



Maryland-National Capital Region Area Contingency Plan Annexes

2021.2

Record of Changes

Change Number	Change Description	Section Number	Change Date
1	Renamed “appendices” to “annexes”	All appendices	10JUL2023
2	Moved Appendix 2 – Marine Firefighting Plan into base plan	8000/Appendix 2	10JUL2023
3	Removed irrelevant/unnecessary annexes and renumbered annexes	Annexes 6 and 9	21JUL2023
4	Removed redundancies from list of Cooperating Agencies	Nuclear/Radiological Incident Annex	03AUG2023
5	Replaced Annex 5 with updated RRT3 ESA EFH Section 7 Consultation Guide and Form	Annex 5	19SEP2023

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Annex 1: Biological Incident Annex

Coordinating Agency:
Department of Health and Human Services

Cooperating Agencies:

Department of Agriculture
Department of Commerce
Department of Defense
Department of Energy
Department of Homeland Security
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
Department of Veterans Affairs
U.S. Agency for International Development
Environmental Protection Agency
General Services Administration
U.S. Postal Service
American Red Cross

Introduction

Purpose

- The purpose of the Biological Incident Annex is to outline the actions, roles, and responsibilities associated with response to a disease outbreak of known or unknown origin requiring Federal assistance. Actions described in this annex take place with or without a Presidential Stafford Act declaration or a public health emergency declaration by the Secretary of Health and Human Services (HHS). This annex applies only to potential or actual Incidents of National Significance. This annex outlines biological incident response actions including threat assessment notification procedures, laboratory testing, joint investigative/response procedures, and activities related to recovery.

Scope

- The broad objectives of the Federal Government's response to a biological terrorism event, pandemic influenza, emerging infectious disease, or novel pathogen outbreak are to:
 - Detect the event through disease surveillance and environmental monitoring;
 - Identify and protect the population(s) at risk;
 - Determine the source of the outbreak;
 - Quickly frame the public health and law enforcement implications;

- Control and contain any possible epidemic (including providing guidance to State and local public health authorities);
- Augment and surge public health and medical services;
- Track and defeat any potential resurgence or additional outbreaks; and
- Assess the extent of residual biological contamination and decontaminate as necessary.
- The unique attributes of this response require separate planning considerations that are tailored to specific health concerns and effects of the disease (e.g., terrorism versus natural outbreaks; communicable versus non-communicable, etc.).
- Specific operational guidelines, developed by respective organizations to address the unique aspects of a particular disease or planning consideration, will supplement this annex and are intended as guidance to assist Federal, State, local, and tribal public health and medical planners.

Special Considerations

- Detection of a bioterrorism act against the civilian population may occur in several different ways and involve several different modalities:
 - An attack may be surreptitious, in which case the first evidence of dissemination of an agent may be the presentation of disease in humans or animals. This could manifest either in clinical case reports to domestic or international public health authorities or in unusual patterns of symptoms or encounters within domestic or international health surveillance systems.
 - A terrorist-induced infectious disease outbreak initially may be indistinguishable from a naturally occurring outbreak; moreover, depending upon the particular agent and associated symptoms, several days could pass before public health and medical authorities even suspect that terrorism may be the cause. In such a case, criminal intent may not be apparent until sometime after illnesses are recognized.
 - Environmental surveillance systems, such as the BioWatch system, may detect the presence of a biological agent in the environment and trigger directed environmental sampling and intensified clinical surveillance to rule out or confirm an incident. If a case is confirmed, then these systems may allow for mobilization of a public health, medical, and law enforcement response in advance of the appearance of the first clinical cases or quick response after the first clinical cases are identified.
 - The U.S. Postal Service may detect certain biological agents within the U.S. postal system. Detection of a biological agent in the mail stream triggers specific response protocols outlined in agency-specific standard operating procedures.

Policies

- This annex supports policies and procedures outlined in the ESF #8 – Public Health and Medical Services Annex, the ESF #10 – Oil and Hazardous Materials Response Annex, and the Terrorism Incident Law Enforcement and Investigation Annex.

- HHS serves as the Federal Government's primary agency for the public health and medical preparation and planning for and response to a biological terrorism attack or naturally occurring outbreak that results from either a known or novel pathogen, including an emerging infectious disease.
- State, local, and tribal governments are primarily responsible for detecting and responding to disease outbreaks and implementing measures to minimize the health, social, and economic consequences of such an outbreak.
- If any agency becomes aware of an overt threat involving biological agents or indications that instances of disease may not be the result of natural causes, the Department of Justice must be notified through the Federal Bureau of Investigation (FBI)'s Weapons of Mass Destruction Operations Unit (WMDOU). The FBI, in turn, immediately notifies the Department of Homeland Security (DHS) National Operations Center (NOC) and the National Counterterrorism Center (NCTC). The Laboratory Response Network (LRN) is used to test samples for the presence of biological threat agents. Decisions on where to perform additional tests on samples are made by the FBI, in coordination with HHS. (See the Terrorism Incident Law Enforcement and Investigation Annex for additional information on the FBI's roles and responsibilities.)
- Once notified of a credible threat or natural disease outbreak, HHS convenes a meeting of ESF #8 partners to assess the situation and determine appropriate public health and medical actions. DHS coordinates overall nonmedical support and response actions across all Federal departments and agencies. HHS coordinates overall public health and medical emergency response efforts across all Federal departments and agencies.
- Consistent with ESF #8, DHS closely coordinates the National Disaster Medical System (NDMS) medical response with HHS. The FBI coordinates the investigation of criminal activities if such activities are suspected.
- HHS provides guidance to State and local authorities and collaborates closely with the FBI in the proper handling of any materials that may have evidentiary implications (e.g., LRN samples, etc.) associated with disease outbreaks suspected of being terrorist or criminal in nature.
- Other Federal departments and agencies may be called upon to support HHS during the various stages of a disease outbreak response in the preparation, planning, and/or response processes.
- If there is potential for environmental contamination, HHS collaborates with the Environmental Protection Agency (EPA) in developing sampling strategies and sharing results.
- Given the dynamic nature of a disease outbreak, HHS, in collaboration with other departments and agencies, determines the thresholds for a comprehensive Federal Government public health and medical response. These thresholds are based on specific event information rather than predetermined risk levels.
- Any Federal public announcement, statement, or press release related to a threat or actual bioterrorism event must be coordinated with the DHS Public Affairs Office.

Planning Assumptions

- In a large disease outbreak, Federal, State, local, and tribal officials require a highly coordinated response to public health and medical emergencies. The outbreak also may affect other countries and

therefore involve extensive coordination with the Department of State (DOS).

- Disease transmission can occur via an environmental contact such as atmospheric dispersion, person-to-person contact, animal-to person contact, insect vector-to-person contact, or by way of contaminated food or water.
- A biological incident may be distributed across multiple jurisdictions simultaneously, requiring a nontraditional incident management approach. This approach could require the simultaneous management of multiple “incident sites” from national and regional headquarters locations in coordination with multiple State and local jurisdictions.
- A response to noncontagious public health emergencies may require different planning assumptions or factors. The introduction of biological agents, both natural and deliberate, are often first detected through clinical or hospital presentation. However, there are other methods of detection, including environmental surveillance technologies such as BioWatch and syndromic surveillance.
- No single entity possesses the authority, expertise, and resources to act unilaterally on the many complex issues that may arise in response to a disease outbreak and loss of containment affecting a multi-jurisdictional area. The national response requires close coordination between numerous agencies at all levels of government and with the private sector.
- The Federal Government supports affected State, local, and tribal health jurisdictions as requested or required.
- The response by HHS and other Federal agencies is flexible and adapts as necessary as the outbreak evolves.
- The LRN provides for rapid public health assessment of the potential for human illness associated with exposure and the scope of this kind of risk. The LRN also addresses the need for law enforcement notification necessary to initiate threat assessment for criminal intent, and chain of custody procedures. Early HHS, FBI, and DHS coordination enhances the likelihood of successful preventative and investigative activities necessary to neutralize threats and attribute the source of the outbreak.
- Response to disease outbreaks suspected of being deliberate in origin requires consideration of special law enforcement and homeland security requirements.
- Test results from non-LRN facilities are considered a “first pass” or “screening” test (with the exception of the Legislative Branch, which has a separate lab system that is equivalent to LRN facilities).
- Any agency or organization that identifies an unusual or suspicious test result should contact the FBI to ensure coordination of appropriate testing at an HHS-certified LRN laboratory.
- HHS has identified specific Department of Defense laboratories that meet the standards and requirements for LRN membership.
- All threat and public health assessments are provided to the NOC.

Concept of Operations

Biological Agent Response

- The key elements of an effective biological response include (in non-sequential order):
- Rapid detection of the outbreak;
- Swift agent identification and confirmation;
- Identification of the population at risk;
- Determination of how the agent is transmitted, including an assessment of the efficiency of transmission;
- Determination of susceptibility of the pathogen to treatment;
- Definition of the public health, medical, and mental health implications;
- Control and containment of the epidemic;
- Decontamination of individuals, if necessary;
- Identification of the law enforcement implications/assessment of the threat;
- Augmentation and surging of local health and medical resources;
- Protection of the population through appropriate public health and medical actions;
- Dissemination of information to enlist public support;
- Assessment of environmental contamination and cleanup/decontamination of bioagents that persist in the environment; and
- Tracking and preventing secondary or additional disease outbreak.
- Primary Federal functions include supporting State, local, and tribal public health and medical capacities according to the policies and procedures detailed in the NRF Base Plan and the ESF #8 Annex.

Suspicious Substances

- Since there is no definitive/reliable field test for biological agents, all potential bioterrorism samples are transported to an LRN laboratory, where expert analysis is conducted using established HHS/Centers for Disease Control and Prevention (CDC) protocols/reagents.
- A major component of this process is to establish and maintain the law enforcement chain of custody and arrange for transport.
- The following actions occur if a positive result is obtained by an LRN on an environmental sample submitted by the FBI or other designated law enforcement personnel:

- The LRN immediately notifies the local FBI of the positive test result;
- The FBI Field Office makes local notifications and contacts the FBI Headquarters WMDOU;
- FBI Headquarters convenes an initial conference call with the local FBI and HHS to review the results, assess the preliminary information and test results, and arrange for additional testing;
- FBI Headquarters immediately notifies DHS of the situation;
- Original samples may be sent to HHS/CDC for confirmation of LRN analyses;
- HHS provides guidance on protective measures such as prophylactic treatment and continued facility operation; and
- HHS and cooperating agencies support the determination of the contaminated area, decisions on whether to shelter in place or evacuate, and decontamination of people, facilities, and outdoor areas.

Outbreak Detection

Determination of a Disease Outbreak

- The initial indication of a major disease outbreak intentional or naturally occurring, may be the recognition by public health and medical authorities that a significantly increased number of people are becoming ill and presenting to local healthcare providers. Therefore, the most critical Decision-making support requires surveillance information, identification of the causative biological agent, a determination of whether the observations are related to a naturally occurring outbreak, and the identification of the population(s) at risk.

Laboratory Confirmation

- During the evaluation of a suspected disease outbreak, laboratory samples are distributed to appropriate laboratories.
- During a suspected terrorist incident, sample information is provided to the FBI for investigative use and to public health and emergency response authorities for epidemiological use and agent characterization to facilitate and ensure timely public health and medical interventions. If the incident begins as an epidemic of unknown origin detected through Federal, State, local, or tribal health surveillance systems or networks, laboratory analysis is initiated through the routine public health laboratory network. Identification (Analysis and Confirmation).
- The samples collected and the analyses conducted must be sufficient to characterize the cause of the outbreak.
- LRN laboratories fulfill the Federal responsibility for rapid analysis of biological agents.
- In a suspected terrorist incident, sample collection activities and testing are coordinated with FBI and LRN member(s).

Notification

- Any disease outbreak suspected or identified by an agency within HHS or through another Federal public health partner is brought to the immediate attention of the HHS Assistant Secretary for Public Health Emergency Preparedness as detailed in the ESF #8 Annex or internal HHS policy documents, in addition to the notification requirements contained in the NRF Base Plan.
- Following these initial notifications, the procedures detailed in the ESF #8 Annex are followed.
- Instances of disease that raise the “index of suspicion” of terrorist or criminal involvement, as determined by HHS, are reported to FBI Headquarters. In these instances, FBI Headquarters, in conjunction with HHS, examines available law enforcement and intelligence information, as well as the technical characteristics and epidemiology of the disease, to determine if there is a possibility of criminal intent.
- If the FBI, in conjunction with HHS, determines that the information represents a potential credible terrorist threat, the FBI communicates the situation immediately to the NOC, which notifies the White House, as appropriate. If warranted, the FBI, HHS, and State, local, and tribal health officials conduct a joint law enforcement and epidemiological investigation to determine the cause of the disease outbreak, the extent of the threat to public health and public safety, and the individual(s) responsible.

Activation

- Once notified of a threat or disease outbreak that requires or potentially requires significant Federal public health and/or medical assistance, HHS convenes a meeting of the ESF #8 organizations and HHS Operating Divisions (e.g., CDC, the Food and Drug Administration, etc.) to assess the situation and determine the appropriate public health and medical actions.
- DHS coordinates all nonmedical support, discussions, and response actions. The immediate task following any notification is to identify the population affected and at risk and the geographic scope of the incident. The initial public health and medical response includes some or all of the following actions:
 - Targeted epidemiological investigation (e.g., contact tracing);
 - Intensified surveillance within healthcare settings for patients with certain clinical signs and symptoms;
 - Intensified collection and review of potentially related information (e.g., contacts with nurse call lines, laboratory test orders, school absences, and over-the-counter pharmacy sales); and
 - Organization of Federal public health and medical response assets (in conjunction with State, local, and tribal officials) to include personnel, medical supplies, and materiel (e.g., the Strategic National Stockpile (SNS)).

Actions Controlling the Epidemic

- The following steps are required to contain and control an epidemic affecting large populations:
- HHS assists State, local, and tribal public health and medical authorities with epidemic surveillance and coordination.

- HHS assesses the need for increased surveillance in States or localities not initially involved in the outbreak and notifies the appropriate State and local public health officials with surveillance recommendations should increase surveillance in these localities be needed.
- DHS coordinates with HHS and State, local, and tribal officials on the messages released to the public to ensure that communications are consistent and accurate. Messages should address anxieties, alleviate any unwarranted concerns or distress, and enlist cooperation with necessary control measures. Public health and medical messages to the public should be communicated by a recognized health authority (e.g., the Surgeon General). (See the Public Affairs Support Annex.)
- If the outbreak first arises within the United States, HHS, in coordination with DOS, immediately notifies and coordinates with appropriate international health agencies such as the World Health Organization (WHO) and Pan American Health Organization as necessary. Given the nature of many disease outbreaks, this notification and coordination may have occurred earlier in the process according to internal operating procedures. HHS advises the NOC when notifications are made to international health agencies.
- The public health system, starting at the local level, is required to initiate appropriate protective and responsive measures for the affected population, including first responders and other workers engaged in incident-related activities. These measures include mass vaccination or prophylaxis for populations at risk and populations not already exposed, but who are at risk of exposure from secondary transmission or the environment. An overarching goal is to develop, as early as possible in the management of a biological incident, a dynamic, prioritized list of treatment recommendations based on epidemiologic risk assessment and the biology of the disease/ microorganism in question, linked to the deployment of the SNS and communicated to the general public.
- HHS evaluates the incident with its partner organizations and makes recommendations to the appropriate public health and medical authorities regarding the need for quarantine, shelter-in-place, or isolation to prevent the spread of disease. HHS coordinates closely with DHS regarding recommendations for medical needs that are met by NDMS and the U.S. Public Health Service Commissioned Corps.
- The Governor of an affected State implements isolation and/or social-distancing requirements using State/local legal authorities. In order to prevent the interstate spread of disease, HHS may take appropriate Federal actions using the authorities granted by U.S.C. title 42, 42 CFR parts 70 and 71, and 21 CFR 1240. State, local, and tribal assistance with the implementation and enforcement of isolation and/or quarantine actions is utilized if Federal authorities are invoked.
- Where the source of the epidemic has been identified as originating outside the United States, whether the result of terrorism or a natural outbreak, HHS works in a coordinated effort with DHS/Border and Transportation Security/Customs and Border Protection (DHS/BTS/CBP) to identify and isolate persons, cargo, mail, or conveyances entering the United States that may be contaminated. HHS provides information and training, as appropriate, to DHS/BTS/CBP personnel on identifying the biological hazard and employing “first responder” isolation protocols.
- The scope of the outbreak may require mass isolation or quarantine of affected or potentially affected persons. Depending on the type of event, food, animals, and other agricultural products may need to be quarantined to prevent further spread of disease. In this instance HHS and, as appropriate, the Department of Agriculture work with State, local, and tribal health and legal authorities to

recommend the most feasible, effective, and legally enforceable methods of isolation and quarantine. Decontamination For certain types of biological incidents (e.g., anthrax), it may be necessary to assess the extent of contamination and decontaminate victims, responders, animals, equipment, buildings, critical infrastructure (e.g., subways, water utilities), and large outdoor areas. Such decontamination and related activities take place consistent with the roles and responsibilities, resources and capabilities, and procedures contained in the ESF #8 and ESF #10 Annexes, the Terrorism Incident Law Enforcement and Investigation Annex, and the Catastrophic Incident Annex. (Note: Currently no decontamination chemicals are registered (under the Federal Insecticide, Fungicide, and Rodenticide Act) for use on biological agents, and responders must request an emergency exemption from the EPA before chemicals can be used for biological decontamination.)

Special Issues

International Notification

- A biological incident may involve internationally prescribed reportable diseases. In addition to case reporting, epidemics of disease with global public health significance must also be reported to international public health authorities. Once a positive determination is made of an epidemic involving a contagious biological agent, HHS notifies DOS and DHS. HHS, in coordination with DOS, notifies the WHO and other international health agencies as appropriate.

Allocation and Rationing

- If critical resources for protecting human life are insufficient to meet all domestic needs, the Secretary of HHS makes recommendations to the Secretary of Homeland Security regarding the allocation of scarce Federal public health and medical resources.

Responsibilities

The procedures in this annex are built on the core coordinating structures of the NRF. The specific responsibilities of each department and agency are described in the respective ESFs and Incident Annexes.

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Annex 2: Catastrophic Incident Annex

Coordinating Agency:
Department of Homeland Security

Cooperating Agencies:
All Federal departments and agencies (and other organizations) with assigned primary or supporting Emergency Support Function (ESF) responsibilities.

Introduction

Purpose

- The Catastrophic Incident Annex to the National Response Framework (NRF-CIA) establishes the context and overarching strategy for implementing and coordinating an accelerated, proactive national response to a catastrophic incident. A more detailed and operationally specific NRF Catastrophic Incident Supplement (NRF-CIS) that is designated “For Official Use Only” will be approved and published independently of the NRF Base Plan and annexes.

Scope

- A catastrophic incident, as defined by the NRF, is any natural or manmade incident, including terrorism that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions. A catastrophic incident could result in sustained national impacts over a prolonged period of time, almost immediately exceeds resources normally available to State, local, tribal, and private-sector authorities in the impacted area; and significantly interrupts governmental operations and emergency services to such an extent that national security could be threatened.
- All catastrophic incidents are Incidents of National Significance.
- These factors drive the urgency for coordinated national planning to ensure accelerated Federal/national assistance.
- Recognizing that Federal and/or national resources are required to augment overwhelmed State, local, and tribal response efforts, the NRFCIA establishes protocols to preidentify and rapidly deploy key essential resources (e.g., medical teams, urban search and rescue teams, transportable shelters, medical and equipment caches, etc.) that are expected to be urgently needed/required to save lives and contain incidents.
- Accordingly, upon designation by the Secretary of Homeland Security of a catastrophic incident, Federal resources—organized into incident specific “packages”—deploy in accordance with the NRF-CIS and in coordination with the affected State and incident command structure. Policies
- The NRF-CIA strategy is consistent with NRF and National Incident Management System protocols and Incident Command System conventions.
- Only the Secretary of Homeland Security or designee may initiate implementation of the NRF-CIA.

