Florida Marine Debris Emergency Response Guide: Comprehensive Guidance Document

NOAA Marine Debris Program
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List of Acronyms

ACP	Area Contingency Plan
ADV	Abandoned and Derelict Vessel
APHIS	Animal, Plant and Health Inspection Service
BMP	Best Management Practice
BSEE	Bureau of Safety and Environmental Enforcement
CBRA	Coastal Barrier Resources Act
CBRN	Chemical, Biological, Radiological and Nuclear-Contaminated Debris
CBRS	John H. Chafee Coastal Barrier Resources System
C&D	Construction and Demolition Debris
CEMP	Comprehensive Emergency Management Plan
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)
DEP	Florida Department of Environmental Protection
DRAT	District Response Advisory Team (of USCG)
EFH	Essential Fish Habitat
EOC	Emergency Operations Center
EPA	U.S. Environmental Protection Agency
ERP	Environmental Resource Program (of DEP)
ESA	Endangered Species Act
ESF	Emergency Support Function
ESI	Environmental Sensitivity Index Map
ESO	Ecological Services Office (of USFWS)
EWP	Emergency Watershed Protection
FCMP	Florida Coastal Management Program (of DEP)
FDACS	Florida Department of Agriculture and Consumer Services
FDEM	Florida Division of Emergency Management
FEMA	Federal Emergency Management Agency
FIND	Florida Inland Navigation District
FKNMS	Florida Keys National Marine Sanctuary
FKNMSPA	Florida Keys National Marine Sanctuary and Protection Act
FLSART	Florida State Agricultural Response Team
FOSC	Federal On-Scene Coordinator
FWC	Florida Fish and Wildlife Conservation Commission
FWRI	Fish and Wildlife Research Institute (of FWC)
GATOR	Geospatial Assessment Tool for Operations and Response (of FDEM)
GIS	Geographic Information Systems
GRP	Geographic Response Plan
HHM	Household Hazardous Material
HHW	Household Hazardous Waste
IC	Incident Commander
LIDAR	Light Detection and Ranging
LMS	Local Mitigation Strategy
NASA	National Aeronautics and Space Administration
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NEPA	National Environmental Policy Act
NERR	National Estuarine Research Reserve
NMFS	NOAA's National Marine Fisheries Service (also known as NOAA Fisheries)

NMSA	National Marine Sanctuaries Act
NOAA	National Oceanic and Atmospheric Administration
NOS	National Ocean Service (of NOAA)
NPS	National Park Service
NRC	National Response Center
NRCS	Natural Resources Conservation Service
NRT	Navigation Response Team (of NOAA)
NWR	National Wildlife Refuge
OCS	Outer Continental Shelf
OER	Office of Emergency Response (of DEP)
ORR	Office of Response and Restoration (of NOAA)
RCRA	Resource Conservation and Recovery Act
ROV	Remotely Operated Vehicle
RP	Responsible Party
SERT	State Emergency Response Team
SHPO	State Historic Preservation Office
SLERC	Submerged Lands and Environmental Resources Coordination (of DEP)
SMAA	Statewide Mutual Aid Agreement
SOSC	State On-Scene Coordinator
SSC	Scientific Support Coordinator
SUPSALV	U.S. Navy Supervisor of Salvage and Diving
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard
USFWS	U.S. Fish and Wildlife Service
WCIND	West Coast Inland Navigation District
WMD	Water Management District
WRT	Waterborne Response Team

Definitions

Abandoned property – All tangible personal property that does not have an identifiable owner and that has been disposed on public property in a wrecked, inoperative, or partially dismantled condition or has no apparent intrinsic value to the rightful owner. The term includes derelict vessels as defined in s. 823.11(1) (Fla. Stat. § 705.101(3)).

Acute waterway debris incident – An incident that results in the release of large amounts of waterway debris. For example, this may include natural incidents such as severe storms, or anthropogenic incidents such as maritime disasters.

Aquatic Preserve – Any and all of those areas which are exceptional areas of sovereignty lands and the associated water body so designated in Part II of Chapter 258, F.S., including all sovereignty lands, title to which is vested in the Board, and such other lands as the Board may acquire or approve for inclusion by the Legislature. These areas also include the water column over such lands, which have been set aside to be maintained in an essentially natural or existing condition of indigenous flora and fauna and their supporting habitat and the natural scenic qualities and amenities thereof (Fla. Admin. Code R. 18-20.003(43)).

Area Contingency Plan (ACP) – Reference document prepared by an Area Committee for the use of all agencies engaged in responding to environmental emergencies in a defined geographic area. The purpose of the ACP is to define the roles, responsibilities, resources and procedures necessary to address oil and hazardous substance incidents. An ACP also encompasses the processes for development and management of Geographic Response Plans. For Florida, there are five ACPs based on U.S. Coast Guard Sector and include Sector Mobile ACP, West Central Florida ACP (Sector St. Petersburg), Florida Keys Area Contingency Plan (Sector Key West), Southeast Florida ACP (Sector Miami) and Northeast and Eastern Central Florida ACP (Sector Jacksonville). (U.S. Coast Guard [USCG], 2012a; U.S. Coast Guard [USCG], 2012b; U.S. Coast Guard [USCG], 2013; U.S. Coast Guard [USCG], 2014; U.S. Coast Guard [USCG], 2015).

At-Risk Vessel – A vessel that has been observed with indicators leading a law enforcement officer to believe it may become a derelict vessel in the near future. "At-Risk" vessels are entered and tracked in a database by law enforcement officers (Florida Fish and Wildlife Conservation Commission [FWC], 2016a).

Biological waste (state definition) – Solid waste that causes or has the capability of causing disease or infection and includes biomedical waste, animals that died from disease, and other wastes capable of transmitting pathogens to humans or animals (Fla. Admin. Code R. 62-701.200(9)).

Channel – A trench, the bottom of which is normally covered entirely by water, with the upper edges of its sides normally below water (Fla. Admin. Code R. 18-21.003(14)).

Chemical, Biological, Radiological and Nuclear-Contaminated Debris (CBRN) – Debris contaminated by chemical, biological, radiological, or nuclear materials (Federal Emergency Management Agency [FEMA], 2016).

Coastal zone (ACP coastal zone) – U.S. Coast Guard area of responsibility for response under the National Contingency Plan, with geographic boundaries defined in the U.S. Coast Guard Sector Area Contingency Plans (ACP) (USCG, 2012a; USCG, 2012b; USCG, 2013; USCG, 2014; USCG, 2015).

Coastal zone (under Florida Coastal Management Program) – Florida's coastal zone includes the entire state. However, local governments eligible to receive coastal management funds are limited to those Gulf and Atlantic coastal cities and counties which include or are contiguous to state water bodies where marine species of vegetation constitute the dominant plant community (National Oceanic and Atmospheric Administration [NOAA], 2012).

Construction and Demolition debris (C&D) (FEMA definition) – Components of buildings and structures, such as lumber and wood, gypsum wallboard, glass, metal, roofing material, tile, carpeting and other floor coverings, window coverings, pipe, concrete, asphalt, equipment, furnishings, and fixtures (FEMA, 2016).

Construction and Demolition debris (C&D) (state definition) – Discarded materials generally considered to be not water soluble and non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure. The term includes rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land development operations for a construction project; clean cardboard, paper, plastic, wood, and metal scraps from a construction project; except as provided in Section 403.707(9)(j), F.S., yard trash and unpainted, non-treated wood scraps from sources other than construction or demolition projects; scrap from manufacturing facilities that is the type of material generally used in construction projects and that would meet the definition of construction and demolition debris if it were generated as part of a construction or demolition project (Fla. Admin. Code R. 62-701.200(24)).

Derelict Vessel – A vessel that is left, stored, or abandoned:

1. In a wrecked, junked, or substantially dismantled condition upon any public waters of this state.
2. At a port in this state without the consent of the agency having jurisdiction thereof.
3. Docked, grounded, or beached upon the property of another without the consent of the owner of the property (Fla. Stat. § 823.11(1)(b)).

Electronic waste (e-waste) – Electronics that contain hazardous materials, such as computer monitors, televisions, cell phones, and batteries (FEMA, 2016).

Eligible applicant (FEMA definition) – Entities who may receive Public Assistance reimbursement funding from the Federal Emergency Management Agency under the Stafford Act. Eligible applicants include state and territorial governments, Indian Tribal Governments, local governments, local governments and private nonprofit organizations that serve a public function and have the legal responsibility to remove the debris (FEMA, 2016).

Eligible debris – Debris that is a direct result of a major disaster declared by the President, in the designated disaster area and whose removal is necessary to eliminate the immediate threat to life, public health and safety, or improved property (FEMA, 2016). The Florida Department of Environmental Protection's Office of General Council issues incident-specific Emergency Final Orders which may include additional information regarding eligible debris for individual events.

Emergency (FEMA definition) – Any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States (42 U.S.C. § 5122(1)).

Emergency (NOAA Fisheries definition) – A situation involving an act of God, disasters, casualties, national defense or security emergencies, etc., and includes response activities that must be taken to prevent imminent loss of human life or property (National Oceanic and Atmospheric Administration [NOAA], n.d.-a).

Emergency (USACE definition) – A situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures (33 C.F.R. § 325.2(e)(4)).

Emergency Support Function (ESF) – Mechanism for grouping functions most frequently used to provide federal support to states and federal-to-federal support, both for declared disasters and emergencies under the Stafford Act and for non-Stafford Act incidents. The state of Florida also uses a functional approach that groups types of assistance into state ESFs and assigns corresponding state agencies to each ESF in the State of Florida Comprehensive Emergency Management Plan as prepared by the Florida Division of Emergency Management (Florida Division of Emergency Management [FDEM], 2014b; Federal Emergency Management Agency [FEMA], 2008).

Environmental Sensitivity Index (ESI) Map – Maps produced by the National Oceanic and Atmospheric Administration that are a compilation of information about coastal shoreline sensitivity, biological resources, and human use resources. This information is used in planning to create cleanup strategies before an accident occurs so that authorities are prepared to take action in the event of such a spill (USCG, 2013).

Federally maintained waterways and channels – A waterway that has been authorized by Congress, and which U.S. Army Corps of Engineers operates and maintains for general (including commercial and recreational) navigation (Federal Emergency Management Agency [FEMA], 2012).

Garbage – All kitchen and table food waste, and animal or vegetative waste that is attendant with or results from the storage, preparation, cooking, or handling of food materials (Fla. Admin. Code R. 62-701.200(34)).

Geographic Response Plan (GRP) – Geographic maps which are part of the Area Contingency Plans for oil spills to water. They include response strategies tailored to a specific beach, shore, or waterway and are designed to minimize impacts on sensitive resources threatened by a spill (USCG, 2013).

Hazard to navigation (USCG definition) – An obstruction, usually sunken, that presents sufficient danger to navigation so as to require expeditious, affirmative action such as marking, removal, or re-definition of a designated waterway to provide for navigational safety (33 C.F.R. § 64.06).

Hazardous substance – (A) any substance designated pursuant to section 311(b)(2)(A) of the Federal Water Pollution Control Act, (B) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of this title, (C) any hazardous waste having the characteristics

identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by Act of Congress), (D) any toxic pollutant listed under section 307(a) of the Federal Water Pollution Control Act, (E) any hazardous air pollutant listed under section 112 of the Clean Air Act, and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas) (42 U.S.C. § 9601(14)).

Hazardous waste – Regulated under the Resource Conservation and Recovery Act (RCRA) and contains properties that make it potentially harmful to human health or the environment. A RCRA hazardous waste is a waste that appears on one of the four hazardous waste lists in Title 40 of the Code of Federal Regulations Part 261 or exhibits at least one of the following four characteristics: ignitability, corrosivity, reactivity, or toxicity (FEMA, 2016).

Household Hazardous Waste/Material (HHW/HHM) – Hazardous products and materials that are used and disposed of by residential consumers, including some paints, stains, varnishes, solvents, pesticides, and other products or materials containing volatile chemicals that catch fire, react, or explode under certain circumstances, or that are corrosive or toxic (FEMA, 2016).

Improved property (FEMA definition) – Any structure, facility, or equipment that was built, constructed, or manufactured. Examples include buildings, levees, roads, and vehicles. Land used for agricultural purposes is not improved property, nor are vacant lots, forests, heavily wooded areas and unused areas (44 C.F.R. § 206.221(d)).

Incident waterway debris – See definition for Waterway debris.

Infectious waste (FEMA definition) – Waste capable of causing infections in humans and can include contaminated animal waste, human blood, blood products, medical waste, pathological waste, and discarded sharp objects (needles, scalpels, or broken medical instruments) (FEMA, 2016).

Inland zone (ACP inland zone) – U.S. Environmental Protection Agency area of responsibility for response under the National Contingency Plan, with geographic boundaries defined in the U.S. Coast Guard Sector Area Contingency Plans (ACP) (USCG, 2012a; USCG, 2012b; USCG, 2013; USCG, 2014; USCG, 2015).

Major disaster (FEMA definition) – Any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of states, local governments and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby (42 U.S.C. § 5122(2)).

Marine debris (NOAA definition) – Any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment or Great Lakes (33 U.S.C. § 1956(3)).

Mean high water – The average height of the high tides over a 19-year period. For shorter periods of observation, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean 19-year value (Fla. Admin. Code R. 18-21.003(37)).

Mean high water line – The intersection of the local elevation of mean high water with the shore. Mean high water line along the shore of land immediately bordering on navigable waters is recognized and declared to be the boundary between the foreshore owned by the state of Florida in its sovereign capacity and the uplands subject to private ownership. However, no provision of this rule shall be deemed to impair the title to privately owned submerged lands validly alienated by the state of Florida or its legal predecessors (Fla. Admin. Code R. 18-21.003(38)).

National Contingency Plan (NCP) – Federal regulation (National Oil and Hazardous Substances Pollution Contingency Plan) that defines the authorities and responsibilities of designated federal agencies for responding to releases of oil, pollutants, and hazardous substances (U.S. Environmental Protection Agency [EPA], 2016).

Natural waterway (FEMA definition) – A waterway that is not improved or maintained (FEMA, 2016).

Navigable (state definition) – A water that is sufficiently deep or wide to provide passage for vessels (Florida Department of Environmental Protection [DEP], n.d.).

Navigable waterways (federal definition) – Navigable waterways include both those waterways which are federally maintained and those waterways which are not federally maintained. U.S. Army Corps of Engineers defines navigable waters of the United States as those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. A determination of navigability, once made, applies laterally over the entire surface of the waterbody, and is not extinguished by later actions or events which impede or destroy navigable capacity (33 C.F.R. § 329.4, 33 C.F.R. § 2.36). Because the Federal Emergency Management Agency only funds waterway debris removal when another federal agency does not have authority to fund the activity, their definition for navigable waterways (non-federally maintained) includes public waterways that are currently used for commercial and recreational navigation traffic and are not federally maintained or under the authority of a federal agency (FEMA, 2012).

Oil – Oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil (33 U.S.C. § 1321(a)(1)).

Ordinary high water line – The boundary between state-owned submerged lands and the adjacent uplands along non-tidal waterbodies (DEP, n.d.).

Outer Continental Shelf (OCS) – The submerged lands, subsoil, and seabed, lying between the seaward extent of the States' jurisdiction and the seaward extent of federal jurisdiction. The OCS is subject to the jurisdiction and control of the federal government (Bureau of Ocean Energy Management, n.d.).

Pollutant or contaminant – Includes, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring; except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of paragraph (14) and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas) (42 U.S.C. § 9601(33)).

Private channel – A channel that is dredged or maintained by private entities to provide access to or from such locations as private residences, marinas, yacht clubs, vessel repair facilities, or revenue-generating facilities (Fla. Admin. Code R. 18-21.003(46)).

Public channel – A channel that is constructed or maintained by a public entity such as a federal or state agency, local government, or inland navigation district listed in Chapter 374, F.S., or that is part of a public navigation project, public water management project, or a deepwater port listed in Section 403.021(9)(b), F.S. (Fla. Admin. Code R. 18-21.003(50)).

Public property – Lands and improvements owned by the Federal Government, the state, the county or a municipality and includes sovereignty submerged lands located adjacent to the county or municipality, buildings, grounds, parks, playgrounds, streets, sidewalks, parkways, rights-of-way, and other similar property (Fla. Stat. § 705.101(5)).

Public waters – See definition for State waters.

Putrescent debris (FEMA definition) – Debris that will decompose or rot, such as animal carcasses and other fleshy organic matter (FEMA, 2016).

Putrescible waste (state definition) – Solid waste that contains organic matter capable of being decomposed by microorganisms and of such a character and proportion as to be capable of attracting or providing food for birds. The term does not include uncontaminated yard trash or clean wood (Fla. Admin. Code R. 62-701.200(91)).

Range – A permanent or temporary area or volume of land, sea, or airspace within or over which orbital, suborbital, or atmospheric vehicles are tested or flown (National Aeronautics and Space Administration [NASA], 2010).

Recoverable waterway debris – Generally any documented vessel, vehicle, recreational vehicle or shipping container traceable to an owner (U.S. Army Corps of Engineers [USACE], 2010).

Riparian rights – Those rights incident to lands bordering upon navigable waters, as recognized by the courts and common law (Fla. Admin. Code R. 18-21.003(58)).

Severe marine debris event (NOAA definition) – An atypically large amount of marine debris caused by a natural disaster, including a tsunami, flood, landslide, or hurricane, or other source (33 U.S.C. § 1956(6)).

Shoreline – The mean or ordinary high water line (Fla. Admin. Code R. 18-20.003(62)).

Soil, Mud, and Sand – Soil, mud, and sand deposited and interfering with navigation in waterways.

