

Appendix E: Best Management Practices (BMPs)

Revised 22 Jan 2013

SECTION 7 FEDERAL AGENCY ACTION - ENDANGERED SPECIES ACT
MC 252 DWH Sec 7 Authorized Best Management Practices
For Louisiana
Applicable BMP Checklist for Individual Shoreline Treatment Recommendations

DATE: _____ Branch/Division: _____ STR # and Segments: _____

Role	Print Name	Signature	Date	Concur (Y/N)

- 1) In Daily 214s and on checklist, NRAs/READs should report: Notable migratory bird and threatened/endangered species activity in operational areas. Any logistical issues that interfere with implementation of specific BMPs. Instances of re-oiling in areas of completed shoreline treatments (Please advise if SCAT is required).
- 2) NOTE: These BMPs are developed as **recommendations** to avoid or minimize impacts to natural resources, including those protected by the Endangered Species Act of 1973. If these BMPs cannot be adhered to during oil removal operations an explanation or justification must be documented in the space provide at the end of this checklist. Please contact local or GCIMT Sec 7 Rep for clarification/guidance.

Applicable Y or N/A	Correc- tive Action (x)	BMP #	BMP DESCRIPTION
		BMP 1	[MODIFIED] Watch for and avoid collisions with wildlife. Report all turtle sightings and all distressed or dead birds, sharks, rays, and marine mammals to the appropriate state hotline: **See page 5 for phone #s
		BMP 2	Retrieve injured/dead/oiled sea turtles using the turtle At-Sea Retrieval Protocol. (N/A at this time unless changed by Sec 7)
		BMP 3	[MODIFIED] Avoid any vegetation, marsh soils, or peat with foot traffic/boats/equipment by 10 feet or contact the Section 7 Coordinator/Liaison to minimize impact. Use existing travel corridors.
		BMP 5	Maintain compliance with the Decontamination Plan where applicable.
		BMP 6	[MODIFIED] Cleanup operations during daylight hours are recommended. If nighttime operations are necessary: (1) confine operations to landward side of the intertidal zone; and, (2) Year Round, follow ENV0009: <i>Minimizing Impacts to Wildlife during Nighttime Cleanup Operations</i>. Avoid night-time activities in identified exclusion areas to allow longer periods without disturbance to wildlife and to minimize vehicle damage within optimal habitat.

	BMP 7	[MODIFIED] From 1 May through 31 October* , observe a 10 foot buffer from marked sea turtle nests. If a nest area is contaminated/oiled, contact appropriate State for further instructions: **See page 5 for phone #s
	BMP 8	[MODIFIED] Utilize existing access/egress areas and roadways. UTVs should remain within the established travel path when possible, to minimize beach topographic alterations.
	BMP 9	[MODIFIED] From 1 May through 31 October* , verify sea turtle nesting activities with agency experts and begin onshore cleanup operations during daylight hours after nesting surveys/conservation activities are completed. If nighttime cleanup operations will be conducted, Wildlife Observers must be present.
	BMP 10	[MODIFIED] Use low-pressure tire (10 psi) vehicles (e.g. ATVs, Gators) or contact a qualified biologist to minimize impact.
	BMP 11	[MODIFIED] Year round , if feasible and per appropriate guidance, restore beach topography, if altered, to natural beach profile by 2000 hours each day.
	BMP 12	Minimize removal of clean sediments and organic matter.
	BMP 13	[MODIFIED] Avoid hovering or landing aircraft near posted bird sites and dunes.
	BMP 14	If skimming, avoid skimming sargassum that is not oiled or is only very lightly oiled. (N/A after 14 NOV 2010)
	BMP 15	If a sea turtle is observed trapped or entangled in a boom(s), open the boom carefully until the animal leaves on its own.
	BMP 16	[MODIFIED] Install, monitor, or remove under water equipment/booms to prevent fish/wildlife entrapment.
	BMP 17	Do not block major egress points in channels, rivers, passes, and bays.
	BMP 19	Sea turtle observer on the ignition vessel will monitor 3 areas prior to the burn... (N/A after 14 NOV 2010)
	BMP 20	A survey should be conducted in the burn area after the burn is complete... (N/A after 14 NOV 2010)
	BMP 21	Avoid burning unoiled/lightly oiled Sargassum . (N/A after 14 NOV 2010)
	BMP 22	No flights below 500 feet over wildlife refuges, management areas, bird rookeries, or National Parks.
	BMP 23	No dispersant application within 2 nautical miles of sighted marine mammals/sea turtles. (N/A after 14 NOV 2010)
	BMP 24	Turtle excluder devices (TEDs) should be installed on all trawl nets.
	BMP 25	[MODIFIED] Staging areas and waste collection areas should be examined prior to set up and should be located to avoid beaches, dunes, inlets or ephemeral tidal pools , scrub, and other vegetated areas. Contact the Section 7 Coordinator/Liaison if assistance is needed.

