

## Deepwater Horizon (MC-252)

### Protocols for minimizing adverse effects to wildlife during nighttime operations

#### Purpose and scope

The purpose of this document is to provide recommended protocols for nighttime operations involving beach cleanup and nearshore skimming activities. These protocols are intended to minimize potential adverse effects to wildlife within the nearshore and shoreline areas. It is expected that these protocols will be made available as needed to all personnel involved in nighttime operations within the Mobile Sector of the Unified Command. It is expected that any planned operational tactics that deviate from these protocols will be reported to the Planning Section Environmental Unit for review prior to implementation. These protocols were developed based on input from National Oceanic and Atmospheric Administration (NOAA), United States Fish and Wildlife Service (USFWS), National Park Service (NPS), and Florida Fish and Wildlife Conservation Commission (FWC).

These protocols apply to nighttime operations throughout the Mobile Sector. The primary resources of concern include, but are not limited to; sea turtles, beach mice, and nesting shorebirds. Sea turtles may potentially nest at any shoreline location within the Mobile Sector; there are no low-impact areas<sup>1</sup> areas in this regard with perhaps the exception of Dauphin Island. Four endangered subspecies of beach mouse<sup>2</sup> occur in the dune systems of Alabama and northwest Florida. Nesting and migratory shorebirds occur along sandy beaches along the coasts of Mississippi, Alabama, and Florida.

Special considerations in addition to those recommended here apply to any NPS, USFWS Refuge, State Parks, and Department of Defense (DOD) lands. A resource advisor (READ) must accompany any cleanup crews at all times while on NPS or USFWS Refuge lands and may be required on State or DOD lands. See the section on special considerations at the end of this document for more information.

Nighttime operations present risks to wildlife, including, but not limited to, disorientation, hazing, and/or injury to nesting sea turtles, nesting shorebirds, and beach mice. However, it is recognized that an emergency (i.e. oil spill cleanup) may require actions to protect human life and property and that this objective takes precedence over potential impacts to wildlife and sensitive lands. It is also recognized that, in certain instances, oiled shoreline may present a more significant, long-term risk to the environment than the near-term risks associated with beach cleanup activities; necessitating the need to conduct cleanup operations.

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<sup>1</sup> Areas where sea turtles have not historically nested

<sup>2</sup> Including the Alabama, Perdido Key, Choctawhatchee, and St. Andrew beach mouse

## Shoreline (onshore) cleanup recommended protocols

All protocols, recommendations, and requirements currently in place regarding wildlife and sensitive lands for daylight operations apply in addition to those described here. Overall, nighttime cleanup operations should minimize noise, light, and operational footprint to the extent practical. Specific tactics to achieve these objectives are described below.

1. **Notifications** – The following notifications are required prior to initiating nighttime shoreline cleanup activities. All notifications must be made as early as possible in the planning process and no later than 1500 hours prior that evening's operations unless specified otherwise.
  - a. **All Locations/All Tactics:** Request a Turtle Observer through the Sensitive Lands Hotline (251.445.3009).
  - b. **Sensitive Lands/All Tactics:** Request a Resource Advisor through the Sensitive Lands Hotline (251.445.3009).
  - c. **State of Florida/Heavy Equipment Tactics:** Notify the FWC Regional Biologist (850.265.3676).
2. **Reporting Requirements:** No nighttime work will be conducted without a Turtle Observer or READ present. Sea turtle para-professional contact information is provided in Attachment C.
3. All shoreline cleanup personnel should be informed of these protocols and understand that wildlife resources may be present in any operations area.
4. If a sea turtle is spotted, maintain at least 200 ft. between the turtle and any beach cleanup activities. If turtle tracks are spotted, do not disturb tracks so nesting observers can document the nest.
5. Illumination in the operations area should be the minimum necessary to comply with U.S. Coast Guard (USCG) and/or Occupational Safety and Health Administration (OSHA) requirements. Illumination *beyond* the immediate work area should be minimized. If headlamps with a red filter on the light can meet this requirement, this is preferable; otherwise, see Attachment A for a preferred illumination set up.
6. Limit cleanup crews to a) a total of 50 and b) a maximum of 30 active cleaners at any one time within the operational area.
7. Limit cleanup crews to 10 cleaners per 150 yards of shoreline. Thus, the maximum length of shoreline that may be cleaned by a single crew is 450 yards of shoreline.
8. Each cleanup operation crew will have a minimum of 2 contract and 1 federal (USCG or USEPA) supervisors present at all times. This will be in addition to any resource advisors that may be

required to be present in areas designated as sensitive lands. Contact the appropriate state or federal land manager prior to entering these areas.

