

**NET REMOVAL PROJECT DESCRIPTION  
SPM HOSE SPILL**

**Objective** - remove identified nets located in the defined Work Area that can be safely retrieved and disposed of, in accordance with the provisions set forth below.

**A. Definitions**

1. "Aerial Survey Team" means a trustee representative; two contractors for scoping work effort and collecting documentation to complete net survey and removal plan; and the Project Manager.
2. "Boat Team" means a boat captain; a deck hand; three divers; and one or two Trustee representative(s). Project Manager representative optional.
3. "Dispose" means deposit the nets in an appropriate disposal facility in accordance with a pre-approved waste disposal plan.
4. "Level of effort" means the equipment and personnel resources of the Aerial Survey Team, Boat Team, and Shore Team applied over the term of the Operating Period.
5. "Nets" mean any fishing net larger than 5 square meters in surface area unrolled or for bundled nets, any bundle greater in size than a thirty-gallon container.
6. "Offshore Work" means surveys and net removal work conducted by boat and the Boat Team. The offshore work activities will have a duration of 5 working days (each with no less than 6 hours of actual net removal activity) with 2 additional days for standby time as a contingency for bad weather and sea conditions. The offshore work must be completed within 7 consecutive days from startup of the offshore field work. At Trustee discretion unused Offshore Work hours (but not standby time) may be reallocated and applied to Shore Work activities and the Boat Team shall be released. However, once the Boat Team is released it shall not be reactivated.
7. "Operating period" means a safe working period of up to 10 hours per day until maximum Work Hours are exhausted. In the event that bad weather or sea conditions prevents safe working conditions for Offshore Work during the Operating Period, there shall be allocated an additional period of standby time not to exceed 16 Work Hours over two (2) days of the Offshore Work period. This time used by contractor(s), as standby time will be charged against standby time not work hours. Over the entire net removal project, Work Hours shall not exceed a maximum of 384; plus 16 standby hours for the Offshore Work should such time be necessary due to bad weather or sea conditions.
8. "Project Manager" means a designated Tesoro representative.
9. "Remove" means to take in an environmentally responsible and safe manner as much of a net located in the Work Area as can be feasibly retrieved as reasonably determined by the on-scene trustee representative(s).

10. "Shore Team" means three wading/snorkel divers and a trustee representative with access to a 4x4 truck to be used for transportation and for moving net debris to a disposal location.
11. "Shore Work" means survey and net removal work conducted by the Shore Team. The shore work activities will have a duration of 5 working days and must be completed within 5 consecutive days from startup of the shore field work. However, unused Offshore Work hours (but not standby time) may be reallocated and applied to Shore Work (including intertidal or supratidal work) at Trustees discretion as provided in paragraph A. 6. (above).
12. "Trustee(s)" means State of Hawaii and/or National Oceanic & Atmospheric Administration (NOAA).
13. "Work Area" means the adjacent shoreline to a 10 meter depth in the general area where the SPM Hose Spill impacts were observed between Kilauea Point to Makahuena Point and between Makaha Point to Mana Point on the Island of Kauai.
14. "Work Hours" means the person-hours allocated to each of the tasks that constitute the Level of Effort.

#### **B. Phase 1 – Planning**

Summary: Work required prior to conducting field activities includes gathering information from local sources on net locations and the preparation of plans to support the survey and field activities. The planning tasks will begin approximately 30 days prior to the Operating Period. However, the actual Operating Period will be determined by agreement between Trustees and Tesoro in consultation with the applicable contractor (s).

#### **Tasks**

1. Implement a community outreach program for public input, particularly from boaters, divers and fishermen, to aid in locating submerged nets. The outreach program will target fish and dive clubs, boat harbors, launching ramp facilities and helicopter operators on Kauai. The outreach effort will include placing a notice in the newspapers, a presentation to the target groups, as available, notices at harbor and launch ramps and helicopter operation areas on Kauai. A net removal project call-in number will be established for net location information. A bounty program to encourage reports may be developed. The outreach program will commence 30 days prior to the aerial survey.
2. Develop required health and safety plans for all phases of the work, including survey, net removal, and disposal tasks.
3. Develop waste disposal plan for all retrieved nets and associated debris.

4. Work with state, county, landowners and trustees for access to portions of the Work Area where permission may be required.

### **C. Phase 2 – Survey and Net Removal**

Summary: An aerial survey will be conducted by the Aerial Survey Team to locate nets in the Work Area. The survey will take into account the information acquired from the community outreach program. Upon landing, a net removal plan (similar to a daily incident action plan used in an Incident Command System) will be completed by the survey team (Tesoro, Trustees, and contractor representatives). After the Boat Team and Shore Team begin operations, their survey information will also be used to develop subsequent net removal plans for each operating period.

