



# **Chapter 9970**

## **Northwest Wildlife Response Plan**

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# Northwest Wildlife Response Plan

## I. Acronyms and Abbreviations

ACP	Area Contingency Plan
ART	Applied Response Technology
ATV	All Terrain Vehicle
DEQ	Oregon Department of Environmental Quality
DPR	Department of Parks and Recreation
DOE	Washington Department of Ecology
DOI	U.S. Department of the Interior
EPA	U.S. Environmental Protection Agency
ESI	Environmental Sensitivity Index
EU	Environmental Unit
FOSC	Federal On-Scene Coordinator
GIS	Geographic Information System
GPS	Global Positioning System
IAP	Incident Action Plan
ICS	Incident Command System
IDFG	Idaho Department of Fish and Game
MMSN	Marine Mammal Stranding Network
NCP	National Contingency Plan
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOAA HMRD	NOAA National Ocean Service Hazardous Materials Response and Assessment Division
NPS	National Park Service
ODFW	Oregon Department of Fish and Wildlife
OPA 90	Oil Pollution Act of 1990
OSC	On-Scene Coordinator
OSHA	Occupational Safety and Health Administration
PRP	Potential Responsible Party
RP	Responsible Party
SCAT	Shoreline Cleanup Assessment Team
SLC	State Lands Commission
SOSC	State On-Scene Coordinator

UC	Unified Command
USCG	U. S. Coast Guard
USFWS	U. S. Fish and Wildlife Service
WBD	Wildlife Branch Director
WDFW	Washington Department of Fish and Wildlife

## II. Introduction and Background

The purpose of this Wildlife Response Plan is to outline the responsibilities of the Wildlife Branch within a Unified Command structure during an oil spill, describe the procedures to be used, and identify the personnel and equipment necessary to meet wildlife protection responsibilities of the responsible party and the Federal and State governments during a spill. The mission of the Wildlife Branch is to minimize the adverse impacts of oil spills and oil spill response on wildlife.

The Northwest Area Wildlife Response Plan (Plan) contains:

- statutory, policy, and procedural bases for Wildlife Branch operations;
- activation criteria and factors to consider when developing response actions; and
- organizational infrastructure for wildlife response operations.

When oil spills occur, the Incident Command System (ICS) is used as the organizational structure to coordinate the response actions. The ICS organizational structure typically includes the Unified Command and the Operations, Planning, Logistics, and Finance Sections. The actual response organization will grow to fit the level of response necessary for a specific incident. Response actions concerning the protection, identification, rescue, processing, and rehabilitation of oiled or threatened wildlife are performed by the Wildlife Branch within the Operations Section.

It is the policy of the Northwest Area Committee (NWAC) that representatives of the U.S. Fish and Wildlife Service (USFWS) will assume the positions of Director and Deputy Director of the Wildlife Branch. State Fish and Wildlife representatives will assume these positions if a USFWS representative is not available, or if designated by a USFWS representative. Appointment of other parties, including Responsible Parties representatives, to one or both of these positions may be made by a USFWS representative or their designee at any time during an incident, and for such periods of time as may be deemed appropriate. Within the Wildlife Branch there are three Groups who report to the Wildlife Branch Director: the Wildlife Reconnaissance Group, the Bird Recovery & Rehabilitation Group, and the Marine Mammal Recovery & Rehabilitation Group. The roles, responsibilities, and duties of these Groups and individuals within these Groups are described in detail in the Wildlife Branch Positions and Responsibilities section of this document.

Coordination between the Wildlife Branch and the Environmental Unit, a part of the Planning Section, is critical. Wildlife Branch field staff perform reconnaissance by land, boat, and air. Environmental Unit staff gathers information regarding wildlife impacts through aerial over-flights, field observers, and through on-the-ground Shoreline Cleanup Assessment Teams. The Wildlife Branch and the Environmental Unit share this information so that it can be used by the Planning and Operations Sections to aid in strategic assessment and planning of response strategies. The Wildlife Branch Director is responsible for keeping the Unified Command informed, through the Operations Section Chief and the Situation and Environmental Units in the Planning Section, regarding the status of affected wildlife during the response.

While the organizational structure, roles, and responsibilities remain the same regardless of the location and type of material spilled (i.e., oil or hazardous material, marine or inland environments), some functions may be altered as appropriate. The Plan applies to the entire Northwest Area covering Washington, Oregon, and Idaho and was developed jointly by a working group of government agencies and interested parties. The Wildlife Workgroup included members from: Washington Department of Ecology, Washington Department of Fish & Wildlife, Oregon Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, California Oiled Wildlife Care Network – UC Davis, U.S. Coast Guard, BP, Tesoro, Island Oil Spill Association, National Response Corporation, Focus Wildlife, International Bird Rescue Research Center, and the Progressive Animal Welfare Society. The Plan has been developed to meet portions of the Northwest Area Contingency Plan's (NWACP) Fish and Wildlife and Sensitive Environments Plan requirements set forth in the National Contingency Plan (NCP), 40 CFR 300.210(c)(4).

#### **A. Federal and State Law Mandates**

The Federal Oil Pollution Act of 1990 (OPA 90), incorporated into the NCP, requires that a Fish and Wildlife and Sensitive Environment Plan be developed in consultation with the USFWS, the National Oceanic and Atmospheric Administration (NOAA), and other interested parties, including state fish and wildlife agencies (33 U.S.C. § 1321(d)(2)(M)). The plan must include "immediate and effective protection, rescue, rehabilitation of, and the minimization of risk of damage to fish and wildlife resources and habitat that are harmed or that may be jeopardized by a discharge." Additionally, 40 CFR 300, Section 300.210(c)(4) sets forth the requirements for this plan as an annex to Area Contingency Plans. This Wildlife Response Plan has been written in conjunction with other sections of the NWACP to address the federal requirements. Certain other federal and state laws also apply to oil spill response. Of particular concern is compliance with the Migratory Bird Treaty Act, the Marine Mammal Protection Act, the Endangered Species Act, and state wildlife rehabilitation rules.

