REQUEST FOR PROPOSAL
Vessel Removal in Phase II, Group B: South Mobile County, Alabama
RFP #122633

BACKGROUND

The Gulf of America Alliance (GOAA) is a partnership of the five Gulf States, federal agencies, academic organizations, businesses, and other non-profits in the region. Our goal is to significantly increase regional collaboration to enhance the environmental and economic health of the Gulf of America.

GOAA has recently received federal funding from the National Oceanic and Atmospheric Administration (NOAA) to remove large marine debris items from coastal and marine habitats in the Gulf of America. GOAA is partnering with Mississippi State University Coastal Research and Extension Center and Gulf state natural resource agencies to complete the removal activities identified in the grant award and they will serve as the onsite project management for the vessel removals.

The project will benefit NOAA trust resources through active removal of many tons of marine debris, assessment of the environmental impacts pre and post removal, and increased awareness of marine debris impacts. Mississippi State University will provide technical assistance and project management to GOAA related to identifying and removing large marine debris items in all US Gulf Coast states. These activities will include assessing, estimating removal cost, permitting, developing and administering RFPs, and monitoring.

GOAA is seeking proposals from qualified contractors to assist with the removal of vessels in South Mobile County based on the following information in this Request for Proposal (RFP).

GENERAL INFORMATION

Project Title: Vessel Removal in Phase II, Group B: South Mobile County, Alabama

Scope of Work: GOAA is seeking a contractor to remove derelict or abandoned vessels at specific locations in Mobile County as shown in **Attachment A**. All vessels listed in **Attachment A** have been deemed "abandoned" by the State of Alabama. The selected contractor is responsible for removing, transporting, and legally disposing of all the vessels listed in **Attachment A** and will not be compensated for removing any vessels not listed in this RFP. The contractor is expected to remove the object in its entirety, and all related debris from the water body, below mud line, and/or shoreline as necessary. The contractor will report to and coordinate with designated staff of Mississippi State University and/or GOAA on all contractual, technical, and community engagement topics. Contractor must notify and coordinate with Alabama Law Enforcement Agency ("ALEA") personnel before commencement of any removal operations.

- Contractor shall provide all labor, supervision, equipment, supplies, and materials.

- Contractor shall properly dispose of the vessels and marine debris in accordance with federal, state, and regional laws and regulations.
- Contractor will remove vessels in the agreed upon timeframe.
- Vessel removal methods for this project are left to the contractor, and proposed methods will be scored within the proposal in the selection process.
- Contractor is responsible for completing the NOAA-required environmental checklist for each vessel removal as presented in **Attachment C**.
- Contractor is responsible for appropriate disposal of removed components, including vessel, associated vegetation, water, contaminants, and pollutants, including fuels, batteries, paints, and solvents from the vessel prior to demolition and disposal. Any contaminant or pollutant found to be contained within the vessel shall be disposed of in a lawful manner.
- During removal of the vessels, the contractor shall be liable for any damage to the surrounding area (e.g., docks, utilities, etc.) resulting from actions taken in removal or disposal of the vessels. Any damaged areas shall be restored to their original state by the contractor at the contractor's expense.
- Contractor shall comply with any and all licensing requirements for the use of any commercial equipment or vessel used in the performance of the work.
- Contractor is responsible for the health and safety of its employees and for ensuring that work is performed in compliance with State, Federal, and Local requirements.
- Because the funding source for this vessel removal project is federal funds, certain conditions flow through from GOAA to the selected contractor. Therefore, contractor is responsible for compliance with conditions including, but not limited to:
    a. A written safety plan
    b. Required signage on the site
    c. Prevention of introduction of invasive species
    d. Maintenance of project files
    e. Certification of self-contained underwater breathing apparatus (SCUBA) divers (as necessary)
    f. Working with the Mississippi State University team to obtain near-shore debris removal permits prior to beginning work, including the Nationwide Permit #22 (derelict vessel removal) and notification to the AL Department of Environmental Management.
    g. Obtaining a Section 404 permit, where applicable, if temporary structures or discharge of dredged or fill material are required during debris removal activities
    h. Compliance with applicable Best Management Practices (BMPs) attached hereto as **Attachment C**.

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Contractor is expected to coordinate closely with GOAA and/or Mississippi State University staff throughout the duration of the project through regularly scheduled status meetings, task-related conference calls, and other meetings as required. The ALEA staff may monitor any removal operations as well. And, as required by the prime federal funding award, NOAA personnel may be involved at any time during the implementation of vessel removal.

Proposal: Contractor proposals are solicited that identify the following:

Description of removal and disposal methods, including:

- How each vessel in the group will be removed including description of work to be performed and timeline
- Any potential collaborating organizations, including subcontractors
- Listing of equipment owned or controlled by contractor and readily available for work
- Qualifications, including
    - Prior experience performing water-based construction or removal activities
    - Organization, size, and structure
    - Proposed staff qualification (i.e., resumes for professional staff, experience for field staff, etc.)
    - Understanding of work to be performed
    - Certifications (if applicable)
- Contact information for at least three (3) client references

Budget: Because the funding source for this project is federal funds and must be awarded in accordance with 2 CFR 200.325, contractors are limited to 10% profit; therefore, proposed project budget should be presented with profit identified as a separate line item from costs. Profit shall be no more than 10% multiplied times total direct and indirect costs.

Entities Eligible to Apply: This Request for Proposal (RFP) is open to all types of domestic applicants other than individuals and foreign-based organizations.

Contract Payment Type: Firm Fixed Price

Performance Period: Anticipated start date is **October 26, 2026** and project should be completed by **January 24, 2027**. Contractor should indicate their availability during this timeframe in their proposal.

Location of Work and Site Conditions: Derelict vessels to be removed are located along the coast of Alabama at the Global Positioning System (GPS) coordinates provided in **Attachment A**. A description of site conditions and site photographs are also included in **Attachment A**.

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Number of Contracts Anticipated from this RFP: 1 (one). Please note: This is not a solicitation for bids. This is a solicitation for proposals. This solicitation does not commit GOAA to award a contract, to pay any costs incurred in the preparation of applications submitted, or to procure or contract for the services. GOAA reserves the right to accept or reject any, all or any part of any proposal received as a result of this Solicitation, or to cancel in part or in its entirety this solicitation, if it is in the best interest of GOAA to do so. GOAA shall be the sole judge as to whether proposals submitted meet all requirements contained in this solicitation.

Pre-Award Cost Authorization Allowed: No. All costs incurred in preparation of a proposal responding to this RFP and all costs associated with award implementation will be the responsibility of the selected contractor and will not be reimbursed by GOAA.

Proposal Deadline: September 28, 2026, 5pm U.S. Central Standard Time (CST). Proposals received after the proposal deadline will not be considered.

