



REGIONAL RESPONSE TEAM III (RRT3)

Environmental Consultation Guidance and Form for U.S. Coast Guard East District Coastal Zone

Pre-Spill Consultation, Emergency Consultation, and Post-Response Procedures

February 2022.8

RECORD OF CHANGES

Maintenance of this plan is the responsibility of the Regional Response Team III (RRT3) Consultation, Historic, and Environmental Resources (CHER) Workgroup. Minor changes may be made periodically, and an update and review will be conducted at least once per year, at a minimum, to validate points of contact. The most current version of the guide will be posted on the RRT3 Website under ‘RRT3 Tools – Endangered Species’ and on the USCG East District Response Advisory Team (CGD-E DRAT) Sharepoint site.

FEBRUARY 2022 EDITION

Change Number	Date of Change/Review	Person & Agency Making Change	Description of Change/Update
2022.1	08 Dec 2022	Elisha Cook, USCG D5 DRAT	Added a Record of Changes table. Validated & updated Section 7 POCs in Enclosure 1.
2022.2	24 Mar 2023	Elisha Cook, USCG D5 DRAT	Validated & updated Section 7 POCs in Enclosure 1 for North Carolina.
2022.3	17 May 2024	Elisha Cook, USCG D5 DRAT	Renamed & reformatted to separate ESA/EFH & other species consultations & added RRT3 BMP link.
2022.4	01 Nov 2024	Elisha Cook, USCG D5 DRAT	Added link to NMFS Southeast ESA Section 7 Mapper and information about an option to use Google Forms for Emergency ESA Sec 7 in NC.
2022.5	09 May 2025	Elisha Cook, USCG D5 DRAT	Updated Workgroup name; updated to align with CG Policy to complete Encl 2 (Sections I – II) for emergency consultation when sending to Services.
2022.6	03 Mar 2026	Elisha Cook, CGD-E DRAT	Updated District Name, added species/habitat determination definition table, & updated Encl 1.
2022.7	01 Jun 2026	Elisha Cook, CGD-E DRAT	Updated NOAA SSC contact information.
2022.8	14 Sep 2026	Elisha Cook, CGD-E DRAT	Updated USFWS contact information.
2022.9			
2022.10			
2022.11			
2022.12			
2022.13			
2022.14			
2022.15			

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Environmental Consultation Guidance for Coastal Zone

The U.S. Coast Guard (USCG) East District units will use this guide and forms to inform and evaluate compliance to include consultation in accordance with the following authorities: Endangered Species Act (ESA), Magnuson-Stevens Fishery Conservation and Management Act (for Essential Fish Habitat [EFH]), Migratory Bird Treaty Act (MBTA), Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA). Consultation for ESA Section 7 and EFH shall take place with the Department of Commerce National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), and U.S. Department of the Interior's (DOI) U.S. Fish and Wildlife Service (USFWS). These agencies are referred to as "the Services." This form will be used to cover oil spill and/or hazardous substance response actions within the East Coast Guard District coastal zone, which includes Delaware, District of Columbia, Maryland, portions of New Jersey, North Carolina, portions of Pennsylvania, and Virginia.

Background and Purpose

The purpose of this document is to help the Federal On-Scene Coordinator (FOSC) determine whether to initiate environmental consultation and/or coordination in accordance with 50 CFR § 402.05, 50 CFR § 530, and 50 CFR § 600.920(a)(1); and to assist the FOSCs through the process.

The FOSC should check the following databases and contacts for each of the Services to help identify the presence of federally protected species and/or habitats:

- Environmental Response Management Application (ERMA): <https://erma.noaa.gov/atlantic#/>
 - Geographic Response Strategies (GRS): Located in ERMA under 'Response Planning – Area Contingency Plans – Sector [Delaware Bay, Maryland NCR, Hampton Roads, North Carolina]'
 - NOAA Environmental Sensitivity Index (ESI) Maps: Located in ERMA under 'Natural Resources, Habitats, & Managed Areas – Environmental Sensitivity Index'
- NOAA ESA Species Matrix: Posted on RRT3 website at https://www.nrt.org/site/doc_list.aspx?site_id=72
- Greater Atlantic Region ESA Section 7 Mapper: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>
- Southeast Region ESA Section 7 Mapper: <https://www.fisheries.noaa.gov/resource/map/southeast-region-esa-section-7-mapper>
- EFH Mapper: <https://www.habitat.noaa.gov/apps/efhmapper/>
- Atlantic Marine Assessment Program for Protected Species (AMAPPS) Marine Mammal Model Viewer: <https://apps-nefsc.fisheries.noaa.gov/AMAPPSviewer/>
- USFWS Information for Planning and Consultation (IPaC): <https://ecos.fws.gov/ipac/>

The FOSC should then evaluate response actions and their potential impacts, if any, on federally protected species and/or habitats. The scope of the consultation is focused on the agency's response actions during an incident, **NOT** the incident itself.

For ESA there are three thresholds, which are used to determine action necessary by the FOSC, are:

- (1) **No Effect** (none at all, negative or positive);
- (2) **May Affect**; Not Likely to Adversely Affect, (NLAA); and
- (3) **May Affect; Likely to Adversely Affect** (LAA).

The two EFH thresholds, which are used to determine action necessary by the FOSC, are:

- (1) **Would Not Adversely Affect (WNAA);** and
- (2) **May Adversely Affect (MAA).**

Whenever an FOSC makes a determination that federal response actions **may affect** ESA-listed (threatened or endangered) species and/or designated Critical Habitat or **may adversely affect** EFH, the action agency shall initiate consultation protocols. For emergency consultation, the FOSC shall initiate this consultation, as soon as practicable, via verbal or email notification. The form shall be sent via email to the Services after the consultation is initiated.

Responders should not delay emergency response actions while awaiting a response from the Services. If the FOSC determines consultations are not practicable during emergency response operations, refer to the NRT's Post-Response Procedures guidance for ESA Section 7 and EFH compliance requirements.