**i. Migratory Bird Treaty Act**

The Migratory Bird Treaty Act (MBTA) (16 USC 703-711) protects most bird species in the United States and requires specific authorization (or exemptions) to conduct activities that may result in a “take” of migratory birds. “Take” is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.” Most response actions that would result in a take are permitted by issuance of a Migratory Bird Rehabilitation Permit (50 CFR 21.31). A rehabilitation permit authorizes recovery, temporary possession, transport, and rehabilitation of oiled migratory birds. The permit provisions also allow authorized individuals to euthanize migratory birds that are medically determined to have poor prospects of survival. Permitted rehabilitators must be authorized to work on a specific oil spill incident by USFWS and the Federal On-scene Coordinator (FOSC). USFWS policy requires spill responders to comply with the care standards outlined in *Best Practices for Migratory Bird Care During Oil Spill Response*, which is incorporated as a requirement of the NWACP. This Wildlife Response Plan adopts the operational guidelines as well as the standard of care requirements of the *Best Practices for Migratory Bird Care During Oil Spill Response* ([http://www.fws.gov/contaminants/OtherDocuments/best\\_practices.pdf](http://www.fws.gov/contaminants/OtherDocuments/best_practices.pdf)).

The Migratory Bird Rehabilitation Permit (50 CFR 21.31) stipulates that specific authorization to remove dead oiled birds must be obtained from the USFWS for each spill incident. The Wildlife Branch, in consultation with the trustee agencies, will develop protocols and authorizations for removing dead oiled birds for each incident.

**ii. Endangered Species Act**

The Endangered Species Act of 1973 (ESA) (16 USC 1531-1543) has strict permit requirements for the handling of threatened and endangered species (listed species). Permitting requirements apply (with a few exceptions) for any species listed as threatened or endangered. A Migratory Bird Rehabilitation Permit (see above) authorizes the recovery, temporary possession, transport, and rehabilitation of oiled threatened and endangered species of migratory birds with no additional ESA permits required.

In the event of an oil spill or hazardous substance release, the ESA must be considered in the development of Federal response activities and actions during an oil spill response (Section 4314 of Northwest Area Contingency Plan). As the spill response occurs, the FOSC must consult with the natural resource trustees as laid out in Section V.B of the *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 and the Endangered Species Act (ESA MOA)*. The Environmental Unit as outlined in the ESA MOA will address ESA Section 7 Consultation requirements. However, the Wildlife Branch will be instrumental in documenting the affects of response actions on listed species. Coordination between the Wildlife Branch and the Environmental Unit is critical to accomplishing this task.

**iii. Marine Mammal Protection Act**

Under the Marine Mammal Protection Act (MMPA) (16 USC 1361-1407), federal, state and local government officials, or designees of the relevant Secretaries of the Departments of the Interior and Commerce, may take marine mammals during the course of official response duties if such taking is for the protection or welfare of the mammal, the protection of public health and welfare, or the non-lethal removal of nuisance animals (16 USC 1379 Section 109(h)(1)). Government contractors conducting officially authorized oiled wildlife spill response related activities and acting under the direct supervision of the Wildlife Branch Director are regarded as spill response employees and may take marine mammals *if* the Wildlife Branch *is activated* and the Wildlife Branch Director is authorized pursuant to Section 109(h) of the Marine Mammal Protection Act and implementing regulations (USFWS, National Marine Fisheries Service, state wildlife agency, or is designated by the National Oceanic and Atmospheric Administration Regional Administrator under 16 USC 1382 Section 112(c)). “Take” is considered appropriate for the purposes of recovery and transport of marine mammals (live or dead) to a designated location, rehabilitation by an authorized facility, return to the wild, or for the collection of evidence. If oiled wildlife spill response field personnel are contract employees of a non-government agency and not otherwise authorized pursuant to Section 109(h) or 112(c) of the Marine Mammal Protection Act, authorization to take oiled marine mammals during spill response activities must be obtained directly from the appropriate Federal trustee (USFWS or NOAA National Marine Fisheries Service). Likewise, if the Wildlife Branch is not activated, authorization to take oiled marine mammals must be obtained directly from the appropriate federal trustee (USFWS or NOAA National Marine Fisheries Service) pursuant to 16 USC 1382 Section 112(c).

Sea otters in Washington State are not currently protected under the ESA. Sea otters are protected by the Marine Mammal Protection Act. The USFWS is the lead federal trustee agency with responsibility for protection and management of sea otters. USFWS and Washington Department of Fish and Wildlife will work with the Wildlife Branch to develop appropriate response actions for sea otters within the legal framework of the Marine Mammal Protection Act and to authorize individuals to collect, transport and rehabilitate oiled sea otters (16 USC 1379(h) and 1382(c)). The trustee agencies acknowledge that additional planning is needed to effectively respond to oiled sea otters in the Northwest Area.

**iv. Hazing or Deterrence Actions**

Hazing or deterrence may be utilized by the Wildlife Branch to keep un-oiled wildlife away from oil. No Federal permits are required for non-lethal deterrence of migratory birds (50 CFR 21.41) (Note: this exemption does not apply to eagles and endangered species). The ESA does not specifically authorize deterrence and preemptive capture of endangered species. The Wildlife Branch, in consultation with the appropriate trustee agencies, will develop response strategies for deterrence and preemptive capture of endangered species for a specific spill incident. “Take” of endangered species resulting from approved response actions will be

deemed incidental to the primary action of the spill response and will be covered by the ESA Section 7 Emergency Consultation process, unless otherwise authorized by a permit.

### **III. Natural Resource Trustees for Wildlife**

Trustee agencies provide input into the selection of response methods used so that wildlife operations comply with each trustee's governing laws and their obligations to preserve and protect wildlife and habitat. During a spill response, the wildlife trustee agencies will advise the Wildlife Branch Director about local wildlife resources, sensitive species or habitats, logistical considerations, and other issues that arise.