- All deploying Federal resources remain under the control of their respective Federal department or agency during mobilization and deployment. Federal resources arriving at a Federal mobilization center or staging area remain there until requested by State/local incident command authorities, when they are integrated into the incident response effort.
- Federal assets unilaterally deployed in accordance with the NRF-CIS do not require a State cost-share. However, in accordance with the Stafford Act, State requests for use of deployed Federal assets may require cost sharing.
- Unless it can be credibly established that a mobilizing Federal resource identified in the NRF-CIS is not needed at the catastrophic incident venue, that resource deploys.
- The occurrence or threat of multiple catastrophic incidents may significantly reduce the size, speed, and depth of the Federal response. If deemed necessary or prudent, the Federal Government may reduce the availability or allocation of finite resources when multiple venues are competing for the same resources, or hold certain resources in reserve in case of additional incidents.

Situation

- Incident Condition: Normal procedures for certain ESFs may be expedited or streamlined to address the magnitude of urgent requirements of the incident. All ESFs must explore economies of scale to maximize utilization and efficiency of scarce resources. In the case of catastrophic incident, it is expected that the Federal Government or other national entities provide expedited assistance in one or more of the following areas:
- Mass Care, Housing, and Human Services (ESF #6): The ability to provide temporary shelter, food, emergency first aid, clothing, and other essential life support to people may be complicated by contaminated resources or facilities.
- Urban Search and Rescue (ESF #9): Resources and personnel to perform operational activities (e.g., locating, extricating, and providing onsite medical treatment to victims trapped in collapsed structures) are limited. If search and rescue operations are required in areas of contamination, the limited availability of properly equipped resources supports or underscores the need for prompt Federal response.
- Decontamination (ESFs #8 and #10): Incidents involving a weapon of mass destruction (WMD) may require decontamination of casualties, evacuees, animals, equipment, buildings, critical infrastructure, and other areas. Given the potentially large numbers of casualties and evacuees, resulting decontamination requirements may quickly outstrip local and State capabilities.
- Public Health and Medical Support (ESF #8): There is a significant need for public health and medical support, including mental health services. Medical support is required not only at medical facilities, but at casualty evacuation points, evacuee and refugee points and shelters, and at other locations to support field operations. In addition, any contamination requirement increases the requirement for technical assistance.
- Medical Equipment and Supplies (ESF #8): Shortages of available supplies of preventive and therapeutic pharmaceuticals and qualified medical personnel to administer available prophylaxis are

likely. Timely distribution of prophylaxis may forestall additional illnesses, and reduce the impact of disease among those already exposed.

- Casualty and Fatality Management and Transportation (ESF #8): Federal resources may be required to manage the transportation and storage of deceased, injured, and exposed victims if their numbers are extremely high. In addition, the immense numbers of casualties are likely to overwhelm the bed capacities of local and State medical facilities.
- Public Information (ESF #15): When State and local public communications channels are overwhelmed during a catastrophic incident, the Federal Government must immediately provide resources to assist in delivering clear and coherent public information guidance and consistent messages to the affected areas.

Planning Assumptions

- A catastrophic incident results in large numbers of casualties and/or displaced persons, possibly in the tens of thousands.
- The Secretary of Homeland Security designates the event an Incident of National Significance and directs implementation of the NRF-CIA.
- A catastrophic mass casualty/mass evacuation incident triggers a Presidential disaster declaration, immediately or otherwise.
- The nature and scope of the catastrophic incident may include chemical, biological, radiological, nuclear or high-yield explosive attacks, disease epidemics, and major natural or manmade hazards.
- Multiple incidents may occur simultaneously or sequentially in contiguous and/or noncontiguous areas. Some incidents, such as a biological WMD attack, may be dispersed over a large geographic area, and lack a defined incident site.
- A catastrophic incident may occur with little or no warning. Some incidents, such as rapid disease outbreaks, may be well underway before detection.
- The incident may cause significant disruption of the area's critical infrastructure, such as energy, transportation, telecommunications, and public health and medical systems.
- The response capabilities and resources of the local jurisdiction (to include mutual aid from surrounding jurisdictions and response support from the State) may be insufficient and quickly overwhelmed. Local emergency personnel who normally respond to incidents may be among those affected and unable to perform their duties.
- A detailed and credible common operating picture may not be achievable for 24 to 48 hours (or longer) after the incident. As a result, response activities must begin without the benefit of a detailed or complete situation and critical needs assessment.
- Federal support must be provided in a timely manner to save lives, prevent human suffering, and mitigate severe damage. This may require mobilizing and deploying assets before they are requested via normal NRF protocols.

- Large-scale evacuations, organized or self-directed, may occur. More people initially are likely to flee and seek shelter for attacks involving chemical, biological, radiological, or nuclear agents than for natural events. The health-related implications of an incident aggravate attempts to implement a coordinated evacuation management strategy.
- Large numbers of people may be left temporarily or permanently homeless and may require prolonged temporary housing.
- A catastrophic incident may produce environmental impacts (e.g., persistent chemical, biological, or radiological contamination) that severely challenge the ability and capacity of governments and communities to achieve a timely recovery.
- A catastrophic incident has unique dimensions / characteristics requiring that response plans/strategies be flexible enough to effectively address emerging needs and requirements.
- A catastrophic incident may have significant international dimensions. These include potential impacts on the health and welfare of border community populations, cross-border trade, transit, law enforcement coordination, and other areas.
- If the incident is the result of terrorism, the Homeland Security Advisory System (HSAS) level likely may be raised regionally, and perhaps nationally. Elevation of the HSAS level carries additional local, State, and Federal security enhancements that may affect the availability of certain response resources.

Concept of Operations

- Local and State Response: Local and State response operations and responsibilities are covered in the NRF and the NRF-CIS. This annex addresses the proactive Federal response to be taken in anticipation of or following a catastrophic incident to rapidly provide critical resources to assist and augment State, local, and tribal response efforts.

Federal Response

- In accordance with NRF provisions for proactive Federal response to catastrophic incidents, the NRF-CIA employs an expedited approach to the provision of Federal resources to save lives and contain the incident.
- Guiding principles for a proactive Federal catastrophic incident response include the following:
- The primary mission is to save lives, protect property and critical infrastructure, contain the event, and protect the national security;
- Standard procedures outlined in the NRF regarding requests for assistance may be expedited or, under extreme circumstances, temporarily suspended in the immediate aftermath of an incident of catastrophic magnitude, pursuant to existing law;
- Pre-identified Federal response resources are mobilized and deployed, and if required, begin emergency operations to commence life-safety activities; and

- Notification and full coordination with States occur, but the coordination process should not delay or impede the rapid mobilization and deployment of critical Federal resources.
- Upon recognition that a catastrophic incident condition (e.g., involving mass casualties and/or mass evacuation) exists, the Secretary of Homeland Security immediately designates the event an Incident of National Significance and begins, potentially in advance of a formal Presidential disaster declaration, implementation of the NRF-CIA.
- Upon notification from the Homeland Security Operations Center (NOC) that the NRF-CIA has been implemented, Federal departments and agencies:
- Take immediate actions to activate, mobilize, and deploy incident-specific resources in accordance with the NRF-CIS;
- Take immediate actions to protect life, property, and critical infrastructure under their jurisdiction, and provide assistance within the affected area;
- Immediately commence those hazard specific activities established under the appropriate and applicable NRF Incident Annex(es), including the NRF-CIA; and
- Immediately commence functional activities and responsibilities established under the NRF ESF Annexes.
- NRF-CIA actions that the Federal Government takes in response to a catastrophic incident include:
- All Federal departments and agencies and the American Red Cross initiate actions to mobilize and deploy resources as planned for in the NRF-CIS;
- All Federal departments, agencies, and organizations (e.g., the American Red Cross) assigned primary or supporting ESF responsibilities immediately begin implementation of those responsibilities, as appropriate or when directed by the President;
- Incident-specific resources and capabilities (e.g., medical teams, search and rescue teams, equipment, transportable shelters, preventive and therapeutic pharmaceutical caches, etc.) are activated and prepare for deployment to a Federal mobilization center or staging area near the incident site. The development of site-specific catastrophic incident response strategies (as detailed in the NRF-CIS) that include the pre-identification of incident-specific critical resource requirements and corresponding deployment/employment strategies accelerate the timely provision of critically skilled resources and capabilities;
- Regional Federal facilities (e.g., hospitals) are activated and prepared to receive and treat casualties from the incident area. Federal facilities are directed to reprioritize services (in some cases reducing or postponing certain customary services) until life-saving activities are concluded. The development of site-specific catastrophic incident response plans that include the pre-identification of projected casualty and mass care support requirements and potentially available facilities expands the response architecture and accelerates the availability of such resources;
- Supplementary support agreements with the private sector are activated; and

- Given the projected high demand for Federal augmentation support, as well as the potential national security implications of a catastrophic incident, Federal departments and agencies may be asked to redirect efforts from their day-to-day responsibilities to support the response effort.

Responsibilities

- This section summarizes Federal department and agency responsibilities under the NRF-CIA. For a complete listing of Federal department and agency responsibilities under the NRF-CIA, refer to the NRF-CIS, which is designated For Official Use Only and maintained as a separate document. For additional Federal department and agency responsibilities, refer to the individual ESF Annexes and hazard-specific Incident Annexes in the NRF.

Coordinating Agency: Department of Homeland Security (DHS)

- Establish that a catastrophic incident has occurred and implement the NRF-CIA.
- Notify all Federal departments and agencies to implement the NRF-CIA and the NRF-CIS.
- Upon implementation of the NRF-CIA:
- Activate and deploy (or prepare to deploy) DHS-managed teams, equipment caches, and other resources in accordance with the NRF-CIS;
- Identify, prepare, and operationalize facilities critical to supporting the movement and reception of deploying Federal resources;
- Activate national-level facilities and capabilities in accordance with the NRF-CIS and standard NRF protocols;
- Establish and maintain communications with incident command authorities to ensure a common and current operating picture regarding critical resource requirements. As specific resource requirements are identified, advise the Department of Transportation to reprioritize and adjust accordingly the schedule of execution for resource flow in the NRF-CIS; and
- Make every attempt to establish contact with the impacted State(s) to coordinate the employment of Federal resources in support of the State.

Cooperating Agencies

- When notified by the NOC that the Secretary of Homeland Security has implemented the NRF-CIA, Federal departments and agencies (and the American Red Cross):
- Activate and deploy (or prepare to deploy) agency- or ESF-managed teams, equipment caches, and other resources in accordance with the NRF-CIS;
- Commence ESF responsibilities as appropriate;

- Commence assessments of the probable consequences of the incident and projected resource requirements; and
- Commence development of shorter and longer-term response and recovery strategies.
- The NRF-CIS provides a list of the specific actions that are initiated upon activation of the NRF-CIA.
- The following Federal departments and agencies and other organizations are assigned specific responsibilities as cooperating agencies:
 - Department of Agriculture
 - Department of Defense
 - Department of Energy
 - Department of Health and Human Services
 - Department of Homeland Security
 - Department of Transportation
 - Department of Veterans Affairs
 - Environmental Protection Agency
 - American Red Cross
- Departments and agencies assigned primary responsibility for one or more functional response areas under the NRF-CIS appendixes are identified below.
 - Mass Care: American Red Cross
 - Search and Rescue: Department of Homeland Security
 - Decontamination: Department of Homeland Security, Environmental Protection Agency, and Department of Health and Human Services
 - Public Health and Medical Support: Department of Health and Human Services
 - Medical Equipment and Supplies: Department of Health and Human Services
 - Patient Movement: Department of Health and Human Services and Department of Defense
 - Mass Fatality: Department of Health and Human Services
 - Housing: Department of Homeland Security
 - Public and Incident Communications: Department of Homeland Security
 - Transportation: Department of Transportation
 - Private-Sector Support: Department of Homeland Security
 - Logistics: Department of Homeland Security

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Annex 3: Nuclear/Radiological Incident Annex

Coordinating Agencies:

Department of Defense
Department of Energy
Department of Homeland Security
Environmental Protection Agency
National Aeronautics and Space Administration
Nuclear Regulatory Commission

Cooperating Agencies:

Department of Agriculture
Department of Commerce
Department of Health and Human Services
Department of Housing and Urban Development
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
Department of Veterans Affairs
General Services Administration
American Red Cross

Introduction

Purpose

- The Nuclear/Radiological Incident Annex provides an organized and integrated capability for a timely, coordinated response by Federal agencies to terrorist incidents involving nuclear or radioactive materials (Incidents of National Significance), and accidents or incidents involving such material that may or may not rise to the level of an Incident of National Significance. The Department of Homeland Security (DHS) is responsible for overall coordination of all actual and potential Incidents of National Significance, including terrorist incidents involving nuclear materials. This annex describes how the coordinating agencies and cooperating agencies support DHS's overall coordination of the response to a nuclear/ radiological Incident of National Significance. In addition, this annex describes how the coordinating agencies lead the response to incidents of lesser severity.¹
- The actions described in this annex may be implemented:
 - (1) Concurrently with, and as an integral part of, the National Response Framework (NRF) for all nuclear/radiological incidents or accidents considered to be Incidents of National Significance; or

- (2) Independently for all other nuclear/ radiological accidents or incidents considered to be below the threshold of an Incident of National Significance and, therefore, not requiring overall Federal coordination by DHS.

Notes:

¹ Nuclear/radiological incidents of “lesser severity” are considered below the threshold of an Incident of National Significance, as determined by DHS, and vary from lost radiography sources or discovery of orphan radiological sources to incidents / emergencies at nuclear power plants below the classification of General Emergency, as defined by the cognizant regulatory agency (e.g., Department of Energy (DOE) or Nuclear Regulatory Commission (NRC))

Scope

- This annex applies to nuclear/radiological incidents, including sabotage and terrorist incidents, involving the release or potential release of radioactive material that poses an actual or perceived hazard to public health, safety, national security, and/or the environment. This includes terrorist use of radiological dispersal devices (RDDs) or improvised nuclear devices (INDs) as well as reactor plant accidents (commercial or weapons production facilities), lost radioactive material sources, transportation accidents involving nuclear/ radioactive material, and foreign accidents involving nuclear or radioactive material.
- The level of Federal response to a specific incident is based on numerous factors, including the ability of State, local, and tribal officials to respond to:
 - The type and/or amount of radioactive material involved;
 - The extent of the impact or potential impact on the public and environment; and
 - The size of the affected area.
- In situations where threat analysis includes indications that a terrorist incident involving radiological materials could occur, actions are coordinated in accordance with the pre-incident prevention protocols set forth in the NRF Base Plan.
- This annex:
 - Provides planning guidance and outlines operational concepts for the Federal response to any nuclear/radiological incident, including a terrorist incident, that has actual, potential, or perceived radiological consequences within the United States or its territories, possessions, or territorial waters, and that requires a response by the Federal Government. This includes both Incidents of National Significance and incidents of lesser severity;
 - Acknowledges the unique nature of a variety of nuclear/radiological incidents and the responsibilities of Federal, State, local, and tribal governments to respond to them;
 - Describes Federal policies and planning considerations on which this annex and Federal agency-specific nuclear / radiological response plans are based;
 - Specifies the roles and responsibilities of Federal agencies for preventing, preparing for, responding to, and recovering from nuclear/radiological incidents;

- Includes guidelines for notification, coordination, and leadership of Federal activities, and coordination of public information, congressional relations, and international activities; and\
- Provides protocols for coordinating Federal Government capabilities to respond to radiological incidents. These capabilities include, but are not limited to:
 - The Interagency Modeling and Atmospheric Assessment Center (IMAAC), which is responsible for production, coordination, and dissemination of consequence predictions for an airborne hazardous material release;
 - The Federal Radiological Monitoring and Assessment Center (FRMAC), established at or near the scene of an incident to coordinate radiological assessment and monitoring; and
 - The Advisory Team for Environment, Food, and Health (known as “the Advisory Team”), which provides expert recommendations on protective action guidance. More information on these capabilities is included in subsequent sections of this annex. Policies
- DHS coordinates the overall Federal Government response to radiological Incidents of National Significance in accordance with Homeland Security Presidential Directive-5 and the NRF. In the NRF Base Plan, Figure 4, Structure for NRF Coordination: Terrorist Incident, illustrates the organizational framework that DHS utilizes to respond to terrorist incidents. In the NRF Base Plan, Figure 5, Structure for NRF Coordination: Federal-to- Federal Support, illustrates the organizational framework that DHS utilizes to respond to non-terrorist Incidents of National Significance.
- The NRF supersedes the Federal Radiological Emergency Response Plan, dated May 1, 1996.
- The concept of operations described in this annex recognizes and addresses the unique challenges associated with and the need for specialized technical expertise/actions when responding to RDD/IND incidents with potentially catastrophic consequences.
- Coordinating agencies and cooperating agencies support DHS, as the overall incident manager for Incidents of National Significance. Coordinating agencies have specific nuclear/radiological technical expertise and assets for responding to the unique characteristics of these types of incidents. Coordinating agencies facilitate the nuclear/ radiological aspects of the response in support of DHS. For any given incident, the coordinating agency is the Federal agency that owns, has custody of, authorizes, regulates, or is otherwise designated responsibility for the nuclear/ radioactive material, facility, or activity involved in the incident. The coordinating agency is represented in the Joint Field Office (JFO) Coordination Group, the Incident Advisory Council (IAC), and the Homeland Security Operations Center (NOC). The coordinating agency is also represented in other response centers and entities, as appropriate for the specific incident.
- Coordinating agencies are also responsible for leading the Federal response to nuclear/ radiological incidents of lesser severity (those incidents that do not reach the level of an Incident of National Significance).
- Coordinating agencies may use the structure of the NRF to carry out their response duties, or any other structure consistent with the National Incident Management System (NIMS) capable of providing the required support to the affected State, local, or tribal government.

- Cooperating agencies include other Federal agencies that provide technical and resource support to DHS and the coordinating agencies. These agencies are represented in the IAC, the NOC, and other response centers and entities, as appropriate for the specific incident. They may or may not be represented in the JFO Coordination Group.
- DHS/Emergency Preparedness and Response/Federal Emergency Management Agency (DHS/EPR/FEMA) is responsible for maintaining and updating this annex. DHS/EPR/FEMA accomplishes this responsibility through the Federal Radiological Preparedness Coordinating Committee (FRPCC).
- The Attorney General, generally acting through the Federal Bureau of Investigation (FBI), has lead responsibility for criminal investigations of terrorist acts or terrorist threats and for coordinating activities of other members of the law enforcement community to detect, prevent, preempt, investigate, and disrupt terrorist attacks against the United States, including incidents involving nuclear/radioactive materials, in accordance with the following:
- The Atomic Energy Act directs the FBI to investigate all alleged or suspected criminal violations of the act. Additionally, the FBI legally is responsible for locating any illegally diverted nuclear weapon, device, or material and for restoring nuclear facilities to their rightful custodians. In view of its unique responsibilities under the Atomic Energy Act (amended by the Energy Reorganization Act), the FBI has concluded formal agreements with the coordinating agencies that provide for interface, coordination, and technical support for the FBI's law enforcement and criminal investigative efforts.
- Generally, for nuclear facilities and materials in transit, the designated coordinating agency and cooperating agencies perform the functions delineated in this annex and provide technical support and assistance to the FBI in the performance of its law enforcement and criminal investigative mission. Those agencies supporting the FBI additionally coordinate and manage the technical portion of the response and activate/request assistance under this annex for measures to protect the public health and safety. In all cases, the FBI manages and directs the law enforcement and intelligence aspects of the response, while coordinating its activities with appropriate Federal, State, local, and tribal governments within the framework of this annex, and/or as provided for in established interagency agreements or plans. Further details regarding the FBI response are outlined in the Terrorism Incident Law Enforcement and Investigation Annex.
- All Federal nuclear/radiological assistance capabilities outlined in this annex are available to support the Federal response to a terrorist threat, whether or not the threat develops into an actual incident.
- When the concept of operations in this annex is implemented, existing interagency plans that address nuclear/radiological incident management are incorporated as supporting plans and/or operational supplements (e.g., the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)).
- This annex does not create any new authorities nor change any existing ones.
- Nothing in this annex alters or impedes the ability of Federal departments and agencies to carry out their specific authorities and perform their responsibilities under law.