Depending on the scale and scope of emergency response actions, pre-spill planning consultations can minimize the level of effort of emergency consultation(s) and, in certain circumstances, even alleviate the need for emergency consultation(s). If pre-spill planning consultations were completed with the Services, BMPs may be incorporated into the GRSs, Area Contingency Plans (ACP), and Regional Contingency Plans (RCP).

More guidance regarding Section 7 consultation can be found in the 2001 Inter-agency Memorandum of Agreement Regarding Oil Spill Planning and Response Activities under the Federal Water Pollution Control Act's National Oil and Hazardous Substances Pollution Contingency Plan (2001 MOA) and the NRT's National Environmental Compliance (NEC) Subcommittee ESA guidance page at [NRT.org](https://nrt.org)¹. The 2001 MOA provides a framework for cooperation and participation among parties involved in oil spill planning and response. It outlines procedures to streamline ESA compliance process before, during, and after an incident. EFH consultations should be completed simultaneously with ESA Section 7 consultations. Additional NMFS ESA Section 7 consultation guidance can be found on the [Greater Atlantic Region](#)² site, [Southeast Region](#)³ site, and for USFWS guidance can be found on the [Northeast Region](#)⁴ site.

For All Consultations

The regional NOAA SSC and/or DOI Regional Environmental Officer **shall** be informed whenever the FOSC engages in emergency consultation with the Services.

The NOAA SSC may be able to facilitate communications between the USCG and the Services; however, it is the sole responsibility of the FOSC to initiate, conduct, and complete the consultation.

The DOI Regional Environmental Officer may also be able to facilitate communications between the action agencies and USFWS.

¹ National Response Team (NRT) National Environmental Compliance (NEC) Homepage link:
[https://nrt.org/Main/Resources.aspx?ResourceType=Endangered%20Species%20Act%20\(ESA\)%20Section%207&ResourceSection=2](https://nrt.org/Main/Resources.aspx?ResourceType=Endangered%20Species%20Act%20(ESA)%20Section%207&ResourceSection=2)

² NMFS Greater Atlantic Region Section 7 Consultations link:
<https://www.greateratlantic.fisheries.noaa.gov/protected/section7/index.html>

³ NMFS Southeast Region Section 7 Consultations link:
<https://www.fisheries.noaa.gov/southeast/endangered-species-conservation/esa-section-7-interagency-consultation-southeast-united-states>

⁴ USFWS Northeast Region Section 7 Consultation link:
<https://www.fws.gov/northeast/EcologicalServices/federalconsultation.html>

U. S. Coast Guard (USCG) District Incident Management and Preparedness Advisors (IMPAs) and District Response Advisory Teams (DRATs) are excellent resources for all required consultations (ESA, EFH, State Historic Preservation Office (SHPO), and Tribal Historic Preservation Office (THPO)).

The USCG IMPA and DRAT are available 24/7 via District command centers.

Note: This is a guidance document only. Units are encouraged to suggest modifications to this document to the RRT3's Cultural, Historical, and Environmental Resources (CHER) Workgroup.

FOR FURTHER GUIDANCE WITHIN THE USCG, PLEASE CONSULT WITH:

U.S. Coast Guard Marine Environmental Response and Preparedness, COMDTINST 16000.14B (series)

U.S. Coast Guard Natural Resource Management, COMDTINST 5090.3 (series)

U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series)

Environmental Consultation Form

Primary points of contact for RRT3 coastal zone area of responsibility and North Carolina (under USCG District 5) are included in Enclosure (1). The Environmental Consultation Form is included as Enclosure (2) and the NMFS/USFWS Response Form is Enclosure (3).

When used for emergency consultation these forms are intended to provide as much detailed information as possible to the Services within 48 hours of the federal action agency undertaking emergency response actions. It is not intended to be comprehensive, and **responders should not delay emergency response actions while awaiting a response from the Services**. These forms assist the FOSCs in meeting their statutory obligations to conduct environmental consultations. This form is also designed to document communication efforts between the Action Agencies and the Services as well as provide a consistent template for use in compiling relevant information and recommendations during emergency response operations.

Note: The Services will review the supplied information and respond with avoidance and minimization measures to mitigate potential impacts to any ESA-listed (threatened or endangered) species, designated Critical Habitat, EFH, or other protected species. The conservation measures and best management practices (BMPs) are then incorporated into response actions and specialists may be brought into the response to provide additional oversight and guidance via Pollution Removal Funding Authorization (PRFA).

Once these forms are submitted, the Services will consider the proposed response actions and use ENCLOSURE 3: NMFS / USFWS Response, to provide information on protected species and habitats in the area, and provide recommendations for avoidance and minimization measures for FOSC implementation.

Enclosures

(1) Section 7 Primary Points of Contact

(2) Environmental Consultation Form

Section I – FOSC Response Activities

Section II – ESA / EFH Effects Determinations & Measures to Reduce Impacts

Section III – Consultation for Other Species

(3) NMFS / USFWS Response

Section I – ESA / EFH Recommendations

Section II – Other Species / Habitat Recommendations

ENCLOSURE 1: PRIMARY POINTS OF CONTACT

RRT3 COASTAL ZONE AREA OF RESPONSIBILITY

NOAA SSC for RRT3

SSC for DE, NJ, PA

Mr. William Whitmore
NOAA Restoration Center
55 Great Republic Drive
Gloucester, Massachusetts 01930
Office: (978) 494-0689
Cell (Preferred): (617) 877-2806
E-mail: william.whitmore@noaa.gov

SSC for MD, DC, VA

LCDR Blair DeLean
1305 East West Highway
Silver Spring, Maryland 20910
Cell: (202) 631-6319
E-mail: blair.j.delean@noaa.gov
24-hour NOAA Emergency Spill Response:
(206) 526-4911

NOAA NMFS Representative for RRT3

Mendy Garron
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, Massachusetts 01930
Phone: (978) 282-8478
Cell: (978) 335- 6768
E-mail: mendy.garron@noaa.gov
Alt E-mail: nmfs.gar.garfo@noaa.gov

USFWS Representatives for RRT3

Response Coordinator for MD, Western PA, VA, WV and DC

Ms. Anne Condon
U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
Cell: (804) 815-1559
E-mail: anne_condon@fws.gov