Proposal Submission Instructions: Proposals should be submitted in PDF format to:

Katie Wallace, GOAA Program Manager
Katie.Wallace@gulfalliance.org
with RFP-Vessel Removal in the subject line

Proposals must contain an original or digital signature. Note that it is the responsibility of the sender to verify receipt. GOAA will not be responsible for proposals lost during transit or transmission.

Question and Answer Period Regarding this RFP: Questions about this RFP will be received until **September 11, 2026, 4pm U.S CST**. No questions regarding this RFP will be considered outside of this time period. Questions should be sent by email to Katie Wallace at Katie.Wallace@gulfalliance.org . No questions by telephone will be considered. On **September 14, 2026**, contractors will receive a copy of questions and answers by email from Katie Wallace at Katie.Wallace@gulfalliance.org .

Preferences: When the opportunity exists, GOAA reserves the right under 2 CFR 200.321 and any other applicable laws and regulations to apply preferences for Small Businesses, Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms.

Contractor Eligibility Criteria and Conditions at Time of Application:

1. Entity must have a valid Unique Entity Identifier (UEI) number in SAM.GOV
2. Entity and any Principals or Owners must not be debarred or suspended.
3. Non-profit organizations must demonstrate current evidence of good standing, such as a statement from the Internal Revenue Service (IRS).

4. Contractors must have the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project.
5. Contractors must have established safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
6. Contractors must have the capacity to initiate and complete the work within the applicable time frame.
7. Contractor shall comply with provisions of 2 CFR 200 or Federal Acquisition Regulations (FAR), where applicable. This includes, but not limited to, provisions of 2 CFR 200.321 - Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms; provisions of 2 CFR 200.322 – Domestic preferences for procurements, and provisions of 2 CFR 200 Appendix II related to Equal Employment Opportunity, the Davis-Bacon Act, the Copeland Anti-Kickback Act, and the Contract Work Hours and Safety Standards Act. NOTE: Under the Davis-Bacon Act, contractors are required to pay the prevailing wage to laborers and mechanics at a rate not less than that determined by the U.S. Secretary Labor, attached hereto as **Attachment B**. Wages must also be paid to laborers and mechanics not less than once per week. Under the Contract Work Hours and Safety Standards Act, laborers and mechanics must have a safe environment for work. A standard work week must be 40 (forty) hours. Any hours in excess of the standard work week must be paid at a rate of no less than 1.5 times the basic rate of pay.
8. Insurance and Bonding Requirements:
    - The selected contractor will be required to maintain general liability insurance in the amount of $2,000,000 per occurrence, property damage liability insurance combined with a $2,000,000 annual policy aggregate, dockside liability or Jones Act or USL&H (United States Longshore and Harbor Workers Compensation Act) insurance in a minimum amount of $2,000,000, and automobile insurance for owned, hired and non-owned vehicles in the minimum amount of $1,000,000 combined single limit per occurrence, to cover any claims arising out of the performance of the contract. The commercial general and automobile liability insurance policies must name GOAA, its officers, agents, volunteers, and employees as additional insured and provide GOAA coverage on a primary, non-contributory basis.
    - Worker's Compensation Insurance – A selected contractor who employs any person shall maintain workers' compensation insurance in accordance with state requirements. Sole proprietors with no employees are not required to carry Worker's Compensation Insurance.

- Watercraft Liability Insurance – If a watercraft is used in the performance of the work, the contractor shall maintain watercraft liability insurance with limits not less than $1,000,000 combined single limit per occurrence. The watercraft liability insurance policy must name GOAA, its officers, agents, volunteers and employees as additional insureds and provide GOAA coverage on a primary, non-contributory basis.
- In accordance with 2 CFR 200.326, for any contract in excess of $350,000, Contractor will be required to present its bonding policy and requirements. If GOAA determines that its interests are not adequately protected by Contractor's existing policies, Contractor may be required to provide a performance bond, a payment bond, or other requirements as determined by GOAA.

9. Contractor by submitting a proposal represents that:
   - Contractor has read and understands this RFP (including all specifications and attachments) and that its proposal is made in accordance therewith.
   - Contractor has reviewed the RFP and has become familiar with the local conditions under which the scope of work is to be performed. The failure or omission of a Contractor to acquaint himself with existing conditions shall in no way relieve him of any obligation with respect to this proposal or any resulting contract.
   - Contractor's proposal is based on the terms, materials, services and obligations required by this RFP, without exception.

10. Failure to meet eligibility criteria at the time of execution of the contract may be grounds for eliminating a Contractor and making an award to another contractor that submitted a proposal.

PROPOSAL EVALUATION

Proposals will be evaluated by members of a Technical Review Committee. Proposed start date should be planned for **October 26, 2026**. Proposals will be evaluated on the following criteria (100 maximum points):

1. Approach/Methodology (25 points) – Proposal describes the work to be performed, including procedures, timeline, and other pertinent information.

2. Experience (25 points) - Contractor has the experience in delivering similar projects. Contract lead and other assigned staff are experienced and have proper expertise to perform the proposed work.

3. Qualifications (25 points) – Contractor's onsite team is well qualified to perform the proposed work.

4. Cost (25 points) – Budget costs are reasonable and justifiable.

GOAA contemplates award of the contract to the Contractor with the highest total points. Note: GOAA reserves the right to re-advertise this RFP if an adequate number of responses is not received.

Notification of Award: It is expected that a decision selecting the successful contractor will be made within two (2) weeks of the closing date for the receipt of proposals. Upon conclusion of final negotiations with the successful contractor, all contractors submitting proposals in response to the RFP will be informed, in writing by email from Katie Wallace at Katie.Wallace@gulfalliance.org, of the name of the successful contractor.

A Notice to Proceed shall be issued after the Contractor has executed the contract and has submitted acceptable Insurance Certificates as well as any other submittals specified within this Solicitation or the executed agreement. The contractor shall not commence work until it has received a written Notice to Proceed from GOAA.

The selected contractor shall not assign in whole or in part its duties under the contract without the prior written consent of GOAA. The contractor shall not assign any money due to it under the contract without prior written consent of GOAA. Nothing contained in any contract resulting from this Solicitation shall create any contractual relationship between any subcontractor and GOAA.