Stafford Act – The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, provides the authorities and funding for federal support to state and local entities in responding to Presidential major disaster and emergency declarations (U.S. Department of Homeland Security [DHS], 2013).

Sovereignty lands – See definition for Sovereignty submerged lands.

Sovereignty submerged lands (Sovereignty lands, State-owned submerged lands) – Those lands including but not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated. For purposes of this chapter sovereignty submerged lands shall include all submerged lands title to which is held by the Board (Fla. Admin. Code R. 18-21.003(61)).

State-owned submerged lands – See definition for Sovereignty submerged lands.

State Seaward Boundary – Florida's seaward boundary in the Gulf of Mexico is 3 marine leagues (9 nautical miles) and is 3 geographic miles (3 nautical miles) into the Atlantic Ocean or to the edge of the Gulf Stream, whichever is the greater distance (F.L. Const. art. II, § 1, pt. (a); Florida Department of Environmental Protection [DEP], 2015e).

State waters (Public waters, Waters of this state) – Any navigable waters of the United States within the territorial limits of this state, the marginal sea adjacent to this state and the high seas when navigated as a part of a journey or ride to or from the shore of this state, and all the inland lakes, rivers, and canals under the jurisdiction of this state (Fla. Stat. § 327.02(44)).

Tidally influence waters (Tidal waters) – Areas subject to the ebb and flow of the tide.

Unclaimed vessel – An undocumented vessel, including its machinery, rigging, and accessories, which is in the physical possession of a marina, garage, or repair shop for repairs, improvements, or other work with the knowledge of the vessel owner and for which the costs of such services have been unpaid for more than 90 days after the date written notice of the completed work is given by the marina, garage, or repair shop to the vessel owner (Fla. Stat. § 327.02(42)).

Vegetative debris – Whole trees, stumps, trunks, branches, limbs, and other leafy material (FEMA, 2016).

Vehicles and Vessels (FEMA definition) – Vehicles and vessels damaged, destroyed, displaced, or lost as a result of a disaster. These vehicles and vessels may eventually be abandoned because of the damage incurred or because the original owners have relocated. Vehicles and vessels may be classified as debris if they block public access and critical facilities (FEMA, 2016).

Vessel – Synonymous with boat as referenced in s. 1(b), Art. VII of the State Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water (Fla. Stat. § 327.02(43)).

Waters of this state – See definition for State waters.

Waterway debris (Incident waterway debris) – Any solid material, including but not limited to vegetative debris and debris exposed to or that has the potential to release oil, hazardous substances, pollutants or contaminants, that enters a waterway following an acute incident and poses a threat to the natural or man-made environment. This may include shoreline and wetland debris and debris in some inland, non-tidal waterways.

White goods (FEMA definition) – Discarded household appliances such as refrigerators, freezers, air conditioners, heat pumps, ovens, ranges, washing machines, dryers, and water heaters. May contain refrigerants, mercury, or compressor oils that must be removed before disposal (FEMA, 2016).

White goods (state definition) – Inoperative and discarded refrigerators, ranges, washers, water heaters, freezers, and other similar domestic and commercial large appliances (Fla. Admin. Code R. 62-701.200(133)).

1. Introduction

1.1 Purpose

The purpose of this document is to improve preparedness for response and recovery operations following an acute waterway debris incident on the Gulf or Atlantic coast of Florida. The term acute waterway debris incident is used to generally describe an incident – either natural or anthropogenic – that results in the release of large amounts of waterway debris. This document outlines existing response structures at the local, state, and federal levels to facilitate a coordinated, well-managed, and immediate response to waterway debris incidents impacting the state of Florida.

Individual organization roles and responsibilities are presented in text form as well as in a consolidated one-page flowchart which functions as a decision tree for waterway debris response. The document also includes an overview of permitting and compliance requirements that must be met before waterway debris removal work begins. This information is also synthesized in a one-page reference handout.

Because all incidents are different, in reality some aspects of waterway debris response are subjective and not solely dependent on prevailing roles and authorities. This is especially true following a major, catastrophic or unprecedented incident. This document seeks to capture the most likely response structure and actions with the understanding that flexibility is an inherent component of an effective response.

The *Florida Marine Debris Emergency Response Guide: Comprehensive Guidance Document* (*Guide*) serves as a complete reference for Florida incident waterway debris response. The accompanying *Field Reference Guide* only includes the most pertinent information for quick reference in the field and during emergency response operations.

1.2 Scope of *Guide*

The *Guide* addresses potential acute waterway debris incidents affecting Florida's coastline. For purposes of this document, the term waterway debris (or incident waterway debris) is used in lieu of the term marine debris. In 33 U.S.C. § 1956(3), marine debris is defined as any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment or Great Lakes. Although vegetative debris is not included in the legal definition for marine debris, Florida stakeholders have identified it as a common debris stream of concern following disasters in the state. To account for both marine debris and vegetative debris in this document, the term waterway debris is used and includes any solid material, including but not limited to vegetative debris and debris exposed to or that has the potential to release oil, hazardous substances, pollutants or contaminants, that enters a waterway following an acute incident and poses a threat to the natural or man-made environment. This may include shoreline and wetland debris and debris in some inland, non-tidal waterways. This *Guide* specifically addresses waterway debris resulting from acute episodic incidents, such as disaster debris, and may not apply to chronic waterway debris issues.

1.3 *Guide* Maintenance

This *Guide* is a living document and is subject to change as additional information becomes available and updates are needed. The *Guide* will be maintained by the National Oceanic and Atmospheric Administration's (NOAA) Marine Debris Division in coordination with federal, state and local stakeholders. Contact information will be verified annually, and the *Guide* will undergo a formal review every three years. The *Comprehensive Guidance Document* and subsequent versions will be posted on NOAA's Marine Debris Division website at https://marinedebris.noaa.gov/ (National Oceanic and Atmospheric Administration [NOAA], 2016a).

2. Incident Waterway Debris in Florida

2.1 Foreseeable Waterway Debris Incidents in Florida

Because of its unique location bordering both the Gulf of Mexico and Atlantic Ocean, Florida is particularly vulnerable to hazards that could result in an acute waterway debris incident. Thirty-five of the state's 67 counties border either the Atlantic or Gulf of Mexico and are home to 75 percent of the state's population (FDEM, 2013). Florida has 1,350 miles of general coastline and 8,436 miles of tidal inlets, bays and waterways (Florida Division of Emergency Management [FDEM], 2013). These coastal areas and waterways are home to ecologically-sensitive natural areas including coral reefs, seagrass meadows and mangrove forests and are also vital to the state's economy. In 2014, Florida's 15 public seaports moved more than 3.3 million containers and accommodated nearly 15.6 million cruise ship passengers (Florida Ports Council, 2015).

Coastal counties and low-lying areas are especially vulnerable to the impacts of severe weather and associated waterway debris. Forty percent of all hurricanes that strike the U.S. make landfall in Florida, and the state has the highest number of thunderstorm occurrences in the nation (Florida Division of Emergency Management [FDEM], 2012). Table 1 includes an overview of the frequency of occurrence for natural and anthropogenic hazards that could result in a release of waterway debris in Florida. Frequency of occurrence is based on historical observation and is a measure of how often the type or level of hazard will occur (FDEM, 2013). The most common natural hazards are flooding, tropical cyclones, severe weather and tornadoes. Although maritime disasters are not considered in FDEM (2013), they are also a type of anthropogenic hazard that could result in a release of waterway debris. Detailed hazard risk analyses and impacts at the local level can be found in the *State of Florida Enhanced Hazard Mitigation Plan* and in county local mitigation strategies (FDEM, 2013). A corresponding risk description for select hazards is included in Appendix 8.1.

Table 1. Frequency of occurrence of natural and anthropogenic hazards that could result in a release of waterway debris in Florida (FDEM, 2013).

		Frequency of Occurrence			
		Annually	Every 5 years or less	Every 30 years or less	Greater than 30 years
Hazard	Flooding	X			
	Hazardous Materials	X			
	Severe Weather and Tornadoes	X			
	Tropical Cyclones	X			
	Winter Storms/Freezes		X		
	Seismic Events			X	
	Terrorism			X	
	Tsunami			X	
	Nuclear Power Plant				X

2.2 Prominent Debris Types

Some agency authorities are dependent on both the location and type of debris. Therefore, response to debris in Florida waterways may vary depending on the debris type to be removed. Primary debris types generated after a disaster as defined by the Federal Emergency Management Agency (FEMA, 2016) include the following:

- Chemical, Biological, Radiological, and Nuclear-Contaminated (CBRN)
- Construction and Demolition (C&D)
- Electronic waste (e-waste)
- Hazardous Waste
- Household Hazardous Waste/Material (HHW/HHM)
- Infectious Waste
- Putrescent Debris
- Soil, Mud, and Sand
- Vegetative Debris
- Vehicles and Vessels
- White Goods

A description of each debris type is included in the Definitions section of this document. While it is difficult to predict the exact mix of waterway debris that will be generated after a disaster, different types of hazard incidents generally result in different debris types. Table 2 includes an overview of typical debris streams for several natural hazards. Although Table 2 only covers natural hazards, man-made hazards such as an accident during waterway commerce are also concerns. Anthropogenic hazards are highly variable in both quantity and type of waterway debris released.

Table 2. Typical debris streams for different types of hazard incidents. Data adapted from Federal Emergency Management Agency [FEMA], 2007.

		Typical Debris Streams								
		Vegetative	Construction and Demolition (C&D)	Hazardous Waste	Household Hazardous Waste (HHW)	White Goods	Soil, Mud, and Sand	Vehicles and Vessels	Putrescent	Personal Property, Household Items
Natural Hazards	Floods	X	X	X	X	X	X	X	X	X
	Hurricanes/Tropical Storms	X	X	X	X	X	X	X	X	X
	Tornadoes/Wind Storms	X	X	X	X	X		X	X	X
	Winter/Ice Storms	X			X					
	Earthquakes		X	X	X	X	X			X
	Tsunamis	X	X	X	X	X	X	X	X	X

The type and quantity of waterway debris generated after a disaster is highly dependent on land use and existing infrastructure along Florida waterways. For example, protected undeveloped areas near Everglades National Park are likely to generate vegetative debris, while developed beachfront properties in Miami Beach are likely to generate C&D debris. A land cover map for Florida is depicted in Figure 1 and illustrates the distribution of land use types in the state, including developed lands. Increased development in the floodplain will increase the likelihood of waterway debris following a natural hazard event. Figure 2 depicts the relative marine debris risk

(for storm-generated anthropogenic debris) for Florida's west coast based upon assumed storm wind speed and surge, the distribution of on-shore infrastructure likely to generate debris and the historical likelihood of tropical storm exposure (National Oceanic and Atmospheric Administration [NOAA], 2013). This NOAA study shows a direct correlation between developed lands and relative marine debris risk. Although the study did not include Florida's Atlantic coast, one can infer that areas with increased development have an increased risk of storm-generated marine debris.

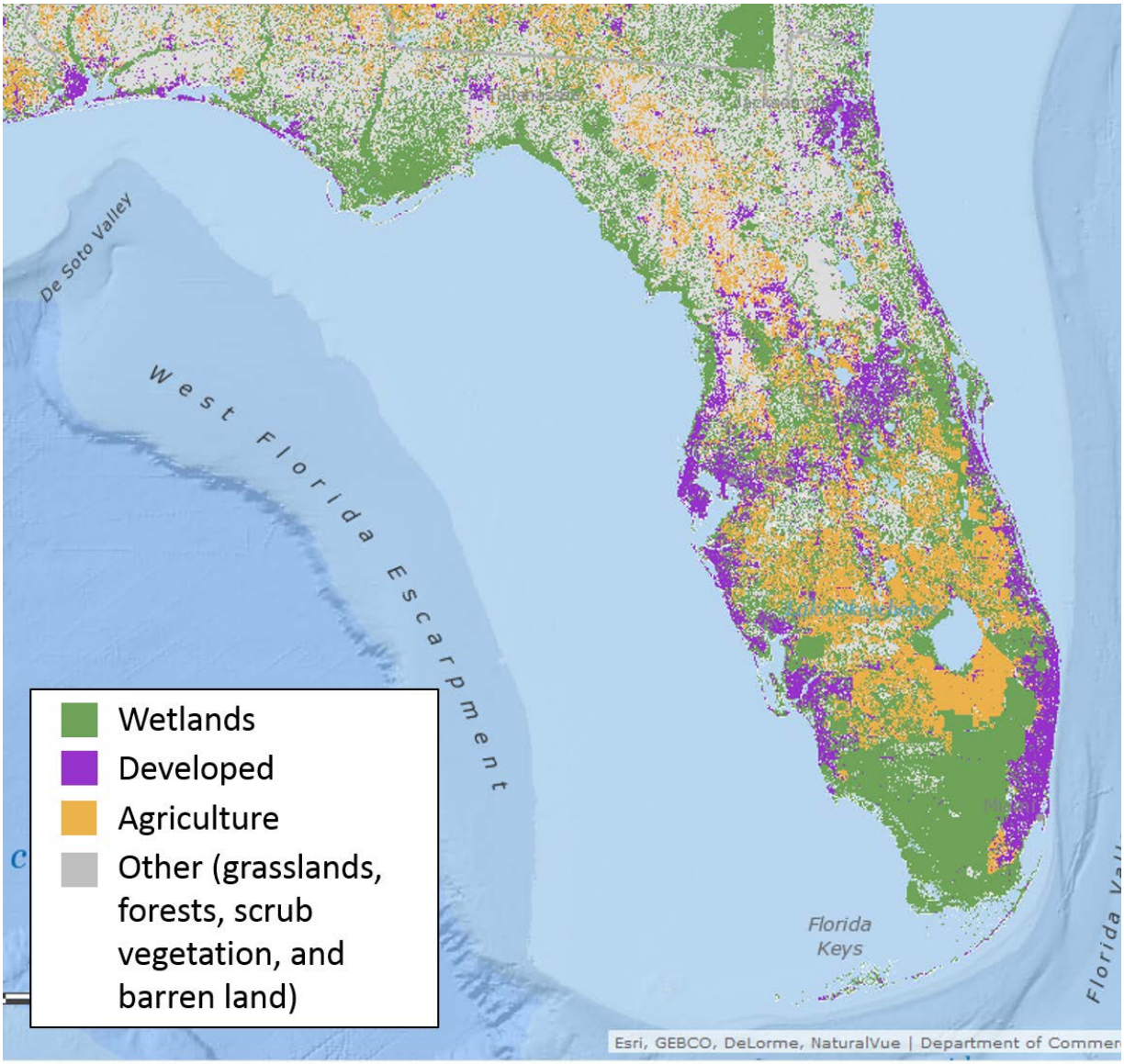


Figure 1. Land cover map for the state of Florida (National Oceanic and Atmospheric Administration [NOAA], 2016c).

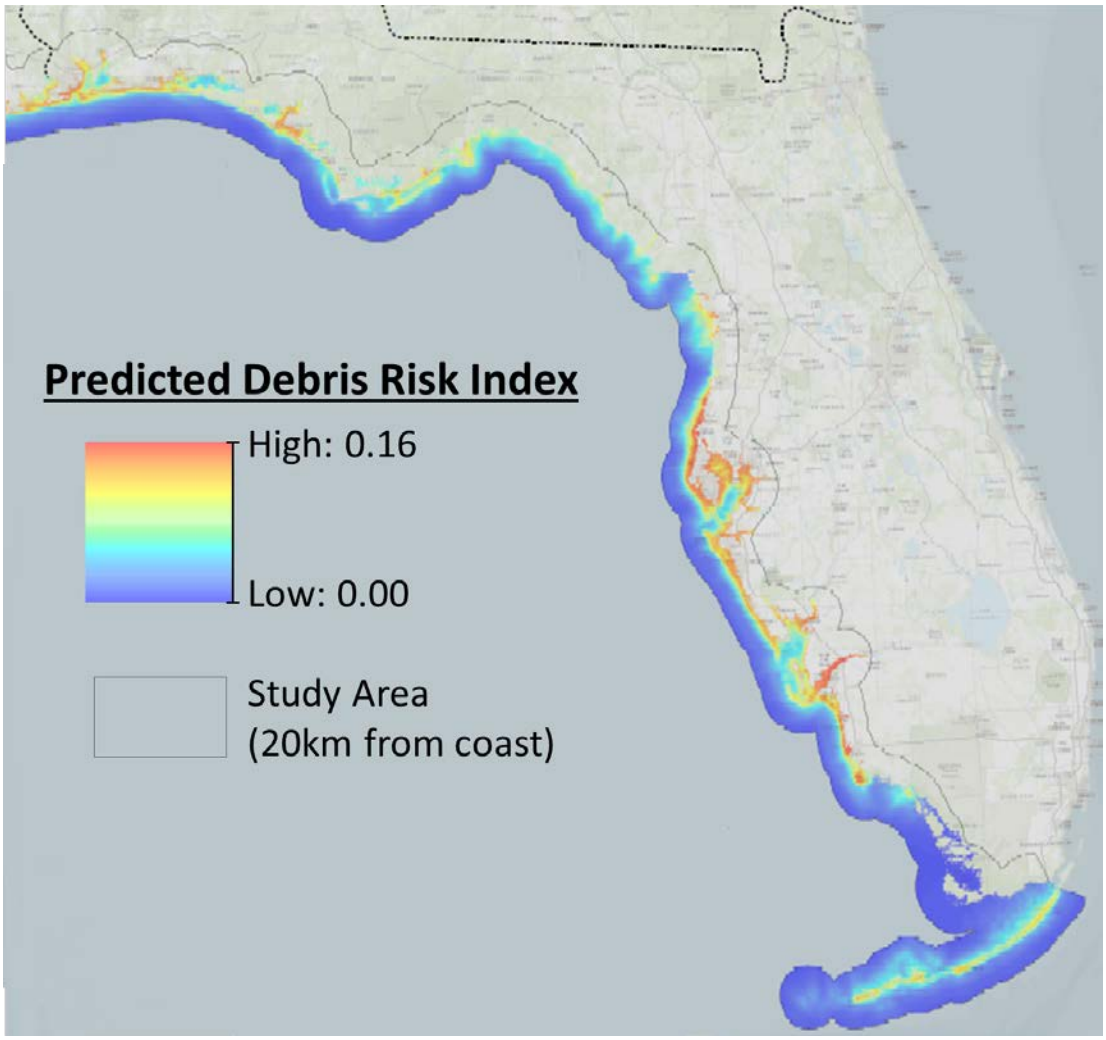


Figure 2. Relative marine debris risk for storm-generated anthropogenic waterway debris on the west coast of Florida (NOAA, 2013).

