (specify type in notes - e.g., sausage, pom-pom, particulate: bagasse, peat moss, natural/ organic, etc.)	Click or tap here to enter text.
<input type="checkbox"/> Staging Areas / Access Points (indicate if existing or to be created)	Click or tap here to enter text.
<input type="checkbox"/> Steam Cleaning	Click or tap here to enter text.
<input type="checkbox"/> Surface Washing Agent / Chemical Shoreline Cleaners	Click or tap here to enter text.
<input type="checkbox"/> Surface Collecting Agents / Herders	Click or tap here to enter text.
<input type="checkbox"/> Trenching	Click or tap here to enter text.
<input type="checkbox"/> Vacuuming	Click or tap here to enter text.
<input type="checkbox"/> Vessel / Container Removal	Click or tap here to enter text.
Wildlife Response Actions <input type="checkbox"/> Aerial Surveys <input type="checkbox"/> Vessel Surveys <input type="checkbox"/> Capture and Relocation <input type="checkbox"/> Capture and Rehabilitation <input type="checkbox"/> Deterrence / Hazing <input type="checkbox"/> Nest Protection <input type="checkbox"/> Necessary Holding Location <input type="checkbox"/> Other	Click or tap here to enter text.
<input type="checkbox"/> OTHER (description in notes)	Click or tap here to enter text.
<input type="checkbox"/> OTHER (description in notes)	Click or tap here to enter text.
<input type="checkbox"/> OTHER (description in notes)	Click or tap here to enter text.

D. Vessels / Vehicles	
Vessel / Vehicle (check all that apply)	Details / Notes (Provide any additional pertinent details and note whether the actions have been taken or are being considered).
<input type="checkbox"/> Airplanes	Click or tap here to enter text.
<input type="checkbox"/> All-Terrain Vehicles (ATVs)	Click or tap here to enter text.
<input type="checkbox"/> Boats / Airboats	Click or tap here to enter text.
<input type="checkbox"/> Drones / Unmanned Aerial Systems (UASs)	Click or tap here to enter text.
<input type="checkbox"/> Heavy Equipment	Click or tap here to enter text.
<input type="checkbox"/> Helicopters	Click or tap here to enter text.
<input type="checkbox"/> Staging Areas	Click or tap here to enter text.
<input type="checkbox"/> Truck or other automobile	Click or tap here to enter text.
<input type="checkbox"/> OTHER (description in notes)	Click or tap here to enter text.
<input type="checkbox"/> OTHER (description in notes)	Click or tap here to enter text.

E. Response Action Area / Habitat Types		
<p>Provide a description of the existing environment (e.g., vegetation type, substrate type, tidal/riverine/estuarine, hydrology and drainage patterns, current flow and direction) and land uses (e.g., public, residential, commercial, industrial, agricultural). Describe all areas that may be directly or indirectly affected by the response action(s). If possible, provide name of waterbody in the “Details / Notes” column.</p> <p>The information provided in this section will be used in both ESA Emergency Consultation and Essential Fish Habitat (EFH) analyses, so please provide additional information to the maximum extent practicable, particularly if there is an EFH Habitat Areas of Particular Concern (HAPC) that may be found in the response action area. The Essential Fish Habitat Mapper tool may be used to identify EFH and/or HAPCs in the action area:</p> <p>https://www.habitat.noaa.gov/apps/efhmapper/efhreport/</p>		
Click or tap here to enter text.		
Habitat Type (check <u>all</u> that occur in the response action area)	Habitat Exposed / Not Exposed to response action(s)?	Details / Notes (Provide details on response actions occurring in identified habitats)
<input type="checkbox"/> Artificial Reefs (including oyster reefs)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Beach	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Coastal Lagoon	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.

E. Response Action Area / Habitat Types		
<input type="checkbox"/> Corals	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Dune	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Emergent Marsh <input type="checkbox"/> Freshwater <input type="checkbox"/> Intermediate <input type="checkbox"/> Brackish <input type="checkbox"/> Saltwater	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Forested Wetland (swamp)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Intertidal Sand / Mud / Algal Flats	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Lake / Lacustrine (freshwater)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Marine (open water)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Marsh (tidal / salt)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Riverine / Riparian (freshwater)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Rocky Intertidal	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Submerged Aquatic Vegetation	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> Wetland (freshwater)	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> OTHER (list below) Enter habitat type.	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.
<input type="checkbox"/> OTHER (list below) Enter habitat type.	<input type="checkbox"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.