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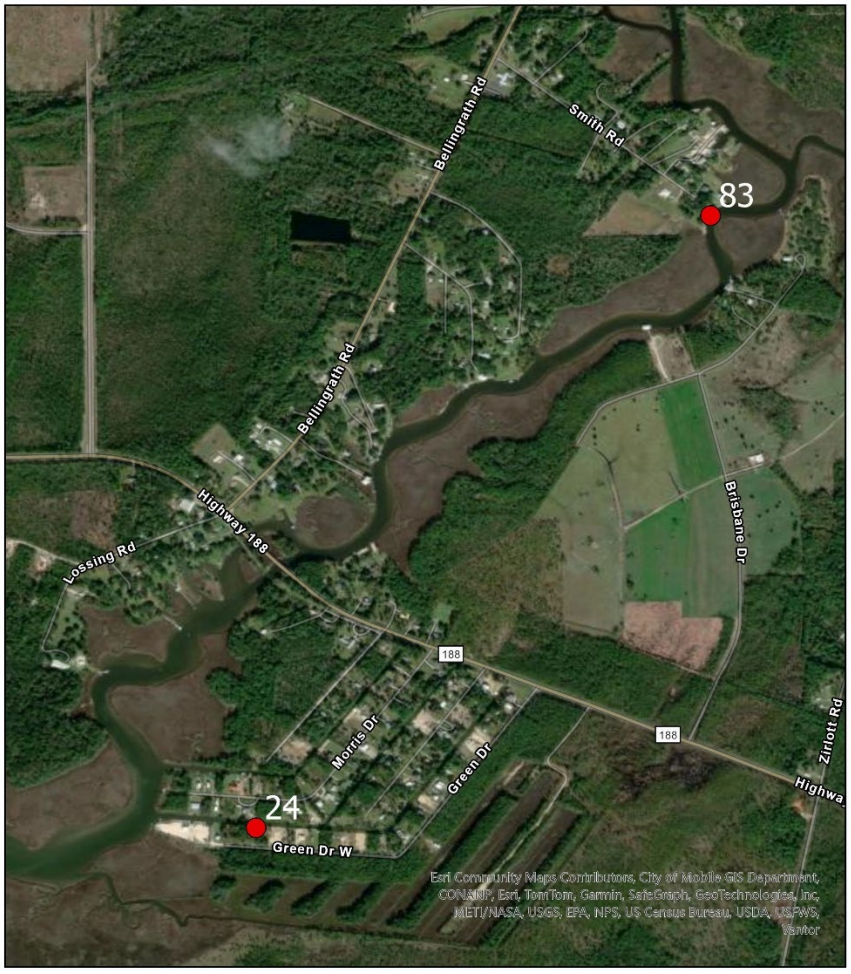
ATTACHMENT A
LOCATION AND SITE CONDITIONS OF VESSELS TO BE REMOVED

Group B – South Mobile County, Alabama



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Vessel FID: 24

Location: Delta Port Marina, West Fowl River, Mobile county

Coordinates: 30.368442 -88.158471

Description of vessel and location:
This project involves the removal and disposal of a 32' fiberglass shrimp boat with the registration 'AL-3157-AD'. The vessel is floating and tied up to a private dock.

Status of Hazardous Materials: Unknown – should be determined by contractor

Status of Permitting: Vessel likely falls under United States Army Corps of Engineers Nationwide Permit 22: Removal of Vessels. A Pre-Construction Notification (PCN) should not be required to be submitted as long as the removal activities comply with the conditions of NWP 22 (see Attachment D).

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Vessel FID: 83

Location: West Fowl River, Mobile County

Coordinates: 30.385841 -88.145528

Description of vessel and location:
This project involves the removal and disposal of a 36’ long wooden houseboat. The vessel is partially sunk and breaking apart, along a shoreline.

Status of Hazardous Materials: Unknown – should be determined by contractor

Status of Permitting: Vessel likely falls under United States Army Corps of Engineers Nationwide Permit 22: Removal of Vessels. A Pre-Construction Notification (PCN) should not be required to be submitted as long as the removal activities comply with the conditions of NWP 22 (see Attachment D).

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Attachment B

Prevailing Wage Determination for Laborers and Mechanics as Determined by the U.S. Secretary of Labor

"General Decision Number: AL20260110 05/18/2026

State: Alabama

Construction Types: Heavy

Counties: Alabama Counties of
Mobile

Excludes Dredging

Modification Number	Publication Date
0	01/02/2026
1	05/18/2026

ENGI0653-013 06/03/2024

	Rates	Fringes
POWER EQUIPMENT OPERATOR: BULLDOZER (PIPELINE)	$ 48.89	18.00
POWER EQUIPMENT OPERATOR: BACKHOE, EXCAVATOR, TRACKHOE (PIPELINE)	$ 48.89	18.00

SUAL2015-038 08/02/2017

	Rates	Fringes
TRUCK DRIVER: DUMP TRUCK, INCLUDES WATER SEWER LINES	$ 12.56	2.12
OPERATOR: LOADER, INCLUDES WATER SEWER LINES	$ 17.64	2.14
OPERATOR: BACKHOE/EXCAVATOR/TRACKHOE, INCLUDES WATER SEWER LINES (EXCLUDES, PIPELINE)	$ 13.56	0.00
LABORER: PIPELAYER, INCLUDES WATER SEWER LINES	$ 11.95	0.00
LABORER: COMMON OR GENERAL, INCLUDES WATER SEWER LINES	$ 15.21	6.16
ELECTRICIAN	$ 19.56	0.00
CEMENT MASON/CONCRETE FINISHER, INCLUDES WATER SEWER LINES	$ 13.78	0.00
CARPENTER, INCLUDES FORM WORK	$ 19.05	7.86

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic

violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at https://www.dol.gov/agencies/whd/government-contracts.

Note: Executive Order 13658 generally applies to contracts subject to the Davis-Bacon Act that were awarded on or between January 1, 2015 and January 29, 2022, and that have not been renewed or extended on or after January 30, 2022. Executive Order 13658 does not apply to contracts subject only to the Davis-Bacon Related Acts regardless of when they were awarded. If a contract is subject to Executive Order 13658, the contractor must pay all covered workers at least $13.65 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract from May 11, 2026, through December 31, 2026. The applicable Executive Order minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under Executive Order 13658 is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classifications and wage rates that have been found to be prevailing for the type(s) of construction and geographic area covered by the wage determination. The classifications are listed in alphabetical order under rate identifiers indicating whether the particular rate is a union rate (current union negotiated rate), a survey rate, a weighted union average rate, a state adopted rate, or a supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than "SU", "UAVG", "SA", or "SC" denotes that a union rate was prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The ◆SU◆ identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

◆SU◆ wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ◆SA◆ identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ◆SA◆ identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:

a) a survey underlying a wage determination
b) an existing published wage determination
c) an initial WHD letter setting forth a position on a wage determination matter
d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:

Branch of Wage Surveys
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Regarding any other wage determination matter such as conformance decisions, requests for initial decisions should be directed to the WHD Branch of Construction Wage Determinations. Requests can be submitted via email to BCWD-Office@dol.gov or by mail to:

