

U.S. Department of
Homeland Security

United States
Coast Guard



Federal On-Scene Coordinator
United States Coast Guard
Gulf Coast Incident Management Team

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7 February 2011

Cynthia Dohner
Regional Director
U.S. Fish and Wildlife Service
1875 Century Boulevard
Atlanta, GA 30345

Dear Ms. Dohner:

I am writing in response to your February 1, 2011 letter and proposed actions to prevent potential impacts to sea turtles from Deepwater Horizon oil spill response activities. I have discussed your letter with the Gulf Coast Incident Management Team and we have given careful consideration to each of your proposals. We share equal concern for reducing impacts to sea turtles from both the MC252 oil and response activities in this incident. The Deepwater Horizon response has continued to address many of the sea turtle issues raised in your letter, as evidenced by implementation of Best Management Practices (BMPs) for all sea turtle nesting areas. The BMPs were specifically designed to minimize impacts to nesting sea turtles and are required for all beach cleanup operations. Natural Resource Advisors (NRAs) and Federal Resource Advisors (READS) are responsible for monitoring compliance with the BMPs on a daily basis.

Your request included several specific proposals:

1. Sea turtle monitoring on heavily oiled beaches
2. Beach access restoration
3. Predator control

The Unified Command agrees that some of the requested actions are appropriate Deepwater Horizon response actions; while other actions are more appropriate as potential Natural Resource Damage Assessment (NRDA) projects. Responses to each of your requested actions are discussed below.

Sea turtle monitoring:

This proposal had several components of additional survey and monitoring in Alabama, Mississippi and Florida during the 2011 nesting season. In considering the scope of your proposal it should be noted that our current cleanup schedule anticipates ending all mechanical cleanup operations in Alabama, Mississippi and Florida by April 1. Most beaches will enter the Maintenance and Monitoring Phase in all 3 states by April 15, prior to sea turtle nesting season. All cleanup activities on National Park Service lands in Florida and Mississippi will be suspended on March 1. Currently we have only one night-time mechanical cleanup operation underway (in Florida) and do not anticipate any additional night-time cleanup operation after sea turtle nesting season begins.

Your letter expressed continued concerns over vehicle tracks impacting sea turtles. BMP 11 requires all ruts (vehicle and equipment tracks) deeper than 2 inches be re-graded following completion of cleanup activities each day. Shoreline Treatment Recommendations (STRs) also require the beach to be groomed to smooth the surface and remove equipment tracks at the end of each day. We believe that current response requirements adequately address this issue.

Sea turtle nest surveys are an important component of the nest protection strategy for continuing operations and are required before implementing BMP 7, which requires a protective buffer be established around turtle nests. Even though we anticipate completing all mechanical cleanup operations and most of the hand-crew cleanup operations prior to sea turtle nesting season, we will continue the turtle nest location effort that we employed in the 2010 nesting season. Locating turtle nests is a difficult task and must be accomplished by trained turtle experts. We welcome your technical assistance in developing an appropriate scope of work for sea turtle nest surveys similar to 2010 work. We expect this will be done under contract to trained permit-holder turtle experts. The scope of work should include sea turtle nest surveys, mapping and staking nest locations.

Additionally, all nest locations should be visually assessed for the presence of oil. If the nest location shows signs of being dug into or through oil as evidenced by oil in the sand tailing, the nest will be moved (relocated) to a nearby unoiled location. Nest relocations will be coordinated in consultation with the land manager, trustee agencies and turtle experts. Nest relocation and appropriate reporting requirements should be included in the scope of work for the nest survey work as outlined above.

Beach access restoration:

We understand your concerns over potential impacts from wide, flat openings in the dune system (turtle disorientation, invasive species, and increased erosion). The response is committed to returning the beach access points to pre-incident conditions. We would encourage the trustee agencies to assist the response by participating in planning beach access restoration on a site by site basis.

Your proposed beach access restoration action is already a Deepwater Horizon response requirement. Response-caused disturbance to beach access points is required to be returned to pre-incident conditions at the end of cleanup operations on all beach segments. Restoration (returning site to pre-incident conditions) will consist of re-grading to pre-incident width and topography, utilizing materials appropriate to the site, and replanting with native vegetation.

Additionally, BMP 39 is designed to minimize effects to dune vegetation and requires a buffer zone to keep cleanup operations 10 feet from vegetated and non-vegetated dune edges. This BMP excludes mechanical activity in the 10-foot buffer and in the dunes. We believe this requirement has resulted in minimizing impacts to dune vegetation.

Predator control:

Your proposal includes two components designed to address the potential for increased sea turtle nest predation from Deepwater Horizon spill response activities. The first requested action is to install and maintain trash receptacles at designated beach access points, presumably to remove trash left by cleanup workers. Deepwater Horizon response has established strict protocols for

removal of refuse and food waste on a daily basis. BMP 28 requires that all trash or anything that might attract wildlife to work areas be removed at the end of each work day. These requirements are closely monitored by NRAs and READs. While your proposed action would reduce trash that may attract predators to turtle nesting areas, we believe that the trash receptacles would target public trash rather than response trash. We cannot support the placement of trash receptacles as a response action. We think your proposal may fit better as a potential NRDA restoration project.

You also requested support for a predator removal action. As we understand this proposal, it is written to allow for targeted predator removal where increased predation of sea turtle nests is encountered which is above documented background nest predation on heavily used public use beaches. We are only concerned with supporting predator control to address increased sea turtle nest predation that might occur as a result of increase human presence during Deepwater Horizon cleanup activities.

Approval is given with this letter to cover the costs of specific and targeted predator control that is necessary to address increased sea turtle nest predation as a result of Deepwater Horizon cleanup activities. Targeted predator control must fall within the authorities that are currently in place on public lands to address sea turtle nest predation and must use existing permitted predator control mechanisms. The trustee agencies should work with the GC-IMT Wildlife Branch to determine appropriate scope of work and funding mechanisms for predator control actions.

I hope we have addressed all of your concerns and proposed response actions as we move forward with continued cleanup operations. Again, I would like to reiterate our mutual concern and goal of protecting nesting sea turtles during remaining Deepwater Horizon spill response activities.

Sincerely,



L. D. STROH
Captain, U.S. Coast Guard
Federal On-Scene Coordinator