Response Coordinator for NJ, NY, DE, Eastern PA (Delaware Watershed)

Mr. Ryan Braham
U.S. Fish and Wildlife Service
New Jersey Field Office
4 E. Jimmie Leeds Road, Suite 4
Galloway, New Jersey 08205
Phone: (609) 214-7895
E-mail: ryan_braham@fws.gov

DOI Representative for RRT3

Mr. John Nelson
Office of Environmental Policy and Compliance
U.S. Department of the Interior
Phone: (215) 597-5012
Cell: (215) 266-5155
E-mail: john_nelson@ios.doi.gov

NORTH CAROLINA COASTAL ZONE ONLY**NOAA SSC for Sector North Carolina**

Mr. Brad Benggio
909 SE 1st Avenue Rm 714
Brickell Plaza Federal Bldg
Miami, FL 33131
Office: (305) 530-7931
Cell (Preferred): (954) 684-8486
E-mail: brad.benggio@noaa.gov

NOAA NMFS Representative for Sector North Carolina

Francesca Innocenti (M-F, 0900-1600)
NOAA Southeast Regional Office
263 13th Avenue South
NOAA Fisheries Service
St. Petersburg, Florida 33701
Phone: (727) 238-7435
Email: francesca.innocenti@noaa.gov
Email for Emergency Consult: nmfs.ser.emergency.consult@noaa.gov
Non-emergency: nmfs.ser.esa.consultations@noaa.gov

For NMFS ESA Section 7 Emergency Consultations in the Southeast, which includes North Carolina, there is a new webpage: <https://www.fisheries.noaa.gov/endangered-species-conservation/endangered-species-act-emergency-consultations-southeast>. The webpage includes a link to a Google Form interface that may be used to submit an emergency consultation. You do not have to have a Google account to use this form and can simply click on the form from the webpage. However, if you need to upload additional documentation for your consultation, you will need to send that separately to their main emergency email address: nmfs.ser.emergency.consult@noaa.gov. You may, of course, continue to submit emergency consultations to their emergency email inbox, but you now have a choice. The Google form may help action agencies and contacts unfamiliar the emergency consultation procedures to ensure an immediate request so NMFS can quickly provide the needed BMPs and information to proceed with the action within 48 business hours.

USFWS Representatives for Sector North Carolina

Mr. Eric Bauer
U.S. Fish and Wildlife Service, Georgia Ecological Services
RG Stephens, Jr. Federal Building
355 East Hancock Avenue, Room 320
Athens, GA 30601
Office: 706-535-2103
Spill Response Emergency Cell: 706-224-5297
E-mail: eric_bauer@fws.gov

DOI Representative for Sector North Carolina

Ms. Valincia Darby
Regional Environmental Officer (Acting)
U.S. Department of the Interior, Office of Environmental Policy and Compliance
Phone: (404) 852-5414
Cell: (215) 913-6238
E-mail: valincia_darby@ios.doi.gov

ENCLOSURE 2: ENVIRONMENTAL CONSULTATION FORM

This form will be utilized by the U.S. Coast Guard (USCG) Federal On-Scene Coordinator (FOSC) for pre-spill, emergency, and post-response environmental consultations. It will be filled out by the USCG and used by the Department of the Interior's (DOI) U.S. Fish & Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) to review response actions for potential impacts to federally listed species. The form provides information to initiate and conclude emergency consultations under ESA Section 7 and to document (1) a "No Effect" determination, (2) to request technical assistance, or (3) to document up to the May Affect, Not Likely to Adversely Affect threshold. Additionally, information beyond this form may be required by the Services.

FOSCs (or their designated representative) *must* complete Section I (Tables A – E) and Section II (Tables F – I) after initial notification is made to the Services. These sections should be filled out with the best available information accounting for all response actions taken or being considered. FOSCs must work with Service representatives during the emergency consultation process to validate and document the presence and effects to species/habitats and implementation of conservation measures in Section II. In addition to ESA/EFH consultation, when needed and applicable, Section III should be reviewed /completed to inform and evaluate additional needs for compliance with the following authorities: Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA), and Migratory Bird Treaty Act (MBTA). **Enclosure (3) is intended to be submitted blank to the Services, so the Services can both acknowledge the request for consultation as well as begin to consider the FOSC's actions or proposed actions during the emergency response.** This form should also be used to provide updates to the Services as the incident evolves and FOSC actions are adjusted based on operational objectives.

SECTION I. FOSC RESPONSE ACTIVITIES

☐ Initial Report [Date] ☐ Updated Report [Date]		
FROM: USCG FOSC Insert USCG FOSC Unit	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: USFWS Office	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: NMFS ESA Office	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: NMFS EFH Office	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: NOAA Scientific Support Coordinator	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: DOI Regional Environmental Officer	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: East District Response Advisory Team	Name: Elisha Cook Email: Elisha.FS.Cook@uscg.mil	T: (571) 608-5556 C: (757) 630-1430
	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: EPA On-Scene Coordinator for Region	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.

A. Consultation Details	
Name of Unit Requesting Consultation	Click or tap here to enter text.
Type of Consultation Requested	Select consultation type from dropdown menu.
FOSC	Rank/Name Email Phone Number
FOSCR	Rank/Name Email Phone Number
Person Completing Form	Rank/Name Email Phone Number
Date Form Initially Completed	Date
Date Consultation / Technical Assistance Completed	Date
Are there previously completed ESA consultation documents that are applicable to this area / action (e.g., dispersants, in-situ burning, surface washing agents)	☐ Yes ☐ No List any previous consultations documents.