9. A Turtle Observer should be present onsite for all nighttime shoreline cleanup activities. ~~The Turtle Observer will have the following qualifications:~~
10. The Turtle Observer should examine the work area prior to work for all life stages or evidence of activity of sea turtles (adults, hatchlings, eggs, nests, crawls) and birds (adults, nests, eggs, chicks, and fledglings). If individuals are located, the Turtle Observer will be responsible for identifying a staging area positioned to avoid the area by 50 feet, and flag the area so that there is no human or equipment/material intrusion.

#### **Manual Cleanup Activities**

11. During manual cleanup, if more than one operational area is located on a segment of shoreline, each operational area will be separated by at least 1000 yard exclusion zones. No other nighttime operational work will encroach within that exclusion zone during that operating period.

#### **Mechanical Cleanup Activities**

12. Work areas, including staging and equipment storage, and vehicle use, should not extend more than 10 feet shoreward of the oiled areas being cleaned. At no time should the work area encroach within 50 feet of the dune line if operationally sustainable (See Attachment D). If maintaining this distance is not possible due to the location of the oiling relative to the dune line, maximize the distance from the dune line to the extent possible.
13. All ingress/egress points as well as the operational area will be clearly delineated and workers will remain within the work area at all times. No other access areas are allowed.
14. All staging areas will be contained within the operational area.
15. Use of mechanized removal methods represents a significant risk to wildlife, especially during nighttime operations. If the decision is made to use mechanical methods, the following protocols should be adhered to:
  - a. Consider creating a nighttime beach cleanup Task Force: 3 to 5 beach cleaners, dump truck, front end loader, READ, 3 to 5 Turtle Observers, OSC Supervisor.
  - b. Vehicles should be restricted to UTV/ATV, beach cleaners (i.e. Cherrington 5000), and tractors (< 2000 kg). Dump trucks, front end loaders, will be kept to a minimum. No more than the minimum necessary vehicles should be on the beach.
  - c. At no times should equipment be operated at speeds that exceed a fast walk (< 5 mph).

- d. The Turtle Observer will walk or ride a beach approved vehicle (UTV/ATV operated at speeds not exceeding a fast walk [ $< 5$  mph]) approximately 100 feet in front of the equipment, out of the contamination, to survey for all life stages or evidence of activity of sea turtles and birds<sup>3</sup>.
    - i. If non-oiled wildlife are observed in the path of the equipment, the equipment should stop until the wildlife moves out of the way or the equipment may be diverted to avoid beached turtles or crawls that have not been previously surveyed. If nesting turtles or hatchlings are encountered on the beach, stay back at least 50 feet and contact your Turtle Observer.
  - e. Follow the *Sea Turtle Nest Protection Protocols for Clean-up Crews on Florida Panhandle, Alabama, Mississippi, and Louisiana Beaches dated 3 June 2010*<sup>4</sup>.
  - f. All lights on the beach cleaners, ATV/UTV, and/or tractor should be shielded to control stray lighting beyond the immediate work area. If possible, red filters/red vellium should be placed over any lights on the equipment.
16. All equipment and UTV/ATV use should be below the high tide line. Equipment and UTV/ATVs should not be driven higher on the beach. Equipment and UTV/ATVs must not be driven over dunes, or through any vegetated area. Crossing the wrack line should be avoided by UTV/ATV and only be done by equipment actively engaged in cleanup of oiled wrack. Crews must use areas designated by the READs for UTV/ATV access if on NPS or USFWS Refuge lands.
- a. The use of equipment on NPS or USFWS Refuge lands will be made on a case by case basis in consultation with the Sensitive Lands Branch of the Mobile ICP.
17. Noise should be minimized. Shouting or yelling should be restricted. Communication should be at a conversational level.
18. Operational areas should be established prior to nightfall. If a new operational area is established during the night, see Attachment B for best management practices to be considered.
19. Nighttime activities should be suspended during the hour before and after high-tide (a two hour window encompassing the zenith of the tidal cycle).
20. No disturbance should occur within a marked 10-foot sea turtle nest buffer zone (sea turtle nests will be clearly marked with stakes, flagging tape, and signs). In addition:
- a. Mechanical equipment or shovels should not be used within the flagged area of a marked nest. If oil is on a nest area, contaminated sand within the flagged area should

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<sup>3</sup> If a Biological Monitor is not able to be present, a spotter will be used in their place.