		BMP 26	[MODIFIED] All heavy equipment should be as low on the beach as possible unless oiled and avoid the high tide/wrack line (dead organic matter - seaweed, grasses, driftwood) while conducting cleanup activities and traveling to and from locations. If the wrack line must be crossed by equipment or vehicles, a READ, NRA, or biologist may rake the wrack out of the way to establish a travel corridor for crossing.
		BMP 27	Activities that may require removal of forested and shrub or scrub habitat should be minimized.
		BMP 28	If bears are observed, contact Env. Unit: 504-335-0905 or 504-335-0911
		BMP 29	Remove all trash or anything that would attract wildlife to work areas on a daily basis.
		BMP 30	If a sea turtle is spotted, maintain at least 200 feet between the turtle and any beach clean-up activities.
		BMP 31	Stakes or flagging should not be removed or destroyed anywhere on the beach.
		BMP 32	For net recovery of tar balls, a maximum allowable tow time of 30 minutes. After 30 minutes, check the net for any live or dead sea turtles.
		BMP 33	All vessels must be equipped with the necessary equipment (dip nets, holding containers, towels, etc.) to capture and hold sea turtles aboard the vessel. (N/A after 14 NOV 2010)
		BMP 34	Resuscitate any live, unresponsive sea turtles according to the attached sea turtle resuscitation guidelines.
		BMP 35	Safely release uninjured and unoiled sea turtles over the stern of the boat, when gear is not in use, the engine is in neutral, and in areas where they are unlikely to be recaptured or injured by vessels. (N/A after 14 NOV 2010)
		BMP 36	To reduce the possibility of bottlenose dolphin entanglement in the lazyline, use a stiffer line such as a crab lay.
		BMP 37	[NEW] NRAs or READs should check work corridor ahead of working equipment for evidence of sea turtles, shorebirds, and beach mice. If conducting nighttime operations, initial surveys should be done on foot, but UTVs/ATVs may be used if needed, to adequately check in front of working equipment after the corridor has been cleared.
		BMP 38	Sea turtle crawls should not be impacted until nest sites have been appropriately documented.
		BMP 39	[MODIFIED] Avoid the dunes, both vegetated and non-vegetated. Establish a buffer zone, with flagging if necessary, from the toe of the slope of the dune to a distance of 10 feet. Where vegetation extends off the dune onto the beach, the buffer should extend 10 feet from the vegetation. Mechanical activity (equipment, UTV, etc.) should not occur in the buffer or on the dune. <u>Contact the Sec 7 Coordinator/Liaison for sand</u>
		BMP 40	All vessels shall operate at "no wake/idle" speed at all times while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow deep-water routes whenever possible.