B. Incident / Event Details	
Name of Incident	Incident Name
Date of Incident	Enter Date
Type of Incident / Event (e.g., vessel grounding, vessel collision, pipeline, transfer, training/exercise)	Click or tap here to enter text.
Product(s) Released / Discharged	Click or tap here to enter text.
Volume Released / Discharged (in gallons)	Enter volume in gallons.
Potential Volume (in gallons)	Enter volume in gallons.
Has the release / discharge been stopped, ongoing, or is status unknown?	Click or tap here to enter text.
Is the released / discharge contained, spreading, or is the status unknown?	Click or tap here to enter text.
Latitude/Longitude for action area (Decimal degrees and datum [e.g., 27.71622°N, 80.25174°W NAD83; online conversion: https://www.fcc.gov/media/radio/dms-decimal])	Latitude°N Longitude°W Choose Datum
Location (nearest landmark / town)	Click or tap here to enter text.
Location Type (check all that apply below) ☐ Port / Industrial / Canal ☐ Riverine ☐ Inshore / Estuarine ☐ Nearshore / Coastal ☐ Offshore / EEZ ☐ Lake / Lacustrine (freshwater) ☐ Wetland (freshwater)	Click or tap here to enter text.
Please attach any maps, aerial photographs, or additional information that will support the information in this consultation form. Examples of such supporting documentation include, but are not limited to: Aerial images of response action area and surrounding area.	

B. Incident / Event Details

- Map of response action area with elements proposed (polygons showing proposed response action elements).
- Map of response action area with critical habitat units or sensitive habitats overlay (e.g., seagrass beds, Essential Fish Habitat, etc.).

C. Incident and Response Actions

Describe the incident/event and proposed response action objectives.

Describe in detail the equipment and methods needed; the anticipated schedule (e.g., days, weeks, months) for each phase of the response; long-term vs. short-term impacts; duration of short-term impacts; dust, erosion, and sedimentation controls; restoration areas; whether the response actions are part of a larger action or plan; and what approvals will need to be obtained. Attach the ICS-201 and other ICS forms as applicable.

Click or tap here to enter text.

Action (check all that apply)	Details / Notes (Provide any additional pertinent details and note whether the actions have been taken or are being considered).
☐ Barriers / Berms / Fences / Dams	Click or tap here to enter text.
☐ Booming (Containment / Exclusion – provide details in notes)	Click or tap here to enter text.
☐ Culvert Blocking	Click or tap here to enter text.
☐ Dispersants	Click or tap here to enter text.
☐ Elasticity Modifiers	Click or tap here to enter text.
☐ Emulsifying Agents	Click or tap here to enter text.
☐ Flooding / Flushing	Click or tap here to enter text.
☐ In-situ Burning	Click or tap here to enter text.
☐ Manual Oil Removal / Cleaning	Click or tap here to enter text.
☐ Natural Attenuation (indicate with or without monitoring in the notes)	Click or tap here to enter text.
☐ Net Use or Trawling	Click or tap here to enter text.
☐ Nutrient Enrichment / Bioremediation	Click or tap here to enter text.
☐ Oiled Vegetation Cutting / Removal	Click or tap here to enter text.
☐ Oiled Debris Removal	Click or tap here to enter text.
☐ Physical Herding	Click or tap here to enter text.

C. Incident and Response Actions

☐ Pre-oiling Debris Removal	Click or tap here to enter text.
☐ Sand Blasting	Click or tap here to enter text.
☐ Sand Cleaning (non-chemical)	Click or tap here to enter text.
☐ Sediment Removal / Dredging	Click or tap here to enter text.
☐ Sediment Reworking / Tilling	Click or tap here to enter text.
☐ Shoreline Assessment	Click or tap here to enter text.
☐ Shoreline Cleaning	Click or tap here to enter text.
☐ Skimming	Click or tap here to enter text.
☐ Solidifiers	Click or tap here to enter text.
☐ Sorbents (specify type in notes - e.g., sausage, pom-pom, particulate: bagasse, peat moss, natural/ organic, etc.)	Click or tap here to enter text.
☐ Staging Areas / Access Points (indicate if existing or to be created)	Click or tap here to enter text.
☐ Steam Cleaning	Click or tap here to enter text.
☐ Surface Washing Agent / Chemical Shoreline Cleaners	Click or tap here to enter text.
☐ Surface Collecting Agents / Herders	Click or tap here to enter text.
☐ Trenching	Click or tap here to enter text.
☐ Vacuuming	Click or tap here to enter text.
☐ Vessel / Container Removal	Click or tap here to enter text.
Wildlife Response Actions ☐ Aerial Surveys ☐ Vessel Surveys ☐ Capture and Relocation ☐ Capture and Rehabilitation ☐ Deterrence / Hazing ☐ Nest Protection ☐ Necessary Holding Location ☐ Other	Click or tap here to enter text.
☐ OTHER (description in notes)	Click or tap here to enter text.
☐ OTHER (description in notes)	Click or tap here to enter text.
☐ OTHER (description in notes)	Click or tap here to enter text.

D. Vessels / Vehicles

Vessel / Vehicle (check all that apply)	Details / Notes (Provide any additional pertinent details and note whether the actions have been taken or are being considered).
☐ Airplanes	Click or tap here to enter text.
☐ All-Terrain Vehicles (ATVs)	Click or tap here to enter text.
☐ Boats / Airboats	Click or tap here to enter text.
☐ Drones / Unmanned Aerial Systems (UASs)	Click or tap here to enter text.
☐ Heavy Equipment	Click or tap here to enter text.
☐ Helicopters	Click or tap here to enter text.
☐ Staging Areas	Click or tap here to enter text.
☐ Truck or other automobile	Click or tap here to enter text.
☐ OTHER (description in notes)	Click or tap here to enter text.
☐ OTHER (description in notes)	Click or tap here to enter text.

E. Response Action Area / Habitat Types

Provide a description of the existing environment (e.g., vegetation type, substrate type, tidal/riverine/estuarine, hydrology and drainage patterns, current flow and direction) and land uses (e.g., public, residential, commercial, industrial, agricultural). Describe all areas that may be directly or indirectly affected by the response action(s). If possible, provide name of waterbody in the “Details / Notes” column.

The information provided in this section will be used in both ESA Emergency Consultation and Essential Fish Habitat (EFH) analyses, so please provide additional information to the maximum extent practicable, particularly if there is an EFH Habitat Areas of Particular Concern (HAPC) that may be found in the response action area. The Essential Fish Habitat Mapper tool may be used to identify EFH and/or HAPCs in the action area: <https://www.habitat.noaa.gov/apps/efhmapper/efhreport/>

Click or tap here to enter text.