- Some Federal agencies are authorized to respond directly to certain incidents affecting public health and safety. In these cases, procedures outlined in this annex may be used to coordinate the delivery of Federal resources to State, local, and tribal governments, and to coordinate assistance among Federal agencies for incidents that can be managed without the need for DHS coordination (i.e., incidents below the threshold of an Incident of National Significance).
- The owner/operator of a nuclear/radiological facility primarily is responsible for mitigating the consequences of an incident, providing notification and appropriate protective action recommendations to State, local, and/or tribal government officials, and minimizing the radiological hazard to the public. The owner/operator has primary responsibility for actions within the facility boundary and may also have responsibilities for response and recovery activities outside the facility boundary under applicable legal obligations (e.g., contractual, licensee, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)).
- State, local, and tribal governments primarily are responsible for determining and implementing measures to protect life, property, and the environment in those areas outside the facility boundary or incident location. This does not, however, relieve nuclear/radiological facility or material owners/operators from any applicable legal obligations.
- State, local, and tribal governments and owners/operators of nuclear/radiological facilities or activities may request assistance directly from DHS, other Federal agencies, and/or State governments with which they have preexisting arrangements or relationships.
- Response to nuclear/radiological incidents affecting land owned by the Federal Government is coordinated with the agency responsible for managing that land to ensure that incident management activities are consistent with Federal statutes governing use and occupancy. In the case of tribal lands, tribal governments have a special relationship with the U.S. Government, and Federal, State, and local governments may have limited or no authority on specific tribal reservations. Further guidance is provided in the Tribal Relations Support Annex.
- Participating Federal agencies may take appropriate independent emergency actions within the limits of their own statutory authority to protect the public, mitigate immediate hazards, and gather information concerning the emergency to avoid delay.
- Departments and agencies are not reimbursed for activities conducted under their own authorities unless other agreements or reimbursement mechanisms exist (e.g., Stafford Act, Federal-to-Federal assistance). Coordination centers and agency teams provide their own logistical support consistent with agreed upon interagency execution plans. State, local, and tribal governments are encouraged to coordinate their efforts with the Federal effort, but maintain their own logistical support, consistent with applicable authorities and requirements.
- For radiological incidents involving a nuclear weapon, special nuclear material, and/or classified components, the agency with custody of the material (the Department of Defense (DOD), the Department of Energy (DOE), or the National Aeronautics and Space Administration (NASA)) may establish a National Defense Area (NDA) or National Security Area (NSA). NDAs and NSAs are established to safeguard classified information and/or restricted data, or equipment and material, and place non-Federal lands under Federal control for the duration of the incident. In the event radioactive contamination occurs, Federal officials coordinate with State and local officials

to ensure appropriate public health and safety actions are taken outside the NDA or NSA.
Planning Assumptions

- Radiological incidents may not be immediately recognized as such until the radioactive material is detected or the effects of radiation exposure are manifested in the population.
- An act of radiological terrorism, particularly an act directed against a large population center within the United States, will have major consequences that can overwhelm the capabilities of many local, State, and/or tribal governments to respond and may seriously challenge existing Federal response capabilities.
- A radiological incident may include chemical or biological contaminants, which may require concurrent implementation of the NCP or other Federal plans and procedures.
- An incident involving the potential release of radioactivity may require implementation of protective measures.
- An expeditious Federal response is required to mitigate the consequences of the nuclear/radiological incident. Radiological Incidents of National Significance that result in significant impacts likely will trigger implementation of the NRF Catastrophic Incident Annex and Catastrophic Incident Supplement.
- The Federal Government response to radiological terrorist threats/incidents also includes the following assumptions:
 - If appropriate personal protective equipment and capabilities are not available and the area is contaminated by radioactive material, response actions in a contaminated area may be delayed until the material has dissipated to a safe level for emergency response personnel or until appropriate personal protective equipment and capabilities arrive, whichever is sooner;
 - The response to a radiological threat or actual incident requires an integrated Federal Government response;
 - In the case of a radiological terrorist attack, the effect may be temporarily and geographically dispersed, requiring response operations to be conducted over a multijurisdictional, multistate region; and
 - A radiological terrorist incident may affect a single location, or multiple locations, each of which may require an incident response and a crime scene investigation simultaneously.

Concept of Operations

General

- This concept of operations is applicable to potential and actual radiological Incidents of National Significance requiring DHS coordination and other radiological incidents of lesser severity, utilizing the protocols delineated in this annex. For other radiological incidents of lesser severity, other Federal response plans (i.e., the NCP and/or agency specific radiological incident response plans) may also be utilized, as appropriate. Hazard-Specific Planning and Preparedness Headquarters

- The Federal Radiological Policy Coordinating Committee (FRPCC) provides a national-level forum for the development and coordination of radiological prevention and preparedness policies and procedures. It also provides policy guidance for Federal radiological incident management activities in support of State, local and tribal government radiological emergency planning and preparedness activities. The FRPCC is an interagency body consisting of the coordinating and cooperating agencies discussed in this annex, chaired by DHS/EPR/FEMA. The FRPCC establishes subcommittees, as necessary.
- The FRPCC also coordinates research-study efforts of its member agencies related to State, local and tribal government radiological emergency preparedness to ensure minimum duplication and maximum benefits to State and local governments. The FRPCC coordinates planning and validating requirements of each agency, reviewing integration requirements and incorporating agency-specific plans, procedures, and equipment into the response system.

Regional:

- Regional Assistance Committees (RACs) in the DHS/EPR/FEMA regions serve as the primary coordinating structure at the Federal regional level. RAC membership mirrors that of the FRPCC, and RACs are chaired by a DHS/EPR/FEMA regional representative. Additionally, State emergency management agencies send representatives to RAC meetings and participate in regional exercise and training activities. The RACs provide a forum for information sharing, consultation, and coordination of Federal regional awareness, prevention, preparedness, response, and recovery activities. The RACs also assist in providing technical assistance to State and local governments and evaluating radiological plans and exercises. Coordinating Agencies and Cooperating Agencies During a response to an Incident of National Significance, coordinating agencies and cooperating agencies provide technical expertise, specialized equipment, and personnel in support of DHS, which is responsible for overall coordination of incident management activities. Coordinating agencies have primary responsibilities for Federal activities related to the nuclear/radiological aspects of the incident. The coordinating agency is that Federal agency which owns, has custody of, authorizes, regulates, or is otherwise deemed responsible for the radiological facility or activity involved in the incident. The following paragraphs identify the coordinating agency for a variety of radiological incidents. For example, the Nuclear Regulatory Commission (NRC) is the coordinating agency for incidents involving nuclear facilities licensed by the NRC;
- DOE is the coordinating agency for incidents involving the transportation of radioactive materials shipped by or for DOE. Table 1 identifies the coordinating agency for a variety of radiological incidents. Radiological Terrorism Incidents:
 - The coordinating agency provides technical support to DHS, which has overall responsibility for domestic incident management, and to the FBI, which has the lead responsibility for criminal investigations of terrorist acts or terrorist threats. The FBI also is responsible for coordinating activities of other members of the law enforcement community to detect, prevent, preempt, investigate, and disrupt terrorist attacks against the United States, including incidents involving nuclear/radioactive materials (e.g. RDD/IND incidents).

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TABLE 1. Coordinating agencies

Note: DHS is responsible for the overall coordination of incident management activities for all nuclear or radiological Incidents of National Significance, including those involving terrorism.

Type of Incident	Coordinating Agency
a. Radiological terrorism incidents (e.g., RDD/IND or radiological exposure device): (1) Material or facilities owned or operated by DOD or DOE (2) Material or facilities licensed by NRC or Agreement State (3) All others	(1) DOD or DOE (2) NRC (3) DOE
b. Nuclear facilities: (1) Owned or operated by DOD or DOE (2) Licensed by NRC or Agreement State (3) Not licensed, owned, or operated by a Federal agency or an Agreement State, or currently or formerly licensed facilities for which the owner/operator is not financially viable or is otherwise unable to respond	(1) DOD or DOE (2) NRC (3) EPA
c. Transportation of radioactive materials: (1) Materials shipped by or for DOD or DOE (2) Shipment of NRC or Agreement State-licensed materials (3) Shipment of materials in certain areas of the coastal zone that are not licensed or owned by a Federal agency or Agreement State (see USCG list of responsibilities for further explanation of "certain areas") (4) All others	(1) DOD or DOE (2) NRC (3) DHS/USCG (4) EPA
d. Space vehicles containing radioactive materials: (1) Managed by NASA or DOD (2) Not managed by DOD or NASA impacting certain areas of the coastal zone (3) All others	(1) NASA or DOD (2) DHS/USCG (3) EPA
e. Foreign, unknown or unlicensed material: (1) Incidents involving foreign or unknown sources of radioactive material in certain areas of the coastal zone (2) All others	(1) DHS/USCG (2) EPA
f. Nuclear weapon accident/incident (based on custody at time of event)	DOD or DOE
Other types of incidents not otherwise addressed above	DHS designates

- For radiological terrorism incidents involving materials or facilities owned or operated by DOD or DOE, DOD or DOE is the coordinating agency, as appropriate.
- For radiological terrorism incidents involving materials or facilities licensed by the NRC or Agreement States, the NRC is the coordinating agency.
- For all other radiological terrorist incidents, DOE is the coordinating agency. The coordinating agency role transitions from DOE to the Environmental Protection Agency (EPA) for environmental cleanup and site restoration at a mutually agreeable time, and after consultation with State, local, and tribal governments, the cooperating agencies, and the JFO Coordination Group.

Nuclear Facilities:

- The NRC is the coordinating agency for incidents that occur at fixed facilities or activities licensed by the NRC or an Agreement State. These include, but are not limited to, commercial nuclear power plants, fuel cycle facilities, DOE-owned gaseous diffusion facilities operating under NRC regulatory oversight, independent spent fuel storage installations, radiopharmaceutical manufacturers, and research reactors.

- DOD or DOE is the coordinating agency for incidents that occur at facilities or vessels under their jurisdiction, custody, or control. These incidents may involve reactor operations, nuclear material, weapons production, radioactive material from nuclear weapons or munitions, or other radiological activities.
- EPA is the coordinating agency for incidents that occur at facilities not licensed, owned, or operated by a Federal agency or an Agreement State, or currently or formerly licensed facilities for which the owner/operator is not financially viable or is otherwise unable to respond.

Transportation of Radioactive Materials:

- Either DOD or DOE is the coordinating agency for transportation incidents involving DOD or DOE materials, depending on which of these agencies has custody of the material at the time of the incident.
- The NRC is the coordinating agency for transportation incidents that involve radiological material licensed by the NRC or an Agreement State.
- DHS/U.S. Coast Guard (DHS/USCG) is the coordinating agency for the shipment of materials in certain areas of the coastal zone that are not licensed or owned by a Federal agency or Agreement State.
- EPA is the coordinating agency for shipment of materials in other areas of the coastal zone and in the inland zone that are not licensed or owned by a Federal agency or an Agreement State. Space Vehicles Containing Radioactive Materials:

- NASA is the coordinating agency for missions involving NASA space vehicles or joint space vehicles with significant NASA involvement. DOD is the coordinating agency for missions involving DOD space vehicles or joint space vehicles with significant DOD involvement.
- A joint venture is an activity in which the U.S. Government has provided extensive design/financial input;
 - Has provided and maintains ownership of instruments, spacecraft, or the launch vehicle;
 - or
 - Is intimately involved in mission operations. A joint venture is not created by simply selling or supplying material to a foreign country for use in its spacecraft.
 - DHS/USCG is the coordinating agency for space vehicles not managed by DOD or NASA impacting certain areas of the coastal zone.
 - EPA is the coordinating agency for all other space vehicle incidents involving radioactive material.

Foreign, Unknown, or Unlicensed Material:

- EPA or DHS/USCG is the coordinating agency depending on the location of the incident. DHS/USCG is the coordinating agency for incidents involving foreign or unknown sources of radioactive material in certain areas of the coastal zone. EPA is the coordinating agency for all other incidents involving foreign, unknown, or unlicensed radiological sources that have actual, potential, or perceived radiological consequences in the United States or its territories, possessions, or territorial waters. The foreign or unlicensed source may be a reactor, a spacecraft containing radioactive material, imported radioactively contaminated material, or a shipment of foreign-owned radioactive material. Unknown sources of radioactive material, also termed “orphan sources,” are those materials whose origin and/or radiological nature are not yet established. These types of sources include contaminated scrap metal or abandoned radioactive material.

Other Types of Incidents:

- For other types of incidents not covered above, DHS, in consultation with the other coordinating agencies, designates a coordinating agency. If DHS determines that it is an Incident of National Significance, DHS is responsible for overall coordination and the designated coordinating agency assumes responsibilities as the coordinating agency.

Notification Procedures

- The owner/operator of a nuclear/radiological facility or owner/transporter of nuclear/ radiological material is generally the first to become aware of an incident and notifies State, local and tribal authorities and the coordinating agency.
- Federal, State, local, and tribal governments that become aware of a radiological incident from any source other than the coordinating agency notify the NOC and the coordinating agency.
- The coordinating agency provides notification of a radiological incident to the NOC and other coordinating agencies, as appropriate.
- Releases of hazardous materials that are regulated under the NCP (40 CFR part 302) are reported to the National Response Center.

Incident Actions

Headquarters

Incidents of National Significance:

- Coordinating agencies and cooperating agencies report information and intelligence relative to situational awareness and incident management to the NOC. Agencies with radiological response functions provide representatives to the NOC, as requested.
- The coordinating agency and cooperating agencies, as appropriate, provide representation to the IAC.
- Coordinating agencies and cooperating agencies provide representation to the National Response Coordination Center (NRCC), as appropriate.

Other Radiological Incidents:

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- For radiological incidents that are below the threshold of an Incident of National Significance but require Federal participation in the response, the coordinating agency coordinates the Federal response utilizing the procedures in this annex, agency-specific plans, and/or the NCP, as appropriate. The coordinating agency provides intelligence and information relative to the incident to the NOC.
- The NRCC may be utilized to provide interagency coordination and Federal resource tracking, if needed. Regional:

Incidents of National Significance

- The coordinating agency provides representation to the JFO to serve as a Senior Federal Official within the JFO Coordination Group. Cooperating agencies may also be represented, as needed.
- The coordinating agency is part of the Unified Command, as defined by the NIMS, and coordinates Federal radiological response activities at appropriate field facilities.²

Notes:

² Appropriate field facilities may include a JFO, Incident Command Post, Emergency Operations Center, Emergency Operations Facility, Emergency Control Center,

- The coordinating agency coordinates Federal response operations at a designated field facility. Cooperating agencies may also be represented, as needed.

Response Functions:

- Primary radiological response functions are addressed in this section. An overview of specific DHS and coordinating agency response functions is provided in Table 2.

Table 2: DHS and coordinating agency response functions overview

Response Function	Incidents of National Significance	Other Radiological Incidents
a. Coordinate actions of Federal agencies related to the overall response.	DHS	Coordinating agency
b. Coordinate Federal activities related to response and recovery of the radiological aspects of an incident.	DHS and coordinating agency	Coordinating agency
c. Coordinate incident security.	DHS and coordinating agency	Coordinating agency
d. Ensure coordination of technical data (collection, analysis, storage, and dissemination).	DHS and coordinating agency	Coordinating agency
e. Ensure Federal protective action recommendations are developed and provide advice and assistance to State, local, and tribal governments.	DHS and coordinating agency	Coordinating agency
f. Coordinate release of Federal information to the public.	DHS	Coordinating agency
g. Coordinate release of Federal information to Congress.	DHS	Coordinating agency
h. Keep the White House informed on all aspects of an incident.	DHS	Coordinating agency
i. Ensure coordination of demobilization of Federal assets.	DHS	Coordinating agency

Response Coordination

Federal Agency Coordination

Incidents of National Significance	DHS is responsible for the overall coordination of Incidents of National Significance using elements described in the NRP Base Plan concept of operations.
Other Radiological Incidents	<ul style="list-style-type: none"> ▪ The agency with primary responsibility for coordinating the Federal response to a radiological incident serves as the coordinating agency. ▪ The coordinating agency coordinates the actions of Federal agencies related to the incident utilizing this annex, agency-specific plans, and/or the NCP, as appropriate. ▪ Cooperating agencies provide technical and resource support, as requested by the coordinating agency. ▪ The coordinating agency may establish a field facility; assist State, local, and tribal response organizations; monitor and support owner/operator activities (when there is an owner or operator); provide technical support to the owner/operator, if requested; and serve as the principal Federal source of information about incident conditions.

Coordinating Radiological Aspects of an Incident

Incidents of National Significance	<ul style="list-style-type: none"> ▪ DHS and the coordinating agency coordinate Federal activities related to responding to and recovering from the radiological aspects of an incident. They are assisted by cooperating agencies, as requested. ▪ The coordinating agency provides a hazard assessment of conditions that might have significant impact and ensures that measures are taken to mitigate the potential consequences.
Other Radiological Incidents	The coordinating agency coordinates Federal activities related to response and recovery of the radiological aspects of an incident, assisted by cooperating agencies, as requested.

Incident Security Coordination

Incidents of National Significance	DHS and the coordinating agency are responsible for coordinating security activities related to Federal response operations.
Other Radiological Incidents	The coordinating agency coordinates security activities related to Federal response operations.

Incident Security Coordination (Continued)

Incidents of National Significance and Other Radiological Incidents	<ul style="list-style-type: none"> ▪ DOD, DOE, or NASA, as the appropriate coordinating agency, may establish NDAs or NSAs to safeguard classified information and/or restricted data, or equipment and material, and place non-Federal lands under Federal control for the duration of the incident. DOD, DOE, or NASA, as appropriate, coordinates security in and around these locations, as necessary. ▪ For incidents at other Federal or private facilities, the owner/operator provides security within the facility boundaries. If a release of radioactive material occurs beyond the facility boundaries, State, local, or tribal governments provide security for the release area. ▪ State, local, and tribal governments provide security for radiological incidents occurring on public lands (e.g., a transportation incident). ▪ If needed, ESF #13 – Public Safety and Security may be activated to provide supplemental security resources and capabilities.
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Technical Data Management

Incidents of National Significance	<ul style="list-style-type: none"> ▪ DHS and the coordinating agency approve the release of all data to State, local, and tribal governments. ▪ For incidents involving terrorism, the coordinating agency consults with other members of the JFO Coordination Group as issues arise regarding the sharing of sensitive information that may be needed, on a need-to-know basis, for responder and public safety. ▪ DHS and the coordinating agency, in consultation with the JFO Coordination Group and State, local, and tribal governments, determine if the severity of an incident warrants a request for Nuclear Incident Response Team (NIRT) assets. ▪ The IMAAC is responsible for production, coordination, and dissemination of consequence predictions for an airborne hazardous material release. The IMAAC generates the single Federal prediction of atmospheric dispersions and their consequences utilizing the best available resources from the Federal Government.
Other Radiological Incidents	The coordinating agency authorizes the release of all data to State, local, and tribal governments.