3. Florida Incident Waterway Debris Response Flowchart

The "Florida Incident Waterway Debris Response Flowchart" included in this section provides a visual one-page representation of agency roles and responsibilities. The flowchart functions as a decision tree for waterway debris response with color-coded endpoints. Yellow endpoints represent response to waterway debris that is exposed to or has the potential to release oil, hazardous substances, pollutants or contaminants. Blue endpoints represent response to waterway debris that is not exposed to and does not have the potential to release oil, hazardous substances, pollutants or contaminants. Endpoints within the green shaded area indicate that response may occur under Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) authorities and/or funding.

For detailed information regarding individual organization roles, responsibilities and authorities, see Section 4.

Florida Incident Waterway Debris Response Flowchart

START →

Is waterway debris in a USACE federally maintained waterway or channel, or immediately adjacent thereto?

- **Yes** → Is waterway debris exposed to or does it have the potential to release oil or hazardous substances?
  - **Yes** → **Debris in federally maintained waterway (pollution threat)**
    - Report to NRC 1-800-424-8802
    - Removal authorized under NCP.

    USCG oversees response by RP. If vessel with no RP, USCG removes pollution threat (battery, oil) and USACE removes vessel.
  - **No** → **Debris in federally maintained waterway**

    USACE removes waterway debris, or oversees removal by RP
- **No** → Is waterway debris on private property?
  - **Yes** → **Debris on private property**

    Refer to homeowner insurance policy and check for EWP eligibility at bottom right of page. *After a Stafford Act declaration, FEMA typically does not provide funding unless removal is necessary to mitigate a health and safety hazard and is in the public interest.*
  - **No** → Is waterway debris in federal waters (beyond 3 n. mi. on east coast or 9 n.mi. on west coast) or on federal lands?
    - **Yes** → Is debris exposed to or does it have the potential to release oil or hazardous substances?
      - **No** → **Debris in federal waters or on federal lands**
        - Federal lands: Federal lands on Florida's coast are owned by NPS, USFWS, U.S. Navy and U.S. Air Force who are responsible for debris removal on their lands.
        - Federal waters: No federal agency actively removes waterway debris in federal waters unless it is a pollution threat or in a USACE federally maintained waterway or channel
      - **Yes** → **Pollution threat, no Stafford Act declaration**
        - Report to State Watch Office 1-800-320-0519 and NRC 1-800-424-8802
        - Response managed at lowest jurisdictional level capable of handling the removal: Local → State → Federal
        - If State-led response, DEP OER leads response, FWC provides scientific support
        - If Federal assistance required, USCG or EPA oversees response by RP. Generally, response led by USCG in ACP Coastal Zone and by EPA in ACP Inland Zone.
        - Unlike response under Stafford Act declaration, under NCP USCG/EPA may respond without a request from local, state or tribal governments
    - **No** → Is waterway debris a direct result of a major disaster declared by the President?
      - **Yes** → Is debris located in non-tidal waters and does removal meet all NRCS EWP eligibility criteria? *See criteria at bottom right of page.*
        - **No** → Is waterway debris located in the designated disaster area?
          - **Yes** → **Eligibility Determination by FEMA:** Made on case-by-case discretionary basis in coordination with eligible applicant, state and other federal agencies. Is removal necessary to eliminate the immediate threat to life, public health and safety, or improved property?

            If an applicant has legal responsibility for maintenance of a navigable waterway, removal and disposal of debris that obstructs the passage of vessels is eligible to a maximum depth of 2 feet below the low-tide draft of the largest vessel that utilized the waterway prior to the incident. Any debris below this zone is not eligible unless it is necessary in order to remove debris extending upward into an eligible zone. (See FEMA Public Assistance Program and Policy Guide FP 104-009-2)
            - **Yes** → Stafford Act Declaration
            - **No** → Pollution threat, no Stafford Act declaration
          - **No** → Pollution threat, no Stafford Act declaration
        - **Yes** → **Debris eligible for NRCS EWP funding**

          NRCS funds removal by eligible sponsor under EWP program. Cost share is typically 75% NRCS, 25% sponsor.
      - **No** → Is debris a direct result of an NRCS State Conservationist declared disaster, located in non-tidal waters, and does removal meet all NRCS EWP eligibility criteria? *See criteria at bottom right of page.*
        - **Yes** → **Debris eligible for NRCS EWP funding**
        - **No** → Pollution threat, no Stafford Act declaration

Acronyms

- ACP – Area Contingency Plan
- ADV – Abandoned and Derelict Vessel
- DEP – FL Department of Environmental Protection
- EPA – U.S. Environmental Protection Agency
- ESF – Emergency Support Function
- EWP – Emergency Watershed Protection Program
- FCMP – DEP's FL Coastal Management Program
- FDEM – FL Division of Emergency Management
- FEMA – Federal Emergency Management Agency
- FWC – FL Fish and Wildlife Conservation Commission
- IC – Incident Commander
- NCP – National Oil & Hazardous Substance Contingency Plan
- NPS – National Park Service
- NRC – National Response Center
- NRCS – Natural Resources Conservation Service
- OER – DEP's Office of Emergency Response
- RP – Responsible Party (Owner, Operator, Lessee)
- USACE – U.S. Army Corps of Engineers
- USCG – U.S. Coast Guard
- USFWS – U.S. Fish and Wildlife Service

Flowchart Key

- Response to waterway debris that is exposed to or has the potential to release oil, hazardous substances, pollutants or contaminants
- Response to waterway debris that is not exposed to and does not have the potential to release oil, hazardous substances, pollutants or contaminants
- Indicates response may occur under Stafford Act authorities and/or funds

Waterway Debris/Incident Waterway Debris: Any solid material, including but not limited to vegetative debris and debris exposed to or that has the potential to release oil, hazardous substances, pollutants or contaminants, that enters a waterway following an acute incident and poses a threat to the natural or man-made environment. This may include shoreline and wetland debris and debris in some inland, non-tidal waterways.

Is waterway debris an ADV at or below mean high water line in FL waters?

- **Yes** → **ADV in Florida waters, no Stafford Act declaration**
  - FWC and/or county oversees identification/return of lost boats and legal processing, salvaging and disposal of ADVs
  - If emergency debris clearance, ADVs moved
  - If debris removal phase, try to identify owner and allow owner to remove. If not, follow abandoned property procedure and owner liable for removal costs.
  - USCG may remove pollution threat (battery, oil)
  - Program in development: FWC Derelict Vessel Rapid Deployment Team to wok with IC (see "Recoverable debris" box below)
- **No** → Is debris exposed to or does it have the potential to release oil or hazardous substances?
  - **Yes** → Pollution threat, no Stafford Act declaration
  - **No** → **Debris in Florida waters, no Stafford Act declaration, no pollution threat**
    - Report to State Watch Office 1-800- 320-0519
    - Response managed at lowest jurisdictional level capable of handling the removal: Local → State
    - County-retained vessel registration fees may be used
    - FWC may lead investigation to identify RP for debris
    - DEP FCMP/FWC's Marine Debris Emergency Response Program may coordinate emergency removal of marine debris of unknown origins that poses a threat to health, human safety or natural resources. Program currently only operating in Southeast FL.
    - Manages two programs for removal of lost and abandoned traps in state waters
    - Note: Most submerged lands beneath navigable waters are property of the state. Title to these lands is held by the Board of Trustees with delegated authority to DEP to maintain and protect these lands for public use.

Stafford Act Declaration

Is waterway debris exposed to or does it have the potential to release oil or hazardous substances?

- **Yes** →
  - Report to State Watch Office 1-800- 320-0519 and NRC 1-800-424-8802
  - FEMA funds may be used if not at pre-existing site under NCP. If RP is known, must apply insurance proceeds first.

  If FEMA funds are not used, removal authorized under NCP
  - Response managed at lowest jurisdictional level capable of handling the removal: Local → State → Federal
  - If state-led response, DEP OER leads response and FWC provides scientific support
  - If federal assistance required, USCG or EPA oversees response by RP. Generally, response led by USCG in ACP Coastal Zone and by EPA in ACP Inland Zone.
  - During Stafford Act declarations, USCG/EPA retain authority to respond under the NCP without a request from local, state or tribal governments

  If FEMA funds used → Has the state/local government demonstrated to FEMA that they lack the capability to perform or contract the debris removal work?
  - **Yes** → **FEMA Direct Federal Assistance**

    FEMA mission assignment to another federal agency to perform or contract the debris removal work
    - USACE typically disposes of building debris hazmat, such as household hazardous materials, orphaned hazardous materials and electronic goods under ESF3
    - EPA or USCG typically lead hazardous waste disposal under ESF10
  - **No** → **FEMA Public Assistance Funding**

    Reimbursement to eligible applicant to remove and dispose of hazardous waterway debris using their own forces or contract labor
    - Funding from FEMA to FDEM then to eligible applicant
    - If state is eligible applicant, DEP OER leads response and FWC provides scientific support
- **No** → Is the waterway debris recoverable (traceable to an owner), i.e. a vessel with a Hull Identification Number?
  - **No** → Has the state/local government demonstrated to FEMA that they lack the capability to perform or contract the debris removal work?
    - **Yes** → **FEMA Direct Federal Assistance**

      FEMA mission assignment to another federal agency to perform or contract the debris removal work
      - USACE typically leads eligible debris removal under ESF3
    - **No** → **FEMA Public Assistance Funding**

      Reimbursement to eligible applicant to remove and dispose of waterway debris using their own forces or contract labor
      - Funding from FEMA to FDEM then to eligible applicant
  - **Yes** → **Recoverable debris in Florida waters, Stafford Act declaration, no pollution threat**
    - FWC may assist eligible applicant with identifying and contacting owner
    - If owner is found, apply insurance and owner takes vessel
    - If no owner is found or if the owner is found but there is no insurance on the property and the owner surrenders rights, FEMA may reimburse applicant for removal
    - Program in development: FWC Derelict Vessel Rapid Deployment Team to work with IC to map/inventory ADVs, assist in removal oversight, investigate vessel ownership and conduct before/after site surveys

- *FEMA provides funding but does not conduct debris removal work*
- *FEMA eligible applicants must have legal responsibility to remove the debris and include state and territorial governments, Indian Tribal Governments, local governments and private nonprofit organizations that serve a public function.*
- *Public Assistance cost share is typically 75% FEMA, 12.5% state, 12.5% applicant*

EWP Eligibility Determination by NRCS

- Result of Presidential or NRCS State Conservationist declared disaster
- Waterway debris is not in coastal or tidally-influenced waters
- Waterway debris is result of natural disaster
- Recovery measures are for runoff retardation or erosion prevention
- Waterway debris is a threat to life and/or property
- Event caused a sudden impairment in the watershed
- Imminent threat was created by this event
- Have economic, environmental and social documentation adequate to warrant removal action
- Proposed removal action is technically viable and environmentally defensible

4. Roles and Responsibilities

Florida uses an "all events are locally managed" approach to emergency management (FDEM, 2012). Therefore, response to an acute waterway debris incident is generally managed at the lowest jurisdictional level capable of handling the response and removal (FDEM, 2014b). When local resources are overwhelmed, the county emergency management agency may request assistance from the State Emergency Response Team (SERT). The Federal Government may supplement state and local response efforts when their resources have been exceeded or when unique capabilities are needed. Local, state and federal agency roles and responsibilities as they relate to waterway debris response are outlined in the following sections followed by responsibilities of tribal governments, private landowners and volunteer and non-governmental organizations.

For a visual one-page representation of agency roles and responsibilities, see "Florida Incident Waterway Debris Response Flowchart" in Section 3. For maps defining agency jurisdictional authorities, see Section 4.7. Additionally, response capabilities of each agency and corresponding agency contact information can be found in Appendix 8.2 and 8.3, respectively.

4.1 Local Agency Responsibilities

- Act as first responders to waterway debris incidents impacting coastal counties and their municipalities
- Oversee the identification and return of lost boats, manage the legal processing, salvaging and disposal of abandoned and derelict vessels (ADVs) and track at-risk vessels
- Develop and maintain debris management plans although there is no statutory requirement to do so (Florida Division of Emergency Management [FDEM], 2015b). Appendix 8.4 includes a list of coastal counties that address waterway debris in their debris management plans as reported via phone survey to FDEM. The lead agency for debris management planning is typically a local emergency management agency or public works department.
- May activate the Statewide Mutual Aid Agreement (SMAA) for the exchange of emergency mutual aid assistance with neighboring counties and among municipalities
- Counties in Florida
    - maintain an emergency management program which involves all local government agencies, private, non-governmental and volunteer organizations.
    - develop and maintain a Comprehensive Emergency Management Plan consistent with the state Comprehensive Emergency Management Plan (CEMP) that is submitted to Florida Division of Emergency Management (FDEM) for review and approval every four years.
    - develop and maintain a county-level Local Mitigation Strategy (LMS) that is revised every five years and approved by the Federal Emergency Management Agency (FEMA). Although not required by statute, an LMS is required to be eligible for FEMA post-disaster Hazard Mitigation Grant funds.
    - coordinate public information activities during an emergency or disaster and operate a 24-hour warning point with the capability of warning the public of an imminent or actual threat.
    - may declare a local state of emergency and request assistance from the state when the event is beyond the capacity of local government.
    - retain vessel registration fees which may be used to remove derelict vessels, debris that specifically impedes boat access, and vessels and floating structures deemed a

hazard to public safety and health for failure to comply with Fla. Stat. § 327.53 Marine Sanitation (Fla. Stat. § 328.72(15)).

- Following a Stafford Act declaration, may serve as eligible applicant and receive Public Assistance reimbursement funding from FEMA to perform or contract waterway debris removal
    - Local emergency management agency offices serve as the beginning point for contact with FDEM
    - As applicant, responsible for determining ownership of recoverable waterway debris, providing a staging area for temporary storage of recoverable waterway debris and demonstrating the pre-disaster condition and capacity of waterways
    - Coordinate waterway debris removal prioritization (Florida Division of Emergency Management [FDEM], 2009)
- May serve as project sponsor and/or receive debris removal funding from the Natural Resource Conservation Service (NRCS) Emergency Watershed Protection Program (EWP) if specific criteria are met. See "Florida Incident Waterway Debris Response Flowchart" in Section 3 for EWP eligibility criteria.
- Local governments with delegated authority process permits and state-owned submerged lands authorizations according to operating agreements with Florida Department of Environmental Protection (DEP) (Florida Department of Environmental Protection [DEP], 2015c)
- For additional information on permitting and compliance requirements, see Section 5

Select Local Authorities:

- Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers., Fla. Stat. § 328.72(15)
- Derelict vessels; relocation or removal from public waters, Fla. Stat. § 376.15
- Role of counties, municipalities, and local pollution control programs in permit processing; delegation, Fla. Stat. § 373.441
- State of Florida Comprehensive Emergency Management Plan (FDEM, 2014b), which includes a complete list of references and authorities

4.2 State Agency Responsibilities

Select State Authorities:

- State of Florida Comprehensive Emergency Management Plan (FDEM, 2014b), which includes a complete list of references and authorities
- State of Florida Interim Contingency Guidance, Florida Catastrophic Planning Project, Annex D: Functional Plans – Debris Clearance and Removal Mission (FDEM, 2009), which includes a complete list of references and authorities

Florida Department of Agriculture and Consumer Services (FDACS)

Division of Animal Industry

- Serves as primary agency under state Emergency Support Function (ESF) 17 Animal and Agricultural Issues (FDEM, 2014b)
- Initiated development of Florida State Agricultural Response Team (FLSART) to support an effective and coordinated incident response for the animal and agricultural sectors in Florida (Florida State Agricultural Response Team, 2015)
- Plans and coordinates actions to dispose of animal carcasses following a disaster (Florida Division of Emergency Management [FDEM], 2015c)

    - Animal carcasses which block infrastructure are treated as part of the normal debris removal process unless the carcasses are diseased (FDEM, 2014b)

Division of Aquaculture

- Regulates aquaculture facilities and manages leases of submerged state lands for aquaculture purposes (Florida Department of Agriculture and Consumer Services [FDACS], n.d.)
    - Require operators to develop and maintain a solid waste management plan that identifies all wastes generated (Florida Department of Agriculture and Consumer Services [FDACS], 2016)
    - All feed bags, spoiled feed, packaging materials, waste rope and netting, or worn structural components must be collected, returned to shore, and disposed of properly or recycled (FDACS, 2016)
    - Requires Lessee's identification information to be attached to all structures used for culturing shellfish in off-bottom or floating structures. If culturing structures become dislodged from the lease site, it is the Lessee's responsibility to retrieve structures from the shoreline, seagrass beds, or submerged bottom anywhere within the aquatic preserve with minimal damage to affected resources. The structures shall be removed and properly disposed of or returned to the lease site.