Habitat Type (check <u>all</u> that occur in the response action area)	Habitat Exposed / Not Exposed to response action(s)?	Details / Notes (Provide details on response actions occurring in identified habitats)
☐ Artificial Reefs (including oyster reefs)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Beach	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Coastal Lagoon	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Corals	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Dune	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.

E. Response Action Area / Habitat Types		
☐ Emergent Marsh ☐ Freshwater ☐ Intermediate ☐ Brackish ☐ Saltwater	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Forested Wetland (swamp)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Intertidal Sand / Mud / Algal Flats	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Lake / Lacustrine (freshwater)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Marine (open water)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Marsh (tidal / salt)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Riverine / Riparian (freshwater)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Rocky Intertidal	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Submerged Aquatic Vegetation	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ Wetland (freshwater)	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ OTHER (list below) Enter habitat type.	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.
☐ OTHER (list below) Enter habitat type.	☐ Exposed ☐ Not Exposed	Click or tap here to enter text.

SECTION II. ESA / EFH DETERMINATIONS & MEASURES TO REDUCE IMPACT

Determination definitions are applicable to both species and designated critical habitat determinations. A summary of these determinations, meanings, and required actions are provided below to aid the FOSC in making an initial determination.

Determination	Meaning	Required Action
No Effect (NE)	- Species/habitat is not present, or - Species/habitat is present (or assumed to be present), but there will be <u>no impacts of any kind</u> (+ or -) to species/habitat	No consultation
May Affect* 	- Species/habitat is present (or assumed to be present), and Some impact (+ or -) to species/habitat is possible, and <u>All adverse effects will be avoided (or minimized to insignificant/discountable)</u> through implementation of conservation measures	Informal consultation
	- Species/habitat is present (or assumed to be present), and Adverse effects <u>cannot be completely avoided</u>	Formal Consultation

* May Affect is **not a complete determination!**

Some impact (+ or -) to the species/habitat is possible, but additional information or analysis is needed (i.e., unclear whether a NLAA or LAA determination is appropriate – hence the need for consultation).

F. NMFS Threatened / Endangered Species & Critical Habitat Effects Determination

(Must be completed and documented by the FOSC during Emergency Consultation)

Identify all species and critical habitat under NMFS jurisdiction that may be found in the response action area.

- For Sector Delaware Bay, Maryland-NCR, or Virginia refer to the Greater Atlantic Region ESA Section 7 Mapper to identify ESA-listed species and critical habitat in the action area:
<https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>
- For Sector North Carolina refer to the Southeast Region ESA Section 7 Mapper:
<https://www.fisheries.noaa.gov/resource/map/southeast-region-esa-section-7-mapper>

If all consequences of proposed response actions occur in a location that does not contain any listed or proposed NMFS species or designated/proposed critical habitats, OR if those response actions and their effects have been covered under previous existing consultations, please check the appropriate box below. If one of these boxes is checked, you may skip this section.

F. NMFS Threatened / Endangered Species & Critical Habitat Effects Determination

(Must be completed and documented by the FOSC during Emergency Consultation)

- ☐ All direct and indirect effects of the proposed response actions occur in a location that does not contain any listed or proposed NMFS species or designated/proposed critical habitats.
- ☐ All direct and indirect effects of the proposed response actions have been accounted for under an existing ESA Section 7 consultation.

Threatened / Endangered Species	Critical Habitat	Determinations (see definitions below)	For “No Effect” select justification
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
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☐ List species.	☐	Select a determination.	Select most appropriate.
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☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.

G. USFWS Threatened / Endangered Species & Critical Habitat Effects Determination

(Must be completed and documented by the FOSC during Emergency Consultation)

Identify all species and critical habitat under USFWS jurisdiction that may be found in the response action area.

- The USFWS Information for Planning and Consultation (IPaC) tool may be used to identify ESA-listed species and critical habitat in the action area: <https://ecos.fws.gov/ipac/>

If all consequences of proposed response actions occur in a location that does not contain any listed or proposed USFWS species or designated/proposed critical habitats, OR if those response actions and their

G. USFWS Threatened / Endangered Species & Critical Habitat Effects Determination

(Must be completed and documented by the FOSC during Emergency Consultation)

effects have been covered under previous existing consultations, please check the appropriate box below. If one of these boxes is checked, you may skip this section.

- ☐ All direct and indirect effects of the proposed response actions occur in a location that does not contain any listed or proposed USFWS species or designated/proposed critical habitats.
- ☐ All direct and indirect effects of the proposed response actions have been accounted for under an existing ESA Section 7 consultation.

Threatened / Endangered Species	Critical Habitat	Determinations (see definitions below)	For “No Effect” select justification
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
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☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.

H. Essential Fish Habitat Areas of Particular Concern Effects Determination

(Must be completed and documented by the FOSC during Emergency Consultation)

Identify all Essential Fish Habitat (EFH) species and Habitat Areas of Particular Concern (HAPC) that may be found in the response action area.

- The Essential Fish Habitat Mapper tool may be used to identify EFH and/or HAPCs in the action area: <https://www.habitat.noaa.gov/apps/efhmapper/efhreport/>

If all consequences of proposed response actions occur in a location that does not contain any EFH species or HAPCs, OR if those response actions and their effects have been covered under previous existing

H. Essential Fish Habitat Areas of Particular Concern Effects Determination

(Must be completed and documented by the FOSC during Emergency Consultation)

consultations, please check the appropriate box below. If one of these boxes is checked, you may skip this section.

- ☐ All direct and indirect effects of the proposed response actions occur in a location that does not contain any EFH species or HAPCs.
- ☐ All direct and indirect effects of the proposed response actions have been accounted for under an existing EFH consultation.

EFH Species	HAPCs	Determinations (see definitions below)	For “Would not adversely affect” select justification
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
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☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.
☐ List species.	☐	Select a determination.	Select most appropriate.

Determination Definitions (applicable to both EFH and HAPC determinations):

WNAA = would not adversely affect. Would not adversely affect is the appropriate determination if the response action and the stressors of that action would not affect EFH.

MAA = may adversely affect. Adverse Effects are anything that changes the quality or quantity of EFH.