Federal trustee agencies that are most likely to participate in Wildlife Branch decisions and response activities are as follows:

- Department of the Interior
  - Bureau of Indian Affairs
  - Bureau of Land Management
  - National Park Service
  - U.S. Fish and Wildlife Service
  
- Department of Commerce
  - NOAA, Office of Response and Restoration
  - NOAA, National Marine Fisheries Service
  - NOAA National Marine Sanctuaries
  
- Department of Agriculture
  - U.S. Forest Service
  
- Department of Defense (military lands)

The U.S. Coast Guard and the U.S. Environmental Protection Agency are not trustee agencies for natural resources, but are the primary lead federal agencies during a spill response and also participate in Wildlife Branch decisions. In any spill, the potential responsible party or discharger is responsible to federal and state resource trustees, to federally recognized Indian tribes, and to foreign trustees, all of whom are empowered to assess impacts and seek compensation for injuries to natural resources which have been caused by a discharge of oil. State trustee agencies that are most likely to participate in Wildlife Branch decisions and response activities will vary by state and may include:

#### **Washington**

- Washington State Fish and Wildlife
- Washington State Department of Natural Resources (Tidelands)
- Washington State Parks & Recreation

## Oregon

- Oregon Department of Environmental Quality
- Oregon Department of Fish and Wildlife

## Idaho

- Idaho Department of Fish and Game

Indian Tribes retain sovereign authority to manage wildlife resource issues within reservation boundaries. Consultation and coordination is necessary with Tribal governments whose lands may be impacted by an oil spill. Regardless of whether an oil spill occurs directly on Tribal lands or moves onto or through Tribal lands, Tribes have an important role in developing wildlife response actions affecting Tribal resources. Tribes may have additional natural resource interests related to retained rights outside of reservation lands. In such circumstances, the Wildlife Branch will work in coordination with affected Tribes to develop appropriate wildlife response strategies to address wildlife and Tribal concerns, in compliance with Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), DOI Secretarial Order 3206, USFWS Native American Policy, as well as compliance with Section 3420.3 of the Northwest Area Contingency Plan.

**IV. Agreements Regarding Wildlife Response Activities** In order to provide an efficient and coordinated response, principal federal and state fish and wildlife trustees may enter into cooperative agreements regarding a variety of issues that arise during spills of oil and toxic substances. These issues include agency response roles, reconnaissance, capture, treatment, rehabilitation, and release of injured wildlife.

Because oil spills can occur across state and national borders, agreements have been established with all western states and British Columbia. The states of Alaska, California, Hawaii, Oregon, Washington and the province of British Columbia entered into a Memorandum of Cooperation in June 2001. This Memorandum was developed by the Pacific States–British Columbia Oil Spill Task Force to ensure effective coordination between the states and British Columbia in the event of a spill.

The Canada-United States Joint Marine Pollution Contingency Plan (CANUSPAC) enables international cooperation during spill response. This agreement includes information needed for spill responders to cross the international border and transporting oiled wildlife back into the United States ([http://www.pacific.ccg-gcc.gc.ca/er/Canusannex/Canuspac\\_e.htm](http://www.pacific.ccg-gcc.gc.ca/er/Canusannex/Canuspac_e.htm)). The Canada-United States Joint Inland Pollution Contingency Plan (CANUSWEST) provides for similar coordination in the inland areas (<http://www.epa.gov/r10earth/offices/oec/canuswest.pdf>).

## V. Response Planning

The primary purpose of the Wildlife Branch is to provide the best achievable care for impacted wildlife and to minimize wildlife losses, which includes preventing injury to wildlife or habitats from both the oil and from the implementation of response countermeasures. However, undertaking an effective response requires planning and preparation before the need to respond to an actual incident.

State and Federal Trustees are encouraged to work with the oil industry and Northwest Area wildlife rescue and rehabilitation organizations to prepare an adequate response capability for Wildlife Branch operations. Preparation involves assessing potential impacts to wildlife; ensuring adequate equipment, personnel, and wildlife response protocols are available; and practicing the planned response through oil spill exercises. In particular, oiled wildlife rehabilitation requires large amounts of space, water, and personnel, and these resources are not readily available without prior planning. The Wildlife Workgroup of the Regional Response Team/Northwest Area Committee will work with State and Federal Trustees to develop a list of trained personnel and existing and needed equipment.

## VI. Personnel Safety

Worker safety must be considered before any wildlife response effort is conducted. Therefore, all Wildlife Branch activities must conform to the Site Safety Plan for the response. All workers must be current in Occupational Safety and Health Administration (OSHA) information and training that relates to safety of working in an environment with uncontrolled oil products. Additional safety requirements may be included in an incident specific Wildlife Branch Safety Plan. All personnel involved in Wildlife Branch operations must have appropriate job-specific safety training for the tasks to be performed as well as utilize appropriate personal protection equipment. Those people involved with animal handling should be trained in techniques that ensure worker safety and present the least amount of stress to wildlife. Appropriate biosecurity measures will be utilized to reduce the risk of transmission of infectious diseases between wildlife and personnel during an oiled wildlife response.

## VII. Activation of the Wildlife Branch

Every spill will be assessed for potential impacts to wildlife. The Wildlife Branch will be activated when either a Federal or State trustee agency, responsible party or the Unified Command determines that an oil spill is in the vicinity of wildlife resources (mammals or birds), or has a trajectory that puts wildlife resources at risk. Once this determination has been made, the Operations Section Chief and the Unified Command will be notified when the Wildlife Branch is operational. As described in the **Response Actions** section below, the Wildlife Branch will be developed to appropriately respond to the anticipated magnitude of wildlife impacts.

## **VIII. Designation of Wildlife Branch Director**

Representatives of the USFWS will assume the positions of Director and Deputy Director of the Wildlife Branch. State Fish and Wildlife representatives will assume these positions if a USFWS representative is not available, or if designated by a USFWS representative. This designation may be made on a case-by-case basis or through a pre-existing agreement. Appointment of other parties, including Responsible Parties representatives, to one or both of these positions may be made by a USFWS representative or their designee at any time during an incident, and for such periods of time as may be deemed appropriate. Unless otherwise indicated by USFWS, the Wildlife Branch Director position will be delegated to the Washington Department of Fish and Wildlife for spills that occur in Washington State. Delegation of the position may change during a spill of extended duration.