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Technical Data Management (Continued)

Incidents of National Significance and Other Radiological Incidents	<ul style="list-style-type: none">▪ The coordinating agency oversees the collection, analysis, storage, and dissemination of all technical data through the entire process.▪ The coordinating agency is responsible for ensuring the sharing of all technical data, including outputs from the FRMAC, the Advisory Team, and the IMAAC, with all appropriate response organizations.▪ Federal monitoring and assessment activities are coordinated with State, local, and tribal governments. Federal agency plans and procedures for implementing this activity are designed to be compatible with the radiological emergency planning requirements for State and local governments, specific facilities, and existing memorandums of understanding and interagency agreements.▪ Prior to the on-scene arrival of the coordinating agency, Federal first responders may provide radiological monitoring and assessment data to State, local, and tribal governments as requested in support of protective action decisionmaking. Federal first responders also begin collecting data for transmission to the coordinating agency. If a FRMAC is established, the coordinating agency provides a mechanism for transmitting data to and from the FRMAC. Prior to the initiation of FRMAC operations, Federal first responders coordinate radiological monitoring and assessment data with the DOE Consequence Management Home Team (CMHT) or the Consequence Management Response Team (CMRT). (Note: A CMHT provides a reach-back capability to support the CMRT. The CMRT functions as an advance element of the FRMAC to establish contact with on-scene responders to coordinate Federal radiological monitoring and assessment activities.)▪ DOE and other participating Federal agencies learn of an emergency when they are alerted to a possible problem or receive a request for radiological assistance. DOE maintains national and regional coordination offices as points of access to Federal radiological emergency assistance. Requests for Radiological Assessment Program (RAP) teams are generally directed to the appropriate DOE Regional Coordinating Office. All other requests for Federal radiological monitoring and assessment go directly to DOE's Emergency Operations Center (EOC) in Washington, DC. When other agencies receive requests for Federal radiological monitoring and assessment assistance, they notify the DOE EOC.
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Technical Data Management (Continued)

Incidents of National Significance and Other Radiological Incidents (Continued)	<ul style="list-style-type: none"> ▪ DOE may respond to a State or coordinating agency request for assistance by dispatching a RAP team. If the situation requires more assistance than a RAP team can provide, DOE alerts or activates additional resources. These resources can include the establishment of a FRMAC as the coordination center for Federal radiological assessment activities. DOE may respond with additional resources including the Aerial Measurement System (AMS) to provide wide-area radiation monitoring, Radiation Emergency Assistance Center/Training Site (REAC/TS) medical advisory teams, National Atmospheric Release Advisory Center (NARAC) support, or if the accident involves a U.S. nuclear weapon, the Accident Response Group (ARG). Federal and State agencies are encouraged to collocate their radiological assessment activities. Some participating Federal agencies have radiological planning and emergency responsibilities as part of their statutory authority, as well as established working relationships with State counterpart agencies. The monitoring and assessment activity, coordinated by DOE, does not alter these responsibilities but complements them by providing for coordination of the initial Federal radiological monitoring and assessment response activity. ▪ Responsibility for coordinating radiological monitoring and assessment activities may transition to EPA at a mutually agreeable time, and after consultation with State, local, and tribal governments, the coordinating agency, and the JFO Coordination Group.
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Protective Action Recommendations

Incidents of National Significance	DHS and the coordinating agency oversee the development of Federal Protective Action Recommendations and provide advice and assistance to State, tribal, and local governments. Federal Protective Action Recommendations are developed by the Advisory Team, in conjunction with the coordinating agency. Federal Protective Action Recommendations may include advice and assistance on measures to avoid or reduce exposure of the public to radiation from a release of radioactive material. This includes advice on emergency actions such as sheltering, evacuation, and prophylactic use of potassium iodide. It also includes advice on long-term measures, such as restriction of food, temporary relocation, or permanent resettlement, to avoid or minimize exposure to residual radiation or exposure through the ingestion pathway.
Other Radiological Incidents	The coordinating agency, in consultation with the Advisory Team, develops and provides Protective Action Recommendations.
Incidents of National Significance and Other Radiological Incidents	State, local, and tribal governments are responsible for implementing protective actions as they deem appropriate.

Deactivation/Demobilization Coordination

Incidents of National Significance	DHS and the coordinating agency, in consultation with the JFO Coordination Group and State, local, and tribal governments, develop plans to demobilize the Federal presence.
Other Radiological Incidents	The coordinating agency discontinues incident operations when a centralized Federal coordination presence is no longer required, or when its statutory responsibilities are fulfilled. Prior to discontinuing operations, the coordinating agency coordinates this decision with each Federal agency and State, local, and tribal governments.

International Coordination

Incidents of National Significance and Other Radiological Incidents	<ul style="list-style-type: none">▪ In the event of an actual or potential environmental impact upon the United States or its possessions, territories, or territorial waters from a radiological emergency originating on foreign soil or, conversely, a domestic incident with an actual or potential foreign impact, DHS and the coordinating agency immediately inform the Department of State (DOS), which is responsible for official interactions with foreign governments. In either case (foreign incident with domestic impact, or vice versa), the coordinating agency consults with DHS, and DHS makes a determination on whether it is an Incident of National Significance. DHS and the coordinating agency keep DOS informed of all Federal incident management activities.▪ DOS coordinates notification and information-gathering activities with foreign governments, except in cases where existing bilateral agreements permit direct communication. Where the coordinating agency has existing bilateral agreements that permit direct exchange of information, the coordinating agency keeps DOS informed of consultations with their foreign counterparts. DHS and the coordinating agency ensure that any offers of assistance to, or requests from, foreign governments are coordinated with DOS.▪ The National Oceanic and Atmospheric Administration is the point of interaction with the hydrometeorological services of other countries. International response activities are accomplished in accordance with the International Coordination Support Annex.
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Public Information Coordination

Incidents of National Significance and Other Radiological Incidents	DHS, in consultation with other agencies and the JFO Coordination Group oversees and manages the establishment of a Joint Information Center (JIC), if required.
Other Radiological Incidents	The coordinating agency may establish a JIC depending on the needs of the incident response.
Incidents of National Significance and Other Radiological Incidents	<ul style="list-style-type: none"> Owners/operators and Federal, State, local, tribal, and other relevant information sources coordinate public information to the extent practical with the JIC. Communication with the public is accomplished in accordance with procedures outlined in the ESF #15 – External Affairs Annex and the Public Affairs Support Annex. It may be necessary to release Federal information regarding public health and safety. In this instance, Federal agencies coordinate with the coordinating agency and State, local, and tribal governments in advance, or as soon as possible after the information is released.

Congressional Coordination

Incidents of National Significance	DHS coordinates Federal responses to congressional requests for information. Points of contact for this function are the congressional liaison officers. All Federal agency congressional liaison officers and congressional staffs seeking site-specific information about an incident should contact the DHS Office of Legislative Affairs and the coordinating agency. While Congress may request information directly from any Federal agency, any agency responding to such requests shall inform DHS and the coordinating agency.
Other Radiological Incidents	The coordinating agency is responsible for congressional coordination, consulting with DHS as required.

White House Coordination

Incidents of National Significance	DHS submits reports to the President and keeps the White House informed of all aspects of the incident. While the White House may request information directly from any Federal agency, any agency responding to such requests must promptly inform DHS and the coordinating agency.
Other Radiological Incidents	The coordinating agency is responsible for any necessary White House coordination, consulting with DHS as requested. Note that these actions can take place during the transition from response to recovery.

Victim Decontamination/Population Monitoring

Incidents of National Significance and Other Radiological Incidents	<ul style="list-style-type: none">▪ External monitoring and decontamination of possibly affected victims are accomplished locally and are the responsibility of State, local, and tribal governments. Federal resources are provided at the request of, and in support of, the affected State(s). HHS, through ESF #8 and in consultation with the coordinating agency, coordinates Federal support for external monitoring of people and decontamination.▪ HHS assists and supports State, local, and tribal governments in performing monitoring for internal contamination and administering available pharmaceuticals for internal decontamination, as deemed necessary by State health officials.▪ HHS assists local and State health departments in establishing a registry of potentially exposed individuals, perform dose reconstruction, and conduct long-term monitoring of this population for potential long-term health effects.
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Other Federal Resource Support For Stafford Act or Federal-to-Federal support incidents:

- DHS/EPR/FEMA coordinates the provision of Federal resources and assistance to affected State, local, and tribal governments as part of the JFO Operations Section or other appropriate location established by DHS/EPR/FEMA.

Recovery

- For an Incident of National Significance, DHS coordinates overall Federal recovery activities, while the coordinating agency maintains responsibility for managing the Federal technical radiological cleanup activities in accordance with NRF mechanisms.
- For all radiological incidents, the coordinating agency coordinates environmental remediation/cleanup in concert with cognizant State, local, and tribal governments, and owners/operators, as applicable.
- While retaining overall technical lead, a coordinating agency may require support from a cooperating agency that has significant cleanup/recovery experience and capabilities (e.g., EPA, U.S. Army Corps of Engineers (USACE)) for a long-term cleanup. The initial coordinating agency may request that the coordinating agency role be transitioned to a cooperating agency to manage long-term cleanup efforts.
- State, local, and tribal governments primarily are responsible for planning the recovery of the affected area (the term “recovery,” as used here, encompasses any action dedicated to the continued protection of the public and resumption of normal activities in the affected area). Recovery planning is initiated at the request of the State, local, or tribal governments, and generally does not take place until the initiating conditions of the incident have stabilized and immediate actions to protect public health, safety, and property are accomplished. Upon request, the Federal government assists State, local, and tribal governments develop and execute recovery plans.

- Private owners/operators have primary responsibility for recovery planning activities and eventual cleanup within their facility boundaries and may have responsibilities for recovery activities outside their facility under applicable legal obligations (e.g., contractual, licensee, CERCLA).
- The DOE FRMAC Director works closely with the Senior EPA representative to facilitate a smooth transition of the Federal radiological monitoring and assessment coordination responsibility to EPA at a mutually agreeable time, and after consultation with DHS, the JFO Coordination Group, and State, local, and tribal governments. The following conditions are intended to be met prior to transfer:
 - The immediate emergency condition is stabilized;
 - Offsite releases of radioactive material have ceased, and there is little or no potential for further unintentional offsite releases;
 - The offsite radiological conditions are characterized and the immediate consequences are assessed;
 - An initial long-range monitoring plan has been developed in conjunction with the affected State, local, and tribal governments and appropriate Federal agencies; and
 - EPA has received adequate assurances from the other Federal agencies that they are committing the required resources, personnel, and funds for the duration of the Federal response.
- Radiological monitoring and assessment activities are normally terminated when DHS, in consultation with the coordinating agency, other participating agencies, and State, local, and tribal governments, determines that:
 - There is no longer a threat to public health and safety or the environment;
 - State, local, and tribal resources are adequate for the situation; and
 - There is mutual agreement among the agencies involved to terminate monitoring and assessment.

Federal Assets Available Upon Request
by the Coordinating Agency or DHS

Federal Radiological Monitoring
and Assessment Center

- DOE is responsible for developing and maintaining FRMAC policies and procedures, determining FRMAC composition, and maintaining FRMAC operational readiness. The FRMAC is established at or near the incident location in coordination with DHS, the coordinating agency, other Federal agencies, and State, local, and tribal authorities. A FRMAC normally includes representation from DOE, EPA, the Department of Commerce, the National Communications System (DHS/IAIP/NCS), USACE, and other Federal agencies as needed. Regardless of who is designated as the coordinating agency, DOE, through the FRMAC or DOE CMHT and CMRT, coordinates radiological monitoring and assessment activities for the initial phases of the response. When the FRMAC is transferred to the EPA, they assume responsibility for coordination of radiological monitoring and assessment activities.

Advisory Team for Environment, Food, and Health

- The Advisory Team includes representatives from DHS, EPA, the Department of Agriculture (USDA), the Food and Drug Administration, the Centers for Disease Control and Prevention, and other Federal agencies. The Advisory Team develops coordinated advice and recommendations for DHS, the JFO Coordination Group, the coordinating agency, and State, local, and tribal governments concerning environmental, food health, and animal health matters.
- The Advisory Team selects a chair for the Team.
- The Advisory Team provides recommendations in matters related to the following:
 - Environmental assessments (field monitoring) required for developing recommendations with advice from State, local, and tribal governments and/or the FRMAC senior Monitoring Manager;
 - Protective Action Guides and their application to the emergency;
 - Protective Action Recommendations using data and assessment from the FRMAC;
 - Protective actions to prevent or minimize contamination of milk, food, and water, and to prevent or minimize exposure through ingestion;
 - Recommendations regarding the disposition of contaminated livestock, poultry, and contaminated foods, especially perishable commodities (e.g., meat in processing plants);
 - Recommendations for minimizing losses of agricultural resources from radiation effects;
 - Availability of food, animal feed, and water supply inspection programs to assure wholesomeness;
 - Relocation, reentry, and other radiation protection measures prior to recovery;
 - Recommendations for recovery, return, and cleanup issues;
 - Health and safety advice or information for the public and for workers;
 - Estimated effects of radioactive releases on human health and the environment; and
- Other matters, as requested by the coordinating agency. DOE Radiological Assistance Program, Emergency Management Teams, and Nuclear Incident Response Team Assets
- RAP teams are located at DOE operations offices, national laboratories, and some area offices. They can be dispatched to a radiological incident by the DOE regional coordinating offices responding to a radiological incident. Additional DOE planning and response teams and capabilities are located at various DOE facilities throughout the country and can be dispatched, as needed, to a radiological incident.

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Responsibilities	
American Red Cross	(See the ESF #6 – Mass Care, Housing, and Human Services Annex for additional information.) Assesses the mass care consequences of a radiological incident, and in conjunction with State, local, and tribal (including private-sector) mass care organizations, develop and implement a sustainable short-term and long-term strategy for effectively addressing the consequences of the incident.
Department of Agriculture	<p>(See the ESF #11 – Agriculture and Natural Resources Annex for additional information.)</p> <ul style="list-style-type: none"> ▪ Inspects meat and meat products, poultry and poultry products, and egg products identified for interstate and foreign commerce to ensure that they are safe for human consumption. ▪ Assists, in conjunction with HHS, in monitoring the production, processing, storage, and distribution of food through the wholesale level to eliminate contaminated product or to reduce the contamination in the product to a safe level. ▪ Collects agricultural samples within the Ingestion Exposure Pathway Emergency Planning Zone (through the FRMAC). Assists in the evaluation and assessment of data to determine the impact of the incident on agriculture. ▪ Assesses damage to crops, soil, livestock, poultry, and processing facilities and incorporates findings in a damage assessment report. ▪ Provides emergency communications assistance to the agricultural community through the State Research, Education, and Extension Services electronic mail, or other USDA telecommunications systems. ▪ Supports/advises on decontamination and screening of pets and farm animals that may be exposed to radioactive material. ▪ Assists in animal carcass disposal.
Department of Commerce	<ul style="list-style-type: none"> ▪ Provides operational weather observations and prepares forecasts tailored to support emergency incident management activities. § Provides plume dispersion assessment and forecasts to the IMAAC and/or coordinating agency, in accordance with established procedures. ▪ Archives, as a special collection, the meteorological data from national observing and numerical weather analysis and prediction systems applicable to the monitoring and assessment of the response. ▪ Ensures that marine fishery products available to the public are not contaminated. ▪ Provides assistance and reference material for calibrating radiological instruments. ▪ Provides radiation shielding materials. ▪ In the event of materials potentially crossing international boundaries, serves as the agent for informing international hydrometeorological services and associated agencies through the mechanisms afforded by the World Meteorological Organization. ▪ Provides radioanalytical measurement support and instrumentation.

Department of Defense	<ul style="list-style-type: none"> ▪ Serves as a coordinating agency, as identified in Table 1, coordinating Federal actions for radiological incidents involving DOD facilities, including U.S. nuclear-powered ships, or material otherwise under their jurisdiction (e.g., transportation of material shipped by or for DOD). ▪ Provides Defense Support of Civil Authorities (DSCA) in response to requests for assistance during domestic incidents. With the exception for support provided under Immediate Response Authority, the obligation of DOD resources to support requests for assistance is subject to the approval of the Secretary of Defense. Details regarding DSCA are provided in the NRP Base Plan. ▪ Provides Immediate Response Authority under imminently serious conditions resulting from any civil emergency that may require immediate action to save lives, prevent human suffering, or mitigate great property damage. When such conditions exist and time does not permit prior approval from higher headquarters, local military commanders and responsible officials from DOD components and agencies are authorized by DOD directive, subject to any supplemental direction that may be provided by their DOD component, to take necessary action to respond to requests of civil authorities. All such necessary action is referred to as "Immediate Response."
Department of Defense/U.S. Army Corps of Engineers	<p>(See the ESF #3 – Public Works and Engineering Annex for additional information.)</p> <ul style="list-style-type: none"> ▪ Directs response/recovery actions as they relate to ESF #3 functions, including contaminated debris management. ▪ For RDD/IND incidents, provides response and cleanup support as a cooperating agency. ▪ Integrates and coordinates with other agencies, as requested, to perform any or all of the following: <ul style="list-style-type: none"> ▪ Radiological survey functions; ▪ Gross decontamination; ▪ Site characterization; ▪ Contaminated water management; and ▪ Site remediation.