I. Effects of Response Actions & Measures to Reduce Impacts to Listed Species & Critical Habitats

(Must be completed and documented by the FOSC during Emergency Consultation)

Explain the potential beneficial and adverse effects to each species and/or critical habitats identified in the above tables.

Describe what, when, and how the species and/or critical habitat will be impacted and the likely response to the impact. Be sure to include direct, indirect, and cumulative impacts, and where possible, quantify those effects. If species are present (or potentially present) and will not be adversely affected, describe your rationale. If species are unlikely to be present in the general area or action area, explain why. Describe your rationale if designated or proposed critical habitats are present and will not be adversely affected. This justification provides documentation for your administrative record, avoids the need for additional correspondence, and helps expedite review.

NOTE: Species selected as “No Effect” with justification in the above tables do not need to be addressed.

Click or tap here to enter text.

Explain the measures taken to reduce adverse effects to the species identified above.

For each species for which impacts were identified, describe any conservation measures (e.g., best management practices [BMPs]) that will be implemented to avoid or minimize the impacts. Conservation measures are designed to avoid or minimize effects to listed species and critical habitats or further the recovery of the species under review. Conservation measures are considered part of the proposed actions and their implementation is required. Any changes to, modifications of, or failure to implement these conservation measures may result in a need to reinitiate this consultation.

Click or tap here to enter text.

Frequently Recommended BMPs

This checklist provides standard BMPs recommended by NMFS and USFWS or developed in coordination with the Services. Please select any BMPs that will be implemented (website links to BMPs are provided below).

☐ Environmental BMPs for Oil Spill Response in Regional Response Team 3 Coastal Zone	RRT3 Endangered Species Tools
☐ NMFS EFH BMPs for Certain Response Activities to Accidental Discharges of Oil and Other Hazardous Materials in the Southeastern United States	https://media.fisheries.noaa.gov/dam-migration/sero_hazmat_bmps.pdf
☐ NMFS Marine Life Viewing Guidelines and Distances	https://www.fisheries.noaa.gov/topic/marine-life-viewing-guidelines#guidelines-&-distances
☐ NMFS Measures for Reducing the Entrapment Risk to Protected Species	https://media.fisheries.noaa.gov/dam-migration/entrapment_bmps_final.pdf
☐ NMFS Sea Turtle Handling and Resuscitation Requirements	https://media.fisheries.noaa.gov/dam-migration/sea_turtle_handling_and_resuscitation_measures.pdf
☐ NMFS Sturgeon Resuscitation Guidelines	https://media.fisheries.noaa.gov/dam-migration/sturgeon_resuscitation_card_06122020_508.pdf

I. Effects of Response Actions & Measures to Reduce Impacts to Listed Species & Critical Habitats <i>(Must be completed and documented by the FOSC during Emergency Consultation)</i>	
☐ NMFS Vessel Strike Avoidance Measures and Reporting for Mariners	https://media.fisheries.noaa.gov/dam-migration/vessel_strike_avoidance_february_2008.pdf
☐ USFWS Avoidance and Minimization Measures for Piping Plover and Red Knot for Shoreline Activities	https://www.fws.gov/southeast/pdf/best-management-practice/piping-plover-and-red-knots-for-shoreline-activities-in-louisiana.pdf
☐ USFWS Standard Manatee In-Water Conditions	https://www.fws.gov/southeast/pdf/guidelines/standard-manatee-conditions.pdf
☐ National Response Team General BMPs or Conservation Measures (Appendix D)	https://www.nrt.org/sites/2/files/Pre-Spill_BEOutline_%20updated%2031Oct2018%20FINAL.docx
☐ Caribbean Regional Response Team BMPs for Oil Spill Response Operations	https://nrt.org/sites/33/files/App%207%20CRRT%20Compilation%20of%20BMPs%20Revised%204_2020.pdf
☐ OTHER (list below) Name of BMP.	Provide a link to BMP.

SUBMITTING CONSULTATION FORM
The USFWS and NMFS request that all consultation forms be emailed to the appropriate point of contact for review (see Enclosure 1 for list of contacts). Upon receipt, USFWS/NMFS representatives will conduct a preliminary review and provide any comments and feedback, including any requests for modifications or additional information for Sections II and III. If modifications or additional information is necessary, the USFWS/ NMFS representatives will work with the USCG until the consultation forms are considered complete. Once complete, the USCG will use the form to initiate and/or conduct any appropriate consultation. For informational purposes, please add the U.S. Dept. of the Interior's (DOI) Regional Environmental Officer (REO) and the NOAA Scientific Support Coordinator (SSC) assigned to the incident to the "Cc" line of your email when submitting any version of this form to the USFWS and NMFS for review and/or concurrence. Additionally, please also "Cc" the East District Response Advisory Team (DRAT) Elisha.FS.Cook@uscg.mil to your email when submitting any version of this form to the USFWS and NMFS for review and/or concurrence. Also "Cc" the appropriate Environmental Protection Agency (EPA) Region 2, 3, or 4 On-scene Coordinator.