Florida Forest Service

- Issues burn authorizations for open pile burning of disaster-generated vegetative (DEP, 2014b)

Select FDACS Authorities:

- Florida Aquaculture Policy Act, Fla. Stat. § 597

Florida Department of Environmental Protection (DEP)

- Most submerged lands waterward of the ordinary or mean high water line beneath navigable fresh water or tidally-influenced waters are property of the state. Title to these lands is held by the Board of Trustees with delegated authority to DEP to maintain these submerged lands for a reasonable degree of public use and access, and to protect the lands for future public use (DEP, n.d.; Fla. Admin. Code R. 18-21.0051)
- Primary agency under state ESF 10 Hazardous Materials and Environmental Protection and support agency under state ESF 3 Public Works and Engineering (FDEM, 2014b)
- Coordinates debris removal from state lands and parks (FDEM, 2014b)
- Following a Stafford Act declaration, may serve as eligible applicant and receive Public Assistance reimbursement funding from FEMA to perform or contract waterway debris removal
    - As applicant, responsible for determining ownership of recoverable waterway debris, providing a staging area for temporary storage of recoverable waterway debris, and demonstrating the pre-disaster condition and capacity of waterways

Division of Recreation and Parks

- Coordinates debris removal from state parks (FDEM, 2014b)

Division of State Lands

- Coordinates debris removal from state lands including sovereignty submerged lands waterward of the ordinary or mean high water line, beneath navigable fresh water or

beneath tidally-influenced waters to the state seaward boundary of 9 nautical miles in the Gulf of Mexico and 3 nautical miles in the Atlantic Ocean (DEP, 2015e; FDEM, 2014b)

Bureau of Public Land Administration

- Provides oversight for the management of activities on state-owned lands including lakes, rivers and islands and manages approvals for activities on these lands (Florida Department of Environmental Protection [DEP], 2015a; Florida Department of Environmental Protection [DEP], 2015i)

Submerged Lands Section

- Determines state ownership of lakes, streams and submerged coastal areas (Florida Department of Environmental Protection [DEP], 2015h)

Division of Waste Management

Solid Waste Section

- Assists counties with identifying debris storage areas and coordinating final disposal
- Pre-approves disaster debris management sites (also known as debris staging areas or debris storage sites) annually for temporary storage and processing of disaster debris (FDEM, 2015c)
- After a disaster, authorizes use of pre-approved temporary debris storage sites and conducts final compliance inspection upon closure in order for the owner/operator of the site to receive FEMA Public Assistance funds (Florida Department of Environmental Protection [DEP], 2014b; FDEM, 2015c)

Division of Water Resource Management

Beaches, Inlets and Ports Program

- Processes Joint Coastal Permits for debris removal work on or likely to affect Florida's natural sandy beaches (Florida Department of Environmental Protection [DEP], 2016a)

Submerged Lands and Environmental Resources Coordination (SLERC)

- Responsibile for environmental permitting of activities and water quality protection on sovereignty and other lands (Fla. Admin. Code R. 18-21.002(1))
- Coordinates with lead federal agency to determine whether proposed debris removal activities are fully consistent with the Florida Coastal Management Program (Florida Department of Environmental Protection [DEP], 2015d; DEP, 2015e)
- For additional information on DEP permitting and compliance requirements, see Section 5

Florida Coastal Office

- Manages select state lands including 41 aquatic preserves and, in coordination with NOAA, three National Estuarine Research Reserves and the Florida Keys National Marine Sanctuary (Florida Department of Environmental Protection [DEP], 2016c)

Coral Reef Conservation Program

- Administers the Southeast Florida Marine Debris Reporting and Removal Program as a partnership between DEP, Florida Fish and Wildlife Conservation Commission (FWC) and Palm Beach County Reef Rescue (Bohnsack & Monty, 2012)
    - Engages local stakeholders in reporting, removing and preventing marine debris in southeast Florida

    - Maintains a toll-free telephone hotline, an internet-based data entry form at www.SEAFAN.net to report marine debris and a database to store information on reported marine debris and its distribution on southeast Florida reefs

Florida Coastal Management Program (FCMP)

- Conceptualized the Marine Debris Emergency Response Program in partnership with FWC to respond to extraordinary marine debris (shape, mass, volume, location or composition) of unknown origins that poses an imminent threat to human health and safety and/or natural resources and exceeds the response capabilities of local agencies (Florida Department of Environmental Protection [DEP] & Florida Fish and Wildlife Conservation Commission [FWC], n.d.)
    - Currently only operational in southeast Florida and working to secure stable funding source
    - Proposed establishment of rapid response teams located regionally throughout state

Office of Emergency Response (OER)

- Lead state agency during response to waterway debris that is contaminated with oil or hazardous substance as primary agency under state ESF 10 Hazardous Materials and Environmental Protection (FDEM, 2014b)
    - Serves as State On-Scene Coordinator (SOSC) following release of hazardous material or oil to state waters
    - Provides point of coordination between state and federal response resources
- Provides 24-hour statewide support to local governments in response to actual or potential releases of oil and hazardous material (Florida Department of Environmental Protection [DEP], 2015f)
- Maintains list of 24-hour emergency response contractors with oil or hazardous material expertise

Select DEP Authorities:

- Coastal Zone Management Act of 1972, 16 U.S.C § 1451 et seq.
- Delegation of Authority, Fla. Admin. Code R. 18-21.0051
- Environmental Control, Fla. Stat. § 403
- Pollution Discharge Prevention and Removal, Fla. Stat. § 376
- Role of counties, municipalities, and local pollution control programs in permit processing; delegation, Fla. Stat. § 373.441
- Sovereignty Submerged Lands Management, Fla. Admin. Code R. 18-21.002(1)
- Submerged Lands Act, 43 U.S.C § 1301 et seq.

Florida Department of Management Services

Division of State Purchasing

- Manages the Florida Emergency Supplier Network as a master list of suppliers willing to be a resource for products and services during emergencies (Florida Department of Management Services, 2016)

Florida Department of State

Division of Historical Resources

Bureau of Historic Preservation

- Serves as the State Historic Preservation Office (SHPO) and ensures compliance with the National Historic Preservation Act
- Compliance and Review Section reviews proposed debris removal activities to evaluate potential impacts to historic or cultural sites
- For additional information on Bureau of Historic Preservation compliance requirements, see Section 5

Select Bureau of Historic Preservation Authorities:

- National Historic Preservation Act, 16 U.S.C § 470 et seq.

Florida Department of Transportation

- Serves as primary agency under state ESF 3 Public Works and Engineering
- Works with support agencies under state ESF 3 to coordinate emergency work to clear debris from transportation routes including marine infrastructure such as seaports and fresh and salt water routes (FDEM, 2014b)

Florida Division of Emergency Management (FDEM)

- Coordinates statewide emergency management program as lead state agency for emergency preparedness, mitigation, response and recovery (FDEM, 2014b)
- Prepares and implements the state CEMP and assists political subdivisions in preparing and maintaining local Comprehensive Emergency Management Plans and Local Mitigation Strategies
- Following a Stafford Act declaration, serves as coordination point between FEMA and state and local eligible applicants
    - Serves as FEMA grantee and administers Public Assistance funding to eligible applicants
    - Coordinates damage assessment and needs assessment process with local and federal assessment teams
    - Coordinates with regulatory agencies to expedite acquisition of environmental compliance documents needed by applicants
    - Deploys to field offices to lend technical assistance and meet with regulatory agencies, contractors and/or applicants to correct debris problems that may affect funding
- Provides debris management technical assistance to local governments including pre-event planning, debris operations assistance and aiding in closure of Public Assistance grants (Florida Division of Emergency Management [FDEM], 2015a)
    - Reviews debris management plans for compliance with FEMA pilot program guidelines, debris removal contracts and private property ordinances prior to or after an event
    - Provides guidelines for debris operations under programs such as FEMA's Public Assistance program
    - Assists with issues such as environmental compliance, documentation, regulations and special debris types including waterway debris
    - Conducts debris operations training
- Maintains the State Watch Office as a statewide system of 24-hour communications and warning to report any incident associated with weather phenomena involving possible or

actual damage to property or persons, incidents requiring state or federal assistance and all incidents involving commercial vessels (Florida Department of Environmental Protection [DEP], 2015g; Florida Division of Emergency Management [FDEM], 2011).
    - Acute waterway debris incidents should be reported to the State Watch Office to begin a coordinated, proper response. Once notified, the State Watch Office will contact on-duty local emergency response and emergency management personnel.
- Activates the SERT composed of staff from state agencies, volunteer and non-governmental organizations grouped into 18 Emergency Support Functions that carry out response and recovery activities during a disaster (FDEM, 2014b)
    - Multi-agency Debris Management Coordination Group may be formed to coordinate statewide debris operations and is led by FDEM State Debris & Special Considerations Officer (FDEM, 2009)
    - State Deputy Debris Officer may be assigned to develop tactics for waterway, canal and drainage debris removal (FDEM, 2009)
- Develops intra- and interstate mutual aid agreements
- Maintains the State of Florida Enhanced Hazard Mitigation Plan (FDEM, 2013).
- Maintains the common operation picture/situational awareness application Geospatial Assessment Tool for Operations and Response (GATOR) for the display of geographic information to support emergency preparedness, operations and response (Florida Division of Emergency Management [FDEM], n.d.)

Select FDEM Authorities:
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C § 5121 et seq.

Florida Fish and Wildlife Conservation Commission (FWC)

Division of Habitat and Species Conservation

- Coordinates the Marine Debris Emergency Response Program in partnership with DEP's FCMP to respond to extraordinary marine debris (shape, mass, volume, location or composition) of unknown origins that poses an imminent threat to human health and safety and/or natural resources and exceeds the response capabilities of local agencies (DEP & FWC, n.d.)
    - Currently only operational in southeast Florida and working to secure stable funding source
- Maintains the state of Florida threatened and endangered species list (Florida Fish and Wildlife Conservation Commission [FWC], 2016c)

Division of Law Enforcement

Boating and Waterways

- In coordination with local entities, oversees the investigative and legal process for lost and abandoned vessels located at or below the high water mark within Florida waters after a disaster. This includes the identification and returning of lost boats, and the legally processing, salvaging, and disposing of abandoned and derelict boats (Florida Department of Environmental Protection [DEP], 2012).
    - Owners of derelict vessels may be charged with a crime under Florida law and are liable for removal costs, fines and fees for removal (FWC, 2016a)
- Maintains web-enabled database application for marine law enforcement officers and local governments to monitor and track at-risk, abandoned and derelict vessels (Florida Fish and Wildlife Conservation Commission [FWC], 2016f)

- May partner with U.S. Coast Guard (USCG) to remove vessels after USCG has abated the pollution threat
- May enter into mutual aid agreement with counties to respond to waterway debris incidents
- Provides first responder capabilities using specialized equipment to access remote locations (Florida Fish and Wildlife Conservation Commission [FWC], 2014)
- Maintains aviation assets capable of providing immediate impact assessments, aerial observation and monitoring of events and delivering critical supplies and response personnel to disaster sites
- Oversees and coordinates statewide regulatory waterway markers, marks hazards to navigation, and notifies USCG for issuance of Notice to Mariners (Florida Fish and Wildlife Conservation Commission [FWC], 2016e)
- Enforces boating rules and regulations, manages public waters and access to them, and conducts boating accident investigations (Florida Fish and Wildlife Conservation Commission [FWC], 2016d)
- Statewide coordinator for Waterborne Response Team (WRT) comprised of law enforcement officers with specialized training in hazardous incidents (FDEM, 2012)
- Currently developing a Derelict Vessel Rapid Deployment Team with specialized training to work with Incident Commander (IC) after storm events to map and inventory derelict vessels, assist in removal oversight, investigate vessel ownership and conduct before and after site surveys

Division of Marine Fisheries Management

- Manages the Spiny Lobster, Stone Crab and Blue Crab Trap Retrieval Program to contract commercial fishermen to remove fishable traps from state waters during closed seasons
- Manages the Derelict Trap and Trap Debris Removal Program which authorizes volunteer groups to collect derelict traps and trap debris during open or closed seasons (Florida Fish and Wildlife Conservation Commission [FWC], 2016b)

Fish and Wildlife Research Institute (FWRI)

- Serves as state Scientific Support Coordinator (SSC) to provide technical support and coordinate application of FWC assets and services during emergencies to help DEP's SOSC make timely operational decisions
- Designated as primary contact for fish and wildlife issues in the event of large oil or toxic substance spill within the state of Florida (Florida Fish and Wildlife Conservation Commission [FWC], 2012)

Select FWC Authorities:

- Derelict vessels; relocation or removal from public waters, Fla. Stat. § 376.15
- Endangered Species Act, 16 U.S.C. § 1531 et seq.
- Florida Endangered and Threatened Species Act, Fla. Stat. § 379.2291
- Uniform waterway regulatory markers, Fla. Stat. § 327.41

Florida Inland Navigation District (FIND)

- Special state taxing district responsible for management and maintenance of the Atlantic Intracoastal Waterway (Florida Inland Navigation District [FIND], 2016)
- Serves as state sponsor of the Atlantic Intracoastal Waterway and develops long-range plans for maintenance (Fla. Stat. § 374.975(3))

- Consists of 12 counties along the east coast of Florida from Nassau through Miami-Dade County (FIND, 2016)

Select FIND Authorities:

- Navigation Districts; Waterways Development, Fla. Stat. § 374

Florida Ports

- 15 public seaports
- May request assistance from NOAA's Navigation Response Team (NRT) to survey ports and near-shore waterways to identify dangerous objects or changes in water depth following a disaster

Water Management Districts (WMD)

- Florida's five WMDs may pursue funding and approval from FEMA for debris on land and water within their jurisdictions (DEP, 2012)
- Delegated responsibility to process permits and state-owned submerged lands authorizations according to operating agreements with DEP (Florida Department of Environmental Protection [DEP], 2015b)
- For additional information on permitting and compliance requirements, see Section 5

Select WMD Authorities:

- Delegation of Authority, Fla. Admin. Code R. 18-21.0051
- Role of counties, municipalities, and local pollution control programs in permit processing; delegation, Fla. Stat. § 373.441

West Coast Inland Navigation District (WCIND)

- Multi-county special taxing body responsible for management and maintenance of the Gulf Intracoastal Waterway from Anclote Key to the Caloosahatchee River
- Serves as state sponsor of the Gulf Intracoastal Waterway and develops long-range plans for maintenance (Fla. Stat. § 374.975(3))
- Consists of Manatee, Sarasota, Charlotte and Lee counties (West Coast Inland Navigation District [WCIND], 2013)
- Supports county and local governments in maintaining and enhancing public navigation channels and inlets, boating access facilities, waterfront parks, piers and special structures (WCIND, 2013)

Select WCIND Authorities:

- Navigation Districts; Waterways Development, Fla. Stat. § 374

4.3 Federal Agency Responsibilities

Animal, Plant and Health Inspection Service (APHIS)

- Veterinary Services program provides for removal and burial of diseased animal carcasses
- Manages Plant Protection and Quarantine program to reduce the risk of introduction and spread of invasive species through planning, surveillance, quick detection and containment

Select APHIS Authorities:

- Animal Health Protection Act, 7 U.S.C § 8301 et seq.
- Plant Protection Act, 7 U.S.C § 7701 et seq.

Bureau of Safety and Environmental Enforcement (BSEE)

- Manages a Marine Trash and Debris Program to eliminate debris associated with oil and gas operations on the Outer Continental Shelf (OCS)
- Regulates marine trash and debris for oil and gas operations and renewable energy development on the OCS
- Enforce requirement that items be clearly marked to identify the owner and items lost overboard be recorded, reported and retrieved if possible
- Requires annual training of offshore oil and gas workers to reduce marine debris

Federal Emergency Management Agency (FEMA), Region IV

- Under the Stafford Act, provides reimbursement funding for eligible debris removal from navigable waterways (non-federally maintained) or natural waterways during Presidential major disaster declarations when another federal agency does not have authority to fund the activity (FEMA, 2016)
    - Provides funding to eligible applicants at a typical cost share of 75 percent FEMA, 12.5 percent state, and 12.5 percent eligible applicant
    - Issues mission assignments to other federal agencies for technical assistance, federal operations support, or to perform or contract debris removal when local and state capabilities are exceeded
- Makes eligibility determinations for debris removal on a case-by-case discretionary basis in coordination with the eligible applicant, state and other federal agencies
    - Debris removal must be necessary to eliminate the immediate threat to life, public health and safety, or improved property (FEMA, 2016)
    - For navigable waterways, debris removal is limited to a max depth of 2 feet below the low tide draft of the largest vessel that utilized the waterway prior to the incident. Any debris below this zone is not eligible unless it is necessary in order to remove debris extending upward into an eligible zone (FEMA, 2016)
    - For non-navigable waterways, including natural waterways, debris removal is only eligible to the extent that it is necessary to eliminate an immediate threat including the following: if the debris obstructs, or could obstruct, intake structures; if the debris could cause damage to structures; or if the debris is causing, or could cause, flooding to property during the occurrence of a 5-year flood (a flood that has a 20 percent chance of occurring in any given year) (FEMA, 2016)
- Employs debris specialists that can be mobilized to assist eligible applicants with debris management
- May reimburse costs for use of side scan sonar that identifies eligible submerged debris and sunken vessels

Select FEMA Authorities:

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C § 5121 et seq.
    - Debris Removal, 42 U.S.C. § 5173
    - Essential Assistance, 42 U.S.C. § 5170b
    - Federal Emergency Assistance, 42 U.S.C. § 5192

National Aeronautics and Space Administration (NASA)

- Coordinates with public and/or private entities in the flight vicinity to manage risk associated with planned and unplanned debris and/or potentially hazardous material that remains after impact, such as potential hazards to navigation due to floating debris (NASA, 2010).