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Department of Energy	<ul style="list-style-type: none"> ▪ Serves as a coordinating agency, as identified in Table 1, coordinating Federal actions for radiological incidents involving DOE facilities or material otherwise under their jurisdiction (e.g., transportation of material shipped by or for DOE). ▪ Coordinates Federal offsite radiological environmental monitoring and assessment activities as lead technical organization in FRMAC (emergency phase), regardless of who is designated the coordinating agency. ▪ Maintains technical liaison with State and local agencies with monitoring and assessment responsibilities. ▪ Maintains a common set of all offsite radiological monitoring data in an accountable, secure, and retrievable form and ensures the technical integrity of FRMAC data. ▪ Provides monitoring data and interpretations, including exposure rate contours, dose projections, and any other requested radiological assessments, to the coordinating agency and to the States. ▪ Provides, in cooperation with other Federal agencies, the personnel and equipment to perform radiological monitoring and assessment activities, and provides on-scene analytical capability supporting assessments. ▪ Requests supplemental assistance and technical support from other Federal agencies as needed. ▪ Arranges consultation and support services through appropriate Federal agencies to all other entities (e.g., private contractors) with radiological monitoring functions and capabilities and technical and medical expertise for handling radiological contamination and population monitoring. ▪ Works closely with the Senior EPA representative to facilitate a smooth transition of the Federal radiological monitoring and assessment coordination responsibility to EPA at a mutually agreeable time and after consultation with the States and coordinating agency. ▪ Provides, in cooperation with other Federal and State agencies, personnel and equipment, including portal monitors, to support initial external screening and provides advice and assistance to State and local personnel conducting screening/decontamination of persons leaving a contaminated zone. ▪ Provides plume trajectories and deposition projections for emergency response planning assessments including source term estimates where limited or no information is available, including INDs and RDDs, to the IMAAC and/or coordinating agency, in accordance with established procedures. ▪ Upgrades, maintains, coordinates, and publishes documentation needed for the administration, implementation, operation, and standardization of the FRMAC. ▪ Maintains and improves the ability to provide wide-area radiation monitoring now resident in the AMS. ▪ Maintains and improves the ability to provide medical assistance, advisory teams, and training related to nuclear/radiological accidents and incidents now resident in the REAC/TS.
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<p>Department of Energy (Continued)</p>	<ul style="list-style-type: none"> ▪ Maintains and improves the ability to provide near-real time assessments of the consequences of accidental or potential radiation releases by modeling the movement of hazardous plumes, and to correct modeled results through integration of actual radiation measurements obtained from both airborne and ground sources, resident in the NARAC. The NARAC also maintains and improves their ability to model the direct results (blast, thermal, radiation, EMP) of a nuclear detonation. ▪ Maintains and improves the first-response ability to assess an emergency situation and to advise decisionmakers on what further steps can be taken to evaluate and minimize the hazards of a radiological emergency resident in the RAP. ▪ Maintains and improves the ability to respond to an emergency involving U.S. nuclear weapons resident in the ARG. ▪ Maintains and improves the ability of the Consequence Management Planning Team, CMHT, and CMRTs to provide initial planning, coordination, and data collection and assessment prior to or in lieu of establishment of a FRMAC. ▪ Maintains and improves the ability of the Nuclear/Radiological Advisory Team to provide advice and limited technical assistance, including search, diagnostics, and effects prediction, as part of a Domestic Emergency Support Team. ▪ Maintains and improves the ability of the Search Response Teams to provide covert search capability using local support for initial nuclear search activities. ▪ Maintains and improves the ability of the Joint Technical Operations Team to provide technical operations advisory support and advanced technical assistance to the Federal primary or coordinating agency, provide extended technical support to other deployed operations through an emergency response home team; perform nuclear safety reviews to determine safe-to-ship status before moving a weapon of mass destruction (WMD) to an appropriate disposal location; and accept custody of nuclear or radiological WMD on behalf of DOE and provide for the final disposition of these devices. ▪ Maintains and improves the ability of Radiological Triage to determine through remote analysis of nuclear spectra collected on-scene if a radioactive object contains special nuclear materials. ▪ Assigns a Senior Energy Official (SEO) for any response involving the deployment of the DOE/NNSA emergency response assets. The SEO is responsible for the coordination and employment of these assets at the scene of a radiological event, and the deployed assets will work in support of and under the direction of the SEO.
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Department of Health and Human Services	<p>(See the ESF #8 – Public Health and Medical Services Annex for additional information.)</p> <ul style="list-style-type: none"> ▪ In conjunction with USDA, inspects production, processing, storage, and distribution facilities for human food and animal feeds that may be used in interstate commerce to ensure protection of the public health. ▪ Collects samples of agricultural products to monitor and assess the extent of contamination as a basis for recommending or implementing protective actions (through the FRMAC). ▪ Provides advice on proper medical treatment of the general population and response workers exposed to or contaminated by radioactive materials. § Provides available medical countermeasures through deployment of the Strategic National Stockpile. ▪ Provides assessment and treatment teams for those exposed to or contaminated by radiation. ▪ Provides advice and guidance in assessing the impact of the effects of radiological incidents on the health of persons in the affected area. ▪ Manages long-term public monitoring and supports follow-on personal data collection, collecting and processing of blood samples and bodily fluids/matter samples, and advice concerning medical assessment and triage of victims. Tracks victim treatment and long-term health effects.
Department of Homeland Security/Emergency Preparedness and Response/Federal Emergency Management Agency	<ul style="list-style-type: none"> ▪ Serves as the annex coordinator for this annex. ▪ In consultation with the coordinating agency, coordinates the provision of Federal resources and assistance to affected State, local, and tribal governments under the Stafford Act or Federal-to-Federal support provisions of the NRP. ▪ Monitors the status of the Federal response to requests for assistance from the affected State(s) and provides this information to the State(s). ▪ Keeps the coordinating agency informed of requests for assistance from the State(s) and the status of the Federal response. ▪ Identifies and informs Federal agencies of actual or apparent omissions, redundancies, or conflicts in response activity. ▪ Establishes and maintains a source of integrated, coordinated information about the status of all nonradiological resource support activities. ▪ Provides other support to Federal agencies responding to the emergency.
Department of Homeland Security/National Communications System	<p>(See the ESF #2 – Communications Annex for additional information.)</p> <p>Acting through its operational element, the National Coordinating Center for Telecommunications (NCC), the NCS ensures the provision of adequate telecommunications support to Federal radiological incident response operations.</p>
Department of Homeland Security/Science and Technology	<p>(See the Science and Technology Support Annex for additional information.)</p> <p>Provides coordination of Federal science and technology resources as described in the Science and Technology Support Annex. This includes organization of Federal S&T support as well as assessment and consultation in the form of Scientific and Technical Advisory and Response Teams (STARTs) and the IMAAC.</p>

Department of Homeland Security/Customs and Border Protection (DHS/CBP)	<ul style="list-style-type: none"> ▪ For incidents at the border, maintains radiation detection equipment and nonintrusive inspection technology at ports of entry and Border Patrol checkpoints to detect the presence of radiological substances transported by persons, cargo, mail, or conveyance arriving from foreign countries. ▪ Through its National Targeting Center, provides extensive analytical and targeting capabilities to identify and interdict terrorists and WMD. ▪ The CBP Weapons of Mass Destruction Teleforensic Center provides 24/7 support to DHS/CBP and other Federal law enforcement personnel in the identification of suspect hazardous material. ▪ The CBP Laboratory and Scientific Services staffs WMD Response Teams in strategic locations nationwide. ▪ Through the Container Security Initiative, DHS/CBP personnel are stationed at major foreign seaports in order to detect and prevent the transport of WMD on container vessels destined to the U.S. ▪ Has extensive authority and expertise regarding the entry, inspection, and admissibility of persons, cargo, mail, and conveyances arriving from foreign countries.
Department of Homeland Security/U.S. Coast Guard	<ul style="list-style-type: none"> ▪ Serves as coordinating agency for incidents that occur in certain areas of the coastal zone, as identified in Table 1. ▪ “Certain areas of the coastal zone,” for the purposes of this document, means the following areas of the coastal zone as defined by the NCP: <ul style="list-style-type: none"> ▪ Vessels, as defined in 33 CFR 160; ▪ Areas seaward of the shoreline to the outer edge of the Economic Exclusion Zone; and ▪ Within the boundaries of the following waterfront facilities subject to the jurisdiction of DHS/USCG; those regulated by 33 CFR 126 (Dangerous cargo handling), 127 (LPG/LNG), 128 (Passenger terminals), 140 (Outer Continental Shelf Activities), 1541-56 (Waterfront portions of Oil & Hazmat bulk transfer facilities – delineated as per the NCP), 105 (Maritime security - facilities). <p>EPA is the coordinating agency for responses in areas of the coastal zone other than those defined above as certain areas of the coastal zone.</p> ▪ For incidents that have cross-boundary impacts, works with the other affected agency to determine how best to cooperatively respond consistent with the NCP model. ▪ Serves as the coordinating agency for these incidents only during the prevention and emergency response phase, and transfers responsibility for later response phases to the appropriate agency, consistent with the NCP. ▪ Because of its unique maritime jurisdiction and capabilities, is prepared to provide appropriate security, command and control, transportation, and support to other agencies that need to operate in the maritime domain.

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Department of Housing and Urban Development	<ul style="list-style-type: none"> ▪ Reviews and reports on available housing for disaster victims and displaced persons. ▪ Assists in planning for and placing homeless victims in available housing ▪ Provides staff to support emergency housing within available resources. ▪ Provides housing assistance and advisory personnel.
Department of the Interior (DOI)	<ul style="list-style-type: none"> ▪ Advises and assists in evaluating processes affecting radioisotopes in soils, including personnel, equipment, and laboratory support. ▪ Advises and assists in the development of geographic information systems databases to be used in the analysis and assessment of contaminated areas, including personnel and equipment. ▪ Advises and assists in assessing and dealing with impacts to natural resources, including fish and wildlife, subsistence uses, public lands, Indian tribal lands, land reclamation, mining, minerals, and water resources. Further guidance is provided in the Tribal Relations Support Annex and the ESF #11 – Agriculture and Natural Resources Annex. ▪ Provides liaison between federally recognized tribal governments and Federal, State, and local agencies for coordination of response activities. Additionally, DOI advises and assists DHS on economic, social, and political matters in the U.S. insular areas should a radiological incident occur in these areas.
Department of Justice/Federal Bureau of Investigation	Coordinates all law enforcement and criminal investigative response to acts of terrorism, to include intelligence gathering, hostage negotiations, and tactical operations. Further details regarding the FBI response are outlined in the Terrorism Incident Law Enforcement and Investigation Annex.
Department of Labor/Occupational Safety and Health Administration	Provides advice and technical assistance to DHS, the coordinating agency, and State, local, and tribal governments concerning the health and safety of response workers implementing the policies and concepts in this annex.
Department of State	<ul style="list-style-type: none"> ▪ Coordinates foreign information-gathering activities and all contacts with foreign governments, except in cases where existing bilateral agreements permit direct agency-to-agency cooperation. ▪ Conveys the U.S. Government response to foreign offers of assistance.
Department of Transportation	<p>(See the ESF #1 – Transportation Annex for further information.)</p> <p>Provides technical advice and assistance on the transportation of radiological materials and the impact of the incident on the transportation infrastructure.</p>
Department of Veterans Affairs	<ul style="list-style-type: none"> ▪ Provides medical assistance using the Medical Emergency Radiological Response Team. ▪ Provides temporary housing.

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Environmental Protection Agency	<p>(See the Hazardous Materials Incident Annex for additional information.)</p> <ul style="list-style-type: none"> ▪ Serves as a coordinating agency, as identified in Table 1. ▪ Provides resources, including personnel, equipment, and laboratory support (including mobile laboratories) to assist DOE in monitoring radioactivity levels in the environment. ▪ Assumes coordination of Federal radiological monitoring and assessment responsibilities after the transition from DOE. ▪ Assists in the development and implementation of a long-term monitoring plan and long-term recovery plan. ▪ Provides nationwide environmental monitoring data from the Environmental Radiation Ambient Monitoring Systems for assessing the national impact of the incident. ▪ Develops Protective Action Guides in coordination with the FRPCC. ▪ Recommends protective actions and other radiation protection measures. ▪ Recommends acceptable emergency levels of radioactivity and radiation in the environment. ▪ Prepares health and safety advice and information for the public. ▪ Estimates effects of radioactive releases on human health and the environment. ▪ Provides response and recovery actions to prevent, minimize, or mitigate a threat to public health, safety, or the environment caused by actual or potential releases of radioactive substances, including actions to detect, identify, contain, clean up, and dispose of such substances. ▪ Assists and supports the NIRT, when activated. ▪ Provides, in cooperation with other Federal agencies, the law enforcement personnel and equipment to conduct law enforcement operations and investigations for nuclear/radiological incidents involving criminal activity that are not terrorism related.
General Services Administration	(See the ESF #7 – Resource Support Annex for additional information.)
National Aeronautics and Space Administration	Serves as a coordinating agency, as identified in Table 1.

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Nuclear Regulatory Commission	<ul style="list-style-type: none">▪ Serves as a coordinating agency, as identified in Table 1.▪ Provides technical assistance to include source term estimation, plume dispersion, and dose assessment calculations.▪ Provides assistance and recommendations concerning protective action measures as coordinating agency.▪ Provides assistance in Federal radiological monitoring and assessment activities.▪ For an incident at a facility licensed by the NRC or an Agreement State, or involving Atomic Energy Act licensed material:▪ The licensee takes action to mitigate the consequences of the incident and provides appropriate protective action recommendations to State, local, and tribal officials;▪ The NRC:<ul style="list-style-type: none">▪ Performs an independent assessment of the incident and potential offsite consequences and, as appropriate, provides recommendations concerning any protective measures;▪ Performs oversight of the licensee, to include monitoring, evaluation of protective action recommendations, advice, assistance, and, as appropriate, direction; and▪ Dispatches, if appropriate, an NRC site team of technical experts to the licensee's facility.▪ Under certain situations involving the protection of public health/safety or national security, the NRC may take possession of special nuclear materials and/or operate certain facilities regulated by the NRC.
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Annex 4: Oil and Hazardous Substance Incident Annex

Coordinating Agencies:

Environmental Protection Agency
Department of Homeland Security / U.S. Coast Guard

Cooperating Agencies:

Department of Agriculture
Department of Commerce
Department of Defense
Department of Energy
Department of Health and Human Services
Department of Homeland Security
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
General Services Administration
Nuclear Regulatory Commission

Introduction

Purpose

- This annex describes roles, responsibilities, and coordinating mechanisms for managing certain oil and hazardous materials pollution incidents that are determined to be Incidents of National Significance. This annex addresses those oil and hazardous materials Incidents of National Significance that are managed through concurrent implementation of the National Response Framework (NRF) and the NCP, but are not Emergency Support Function (ESF) #10 – Oil and Hazardous Materials Response activations. Procedures for oil and hazardous material Incidents of National Significance for which ESF #10 is activated are addressed in the ESF #10 Annex.

Scope

- The NCP provides the organizational structure and procedures for Federal response to releases of oil and hazardous materials in the United States.

Notes:

¹ For the purposes of this annex, “hazardous materials” is a general term intended to mean hazardous substances, pollutants, and contaminants as defined by the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

² Found at 40 CFR part 300. The establishment of the NCP is required by section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and by section 311(d) of the Clean Water Act, as amended by the Oil Pollution Act of 1990. States and its territories, accidental or intentional. The NCP addresses incident prevention, planning, response, and recovery.

- The hazardous materials addressed under the NCP include certain substances considered weapons of mass destruction (i.e., chemical agents, biological agents, and radiological/nuclear material).
- The NCP establishes structures at the national, regional, and local levels that are used to respond to thousands of incidents annually that never rise to the level of an Incident of National Significance. When an Incident of National Significance does occur, these NCP structures remain in place to provide hazard-specific expertise and support. This annex describes how the NCP structures work with NRF coordinating structures during Incidents of National Significance.

Policies

- It is expected that most Incidents of National Significance involving oil and hazardous materials are managed through an ESF #10 activation, but it is possible that an Incident of National Significance involving oil and hazardous materials could occur for which ESF #10 would not be activated.
- Some oil and hazardous materials incident responses may be initiated under the NCP alone, or under this annex as an Incident of National Significance, then transition to ESF #10 after a Stafford Act declaration is made (or after ESF #10 is activated via the NRF Federal-to-Federal support mechanism). Federal On-Scene Coordinators (OSCs) have independent authority under the NCP to respond to an oil or hazardous materials incident and may initiate initial response activities before the Department of Homeland Security (DHS) determines whether the incident is an Incident of National Significance and/or the President declares a Stafford Act major disaster or emergency.
- NCP structures and response mechanisms remain in place during an Incident of National Significance involving an actual or potential release of oil or hazardous materials, and coordinate with NRF mechanisms as described in this annex.
- Under the NCP, the OSC conducts response activities from the Incident Command Post (ICP) level. A Unified Command may be established with Federal, State, local, and/or tribal authorities, as appropriate. State, local, and/or tribal authorities are typically the initial responders to an oil or hazardous materials incident.
- The NCP provides that the Environmental Protection Agency (EPA) or U.S. Coast Guard (DHS/USCG) may classify an oil discharge as a Spill of National Significance (SONS). For a SONS, EPA or DHS/USCG may name a “senior Agency official” (EPA) or National Incident

Commander (DHS/USCG) who assists the OSC, or assumes certain functions of the OSC, respectively (e.g., communicating with the affected parties and public, coordinating resources at the national level). EPA and DHS/USCG maintain authority for classifying a discharge a SONS. DHS maintains authority for classifying an incident an Incident of National Significance. A SONS may or may not be an Incident of National Significance, depending on the determination of DHS. Further, DHS may determine that an NCP response that is not a SONS nevertheless rises to the level of an Incident of National Significance.

- Hazardous materials addressed under the NCP include certain biological and radiological substances. The Biological and Nuclear/Radiological Incident Annexes may therefore be implemented simultaneously with this annex for an Incident of National Significance. The Biological and Nuclear/Radiological Incident Annexes describe additional procedures and Federal agency responsibilities for biological and radiological/nuclear incidents that are not addressed in this annex, and are used in conjunction with this annex when applicable.
- NCP provisions are summarized in this annex for purposes of brevity. The references in this annex to NCP provisions are not intended to change NCP requirements or interpretations.
- Nothing in the NRF alters or impedes the ability or authorities of designated Federal officials to carry out their duties under the NCP or to coordinate directly with their agency in execution of these duties.
- An Incident of National Significance involving oil or hazardous materials that is a result of a criminal act or results in a criminal act, but is not an act of terror, is investigated by EPA Special Agents assigned to the EPA Criminal Investigation Division (CID) in coordination with the Federal OSC and Senior Federal Official (SFO). In this case, the EPA CID Special Agent in Charge of the local Area Office serves as the Senior Federal Law Enforcement Official in the Joint Field Office (JFO) Coordination Group.

Concept of Operations

Coordination Structures:

Figure 1 lists the coordinating mechanisms in the NRF along with parallel, but not necessarily equivalent, structures in the NCP. The key NCP structures are described further below. The sections that follow summarize the coordination between NRF and NCP structures during Incidents of National Significance

FIGURE 1. NRP coordinating mechanisms and hazard-specific NCP structures

	NATIONAL		REGIONAL	FIELD			ON-SCENE	
N R P	Interagency Incident Mgmt Group	Homeland Security Ops Center	Regional Response Coordination Center	Principal Federal Official	Joint Field Office	JFO Coordination Group	N/A	Incident Command Post
N C P	National Response Team	EPA or DHS/USCG HQ Emergency Ops Center	Regional EPA or DHS/USCG Emergency Ops Center*	EPA or DHS/USCG Senior Federal Official	N/A	Regional Response Team	Federal On-Scene Coordinator	Incident Command Post

- EPA regional emergency operations centers are called Regional Response Centers.

NCP National Response Team (NRT):

- Under the NCP, the NRT coordinates a program of preparedness, planning, and response to oil and hazardous materials incidents at the local, regional, and national levels, facilitates research to improve response activities, and provides assistance for responses to specific incidents as needed. The NRT is composed of 16 Federal agencies with responsibilities and capabilities in preparedness, planning, and response to oil and hazardous materials incidents. On a day-to-day basis, the EPA is the Chair of the NRT, and DHS/USCG serves as the Vice Chair. During an incident, the NRT Chair transitions to the member agency that provides the Federal OSC for that incident. The NRT may be activated for an incident to:
 - Monitor and evaluate reports from the OSC and recommend actions, through the Regional Response Team (RRT), to address the spill;
 - Request other Federal, State, local, and tribal governments or private agencies to provide resources; and
 - Coordinate the supply of equipment, personnel, or technical advice to the affected region from other regions or districts.

NCP Regional Response Teams:

- The NCP also establishes 13 RRTs to coordinate preparedness, planning, and response at the regional level, and requires Area Committees composed of local, tribal, State, Federal, and private-sector responders to coordinate preparedness and planning at the local level. The NCP cross-references provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) that require establishment of State Emergency Response Commissions (SERCs) and Local Emergency Planning Committees (LEPCs). Through regulation, EPA has designated federally recognized tribes as Tribal Emergency Response Commissions (TERCs) with the same responsibilities as States in implementing EPCRA. LEPCs prepare local hazardous materials emergency plans, coordinating their local area planning activities with SERCs and TERCs. RRTs, SERCs, TERCs, and LEPCs should keep each other apprised of, and coordinate their activities. Each Area Committee, in consultation with the SERCs, TERCs, and LEPCs, develops an Area Contingency Plan (ACP) for its designated area. On a day-to-day basis, EPA and DHS/USCG co-chair the RRT. When activated in support of an incident, the RRT Chair transitions to the member agency that provides the Federal OSC for that incident. During an incident, the RRTs coordinate with the NRT and provide support to the Federal OSC. RRTs:
 - Monitor and evaluate reports from the Federal OSC and make recommendations to address the spill;
 - Request other Federal, State, local, and tribal governments or private agencies to provide resources;

- Help prepare information releases for the public and for communication with the NRT; and
- Make recommendations, if needed, to the regional or district head of the agency providing the Federal OSC to designate a different Federal OSC.

NCP On-Scene Coordinators:

- The NCP outlines the responsibility of the pre-designated Federal OSCs to determine the need for Federal response, direct response efforts, and coordinate all other efforts at the scene of a discharge or release in accordance with existing delegations of authority. 3 OSCs carry out their duties from the ICP. For oil discharges, depending on the location, the agency providing the Federal OSC is either EPA or DHS/USCG. For hazardous substance emergencies, the agency providing the Federal OSC may be EPA, DHS/USCG, the Department of Energy (DOE), or the Department of Defense (DOD), depending on the source and location of the release. Other Federal agencies provide Federal OSCs for hazardous substance removal actions that are not emergencies. This arrangement is summarized in the figures below. Under CERCLA section 106 and Clean Water Act section 311, EPA and DHS/USCG may also issue administrative orders to compel responsible parties to respond. (Certain other agencies also have order authority in certain circumstances.) 3 See Title 40 CFR, part 300, sections 105, 120, 130, 135, 305, 322, and 415 in particular.