SUBMITTING CONSULTATION FORM

The USFWS and NMFS request that all consultation forms be emailed to the appropriate point of contact for review (see Enclosure 1 for list of contacts). Upon receipt, USFWS/NMFS representatives will conduct a preliminary review and provide any comments and feedback, including any requests for modifications or additional information for Sections II and III. If modifications or additional

information is necessary, the USFWS/ NMFS representatives will work with the USCG until the consultation forms are considered complete. Once complete, the USCG will use the form to initiate and/or conduct any appropriate consultation. For informational purposes, please add the **U.S. Dept. of the Interior's (DOI) Regional Environmental Officer (REO)** and the **NOAA Scientific Support Coordinator (SSC)** assigned to the incident to the "Cc" line of your email when submitting any version of this form to the USFWS and NMFS for review and/or concurrence. **Additionally**, please also "Cc" the Fifth District Response Advisory Team (DRAT) David.E.Pugh1@uscg.mil and Elisha.FS.Cook@uscg.mil to your email when submitting any version of this form to the USFWS and NMFS for review and/or concurrence. Also "Cc" the appropriate Environmental Protection Agency (EPA) Region 2, 3, or 4 On-scene Coordinator.

SECTION II. ESA / EFH DETERMINATIONS & MEASURES TO REDUCE IMPACT

F. NMFS Threatened / Endangered Species & Critical Habitat Effects Determination

(Optional to complete prior to Emergency Consultation)

Identify all species and critical habitat under NMFS jurisdiction that may be found in the response action area.

- For Sector Delaware Bay, Maryland-NCR, or Virginia refer to the Greater Atlantic Region ESA Section 7 Mapper to identify ESA-listed species and critical habitat in the action area:
<https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>
- For Sector North Carolina refer to the Southeast Region ESA Section 7 Mapper:
<https://www.fisheries.noaa.gov/resource/map/southeast-region-esa-section-7-mapper>

If all consequences of proposed response actions occur in a location that does not contain any listed or proposed NMFS species or designated/proposed critical habitats, OR if those response actions and their effects have been covered under previous existing consultations, please check the appropriate box below. If one of these boxes is checked, you may skip this section.

- ☐ All direct and indirect effects of the proposed response actions occur in a location that does not contain any listed or proposed NMFS species or designated/proposed critical habitats.
- ☐ All direct and indirect effects of the proposed response actions have been accounted for under an existing ESA Section 7 consultation.

Threatened / Endangered Species	Critical Habitat	Determinations (see definitions below)	For “No Effect” select justification
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.

F. NMFS Threatened / Endangered Species & Critical Habitat Effects Determination

(Optional to complete prior to Emergency Consultation)

<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.

Determination Definitions (applicable to both species and designated critical habitat determinations):

NE = no effect. This determination is appropriate when the proposed action will not directly, indirectly, or cumulatively impact, either positively or negatively, any listed or proposed species or designated/proposed critical habitat.

NLAA = may affect, not likely to adversely affect. This determination is appropriate when the proposed action is not likely to adversely impact any listed or proposed species or designated/proposed critical habitat, or there may be beneficial effects to these resources. The USCG would request the Services to concur with the not likely to adversely affect determination. This conclusion is appropriate when effects to the species or critical habitat will be wholly beneficial, discountable, or insignificant. Beneficial effects are contemporaneous positive effects without any adverse effects to the species or habitat. Insignificant effects relate to the size of the impact, while discountable effects are those that are extremely unlikely to occur. Based on best judgment, a person would not: (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur. If the Services concur in writing with the Action Agency's determination of "is not likely to adversely affect" listed species or critical habitat, the §7 consultation process is completed.

LAA = may affect, likely to adversely affect. This determination is appropriate when the proposed action is likely to adversely impact any listed or proposed species or designated/proposed critical habitat. The USCG would request formal consultation with the Services for a response action(s) with a likely to adversely affect determination; the Services' response would be a biological opinion as the concluding document. This conclusion is reached if any adverse effect to listed species or critical habitat may occur as a direct or indirect result of the proposed action or its cumulative effects, and the effect is not discountable or insignificant. In the event the overall effect of the proposed action is beneficial to the listed species or critical habitat but may also cause some adverse effect on individuals of the listed species or segments of the critical habitat, then the determination is "likely to adversely affect." Any LAA determination requires formal §7 consultation and will require additional information.