		BMP 41	Land or stage boats to avoid crushing the vegetation.
		BMP 42	Avoid scouring and prop-scarring submerged aquatic vegetation (e.g., seagrass).
		BMP 43	[NEW] READs, NRAs, WOs, or biologists should accompany all cleanup crews (both daytime and nighttime operations) in appropriate numbers to ensure BMPs are implemented properly. Contact the section 7 Coordinator/Liaison for recommendations on appropriate numbers.
		BMP 44	[NEW] If nighttime operations are required, Year Round shielded headlamps must be used, in addition appropriate red filters must be used 1 May through 31 October*.
		BMP 45	[NEW] Minimize disturbance to bayside flats by reducing the amount of cleanup comparable to the amount of tarball accumulation. For example, areas with minimal tarballs might only require a cleanup once every two
		BMP 46	[NEW] If sporadic tarballs are seen in the dune buffer zone or on the dune, they may be removed by a single person or by a crew of up to three individuals using small hand tools, working from the buffer zone. Avoid walking, standing, sitting, or other human intrusion on the dunes. If more than sporadic oil residues are noted in the dunes, contact the Section 7
		BMP 47	[NEW] The operational area should be surveyed by an NRA or READ for the presence of piping plovers or optimal habitat features and documented on the BMP checklist and 214. Optimal habitat includes inlets, bayside mud flats, tidal pools and wrack lines. When piping plovers are identified, vehicle and foot traffic should not occur within 150 feet from the birds, or 10 feet from optimal habitat features when escorted by a NRA or READ. If day or night travel through exclusion zones is necessary, vehicles should follow existing/established travel lanes and maintain slow speeds.
		BMP 48	[NEW] If a Bald eagle nest is discovered, all activities should avoid the nest by 660 feet unless the nest is protected by a vegetated buffer, then the avoidance distance is 330 feet. If a Bald eagle nest is discovered, the "National Bald Eagle Management Guidelines" should be followed in order to not disturb the eagles during any nesting, feeding or roosting activities. These guidelines are available at: http://www.fws.gov/migratorybirds/baldeagle.htm .
		BMP 49	[NEW] Surveys for migratory bird nests should be implemented beginning in February in Florida and Louisiana and April for all other areas. When nesting areas are discovered, these areas and historically used areas should be roped to prevent cleanup activities from encroaching into nesting areas and rookeries. Cleanup in the roped area should be avoided.
		BMP 50	[NEW] Avoid removing the wrack line. Manually remove tarballs from the primary wrack line. If wrack is covering subsurface oil that must be cleaned, the wrack can be manually raked out of the way and then put back once the oil is removed.
		BMP 51	Follow the <i>"Avoidance of Nesting Birds and Piping Plovers During Shoreline Cleanup on Beaches"</i> to protect piping plovers and their critical habitat.
		BMP 52	[NEW] Avoid posted/marked or other known bird nesting areas and rookeries and minimize activities in critical habitat areas for Endangered Species. All land and water crafts, when operated near these areas shall

			be controlled to minimize noise and speed. Air Boats shall not be used unless all other reasonable means have been tried and then pre-approval must be obtained from the Trustee/Landowner(s). If it is determined that an Air Boat is the only viable means of transportation, then a distance of 1000 feet <u>should be</u> maintained from critical habitats, marshes, wetlands, rookeries, and/or other high bird use areas.
			* All seasonal restrictions listed above may be adjusted by the section 7 Coordinator/Liaison based upon the likelihood of species presence.
			** For all whales and dolphins in the Gulf: 1-877-WHALE-HELP or <u>1-877-942-5343</u> . Manatees in Alabama, Mississippi, and Louisiana: 1-904-731-3079. Sea Turtles in Louisiana: 1-337-962-7092. Birds in Louisiana: 1-225-954-9883 or 1-225-698-3168

Comments / Corrective Actions:

BMP 51- determine if any piping plover are in within 150 feet of the operational area, note on the bmp checklist or 214 the number of individuals, distance from the operational area, their activities, and gently encourage the birds to move away from the operational area. Once the birds have moved, note any behaviors including normal or stress behaviors and the activities that the birds resume. If more than five individuals are present in the travel corridor or an area for deep cleaning, contact the Deepwater Horizon Virtual section 7 liaison (holly_herod@fws.gov or 404-679-7089) for additional instructions.

In Daily 214s (Unit Logs) and on checklist, NRAs/READs should report:

- notable migratory bird and threatened/endangered species activity in operational areas.
- any logistical issues that interfere with implementation of specific BMPs.
- instances of re-oiling in areas of completed shoreline treatments. Please advise if SCAT is required.

If you have questions regarding implementation of BMPs, contact your Section 7 Liaison or Resources at 404-679-7089 or FW4Section7OilSpill@fws.gov

Reporting Instructions: Before Operations conducted, NRAs and READs must Review all Applicable BMP's for the specific STR indicated by Sec 7 on this form; During and/or After Operations conducted, Fill out BMP Implementation Checklist and document any divergence from the BMP's that occurred.

NRAs/READs **E-mail** Completed BMP Implementation Checklist to: GCIMTDocumentation@bp.com ; FW4DisasterDocumentation@fws.gov ; FW4Section7OilSpill@fws.gov ; NMFS.ser.mobile.reports@noaa.gov and **E-mail** Daily 214s(Unit Logs)to your NRA/READ Team Lead.

NRA/READ Team Leads append all team member Daily 214s to one **E-mail** and send to: GCIMTDocumentation@bp.com ; FW4DisasterDocumentation@fws.gov ; FW4Section7OilSpill@fws.gov ; MC252_GCIMTSIT@bp.com ; NMFS.ser.mobile.reports@noaa.gov