<sup>4</sup> See the relevant Permit-to-Work document for your area or contact the Environmental Unit for a copy.

be removed by hand wearing gloves and replaced with clean, damp sand taken from an un-oiled area adjacent to the flagged nest area. Removal of sand over a nest should occur only under the direction of a sea turtle permit holder (contacts in Attachment C). If a permit holder cannot come to the site, then sand can be removed in approximately 1 inch depth intervals with kitty litter scoops until the contamination is removed or approximately 5 inches of sand have been removed. If the contamination is at a depth greater than 5 inches, a permit holder should be contacted, and all cleaning on the nest should stop until the permit holder can be at the site.

- b. Stakes or flagging should not be removed or destroyed anywhere on the beach or dune.
21. All excavations and temporary alteration of beach topography should be filled, covered, or leveled to restore the natural beach profile to the extent feasible by the end of the operational period (0600 hrs). Maintaining the natural beach profile including smaller, ephemeral "dunes" created by high tides also helps to protect the larger dunes from storm surge
  22. The Turtle Observer should report the amount of shoreline cleaned, location of cleaning, date and time of cleaning, and any turtle, birds, or mice seen or activity detected, and results of implementation of recommendations.

### **Nearshore Skimming**

Nighttime nearshore skimming activities should be minimized to the extent possible. VOOs dragging snare boom / absorbent boom should comply with all daytime protocols (i.e. ensuring that TEDs and/or cod ends are open at all times). All lighting on vessels should be directed away from shorelines or dimmed to the extent possible while maintaining safe operating conditions. Lighting from structures (e.g. bridges) or shoreline should be avoided.

### **Special Considerations**

#### **National Park Service and USFWS Refuge lands<sup>5</sup>**

- The NPS or USFWS READ onsite will inform the crew boss of special concerns and tactics.
- Cleanup operations on National Park Service or USFWS Refuge lands should not occur without a READ. If nighttime cleanup of these areas is anticipated, the Operations Section must coordinate with the Sensitive Lands Branch (251-445-3009) early in the planning process (i.e. the night tactics meeting) and provide specific information regarding the location and of crews expected. The NPS

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<sup>5</sup> State and DOD lands may require resource advisors at a later date. No procedures to provide such personnel have been established for the Deepwater Horizon (MC-252) incident to date.

and USFWS will attempt to arrange for READs to be available. If no READs can be deployed, night operations in these areas should be suspended until resources are available.

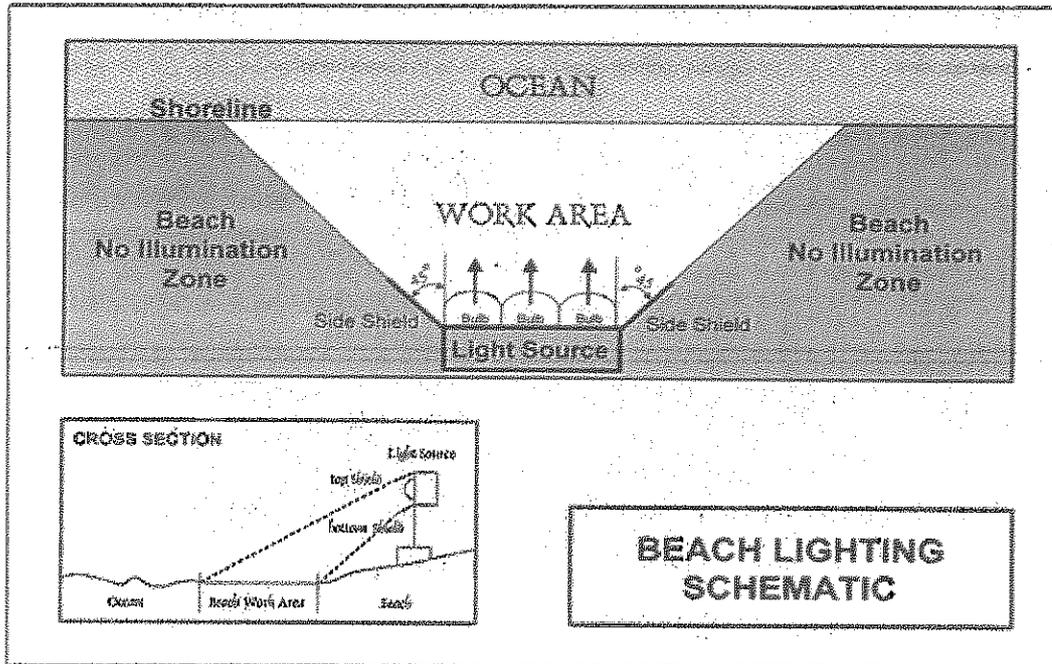
- If operations are to extend over a 4-day period, the nighttime operation work plan should include a 2-hour cessation of work in the hours just before dawn. The FOSCR onsite will inform the crew boss when work should stop.