Branch of Construction Wage Determinations

Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

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END OF GENERAL DECISION

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Attachment C

ENVIRONMENTAL BEST MANAGEMENT PRACTICES (BMPs) / PROJECT DESIGN CRITERIA (PDC) CHECKLIST FOR NOAA-FUNDED BIL-IRA - GOAA PROJECT IN ALABAMA

Note: *This checklist will be provided to the selected contractor as a fillable form associated with the resulting award. This is included in this RFP for proposal estimation purposes only.*

ENVIRONMENTAL BEST MANAGEMENT PRACTICES (BMPs)
Award: ***Gulf of America Alliance (GOAA) Large Debris Removal (Award # NA23NOS9990091)-Alabama***
Time of Year Restrictions/notes:

Restriction Time Frame	BMPs	Reasoning
No ground disturbance or disturbance to historical resources	**Details of the ADVs that are removed, and removal methods should be provided to the Choctaw Nation once all removals are completed.**	**Tribal resource concerns**

1. PERMITTING AND PERMISSIONS

- ☐ Coordinate with the appropriate state and federal management agencies when working within public lands or waters, such as National Marine Sanctuaries, National Park units, National Wildlife Refuges, National Forests, State Parks, or other public land owners and managers.
- ☐ If permits are required, Alabama Regional General Permits (RGP) such as Alabama General Permit #4 (Debris Removal) and/or several Nationwide Permits (NWP) may apply for marine debris removal, including NWP #22(derelict vessel removal). Refer to the RGP and NWP corresponding limits, pre-construction notice requirements, and general and regional conditions, as applicable. In some cases, Letters of Permission or Individual Permits (IPs) may instead be required. Additional permitting information may be found in the *Alabama Marine Debris Emergency Response Guide* (https://marinedebris.noaa.gov/report/alabama-marine-debris-emergency-response-guide)
- ☐ Contact the USACE Mobile Regulatory District for specific federal permitting guidance (251-690-2505 or https://www.sam.usace.army.mil/).
- ☐ ADEM Coastal Program simultaneously reviews USACE permit applications for consistency with Alabama Coastal Area Management Program.
- ☐ If USACE determines that an RGP or NWP does not apply, then the project is processed under a letter of permission or standard permit process, which is a separate determination that must be obtained from ADEM that will have specific permit conditions.
- ☐ For more information regarding the ADEM permitting process reference their website at https://www.adem.alabama.gov/programs/water/permitting.cnt

2. FIELD TRAINING

- ☐ All personnel associated with the project will be instructed about the potential presence of species and critical habitat protected under the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA), as well as Essential Fish Habitat (EFH) protected under the Magnuson–Stevens Fishery Conservation and Management Act (MSA) and Migratory Bird Treaty Act (MBTA). All on-site project personnel will be responsible for observing work areas, water-related activities and activities for the presence of protected species and habitats. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species and critical habitat may be found in the project area, please review the relevant Protected Species Lists at: https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper and https://ecos.fws.gov/ipac/. For more information on EFH see https://www.fisheries.noaa.gov/national/habitat-conservation/essential-fish-habitat#essential-fish-habitat-in-the-regions.
- ☐ For all project types, all relevant personnel (e.g. vessel and equipment operators, monitors, crewmembers, volunteers) must be aware of the appropriate minimum distance that needs to be maintained with any protected species that may be encountered. The operation of any vessel or deployed research or construction equipment must cease immediately if an ESA-listed species is observed within the minimum avoidance distance, and will not resume until the ESA-listed species has departed the area on its own.

3. SITE ACCESS, PROTECTION, AND CLEANUP

- ☐ Avoid and minimize impacts and disturbance to sensitive shoreline, intertidal, and benthic habitats including salt- and brackish marshes, other wetlands, beaches, tidal flats, seagrasses, submerged aquatic vegetation and oyster beds.
- ☐ Avoid and minimize impacts and disturbance to wildlife and fisheries species and their habitats, including all protected species and critical habitat.
- ☐ Do not block major egress points in channels, passes, and bays to avoid disturbance to natural coastal processes.
- ☐ Equipment and material staging areas should be located outside of areas of native vegetation and known endangered species habitats.
- ☐ Collect all floating debris during in-water marine debris removal.
- ☐ All trash resulting from marine debris removal activities should be removed from the area as appropriate or disposed of properly in covered trash receptacles (racoons, fox, and other animals can present nuisance, human health and safety, and natural resource management hazards if trash is not secured properly).

- ☐ Obey all exclusion fencing and signs established for the protection of wildlife and sensitive habitats. For beaches with closed areas for nesting shorebirds, do not hang, lean, or pile any materials (e.g., backpacks, jackets, marine debris) within 10 feet (ft; 0.3 meters [m]) of the edge of the closed area.
- ☐ Any interaction with an ESA-listed or proposed species or critical habitat, or sighting of an injured, trapped, entangled, stranded, or dead ESA animal must be reported to the appropriate NMFS office, along with any relevant state agencies and networks.
- ☐ Debris shall be properly disposed of in appropriate facilities in accordance with applicable Federal, state, local and/or territorial requirements. All bagged debris from the removal site will be removed before departing each day to minimize wildlife interactions and possible loss of collected debris. If operationally necessary, debris can be secured and stored at a higher elevation staging area and removed at a later date.

4. VESSEL OPERATIONS

- ☐ Every vessel shall, at all times proceed at a safe speed so that proper and effective action can be taken to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions (33 CFR § 83.06 Safe speed [Rule 6]).
- ☐ All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures.
- ☐ Operation of any mechanical construction equipment, including vessels, shall cease immediately if a protected or ESA-listed species is observed within a 50-ft radius of the marine debris removal operation and shall not resume until after the species has departed the area of its own volition.
- ☐ All vessels associated with marine debris removal activities shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-ft clearance from the bottom, and after a protected species has been observed in and has departed the area.
- ☐ All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
- ☐ If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is feasible again.
- ☐ All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA and maintain the appropriate minimum distance for any animals that are sighted (refer to Table 1 and Table 2). Vessel operators must avoid potential interactions with protected species, follow approach regulations, and operate in accordance with the NOAA Marine Life Viewing Guidelines.
- ☐ The vessel operator and crew will maintain a vigilant watch for all protected species and slow down or stop or alter course of the vessel, as appropriate and regardless of vessel size, to avoid striking any protected species during activities as well as transits. A visual observer aboard the vessel will monitor a vessel strike avoidance zone around the vessel, to ensure the potential for vessel strike is minimized, according to the parameters stated below.
- ☐ Move away from animals at the first sign of disturbance or agitation.
- ☐ Avoid work vessel grounding; prop, bow, keel, and skeg scarring; and prop washing in sensitive habitats, especially locations with SAV, shellfish beds, or other sensitive habitats.
- ☐ Avoid anchoring/spudding on shellfish beds; minimize anchoring/spudding on SAV: anchor and spud on bare sand and mud bottoms whenever possible.
- ☐ Sea turtles: Maintain a minimum distance of 50 yds
- ☐ Marine mammals (dolphins): Maintain a minimum distance of 50 yds
- ☐ When protected species are sighted while the vessel is underway (e.g. bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until the animals have left the area.
- ☐ Reduce speed to 10 knots when mother/calf pairs or groups of marine mammals are observed, when safety permits.