## **IX. Wildlife Branch Organizational Structure**

The Wildlife Branch Director directs the operations of the Wildlife Branch (See Figure 1.) and reports to the Operations Section Chief. Within the Wildlife Branch, three Groups report to the Wildlife Branch Director:

- Wildlife Reconnaissance - aerial, ground, and on-water reconnaissance of wildlife in the spill area.
- Bird Recovery & Rehabilitation - search, recovery, transport, rehabilitation, documentation and deterrence of birds.
- Marine Mammal Recovery & Rehabilitation - search, recovery, transport, rehabilitation, documentation and deterrence of marine mammals.

To ensure Wildlife Branch objectives are achieved with maximum efficiency, the Wildlife Branch Director coordinates and manages the activities of all personnel in the Wildlife Branch who fall under the authority of the Unified Command during a spill response. These include federal, state, and local agencies along with commercial and non-profit organizations responsible for wildlife. The Wildlife Branch Director will manage all personnel and equipment supplied by the Potentially Responsible Party to the Wildlife Branch.

## **X. Wildlife Branch Operations**

### **A. Duties and Responsibilities**

Once activated, the Wildlife Branch Director is responsible for ensuring that the appropriate protocol and process is followed during the search, recovery, and rehabilitation of impacted wildlife. The Wildlife Branch Director will make recommendations to the Unified Command through the Operations Section Chief regarding the need for additional Wildlife Branch resources based on anticipated wildlife impacts and associated field operations.

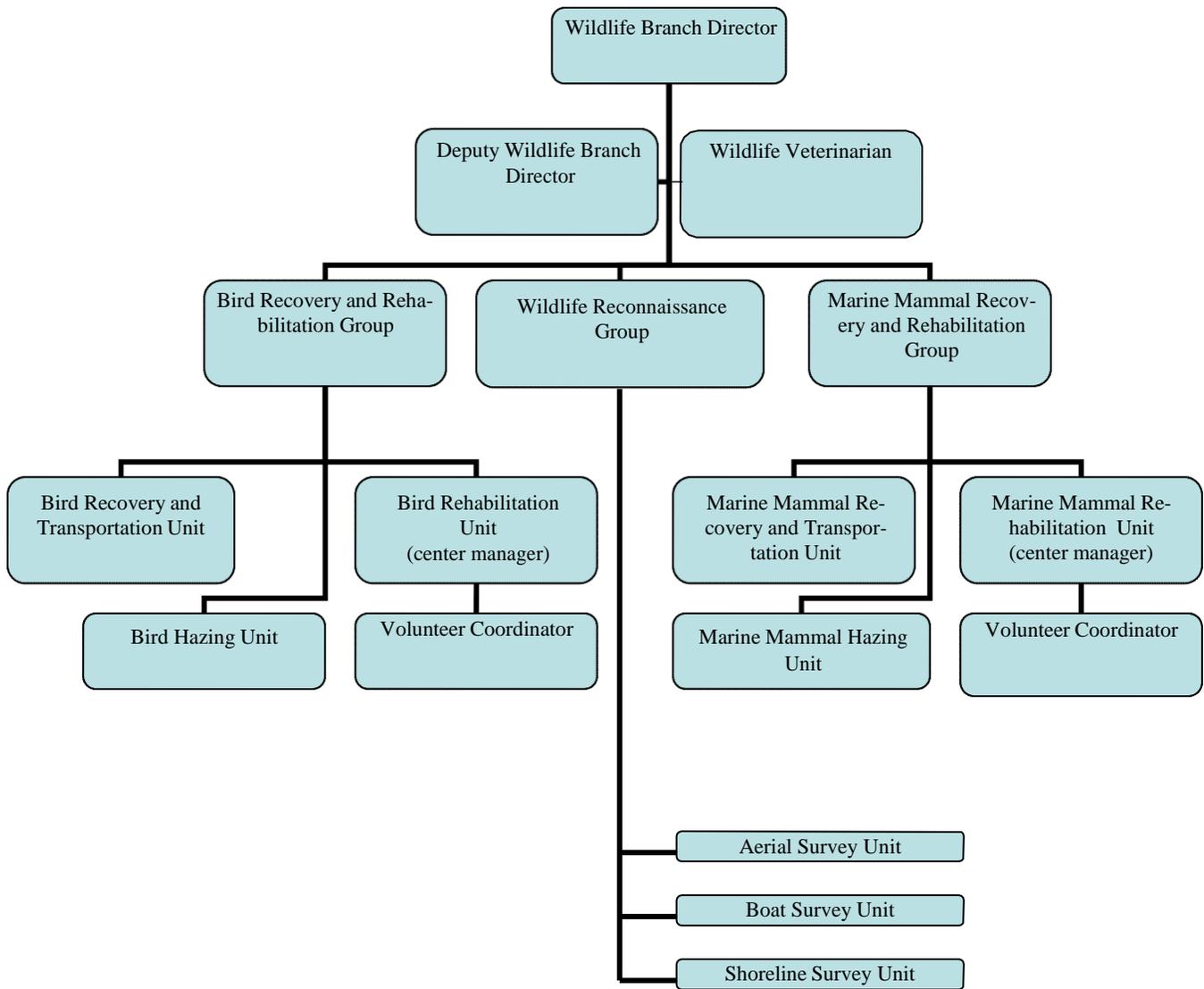


Figure 1 Wildlife Branch Organizational Structure

The Wildlife Branch includes the following Groups, which operate under direction of the Wildlife Branch Director: Wildlife Reconnaissance, Bird Recovery and Rehabilitation, and Marine Mammal Recovery and Rehabilitation. This organizational structure is expanded beyond the structure described in the *2006 Incident Management Handbook* (USCG COMDTPUB P3120.17A), which includes only the Wildlife Recovery Group and the Wildlife Rehabilitation Center.