FIGURE 2. Federal On-Scene Coordinator
for oil spills

Incident Location	Federal OSC
Inland Zone	EPA
Coastal Zone	DHS/USCG

FIGURE 3. Federal On-Scene Coordinator
for CERCLA incidents

Incident Location/Source	Federal OSC for Emergency Phase	Federal OSC for Non-Emergency Removal and Remediation
Inland Zone	EPA	EPA
Coastal Zone	DHS/USCG	EPA (non-vessel incidents) DHS/USCG (vessel incidents)
DOD Vessel, Facility, Weapons/Munitions	DOD	DOD
DOE Facility, Vessel	DOE	DOE
Other Federal Facility	EPA or DHS/USCG	Individual Federal agency responsible for facility

NCP National Response Center:

- While not depicted in Figure 1, the NCP requires that oil and hazardous materials releases be reported to the National Response Center, operated by DHS/USCG for the NCP National Response System (NRS).

Response Actions Notification and Assessment:

- Under the NCP, the National Response Center receives notification of releases of oil and hazardous materials. The National Response Center immediately forwards the incident report to the appropriate pre-designated Federal OSC, the appropriate State, and other Federal entities (as previously arranged). The Federal OSC assesses the incident to determine the need for a Federal NCP response. The National Response Center also provides incident reports to the National Operations Center (NOC), and DHS assesses the incident to determine if it is an Incident of National Significance.
- If the OSC determines that an incident is of a magnitude or complexity or involves national interests that may warrant declaration of an Incident of National Significance, the OSC reports the situation and recommendations through his/her regional or district management to the appropriate headquarters emergency response program manager, who notifies the ` and provides a recommendation to DHS. (This notification does not delay OSC response to the incident.)

Response Coordination:

- Upon DHS declaration of an Incident of National Significance involving oil or hazardous materials (for which ESF #10 is not activated) and/or notification of DHS's activation of any of the following mechanisms, the NCP structures coordinate with NRF components as follows:

Headquarters-Level Coordination Incident Advisory Council (IAC):

- The NRT continues to function as provided under the NCP, but coordinates its activities with the IAC when activated by DHS for the incident. The NRT Chair works with DHS during the incident to establish appropriate mechanisms for IAC/NRT coordination. The NRT may also send a liaison to the IAC to facilitate IAC/NRT interactions, synchronize efforts, and avoid redundant or conflicting activities. In this case, the NRT liaison and NRT Chair work together to coordinate IAC/NRT interactions. For an incident involving oil or hazardous materials, the key NRT agencies involved in the incident also are likely to have agency representatives on the IAC. Under the NCP, interagency issues that are not resolved by the OSC at the ICP level generally are referred first to the appropriate RRT agency representatives for resolution. If not resolved at the regional level, they are elevated to the NRT for consideration. NRT representatives may elevate the issues to higher-level agency representatives for resolution as needed. For NCP incidents for which DHS activates the IAC, the NRT Chair and/or NRT liaison makes arrangements to coordinate headquarters-level issues with the IAC and provides NRT input to the IAC as necessary. The NRT may be called upon to provide subject-matter expertise in

oil/hazardous materials responses to the IAC. The NRT may also be called upon to provide input to the Homeland Security Council or other White House entities, through the IAC.

Homeland Security Operations Center:

- EPA or DHS/USCG, depending upon which agency is responsible for the incident, uses its headquarters emergency operations center (EOC) to coordinate and manage national-level support. The NRT also uses the primary agency's EOC to coordinate its activities. While incident reports generally flow to the NOC from the JFO once a JFO is established, the EPA or DHS/USCG EOC also keeps the NOC apprised of incident management efforts. EPA, DHS/USCG, and other appropriate NRT agencies also provide representatives at the NOC to support the coordination of information regarding NCP activities.

National Response Coordination Center (NRCC):

- Because this annex addresses oil and hazardous materials Incidents of National Significance that do not require the support of the ESF structure, it is unlikely that DHS will utilize the NRCC for such incidents. Under this annex, Federal resources are generally expected to be activated using NCP mechanisms, such as the RRTs and NRT. As noted earlier, it is possible under this annex that the EPA or DHS/USCG could request additional Federal assistance from DHS via the NRF Federal-to-Federal support mechanism to obtain support not otherwise readily available under the NCP. In that case, if support from other agencies is significant, DHS may utilize the NRCC. EPA or DHS/USCG, as appropriate, as well as the agencies that are activated via the Federal-to-Federal support mechanisms, then provide representatives to the NRCC to provide information and coordinate activities at the national level.

Interagency Modeling and Atmospheric Assessment Center (IMAAC):

- The IMAAC is an interagency center responsible for the production, coordination, and dissemination of consequence predictions for an airborne hazardous materials release. The IMAAC generates the single Federal prediction of atmospheric dispersions and their consequences utilizing the best available resources from the Federal Government.

Regional-Level Coordination

Regional Response Coordination Center (RRCC):

- If DHS activates the RRCC, EPA or DHS/USCG and other agencies as appropriate provide representatives to aid in coordination of regional support efforts. Once established, the JFO is the focal point for multiagency coordination, and the RRCC plays a support role.

Field-Level Coordination

Principal Federal Official (PFO):

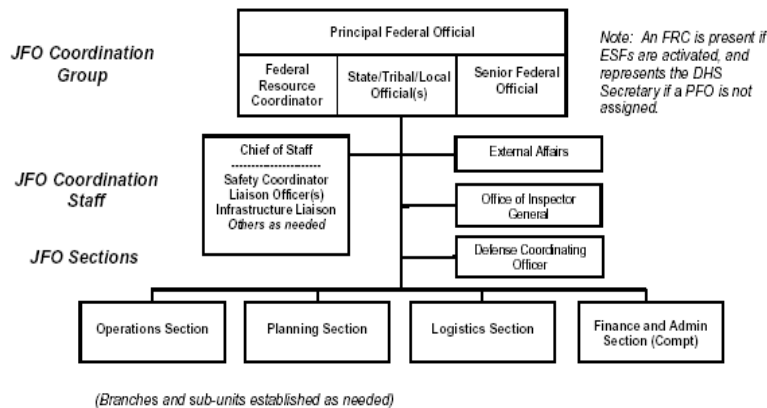
- When a PFO is designated for an oil or hazardous materials incident, the agency providing the Federal OSC designates an SFO to work in coordination with the PFO at the JFO (or alternative location if a JFO is not established). The OSC continues to conduct his/her activities at the ICP. The OSC, SFO, and other responding agency representatives provide their full and prompt cooperation, resources, and support, as appropriate and consistent with applicable authorities. The SFO coordinates with the PFO on activities such as providing incident information to the PFO as requested, coordinating the public communications strategy with the PFO and DHS Public Affairs, and clearing Federal interagency communications to the public through the PFO. It is recognized, however, that in some cases, it may be necessary for responding OSCs to communicate with the media/public on tactical operations and matters affecting public health and safety from the scene, particularly during the early stages of the emergency response, in accordance with their responsibilities under the NCP. When established for a response, the Joint Information Center coordinates public communications among the agencies and between the ICP and JFO.

Joint Field Office:

- During Incidents of National Significance, a JFO may be established as a multiagency coordination center to provide support to the on-scene ICP. For oil and hazardous materials Incidents of National Significance that do not involve Stafford Act declarations or terrorist incidents, a JFO may not be necessary. The decision to establish a JFO is made by DHS on a case-by-case basis. The SFO confers with the PFO and other agency representatives regarding the establishment of a JFO. If an Area Command has been established, the JFO may be collocated with the Area Command. If neither a JFO nor Area Command is warranted, the PFO and PFO staff may be collocated with the ICP. When a JFO is established, the JFO Coordination Group includes:
 - The PFO;
 - The SFO from the agency providing the Federal OSC;
 - State, local, and tribal officials; and
 - When applicable, a representative from the owners or operators responsible for the release.
- If other ESFs are activated to provide Federal-to- Federal support, a Federal Resource Coordinator (FRC) is also be part of the JFO Coordination Group.

- When a full JFO is warranted for an incident under this annex, Figure 4 illustrates the JFO organization.
- During a SONS in DHS/USCG jurisdiction, DHS/USCG may establish an Area Command structure, known as a Regional Incident Command (RIC) or National Incident Command (NIC) depending on the level of coordination needed. The RIC/NIC organization is responsible for coordinating strategic direction and allocation of resources to support the Federal OSC with senior government officials.
- During an Incident of National Significance, the RIC/NIC coordinates its activities with the JFO, and the JFO would likely collocate with the RIC/NIC.
- During an Incident of National Significance, the RRTs coordinate with the NRT and provide support to the OSC. The SFO coordinates RRT activities with the JFO as appropriate, and the RRTs support the JFO as requested. If an FRC is assigned to coordinate Federal-to-Federal support for the oil/hazardous materials response from other agencies, and the RRT is coordinating NCP support from NRT organizations, the SFO ensures that the RRT coordinates its activities with the FRC.

FIGURE 4. JFO organization for oil and hazardous materials Incidents of National Significance



On-Scene-Level Coordination

- Under the NCP, Federal OSCs determine the need for Federal response and have the authority to direct response efforts and coordinate all other efforts at the scene of a discharge or release in accordance with existing delegations of authority. The OSC generally joins an ICP already established by local authorities or designates an ICP at the site in accordance with the local ACP, and conducts activities from that ICP under a Unified Command. OSC efforts are coordinated with other appropriate Federal, State, local, tribal, and private response mechanisms through Incident Command System mechanisms. The OSC carries out his/her responsibilities outlined in the NCP and coordinates activities with the JFO Coordination Group. Typically, the OSC communicates with the SFO at the JFO, and the SFO coordinates with the PFO and FCO/FRC. The ICP Unified Command communicates with the JFO Coordination Group. Existing NRT agency-delegated Decision-making and contracting authorities remain in place, and the OSC and other NCP agency representatives continue to report through

chains of command established by their respective agencies. An Area Command(s) may also be established for multiple-site incidents, which would be a Unified Area Command for multijurisdictional responses. If established, Federal agencies in the Area Command coordinate their activities with the JFO Coordination Group. Typically, Federal Area Command personnel communicate with their designated SFO in the JFO, and the SFO coordinates with the PFO and FCO/FRC. The Unified Area Command coordinates with the JFO Coordination Group.

Continuing Actions:

- Operational response phases are described in detail in the family of plans that include the NCP, Regional Contingency Plans (RCPs), and ACPs.
- In addition to the initial response actions of discovery, notification, and preliminary assessment, continuing response actions include:
 - Containment, countermeasures, decontamination, cleanup, and disposal; and
 - Documentation and cost recovery.
- These plans also describe the national response priorities, general pattern of response, response to substantial threats to public health and welfare, SONS, response to worst-case discharges, funding, and the roles of and coordination and consultation with natural resources trustees.
- *(Branches and sub-units established as needed)*
 - Operations Section
 - Logistics Section
 - Planning Section
 - Principal Federal Official

Note: An FRC is present if ESFs are activated, and represents the DHS Secretary if a PFO is not assigned.

- *JFO Coordination Group*
- Finance and Admin Section (Comptroller)
- *JFO Coordination Staff*
- *JFO Sections*
 - Federal Resource Coordinator
 - Senior Federal Official State/Tribal/Local Official(s)
 - Chief of Staff

- Safety Coordinator
- Liaison Officer(s)
- Infrastructure Liaison

- *Others, as needed*
 - External Affairs
 - Office of Inspector General
 - Defense Coordinating Officer

- Hazard-Specific Planning and Preparedness Planning and preparedness for oil and hazardous materials incidents under the NCP involves:
 - Federal, State, tribal, and local governments;
 - Industry;
 - The private sector; and
 - Bordering countries.

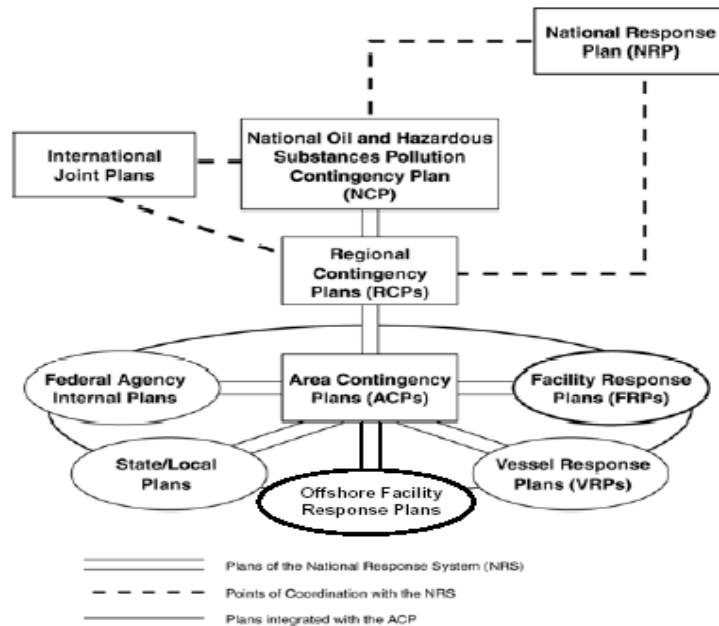
- Planning and preparedness is performed at the national, regional, and local levels, and incorporates stakeholder outreach and engagement at each level. The responsibilities for planning at each level are described in the NCP as follows:
 - National Planning:
 - National planning and coordination for oil and hazardous materials incidents is accomplished through the NRT as described in 40 CFR 300.110 – National Response Team. The NRT coordinates with the DHS Emergency Support Function Leaders Group for planning activities related to concurrent implementation of the NRF and NCP.

 - Regional Planning:
 - Regional planning and coordination of preparedness and response actions is accomplished through the RRTs as described in 40 CFR 300.115 – Regional Response Team.
 - The RRTs coordinate with the DHS Regional Interagency Steering Committees for planning activities related to concurrent implementation of the NRF and NCP.

 - Local Planning:
 - As required by section 311(j) of the Clean Water Act, under direction of the Federal OSC for its area, Area Committees comprising qualified personnel of Federal, State, and local agencies are responsible for preparing Area Contingency Plans as described in 40 CFR Subpart C – Planning and Preparedness. Also, as provided by sections 301 and 303 of title III of the Emergency Planning and Community Right to Know Act of

1986, the SERC, appointed by the Governor, is to designate emergency planning districts, appoint LEPCs, supervise and coordinate their activities, and review local emergency response plans, which are described in the Emergency Planning and Community Right-To-Know Act of 1986 and 40 CFR 300.215 – Title III local comprehensive emergency plans. Figure 5 shows the relationship of the plans under the National Response System and their supporting relationship with the National Response Framework.

FIGURE 5. Relationship of response plans under the NRS and coordination with the NRF



Responsibilities

Environmental Protection Agency and Department of Homeland Security/U.S. Coast Guard Responsibilities under the NCP include:

- Each agency provides the NRT Chair for NRT activations for incidents within its jurisdiction. EPA provides the NRT Chair and DHS/USCG the Vice Chair on a day-to-day basis.
- Each agency provides the RRT Chair for RRT activations for incidents within its jurisdiction. Each agency provides an RRT Co-Chair on a day-to-day basis.
- Each agency provides OSCs to direct response efforts and coordinate all other efforts at the scene of a discharge or release for incidents within its jurisdiction.

Cooperating Agencies:

- Federal agencies are to make available those facilities or resources that may be useful in a response situation, consistent with agency authorities and capabilities. During preparedness planning or in an actual response, various Federal agencies may be called upon to provide assistance in their respective areas of expertise, as indicated in 40 CFR 300.170 – Federal agency participation and 40 CFR 300.175 – Federal Agencies:

Additional responsibilities and assistance:

- In addition, assistance may be requested from the DHS Science and Technology Directorate for scientific support as described in the Science and Technology Support Annex, and from the DHS Information Analysis and Infrastructure Protection Directorate for information on sites with hazardous materials.

Senior Federal Official:

The agency providing the Federal OSC also provides the SFO to coordinate with the PFO and participate in the JFO Coordination Group.

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Annex 5: RRT3 Endangered Species Act and Essential Fish Habitat Biological Evaluation Guidance and Form

Please see Regional Response Team III (RRT3)'s Endangered Species Act (ESA) and Essential Fish Habitat (EFH) Biological Evaluation (BE) Guidance and Form for U.S. Coast Guard Fifth District Coastal Zone on the following pages.



REGIONAL RESPONSE TEAM III (RRT3)

Endangered Species Act (ESA) and Essential Fish Habitat (EFH)
Biological Evaluation (BE) Guidance and Form for
U.S. Coast Guard Fifth District Coastal Zone

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

Appendix 9-A3

February 2022.2

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			
2022.4			
2022.5			
2022.6			
2022.7			
2022.8			
2022.9			
2022.10			
2022.11			
2022.12			
2022.13			
2022.14			
2022.15			

Endangered Species Act and Essential Fish Habitat Consultation Guidance for Coastal Zone

The U.S. Coast Guard (USCG) Fifth District units will use this biological evaluation (BE) form to conduct Endangered Species Act (ESA) Section 7 and Essential Fish Habitat (EFH) consultation 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 ESA consultation and EFH coordination in accordance with 50 CFR § 402.05 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 listed threatened or endangered species or designated Critical Habitats or EFH:

- 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>
- 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) within the USFWS Environmental Conservation Online System (ECOS): <https://ecos.fws.gov/ipac/>

The FOSC should then evaluate response actions and their potential impacts, if any, on federally listed threatened or endangered species or designated Critical Habitats or EFH. The scope of the consultation is focused on the agency's response actions during an incident, **NOT** the incident itself.

The three ESA 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.org](https://nrt.org)¹. 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](#)² site and for USFWS guidance can be found on the [Northeast Region](#)³ site.

For all Section 7 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.

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.

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

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)

ESA/EFH Consultation Form

Section 7 primary points of contact for RRT3 coastal zone area of responsibility and North Carolina (under USCG District 5) are included in Enclosure (1). The Section 7 Consultation Form is included as Enclosure (2).

When used for emergency consultation this form is 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**. This form assists FOSCs in meeting their statutory obligations to conduct emergency consultation under Section 7 of the ESA and/or designated EFHs. 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 Best Management Practices (BMP) to mitigate potential impacts to any ESA-listed (threatened or endangered) species and/or designated Critical Habitat and/or EFH. The measures and 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 this form is submitted, the Services will consider the proposed response actions and use ENCLOSURE 2: DOCUMENTATION OF ESA SECTION 7 AND EFH EMERGENCY CONSULTATION DURING EMERGENCY RESPONSE ACTIVITIES – USFWS/NMFS RESPONSE to provide recommendations, which may include information on species and designated Critical Habitats in the area, suggested conservation measures / best management practices, etc.

Enclosures

- (1) Section 7 Primary Points of Contact
- (2) ESA Section 7 / EFH Consultation Form
 - Section I – FOSC Response Activities
 - Section II – Service Response

**ENCLOSURE 1: SECTION 7 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
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DOI Representative for RRT3

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

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NOAA
61 Inlet Drive
Point Pleasant, New Jersey 08742
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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
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USFWS Representatives for Sector North Carolina

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DOI Representative for Sector North Carolina

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ENCLOSURE 2: ESA SECTION 7 / EFH 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 Endangered Species Act (ESA) Section 7 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 §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 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. For emergency consultations, only tables A – E must be completed prior to forwarding to the Services. 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 Tables F - L. **Section II 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. When needed and applicable, this form will also be completed to inform and evaluate additional needs for compliance with the following authorities: Magnuson-Stevens Fishery Conservation and Management Act (for Essential Fish Habitat [EFH]), Migratory Bird Treaty Act (MBTA), Marine Mammal Protection Act (MMPA), Coastal Barrier Resources Act (CBRA), Bald and Golden Eagle Protection Act (BGEPA).

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. 	

B. INCIDENT / EVENT DETAILS

- Map of response action area with elements proposed (polygons showing proposed response action elements).
- 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.

C. INCIDENT AND RESPONSE ACTIONS	
<input type="checkbox"/> Pre-oiling Debris Removal	Click or tap here to enter text.
<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.

