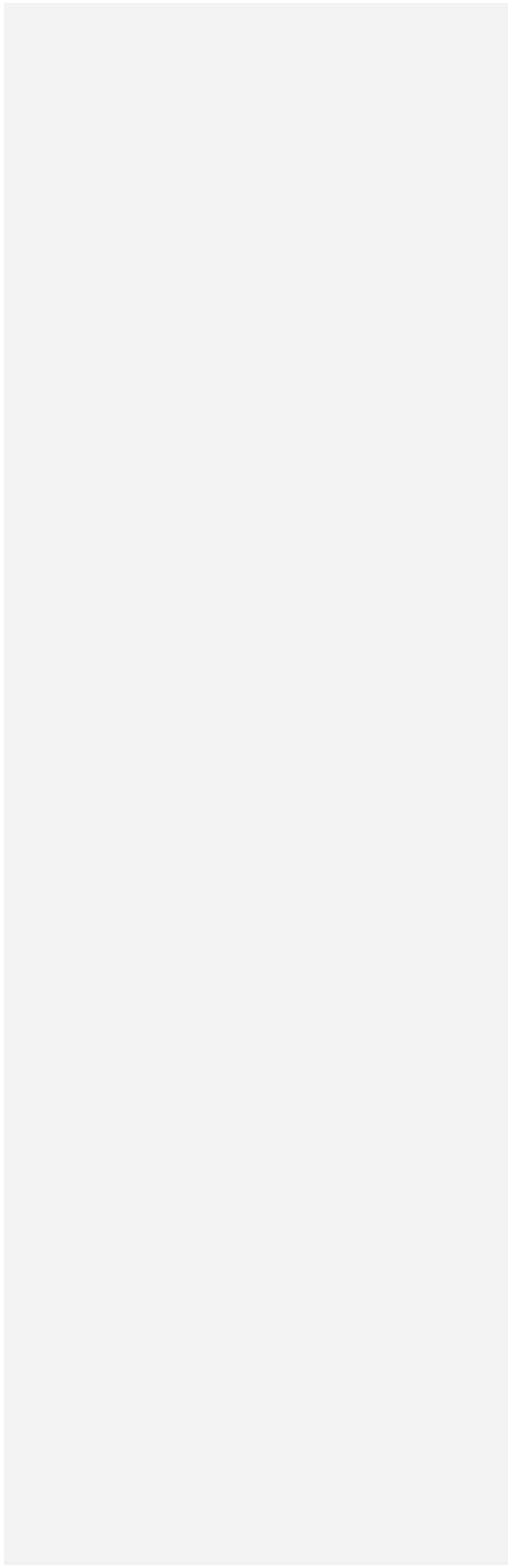


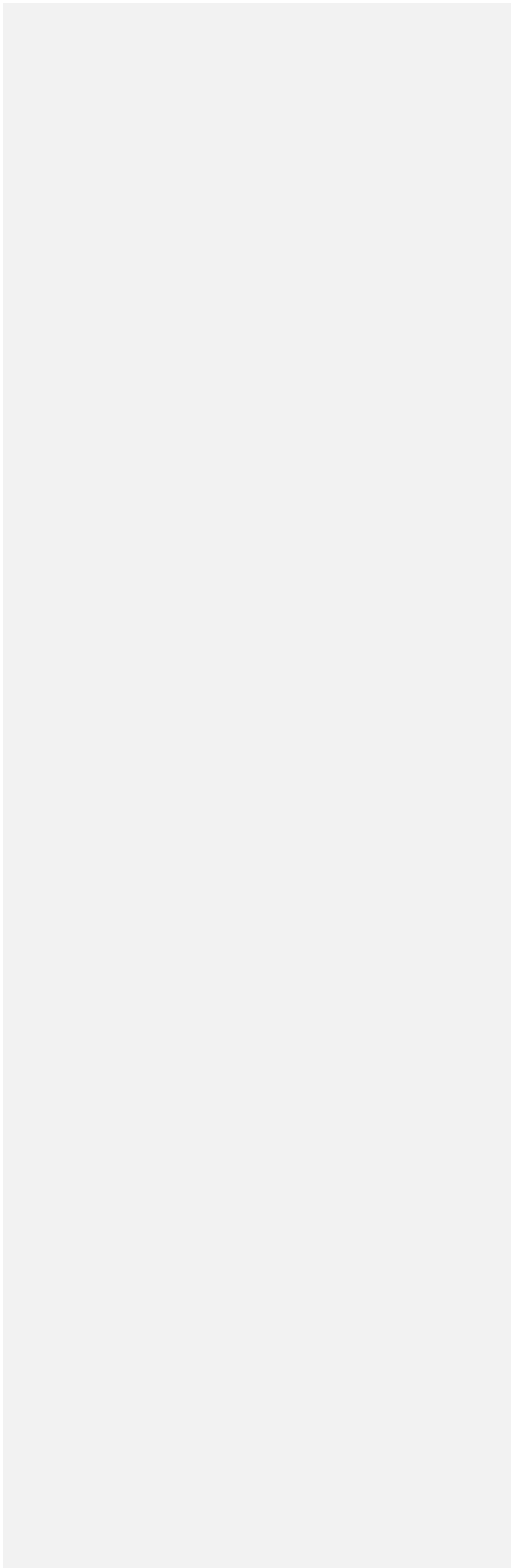
**Section 9404
Region 10 Regional
Response Team and/
Northwest Area
Committees~~Committe~~
e Endangered
Species Act
Compliance Guide for
Federal Responders
during Emergency
Response**