- For response to launch debris in a waterway or shoreline, see the U.S. Air Force section below.

National Oceanic and Atmospheric Administration (NOAA)

National Marine Fisheries Service (NMFS or NOAA Fisheries)

Office of Habitat Conservation and Office of Protected Resources

- Reviews proposed debris removal activities that involve a federal agency (directly or through funding and/or issuance of a federal permit) for compliance with Magnuson-Stevens Fisheries Conservation and Management Act and Endangered Species Act (ESA)
- For additional information on NOAA Fisheries compliance requirements, see Section 5

National Ocean Service (NOS)

Office of Coast Survey

- Mobilizes NRT to survey ports and near-shore waterways for sunken debris, changes in water depth and hazards to navigation following a disaster

Office of National Geodetic Survey

- Acquires and rapidly disseminates a variety of spatially-referenced remote-sensing datasets to support national emergency response. Imagery is obtained using high resolution digital cameras, film-based aerial camera systems, LIDAR and thermal and hyperspectral imagers.

Office of National Marine Sanctuaries, Florida Keys National Marine Sanctuary (FKNMS)

- Legislation prohibits discharging or depositing materials or other matter into FKNMS, altering the sea floor, or abandoning any structure or material on the sea floor.
- Assists with identifying, locating, physically removing and coordinating removal of debris in FKNMS with other agencies and private partners. May manage contracts for removal projects.
- Conducts and/or coordinates multiple shoreline and coral reef cleanup projects annually
- Partners with other agencies in the Florida Keys with enforcement authority such as FWC, NOAA Office of Law Enforcement, USCG and U.S. Fish and Wildlife Service (USFWS)
- Maintains boundary/regulatory buoys and mooring buoys within FKNMS
- Issues permits for conducting research within FKNMS and consults with other agencies who conduct or have regulatory authority over activities that may occur within FKNMS
- For a map of FKNMS boundaries, see Section 4.7

Office of Response and Restoration, Emergency Response Division

- Serves as SSCs to coordinate application of NOAA assets and services during emergencies to help the Federal On-Scene Coordinator (FOSC) make timely operational decisions

Office of Response and Restoration, Marine Debris Division

- Funds marine debris assessment and removal projects, through grants or congressional supplemental funding
- Facilitates inter-agency coordination of planning and execution of responses to marine debris events
- Provides scientific support for debris response planning and operations, including baseline information, debris behavior, debris impact, debris survey and detection protocols, removal best management practices (BMPs), disposal guidance and information management
- Develops external communications such as talking points appropriate for the public, informational graphics, intuitive interactive web content, and educational videos to ensure

the public and partner agencies understand and act on sound science and information critical to response and recovery operations
- For events determined by the NOAA Administrator to be severe marine debris events, may develop interagency plans, assess composition volume and trajectory of associated marine debris, and estimate potential impacts to the economy, human health, and navigation safety

Select NOAA Authorities:
- Coastal Zone Management Act of 1972, 16 U.S.C § 1451 et seq.
- Endangered Species Act, 16 U.S.C. § 1531 et seq.
- Florida Keys National Marine Sanctuary and Protection Act, 16 U.S.C. § 1433 note
- Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. § 1801 et seq.
- Marine Debris Research, Prevention, and Reduction Act, 33 U.S.C. § 1951 et seq.
- Marine Mammal Protection Act of 1972, 16 U.S.C § 1361 et seq.
- Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act), 33 U.S.C. § 1401 et seq.
- National Marine Sanctuaries Act, 16 U.S.C § 1431 et seq.
- National Marine Sanctuary Program Regulations, 15 C.F.R. § 922

National Park Service (NPS)

- Conducts waterway debris assessment and cleanup within their jurisdiction in coordination with county, state and other federal partners
- Organizes volunteer beach cleanups on NPS lands when possible
- For a map of national parks in Florida, see Section 4.7

Natural Resource Conservation Service (NRCS)

- When funding is available, provides emergency financial and technical assistance through the Emergency Watershed Protection (EWP) program for the following: to protect from additional flooding or soil erosion; to reduce threats to life or property from a watershed impairment, including sediment and debris removal in floodplains and uplands; and to restore the hydraulic capacity to the natural environment to the maximum extent practical. Projects must be economically and environmentally defensible and technically sound.
    - Help communities address watershed impairments that pose imminent threats to lives and property as a result of natural disasters
    - Typical cost share of 75 percent NRCS and 25 percent project sponsor
    - Public and private landowners are eligible for assistance but must be represented by a project sponsor, including state government, legal subdivisions of the state, such as a city, county, water management district, drainage district or any Native American tribe or tribal organization
- Assists in the location of burial pits for animal mortality
- See "Florida Incident Waterway Debris Response Flowchart" in Section 3 for EWP eligibility criteria

Select NRCS Authorities:
- Emergency Watershed Protection Program, 7 C.F.R. § 624

U.S. Air Force

- Coordinates and manages waterway debris assessment and cleanup on Air Force Bases

- Manages a range safety program at Patrick Air Force Base to protect the public and property during range operations such as landing, flying and testing launch/flight vehicles. The program evaluates, mitigates and controls debris associated with range operations.
- Launch operators are required to establish procedural controls for hazards associated with an unsuccessful flight. These procedures must include plans for recovery and salvage of launch vehicle debris and safe disposal of hazardous materials (14 C.F.R. § 417.415).
- For bodies that remain buoyant after impact and present a hazard to maritime vessels or platforms, a means of sinking or recovering the body is required. It is the launch operator/range user's responsibility to recover/sink any debris (U.S. Air Force Space Command, 2004).
- If launch/range debris has been found in a waterway or shoreline, notify the Patrick Command Post who may refer callers to the responsible launch operator/range user.
- For a map of Department of Defense-owned lands in Florida, including Air Force Bases, see Section 4.7

U.S. Army Corps of Engineers (USACE), Mobile District and Jacksonville District

- Maintains pre-event contracts regionally for all U.S. states and territories
- May request assistance from NOAA's NRT to survey ports and near-shore waterways

Emergency Operations

- Serves as lead federal agency under ESF 3 Public Works and Engineering. Jacksonville District serves as lead in the state, but may subtask Mobile District for debris. Mobile District is the debris lead for USACE South Atlantic Division.
- Following a Stafford Act declaration, may lead eligible debris removal from navigable waterways (non-federally maintained) and wetlands under a FEMA mission assignment to perform or contract debris removal and surveying

Navigation

- Responsible for operation, maintenance and debris removal from federally maintained waterways and channels within their districts. For a map of USACE federally maintained waterways and channels and the civil works boundary between Mobile and Jacksonville Districts, see Section 4.7.

Regulatory Program

- Jacksonville District issues permits for debris removal within waterways and wetlands throughout the state
- For information on USACE permitting and compliance requirements, see Section 5

Select USACE Authorities:

- Federal Water Pollution Control Act (commonly known as Clean Water Act) as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1251 et seq.
    - Permits for dredged or fill material (Section 404), 33 U.S.C. § 1344
- Permits for Structures or Work in or Affecting Navigable Waters of the United States, 33 C.F.R. § 322
- Rivers and Harbors Appropriation Act of 1899, 33 U.S.C. § 401 et seq.
    - Prohibits the unauthorized obstruction or alteration of any navigable water of the United States (Section 10), 33 U.S.C. § 403

    - Authorize USACE to remove sunken vessels or other obstructions from navigable waterways under emergency conditions (Sections 15, 19 and 20), 33 U.S.C. § 409, 414, 415
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C § 5121 et seq.
- Water Resources Development Act, 33 U.S.C § 426m

U.S. Coast Guard (USCG), District 7 (Sectors St. Petersburg, Key West, Miami and Jacksonville) and District 8 (Sector Mobile)

- In most cases, removal of incident waterway debris by USCG is not authorized
- Responds to oil and hazardous material releases or threats of release in waterways within the coastal zone as defined in the USCG Sector Area Contingency Plans (ACP)
    - Removal actions generally limited to removing oil and other hazardous substances while leaving vessels in place. May coordinate with FWC or local agencies to have vessel removed after abating pollution threat.
    - Responds to pollution threats in federally maintained waterways in coordination with USACE
- Serves as lead federal agency (FOSC) under ESF 10 Oil and Hazardous Materials Response in the ACP coastal zone
    - Directs response in accordance with the National Contingency Plan (NCP)
    - Coordinates with state, tribal and territorial governments and oversees response by a responsible party (RP)
    - Unlike response under a Stafford Act declaration, USCG may respond without a request from local, state or tribal governments under the NCP. During Stafford Act declarations, USCG retains the authority to take action under the NCP.
- Maintains a year-round, 24-hour telephone watch through the National Response Center (NRC) for reporting of oil and hazardous material releases
- Establishes a safety zone around hazards to navigation and broadcasts maritime safety warnings including the Broadcast Notice to Mariners and the Local Notice to Mariners to warn of wrecked vessels obstructing watercourse or creating hazards to navigation within primary navigable waterways (DEP, 2012)
- Following a Stafford Act declaration, may lead removal of contaminated waterway debris under a FEMA mission assignment to perform or contract the work
- May request assistance from NOAA's NRT to survey ports and near-shore waterways
- For a map of the USCG Sector boundaries and the ACP coastal-inland zone boundary, see Section 4.7

Select USCG Authorities:

- Abandoned Barge Act of 1992, 46 U.S.C. § 4701-4705
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq.
- Federal Water Pollution Control Act (commonly known as Clean Water Act) as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1251 et seq.
- Marking of structures, sunken vessels and other obstructions, 33 C.F.R. § 64
- National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300
- Ports and Waterways Safety Act, 33 U.S.C. §1221 et seq.
- Saving life and property, 14 C.F.R. § 88

U.S. Environmental Protection Agency (EPA), Region IV

- Responds to oil and hazardous substance releases or threats of release in waterways within the inland zone as defined in the USCG Sector ACPs. For a map of the ACP coastal-inland zone boundary, see Section 4.7.
- Serves as lead federal agency (FOSC) under ESF 10 Oil and Hazardous Materials Response in the ACP inland zone and in incidents affecting both inland and coastal zones
    - Directs response in accordance with the NCP
    - Coordinates with state, tribal and territorial governments and oversees response by a responsible party
    - Unlike response under a Stafford Act declaration, EPA may respond without a request from local, state or tribal governments under the NCP. During Stafford Act declarations, EPA retains the authority to take action under the NCP.
- Following a Stafford Act declaration, may lead removal of contaminated waterway debris under a FEMA mission assignment to perform or contract the work

Select EPA Authorities:

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq.
- Federal Water Pollution Control Act (commonly known as Clean Water Act) as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1251 et seq.
- National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300

U.S. Fish and Wildlife Service (USFWS)

Ecological Services Program

- Reviews proposed debris removal activities that involve a federal agency (directly or through funding and/or issuance of a federal permit) for compliance with Endangered Species Act (ESA) and Coastal Barrier Resources Act (CBRA)
- For additional information on USFWS compliance requirements, see Section 5

National Wildlife Refuges

- Coordinates and manages waterway debris assessment and cleanup in National Wildlife Refuges (NWR)
- Provides BMPs to protect listed threatened or endangered land and freshwater species, certain marine species, and their critical habitat
- For a map of NWRs in Florida, see Section 4.7

Select USFWS Authorities:

- Coastal Barrier Resources Act, 16 U.S.C. § 3501 et seq.
- Endangered Species Act, 16 U.S.C. § 1531 et seq.
- Fish and Wildlife Coordination Act, 16 U.S.C. § 661 et seq.

U.S. Navy

- Coordinates and manages waterway debris assessment and cleanup on Naval Air Stations
- For a map of Department of Defense-owned lands in Florida, including Naval Air Stations, see Section 4.7

Supervisor of Salvage and Diving (SUPSALV)

- Manage and provide technical assistance for salvage, deep search and recovery, towing, and oil spill response operations

- Accesses and coordinates the U.S. Navy's hydrographic survey assets and capabilities
- Maintains an array of remotely operated vehicles (ROVs), oil spill response and salvage equipment
- Exercises and manages regional standing emergency salvage contracts to quickly draw upon the required resources of the commercial salvage industry (U.S. National Response Team, 2014)

4.4 Tribal Governments

Miccosukee Tribe of Indians

- As landowners, coordinate and manage waterway debris assessment and cleanup in the area of their jurisdiction
- Following a Stafford Act declaration, may serve as eligible applicant and receive Public Assistance reimbursement funding from FEMA to perform or contract waterway debris removal
- Coordinate with EPA and USCG for removal of waterway debris contaminated with or with the potential to release oil and hazardous substances

Seminole Tribe of Florida

- As landowners, coordinate and manage waterway debris assessment and cleanup in the area of their jurisdiction
- Following a Stafford Act declaration, may serve as eligible applicant and receive Public Assistance reimbursement funding from FEMA to perform or contract waterway debris removal
- Coordinate with EPA and USCG for removal of waterway debris contaminated with or with the potential to release oil and hazardous substances

4.5 Private Landowners

- After a Stafford Act declaration, debris removal from private property or privately-owned waterways and banks is generally the responsibility of the property owner and not eligible for FEMA funding unless its removal is necessary to mitigate a health and safety hazard and is in the public interest (FDEM, 2015b; FEMA, 2016)
- Private property owners are responsible for removing debris from their own property, whether upland or wetland (DEP, 2012)
- May report acute waterway debris incidents to local emergency management agency or State Watch Office to begin a coordinated, proper response (FDEM, 2011)
- May complete Right-of-Entry agreements with entities conducting private property debris removal or using private property as an access point (FDEM, 2009)

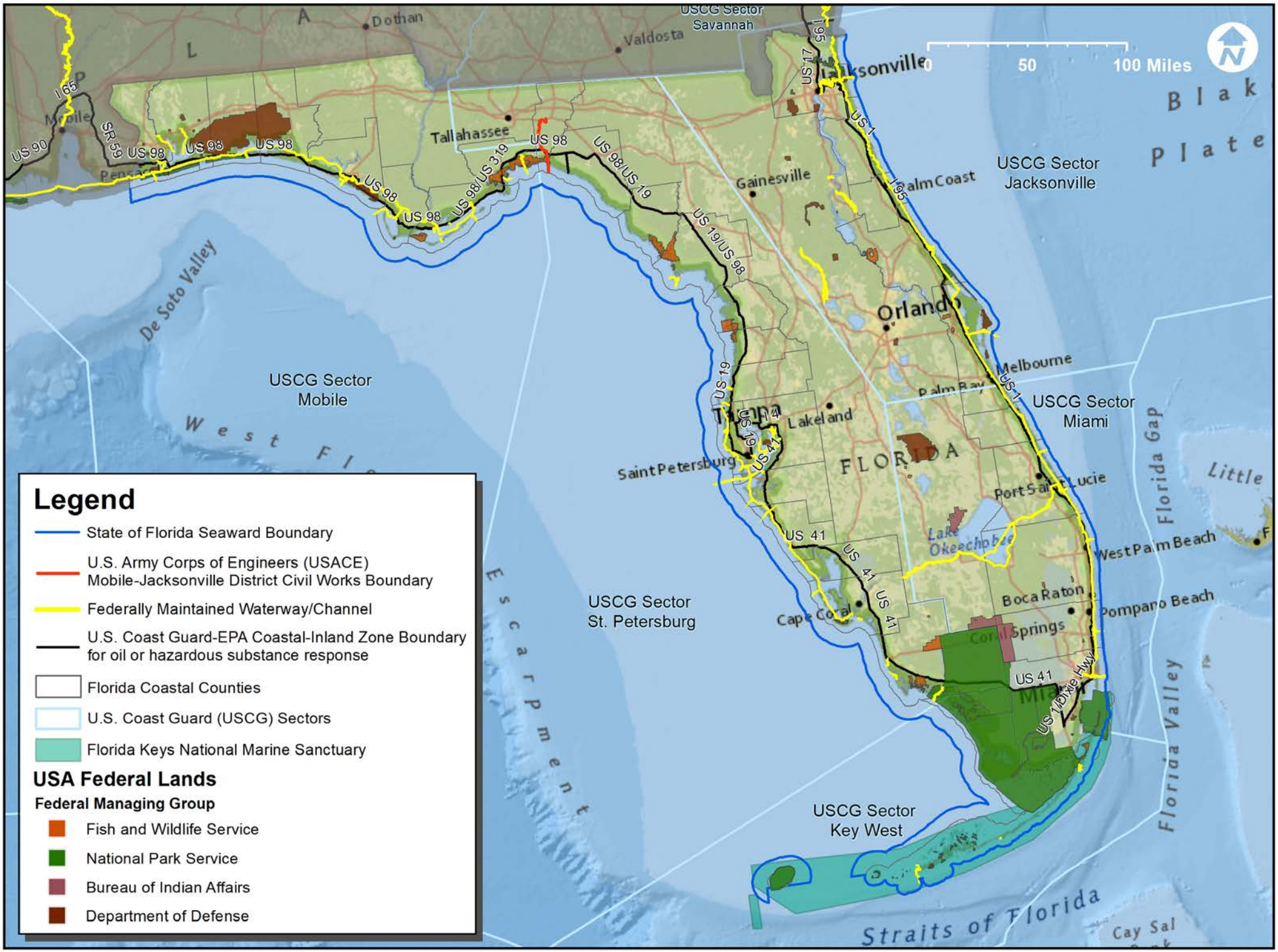
4.6 Volunteer and Non-Governmental Organizations

- May provide cleanup and debris removal services as part of state ESF 15 Volunteers and Donations (FDEM, 2014b)
- Trained volunteers may serve as monitors on behalf of FEMA applicants during debris operations, may obtain Right-of-Entry documentation to remove debris from private property and may separate debris by type at curbside (FDEM, 2009)
- Skilled volunteers such as arborists, heavy machine operators and chainsaw operators may be enlisted to assist with removal operations (FDEM, 2009)