G. USFWS Threatened / Endangered Species & Critical Habitat Effects Determination

(Optional to complete prior to Emergency Consultation)

Identify all species and critical habitat under USFWS jurisdiction that may be found in the response action area.

- The USFWS Information for Planning and Consultation (IPaC) tool may be used to identify ESA-listed species and critical habitat in the action area: <https://ecos.fws.gov/ipac/>

If all consequences of proposed response actions occur in a location that does not contain any listed or proposed USFWS species or designated/proposed critical habitats, OR if those response actions and their effects have been covered under previous existing consultations, please check the appropriate box below. If one of these boxes is checked, you may skip this section.

- ☐ All direct and indirect effects of the proposed response actions occur in a location that does not contain any listed or proposed USFWS species or designated/proposed critical habitats.
- ☐ All direct and indirect effects of the proposed response actions have been accounted for under an existing ESA Section 7 consultation.

Threatened / Endangered Species	Critical Habitat	Determinations (see definitions below)	For "No Effect" select justification
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.

G. USFWS Threatened / Endangered Species & Critical Habitat Effects Determination			
(Optional to complete prior to Emergency Consultation)			
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
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<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
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<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<p>Determination Definitions (applicable to both species and designated critical habitat determinations):</p> <p>NE = no effect. This determination is appropriate when the proposed action will not directly, indirectly, or cumulatively impact, either positively or negatively, any listed or proposed species or designated/proposed critical habitat.</p> <p>NLAA = may affect, not likely to adversely affect. This determination is appropriate when the proposed action is not likely to adversely impact any listed or proposed species or designated/proposed critical habitat, or there may be beneficial effects to these resources. The USCG would request the Services to concur with the not likely to adversely affect determination. This conclusion is appropriate when effects to the species or critical habitat will be wholly beneficial, discountable, or insignificant. Beneficial effects are contemporaneous positive effects without any adverse effects to the species or habitat. Insignificant effects relate to the size of the impact, while discountable effects are those that are extremely unlikely to occur. Based on best judgment, a person would not: (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur. If the Services concur in writing with the Action Agency's determination of "is not likely to adversely affect" listed species or critical habitat, the §7 consultation process is completed.</p> <p>LAA = may affect, likely to adversely affect. This determination is appropriate when the proposed action is likely to adversely impact any listed or proposed species or designated/proposed critical habitat. The USCG would request formal consultation with the Services for a response action(s) with a likely to adversely affect determination; the Services' response would be a biological opinion as the concluding document. This conclusion is reached if any adverse effect to listed species or critical habitat may occur as a direct or indirect result of the proposed action or its cumulative effects, and the effect is not discountable or insignificant. In the event the overall effect of the proposed action is beneficial to the listed species or critical habitat but may also cause some adverse effect on individuals of the listed species or segments of the critical habitat, then the determination is "likely to adversely affect." Any LAA determination requires formal §7 consultation and will require additional information.</p>			

H. Essential Fish Habitat Areas of Particular Concern Effects Determination (Optional to complete prior to Emergency Consultation)

Identify all EFH species and Habitat Areas of Particular Concern (HAPC) that may be found in the response action area.

- The Essential Fish Habitat Mapper tool may be used to identify EFH and/or HAPCs in the action area: <https://www.habitat.noaa.gov/apps/efhmapper/efhreport/>

If all consequences of proposed response actions occur in a location that does not contain any EFH species or HAPCs, OR if those response actions and their effects have been covered under previous existing consultations, please check the appropriate box below. If one of these boxes is checked, you may skip this section.

- ☐ All direct and indirect effects of the proposed response actions occur in a location that does not contain any EFH species or HAPCs.
- ☐ All direct and indirect effects of the proposed response actions have been accounted for under an existing EFH consultation.

EFH Species	HAPCs	Determinations (see definitions below)	For “Would not adversely affect” select justification
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.
<input type="checkbox"/> List species.	<input type="checkbox"/>	Select a determination.	Select most appropriate.