SECTION III. OTHER SPECIES

J. Marine Mammals <i>(Optional to complete prior to Emergency Consultation)</i>																					
The Marine Mammal Protection Act (MMPA) prohibits the taking (including disruption of behavior, entrapment, injury, or death) of all marine mammals. The MMPA allows limited exceptions to the take prohibition, if authorized, such as the incidental take of marine mammals. The Atlantic Marine Assessment Program for Protected Species (AMAPPS) Marine Mammal Model Viewer (https://apps-nefsc.fisheries.noaa.gov/AMAPPSviewer/) maps marine life sightings and ocean conditions to help inform marine resource management decisions. The maps use whale, dolphin, and porpoise sightings data and can be used to predict marine mammal densities.																					
Marine Mammals that <i>may be</i> present within the response action area	Details / Notes (If applicable, indicate and describe the species that may be present in the response action area)																				
Dolphins ☐ Yes ☐ No	Click or tap here to enter text.																				
Manatees ☐ Yes ☐ No	Click or tap here to enter text.																				
Porpoise ☐ Yes ☐ No	Click or tap here to enter text.																				
Seals ☐ Yes ☐ No	Click or tap here to enter text.																				
Whales ☐ Yes ☐ No	Click or tap here to enter text.																				
The following questions are designed to allow the NMFS and/or USFWS to quickly determine if response actions have the potential to result in take to marine mammals. If the information provided indicates that incidental take is possible, further discussion with the NMFS and/or USFWS <u>is required</u>. (a) Is your action occurring in or on marine or estuarine waters? ☐ Yes ☐ No (b) If yes, is your action likely to cause large-scale, ecosystem level impacts to the quality (e.g., salinity, temperature) of marine or estuarine waters? ☐ Yes ☐ No (c) If yes, describe actions further using checkboxes in the table below. Does your action involve any of the following: <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 20%; padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Use of active acoustic equipment (e.g., echosounder) producing sound below 200 kHz</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">In-water construction or demolition</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Temporary or fixed use of active or passive sampling gear (e.g., nets, lines, traps; turtle relocation trawls)</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">In-water explosive detonation</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Aquaculture</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Restoration of barrier islands, levee construction, or similar projects</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Fresh-water river diversions</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Building or enhancing areas for water-related recreational use or fishing opportunities (e.g., fishing piers, bridges, boat ramps, marinas)</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Dredging or in-water construction actions to change hydrologic conditions or connectivity, create breakwaters and living shorelines, etc.</td> </tr> <tr> <td style="padding: 5px;">☐ Yes ☐ No</td> <td style="padding: 5px;">Conducting driving of sheet piles or pilings</td> </tr> </tbody> </table>		☐ Yes ☐ No	Use of active acoustic equipment (e.g., echosounder) producing sound below 200 kHz	☐ Yes ☐ No	In-water construction or demolition	☐ Yes ☐ No	Temporary or fixed use of active or passive sampling gear (e.g., nets, lines, traps; turtle relocation trawls)	☐ Yes ☐ No	In-water explosive detonation	☐ Yes ☐ No	Aquaculture	☐ Yes ☐ No	Restoration of barrier islands, levee construction, or similar projects	☐ Yes ☐ No	Fresh-water river diversions	☐ Yes ☐ No	Building or enhancing areas for water-related recreational use or fishing opportunities (e.g., fishing piers, bridges, boat ramps, marinas)	☐ Yes ☐ No	Dredging or in-water construction actions to change hydrologic conditions or connectivity, create breakwaters and living shorelines, etc.	☐ Yes ☐ No	Conducting driving of sheet piles or pilings
☐ Yes ☐ No	Use of active acoustic equipment (e.g., echosounder) producing sound below 200 kHz																				
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☐ Yes ☐ No	In-water explosive detonation																				
☐ Yes ☐ No	Aquaculture																				
☐ Yes ☐ No	Restoration of barrier islands, levee construction, or similar projects																				
☐ Yes ☐ No	Fresh-water river diversions																				
☐ Yes ☐ No	Building or enhancing areas for water-related recreational use or fishing opportunities (e.g., fishing piers, bridges, boat ramps, marinas)																				
☐ Yes ☐ No	Dredging or in-water construction actions to change hydrologic conditions or connectivity, create breakwaters and living shorelines, etc.																				
☐ Yes ☐ No	Conducting driving of sheet piles or pilings																				

J. Marine Mammals*(Optional to complete prior to Emergency Consultation)*

☐ Yes ☐ No	Use of floating pipeline during dredging actions
If you checked “Yes” to any of the actions immediately above, or if the action <u>could impact</u> the quality of marine or estuarine waters, please describe the nature of the actions in more detail or indicate which section of the form already includes these descriptions.	
Click or tap here to enter text.	
If not already identified in Table I, please describe any additional BMPs or conservation measure that may be implemented for marine mammals.	
☐ OTHER (list below) Name of BMP.	Provide a link to BMP.
☐ OTHER (list below) Name of BMP.	Provide a link to BMP.

K. Bald Eagles*(Optional to complete prior to Emergency Consultation)*

Are bald eagles present in the response area? ☐ Yes ☐ No
If YES, the following conservation measures should be implemented per the National Bald Eagle Management Guidelines: https://www.fws.gov/northeast/ecologicalservices/eagle.html • If bald eagle breeding or nesting behaviors are observed or a nest is discovered or known, all actions (e.g., walking, camping, clean-up, use of a UTV, ATV, or boat) should avoid the nest by a minimum of 660 feet. If the nest is protected by a vegetated buffer where there is no line of sight to the nest, then the minimum avoidance distance is 330 feet. This avoidance distance shall be maintained from the onset of breeding/courtship behaviors until any eggs have hatched and eaglets have fledged (approximately 6 months). • If a similar action (e.g., driving on a roadway) is closer than 660 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated action. • If a vegetated buffer is present and there is no line of sight to the nest and a similar action is closer than 330 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated action. • In some instances, actions conducted at a distance greater than 660 feet of a nest may result in disturbance. If an action appears to cause initial disturbance, the action shall stop and all individuals and equipment will be moved away until the eagles are no longer displaying disturbance behaviors. • For additional information, contact the Northeast Division of Migratory Birds, Permit Branch, Eagle Coordinator. Contact information for the USFWS Northeast Division of Migratory Birds can be found at: https://www.fws.gov/northeast/migratorybirds/contactus.html.
Will you implement the above measures? ☐ Yes ☐ No
If these measures cannot be implemented, then you must contact the Service’s Migratory Bird Permit Office.

K. Bald Eagles*(Optional to complete prior to Emergency Consultation)*

- Permit Office for District of Columbia, Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia: (413) 253-8643 or by email: permitsR5MB@fws.gov
- Permit Office for North Carolina: (404) 679-7070 or by email: permitsR4MB@fws.gov

L. Migratory Birds*(Optional to complete prior to Emergency Consultation)*

Shorebirds, coastal marsh birds, and marine birds can be found throughout the coastal zone. In accordance with the Migratory Bird Treaty Act of 1918 (as amended) and Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), please be advised that proposed response actions may be located in habitats which are commonly inhabited by these important species.