5. DEBRIS REMOVAL

- ☐ Marine debris removal activities shall be limited to marine debris that poses a threat to navigation, human health and safety, and/or natural resources (flora, fauna, and their habitats), such as, but not limited to derelict vessels, derelict fishing gear, and various construction/demolition/vegetative debris.
- ☐ Where possible, overall timing of activities will be limited to periods when protected species are least likely to be in the project area (e.g., predetermined windows of time when protected species are not expected to be utilizing the project area) to minimize any potential impacts to living marine resources. Where possible, actions will avoid times when protected species are particularly vulnerable (e.g., nesting, mating, spawning, hauling out) to avoid potential adverse impacts to that species. Timing of activities will also consider forecasted weather and seasonal climate to avoid potential adverse impacts (e.g. timing removals for the dry season). For planned activities that cannot be conducted outside of times when species are in the area, NOS OR&R would contact the relevant NMFS or USFWS officials for any necessary avoidance and minimization measures to avoid impacts to the species.
- ☐ Personnel should coordinate, and work as closely together as is feasible, and limit repetitive transits to and from work areas, to minimize disturbance.

- ☐ Minimize the impact footprint of heavy equipment by working from one location by grappling, hoisting, or lifting marine debris.
- ☐ Removal of marine debris may require visual confirmation (e.g., observation and assessment, including use of divers, swimmers, and cameras when applicable) that the item can be removed without causing further damage to natural resources.
- ☐ Field activities must occur only during daylight hours. If equipment must be left staged and lit overnight, lights will be masked or red lights will be used..
- ☐ Use of active acoustic equipment (e.g. ecosounders, sonar) should not produce sound below 200 kHz.
- ☐ In-water lines (rope, chain, cable, etc.) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
- ☐ All in-water equipment must be made of, and properly secured with materials that reduce the risk of entanglement of marine species.

Aerial Surveys and use of Aircrafts

- ☐ Conduct a pre-flight check for birds, sea turtles and hauled-out pinnipeds in the flight area prior to UAS take-off. If these animals are observed below or in your flight airspace, wait until they depart before initiating take-off.
- ☐ If ESA-listed sea turtles are present in basking locations or pinnipeds are present in haul-out, rookery, or pupping locations, conduct no further UAS operations over these areas.
- ☐ Obtain appropriate UAS certification for either Civil (non-governmental/commercial) or Public (governmental) uses. All UAS operators shall have requisite training(s), certification(s), and/or approval(s) to operate the UAS.
- ☐ The aircraft used for flight operations shall be maintained and operated by qualified personnel that are trained to minimize risk to the flight operations team(s) and any others who may be on site, and to avoid risk of injury or impact with aerial objects (including birds).
- ☐ During aircraft flights, efforts are taken to reduce disturbance to animals.
    - The pilot must be aware of the locations of haul-outs and rookeries and any restricted airspace that might be encountered during a beach survey. Seasonal airspace concerns over some bird and marine mammal rookeries and haul-outs are marked on Federal Aviation Administration (FAA) Sectional Aeronautical charts.
    - Maintain an appropriate altitude when operating aircraft over marine mammal habitat
    - Any proposed modification to the operational plan that will result in work outside of the communicated timing, location, or operational approach must be communicated to the NOS OR&R and NMFS in advance.
- ☐ Before approaching any shoreline or exposed reef, pilots, vessel operators and observers will examine the beach and shoreline and any other visible land areas within the line of sight for marine mammals, sea turtles, and birds. This includes, but is not limited to: avoidance of seabird colonies, avoidance of marine turtles, maintaining the appropriate minimum distance from all turtles.

Habitat Protections

- ☐ Prior to hoisting, refloating, and removing large marine debris, crews shall evaluate the immediate area and determine an ingress/egress path that will have the least impact on sensitive habitats. Review of habitat maps, bathymetric charts, aerial photography, remote sensing images, and/or other appropriate data shall also be used as available and applicable.
- ☐ Marine debris shall be lifted straight up and not be dragged through SAV or other sensitive habitats. Trawling also cannot be used as a means of marine debris removal. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.
- ☐ Marine debris field activities shall be accomplished using only the minimum number and size of equipment and persons needed to accomplish the project objectives to minimize disturbance of habitat (especially when working within critical habitats). Hand crews should be used where possible to further minimize the use of equipment.
- ☐ In shoreline and shallow nearshore areas with sensitive habitats, land-side access and removals from roads, bulkheads, or other developed or disturbed areas for marine debris removal should be implemented where possible
- ☐ When using equipment based on land, equipment should be operated where possible from existing hard top or other developed sites (e.g. parking lots, existing docks) to remove marine debris from natural habitats. Personnel access sites from the upland and pick up debris using BMPs to minimize damage to marsh platforms
- ☐ Ingress and egress corridors for vehicle and equipment operations and marine debris removal will minimize impact to natural habitats. Care must be taken to restrict equipment/vehicles to roadways and roadbeds and away from vegetated areas where possible.
- ☐ Temporary stakes/buoys will be used to mark the ingress/egress path, if applicable, to assist in staying on course and to avoid the areas with the greatest extent and quality of sensitive habitats.
- ☐ Marine debris will be lifted straight up and not be dragged through seagrass beds or hard-bottom habitats. Trawling also cannot be used as a means of marine debris removal or a research activity in areas with corals or seagrass.