Determination Definitions (applicable to both EFH and HAPC determinations):

WNAA = would not adversely affect. Would not adversely affect is the appropriate determination if the response action and the stressors of that action would not affect EFH.

MAA = may adversely affect. Adverse Effects are anything that changes the quality or quantity of EFH.

I. Effects of Response Actions & Measures to Reduce Impacts to Listed Species & Critical Habitats

(Optional to complete prior to Emergency Consultation)

Explain the potential beneficial and adverse effects to each species and/or critical habitats identified in the above tables.

Describe what, when, and how the species and/or critical habitat will be impacted and the likely response to the impact. Be sure to include direct, indirect, and cumulative impacts, and where possible, quantify those effects. If species are present (or potentially present) and will not be adversely affected, describe your rationale. If species are unlikely to be present in the general area or action area, explain why. Describe your rationale if designated or proposed critical habitats are present and will not be adversely affected. This justification provides documentation for your administrative record, avoids the need for additional correspondence, and helps expedite review.

NOTE: Species selected as “No Effect” with justification in the above tables do not need to be addressed.

Click or tap here to enter text.

Explain the measures taken to reduce adverse effects to the species identified above.

For each species for which impacts were identified, describe any conservation measures (e.g., best management practices [BMPs]) that will be implemented to avoid or minimize the impacts. Conservation measures are designed to avoid or minimize effects to listed species and critical habitats or further the recovery of the species under review. Conservation measures are considered part of the proposed actions and their implementation is required. Any changes to, modifications of, or failure to implement these conservation measures may result in a need to reinitiate this consultation.

Click or tap here to enter text.

Frequently Recommended BMPs

This checklist provides standard BMPs recommended by NMFS and USFWS or developed in coordination with the Services. Please select any BMPs that will be implemented (website links to BMPs are provided below).

<input type="checkbox"/> Environmental BMPs for Oil Spill Response in Regional Response Team 3 Coastal Zone	https://www.nrt.org/site/doc_list.aspx?site_id=72&Category=App-09
<input type="checkbox"/> NMFS EFH BMPs for Certain Response Activities to Accidental Discharges of Oil and Other Hazardous Materials in the Southeastern United States	https://media.fisheries.noaa.gov/dam-migration/sero_hazmat_bmps.pdf
<input type="checkbox"/> NMFS Marine Life Viewing Guidelines and Distances	https://www.fisheries.noaa.gov/topic/marine-life-viewing-guidelines#guidelines-&-distances

I. Effects of Response Actions & Measures to Reduce Impacts to Listed Species & Critical Habitats (Optional to complete prior to Emergency Consultation)	
<input type="checkbox"/> NMFS Measures for Reducing the Entrapment Risk to Protected Species	https://media.fisheries.noaa.gov/dam-migration/entrapment_bmps_final.pdf
<input type="checkbox"/> NMFS Sea Turtle Handling and Resuscitation Requirements	https://media.fisheries.noaa.gov/dam-migration/sea_turtle_handling_and_resuscitation_measures.pdf
<input type="checkbox"/> NMFS Sturgeon Resuscitation Guidelines	https://media.fisheries.noaa.gov/dam-migration/sturgeon_resuscitation_card_06122020_508.pdf
<input type="checkbox"/> NMFS Vessel Strike Avoidance Measures and Reporting for Mariners	https://media.fisheries.noaa.gov/dam-migration/vessel_strike_avoidance_february_2008.pdf
<input type="checkbox"/> USFWS Avoidance and Minimization Measures for Piping Plover and Red Knot for Shoreline Activities	https://www.fws.gov/southeast/pdf/best-management-practice/piping-plover-and-red-knots-for-shoreline-activities-in-louisiana.pdf
<input type="checkbox"/> USFWS Standard Manatee In-Water Conditions	https://www.fws.gov/southeast/pdf/guidelines/standard-manatee-conditions.pdf
<input type="checkbox"/> National Response Team General BMPs or Conservation Measures (Appendix D)	https://www.nrt.org/sites/2/files/Pre-Spill_BEOutline_%20updated%2031Oct2018%20FINAL.docx
<input type="checkbox"/> Caribbean Regional Response Team BMPs for Oil Spill Response Operations	https://nrt.org/sites/33/files/App%207%20CRRT%20Compilation%20of%20BMPs%20Revised%204_2020.pdf
<input type="checkbox"/> OTHER (list below) Name of BMP.	Provide a link to BMP.

