

**UNITED STATES DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE (MMS)
GULF OF MEXICO (GOM) OCS REGION**

NTL No. 2007-G04

Effective Date: February 7, 2007

**NOTICE TO LESSEES AND OPERATORS (NTL) 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 MMS is issuing this NTL pursuant to 30 CFR 250.103 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 2003-G10 on this subject and applies to all existing and future oil and gas operations in the GOM 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 GOM 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 GOM 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 NOAA Fisheries Stranding Hotline at (305) 862-2850 and sea turtles to the NMFS Southeast Regional Office at (727) 824-5312. 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, NW, 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 1010-0151.

Contact

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

[original signed by]

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