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.

E. RESPONSE ACTION AREA / HABITAT TYPES

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.

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: <https://www.habitat.noaa.gov/apps/efhmapper/efhreport/>

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.
<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"/> Exposed <input type="checkbox"/> Not Exposed	Click or tap here to enter text.

E. RESPONSE ACTION AREA / HABITAT TYPES		
<input type="checkbox"/> Freshwater <input type="checkbox"/> Intermediate <input type="checkbox"/> Brackish <input type="checkbox"/> Saltwater		
<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.

F. NMFS THREATENED / ENDANGERED SPECIES & CRITICAL HABITAT EFFECTS DETERMINATION REQUESTED (Optional to complete prior to Emergency Consultation)
<p>Identify all species and critical habitat under NMFS jurisdiction that may be found in the response action area.</p> <ul style="list-style-type: none"> 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 South Atlantic Species and Critical Habitat List: https://www.fisheries.noaa.gov/southeast/consultations/north-carolina <p>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.</p>

**F. NMFS THREATENED / ENDANGERED SPECIES
& CRITICAL HABITAT EFFECTS DETERMINATION REQUESTED
(Optional to complete prior to Emergency Consultation)**

- ☐ 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.
<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 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

**F. NMFS THREATENED / ENDANGERED SPECIES
& CRITICAL HABITAT EFFECTS DETERMINATION REQUESTED
(Optional to complete prior to Emergency Consultation)**

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 REQUESTED
(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.
<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.

**G. USFWS THREATENED / ENDANGERED SPECIES
& CRITICAL HABITAT EFFECTS DETERMINATION REQUESTED**
(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.

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.

**H. ESSENTIAL FISH HABITAT AREAS OF PARTICULAR CONCERN
EFFECTS DETERMINATION REQUESTED**
(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.

H. ESSENTIAL FISH HABITAT AREAS OF PARTICULAR CONCERN EFFECTS DETERMINATION REQUESTED (Optional to complete prior to Emergency Consultation)

☐ 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.
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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.
<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 AND 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

I. EFFECTS OF RESPONSE ACTIONS & MEASURES TO REDUCE IMPACTS TO LISTED SPECIES AND CRITICAL HABITATS

(Optional to complete prior to Emergency Consultation)

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	[placeholder for link to document on RRT III website]
<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
<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

I. EFFECTS OF RESPONSE ACTIONS & MEASURES TO REDUCE IMPACTS TO LISTED SPECIES AND CRITICAL HABITATS

(Optional to complete prior to Emergency Consultation)

<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.

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:

J. MARINE MAMMALS (Optional to complete prior to Emergency Consultation)	
<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)
<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 <u>could impact</u> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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 <ul style="list-style-type: none"> 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.

K. BALD EAGLES (Optional to complete prior to Emergency Consultation)

- 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

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,

L. MIGRATORY BIRDS**(Optional to complete prior to Emergency Consultation)**

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>.
- 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)

M. SUBMITTING BIOLOGICAL EVALUATION (BE) FORM

The USFWS and NMFS request that all BE 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. If modifications or additional information is necessary, USFWS/NMFS representative will work with the USCG until the BE form is considered complete. Once complete, the USCG will use the BE 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 3 or 4 On-scene Coordinator.

SECTION II. USFWS / NMFS RESPONSE TO ESA SECTION 7 CONSULTATION

Name of Incident: Click or tap here to enter text.		
Date of Transmittal: [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.

SERVICE RECOMMENDATIONS
Service recommendations may include information on species and designated Critical Habitats in the area, suggested conservation measures / best management practices, etc.
Click or tap here to enter text.

Annex 6: Wildlife Response Annex

Executive Summary

- In the case of an oil spill or release of a hazardous substance that would require a comprehensive response including wildlife, the Federal On-Scene Coordinator (FOSC) will coordinate with the U.S. Fish and Wildlife Service (FWS), the National Oceanic and Atmospheric Administration (NOAA)/National Marine Fisheries Service (NMFS) and the Maryland Department of Natural Resources (MDNR) to manage wildlife issues on their behalf. These natural resource agencies have authorities for wildlife and their habitats and have internal and external contacts with wildlife technical experts from various agencies with response capabilities required to conduct a successful wildlife response.

Purpose and Scope

- Coast Guard Sector Maryland-National Capital Region encompasses the entire coastal zone of the State of Maryland including the Eastern Shore to the Virginia border. This area includes the upper Chesapeake Bay and the entire Potomac River to the Virginia border and portions of the National Capital area. This document serves as a comprehensive Wildlife Annex for the Maryland-National Capital Region Area Contingency Plan (ACP), to aid the FOSC with wildlife related issues that may arise during a spill/release incident.
- The Incident Command System (ICS) is the organizational structure in place for coordination of response. The ICS organizational structure in a spill response typically includes the Unified Command (UC) and Operations, Planning, Logistics and Finance Sections. Response actions concerning the protection, identification, rescue, processing, and rehabilitation of oiled wildlife or wildlife at risk are the responsibility of the Wildlife Branch (sometimes referred to as Wildlife Operations), a branch in the Operations Section within the ICS (see Figure 1). FWS and or MDNR personnel will establish a Wildlife Branch to lead all wildlife tactical operations including conducting tactical planning, overseeing wildlife recovery and rehabilitation, conducting wildlife evidence collection, and managing wildlife volunteers.
- Working on wildlife issues within the spill/release zone requires specialized training and professionals experienced in handling wildlife and knowledgeable about wildlife biology. The handling, salvage and rehabilitation of migratory birds and listed threatened and endangered species require State and Federal permits. The MDNR is responsible for issuing permits in the State of Maryland and the FWS is responsible for issuing Federal permits.
- During an oil or hazardous material release the FWS and the MDNR are responsible for the disposition of all migratory birds, dead or alive, and for overseeing migratory bird rehabilitation by permitted organizations. Volunteers operating under a permitted rehabilitator can be deployed for recovery of oiled wildlife during a response but they must be trained in safety and bird handling procedures outlined in the FWS policy Best Practices for Migratory Bird Care during Oil Spill Response, [\(Appendix A\)](#), before being incorporated into the response.

- All activities within the location of a spill/release are subject to the authority of the FOSC. Consequently, prior to entering the location of an oil or hazardous material spill, a permitted rehabilitator must obtain authorization from the FOSC and a designated representative of the FWS and/or MDNR. In addition, the FWS and MDNR may recommend that the FOSC seek the assistance of U.S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services to participate in wildlife recovery and hazing operations.
- If an oil spill or release of a hazardous material occurs in the open water and impacts sea turtles and/or marine mammals, NMFS is the lead Federal agency and has developed the Marine Mammal Oil Spill Response Guidelines (Appendix B) and protocols for caring for oiled sea turtles (Oil and Sea Turtles, Appendix C). A National Marine Mammal Stranding Network has also been established which consists of several regional networks including the **Northeast Region that includes Maryland. The National Aquarium in Baltimore is part of this network and can assist with the recovery of marine mammals and sea turtles.**
- Activities by the Wildlife Branch are separate from, yet coordinated with; natural resource agencies conducting natural resource damage assessment (NRDA) activities even though the natural resource agencies of the Wildlife Branch may also be the same agencies as the natural resource trustees for the NRDA.

Wildlife Response Initiation

Notifications

- Following is the contact information for the Federal and State wildlife agencies which have regulatory authority over wildlife, listed threatened and endangered species, and other resources -at-risk. Wildlife, for the purpose of spill/release wildlife response, can be broadly defined as birds, amphibians, reptiles (including sea turtles), and mammals (including marine mammals) that have been oiled and are in need of rescue, recovery, or rehabilitation.
- Federal Agency – NOAA
Contacts: Frank Csulak, Scientific Support Coordinator Office (732) 872-3005
Cell (732) 371-1005
- Federal Agency – Fish and Wildlife Service (FWS)
Virginia Ecological Services Field Office
Contacts: Susan Lingenfelter Office (804) 824-2415
Cell (804) 854-6969
Office (804) 824-2403
- Federal Agency – National Marine Fisheries Service (NMFS)
24-hour hotline (866) 755-6622
Notify when discharge or release potentially impacts marine mammals and/or sea turtles in the open water.
- State Agency – Maryland Department of Natural Resources (MDNR)
24-hour hotline (800) 328-9944

Contacts: Dr. Cindy Driscoll DMV

Office (410) 226-5193

Cell (410) 570-1536

Dr. Driscoll is an integral member of the marine mammal/ sea turtle stranding network in Maryland.

Regulatory Authorities

- The pertinent regulatory authorities that Federal and Commonwealth natural resource agencies operate under during an oil spill or release of hazardous materials include:

Migratory Bird Treaty Act (MBTA)

Includes Federal permitting authority for Wildlife Rehabilitation.

<http://www.fws.gov/laws/lawsdigest/migtrea.html>

Endangered Species Act (ESA)

The FOSC consults with the FWS when there is a possibility of effects to listed threatened and endangered species including sea turtles on land. The FOSC consults with NMFS when there is a possibility of effects to sea turtles in the open water or to marine mammals.

http://www.access.gpo.gov/nara/cfr/waisidx_04/50cfr402_04.html

Marine Mammal Protection Act (MMPA)

<http://www.nmfs.noaa.gov/pr/laws/mmpa/text.htm>

Fish and Wildlife Coordination Act (FWCA)

<http://www.fws.gov/laws/lawsdigest/FWCOORD.HTML>

Oil Pollution Act (OPA)

<https://www.gpo.gov/fdsys/pkg/USCODE-2010-title33/html/USCODE-2010-title33-chap40.htm>

Clean Water Act (CWA)

<https://www.fws.gov/laws/lawsdigest/FWATRPO.HTML>

Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

<https://elr.info/sites/default/files/docs/statutes/full/cercla.pdf>

National Contingency Plan (NCP)

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr300_main_02.tpl

National Response Framework (NRF)

https://www.fema.gov/media-library-data/20130726-1914-25045-1246/final_national_response_framework_20130501.pdf

National Environmental Policy Act (NEPA)

During response to an oil spill/release consistency with the NCP is considered the functional equivalent of a NEPA analysis. After the emergency (i.e., during NRDA assessment) NEPA applies.

https://ceq.doe.gov/laws_and_executive_orders/the_nepa_statute.html

National Wildlife Refuge System Administration Act (NWRSA)

Provides directives for the administration and management of all areas (lands and waters) in the FWS National Wildlife Refuge System. The FWS is responsible for ensuring that all uses of these areas are compatible with the major purposes for which such areas were established.

<https://www.fws.gov/laws/lawsdigest/NWRSACT.HTML>

National Historic Preservation Act (NHPA)

In 1997, the National Response Team completed a Programmatic Agreement on protection of historic properties under the NCP. This agreement provides an approval procedure to meet the consultation requirements of the regulations for implementing Section 106 of the NHPA.

<http://www.achp.gov/106summary.html>

Wildlife Agencies Roles and Responsibilities

The natural resource agencies will focus their efforts on helping response personnel avoid or minimize injury to natural resources and will oversee the capture, transport, assessment, and rehabilitation of oiled wildlife. The natural resource agencies will also assure that injured resources are restored to pre-spill conditions by requiring the collection of water and sediment samples, and evidence such as oiled wildlife. These data will be used to determine the magnitude of the injury to natural resources caused by the spill, which is then developed into a natural resource damage assessment claim for restoration. These combined efforts will be accomplished by the following actions:

Pre-spill Planning

- FWS will coordinate with the U.S. Department of Interior's (DOI) Regional Environmental Officer and other DOI bureaus.
- DNR will coordinate with other State agencies.
- Participate in Area Contingency Planning, including maintenance of Wildlife Response Annex.
- Maintain agency call-out lists for spill response notification.
- Remain current in all required training elements, including participation in spill exercises.

Spill Response

- Provide recommendations to minimize impacts to wildlife during spill response.
- Ensure that resources-at-risk (ICS Form 232) are clearly identified and communicated to the FOSC.
- Provide recommendations to the FOSC concerning potential impacts to listed threatened and/or endangered species. As a representative of the lead action agency, the FOSC may be

required to initiate emergency consultation under Section 7 of the ESA (see Inter-agency Memorandum of Agreement and Guidebook, Appendix E).

- Oversee recovery and rehabilitation of oiled wildlife. Where oiled wildlife may be located within sensitive habitat, decisions may be made to not collect the animal to protect the habitat. Special measures may be taken to collect and recover threatened and/or endangered species.
- Oversee activities of wildlife contractors.
- Confirm that FWS and NMFS protocols for collecting oiled wildlife are followed.
- Ensure that appropriate documentation for collecting oiled wildlife including carcasses (i.e., Chain of Custody form) is maintained. If significant numbers of carcasses are collected, it may be necessary to obtain additional freezers and generators within secured areas.
- Coordinate over-flights and ground reconnaissance of wildlife at spill site and report to Situation Unit Leader.
- Necropsy and sampling of large marine mammals (whales) may need to occur immediately during the spill response at the site of the stranding if long-term storage/removal of carcasses is unreasonable. In these circumstances, sampling and evaluation must follow approved NMFS Guidelines (Appendix B) and occur after authorization and approval by NMFS Enforcement personnel.
- Carry out hazing measures as authorized by Federal and Commonwealth agencies in the Incident Action Plan.
- Assist in identifying and maintaining appropriate wildlife rehabilitation centers.
- Assure that evidence tagging, transportation, veterinary services, evidence storage and other support are maintained at the appropriate level.
- If warranted, access the Oil Spill Liability Trust Fund (OSLTF) pursuant to a Pollution Removal Funding Authorization (PRFA) or assist field response personnel in doing so.
- Coordinate all spill activities with the natural resource agencies conducting NRDA.

Post-spill Actions

- Ensure all wildlife response personnel are accounted for and returned safely.
- Coordinate debriefing of wildlife response agencies.
- Coordinate submission of cost documentation package to the OSLTF.

Wildlife Response Organization

Incident Command

The Incident Commander or Unified Command, which includes the FOSC have the responsibility for authorizing and coordinating all incident operations. The FOSC will coordinate with FWS and/or MDNR when wildlife may be impacted to determine appropriate response measures. For incidents that could significantly impact wildlife such as listed species or migratory birds, the FOSC may request that FWS and/or MDNR representatives become part of a Unified Command.

The Command Staff may include the following:

- Assistant Safety Officer for Wildlife;
- Assistant Liaison Officer for Wildlife;
- Wildlife Agency Representatives (FWS and/or MDNR);
- FWS can provide a Public Information Officer (PIO) for wildlife related issues;
- Other wildlife agencies can assist with delivery of pre-scripted messages.

Logistics Section

The Logistics Section is responsible for providing facilities, services, and material in support of the Wildlife Response Annex. Specific wildlife-related support needs should be identified in the Incident Action Plan and acquired by Logistics.

Finance Section

The Finance Section is responsible for financial and cost analysis aspects of the spill response incident. Participating wildlife agencies would be reimbursed from the OSLTF by a PRFA.

Planning Section (Environmental Unit)

When wildlife may be identified as at-risk or directly affected by an oil spill, at least one representative from the natural resource agencies should serve in the response effort through the Planning Section. The representatives will provide input on the protection of wildlife resources and how to minimize impacts to wildlife. Most wildlife response planning occurs within the “Environmental Unit” of the Planning Section. Depending on the nature and extent of the spill, the Environmental Unit identifies and provides technical expertise to the FOSC for the Incident Action Plan on wildlife-related response activities such as:

- Identifying sensitive areas, identifying resources-at-risk (ICS 232, [Appendix D](#)) and recommending response priorities;
- Identifying the need for, and obtaining permits and authorizations required by the provisions of the ESA, MBTA, and other pertinent regulations;
- Identifying the need for consultation pursuant to the ESA (see section Tab C to section 4000, 4000-C-300); and
- Developing plans for wildlife protection and response strategies that may include:
 - Protection strategies for wildlife;
 - Reconnaissance surveys to identify resources-at-risk;
 - Carcass recovery;
 - Wildlife deterrence (hazing) measures and pre-emptive capture;
 - Wildlife recovery (live capture and/or carcass collection), transport and rehabilitation;
 - Establishing a phone center for triage/dispatch related to wildlife calls, “Oiled Wildlife Hotline”; and
 - Establishing a volunteer hotline.

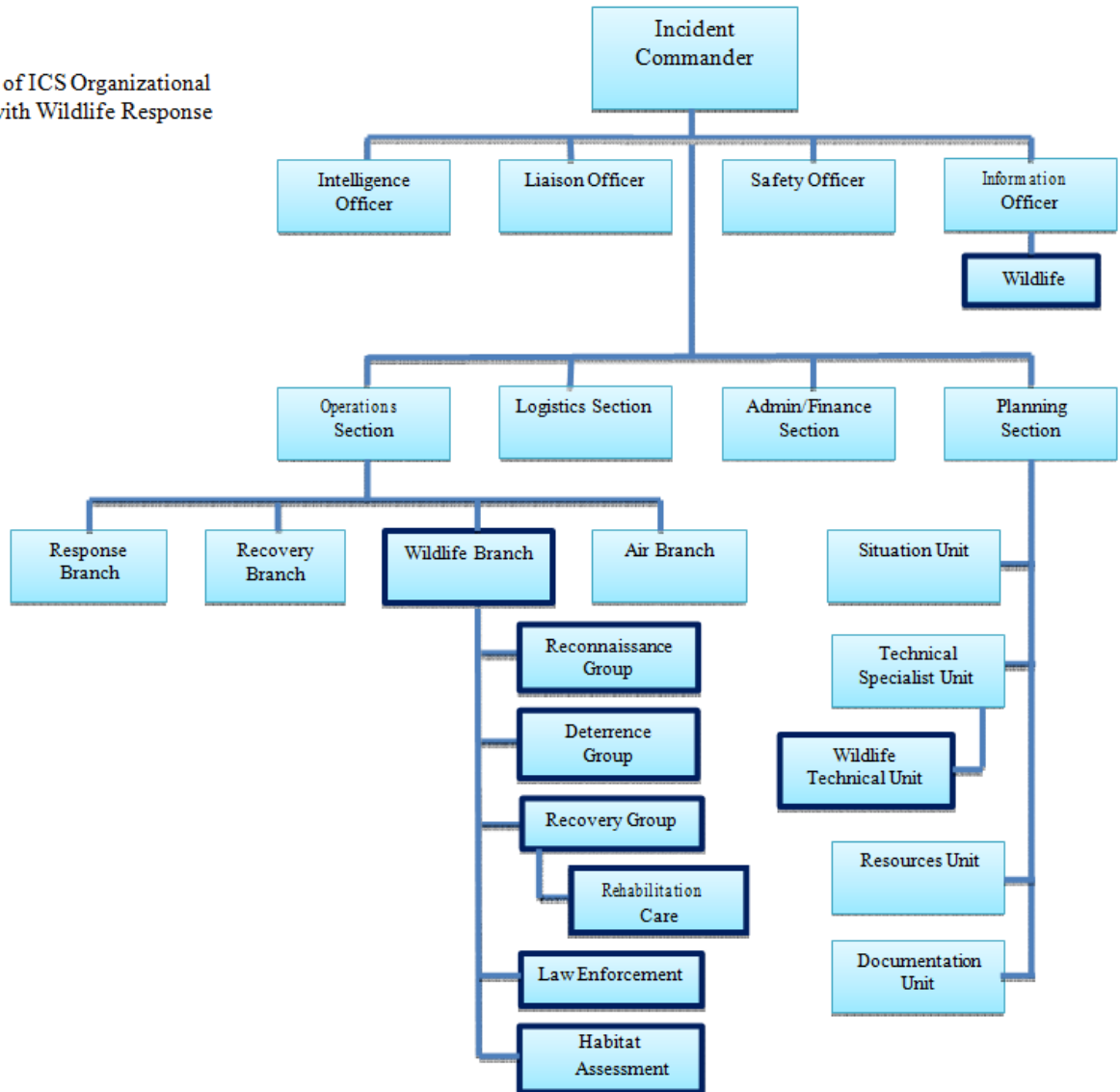
Operations Section (Wildlife Branch)

The Operations Section develops all tactical objectives and conducts all tactical response field operations. This section may also include a Wildlife Branch (Figure 1). The Wildlife Branch is responsible for coordinating all operational ground and air activities related to wildlife resources and their habitat with other Operational Section Branches and may be delegated responsibility for conducting branch tactical planning through the Environmental Unit of the Planning Section. At least one representative from the natural resource agencies should serve as the Wildlife Branch Director, to provide tactical command of all wildlife related response activities, including wildlife rehabilitation. The Wildlife Branch Director may also provide feedback to the Planning Section to aid in formulation of the Incident Action Plan and operational responsibilities related to wildlife including:

- Coordinating early aerial and ground reconnaissance for wildlife in the vicinity of the spill and report the results to the Situation Unit Leader;
- Implementing protection strategies to avoid and minimize oil impacts on wildlife; and
- Coordinating and implementing wildlife response strategies including carcass collection, wildlife deterrence, pre-emptive capture, and oiled wildlife rescue and rehabilitation.

