

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM)
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT (BSEE)
GULF OF MEXICO OUTER CONTINENTAL SHELF (OCS) REGION

JOINT NTL No. **XXXXX**

Effective Date: January 1, 2012

NOTICE TO LESSEES AND OPERATORS (NTL) OF FEDERAL OIL, GAS, AND
SULPHUR LEASES IN THE OCS, GULF OF MEXICO OCS REGION

Vessel Strike Avoidance and Injured/Dead Protected Species Reporting

BOEM and BSEE are issuing this NTL pursuant to 30 CFR 550.103 and 30 CFR 250.103, and also 30 CFR 550.282 and 30 CFR 250.282, to update the guidelines on how you should implement monitoring programs to minimize the risk of vessel strikes to protected species and report observations of injured or dead protected species. In lieu of a formal observer program, this NTL provides specific guidelines you should follow to identify and avoid injury to marine mammals and sea turtles. This NTL supersedes NTL 2007-G04 on this subject and applies to all existing and future oil and gas operations in the Gulf of Mexico OCS.

Background

The National Marine Fisheries Service (NMFS) has determined that collisions with OCS support/service vessels could injure or kill protected species (e.g., sperm whales, other marine mammals and sea turtles) in the Gulf of Mexico OCS while engaged in supporting oil and gas industry activities. NMFS recommends the following measures to reduce the risk associated with vessel strikes or disturbance of protected species. These measures apply to listed and non-listed cetaceans and sea turtles.

Protected Species Identification

Vessel crews should use a Gulf of Mexico reference guide that includes and helps identify the 21 species of whales and dolphins, 5 species of sea turtles, and the single species of manatee that might be encountered in the Gulf of Mexico OCS.

Vessel Strike Avoidance

You should do the following in order to avoid causing injury or death to marine mammals and sea turtles:

1. Vessel operators and crews should maintain a vigilant watch for marine mammals and sea turtles and slow down or stop their vessel to avoid striking protected species.

2. When whales are sighted, maintain a distance of 100 yards (91 meters) or greater from the whale. If the whale is believed to be a North Atlantic right whale, you should maintain a minimum distance of 500 yards (457 meters) from the animal (50 CFR 2224.103).
3. When sea turtles or small cetaceans are sighted, attempt to maintain a distance of 50 yards (45 meters) or greater whenever possible.
4. When cetaceans are sighted while a vessel is underway, attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until the cetacean has left the area.
5. Reduce vessel speed to 10 knots or less when mother/calf pairs, pods, or large assemblages of cetaceans are observed near an underway vessel when safety permits. A single cetacean at the surface may indicate the presence of submerged animals in the vicinity of the vessel; therefore, precautionary measures should always be exercised.
6. Whales may surface in unpredictable locations or approach slowly moving vessels. When you sight animals in the vessel's path or in close proximity to a moving vessel, reduce speed and shift the engine to neutral. Do not engage the engines until the animals are clear of the area.

Injured/Dead Protected Species Reporting

Vessel crews must report sightings of any injured or dead protected species (marine mammals and sea turtles) immediately, regardless of whether the injury or death is caused by your vessel. Report marine mammals to the NMFS' Stranding Hotline at 1-877-WHALE HELP (1-877-942-5343) and sea turtles to the NMFS Southeast Regional Office at (727) 824-5312. Any injured or dead protected species should also be reported to takereport.nmfsser@noaa.gov. In addition, if the injury or death was caused by a collision with your vessel, you must notify BSEE within 24 hours of the strike by email to protectedspecies@bsee.gov. The report should include the date and location (latitude/longitude) of the strike, the name of the vessel involved, and the species identification or a description of the animal, if possible. If oil and gas industry activity is responsible for the injury or death, the responsible parties should remain available to assist the respective salvage and stranding network as needed.

Paperwork Reduction Act of 1995 (PRA) Statement

The PRA (44 U.S.C. Chapter 35) requires us to inform you that we collect the information described in this NTL to ensure that you conduct operations in a manner that will not jeopardize threatened or endangered species. In addition, this NTL refers to information collection requirements under 30 CFR 550 Subpart B and 30 CFR 250 Subpart B. We protect all proprietary information submitted according to the Freedom of Information Act, 30 CFR 550.197, and 30 CFR 250.197. An agency may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number. The OMB has approved the information collection requirements in this NTL and associated regulations and assigned OMB Control Number 1010-0151. Direct any comments regarding any aspect of this collection of information to the Information Collection Clearance Officer, Bureau of Ocean Energy Management, 381 Elden Street, Herndon, VA 20170.

BSEE and BOEM issue NTLs as guidance documents in accordance with 30 CFR 550.103 and 30 CFR 250.103 to clarify, supplement, and provide more detail about certain BOEM and BSEE

regulatory requirements and to outline the information you provide in your various submittals. Under that authority, this NTL sets forth a policy on and an interpretation of a regulatory requirement that provides a clear and consistent approach to complying with that requirement.

Contact

Any questions regarding this NTL should be submitted in writing to:
protectedspecies@bsee.gov.

Submittals by mail may be directed to:

Bureau of Safety and Environmental Enforcement
Gulf of Mexico OCS Region
Environmental Enforcement Branch (MS GE466)
1201 Elmwood Park Blvd.
New Orleans, LA 70123-2394

John Rodi
Regional Director
BOEM

Lars Herbst
Regional Director
BSEE