

Jireh Environmental Response Isla de Mona, Puerto Rico



Background

- NOAA SSC Support on scene from 22 June thru 21 August 2012 (2 months three SSCs)
- Incident was not typical oil spill response
- Justification of vessel removal
- Salvage project
- Resource concerns

Resource Protection

- Remote Sensitive Environment
- Sea Turtles
 - Nesting, swimming
 - Operational effects, physical disturbance, noise, lighting
- Coral
 - Listed and non-listed species of concern
 - Physical damage from vessels, lines, equipment
 - Toxic concerns from discharges

NOAA Involvement

- 17 BMPs developed in coordination with NMFS to guide operations for protection of resources
- NOAA Assessment Response Division (ARD) engaged heavily for site assessments, coral relocation, anchoring location guidance, monitoring and damage assessment
- NOAA Emergency Response Division (ERD) Provided SSC support on scene and remotely at times. Coordinated between resource agencies including NMFS, FWS, Puerto Rico for resource protection issues. Also, provided typical weather, trajectory, hazards assessments, reviews of response plans, etc.

Successes

- Unprecedented coordination and cooperation between response and resource agencies
- Successful justification of vessel removal for ultimate protection of the environment
- Minimal resource impacts considering the location sensitivity, resources at risk, environmental conditions, and operational challenges

Lessons

- Need to develop better PRFA documentation and gain concurrence from FOSC on all response activities, especially when ARD is supporting response
- Need to clarify with fund center what activities are legitimately supportive of response vs. damage assessment and thereby authorized for funding under the response
 - i.e., why is relocation of coral to protect it from response operations not viewed as a response related activity?

More to Come

USCG has submitted a formal consultation to NMFS to describe what resource impacts occurred during the response. Primarily, this report documents what response activities affected resources (mostly sea turtles and corals), review of the BMPs and their use, and how we can improve in the future. Awaiting NMFS review and response.

More Lessons

- NOAA held a review of internal and external coordination for the resource and response coordination relative to the consultation activities and support to the FOSC during and after the response to meet the formal consultation requirements.
- Review indicated consultation process and coordination can be improved. Coordination during response was generally very good, but coordination and support post response needed improvement.



Consultation Mandates for Response

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NOAA SSC for D7

REQUIREMENTS

- ESA section 7
- EFH
- NHPA 106
- Tribal
- Others?
 - DOD, USACOE, States
- Permits: COE, EPA

Some Background

- Required for Pre-approved plans like dispersants, ISB, etc.
- Recent review indicated all existing pre-authorized plans were technically invalid due to missing, outdated, or incomplete consultation requirements

Recent Issues

- D11 Lawsuit
- D7 Response Jireh
- Many activities around the country to begin addressing deficiencies and define a way forward
- Many plans on hold; pre-approvals are now case by case

Proposal

- Develop a comprehensive, operationally focused consultation guidance manual for FOSC's to address the requirements, formats, procedures, forms, and processes for all consultation mandates: ESA, EFH, NHPA, tribal

3 Different Consultation Formats to Be Included:

- Required consultations for preapprovals and plans
- Emergency consultations during response
- Post-incident formal or informal consultations

Additional

- Can also address permitting issues if desired; COE, EPA, etc.
- Can have an appendix to address regional or state specific variances or modifications

Vision

- Would function similarly to the selection guide by providing a step-through process for the user so all mandates are met and documented
- Would be reviewed by the resource agencies to insure it meets their needs

What the Manual Will Do

- Provide a systematic comprehensive, process and procedure to comply effectively to all consultation mandates for response

What the Manual Won't Do

- Will not meet the requirements for providing Biological Assessments* which must be provided for consultations under ESA. These must be updated for changes to species, countermeasure variances that would alter the biological opinion including operational techniques or product schedule changes.

* The BAs are still a problem we have not yet solved.

Current Status

- Region 4 has agreed that they want to develop the manual
- Region 3 wants to join RRT4 to help develop it
- NRT has expressed interest and may promote it nationally once developed

END

Questions

Comments