T able of Contents

Section	Page
9404	
Region 10 Regional Response Team <u>and</u> Northwest Area Committees <u>Committee</u> Endangered Species Act Compliance Guide for Federal Responders during Emergency Response.....	9404-1
9404.1 Initial Information Exchange	9404-1
9404.1.1 Emergency/First Contact:	9404-1
9404.1.2 Process for Completing the Form	9404-2



Region 10 Regional Response Team ~~and~~ Northwest Area ~~Committees~~ Committee Endangered Species Act Compliance Guide for Federal Responders during Emergency Response

9404.1 Initial Information Exchange

This document is intended to assist the Federal On-Scene Coordinator (FOSC) in minimizing impacts to threatened and endangered species during emergency response operations. It may be used to assist FOSCs in meeting their statutory obligations to conduct emergency consultation under Section 7 of the Endangered Species Act (ESA). It may also provide a consistent template for the ~~United~~ States Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) (collectively, the "Services") to use in compiling relevant information and recommendations.

Use this form when federal actions may impact or potentially impact federally listed threatened or endangered species or their critical habitat. Neither the use of this document nor its suggested approaches is mandatory on any FOSC or Services employee.

9404.1.1 Emergency/First Contact:

As outlined in the Northwest ~~Regional Area~~ Contingency Plan, response agencies shall promptly notify Federal Natural Resources Trustees/~~ESA~~ ~~regulatory compliance agency~~ of discharges or releases according to the notification guidelines under their jurisdiction. In the Northwest Area:

- NOAA 24-HR Spill Line: (206) 526-6322. Secretary of Commerce representative to Region 10 Regional Response Team.
- DOI Regional Environmental Officer: (503) 720-1212 Secretary of the Interior representative to Region 10 Regional Response Team.

Northwest ~~Regional~~Area Contingency Plan

9404. ~~Region 10 Regional Response Team/Northwest Area Committees~~Committee
Endangered Species Act Compliance Guide for Federal Responders
During Emergency Response

The trustee representatives from these agencies will notify appropriate Service staff (NMFS or USFWS) of the incident and response, as well as facilitate contact between their respective Service and agency response personnel.

9404.1.2 Process for Completing the Form

After initial contact to the Natural Resource Trustee(s) is made by the Response Agency, the FOSC should fill out ATTACHMENT 1: DOCUMENTATION OF ESA SECTION 7 EMERGENCY CONSULTATION DURING EMERGENCY RESPONSE ACTIVITIES – FOSC INITIAL INFORMATION REPORT to extent possible, given the available information. All response actions taken or being considered should be indicated, including any FOSC approved response measures to minimize impacts to listed species and critical habitats.