The Wildlife Branch, working for the Operations Section Chief, will develop operational strategies, tactics and resource needs for operations activities for the Branch in the Incident Action Plan. The Branch Director or one of the Branch staff will work closely with the Safety Officer or one of the Safety Assistants to develop a section of the Site Safety Plan specific to wildlife response activities. Operations activities can include wildlife deterrence, conducting oiled wildlife search and recovery, transportation of oil-impacted wildlife, rehabilitation of oiled wildlife, and release of rehabilitated wildlife. The Wildlife Branch Director will implement the operational guidelines as well as the standard of care requirements of the *Best Practices for Migratory Bird Care During Oil Spill Response* in all aspects of Wildlife Branch operations.

Wildlife Branch activities affect and interact with numerous other sections of the Incident Command and it is important that good communications are established and maintained between the Wildlife Branch and other responders. In particular, coordination between the Wildlife Branch and the Environmental Unit, a part of the Planning Section, is essential. The Planning Section may assign a Wildlife Technical Specialist to help with coordination. The Wildlife Branch Director is responsible for keeping the Operations Section Chief and Unified Command informed about the status of branch operations.

The Wildlife Branch is responsible for providing information to the Unified Command, the Planning Section, and the Public Information Officer/Joint Information Center relative to the daily numbers of live and dead animals and their status. At the direction of the Operations Section Chief, the Wildlife Branch Director or a member of the Branch staff will attend tactics meetings, planning meetings, and Unified Command briefings. The Branch will also coordinate with Air Operations regarding wildlife overflights, and coordinate with the Logistics Section in accordance with existing IC/UC policy for any materials needed. The Wildlife Branch is also responsible for working with the Planning Section, Demobilization Unit to develop the Wildlife Branch Demobilization Plan.

## **B. Response Actions**

Activities associated with the activation of the Branch will be appropriate to the size of the spill. Activation of personnel and equipment is based primarily on anticipated adverse effects on wildlife. Depending on the size of the incident, the Wildlife Branch may range in size from just the Branch Director position to full activation of the organization displayed in Figure 1, including the associated equipment and personnel resources. Development of Wildlife Branch operations is an iterative, dynamic process that calls for good information, knowledge, ex-

perience, and judgment. It is important to understand that “activation” of the Branch does not mean that a full-scale wildlife response will be mounted. The level of response is completely dependent on the number of animals that may potentially be impacted.

On every spill response, the first action of the Wildlife Branch must be to deploy trained observers to the spill site to determine the extent of the initial and anticipated wildlife impacts in a timely manner. The ability to effectively determine the size and scale of the wildlife response is highly dependent on getting trained observers on-scene quickly. The initial observers must be trained personnel because the impact oil and other hazardous materials has on wildlife is not always obvious to the average responder. Oiling from light petroleum products, unlike heavy petroleum products, can be especially difficult to determine without the use of a trained observer. Unless heavily oiled, impacted wildlife may be mobile and may not remain at the site of the initial oiling. Results of the initial reconnaissance will determine the size and complexity of the Wildlife Branch and the subsequent deployment of personnel and equipment. This involves establishing the Wildlife Branch organizational structure (Figure 1), contacting wildlife recovery and rehabilitation organizations, notifying the appropriate federal and state trustees, and determining rehabilitation facility needs. The number of animals affected, or potentially affected, will determine the number and type of personnel and equipment resources that are needed. The Wildlife Branch will work with Logistics to obtain and bring in resources, personnel and equipment. Deterrence, search and recovery, primary care, rehabilitation, and release activities will proceed as deemed necessary and appropriate by the Wildlife Branch Director, with approval of the Unified Command.

Table 1 provides response actions needed when planning for oiled wildlife rescue and rehabilitation operations. The response resources for each specific spill should be developed on a case-by-case basis and the size of the Wildlife Branch will adjust as more accurate information about the spill incident and wildlife impacts becomes available. Most spill incidents in the Northwest Area would utilize a Level IV wildlife response (Table 1). Some extraordinary circumstances would require mobilization at Levels III or II from the outset. The Wildlife Branch will notify the Operations Section Chief promptly of needed changes in the deployment of personnel and equipment.

## **XI. Wildlife Branch Positions and Responsibilities**

Duties and issues that relate to a specific position are listed under that position in the sections that follow. Not all positions will be staffed at each spill, therefore the duties described below need to be distributed to staff on hand.

**Table 1 Response Levels for Wildlife Branch Operations for Oiled Birds<sup>1</sup>**

Projected Number of Oiled Birds:	Level IV 1-15	Level III* 16-100	Level II* 101-500	Level I* 500+
<b>Personnel</b>				
Wildlife Branch Director	1	1	1	1
Wildlife Veterinarian**	1	1	1-2	1-2
Deputy Wildlife Branch Director	0	0-1	1	1-2
Bird Recovery & Rehabilitation Group Supervisor	0-1	1	1-2	2
Deputy Bird Recovery and Rehabilitation Group Supervisor	0	0	0	1
Bird Recovery and Rehabilitation Group Staff	0-4	1-4	5+	5+
Bird Recovery & Transportation Unit Leader	0-1	1	1-2	2
Bird Recovery & Transportation Unit Staff**	1+	2	6+	12+
Bird Rehabilitation Unit Leader	0-1	1	1-2	1-2
Bird Rehabilitation Unit Staff**	4+	8+	25+	50+
Volunteer Coordinator	0-1	1	1-2	2-3
Bird Hazing Unit Leader	0-1	0-1	1-2	1-2
Bird Hazing Unit Staff **	0-3	0-3	5+	5+
Wildlife Reconnaissance Group Supervisor	0-1	1	1-2	2
Aerial Survey Unit Leader	0-1	0-1	1	1
Aerial Survey Unit Staff**	1	1-2	2-4	5+
Boat Survey Unit Leader	0-1	0-1	1	1
Boat Survey Unit Staff**	0-2+	2+	5+	10+
Shoreline Survey Unit Leader	0-1	0-1	1	1
Shoreline Survey Unit Staff**	0-2+	2+	20+	40+
<b>Equipment</b>				
Facility - Permanent or temporary	1	1+	2+	4+
Stabilization Facility	0	0	2+	4+
Primary Care Facility	0-1	0-1	2+	4+
Vehicle - Recovery	0-4	0-4	6+	12+
Vehicle - Transport	1	1+	4+	8+
Boat – Capture	0-2	0-2	4+	8+
ATVs	0-2	0-2	4+	8+
Air (helicopter)/land/water reconnaissance	0-1	0-1	1-2	1-2

Notes:

<sup>1</sup> The number of staff and equipment are based on a spill involving average sized birds (i.e., common murre), with moderate oiling, that are easily accessible. Size of birds and degree of oiling may require substantially different personnel and equipment resources. When marine mammals are affected, personnel and equipment requirements may double in number to account for separate response efforts. Note: Response levels are numbered consistent with National Incident Management Systems (NIMS compliant).