### **Nesting turtles and stranding response**

- Night clean-up crews don't need to do anything except avoid nesting turtles that are on the beach. Any female that emerges, successfully nests, and returns to the water under her own power is considered to be doing okay and should not be restrained, even if she has some oil on her.
- If an oiled turtle apparently comes on the beach to nest and doesn't return to the water under her own power (remember that a nesting female may spend well over an hour, maybe two or more, on the beach before returning to the water) then she would be considered in need of help. If a female is in trouble, she won't return to the water and the sea turtle nesting beach surveyors will find her at first light and take appropriate action. **Contact the wildlife hotline (866-557-1401) immediately to let the surveyors know.**
- **If a dead sea turtle is found, move the animal out of the intertidal zone and contact the wildlife hotline (866-557-1401).**

### Attachment A

### Preferred Nighttime Lighting Arrangement



\*The light source should not be placed on or near sand dunes.

## Attachment B

### Sea Turtle Best Management Practices

1. Prior to any earthmoving activities (hand or mechanical), the beach should be examined for crawls following Sea Turtle Nest Protection Protocols for Clean-up Crews on Florida Panhandle, Alabama, Mississippi, and Louisiana Beaches dated 3 June 2010.
2. If a turtle crawl is present, there may be a nest. Driving, equipment use, and/or walking on the crawl could destroy a nest or obscure the nest location. Drive or walk as close to the mean high water line as possible by avoiding the crawl (and the nest), the sea turtle survey crew will find the nest during the next morning's survey effort, protect it, and the cleanup crew can then proceed to clean the area of the crawl. If it is a beach that isn't regularly surveyed (see list on page 3 of protocol referenced above), mark the potential nest as described in the protocol above and report the nest to the contacts within the protocol.
3. Nesting turtles (May to September) are particularly sensitive to human disturbance like operation of heavy machinery, use of lighting, and people moving on the beach. If conducting night work and a female attempts to nest and then abandons the nest due to human presence, she is likely to attempt to re-nest at or near the same location later that night or the following night.
  - a. A Turtle Observer should be present on site during all night time operations, looking for turtles that attempt to nest. This function will be staffed by NOAA/NMFS if they choose to do so. At present, personnel constraints do not allow for this function to be staffed. If this situation changes and NOAA/NMFS decides that Turtle Observers should be present, they will be coordinated with the Planning and Operations Sections to deploy them with cleanup teams.
  - b. If a nesting female is seen emerging or is detected, cleanup actions should be halted until the female moves across the beach and begins nest excavation. No activities should occur within 200 feet of the nesting turtle. A nesting turtle may spend well over an hour, maybe two or more, on the beach before returning to the water. After the turtle has finished nesting and returned to the ocean, follow the guidance provided in item #2 above and avoid the crawl and nest area until turtle survey crew finds and protects the nest during the next morning's survey effort.
  - c. If the nesting attempt is abandoned and the turtle returns to the sea without nesting (i.e., she is on the beach less than an hour), beach cleanup should continue with heightened awareness to see if the female comes up on the beach in a different location. If she does not return, the nesting attempt should be reported to the U.S. Fish and Wildlife Service's Alabama Field Office at 251-441-5837 or Panama City Field Office at 850-679-0552. Clean up crews should stay as close to the mean high water line as possible when gaining access to the beach cleanup area.
4. Clean up crews must be instructed to stay with the group and remain quiet at all times.
5. The use of low intensity flashlights with a red filter should be limited, such as while gaining access to the beach cleanup. Night lighting should be shielded so that only the direct and immediate area of cleanup is lighted and safe conditions provided for workers (see Attachment A). Lights can be repositioned as the cleanup moves on the beach.