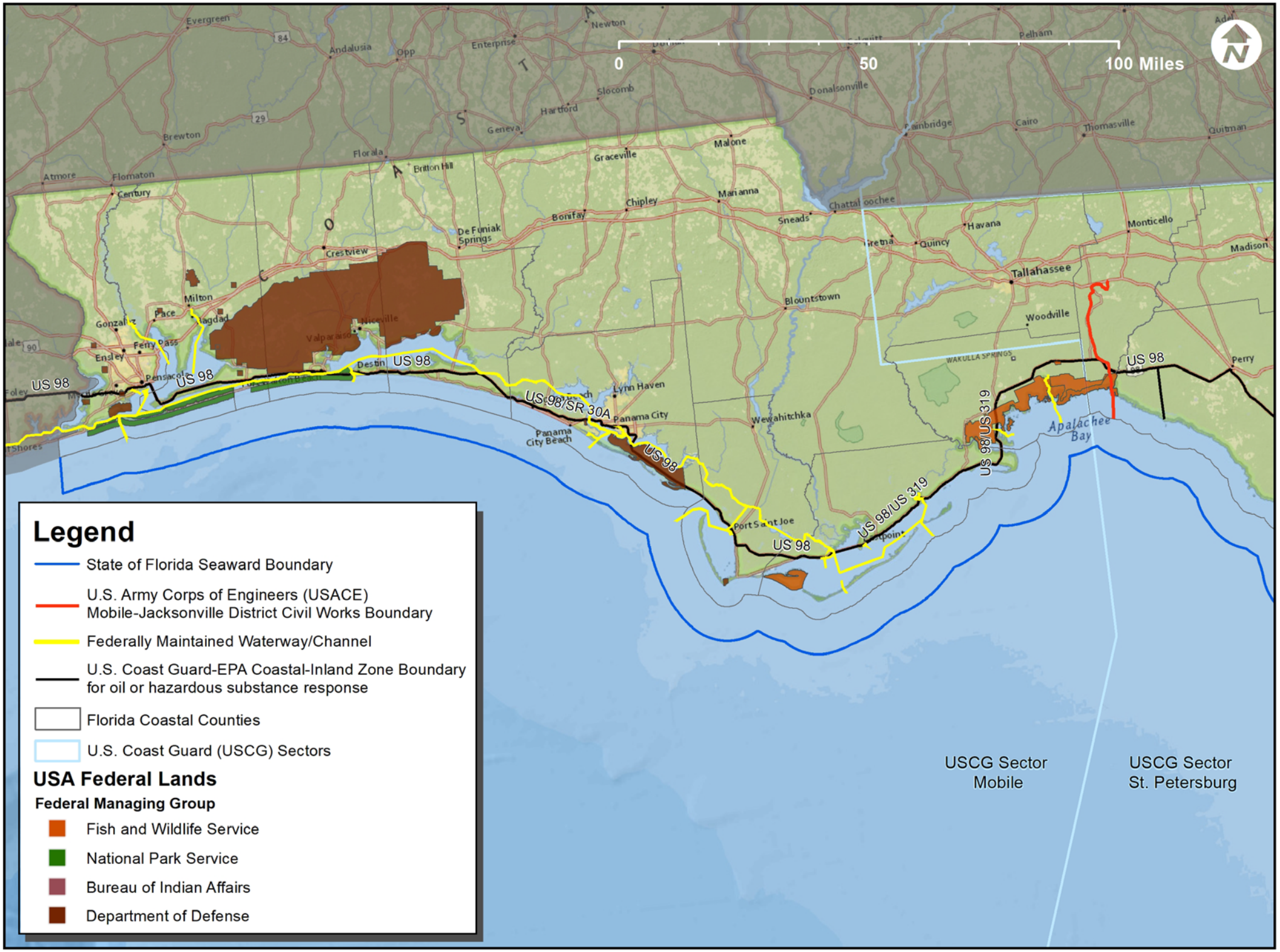
- Responsibilities may be identified in county comprehensive emergency management plans (FDEM, 2014b)

4.7 Agency Jurisdiction Maps

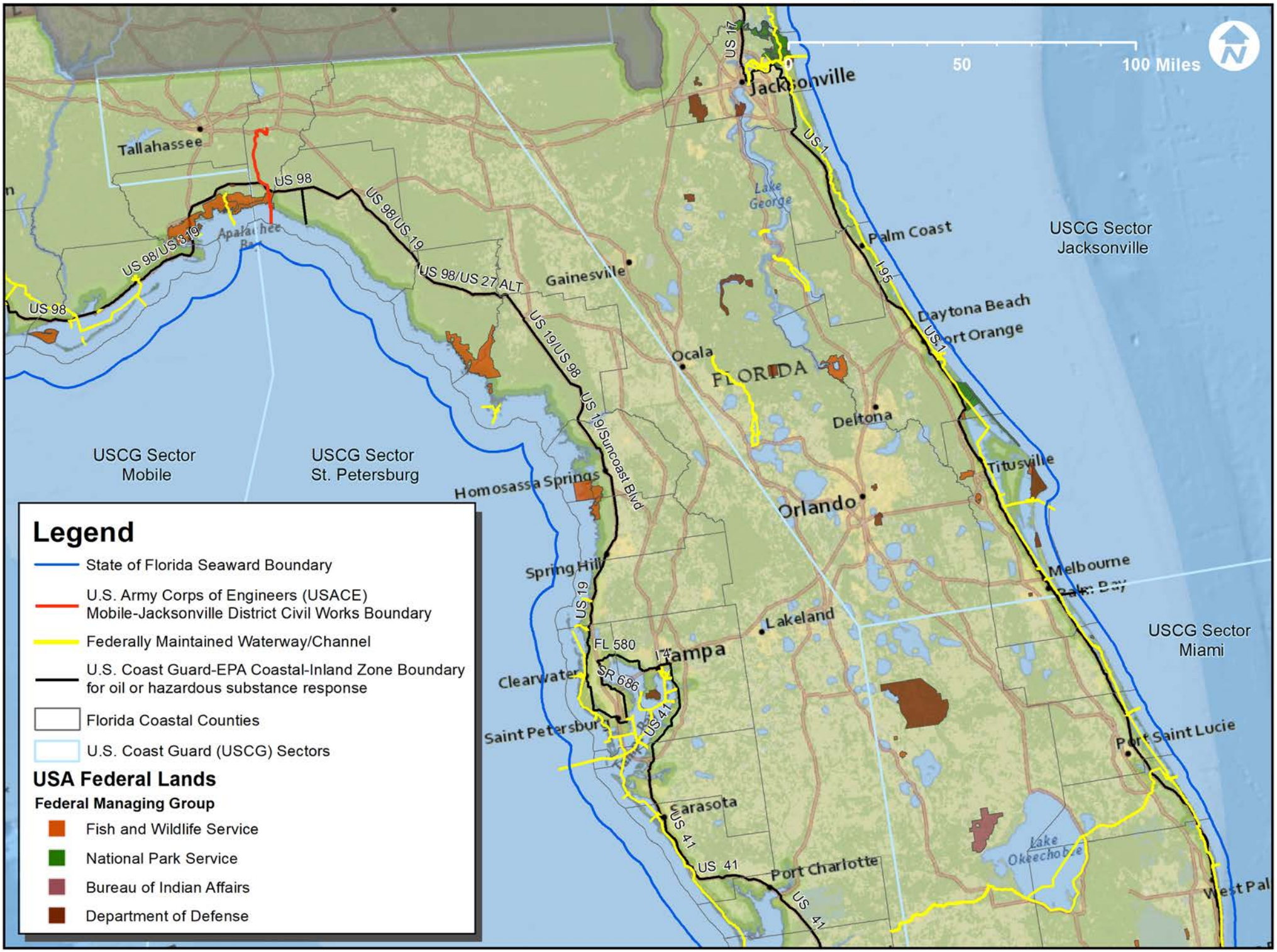
Florida Incident Waterway Debris Response Map



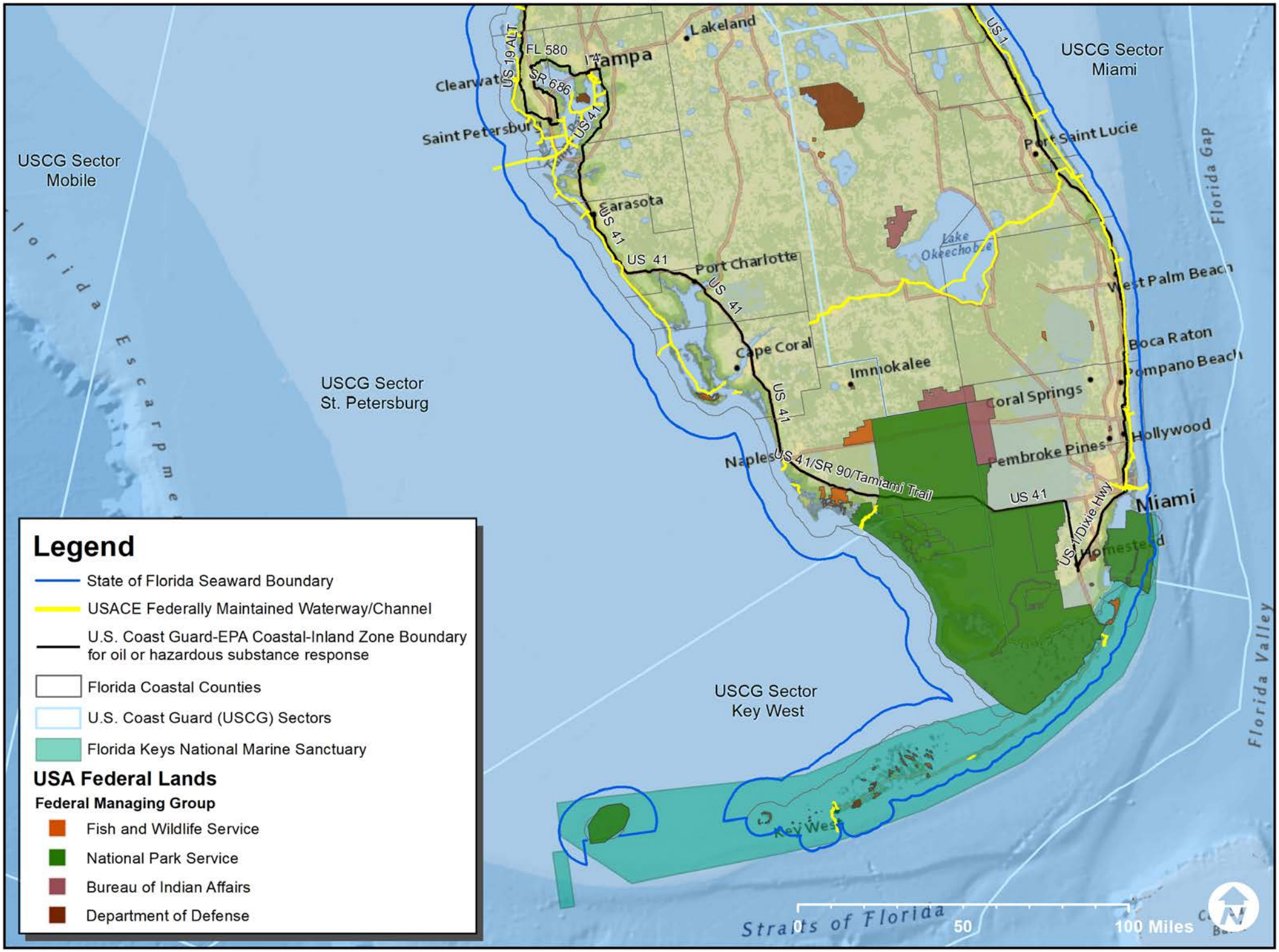
Florida Incident Waterway Debris Response Map



Florida Incident Waterway Debris Response Map



Florida Incident Waterway Debris Response Map



5. Permitting and Compliance Requirements in Florida

Before waterway debris removal work can begin, organizations responsible for removal must meet certain permitting and compliance requirements. While the agency or individual conducting the debris removal work is responsible for obtaining necessary permits – such as a USACE permit – it is the responsibility of the lead federal agency to ensure compliance with the National Environmental Policy Act (NEPA) and to consult with tribal and resource agencies including Florida Department of State's Bureau of Historic Preservation, USFWS and NOAA Fisheries.

During response under a Stafford Act declaration, FEMA provides funding to applicants for debris removal and is therefore considered the lead federal agency responsible for tribal and resource agency coordination. FDEM serves as a liaison between FEMA and local governments during declared events. FDEM also provides technical assistance to local governments to help navigate the permitting process. If waterway debris removal is conducted without FEMA funding and there are no federal agencies involved in removal activities, USACE is considered the lead federal agency as the permitting agency (if a permit is required).

A brief description of individual agency requirements and authorities is outlined below and is summarized in the "Permitting and Compliance for Waterway Debris Removal in Florida" handout in Section 5.3. Agency contact information can be found in Appendix 8.3. For more detailed information, refer to FDEM's publication *The Florida Greenbook: Environmental and Historic Preservation Compliance* or DEP's *Overview of the Wetland and Other Surface Water Regulatory and Proprietary Programs in Florida* (FDEM, 2015c; Florida Department of Environmental Protection [DEP], 2011).

5.1 State Agency Requirements

Florida Department of Environmental Protection (DEP)
Division of Water Resource Management
Beaches, Inlets and Ports Program

- If debris removal work is on or likely to affect Florida's natural sandy beaches, a Joint Coastal Permit may be required. Environmental Resource Program (ERP) permitting and state-owned submerged lands authorizations described below are included in the Joint Coastal Permit process and application instructions are included on the Joint Coastal Permit web page (DEP, 2016a).

Submerged Lands and Environmental Resources Coordination (SLERC)

- An ERP permit may be required for debris removal within waterways and wetlands if the activity involves the alteration of surface water flows. This includes clearing, grading, construction of structures, filling and dredging (Florida Department of Environmental Protection [DEP], 2016b).
    - ERP permit is not required for removal of derelict vessels from state waters by federal, state and local agencies as long as BMPs are followed and no harm to the environment is done (Fla. Admin. Code R. 62-330.051(5)(g))
- Debris removal projects that are along navigable waters and extend past the mean high water line may also require a state-owned submerged lands authorization to use lands that belong to the state of Florida (DEP, n.d.).
- ERP permits and state-owned submerged lands authorizations are processed through DEP district offices, WMDs and delegated local governments. Operating agreements between

these entities spell out who will process a given application (Florida Department of Environmental Protection [DEP], 2016d).
    - DEP has six district offices, located regionally throughout the state (Figure 3)
    - Local governments with delegated ERP permit authority include Broward County, Miami-Dade County and Hillsborough County (DEP, 2015c)
- USACE, DEP and WMDs have a joint permit application process whereby DEP or WMD distribute an application to the appropriate USACE regulatory office if required.
- DEP may issue a disaster-specific Emergency Final Order to waive or streamline various permitting requirements, which could include activities related to debris operations.

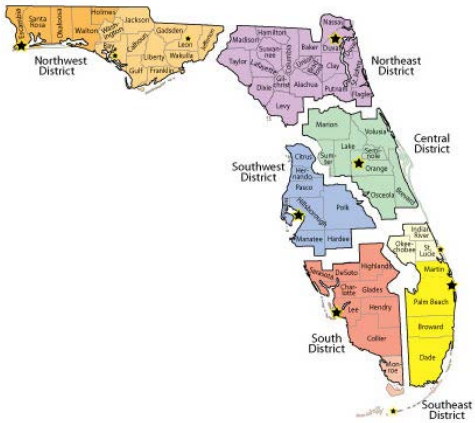


Figure 3. Florida Department of Environmental Protection district offices (Florida Department of Environmental Protection [DEP], 2014a).

Florida Department of State

Division of Historical Resources

Bureau of Historic Preservation

- The National Historic Preservation Act requires federal agencies to take into account an undertaking's potential to affect any district, site, building, structure or object included in or eligible for the National Register of Historic Places.
- If a waterway debris removal project in Florida involves a federal agency (directly or through funding and/or issuance of a federal permit), it is the responsibility of the lead federal agency to determine whether activities have the potential to affect historic or cultural sites. If so, the lead federal agency must coordinate with the Bureau of Historic Preservation prior to beginning debris removal.

Water Management Districts (WMD)

- Process ERP permits and state-owned submerged lands authorizations according to operating agreements with DEP in which authority has been delegated (DEP, 2015b)
- Florida is divided into five WMDs, which include: Northwest Florida WMD, Suwannee River WMD, St. Johns River WMD, South Florida WMD and Southwest Florida WMD (Figure 4)
- See DEP section above for additional details.

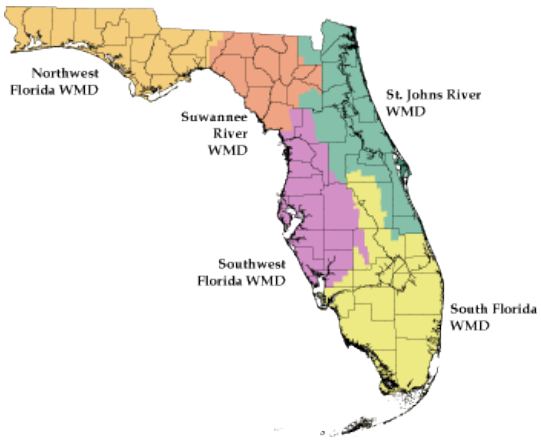


Figure 4. Florida Water Management Districts (Florida Department of Environmental Protection [DEP], 2014c).