SECTION III. OTHER SPECIES

J. Marine Mammals

(Optional to complete prior to Emergency Consultation)

The Marine Mammal Protection Act (MMPA) prohibits the taking (including disruption of behavior, entrapment, injury, or death) of all marine mammals. The MMPA allows limited exceptions to the take prohibition, if authorized, such as the incidental take of marine mammals. The Atlantic Marine Assessment Program for Protected Species (AMAPPS) Marine Mammal Model Viewer (<https://apps-nefsc.fisheries.noaa.gov/AMAPPSviewer/>) maps marine life sightings and ocean conditions to help inform marine resource management decisions. The maps use whale, dolphin, and porpoise sightings data and can be used to predict marine mammal densities.

Marine Mammals that <i>may be</i> present within the response action area	Details / Notes (If applicable, indicate and describe the species that may be present in the response action area)
Dolphins <input type="checkbox"/> Yes <input type="checkbox"/> No	Click or tap here to enter text.
Manatees <input type="checkbox"/> Yes <input type="checkbox"/> No	Click or tap here to enter text.
Porpoise <input type="checkbox"/> Yes <input type="checkbox"/> No	Click or tap here to enter text.
Seals <input type="checkbox"/> Yes <input type="checkbox"/> No	Click or tap here to enter text.
Whales <input type="checkbox"/> Yes <input type="checkbox"/> No	Click or tap here to enter text.

The following questions are designed to allow the NMFS and/or USFWS to quickly determine if response actions have the potential to result in take to marine mammals. If the information provided indicates that incidental take is possible, further discussion with the NMFS and/or USFWS is required.

(a) Is your action occurring in or on marine or estuarine waters? ☐ Yes ☐ No

(b) If yes, is your action likely to cause large-scale, ecosystem level impacts to the quality (e.g., salinity, temperature) of marine or estuarine waters? ☐ Yes ☐ No

(c) If yes, describe actions further using checkboxes in the table below. Does your action involve any of the following:

<input type="checkbox"/> Yes <input type="checkbox"/> No	Use of active acoustic equipment (e.g., echosounder) producing sound below 200 kHz
<input type="checkbox"/> Yes <input type="checkbox"/> No	In-water construction or demolition
<input type="checkbox"/> Yes <input type="checkbox"/> No	Temporary or fixed use of active or passive sampling gear (e.g., nets, lines, traps; turtle relocation trawls)
<input type="checkbox"/> Yes <input type="checkbox"/> No	In-water explosive detonation
<input type="checkbox"/> Yes <input type="checkbox"/> No	Aquaculture
<input type="checkbox"/> Yes <input type="checkbox"/> No	Restoration of barrier islands, levee construction, or similar projects
<input type="checkbox"/> Yes <input type="checkbox"/> No	Fresh-water river diversions
<input type="checkbox"/> Yes <input type="checkbox"/> No	Building or enhancing areas for water-related recreational use or fishing opportunities (e.g., fishing piers, bridges, boat ramps, marinas)

J. Marine Mammals**(Optional to complete prior to Emergency Consultation)**

<input type="checkbox"/> Yes <input type="checkbox"/> No	Dredging or in-water construction actions to change hydrologic conditions or connectivity, create breakwaters and living shorelines, etc.
<input type="checkbox"/> Yes <input type="checkbox"/> No	Conducting driving of sheet piles or pilings
<input type="checkbox"/> Yes <input type="checkbox"/> No	Use of floating pipeline during dredging actions

If you checked “Yes” to any of the actions immediately above, or if the action *could impact* the quality of marine or estuarine waters, please describe the nature of the actions in more detail or indicate which section of the form already includes these descriptions.

Click or tap here to enter text.

If not already identified in Table I, please describe any additional BMPs or conservation measure that may be implemented for marine mammals.

<input type="checkbox"/> OTHER (list below) Name of BMP.	Provide a link to BMP.
<input type="checkbox"/> OTHER (list below) Name of BMP.	Provide a link to BMP.