\* The logistical needs of the Wildlife Branch are substantially different at the lower and upper ends of the range of projected oiled birds for each level.

\*\* These staff generally are not in the Command Post because they are in the field or at the rehabilitation facility. The other staff may or may not be located at the command post, depending on size of the spill.

**A. Wildlife Branch Director**

The Wildlife Branch Director is responsible for managing all wildlife rescue and rehabilitation operations and personnel. The Branch Director activates and supervises wildlife operations in accordance with the Incident Action Plan and directs its execution; directs the Branch Operations, requests resources, coordinates release of resources with the Planning section, ensures coordination with other Sections or Units within the Incident Command, and reports to the Operations Section Chief. The magnitude of the event and the potential for wildlife to be impacted will dictate the level of staffing in the Wildlife Branch. Smaller spills will generally have less staff. Under these circumstances the Branch Director may have to take on additional responsibilities beyond those described below. In addition to the general duties listed above, the Wildlife Branch Director's duties include but are not limited to:

- Supervises the Wildlife Reconnaissance Group (coordinating aerial, shoreline, and on-water wildlife surveys), the Bird Recovery and Rehabilitation Group, and the Marine Mammal Recovery and Rehabilitation Group.
- Attends tactics meetings, planning meetings, and Unified Command briefings.
- Develops the Branch-specific portion of the Incident Action Plan for the next operational period (*2006 Incident Management Handbook*, p. 19-18).
- Determines wildlife rescue and rehabilitation staffing needs, in accordance with Unified Command procedures and directives
- Manages and tracks Wildlife Branch personnel using an appropriate tracking system.
- Oversee the preparation of work order forms for Incident Action Plan preparation and logistics tracking.
- Provide updates to the Unified Command, Planning Section and Public Information Officer/Joint Information Center regarding the status of oiled wildlife (live and dead, observed and captured).
- Ensures that wildlife samples are collected in coordination with the Sampling Specialist.
- Identifies methods to minimize collateral damage to wildlife and habitat from recovery, transportation, and reconnaissance operations.
- Ensures that qualified personnel perform wildlife recovery and rehabilitation safely and properly.
- Establishes the oiled wildlife hotline to enable public reporting of oiled wildlife.

- Ensures appropriate use, maintenance and disposition of ICS Forms (documentation).
- Maintains Unit/Activity Log (ICS 214).
- Updates the media as requested by the Unified Command.
- Identifies resources that can be released and develops and implements Wildlife Branch Demobilization Plan.
- Ensures Wildlife Branch personnel have appropriate/required training and certifications.

**B. Deputy Wildlife Branch Director**

The Deputy Branch Director reports to the Branch Director and serves as a key member of the Branch Management Team. Duties of the Deputy Branch Director include, but are not limited to the following:

Attend to Wildlife Branch Director responsibilities when the Director is absent.

- Develop and disseminate Branch organization chart.
- Ensure that Group and Team leaders are provided with appropriate job descriptions and job aids.
- Develops Wildlife Branch Safety Plan in concert with the Safety Officer, ensures that all personnel assigned to the Branch receive a daily pre-operational safety briefing and a post-operational de-briefing, and records a summary each day as part of the Unit Log (ICS 214).
- Coordinate and document personnel and logistical support needs with Group supervisors, prepare logistical requests (and justification, if needed) for review and approval by Wildlife Branch Director and the Operations Section Chief, submit approved requests to the Logistics Section.
- Serve as direct liaison between the Branch and the Resources at Risk (RAR) Specialist and Shoreline Cleanup and Assessment Team Leader(s) in the Environmental Unit.
- Provide operational updates to the Situation Unit.
- Coordinate the development of standardized evidentiary protocols with U. S. Fish and Wildlife Service law enforcement, National Marine Fisheries Service enforcement and Natural Resource Damage Assessment representatives, ensuring that the needs of each entity are met.

- Coordinate with the Bird and Marine Mammal Recovery and Rehabilitation Group Leaders to determine logistical needs for:
  - Search and recovery
  - Field tagging of dead and live animals
  - Transporting dead and live animals
  - Identification of a central wildlife processing center
  - Treatment and rehabilitation facilities
  - Veterinary services
- Serve as a direct liaison with the Logistics Section to ensure proper documentation and timely processing of requests.
- Coordinate the oiled wildlife hotline.
- Maintain Unit/Activity Log.

**C. Wildlife Veterinarian**

The Wildlife Veterinarian reports to the Branch Director, works closely with the Bird Recovery and Rehabilitation Supervisor, and is responsible for ensuring that impacted animals are getting appropriate medical treatment. The Wildlife Veterinarian works with the Branch Director and Trustee agencies to develop euthanasia protocols appropriate for each spill incident.

