

**UNITED STATES DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE
GULF OF MEXICO OCS REGION**

NTL No. 2003-G10

Effective Date: June 19, 2003

**NOTICE TO LESSEES AND OPERATORS OF FEDERAL OIL, GAS, AND SULPHUR
LEASES IN THE OUTER CONTINENTAL SHELF, GULF OF MEXICO OCS REGION**

Vessel Strike Avoidance and Injured/Dead Protected Species Reporting

The Minerals Management Service (MMS) is issuing this Notice to Lessees and Operators (NTL) pursuant to 30 CFR 250.103, 30 CFR 250.203(o) and 30 CFR 250.204(s) to update the guidelines on how you should implement measures 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 avoid injury to marine mammals and sea turtles. This NTL supersedes NTL 2003-G07 on this subject and applies to all existing and future oil and gas operations in the Gulf of Mexico OCS.

Background

The National Oceanographic and Atmospheric Administration (NOAA) Fisheries 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. Following a Section 7 Consultation pursuant to the Endangered Species Act, the NOAA Fisheries (NOAA) issued Biological Opinions (i.e., Lease Sales 181, 184 and 185) to the MMS concerning lease sale actions that required that MMS develop, with NOAA Fisheries, a program to train observers in order to minimize the potential for vessel strikes. MMS now has conducted a Section 7 consultation with NOAA for OCS Lease Sales 189 and 197 and, in lieu of a formal observer program, NOAA 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 Training

Vessel crews should continue to use a Gulf of Mexico reference guide that includes and helps identify the 28 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. One example of an appropriate field guide is *Guide to Marine Mammals & Turtles of the U.S. Atlantic and Gulf of Mexico* by Kate Wynne and Malia Schwartz.

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 90 meters or greater from the whale.
3. When sea turtles or small cetaceans are sighted, attempt to maintain a distance of 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 pods or large assemblages of cetaceans are observed near an underway vessel. Cetaceans at the surface may indicate the presence of submerged animals near the vessel.
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, to the Marine Mammal and Sea Turtle Stranding Hotline at (800) 799-6637, or the Marine Mammal Stranding Network at (305) 862-2850. In addition, if the injury or death was caused by a collision with your vessel, you must notify MMS within 24 hours of the strike by email to protectedspecies@mms.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. We protect all proprietary information submitted according to the Freedom of Information Act and 30 CFR 250.196. 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. We estimate the hour burden to be one-half hour per report. Direct comments regarding the burden or any other aspect of this information collection to the Information Collection Clearance Officer, Mail Stop 4230, Minerals Management Service, 1849 C Street, N.W., Washington, DC 20240.

In addition, this NTL refers to information collection requirements under 30 CFR 250, Subpart B. OMB has approved all of the information collection requirements in these regulations and assigned OMB control number 1010-0049.

Contact

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

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