K. Bald Eagles**(Optional to complete prior to Emergency Consultation)**

Are bald eagles present in the response area? ☐ Yes ☐ No

If YES, the following conservation measures should be implemented per the National Bald Eagle Management Guidelines: <https://www.fws.gov/northeast/ecologicalservices/eagle.html>

- If bald eagle breeding or nesting behaviors are observed or a nest is discovered or known, all actions (e.g., walking, camping, clean-up, use of a UTV, ATV, or boat) should avoid the nest by a minimum of 660 feet. If the nest is protected by a vegetated buffer where there is no line of sight to the nest, then the minimum avoidance distance is 330 feet. This avoidance distance shall be maintained from the onset of breeding/courtship behaviors until any eggs have hatched and eaglets have fledged (approximately 6 months).
- If a similar action (e.g., driving on a roadway) is closer than 660 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated action.
- If a vegetated buffer is present and there is no line of sight to the nest and a similar action is closer than 330 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated action.
- In some instances, actions conducted at a distance greater than 660 feet of a nest may result in disturbance. If an action appears to cause initial disturbance, the action shall stop and all individuals and equipment will be moved away until the eagles are no longer displaying disturbance behaviors.
- For additional information, contact the Northeast Division of Migratory Birds, Permit Branch, Eagle Coordinator. Contact information for the USFWS Northeast Division of Migratory Birds can be found at: <https://www.fws.gov/northeast/migratorybirds/contactus.html>.

Will you implement the above measures? ☐ Yes ☐ No

K. Bald Eagles**(Optional to complete prior to Emergency Consultation)**

If these measures cannot be implemented, then you must contact the Service's Migratory Bird Permit Office.

- Permit Office for District of Columbia, Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia: (413) 253-8643 or by email: permitsR5MB@fws.gov
- Permit Office for North Carolina: (404) 679-7070 or by email: permitsR4MB@fws.gov

L. Migratory Birds**(Optional to complete prior to Emergency Consultation)**

Shorebirds, coastal marsh birds, and marine birds can be found throughout the coastal zone. In accordance with the Migratory Bird Treaty Act of 1918 (as amended) and Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), please be advised that proposed response actions may be located in habitats which are commonly inhabited by these important species. Although several surveys have been conducted to determine the location of nesting colonies, the USFWS recommends that a qualified biologist inspect the proposed response area for the presence of nesting colonies during the nesting season since they may change locations year-to-year.

- For general information regarding migratory birds: <https://www.fws.gov/northeast/migratorybirds/>.
- For information regarding which bird species may be present in the area, please visit: <https://ebird.org/explore>.
- For USFWS general conservation measures to avoid and minimize impacts to birds: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- The Mid-Atlantic coast provides critical year-round habitats for shorebirds and is part of the Atlantic Flyway. The most important habitats are the outer coastal strand of beaches, inlets, tidal flats, and saltmarsh. Providing and maintaining quality nesting, migration stopover, and wintering sites in the southeastern U.S. is extremely important for population health and stability of Atlantic Flyway shorebird populations. The focal geographic area includes the important spring staging sites of Delaware Bay, and large areas of undeveloped barrier islands and saltmarshes extending from Virginia to Georgia. Atlantic Flyway Shorebird species include the American Oystercatcher, American Golden-Plover, Snowy Plover, Wilson's Plover, Marbled Godwit, Ruddy Turnstone, Red Knot, Sanderling, Piping Plover, Greater Yellowlegs, Lesser Yellowlegs, Whimbrel, Purple Sandpiper, Semipalmated Sandpiper, Red-necked Phalarope, or Eskimo Curlew. The Atlantic Flyway Shorebird Initiative focuses on these birds: <https://atlanticflywayshorebirds.org/>.
- Tidal marsh birds such as the Saltmarsh Sparrow, Black Rail, American Black Duck, Bicknell's Thrush, Cerulean Warbler, Wood Thrush, Golden-winged Warbler, American Woodcock, and the coastal marsh habitat they inhabit are a focus for USFWS. The Atlantic Coast Joint Venture (ACJV) focuses on these birds: <https://acjv.org/>.
- Marine birds are also a focal species for management and monitoring, which include colonial waterbirds, as well as nesting shorebirds. The Atlantic Marine Bird Cooperative (AMBC) focuses on these birds: <https://atlanticmarinebirds.org/>.
- If the USCG would like to report any banded birds observed during response actions to aid in resighting efforts, reporting can be done here: <https://www.usgs.gov/centers/pwrc/science/bird-banding-laboratory>.