**D. Wildlife Reconnaissance Group**

The Wildlife Reconnaissance Group is responsible for determining the location and movement of animals that may be, or already have been, impacted. Daily and seasonal movements of birds and mammals, necessitate rapid, real-time characterization and reconnaissance of wildlife concentrations. The Wildlife Reconnaissance Group consists of the Aerial, Boat, and Shoreline Survey Units. Each unit may be composed of multiple teams. The Reconnaissance Group is responsible for coordinating surveys that occur in habitat for threatened or endangered species in the National Marine Sanctuary, Congressionally Designated Wilderness Areas, or State Parks. Depending on the spill size, Wildlife Reconnaissance Group teams may be integrated with Recovery and Transportation Unit teams or Shoreline Cleanup Assessment Teams, although this is usually not desirable because it may over-task the teams. Experienced personnel are essential for effective wildlife reconnaissance and surveillance. Observers should be able to identify wildlife species, behavioral characteristics associated with oil impacts, and be knowledgeable about local ecological factors.

Reconnaissance Group personnel may include professional wildlife biologists, trustee agency representatives, contractors, and other trained people. If specialized surveys for threatened and endangered species are needed, additional wildlife specialists may be called in by the Reconnaissance Group Supervisor or Wildlife Branch Director. These specialists will advise the Branch Director and the Unified Command about threats to listed species, the locations and numbers of oiled

animals, and the need for capture, deterrence or other protection strategies. These experts will typically use species-specific observation protocols.

### **E. Bird Recovery and Rehabilitation Group**

The Bird Recovery and Rehabilitation Group is responsible for wildlife deterrence, recovering dead birds, capturing live birds, transporting them to processing centers, and providing medical care to impacted animals. Wildlife recovery by any agency or organization must be done under the direction of the Wildlife Branch, with approval of the Unified Command. Recovery and rehabilitation activities must comply with agreements and permits from the appropriate management agencies (i.e. State Fish and Wildlife agencies and USFWS). Recovery and Rehabilitation Group personnel are drawn from state and federal trustee agencies and approved contractors. Trained, qualified volunteers can be used as long as they comply with the Northwest Area Volunteer Policy including ensuring appropriate training requirements and Occupational Safety and Health Administration standards are met. The Bird Recovery and Rehabilitation Group is made up of three units: Bird Recovery and Transportation; Bird Rehabilitation; and Bird Hazing. Depending on the spill size, each of these Units may be staffed by no personnel or dozens of highly-trained individuals. Although not preferable, depending on the spill size, Recovery and Transportation teams may be integrated with Wildlife Reconnaissance Group teams or Shoreline Cleanup Assessment Teams.

#### **i. Bird Recovery and Transportation Unit**

The Bird Recovery and Transportation Unit is responsible for recovering live and dead oiled birds and transporting them to rehabilitation facilities. Success at recovering impacted birds (especially mobile birds) depends on proper technique and timing. Only trained staff should recover live birds. Once captured, impacted live birds should be transported to the designated primary care or rehabilitation facility as soon as possible. Appropriate measures must be undertaken by the Wildlife Branch to ensure that dead animals are recovered appropriately, identified, documented and held until the trustees approve disposal, or as directed by appropriate trustee agencies. The prompt removal of disabled and dead oiled animals from the environment can be critical to minimize the effects of secondary oiling such as poisoning of predators and scavengers. The Wildlife Branch, in consultation with the trustee agencies, will develop incident specific protocols and authorizations for removing and handling dead oiled birds for each incident. All live, disabled, and freshly-dead animals, oiled and unoled, should be recovered and processed for triage and rehabilitation or for processing and storage, as appropriate or as directed by an appropriate trustee agency.

#### **ii. Bird Rehabilitation Unit**

The Bird Rehabilitation Unit is responsible for ensuring that live birds exposed to oil receive the best achievable care and for ensuring that oiled birds are properly documented, sampled, tracked, and released. The Bird Rehabilitation Unit is responsible for the oversight of all rehabilitation facilities whether they are perma-

ment or mobile. When rehabilitated animals are ready for release, clean, non-oiled release sites should be chosen in consultation with appropriate trustee agencies.

Facilities designed for oil spill response must meet minimum space requirements and incorporate all required aspects of bird treatment and rehabilitation. Facilities must comply with Federal and State regulations and must meet minimum recommendations in *Best Practices for Migratory Bird Care During Oil Spill Response*. An ideal facility should include:

- Areas for intake, physical exam, and evidence processing;
- Space for a veterinary hospital with isolation capabilities,
- Indoor bird housing and caging,
- Food storage and preparation facilities,
- Animals washing and rinsing areas,
- Indoor drying pens,
- Outdoor pool and pen areas,
- Pathology facilities,
- An area with restrooms, separate rooms for eating and volunteer training,
- Administrative offices with multiple phone and fax lines and with conference space,
- Storage,
- Access to a large parking area, and
- Adequate ventilation, hot and cold water, and climate control.

### iii. Bird Hazing Unit

The Bird Hazing Unit is responsible for determining when and if bird deterrence operations should take place. The recommendation will be guided by site-specific and species specific factors present at the time of the oil spill, and availability of proven deterrence techniques. If deterrence is determined to be appropriate, the Unit should develop a site-specific deterrence plan in consultation with all appropriate trustee agencies. Deterrence should always be considered in heavily impacted habitats, particularly when clean sites are present in the area. Wildlife that has already been oiled should not be dispersed, because this can lead to the introduction of oiled animals into uncontaminated areas and populations. Rather, oiled animals should be captured as soon as practical.

Deterrence devices include both visual and auditory techniques. A variety of deterrence devices are available and can be deployed to meet the situation, including helicopters, fixed-wing aircraft, propane cannons, shell crackers, bird bombs, screamers, launchers, airboats, ATVs, sonic buoys, mylar tape, lasers, flags, distress and alarm calls, and effigies. Pre-emptive capture is another means of keeping wildlife away from oil and cleanup operations.

Deterrence activities must take place only under the authority and oversight of trustee agencies, in coordination with the Unified Command. The recommendation to haze will be guided by site-specific and species-specific factors present at

the time of the spill, and availability of proven deterrence techniques. The Bird Recovery and Rehabilitation Group Supervisor directs the Bird Hazing Unit.