5.2 Federal Agency Requirements

National Environmental Policy Act (NEPA)

- NEPA requires federal agencies to follow a specific planning process to ensure environmental consequences of a federally funded action have been considered.
- If a waterway debris removal project involves a federal agency (directly or through funding and/or issuance of a federal permit), it is the responsibility of the lead federal agency to ensure NEPA compliance.
    - FEMA is provided with statutory exclusions under Section 316 of the Stafford Act which exempts debris removal from the NEPA review process.
    - Therefore, the NEPA review process is not required when FEMA is providing funding for waterway debris removal under a Stafford Act declaration. However, compliance with all other federal, state and local environmental laws and regulations is still required, even when a project is statutorily excluded from NEPA review.
- For waterway debris removal operations, the impact of removal must be evaluated to minimize environmental and ecological damage to the maximum practical extent. In some cases, debris removal may be more environmentally damaging than leaving the debris in place.

National Oceanic and Atmospheric Administration (NOAA)

National Marine Fisheries Service (NMFS or NOAA Fisheries)

- If a waterway debris removal project in Florida involves a federal agency (directly or through funding and/or issuance of a federal permit), it is the responsibility of the lead federal agency to coordinate with NOAA Fisheries Southeast Regional Office prior to beginning debris removal work to ensure compliance with the Endangered Species Act (ESA) and Magnuson-Stevens Fisheries Conservation and Management Act.
    - ESA directs all federal agencies to ensure the actions they take, including those they fund or authorize, do not adversely affect listed threatened or endangered species or critical habitat. Generally, USFWS manages land and freshwater species, while NOAA Fisheries manages marine and anadromous species. If a federal agency determines their activities or actions will affect listed species or designated critical habitat—even if the effects are expected to be beneficial—they must consult with

NOAA Fisheries or USFWS. See NOAA Fisheries Southeast Regional Office's endangered species web page for an up to date Florida ESA-listed marine species list (National Oceanic and Atmospheric Administration [NOAA], 2016b). See USFWS's endangered species web page for an up to date Florida ESA-listed land and freshwater species list (U.S. Fish and Wildlife Service [USFWS], 2016).

  - Magnuson-Stevens Fisheries Conservation and Management Act directs all federal agencies to ensure the actions they take, including those they fund or authorize, do not adversely affect Essential Fish Habitat (EFH). If a federal agency determines their activities or actions may adversely affect EFH, they must consult with NOAA Fisheries. The Gulf of Mexico and South Atlantic fishery management councils are responsible for identifying EFH for federally managed species in Florida (Gulf of Mexico Fishery Management Council, 2010; South Atlantic Fishery Management Council, 2016).

- NOAA Fisheries defines an emergency as a situation involving an act of God, disasters, casualties, national defense or security emergencies, etc., and includes response activities that must be taken to prevent imminent loss of human life or property (NOAA, n.d.-a).
- Consultation during emergencies can be expedited so federal agencies can complete their critical missions in a timely manner while still providing protections to listed species and EFH.
- During emergency waterway debris removal operations, NOAA Fisheries Southeast Regional Office utilizes the same process for initiating contact for both ESA and EFH consultations. Steps to complete the emergency response consultation process are outlined in NOAA (n.d.-a).
- Additional information on ESA and EFH consultation during non-emergencies can be found in National Oceanic and Atmospheric Administration (n.d.-b) and National Oceanic and Atmospheric Administration (n.d.-c), respectively.

National Ocean Service (NOS)

Office of National Marine Sanctuaries, Florida Keys National Marine Sanctuary (FKNMS)

- If a waterway debris removal project involves activities prohibited by FKNMS regulations or the project is likely to destroy, cause the loss of, or injure any sanctuary resource, it is the responsibility of the lead entity to coordinate with FKNMS prior to beginning debris removal work to ensure compliance with the National Marine Sanctuaries Act (NMSA) and Florida Keys National Marine Sanctuary and Protection Act (FKNMSPA).
- Federal agency actions internal or external to a national marine sanctuary, including private activities authorized by licenses, leases, or permits, that are likely to destroy, cause the loss of, or injure any sanctuary resource are subject to consultation (16 U.S.C § 1434(d)).
- An agency or person may conduct actions that are prohibited by FKNMS regulations (15 C.F.R. § 922.163 or § 922.164) only if such activity is specifically authorized by a National Marine Sanctuary General Permit (15 C.F.R. § 922.166).
- For a map of FKNMS boundaries, see Section 4.7

U.S. Army Corps of Engineers (USACE), Jacksonville District

- USACE permit may be required for debris removal within waterways and wetlands if the activity involves dredging, the discharge of dredge or fill material or involves structures or work impacting the navigability of a waterway. One or multiple permits may be needed depending on the scope of work to be conducted.
- Jacksonville District Regulatory Division has jurisdiction over the entire state and is geographically aligned into three permitting branches with 10 permitting offices (Figure 5)

- USACE, DEP and WMDs have a joint permit application process
    - DEP or WMD serve as initial agency to which permit application should be submitted and will distribute an application to the appropriate USACE regulatory office if required
    - USACE and DEP or WMD will independently process the application, including separate requests for additional information and separate evaluation processes
    - Generally, USACE will not issue a permit until DEP or WMD issues the required state authorization
- Permits that may be required include:
    - **Nationwide Permit 3: Maintenance.** Authorizes repair, rehabilitation or replacement structures or fills destroyed or damaged by storms, floods, fires or other discrete events. This permit may be issued for removal or maintenance of culverts, sediments or debris accumulated around outfalls, bridges, etc. in wetland areas.
    - **Nationwide Permit 22: Removal of Vessels**. Authorizes temporary structures or minor discharges of dredged or fill material required for the removal of wrecked, abandoned, or disabled vessels, or the removal of man-made obstructions to navigation.
    - **Nationwide Permit 37: Emergency Watershed Protection and Rehabilitation.** Issued for work conducted under the Natural Resources Conservation Service's Emergency Watershed Protection program.
    - **Nationwide Permit 38: Cleanup of Hazardous and Toxic Waste**. Issued for the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with legal or regulatory authority. Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site are not required to obtain permits.
- In emergency situations, permitting procedures may be expedited and resource agency coordination (or completion of coordination/consultation) occurs "after the fact" as opposed to before a permit is issued. This may result in additional work by the applicant once the emergency and immediate threat has been mitigated.
- USACE designates an emergency as a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures (33 C.F.R. § 325.2(e)(4)).

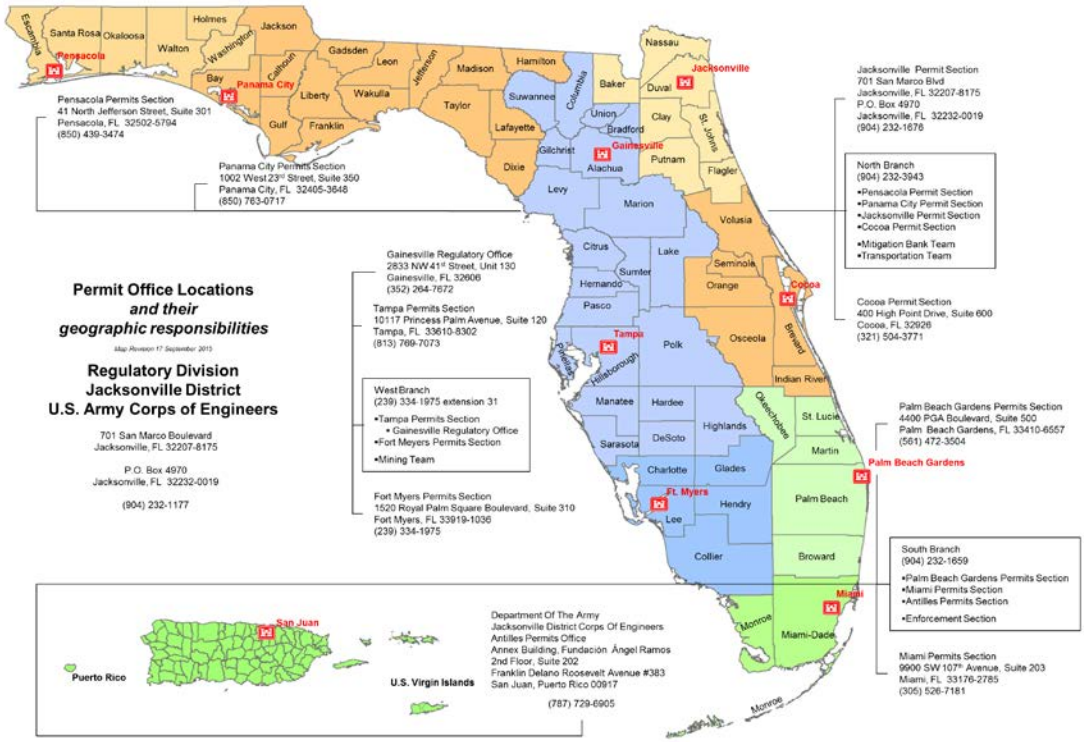


Figure 5. U.S. Army Corps of Engineers Jacksonville District permit office locations and their geographic responsibilities (U.S. Army Corps of Engineers [USACE], n.d.).

U.S. Fish and Wildlife Service (USFWS)

Ecological Services Program

- If a waterway debris removal project in Florida involves a federal agency (directly or through funding and/or issuance of a federal permit), it is the responsibility of the lead federal agency to coordinate with the appropriate USFWS Ecological Services Office (ESO) in Florida prior to beginning debris removal work to ensure compliance with ESA and the Coastal Barrier Resources Act (CBRA)
    - ESA directs all federal agencies to ensure the actions they take, including those they fund or authorize, do not adversely affect listed threatened or endangered species or critical habitat. Generally, USFWS manages land and freshwater species and certain marine species such as manatee, while NOAA Fisheries manages marine and anadromous species. If a federal agency determines their activities or actions may affect listed species or designated critical habitat—even if the effects are expected to be beneficial—they must consult with NOAA Fisheries or USFWS. See USFWS's endangered species web page for an up to date Florida ESA-listed land and freshwater species list (USFWS, 2016). See NOAA Fisheries Southeast Regional Office's endangered species web page for an up to date Florida ESA-listed marine species list (NOAA, 2016b).
    - CBRA restricts federal expenditures and financial assistance that encourage development of coastal barriers so that damage to property, fish, wildlife and other natural resources associated with the coastal barrier is minimized. The John H. Chafee Coastal Barrier Resources System (CBRS) is a collection of specific units of land and associated aquatic habitats that serve as barriers protecting the Atlantic, Gulf and Great Lakes coasts. After a Stafford Act declaration, costs for debris

removal and emergency protective measures in designated CBRS units may be eligible for reimbursement under FEMA's Public Assistance Program provided the actions eliminate an immediate threat to lives, public health and safety or protect improved property. A map of CBRS units in Florida can be downloaded from U.S. Fish and Wildlife Service [USFWS] (2015).

- For projects that do not involve federal permits or funding, USFWS consultation is not required, but is recommended. Harassing or harming ("taking") an endangered or threatened species or significantly modifying their habitat is still prohibited under ESA regardless of federal nexus involvement.
- USFWS has three ESO offices in Florida with geographic regions illustrated in Figure 6
- Reviews may be expedited in emergencies, and USFWS staff may embed in response teams.
- Each debris removal project is reviewed individually unless USFWS prepares a programmatic consultation. Under a programmatic consultation, all parties agree on certain conservation measures that must be implemented. If a waterway debris removal project arises that does not fit the programmatic measures, then it must be reviewed individually.
- Generally, USFWS will provide BMPs that, when followed, provide necessary protections while allowing projects to go forward.
- If the proposed waterway debris removal project will not impact listed threatened or endangered species, or if the federal consulting agency agrees to implement USFWS's recommendations, the consultation process is completed at the "informal" stage. However, if debris removal operations will adversely affect a listed species or critical habitat, the federal consulting agency must initiate a "formal" consultation, a process which typically ends with the issuance of a biological opinion by USFWS (or NOAA Fisheries, if the ESA-listed species affected is under NOAA Fisheries' purview).

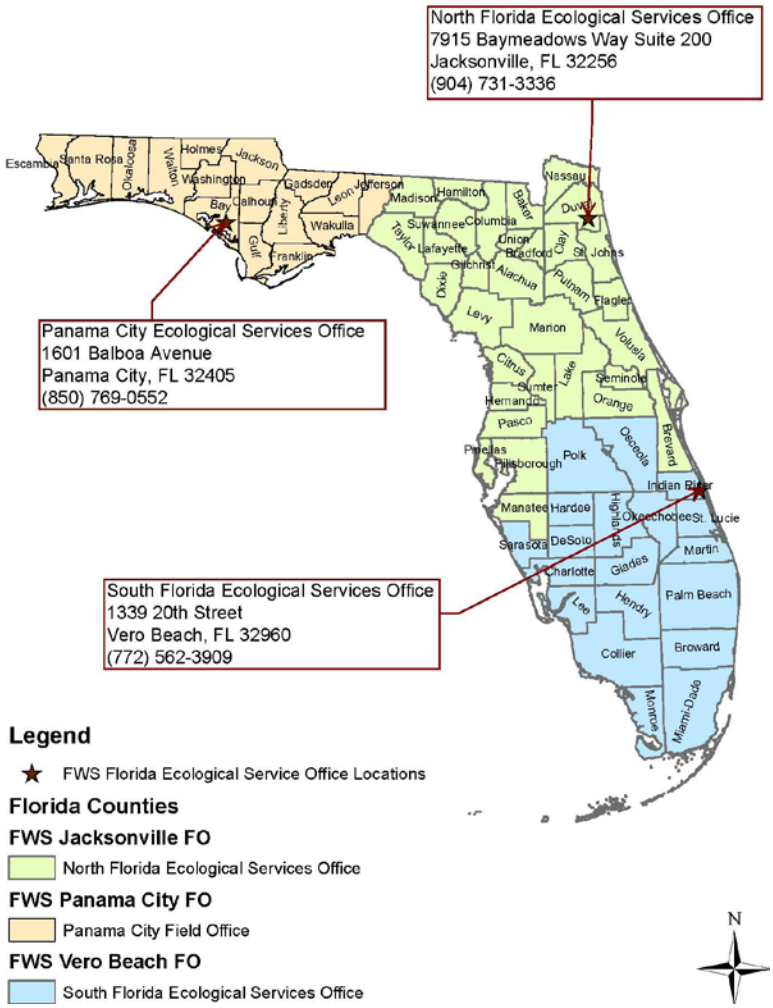


Figure 6. U.S. Fish and Wildlife Service Ecological Services Office locations and their geographic responsibilities.

5.3 Permitting and Compliance for Waterway Debris Removal in Florida One-Pager

The "Permitting and Compliance for Waterway Debris Removal in Florida" one-pager on the following page synthesizes permitting and compliance requirements that must be met before waterway debris removal operations begin. The top portion of the one-pager outlines the process to follow to stay in compliance, while the bottom portion highlights specific state and federal agency requirements with general contact information.

For detailed information regarding individual state and federal agency requirements, see Sections 5.1 and 5.2, respectively.

Permitting and Compliance for Waterway Debris Removal in Florida

- FL Department of Environmental Protection (DEP) permit may be required if debris removal involves alteration of surface water flows or is on or likely to affect natural sandy beaches. A separate state-owned submerged lands authorization may be needed if work is along navigable waters and extends past the mean high water line.
- U.S. Army Corps of Engineers (USACE) permit may be required for debris removal in waterways and wetlands if the activity involves dredging, the discharge of dredge or fill material, or involves structures or work impacting the navigability of a waterway. USACE, DEP and Water Management Districts (WMD) have a joint application process.
- The **lead federal agency** is responsible for compliance with National Environmental Policy Act (NEPA), federal coastal consistency and consulting with tribal and resource agencies including Florida Bureau of Historic Preservation, U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) as required.

Compliance process when permit is required

Federally Funded Response
(for example, FEMA funding under Stafford Act declaration)

State/Local Response
(No federal funding)

Federal Agency Coordination
Coordinate with federal funding agency regarding environmental compliance requirements before applying for DEP/WMD-USACE permit

Permit Application
Complete and submit permit application to DEP or WMD who distribute application to USACE. Both agencies review independently.

Permit Issued
Review all permit conditions including DEP or WMD and resource agency requirements. Generally, USACE will not issue a permit until DEP or WMD issues the required state authorization

Debris Removal Begins
All permit conditions and DEP or WMD and resource agency requirements must be followed during debris removal activities

- Lead federal agency is responsible for NEPA compliance, federal coastal consistency, and consultations with Florida Bureau of Historic Preservation, USFWS and NOAA as required.
- FEMA is the lead federal agency under Stafford Act declaration. Florida Division of Emergency Management (FDEM) Debris & Special Considerations Program maintains close consultation with FEMA to ensure compliance by applicants is maintained.
- Debris removal under Stafford Act declaration may trigger emergency permitting process.

As the lead federal agency, USACE will ensure NEPA compliance, federal consistency with Florida's Coastal Management Program, and consult with Florida Bureau of Historic Preservation, USFWS and NOAA as required.

About NEPA
The National Environmental Policy Act (NEPA) requires federal agencies to follow a specific planning process to ensure environmental consequences of a federally funded actions are considered.