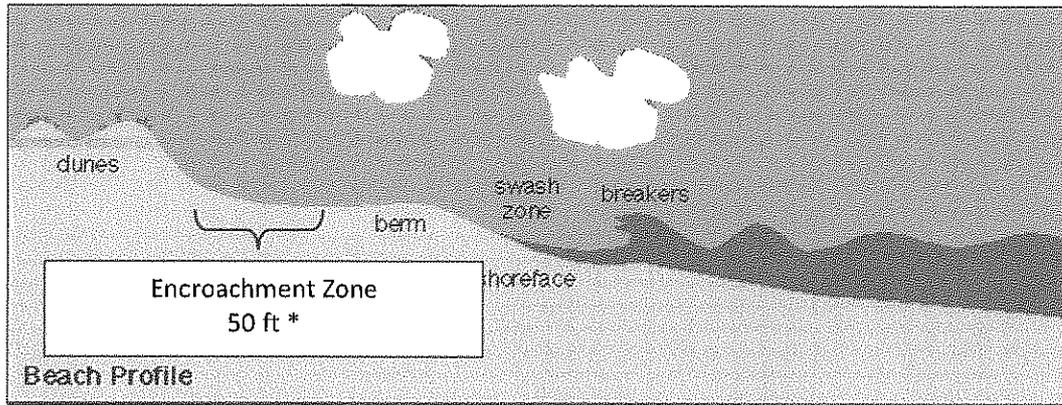
**ATTACHMENT C**

**SURVEYED BEACHES AND SEA TURTLE CONTACTS\***

<b>SURVEYED BEACHES</b>	<b>CONTACT NAME</b>	<b>PHONE NUMBER</b>
<b>ALABAMA</b>		
Mobile County		
Dauphin Island	Mike Reynolds	Cell: 251-747-4985 Office: 251-974-2253
Baldwin County		
Fort Morgan Peninsula, including Bon Secour National Wildlife Refuge to West Beach in Gulf Shores	Jackie Isaacs	Cell: 251-752-0654 Office: 251-540-8523
West Beach in Gulf Shores to the Alabama/Florida state line	Mike Reynolds	Cell: 251-747-4985 Office: 251-974-2253
<b>FLORIDA</b>		
Escambia County – all beaches	Robbin Trindell  Meghan Koperski	Cell: 561-262-1104 Office: 850-617-6055 Cell: 561-339-1001 Office: 561-575-5407 x17
Santa Rosa County – all beaches	Same as above	
Okaloosa County – all beaches	Same as above	
Walton County – all beaches	Same as above	
Bay County – all beaches	Same as above	
Gulf County – all beaches	Same as above	
Franklin County		
St. Vincent NWR (survey frequency varies)	Same as above	
Cape St. George (survey frequency varies)	Same as above	
St. George Island	Same as above	
Alligator Point		

Attachment D

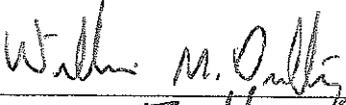
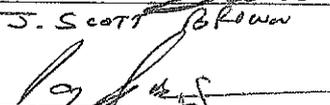
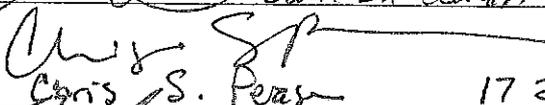
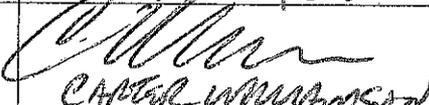
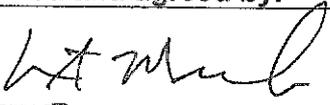
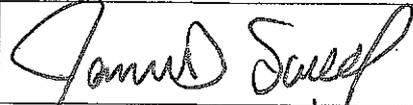
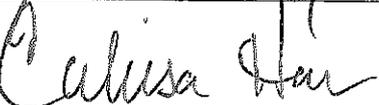
Dune Encroachment Diagram



\* If operationally sustainable

**Mississippi Canyon 252 Incident**  
**MOBILE LOCATION**

**Please write in BLUE ink only**

Name of Plan:	Deepwater Horizon (MC-252) Protocols for minimizing adverse effects to wildlife during nighttime operations, Mobile Sector
Section:	Planning Section, Environmental Unit
Submitted By:	Environmental Unit Leader – Yvan Beausoleil
(Name, Signature & Date)	 17/JUN/10
Reviewed by Planning Chief/ Deputy:	
(Name, Signature & Date)	 17/JUN/2010
Approved by:	
BPIC	
(Name, Signature & Date)	 18/JUN/2010
FOSCR	
(Name, Signature & Date)	 William Dooling, CAPT 6/18/10
SOSC-MS	
(Name, Signature & Date)	 Russ Toth 6/17/10
SOSC-AL	
(Name, Signature & Date)	 J. SCOTT BROWN 6/17/10
SOSC-FL	
(Name, Signature & Date)	 Ewan L. Keenan 6/17/10
IC-DOI	
(Name, Signature & Date)	 Chris S. Pease 17 June 2010
IC-EPA	
(Name, Signature & Date)	 Carter Williamson 18 June 2010
<b>This plan has also been reviewed and agreed by:</b>	
Will Meeks/ USFWS	
(Name, Signature & Date)	 Will Meeks 6/17/10
JD Swed/ NPS	
(Name, Signature & Date)	 James D Swed 6/17/10
Jessica Powell / Sea mammal and turtle liaison	
(Name, Signature & Date)	 Calissa Han 6/17/10