Figure 1

Example 1 of ICS Organizational Structure with Wildlife Response



Depending on the scale and complexity of the spill, the Wildlife Branch can be divided into functional groups including:

- Wildlife Reconnaissance Group – Used for identification of wildlife at risk of becoming oiled or wildlife that has become oiled so that responders, such as APHIS, can take action to mitigate.

Functional Considerations:

- Safety
- Appropriate PPE (including gloves, Tyvek, goggles, rubber boots and PFDs if conducting boat surveys) for Reconnaissance Group team members
- Vehicles/Boats for transportation of team members
- Adequate number of personnel to perform task (at a minimum two personnel per team)

- Patrol designated divisions or areas
 - Timed search efforts
 - Search for concentrations of birds and colonies (color staining, excessive preening)
 - Ability of personnel to properly identify wildlife species
 - May necessitate entry into sensitive areas
 - Reporting sensitive resource booming needs and/or booming effectiveness
 - Observation information used to determine if pre-emptive wildlife removal and relocation is warranted
 - Observation information used to determine if deterrence is warranted
 - Documentation
 - Photographs
 - Communication /Reporting
 - GPS use
- Wildlife Deterrence (Hazing) Group - Safely and humanely deters wildlife, without touching them, to exclude them from a spill area to prevent oiling.

Functional Considerations:

- Safety
 - Appropriate PPE (gloves, boots, hearing protection, PFDs if operating out of boats) for Deterrence Group team members
 - Vehicles/Boats for transportation of team members
 - Type of spill (flammable)
 - Species impacted by spill
 - Time of year (breeding, nesting, migrating, etc.)
 - Type of deterrence (flags, propane cannons, effigies, sounding devices, etc.)
 - Locations of wildlife for placement of deterrence devices
 - May necessitate entry into sensitive areas
 - Communication
 - Law Enforcement notifications
- Wildlife Recovery Group – Responsible for recovering dead or safely and humanely capturing live oiled wildlife. Personnel should be trained according to the protocols from the FWS document Best Practices for Migratory Bird Care During Oil Spill Response (Appendix A). For recovery and salvaging sea turtles and/or marine mammals the guidelines described in the NMFS documents Oil and Sea Turtles (Appendix C) and Marine Mammal Oil Spill Response Guidelines (Appendix B) should be followed. For recovery of sea turtles and/or marine mammals in Maryland contact: MDNR Stranding Hotline (443-758-6607) for dead animals, and the National Aquarium’s 24-hour Stranding Hotline (410-576-3880) for live animals.

Functional Considerations:

- Safety
- Appropriate PPE including (gloves, Tyvek, goggles, rubber boots and PFD if conducting boat operations) for Recovery Group teams

- Adequate number of trained personnel to perform the task; at a minimum, two personnel per team
 - Appropriate number of vehicles/boats for transportation of Recovery Group teams
 - Patrol designated divisions or areas
 - Species impacted by spill
 - Type and impact of oil on wildlife
 - Time of year (breeding, nesting, migrating, etc.)
 - Method of capture of oiled wildlife
 - The ability of wildlife to evade capture
 - Percent and location of oil on plumage
 - May require entry into sensitive areas
 - Recovery of wildlife carcasses
 - Storage of carcasses may necessitate purchase of additional freezers
 - Communication/Reporting
 - Documentation
 - Forms, Chain of Custody, etc.
 - Photographs
 - GPS use
- Wildlife Transport Group - Safely and humanely transporting wildlife, oiled and non-oiled, to destinations such as wildlife stabilization sites, rehabilitation centers, secure law enforcement evidence staging areas, safe appropriate release locations and alternate nesting sites.

Functional Considerations:

- Vehicles
 - Type of transport container for a particular species
 - Climate controlled during movement of wildlife
 - Staging areas, pick up points, or drop off points
 - Communication
 - Forms, Chain of Custody, etc.
- Wildlife Care and Rehabilitation Group - Wildlife rehabilitation is the act of providing temporary care to oiled, injured, sick, or orphaned wildlife with the goal of releasing them back into the environment or other humane outcomes. Personnel should be trained according to the protocols from Best Practices for Migratory Bird Care During Oil Spill Response (Appendix A). For caring and rehabilitation of sea turtles and/or marine mammals the guidelines described in Oil and Sea Turtles (Appendix C) and in Marine Mammal Oil Spill Response Guidelines (Appendix B) should be followed. For rehabilitation of sea turtles and/or marine mammals in Maryland contact the National Aquarium. (410-576-3880).

Functional Considerations:

- Must have appropriate Federal and State permits
- Tri-State Bird Rescue and Research, Inc. (Tri-State) (Office, 302-737-9543) is the only out-of-state rehabilitation organization that is federally permitted and permitted by

MDNR to collect and rehabilitate oiled wildlife in the State of Maryland. For other federally permitted out-of-state wildlife rehabilitator organizations with appropriately trained staff to work with wildlife in Maryland, the rehabilitator would need to coordinate with MDNR to obtain authorization. Qualified individuals and rehabilitation organizations without rehabilitation permits in Maryland or not named in a Maryland issued permit may participate in oiled wildlife rehabilitation as facilitators (work in the incident command center on rehabilitation issues, coordinate supplies for rehabbers, etc.) for responsible parties, however, they cannot be responsible for oiled wildlife.

- Adequate area for intake
- Adequate area for physical exam
- Sufficient space for a veterinary hospital with isolation capabilities
- Indoor housing and caging with the ability to separate contaminated from decontaminated animals
- Food storage and preparation facilities
- Washing and rinsing areas for animals
- Indoor drying pens
- Outdoor pool and pen areas
- An area with restrooms, separate rooms for eating, and volunteer training
- Administrative offices with multiple phone and fax lines and with conference space
- Storage
- Access to a large parking area
- Adequate ventilation, hot and cold water, and climate control
- Oiled materials disposal
- Wastewater disposal
- Designated area to don and remove PPE
- Ability to store and secure evidence (chain-of-custody, samples, carcasses, etc.)

Wildlife Release - Must be a coordinated effort between rehabilitators, Federal, and Commonwealth agencies.

Functional Considerations:

- Banding
- Release points
- Press releases
- Habitat Assessment: Assessing the impact of the spill on ecological landscapes. Habitat assessment conducted for wildlife purposes should be closely coordinated with any Shoreline Cleanup/Assessment operations being conducted by the FOSC/Unified Command.
- Law Enforcement: For purposes of this Annex, this consist of the act of carrying out relevant wildlife evidence and data collection, appropriate law enforcement documentation, including impacts on wildlife and habitat such as nesting area destruction and deceased animals.

- Volunteer Management: Volunteers that wish to aid in any wildlife related functions must be qualified and trained appropriately to assist (and sometimes licensed or permitted, depending on the activity); some requirements apply to all functions, other requirements vary per function. FOSCs may use the services of volunteers in oil spill responses in accordance with their statutory authorities and other applicable laws. The Incident Command/ Unified Command should make that decision on a case-by-case basis, weighing the interests of the local volunteer community and benefits of volunteer efforts against health and safety concerns, resources needed for volunteer supervision and training, liability concerns, and other relevant issues.

Additional Areas of Consideration:

Branch Infrastructure:

- Meeting room
- Office space
- Food and drink space
- Internet connection
- Freezer for morgue
- White boards
- Parking
- Trash disposal
- Supply area with shelves
- Communications
- Laptops, printers, copier, cell phone signal booster, external hard drives to back up data and for digital photograph archives

Health and Safety:

- HAZWOPER training, and spill specific orientation
- Wildlife Health And Safety Plan (Appendix F)
- Congested traffic hazards
- Water craft drowning and slipping hazards
- Fuel spill prevention
- PPE
- Handling wildlife hazards
- Wildlife diseases
- Dehydration
- Nutrition
- Rest
- Sun exposure
- Plant irritants
- Tick borne diseases
- Mosquitoes diseases
- Insect repellents
- First aid
- Weather hazards (storms, high winds, lighting, tornados)

- Frost bite
- Heat stress
- 911 and list of local hospitals

Wildlife Morgue:

- Forms
- Chain of Custody
- Packaging

Decontamination:

- PPE disposal
- Boot wash
- Wildlife transport carriers
- Capture equipment
- Boats
- Other disposal

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APPENDIX D

ICS 232 Resources at Risk

1. Incident Name MD-1		
3. Environmentally-Sensitive Areas and Wildlife Issues (INCIDENT SPECIFIC PRIORITIES WILL BE DETERMINED BY THE ENVIRONMENTAL UNIT)		
Site #	Priority	Site Name and/or Physical Location
Narrative		
<p><u>Shoreline</u> area is predominantly Fine to Medium Grained Sand Beaches (3A) on the Atlantic Ocean Side and Salt and Brackish Water Marshes (10A) in the Assawoman Bay side. Also present in this area is some limited Coarse-Grained Sand Beaches (4), Sheltered, Solid Man-Made Structures (8B) and Sheltered Riprap (8C).</p> <p><u>Biological Resources</u> include shorebirds, waterfowl, gulls & terns, wading birds, and diving birds with significant nesting areas indicated for gulls & terns. Assawoman Bay, Isle of Wight Bay and connected creeks have numerous fish species, bivalves, crabs, gastropods, shrimp, dolphin/porpoise and several species of turtle. All of these are also present in the Atlantic Ocean where there are also humpback whales and northern right whales. Various species of sea turtles are also found in the marshes and sand beaches.</p> <p><u>Threatened or Endangered Species</u>: Endangered bird species include the black skimmer. Green, kemp, leatherback, northern diamondback terrapin and loggerhead sea turtles have been observed in the area. All species, except the northern diamondback terrapin are listed as endangered or threatened under the Endangered Species Act. Humpback whales and Northern Right whales are also found in the coastal waters and they are listed as endangered under the Endangered Species Act.</p> <p><u>Human-Use Resources</u>: The Isle of Wight Wildlife Management Area is located in this map area. There is significant commercial fishing and recreational boating traffic in this area as well. There are no boat ramps listed in this area.</p>		

4. Archaeo-cultural and Socio-economic Issues		
HUN#	Priority	Site Name and/or Physical Location
153		Isle of Wight Wildlife Mgmt Area

<p>Narrative</p> <p><u>Cultural & Historic Resources:</u></p> <p><u>Socio Economic:</u></p>

5. Prepared by: (Environmental Unit Leader)	Date/Time
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RESOURCES AT RISK SUMMARY	ICS 232-CG (Rev.07/04)
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1. Incident Name		
MD-2		
3. Environmentally-Sensitive Areas and Wildlife Issues (INCIDENT SPECIFIC PRIORITIES WILL BE DETERMINED BY THE ENVIRONMENTAL UNIT)		
Site #	Priority	Site Name and/or Physical Location

Narrative

Shoreline area is predominantly Solid Man-Made Structures (8B), Sheltered Riprap (8C) and Salt and Brackish Water Marshes (10A). Also present in this area is some limited Coarse-Grained Sand Beaches (4) and Sheltered, Vegetated Low Banks (9B).

Biological Resources include passerine birds, shorebirds, waterfowl, gulls & terns, wading birds, and diving birds. The St. Martin River and connected tributaries have numerous fish species, bivalves, crabs, gastropods, shrimp, dolphin/porpoise and several species of turtle.

Threatened or Endangered Species: Green, kemp, leatherback, northern diamondback terrapin and loggerhead sea turtles have been observed in the area. All species, except the northern diamondback terrapin are listed as endangered or threatened under the Endangered Species Act.

Human-Use Resources: There is significant commercial fishing and recreational boating traffic in this area as well. There are numerous boat ramps and marinas listed in this area.

4. Archaeo-cultural and Socio-economic Issues		
Site #	Priority	Site Name and/or Physical Location

Maryland-National Capital Region Area Contingency Plan 2021.2
Annexes

Narrative		
<u>Cultural & Historic Resources:</u>		
<u>Socio Economic:</u>		
5. Prepared by: (Environmental Unit Leader)		Date/Time
RESOURCES AT RISK SUMMARY		ICS 232-CG (Rev.07/04)

1. Incident Name		
MD-3		
3. Environmentally-Sensitive Areas and Wildlife Issues (INCIDENT SPECIFIC PRIORITIES WILL BE DETERMINED BY THE ENVIRONMENTAL UNIT)		
Site #	Priority	Site Name and/or Physical Location
<p>Narrative</p> <p><u>Shoreline</u> area is predominantly Fine to Medium Grained Sand Beaches (3A) on the Atlantic Ocean Side and Salt and Brackish Water Marshes (10A) in the Assawoman Bay side. Also present in this area is some limited Exposed Scarps and Steep Slopes in Sand (2B), Coarse-Grained Sand Beaches (4), Riprap (6B), Exposed Tidal Flats (7), Sheltered, Solid Man-Made Structures (8B), Sheltered Riprap (8C), and Sheltered Tidal Flats (9A).</p> <p><u>Biological Resources</u> include passerine birds, shorebirds, waterfowl, gulls & terns, raptors, pelagic birds, wading birds, and diving birds with significant nesting areas indicated for gulls & terns. Isle of Wight Bay and connected tributaries have numerous fish species, bivalves, crabs, gastropods, shrimp, pinnipeds, dolphin/porpoise and several species of turtle. All of these are also present in the Atlantic Ocean where there are also humpback whales and northern right whales. Various species of sea turtles are also found in the marshes and sand beaches.</p> <p><u>Threatened or Endangered Species:</u> Endangered or threatened bird species include the black skimmer, least tern, royal tern, bald eagle and piping plover. Green, kemp, leatherback, northern diamondback terrapin and loggerhead sea turtles have been observed in the area. All species, except the northern diamondback terrapin are listed as endangered or threatened under the Endangered Species Act. Humpback whales and Northern Right whales are also found in the coastal waters and they are listed as endangered under the Endangered Species Act. Assateague Island has numerous types of endangered habitat vegetation.</p> <p><u>Human-Use Resources:</u> The Sinepuxent Bay Wildlife Management Area and Assateague Island National Seashore are all in this area. There is significant commercial fishing and recreational boating traffic in this area as well. There are numerous boat ramps and marinas listed in this area.</p>		
4. Archaeo-cultural and Socio-economic Issues		

Maryland-National Capital Region Area Contingency Plan 2021.2
Annexes

HUN#	Priority	Site Name and/or Physical Location
184		Sinepuxent WMA
202		Assateague Island National Seashore

Narrative

Cultural & Historic Resources:

Socio Economic:

5. Prepared by: (Environmental Unit Leader)

Date/Time

RESOURCES AT RISK SUMMARY

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1. Incident Name		
MD-4		
3. Environmentally-Sensitive Areas and Wildlife Issues (INCIDENT SPECIFIC PRIORITIES WILL BE DETERMINED BY THE ENVIRONMENTAL UNIT)		
Site #	Priority	Site Name and/or Physical Location
<p>Narrative</p> <p><u>Shoreline</u> area is predominantly Solid Man-Made Structures (8B), Sheltered Tidal Flats (9A), Sheltered, Vegetated Low Banks (9B) and Salt and Brackish Water Marshes (10A). Also present in this area is some limited Exposed Scarps and Steep Slopes in Sand (2B), Fine to Medium Grained Sand Beaches (3A), Coarse-Grained Sand Beaches (4) , and Scrub-Shrub Wetlands (10D).</p> <p><u>Biological Resources</u> include passerine birds, shorebirds, waterfowl, gulls & terns, wading birds, raptors, pelagic birds, and diving birds. The Sinepuxent Bay and connected tributaries have numerous fish species, bivalves, crabs, gastropods, shrimp, pinnepeds, dolphin/porpoise and several species of turtle. All of these are also present in the Atlantic Ocean where there are also humpback whales and northern right whales. Various species of sea turtles are also found in the marshes and sand beaches.</p> <p><u>Threatened or Endangered Species:</u> Threatened or endangered bird species include the black skimmer, least tern, royal tern, bald eagle and piping plover. Green, kemp, leatherback, northern diamondback terrapin and loggerhead sea turtles have been observed in the area. All species, except the northern diamondback terrapin are listed as endangered or threatened under the Endangered Species Act. Assateague Island has numerous types of endangered habitat vegetation.</p> <p><u>Human-Use Resources:</u> The Assateague Island National Seashore and Assateague State park are in this area. There is significant commercial fishing and recreational boating traffic in this area as well. There are numerous boat ramps and marinas listed in this area.</p>		
4. Archaeo-cultural and Socio-economic Issues		
HUN#	Priority	Site Name and/or Physical Location

Maryland-National Capital Region Area Contingency Plan 2021.2
Annexes

202		Assateague Island National Seashore
216		Assateague State Park

Narrative

Cultural & Historic Resources:

Socio Economic:

5. Prepared by: (Environmental Unit Leader)

Date/Time

RESOURCES AT RISK SUMMARY

ICS 232-CG (Rev.07/04)

1. Incident Name		
MD-6		
3. Environmentally-Sensitive Areas and Wildlife Issues (INCIDENT SPECIFIC PRIORITIES WILL BE DETERMINED BY THE ENVIRONMENTAL UNIT)		
Site #	Priority	Site Name and/or Physical Location
<p>Narrative</p> <p><u>Shoreline</u> area is predominantly Salt and Brackish Water Marshes (10A). Also present in this area is some limited Exposed Scarps and Steep Slopes in Sand (2B), Coarse-Grained Sand Beaches (4), Sheltered Riprap (8C) and Sheltered Tidal Flats (9A).</p> <p><u>Biological Resources</u> include passerine birds, shorebirds, waterfowl, gulls & terns, wading birds, and diving birds. The Chincoteague Bay and connected tributaries have numerous fish species, bivalves, crabs, gastropods, shrimp, pinnepeds, dolphin/porpoise and several species of turtle.</p> <p><u>Threatened or Endangered Species:</u> Threatened or endangered bird species include the bald eagle. Green, kemp, leatherback, northern diamondback terrapin and loggerhead sea turtles have been observed in the area. All species, except the northern diamondback terrapin are listed as endangered or threatened under the Endangered Species Act. Assateague Island has numerous types of endangered habitat vegetation.</p> <p><u>Human-Use Resources:</u> The Chesapeake Forest Lands, Pocomoke River Corridor HCF, Pocomoke River State Forest, Van De Graff Woods HCF, and a public park are in this area. There a clam aquaculture site located on the western shore of Chincoteague Bay. There is significant commercial fishing and recreational boating traffic in this area as well. There are numerous boat ramps and marinas listed in this area.</p>		
4. Archaeo-cultural and Socio-economic Issues		
HUN#	Priority	Site Name and/or Physical Location
83		Aquaculture (clam)

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Annexes

128		Chesapeake Forest Lands
173		Pocomoke River Corridor SF
174		Pocomoke River SF
196		Van De Graff Woods HCF
215		Public Park

Narrative

Cultural & Historic Resources:

Socio Economic:

5. Prepared by: (Environmental Unit Leader)

Date/Time

RESOURCES AT RISK SUMMARY

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