- ☐ Avoid dragging marine debris across or onto sensitive habitats. Marine debris items will be hoisted or refloated. Use of lift bags, rollers, equipment mats, and other methods will be evaluated to minimize impacts, such as bottom scarring and soil rutting and compaction.
- ☐ Avoid and minimize disturbance to sensitive intertidal and benthic habitats including: mangroves, salt marshes, salt ponds, other wetlands, tidal flats, seagrasses, kelp forests, hard-bottom reefs, corals, coral reefs, and giant clams. If marine debris cannot be removed without causing harm to surrounding habitat (especially as it relates to ESA-listed corals, critical habitat PCEs, or EFH), the item will be disassembled as much as practicable so that it no longer can accidentally harm or trap species.
- ☐ Where equipment or crews must access marine debris sites in or across sensitive habitats, use shallow draft vessels, specialized equipment with low pressure/flotation tires or tracks, equipment mats, walk boards, or other comparable methods to minimize disturbance, including equipment and foot traffic, as applicable. Paths may be outlined with caution tape or other barrier to guide foot or equipment traffic across the most appropriate route. Creating and using a single well-mapped out trail is also advised for the clean-ups, partly to keep volunteers from causing widespread trampling on the marsh and also for the volunteers to avoid hazards. Negative impacts from trampling will be minimized by using trails a single time rather than causing extensive damage through use in multiple clean-ups.
- ☐ Operators of vessels must be qualified to operate the equipment to avoid: vessel grounding; scarring by the bow, keel, propeller, or skeg, and propeller washing in sensitive habitats (e.g., corals, hard bottom, giant clams, mangroves, and seagrasses); anchoring or spudding on corals, hard bottom [mud and sand], and seagrasses [native, non-invasive], and; shading of seagrasses with barges and large vessels for more than a few days.
- ☐ If spudding on seagrasses cannot be avoided, divers will fill spud holes to grade with clean sand from nearby sources to minimize impacts.
- ☐ Operators of vessels will move barges and large vessels from over seagrasses and reposition over bare mud or sand substrates when not conducting marine debris removal activities. Barge staging areas will be located outside of sensitive habitats (e.g., seagrass).
- ☐ Operators of vessels must use existing mooring balls when available.
- ☐ Cutting up or otherwise disassembling large debris in place into smaller pieces for removal, in part or whole, using less intrusive equipment or hand crews will be considered, to avoid and minimize sensitive habitat impacts.
- ☐ Personnel will use existing beach access locations and transit alongshore on the lower beach to avoid and minimize disturbance of beach and dune vegetation and natural wrack deposits.
- ☐ After the beach has been surveyed, agency personnel or their authorized delegates will direct work crews along the established travel corridor.
- ☐ If altered (e.g., if it is necessary to excavate debris or if equipment rutting occurs), beach topography shall be re-established in all areas to the natural beach profile/grade at the end of work each day. Re-establishing beach topography includes raking of tire, track, and keel ruts; filling pits or holes where debris or beach sediment were removed (i.e., cores, rings/quadrats).
- ☐ Minimize lighting at night that may disorient sea turtle hatchlings and nesting females. If for any reason lighting is required, the use of red light is recommended. Consult with USFWS and the State regarding lighting in staging areas near beaches.
- ☐ Equipment and work crews will only transit the beach seaward of nesting areas on the lower beach (stay below the wrack line if present).
- ☐ All impacts to native, non-invasive seagrasses will be avoided or minimized.
- ☐ If native, non-invasive, seagrasses are present in marine debris removal or research sites in this area, follow all seagrass related PDCs and BMPs, with the added requirement that seagrass impacts must be avoided in leatherback sea turtle critical habitat.
- ☐ Avoid/minimize shading of seagrasses with large vessels and barges for more than a few days; move large vessels and barges from over seagrasses and reposition over bare sand or mud substrates when not undergoing active debris removal operations (barge staging areas will be located outside seagrass and other sensitive habitats).

Pollutant and Turbidity Measures

- ☐ An absorbent blanket or boom shall be immediately deployed on the surface of the water around any derelict vessel to be removed if fuel, oil, or other free-floating pollutants are observed during the work
- ☐ If reportable quantities of fuel, oil, or pollutants are released to the environment during removal operations, a National Response Center (NRC) report shall be filed with the US Coast Guard.
- ☐ Qualified personnel must take appropriate measures to remove to the maximum extent practicable all materials that may potentially degrade the marine environment, including: emptying and flushing all fuel lines and tanks; removing other pollutants and readily detachable material from hull
- ☐ Equipment will be properly washed before bringing it to the removal site, and equipment will be in proper working order; equipment that is prone will be encased or enclosed when necessary.

- ☐ Turbidity must be monitored and controlled, especially in sensitive areas, such as critical habitat for corals or other ESA-listed or proposed species. Monitoring turbidity should be done during multi-day work and may include measuring nephelometric turbidity unit.
- ☐ All turbidity curtains, hard and sorbent booms, and other in-water equipment must be made of, and properly secured with, materials that reduce the risk of entanglement of marine species
- ☐ Prior to in-water work, turbidity curtains must be installed as follows:
    - Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
    - Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions (i.e., the normal water quality levels from natural turbidity).
    - Place turbidity curtains, booms, and other in-water equipment in a manner that does not entrap species within the construction area, or block access for them to navigate around the construction area, or block species entry to or exit from designated critical habitat.
    - Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
    - Work that includes upland earth moving must install sediment control barriers to prevent upland sediments from reaching estuarine or marine waters; in addition, turbidity curtain requirements cannot be waived for any in-water project that moves or removes sediments (note that the U.S. Army Corps of Engineers [USACE] and/or State permits may also be required in such instances, see above). If turbidity curtains are not feasible based on-site conditions such as currents or high wave action, additional NMFS ESA consultation may be required.
- ☐ Avoid and minimize digging, excavation, jetting, use of pump hoses on sediments, and similar methods in and/or near sensitive habitats. If such methods must be used, turbidity barriers will be deployed, even when working on bare sand and mud bottoms (see turbidity control measures, above). When using these methods, permits may be required (see USACE and State permitting, above).

Manatees

- ☐ All work must be in accordance with USFWS Standard Manatee Conditions for In-Water Work or Events in Alabama (revised 2015) (listed below).
- ☐ All personnel shall be instructed about the presence of manatees, and the need to avoid collisions with and injury to manatees. Advise all personnel that there are civil and criminal penalties for harming, harassing, or killing manatees.
- ☐ All work, equipment, and vessel operation should cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Personnel should be encouraged to use sunglasses with polarized lenses to improve the likelihood of seeing manatees on and below the water's surface. After the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- ☐ All vessels associated with the project should always operate at "no wake/idle" speeds within the construction area and while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom. Vessels should follow routes of deep water whenever possible.
- ☐ Any collision with or injury to a manatee shall be reported immediately to the Dauphin Island Sea Lab's Manatee Sighting Network (1-866-493-5803) and the USFWS Field Office (251-441-5181) and emailed to Alabama@fws.gov. Please report nonemergency manatee observations to the numbers above or online at http://manatee.disl.org/ .
- ☐ Temporary signs using text exactly as below shall be posted prior to and during all in-water project or event activities. Signs shall be at least 8½" by 11" explaining the requirements for the "Idle/No Wake" and the shutdown of in-water operations. Signs must be posted in locations prominently visible to all personnel engaged in water-related activities and placed visible to each vessel operator. All signs are to be removed by project manager upon completion of the project or event. Questions concerning these signs can be forwarded to the email address listed above.