To maximize the effectiveness of the emergency notification to the Natural Resource Trustees, this form should be completed by the FOSC within 24 hours following the start of emergency response activities and transmitted via email to the Natural Resource Trustee representatives. The Services will consider the proposed response actions and use ATTACHMENT 2: DOCUMENTATION OF ESA SECTION 7 EMERGENCY CONSULTATION DURING EMERGENCY RESPONSE ACTIVITIES - USFWS/NMFS RESPONSE to acknowledge notification. If the response may affect any listed species or critical habitat as well as provide recommendations and offer Best Management Practices or other measures to avoid and minimize any potential adverse effects, the Services will provide any proposed conservation measures to the FOSC as soon as possible, preferably within 24 hours, after receipt of the FOSC notification.

In 2018, EPA and USCG jointly requested formal consultation from the Services on implementation of the plan formerly known as the NWACP. In response, the Services released two Biological Opinions (BiOps) in 2020 and 2021 that address the effects of emergency response actions performed pursuant to the NWACP on federally listed species and designated critical habitat within a specific Action Area. Those BiOps can be found on the RRT 10/NWAC website under the ESA Consultation menu [here](#). These BiOps contain Best Management Practices, Reasonable and Prudent Measures and Terms and Conditions which should be consulted by the FOSC.

Commented [ML1]: This hyperlinks to the website at: <https://rrt10nwac.com/ESAConsultation.aspx>

Any and all of this information may be conveyed verbally, via fax, or over email.

If the response is anticipated to continue beyond the 48-hour notification and response period, the FOSC will continue to coordinate with the Services as appropriate. The final product should document emergency response

Northwest ~~Regional~~Area Contingency Plan

9404. ~~Region 10 Regional Response Team/Northwest Area Committees~~Committee
Endangered Species Act Compliance Guide for Federal Responders
During Emergency Response

activities including measures taken to avoid or minimize impacts to listed species and critical habitat during the response.

Responders should not delay emergency response actions while awaiting a response from the Services.

**ATTACHMENT 1: DOCUMENTATION OF ESA SECTION 7 EMERGENCY
CONSULTATION DURING EMERGENCY RESPONSE ACTIVITIES – FOSC INITIAL**

DATE/TIME OF TRANSMITTAL:

FROM: FOSC U.S. Coast Guard/EPA	NAME: Click here to enter text. EMAIL: Click here to enter text.	t: Click here to enter text. f: Click here to enter text.
TO: DOI Regional Environmental Officer	NAME: Allison O'Brien EMAIL: allison_o'brien@ios.doi.gov	t: (503) 720-1212 (24-hour)
TO: NOAA Northwest Scientific Support Coordinator	NAME: Click here to enter text. EMAIL: Click here to enter text.	t: (206) 526-6322 (24-hour)

Name of Incident	
Date/time of incident	
This is an <input type="checkbox"/> initial report or <input type="checkbox"/> updated report.	
Incident Type (e.g., vessel grounding, vessel collision, pipeline, transfer)	
Product(s) Released	
Volume Released (indicate whether gallons or barrels)	
Potential Volume (indicate whether gallons or barrels)	
Has the release been stopped, is it continuing, or is the status unknown?	
Is the release contained, spreading, or is the status unknown?	
Indicate which Geographic Response Plan strategies exist for the area affected or potentially affected by the release.	
Indicate which, if any, Geographic Response Plan strategies have been or are being deployed.	

CENTER LOCATION (NAD 83)	LATITUDE: Click here to enter text.	LONGITUDE: Click here to enter text.
Nearest Address		
LOCATION TYPE	CHECK ALL THAT APPLY	NAME/LANDMARKS
Port/Industrial/Canal	<input type="checkbox"/>	Click here to enter text.
Riverine	<input type="checkbox"/>	
Inshore/Estuarine	<input type="checkbox"/>	
Nearshore/Coastal	<input type="checkbox"/>	
Offshore/EEZ	<input type="checkbox"/>	

DESCRIPTION OF INCIDENT (Include ICS 201 or other ICS forms as appropriate): Be as complete as possible. Include detailed information initial impacts, and other relevant information.

Click here to enter text.