L. Migratory Birds**(Optional to complete prior to Emergency Consultation)**

- Contact information for the USFWS Northeast Division of Migratory Birds can be found at: <https://www.fws.gov/northeast/migratorybirds/contactus.html>.

Will you implement conservation measures for shorebirds, coastal marsh birds, and marine birds (indicate which species may be present)?

- ☐ Yes Enter list of bird species.
- ☐ No Indicate why conservation measures will not be implemented.
- ☐ Not Applicable (i.e., not present in the action area)

ENCLOSURE 3: NMFS / USFWS RESPONSE TO ENVIRONMENTAL CONSULTATION

This form will be utilized by the Department of the Interior's (DOI) U.S. Fish & Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) to respond to U.S. Coast Guard (USCG) Federal On-Scene Coordinator (FOSC) requests for pre-spill, emergency, and post-response consultation. **The purpose of this form is to document Service recommendations to help inform the FOSC of measures to reduce response action impacts to protected species and habitats.**

FOSCs (or their designated representative) should complete Section I (Tables A – E) with the best available information accounting for all response actions taken or being considered. FOSCs may work with Service representatives during the emergency consultation process to determine and document the presence and effects to species/habitats and implementation of conservation measures in Section II. In addition to ESA/EFH consultation, when needed/applicable, Section III should be reviewed /completed by the FOSC to inform and evaluate additional needs for compliance with the following authorities: Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA), and Migratory Bird Treaty Act (MBTA).

Enclosure (3) is intended to be submitted blank to the Services by the FOSC, so the Services can both acknowledge the request for consultation as well as begin to consider the FOSC's actions or proposed actions during the emergency response and provide recommendations. This form should be used to document Service recommendations (conservation measures, avoidance and minimization measures, best management practices, etc.) as well as provide updated recommendations as the incident evolves and FOSC actions are adjusted based on operational objectives.

Name of Incident: Click or tap here to enter text.		
Date of Transmittal: <input type="checkbox"/> Initial Response [Date] <input type="checkbox"/> Updated Response [Date]		
FROM: Choose Service	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: FOSC Insert USCG FOSC Unit	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: NOAA Scientific Support Coordinator	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: DOI Regional Environmental Officer	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: Fifth District Response Advisory Team (D5 DRAT)	Name: David Pugh Email: David.E.Pugh1@uscg.mil	T: (757) 398-6376 C: (757) 373-4133
	Name: Elisha Cook Email: Elisha.FS.Cook@uscg.mil	T: (757) 398-7780 C: (757) 630-1430
COPY: EPA On-Scene Coordinator for Region	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.

SECTION I. ESA / EFH RECOMMENDATIONS

This form should be used to document Service recommendations related to ESA / EFH to include conservation measures, avoidance and minimization measures, best management practices, etc. As the incident evolves and FOSC actions are adjusted based on operational objectives, the FOSC should provide updated consultation forms and the Services should be provide updated recommendations respectively.

A. ESA Recommendations

Service recommendations may include information on species and designated Critical Habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

B. EFH Recommendations

Service recommendations may include information on species and designated Critical Habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

SECTION II. OTHER SPECIES RECOMMENDATIONS

This form should be used to document Service recommendations related to Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA), or other authorities. Recommendations may information regarding species present in the response area and/or include conservation measures, avoidance and minimization measures, best management practices, etc. As the incident evolves and FOSC actions are adjusted based on operational objectives, the FOSC should provide updated consultation forms and the Services should be provide updated recommendations respectively.

C. Marine Mammal Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

D. Bald Eagle Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

E. Migratory Bird Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

F. Other Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

7000 Virginia Area Committee Dispersant Worksheet

To be coordinated by the FOSC Staff, Planning Section or RP as appropriate;
 SSC coordinator shall be engaged in preparation of form; and
 The form should be completed to the degree that information is available, reliable and timely.
 Once completed all information shall be briefed to RRT III for final discussion and approval prior to the use of dispersants.