Beach Mice

- ☐ Be aware of the occurrence of ESA-listed beach mice and associated Critical Habitat in coastal dune areas in Baldwin County if any removal activities are planned for the backside of barrier islands.
- ☐ Disturbance to and access through dunes and upper beach areas should be strictly controlled in beach mouse habitats. Contact USFWS Daphne Field Office for guidance if working in beach mouse habitats (251-441-5181).

Birds

- ☐ Avoid and minimize disturbance to waterbird nesting colonies, bald eagle and osprey nesting sites, migratory and wintering bird concentrations (including ESA-listed piping plover and red knot) and other bird aggregation areas or sensitive areas (including any known Eastern black rail locations) if working near shore. Maintain a minimum 300-ft buffer from waterbird

nesting sites or colonies. Be aware of marked nesting colonies (look for posted signs and roped-off areas) and do not enter these areas.

- ☐ Marine debris removal activities on marshes and beaches should be conducted outside the shorebird and seabird nesting and hatching seasons whenever possible. Contact USFWS (251-441-5181) for additional information on species and site-specific seasonality.
- ☐ If marine debris removal activities are likely to disturb nesting birds, contact USFWS (251-441-5181) for further guidance.
- ☐ To limit disturbance to birds in shoreline and wetland areas (including piping plover Critical Habitat), work crews should be limited in size and number to the minimum number of personnel and equipment required to complete marine debris removal in an efficient time frame. Equipment and personnel should work as closely together as is feasible and limit repetitive alongshore transits to and from work areas, to minimize disturbance. If working in marsh areas limit personnel in the marsh, use walk boards, and watch out for cryptic marsh birds and nests.
- ☐ On beaches, if it is necessary to excavate debris or if equipment rutting occurs, return the beach to its original profile at the end of each day.
- ☐ Avoid and minimize disturbance of beach and dune vegetation and natural wrack deposits, equipment and personnel should use existing beach access locations and transit alongshore on the lower beach.
- ☐ Check under and around vehicles, heavy equipment, and debris on or near the beach before they are moved. Shorebirds (including ESA-listed piping plover and red knot) are especially vulnerable when they are roosting at night, and extra care should be taken at these times, including early morning and early evening.
- ☐ Avoid deliberately flushing birds. If birds are flushed, calling loudly, acting alarmed, etc., move away from the area and observe a larger buffer distance to avoid and minimize disturbance.

Turtles

- ☐ Adult sea turtles, crawls, nests, eggs, and hatchlings (including as they emerge from the nest and crawl to the sea), must be avoided during marine debris field activities.
- ☐ If sea turtles are sighted, either on-land or in-water, an appropriate minimum distance must be maintained (reference Table 1 and Table 2) between the individual/s and the vessel. If sea turtles approach the vessel within the minimum distance, engines are to be placed in neutral until the animal safely departs.
- ☐ If a sea turtle (either adult or hatchling) is observed, stay behind the turtle and avoid startling the animal or make excessive noise. Notify the appropriate sea turtle response personnel as necessary.
- ☐ If sea turtle hatchlings are encountered, allow the hatchlings to crawl unobstructed to the water. Do not carry the hatchlings to the water. Notify the appropriate sea turtle response personnel as necessary.
- ☐ Upon locating a dead, injured, disoriented, or sick sea turtle, or if eggs, hatchlings, or nests are inadvertently excavated or otherwise disturbed during marine debris removal or research activities, immediately cease all work and notify the appropriate entities. Personnel may be required to remain on-site until stranding personnel arrive
- ☐ Any potential obstructions or entanglement hazards for sea turtles and hatchlings must be removed from the beach at the end of each day, this includes work vehicles, equipment, gear, lines, rigging, boom, etc.
- ☐ Field operators will be encouraged to check under and around vehicles and heavy equipment parked on or near the beach before they are moved.
- ☐ Nesting females, eggs, hatchlings, post-hatchlings (washbacks), and nests must be avoided at all times.
- ☐ All work activity, equipment, and personnel shall observe an appropriate buffer from marked sea turtle nests
- ☐ Field operators, especially those using heavy machinery, must be made aware of the potential for sea turtle nesting activity on all sand beaches, mixed sand and gravel (including coral rubble and shell) beaches, and gravel beaches throughout the project area, during all times of the year.
- ☐ Avoid walking or driving equipment over a crawl so that a potential nest is not damaged.
- ☐ Marked nests and nesting areas must be avoided during marine debris field activities or equipment staging. Any nest markings within the areas where marine debris field activities or equipment staging will occur (including access areas) shall be left in place. Marked nests in an area designated for these activities are typically delineated by stake and survey tape or string around the nest. Sometimes nests may not be marked, especially on crowded beaches, or may be difficult to identify. As such, coordinate with local wildlife staff about nesting activity prior to operations whenever possible.
- ☐ If work activity will occur near a marked nest or in the wrack line, agency personnel or their authorized delegates shall be onsite during debris removal. Generally, it is highly encouraged to coordinate with local sea turtle nesting coordinators.
- ☐ Sea turtles are susceptible to artificial lighting that is visible from the beach. Avoid using light; otherwise shield the light so it does not reach the beach. If equipment will be lit at night or will be left staged overnight, lights must be masked or red lights must be used.
- ☐ Sea turtles are susceptible to barriers on the beach and disturbance of the nest site by humans and predators. Minimize physical disturbance of beach material to reduce the likelihood of adverse impact to a sea turtle nest. Use animal-proof waste containers to minimize attraction of non-native predators to beach areas.

- ☐ Modify the timing of planned activities to ensure sea turtle nesting is avoided (generally April through October). In cases where timing overlap cannot be avoided, personnel must be aware of the potential for sea turtle interaction, able to identify sea turtle nests, or coordinate with local sea turtle monitoring crews.

SHPO Section 106 National Preservation Act

- ☐ Cease all activities involving subsurface disturbance, and immediately contact Eric Sipes at the Alabama Historical Commission (334-230-2667), if prehistoric/historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time (and leave all artifacts in place). Archaeological materials consist of any items, fifty years old or older, which were made or used by man.
- ☐ Marine debris removal activities shall not resume without verbal and/or written authorization. In the event unmarked human remains are encountered during marine debris removal activities, stop all work immediately and contact AHC and local law enforcement. See also tribal coordination, below, for additional notification requirements.
- ☐ For marine debris removal sites not already pre-screened during the initial SHPO coordination, AHC shall be notified of efforts that require substantial ground or bottom disturbance beyond the initial disturbance caused by the marine debris event. AHC will be provided with project coordinates for review and will review the project area and provide notification if historic or archaeological sites are present or are likely present. If no archaeological sites are present or are unlikely to be present, the activity may proceed with inclusion of the unanticipated discoveries procedure(above). If sites are present or are likely present, AHC will provide recommendations to avoid or minimize potential effects to the sites. This may include monitoring of project activities by a professional archaeologist or other appropriate measures as determined in consultation with AHC.