#### **F. Marine Mammal Recovery and Rehabilitation Unit**

The Marine Mammal Recovery and Rehabilitation Group is responsible for the recovery and rehabilitation of impacted marine mammals. This involves deterrence and hazing, recovering dead or capturing live marine mammals, transporting them to processing centers, and providing medical care to impacted animals. These activities are performed in close coordination with the Unified Command along with state and federal trustee agencies. Wildlife recovery by any agency or organization must be conducted under the direction of the Unified Command. Their activities must comply with agreements and permits from the appropriate management agencies (i.e., State Fish and Wildlife agencies, NOAA National Marine Fisheries Service, USFWS).

Recovery and Rehabilitation Group personnel are drawn from state and federal trustee agencies and approved contractors. Unlike other Wildlife Branch activities, Marine Mammal Recovery and Rehabilitation personnel will include a high proportion of federal trustee personnel and professional wildlife rehabilitators from federally approved organizations (through the local or other participating Marine Mammal Stranding Networks). Trained, qualified volunteers can be used as long as they comply with the Northwest Area Volunteer Policy including ensuring appropriate training requirements and Occupational Safety and Health Administration standards are met.

#### **i. Marine Mammal Recovery Transportation Unit**

The Marine Mammal Recovery and Transport Unit is responsible for recovering live and dead impacted marine mammals and transporting them to rehabilitation facilities. The Marine Mammal Recovery and Transport Unit evaluates the need to capture impacted marine mammals on a case-by-case basis. If oiled pinnipeds, sea otters, or cetaceans are determined to be ill and require retrieval, capture will be instituted by the Marine Mammal Recovery and Transportation Unit, in conjunction with NOAA National Marine Fisheries Service (for pinnipeds), USFWS (for sea otters), and sufficiently trained and experienced capture personnel (members of the Marine Mammal Stranding Network). Success at recovering marine mammals depends on proper technique and timing. Trained staff should recover live marine mammals. Once captured, impacted live marine mammals should be transported to the designated primary care or rehabilitation facility as soon as possible. Appropriate measures must be undertaken by the Wildlife Branch to insure that dead animals are recovered appropriately, identified, documented and held until the trustees approve disposal. The prompt removal of disabled and dead oiled animals from the environment can be critical to minimize the effects of secondary oiling such as poisoning of predators and scavengers. All live, disabled, and freshly dead animals, oiled and unoiled, should be recovered and processed for triage and rehabilitation or for processing and storage, as appropriate. A Marine Mammal Stranding Report must be submitted for dead marine mammal sightings and upon capture and prior to transport of live mammals.

**ii. Marine Mammal Rehabilitation Unit**

The Marine Mammal Rehabilitation Unit is responsible for ensuring that pinniped, sea otters, and cetaceans exposed to oil receive the best achievable care and for ensuring that oiled marine mammals are properly documented, sampled and tracked. Wildlife care includes triage, stabilization, intake/documentation, treatment, rehabilitation and release. The Marine Mammal Volunteer Coordinator also works under this Group.

When rehabilitated animals are ready for release, clean, non-impacted release sites should be chosen after consulting the appropriate trustee agency or agencies. While exceptions can be made during spill emergencies, some agencies have specific requirements or policies regarding releasing animals on their properties. As a part of spill response actions, marine mammals are tagged and, in some cases, fitted with telemetry equipment for post-release monitoring. To guide the Marine Mammal Rehabilitation Unit in the treatment of remaining animals, wildlife pathologists may conduct necropsies on selected animals during a spill response. However, the Wildlife Branch Director or his designee must obtain pre-approval from the Unified Command for such examinations. In addition, representatives of the appropriate federal trustee agency may need to be present and have specific samples collected and analyzed.

**iii. Bird Hazing Unit**

The Marine Mammal Hazing Unit is responsible for determining when and if marine mammal deterrence operations should take place. Deterrence of marine mammals is very similar in nature and function to that of birds, as detailed above. Deterrence activities must take place only under the authority and oversight of trustee agencies, in coordination with the Environmental Unit. The Wildlife Branch Director will make the recommendation to haze to the Operations Section Chief. The recommendation will be guided by site-specific and species-specific factors present at the time of the spill, and availability of proven deterrence techniques. Deterrence activities, observations, and results are to be reported to the Marine Mammal Recovery and Rehabilitation Group Supervisor, who will report to the Wildlife Branch Director and the Planning Section's Environmental Unit Leader.

**G. Volunteers**

Spill incidents that impact wildlife often generate a significant interest from the general public to volunteer their efforts. Some of these volunteer workers will be assigned jobs where they are compensated; others will be assigned work where they do not receive compensation. Regardless of where and how this volunteer work force is put to use, they must be managed and appropriately trained. During a spill, the Wildlife Branch Director, in coordination with the Bird and/or Marine Mammal Recovery & Rehabilitation Group Supervisors, will determine the need to request volunteer assistance. If volunteers are used during a spill response, a volunteer coordinator (reporting to the appropriate Recovery & Rehabilitation Group Leader and coordinating with the overall volunteer coordinator in the Plan-

ning Section) will be identified to direct volunteer notification, training and “employment” activities. Volunteers will be brought into the incident in accordance with guidelines outlined in Section 4338 of the NWACP.

## **XII. Demobilization of Wildlife Operations**

Upon conclusion of Wildlife Branch operations, its activities are demobilized following the standard checkout procedures identified through the ICS and the Unified Command. Wildlife Branch demobilization only occurs after a conclusive determination by the Wildlife Branch Director, in consultation with the three Groups within the Wildlife Branch and other trustee agencies and land managers that all wildlife affected by the spill have been accounted for in response operations.

Demobilization of the Wildlife Branch often lags behind that of other response operations for several reasons, such as animals remaining in rehabilitative care, the presence of residual oil, and the presence of visibly oiled pinnipeds and free-flying birds. The last resource of the Unified Command to be demobilized may be rehabilitation personnel, equipment and facilities used during the spill. Because cleaning, treatment and rehabilitation of oiled wildlife may last several weeks to months, animals brought into the rehabilitation center late in the response may require care after other response resources have demobilized. During that time, as more animals are released and fewer animals remain in care, personnel and equipment resources will be gradually demobilized as appropriate.