Unified Command

Federal On-Scene Coordinator:
State On-Scene Coordinator:
Responsible Party (RP):

Points of contact

FOSC Representative:
SOSC Representative:
RP Representative:
Planning Section Chief:
NOAA SSC:

Recommendations

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SPILL DATA

Spill name	Date	Time	Oil Type

Location of spill	Lat	Long

General location of area to be treated:

Circle one answer

Pre-Approved area:	Yes	No
--------------------	-----	----

Is the spill threatening a special consideration area?	Yes	No
--	-----	----

Spill Volume	barrels	tones	meters^3	gallons
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Is the source expected to continue to discharge?	Yes	No	Unknown
Rate of discharge:	per minute	per hour	per day

Surface trajectory prediction attached?	Yes	No
Trajectory prediction:		

Dispersion plume prediction attached?	Yes	No
Dispersion plume prediction:		

CHARACTERISTICS OF THE SPILLED OIL (FRESH) (circle one answer)

Susceptibility to mousse formation	High	Medium	Low	None
Susceptibility to naturally disperse	High	Medium	Low	None
Specific gravity	API gravity			
Viscosity	cSt at	degrees F		
Pour point	degrees F			

TRUSTEES/STATES POTENTIALLY IMPACTED BY UN-TREATED OIL

(Circle all entities that are applicable)

Virginia DOD	Maryland	The Nature Conservatory	DGIF	DCR	DOI	USFWS
Others as determined by SSC:						

TRUSTEES/STATES POTENTIALLY IMPACTED BY TREATED OIL

(Circle all entities that are applicable)

Virginia DOD	Maryland	The Nature Conservatory	DGIF	DCR	DOI	USFWS
Others as determined by SSC:						

Are other COTP Zones potentially impacted by un-treated oil?	Yes	No
Are other COTP Zones potentially impacted by treated oil?	Yes	No

WEATHER AND WATER CONSIDERATIONS

Present conditions on scene:					
Air temp:		Wind speed:		Wind direction:	
Forecasted weather (12 hours)					
Air temp:		Wind speed:		Wind direction:	
Tidal and current conditions:					
(FLOODING) average		Direction		Max velocity	
(EBBING) average		Direction		Max velocity	
Tides:					
Date:	High	Low	High	Low	Range
Time:	High	Low	High	Low	Range

Tidal excursion (distance moved in one tidal cycle):
--

Water depth	Water temp			
Circle appropriate category:	Oceanic	Estuarine	River	Freshwater

Other weather considerations:

CHARACTERISTICS OF THE AVAILABLE DISPERSANT AND DISPERSING EQUIPMENT

Name of proposed and/or available dispersant:

NCP National Product Schedule Information

Technical Product Bulletin#			
Revised Listing Date:			
Technical Bulletin Attached:			
Dispersant availability			
Company	Arriving from:	E.T.A. (hrs)	Gallons available
Total gallons available:			

Application equipment availability			
Company	Arriving from:	E.T.A. (hrs)	Equipment available

Area of spill that can be treated with total available dispersants (in percent):

Monitoring

Is SMART monitoring available?	Yes	No
SMART Team (Circle all entities that are applicable)	AST	GST PST Other:
Team Leader:		

HABITAT AND RESOURCE CONSIDERATIONS

Comments:

Geomorphology of Impacted Beaches (for COASTAL applications or “beach cleaners”)

Shoreline type			
Energy of waves (Circle answer)	High	Medium	Low
Substrate type			
Land use			

Vulnerable Resources (Observed or known to be in the treatment impact area)

Endangered/Threatened Species	Yes	No
Name of Lead Observer:		
Name of Resource Reference:		
Resource(s) of Concern		

Was an over flight conducted?	Yes	No
Date:	Time out:	Time in:

Observer or resource reference notes (include over flight information if applicable):			
Critical Species	YES	NO	Reference:
(Marine mammals, sea turtles, potentially impacted terrestrial mammals and birds)			
Description/Notes:			
Recommendations/Restrictions:			

Waterfowl Considerations YES NO Reference:
Description/Notes:
Recommendations/Restrictions:

Marine or Estuarine Facilities YES NO Reference:
Description/Notes:
Recommendations/Restrictions

Shellfish Beds YES NO References:
Recommendations/Restrictions

Industrial/Commercial YES NO Reference:
Description/Notes:
Recommendations/Restrictions

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Cultural/Historic	YES	NO	References:
Recommendations/Restrictions			

Participants in preparing this worksheet			
Name	Title	Org.	Telephone