Tribal Coordination

- ☐ In the event that ground-disturbing work uncovers Native American artifacts, such as stone arrowheads, ceramics, early building foundations, unusual small metal objects, or burned daub, or if work uncovers human burials or human remains, work will be stopped, and federally recognized Tribes, including the Choctaw Nation Historic Preservation Department will be contacted immediately.
- ☐ All work will be stopped within a 100-foot buffer, around the cultural resources, especially human remains. The cultural resources will be protected by tarps and site avoidance, until consultation with Tribes, and the Alabama SHPO has taken place. Human remains are not to be moved, without consultation with the AHC, the medical examiner, and if appropriate, federally recognized Tribes.
- ☐ In the event unmarked human remains or Native American artifacts are encountered during marine debris removal activities, stop all work immediately and contact the Choctaw Nation of Oklahoma (580-642-8377).
- ☐ If any archaeological or cultural materials are discovered during the project undertaking, neither the construction team nor the applicant will disclose this information to the public or the media in any manner, including social media. Discoveries of archaeological materials will be kept private and confidential
- ☐ There is to be no ground disturbance or disturbance to historical resources. Details of the ADVs that are removed, and removal methods should be provided to the Choctaw Nation once all removals are completed.
    - Ian Thompson, PhD: ithompson@choctawnation.com
    - Karen Downan: kdownen@choctawnation.com

6. REPORTING REQUIRMENTS

- ☐ Any interaction with an ESA-listed or proposed species or critical habitat, or sighting of an injured, trapped, entangled, stranded, or dead ESA-listed animal must be reported to the appropriate NMFS office, along with any relevant state agencies and networks.
- ☐ For all activities funded through a grant, contract, formal in-kind contributions, or carried out by NOAA, there are regular progress reporting requirements tied to the work. Such reports must include a summary of all in-water and on-shore activities associated with the project, and (if applicable) the results of any protected species monitoring conducted during the reporting period. With regards to reporting about interactions with ESA-listed or proposed species, reports at minimum will include: the date and time of animal observations, geographic coordinates of animals at their closest approach to the project site, species, numbers; age/size/sex categories (if determinable), and group sizes; number of animals observed (by species), and; observed animal distribution, behaviors and movement types versus project activity at time of observation.
- ☐ Resource agencies may require similar or additional reporting parameters, which will be in addition to and incorporated into the regular progress reporting requirements.
- ☐ As a NOAA MDP-funded partner, in addition to reporting to the relevant agencies, all NOAA MDP-funded partners must also inform their NOAA MDP Technical Monitor about any ESA-listed or proposed species interactions as soon as possible

Table 1. Recording Requirements

Scenario	Reporting Requirement
ESA-listed or proposed species is observed, exhibiting normal behavior	No reporting requirement. If operationally feasible, you may choose to include details of the observation in your routine progress reporting to NOAA. Such things may include: a summary of the work you were doing at the time of observation, the date and time of animal observation, geographic coordinates of animals at their closest approach to the project site, species, numbers; age/size/sex categories (if determinable), and group sizes; number of animals observed (by species), and; observed animal distribution, and behaviors and movement types.
Injured, trapped, entangled, stranded, or dead marine mammal, other ESA-listed species is observed	Notify the appropriate NMFS Regional Office (contacts found on the NMFS website) Notify the appropriate Marine Mammal Stranding Network Coordinator (for marine mammal injuries; contact information can be found on the NMFS website) Notify the appropriate regional and state-level stranding network number, as listed on the NMFS *Report a Stranded or Injured Marine Animal* website. You can also use NMFS's Dolphin and Whale 911 app to report a stranded marine mammal (iOS only) Notify the U.S. Coast Guard immediately via VHF Channel 16 (marine mammals, if encountered at sea) Personnel may be required to remain on-site until stranding personnel arrive. To aid agencies in determining how to respond to a stranded animal, take photos if possible and note the date/time, location of animal, species and number of stranded animals, description of the stranded animal's condition, event type (e.g., entanglement, dead, floating), and note the behavior of the animal if it is still alive.
Reportable quantities of fuel, oil, or pollutants are released to the environment during field operations	File a National Response Center (NRC) report with the US Coast Guard by calling 800-424-8802. The NRC is an emergency call center that fields initial reports for pollution incidents and forwards that information to appropriate Federal/state agencies for response.
Sightings of and interactions with sawfish	Notify the Smalltooth Sawfish Encounter Hotline (1-844-4SAWFISH or 1-844-472-9347)
ESA-listed or proposed species encountered as bycatch	Notify the appropriate NMFS Regional Office (contacts found on the NMFS website).

- ☐ Any collision(s) with and/or injury to any sea turtle, dolphin, sturgeon, or other ESA-listed species, marine mammal, or critical habitat occurring during marine debris removal activities shall be reported as soon as possible to NMFS PRD (727-824-5312) or by email to: takereport.nmfsser@noaa.gov.
- ☐ ***Sturgeon:*** Report stranded, injured, or dead sturgeon to (844) STURG-911 (844-788-7491) or email noaa.sturg911@noaa.gov.
- ☐ ***Marine mammals:*** Report stranded, injured, trapped, entangled, or dead animals to (877) WHALE-HELP (877-942-5343) for marine mammals.
- ☐ ***SAV:*** Report presence of SAV in removal areas and any attempts to replant SAV shoots to Pace Wilbur, NMFS Habitat Conservation Division, at Pace.Wilber@fws.gov.
- ☐ ***Birds and any other wildlife not listed above****:* seek local wildlife rehabilitation services for any live animal that appears severely injured or ill. Do not remove wildlife from its habitat unless you have consulted with a wildlife professional. If a bird or terrestrial animal (live or dead) is found entangled, entrapped, or otherwise impacted by marine debris, please take photos and report the incident to the appropriate contact at the US Fish and Wildlife Service (Alabama Ecological Services Field Office: Alabama@fws.gov)

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Sources: Primary sources for this document come from NOAA MDP Biological Evaluation for a Programmatic Consultation under the ESA (2021); recent NOAA MDP 2020-2021 Hurricane season marine debris removal grants; Alabama Marine Debris Emergency Response Guide: Comprehensive Guidance Document (2022); USCG BMP checklists utilized during Emergency Support Function (ESF) - 10/3 emergency response missions (2017-2022); the NMFS Guidance for Endangered Species Act (ESA) Emergency Consultations for Hurricane Response Activities in the Southeast United States (2019); the NMFS USACE Jacksonville District's Programmatic Biological Opinion (JAXBO, 2017); the NMFS Programmatic EFH Consultation for NOAA MDP Activities (2015); and discussions and materials provided by multiple USFWS, NMFS, and State Agency offices.