A dive team will proceed to the located nets and begin survey and removal work within 48 hours, weather and sea conditions permitting. Selection of nets to be removed will be based on considerations of safety, hazard potential of the nets to the environment and potential injury to the environment from the net removal operation. Safety considerations are to be determined by contractor(s) and environmental considerations are to be determined by a pre-designated Trustee representative.

#### **Tasks**

1. Aerial Survey Team shall have up to 15 work hours of flight time over the duration of the project to locate and remove, as necessary, nets in the Work Area. During net removal operations, the only passenger anticipated on the helicopter is the pilot. Aircraft will have GPS and fixed video equipment capability. At the end of each survey period, the team will develop a net removal plan for the portion of the Work Area surveyed.
2. Deploy equipment and personnel on Kauai to prepare for survey and net removal activities.
3. Provide the aerial survey information to the Boat Team and Shore Team for additional boat survey and removal activities for the next day of the Operating Period. The information to be provided will include a chart with the location of the nets and the estimated size of each net (e.g., less than size of car, car size, larger than car size or whatever metric is agreed upon between contractor and trustees).
4. Deploy Boat Team and Shore Team to survey and remove nets. At the end of each day, each field team leader will participate in development of the net removal plan for the next day of the Operating Period. As a contingency for bad weather or sea conditions, unused Offshore Work Hours may be used to augment the Shore Team efforts. The work allocation is at the discretion of the Trustee representatives. In the event that the Shore Team is augmented, net removal activities may occur into the supratidal zone within the Work Area.

5. Deliver collected nets and associated debris to designated waste transfer locations. Net and debris weights will be determined at the weigh-in station at Kauai landfill. Disposal documentation will be included in the project report. All nets collected by the Shore and Boat Teams must be disposed of by Tesoro or contractor in accordance with the pre-approved waste disposal plan. Tesoro will provide necessary personnel and equipment for recovered net disposal. This project does not contemplate the use of heavy equipment such as bulldozers, excavators, graders or trackhoes.
6. Demobilize equipment and personnel when the project is complete.

#### **Other Conditions**

1. Contractor will be responsible for obtaining (and conducting all work in conformance with) any permit, license or other approvals required to remove and dispose of the nets. Trustees will identify all permits, licenses or other approvals necessary to remove and dispose of the nets and assist contractor in acquiring such permits/licenses/approvals to the maximum extent practicable. The contractor will be required to prepare a Waste Disposal Plan and ensure compliance with all applicable regulations pertaining to net disposal. The Trustees must agree in writing to the Waste Disposal Plan prior to commencement of work. No work shall commence until all required permits, licenses or other approvals have been obtained.
2. Standards for Net Removal
  - a. Within the agreed upon Level of Effort, the trustees will retain the discretion to redirect the contractor to focus net removal efforts to a particular location within the Work Area described above; to a particular or different habitat type; or to focus on certain sizes or types of nets. The trustees shall identify in writing in advance the person authorized to provide such work direction(s).
  - b. To the fullest extent possible, net removal efforts will be conducted in a manner to minimize injury to corals and other living marine organisms.
  - c. For partially encrusted and anchored nets, those sections, which are not anchored and incorporated as part of the substrate, will be cut free and removed.
  - d. Completely encrusted nets that have become anchored and incorporated, as part of the substrate will not be removed.
  - e. For nets that are not encrusted and anchored but are entangled in or attached to corals or other living marine organisms, removal efforts will minimize additional injury to corals and other living marine organisms to the fullest possible extent. The trustee on-scene representatives will direct and monitor such activities.

- f. Pieces of live coral caught in nets being removed will be returned to the water in the general vicinity of the removed net as soon as practicable, and to the extent practical.
  - g. In the event that a net is not entirely visible due to being buried or wedged beneath an immovable object, the net will be cut at an accessible point and the remaining net will be left in place.
3. The Trustee representative is to provide direction to the contractor in the following areas: a) designating the geographic area within the Work Area where work will occur; b) designating the nets to be removed; and c) providing directions or suggestions on removing nets to minimize injury to corals or other living marine organisms. In addition, the Trustee representative will make any decision as to whether the Level of Effort for Offshore Work should be terminated in favor of applying unused Offshore Work hours to Shore Team activities in the event bad weather or sea conditions prevents Offshore Work during the Operating Period. The contractor(s) will make any decisions regarding health or safety issues to the extent that those issues affect the contractor's personnel and activities.
4. Tesoro will pay (or reimburse) the trustee agencies' reasonable costs incurred as part of the planning and implementation of the net removal project, including the per diem and expenses to the extent allowed by applicable law.

**D. Phase 3 – Reporting**

Within 45 days of the completion of the above work, the Project Manager will provide a draft report that will include: a project description; documentation associated with the community outreach program; health and safety plans; a waste disposal plan; a description of the results of the aerial and dive surveys; the daily operations plans; and disposal documentation. The report will also include a lessons learned section regarding the project.