Change ~~2221~~
~~February~~ January 1, ~~2023~~ 2020

9404-5

RESPONSE ACTIONS (Check All That Apply)

This is an <input type="checkbox"/> initial list of response actions or <input type="checkbox"/> updated list.		
ACTION		DETAILS / NOTES
Barriers/Berms/Fences	<input type="checkbox"/>	Click here to enter text.
Booming (Containment/Exclusion)	<input type="checkbox"/>	Click here to enter text.
Dispersants	<input type="checkbox"/>	Click here to enter text.
Elasticity Modifiers	<input type="checkbox"/>	Click here to enter text.
Emulsifying Agents	<input type="checkbox"/>	Click here to enter text.
Flooding/Flushing	<input type="checkbox"/>	Click here to enter text.
In-situ Burning	<input type="checkbox"/>	Click here to enter text.
Manual Oil Removal/Cleaning	<input type="checkbox"/>	Click here to enter text.
Net Use or Trawling	<input type="checkbox"/>	Click here to enter text.
Nutrient Enrichment/Bioremediation	<input type="checkbox"/>	Click here to enter text.
Oiled Vegetation Cutting/Removal	<input type="checkbox"/>	Click here to enter text.
Oiled Debris Removal	<input type="checkbox"/>	Click here to enter text.
Physical Herding	<input type="checkbox"/>	Click here to enter text.
Pre-oiling Debris Removal	<input type="checkbox"/>	Click here to enter text.
Sand Blasting	<input type="checkbox"/>	Click here to enter text.
Sediment Removal	<input type="checkbox"/>	Click here to enter text.
Sediment Reworking/Tilling	<input type="checkbox"/>	Click here to enter text.
Shoreline Cleaning	<input type="checkbox"/>	Click here to enter text.
Skimming	<input type="checkbox"/>	Click here to enter text.
Solidifiers	<input type="checkbox"/>	Click here to enter text.
Sorbents (specify type in notes – e.g., sausage, pom-pom, particulate, etc.)	<input type="checkbox"/>	Click here to enter text.
Steam Cleaning	<input type="checkbox"/>	Click here to enter text.
Surface Washing Agent/Chemical Shoreline Cleaners	<input type="checkbox"/>	Click here to enter text.
Surface Collecting Agents/Herders	<input type="checkbox"/>	Click here to enter text.
Trenching	<input type="checkbox"/>	Click here to enter text.
Vacuuming	<input type="checkbox"/>	Click here to enter text.

Vessel/Container Removal	<input type="checkbox"/>	Click here to enter text.
Wildlife Hazing	<input type="checkbox"/>	Click here to enter text.
Other	<input type="checkbox"/>	Click here to enter text.
Additional information on response actions:		
Click here to enter text.		

VESSELS/VEHICLES (Check All That Apply)

Airplanes	<input type="checkbox"/>	Click here to enter text.
ATVs	<input type="checkbox"/>	Click here to enter text.
Boats	<input type="checkbox"/>	Click here to enter text.
Heavy Equipment	<input type="checkbox"/>	Click here to enter text.
Helicopters	<input type="checkbox"/>	Click here to enter text.
Staging Areas	<input type="checkbox"/>	Click here to enter text.
Truck or other automobile	<input type="checkbox"/>	Click here to enter text.

HABITAT TYPES CHECKLIST (Optional – fill out if known)

Habitat Type	Check All in Response Area	Exposed	Not Exposed
Beach	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Lagoon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dune	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eelgrass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intertidal/Mud Flats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lake/Lacustrine (freshwater)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Riverine/Riparian (freshwater)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rocky Intertidal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Salt/Tidal Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetland (freshwater)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marine (open water)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: (list below)			
-Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-Click here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ATTACHMENT 2: DOCUMENTATION OF ESA SECTION 7 EMERGENCY
CONSULTATION DURING EMERGENCY RESPONSE ACTIVITIES -
USFWS/NMFS REPSONSE**

DATE OF TRANSMITTAL:

FROM:	NAME: Click here to enter text.	t: Click here to enter text.
	EMAIL: Click here to enter text.	f: Click here to enter text.
	NAME: Click here to enter text.	t: Click here to enter text.
	EMAIL: Click here to enter text.	f: Click here to enter text.
TO: FOSC U.S. Coast Guard/EPA	NAME: Click here to enter text.	t: Click here to enter text.
	EMAIL: Click here to enter text.	f: Click here to enter text.
Name of Incident		

Recommendations (may include information on species and critical habitats in the area, suggested conservation measures, etc.):

Click here to enter text.

Recommendations (continued):

enter text.