Although several surveys have been conducted to determine the location of nesting colonies, the USFWS recommends that a qualified biologist inspect the proposed response area for the presence of nesting colonies during the nesting season since they may change locations year-to-year.

- For general information regarding migratory birds: <https://www.fws.gov/northeast/migratorybirds/>.
- For information regarding which bird species may be present in the area, please visit: <https://ebird.org/explore>.
- For USFWS general conservation measures to avoid and minimize impacts to birds: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- The Mid-Atlantic coast provides critical year-round habitats for shorebirds and is part of the Atlantic Flyway. The most important habitats are the outer coastal strand of beaches, inlets, tidal flats, and saltmarsh. Providing and maintaining quality nesting, migration stopover, and wintering sites in the southeastern U.S. is extremely important for population health and stability of Atlantic Flyway shorebird populations. The focal geographic area includes the important spring staging sites of Delaware Bay, and large areas of undeveloped barrier islands and saltmarshes extending from Virginia to Georgia. Atlantic Flyway Shorebird species include the American Oystercatcher, American Golden-Plover, Snowy Plover, Wilson's Plover, Marbled Godwit, Ruddy Turnstone, Red Knot, Sanderling, Piping Plover, Greater Yellowlegs, Lesser Yellowlegs, Whimbrel, Purple Sandpiper, Semipalmated Sandpiper, Red-necked Phalarope, or Eskimo Curlew. The Atlantic Flyway Shorebird Initiative focuses on these birds: <https://atlanticflywayshorebirds.org/>.
- Tidal marsh birds such as the Saltmarsh Sparrow, Black Rail, American Black Duck, Bicknell's Thrush, Cerulean Warbler, Wood Thrush, Golden-winged Warbler, American Woodcock, and the coastal marsh habitat they inhabit are a focus for USFWS. The Atlantic Coast Joint Venture (ACJV) focuses on these birds: <https://acjv.org/>.
- Marine birds are also a focal species for management and monitoring, which include colonial waterbirds, as well as nesting shorebirds. The Atlantic Marine Bird Cooperative (AMBC) focuses on these birds: <https://atlanticmarinebirds.org/>.
- If the USCG would like to report any banded birds observed during response actions to aid in resighting efforts, reporting can be done here: <https://www.usgs.gov/centers/pwrc/science/bird-banding-laboratory>.

L. Migratory Birds*(Optional to complete prior to Emergency Consultation)*

- Contact information for the USFWS Northeast Division of Migratory Birds can be found at: <https://www.fws.gov/northeast/migratorybirds/contactus.html>.

Will you implement conservation measures for shorebirds, coastal marsh birds, and marine birds (indicate which species may be present)?

- ☐ Yes Enter list of bird species.
- ☐ No Indicate why conservation measures will not be implemented.
- ☐ Not Applicable (i.e., not present in the action area)

ENCLOSURE 3: NMFS / USFWS RESPONSE TO ENVIRONMENTAL CONSULTATION

This form will be utilized by the Department of the Interior's (DOI) U.S. Fish & Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) to respond to U.S. Coast Guard (USCG) Federal On-Scene Coordinator (FOSC) requests for pre-spill, emergency, and post-response consultation. **The purpose of this form is to document Service recommendations to help inform the FOSC of measures to reduce response action impacts to protected species and habitats.**

FOSCs (or their designated representative) should complete Section I (Tables A – E) and Section II (Tables F – I) with the best available information accounting for all response actions taken or being considered. FOSCs *must* work with Service representatives during the emergency consultation process to validate and document the presence and effects to species/habitats and implementation of conservation measures in Section II. In addition to ESA/EFH consultation, when needed/applicable, Section III should be reviewed and completed by the FOSC to inform and evaluate additional needs for compliance with the following authorities: Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA), and Migratory Bird Treaty Act (MBTA).

Enclosure (3) is intended to be submitted blank to the Services by the FOSC, so the Services can both acknowledge the request for consultation as well as begin to consider the FOSC's actions or proposed actions during the emergency response and provide recommendations. This form should be used to document Service recommendations (conservation measures, avoidance and minimization measures, best management practices, etc.) as well as provide updated recommendations as the incident evolves and FOSC actions are adjusted based on operational objectives.

Name of Incident: Click or tap here to enter text.		
Date of Transmittal: ☐ Initial Response [Date] ☐ Updated Response [Date]		
FROM: Choose Service	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
TO: FOSC Insert USCG FOSC Unit	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: NOAA Scientific Support Coordinator	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: DOI Regional Environmental Officer	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: East District Response Advisory Team (CGD-E DRAT)	Name: Elisha Cook Email: Elisha.FS.Cook@uscg.mil	T: (571) 608-5556 C: (757) 630-1430
	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.
COPY: EPA On-Scene Coordinator for Region	Name: Click or tap here to enter text. Email: Click or tap here to enter text.	T: Click or tap here to enter text. C: Click or tap here to enter text.

SECTION I. ESA / EFH RECOMMENDATIONS

This form should be used to document Service recommendations related to ESA / EFH to include conservation measures, avoidance and minimization measures, best management practices, etc. As the incident evolves and FOSC actions are adjusted based on operational objectives, the FOSC should provide updated consultation forms and the Services should be provide updated recommendations respectively.

A. ESA Recommendations

Service recommendations may include information on species and designated Critical Habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

B. EFH Recommendations

Service recommendations may include information on species and designated Critical Habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

SECTION II. OTHER SPECIES RECOMMENDATIONS

This form should be used to document Service recommendations related to Marine Mammal Protection Act (MMPA), Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA), or other authorities. Recommendations may information regarding species present in the response area and/or include conservation measures, avoidance and minimization measures, best management practices, etc. As the incident evolves and FOSC actions are adjusted based on operational objectives, the FOSC should provide updated consultation forms and the Services should be provide updated recommendations respectively.

C. Marine Mammal Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

D. Bald Eagle Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

E. Migratory Bird Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.

F. Other Recommendations

Service recommendations may include information on species and sensitive habitats in the area, suggested conservation measures / avoidance and minimization measures. Supplemental information or documentation may be attached with this form and noted below.

Click or tap here to enter text.