Agency Requirements and Contact Numbers

Florida Department of Environmental Protection (DEP)
Submerged Lands and Environmental Resource Coordination
850-245-8702
Beaches, Inlets and Ports Program
850-245-8020

- DEP district offices, Water Management Districts (WMD) or delegated local governments serve as the initial agency to submit a permit application. DEP/WMD/local government distributes a copy to USACE and both agencies independently process application.
  - Environmental Resource Program (ERP) permit required if debris removal alters surface water flows, such as dredging or filling
  - State-owned submerged lands authorization required if debris removal is along navigable waters past mean high water line
  - Joint Coastal Permit required if debris removal is on or likely to affect Florida's natural sandy beaches
- Permit not required to remove derelict vessel from state waters if best management practices are followed and environment in unharmed

U.S. Army Corps of Engineers (USACE)
Jacksonville District Regulatory Division
904-232-1177

- Permit(s) that may be required for removal work in waterways and wetlands
  - **NWP-3 Maintenance** for removal/maintenance of culverts, sediments or debris accumulated around outfalls, bridges, etc. in wetland areas
  - **NWP-22 Removal of Vessels** for removal of wrecked, abandoned, or disabled vessels or other man-made obstructions to navigation
  - **NWP-37 Emergency Watershed Protection & Rehabilitation** for work done under NRCS's Emergency Watershed Protection program
  - **NWP-38 Cleanup Hazardous/Toxic Waste** for containment, stabilization, or removal of hazardous or toxic waste not under CERCLA/NCP

Florida Department of State
Bureau of Historic Preservation
850-245-6333

- Serves as the State Historic Preservation Office (SHPO) and ensures compliance with the National Historic Preservation Act.
- Consultation with State Historic Preservation Office required if waterway debris response involves federal permits and/or funding (USACE permit, FEMA funding, etc.) and has the potential to affect historic or cultural sites included in or eligible for the National Register of Historic Places.

U.S. Fish and Wildlife Service (USFWS)
Panama City ESO
850-769-0552
North Florida ESO
904-731-3336
South Florida ESO
772-562-3909

- Consultation with local Ecological Services Office (ESO) required if waterway debris response involves Federal permits and/or funding (USACE permit, FEMA funding, etc.) to comply with:
  - Endangered Species Act (ESA) to ensure actions do not adversely affect listed threatened or endangered species or critical habitat for land and freshwater species and certain marine species such as manatee.
  - Coastal Barrier Resources Act to ensure actions do not encourage development on coastal barriers along the Gulf and Atlantic coasts.

National Oceanic and Atmospheric Administration (NOAA)
National Marine Fisheries Service (NMFS)
ESA: 727-824-5312
EFH: 727-551-5736
Florida Keys National Marine Sanctuary (FKNMS)
305-797-7229

- NMFS: Consultation required if waterway debris response involves federal permits and/or funding (USACE permit, FEMA funding, etc.) to comply with:
  - Endangered Species Act (ESA) to ensure actions do not adversely affect listed threatened or endangered marine species or critical habitat.
  - Magnuson-Stevens Fisheries Conservation and Management Act to ensure actions do not adversely affect Essential Fish Habitat (EFH).
- FKNMS: Consultation required for federal actions internal or external to a national marine sanctuary, including private activities authorized by licenses, leases, or permits, that are likely to destroy, cause the loss of, or injure any sanctuary resources.
- FKNMS: General Permit or Letter of Authorization required for debris removal projects involving activities that are prohibited by FKNMS regulation or are likely to destroy, cause the loss of, or injure any sanctuary resource.

Florida Division of Emergency Management (FDEM)
Bureau of Recovery, Debris & Special Considerations Program
850-922-5914

- Maintain office in the Joint Field Office with FEMA's Environmental and Historic Preservation (EHP) section during Stafford Act declarations
- Assist both Public Assistance and Individual Assistance program with environmental and historic preservation compliance and maintain coordination with FEMA throughout the process of recovery.

6. Florida Waterway Debris Response Needs

Waterway debris response needs identified by stakeholders and associated recommendations are outlined below. Response gaps identified will serve as future points of discussion and action for the Florida waterway debris response community. Potential opportunities for addressing response needs include table-top activities to exercise this *Guide*, response exercises that incorporate debris scenarios and coordination meetings associated with this document's formal review.

6.1 Response Gaps in Florida

The following gaps in response have been reported by stakeholder agencies engaged in waterway debris response in Florida.

- After an acute waterway debris incident that does not result in a Presidential major disaster declaration, there are only limited funding sources for debris removal in state waters.

- If a derelict vessel is in state waters and has the potential to release oil or hazardous material, USCG will remove pollution threats such as oil and batteries. However, USCG generally lacks the authority to remove the vessel itself. There is no dedicated federal funding for removal of ADVs.

- There is no established program or standing source of funds for removal of migrant vessels and associated debris in south Florida.

- Local authorities may be unaware of reports to the National Response Center (NRC) even if they are capable of responding.

- Requirements for an incident to qualify as an "emergency" differ among federal agencies responsible for permitting and environmental compliance, which can lead to confusion and delayed response.

- County-level debris management plans do not always include information regarding waterway debris response and removal.

- While FDEM's Geospatial Assessment Tool for Operations and Response (GATOR) is used to display geographic information when the state Emergency Operations Center (EOC) is activated, there is no established mechanism for coordinated mapping and data collection after acute waterway debris incidents that do not involve EOC activation.

- Natural marine debris collection areas (convergence zones where marine debris naturally accumulates) have not been identified and mapped for the state of Florida.

- While a relative marine debris risk analysis (for storm-generated anthropogenic debris) has been conducted for Florida's Gulf Coast, there is no analogous study for the Atlantic Coast (NOAA, 2013).

6.2 Recommended Actions

The following recommendations have been compiled based on stakeholder agency input to improve preparedness for response and recovery operations following an acute waterway debris incident in Florida. Recommended actions include funding and policy actions to address gaps in response as well as data collection and research actions to meet pre-event data needs.

6.2.1 Funding and Policy

- Identify and establish a standing source(s) of funds for debris removal from public waterways in Florida to supplement existing programs and limited funding sources.

- Establish partnerships with non-governmental organizations to assist with fund raising and contracting for debris removal in emergency situations.

- Continue and expand coordination between USCG, FWC and local agencies to have vessels removed after USCG has abated a pollution threat.

- Establish an agreed upon consistent set of terminology and definitions among federal, state and local government waterway debris response agencies. This includes inter-agency discussions regarding what constitutes an emergency among federal agencies responsible for permitting and environmental compliance.

- Work to develop and establish rapid response nationwide general permits to expedite the permitting process for emergency waterway debris removal.

- Establish a state-wide list of pre-qualified emergency waterway debris removal and hydrographic survey contractors to supplement the Florida Emergency Supplier Network. This may include regional contractors and a registration list of local fishers for hire.

- Establish pre-event standing emergency waterway debris removal contracts.

- Encourage the incorporation of waterway debris response and removal information into local debris management plans.

- Disseminate information regarding the proper procedure to report acute waterway debris incidents in Florida, including when to call the State Watch Office. Note that marine incidents are already considered reportable incidents in the *State Watch Office Incident Reporting Guidelines* (FDEM, 2011).

- Compile and/or develop BMPs for debris removal and disseminate to stakeholders such as federal, state and local governments, non-governmental organizations, debris removal contractors and private property owners.

- Develop an inter-agency communication plan for disseminating information during an acute waterway debris incident in Florida. Plan should clearly define stakeholder audiences, identify trusted spokespeople and outline agency responsibilities.

6.2.2 Pre-event Data and Research

- Establish an agreed upon inter-agency mechanism for mapping and data collection after an acute waterway debris incident, possibly through the expanded use of FDEM's GATOR.

- Use waterway debris distribution models and field data to identify and map natural collection points for the state of Florida – potentially in conjunction with oil spill response contingency planning.

- Complete a relative marine debris risk analysis (for storm-generated anthropogenic debris) for Florida's Atlantic Coast (see NOAA, 2013 for Gulf Coast analysis).

- Continue to maintain the state's database application for marine law enforcement officers and local governments to monitor and track at-risk, abandoned and derelict vessels.

- Identify and prioritize key areas for waterway debris response based on an agreed-upon set of conditions such as ecological sensitivity, commercial use, recreational use, etc.
    - Note: USCG Sector Geographic Response Plans (GRP) and NOAA Environmental Sensitivity Index (ESI) maps contain information that could be of use for waterway debris response prioritization planning, including shoreline sensitivity, biological resources and human use resources (Florida Fish and Wildlife Conservation Commission [FWC], n.d.).

6.3 Additional Resources

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8. Appendices

8.1 Risk Description for Select Hazards in Florida

Debris Incident Hazard	Incident Risk Description for Florida
Flooding	▪ Entire state susceptible to flooding due to its many miles of coastline, significant drainage systems and relatively low elevations ▪ 23 of the 64 FEMA-declared disasters from 1953 to October 2012 in Florida involved a flooding component
Severe Weather and Tornadoes	▪ Florida has two tornado seasons from June-September and from February- April ▪ Florida ranks first as the state that experiences the most tornadoes per square mile ▪ The coastal portion of the state's Gulf Coast and inland portions of the Panhandle have generally experienced more tornadoes than other areas of the state, primarily due to the high frequency of severe storms making their way east through the Gulf of Mexico
Tropical Cyclones	▪ Entire state is subject to the effects of a tropical cyclone, but areas bordering the Atlantic Ocean and Gulf of Mexico are most vulnerable
Hazardous Materials	▪ Hazardous material incidents are common in Florida ▪ Usually have minimal impacts to health and life safety because of safety protocols and the size of the impacted area
Winter Storms/Freezes	▪ Includes snowfall, ice storms and/or strong winds ▪ Uncommon but rarity increases impact
Seismic Events	▪ Earthquakes and their impacts are rare in Florida ▪ Since 1900, there have only been 15 seismic activity reports in the state ▪ Impact increases because structures are not built to withstand earthquake shaking
Terrorism	▪ Florida is considered to be vulnerable as a major tourist attraction ▪ There have been six terrorism events in Florida since September 11, 2001
Tsunamis and Rogue Waves	▪ Florida has directly experienced few destructive tsunami and rogue wave events since 1900, with only five small recorded occurrences ▪ The probability of future tsunami and rogue wave events is low, but could be high impact event if occurred

Note: Data adapted from FDEM, 2013.

8.2 Agency Response Capabilities

Yes - In-house Capability

Contract - Contracted capability

		DEP	FDEM[5]	FWC	BSEE[12]	FEMA Region IV[13]	NOAA	NRCS	USACE		USCG	U.S. EPA Region IV[30]	USFWS
Technology	IT support during response (server/storage space for data and information sharing)	Yes[1,2]	-	Yes[7]	-	-	-	-	Cont[17]	Yes[18]	-	Yes	-
Technology	Multi-beam sonar	-	-	Contract[7]	-	-	Yes	-	Yes[17]	Cont[18]	-	Contract	-
Technology	Side scan sonar	-	-	Yes[7,8]	-	-	Yes	-	Yes[17]	Cont[18]	-	Contract	-
Technology	Single-beam sonar	-	-	Yes[7,8]	-	-	Yes	-	Yes[17]	Cont[18]	-	Contract	-
Technology	Remote sensing capabilities	-	-	Yes[7,9]	-	-	Yes	-	Yes[17]	Cont[18]	-	Contract	-
Workforce/Expertise	Communication/public information expertise (dedicated spokesperson/Public Information Officer)	Yes[2]	Yes	Yes[7,8]	-	-	Yes[14]	-	Yes		-	Yes	-
Workforce/Expertise	Compliance and permitting expertise	Yes[2,3]	Yes	Yes[8]	-	Yes	Yes	Yes	Yes		-	Yes	Yes
Workforce/Expertise	Data/information management capabilities	Yes[2]	Yes	Yes[7,8]	-	-	Yes[14]	-	Yes[18]		-	Yes	-
Workforce/Expertise	Debris modeling expertise (transport, hindcasting, etc.)	-	-	Yes[8]	-	-	Yes	-	Yes[18]		-	Contract	-
Workforce/Expertise	Dedicated waterway/marine debris staff (responders, response team, regional coordination, etc.)	-	Yes[6]	-	-	-	Yes	-	Yes[18]		Yes	Yes	-
Workforce/Expertise	Dive support	Yes[2] Cont[3]	-	Yes[8]	-	-	Yes	-	Contract[17]		Yes[22]	Contract	-
Workforce/Expertise	Environmental expertise (location of sensitive areas, endangered species present, etc.)	Yes[2,3]	Yes	Yes[7,8]	Yes	Yes	Yes[14,15]	Yes	Yes		Yes	Yes	Yes
Workforce/Expertise	GIS mapping and plotting of imagery	Yes[2]	Yes	Yes[7,8]	-	Yes	Yes	-	Yes[19]		-	Yes	-
Workforce/Expertise	Hazardous substance and/or oiled debris expertise	Yes[2,3]	-	Yes[7]	-	-	Yes	-	Yes[18]		Yes	Yes	-
Workforce/Expertise	Incident Command System (ICS) trained staff	Yes[2,3]	Yes	Yes[7,8]	-	Yes	Yes	-	Yes		Yes	Yes	-
Workforce/Expertise	Technical expertise for removal operations (techniques, best management practices, etc.)	Yes[3]	-	-	-	Yes	Yes	Yes	Cont[17]	Yes[18,20]	Yes	Yes	-
Workforce/Expertise	Volunteer manpower	Yes[2]	Yes	Yes[8]	-	-	Yes[14]	-	-		-	Yes	Yes
Workforce/Expertise	Waterway management authority (law enforcement officers)	-	-	Yes[8]	-	-	Contract[14]	-	-		Yes	-	-
Equipment	Aircraft	-	-	Yes[10]	-	-	Yes	-	-		Yes	Contract	-
Equipment	Barge, Self-loading barge	-	-	-	-	-	-	-	Yes[17]	Cont[18]	-	Contract	-
Equipment	Boom	Contract[3]	-	-	-	-	-	-	Yes[17]	Cont[18]	Contract[23]	Contract	-
Equipment	Crane, Knuckleboom Crane	-	-	-	-	-	-	-	Yes[17]	Cont[18]	-	Contract	-
Equipment	Environmental clamshell dredge	-	-	-	-	-	-	-	Contract		-	Contract	-
Equipment	Excavator	Contract[3]	-	-	-	-	-	-	Yes[17]	Cont[18]	-	Contract	-
Equipment	Remotely Operated Vehicle (ROV)	-	-	-	-	-	-	-	Yes		-	Contract	-
Equipment	Sampling Equipment	Yes[2,3]	-	Yes[7,8]	-	-	-	-	Contract[18]		-	Yes	-
Equipment	Unmanned Aerial Vehicle (UAV)/Surveillance drones	-	-	-	-	-	Yes	-	Yes		Yes[24]	Contract	-
Equipment	Vessels	Yes[2] Cont[3]	-	Yes[7,8]	-	-	Yes	-	Yes[17]	Cont[18]	Yes	Contract	Yes
Equipment	Other specialized equipment that cannot be readily procured immediately following a debris incident	-	-	Yes[7,11]	-	-	Yes[14]	-	Contract[18]		Yes	Contract	Yes

	Yes - In-house Capability Contract - Contracted capability	DEP	FDEM[5]	FWC	BSEE[12]	FEMA Region IV[13]	NOAA	NRCS	USACE		USCG	U.S. EPA Region IV[30]	USFWS
Logistics	Contracting: Contract authority and oversight capabilities	Yes[3]	Yes	Yes[7]	-	-	Yes	-	Cont[17]	Yes[18]	Yes[25]	Yes	-
	Contracting: Pre-approved removal contractors	Yes[3]	-	-	-	-	-	-	Yes[18]		Yes[26]	Yes	-
	Contracting: Pre-event contracts and staged agreements in place	-	-	-	-	-	-	-	Yes[18]		Yes[26]	-	-
	Docks for wet storage of vessels	Yes[2]	-	Yes[7,10]	-	-	Yes[14]	-	-		Yes[27]	-	-
	Facility suitable for establishing an emergency operations center (EOC)	Yes[2]	Yes	Yes[7]	-	-	Yes	-	Yes		Yes	Contract	-
	Funding for waterway debris removal	Yes[3]	-	Yes[10]	-	-	Yes[16]	Yes	Yes[21]		Yes[28]	Yes	-
	Laboratory space	Yes[2,3]	-	Yes[7]	-	-	-	-	Contract[18]		-	Yes	-
	Pre-designated landfill/disposal sites	Contract[1]	-	-	-	-	-	-	-		-	-	-
	Research program established to analyze long-term trends, impacts, etc.	Yes[2]	Yes	Yes[7]	-	-	Yes	-	Yes[18]		-	-	-
	Staging/Off-Loading: Land with water access to stage, offload debris (has not been evaluated for suitability or officially pre-designated)	Yes[2]	-	Yes[10]	-	-	Yes[14]	-	-		-	-	-
	Staging/Off-Loading: Pre-designated staging, off-loading and special handling areas (already evaluated for suitability)	Yes[2,4]	-	Yes[10]	-	-	-	-	-		Yes	-	-
	Staging area for dry storage of vessels	Yes[2]	-	Yes[10]	-	-	Yes	-	Yes[18]		Yes[29]	-	Yes
	Other logistical support, including fuel, housing, food, etc.	Yes[2]	Yes	-	-	-	-	-	-		-	Yes	-

Note: Each agency self-reported capabilities which could be used during waterway debris response in Florida. Agencies were asked to indicate whether capabilities were in-house or were contracted through a third party. Footnotes refer to additional information provided for a particular capability. While not included in this table, local jurisdictions may also possess capabilities listed above and should be included in all phases of response to maximize utilization of local expertise and resources.

[1]DEP Solid Waste Section
[2]DEP Apalachicola National Estuarine Research Reserve
[3]DEP Office of Emergency Response (OER). Contracting authority for OER response/cleanup contracts only.
[4]DEP Solid Waste Section assists counties with identifying debris storage areas and pre-approves debris staging areas annually
[5]FDEM ESF lead contacts from other agencies may provide capabilities listed
[6]FDEM Debris staff may not always deploy to local events
[7]FWC Fish and Wildlife Research Institute (FWRI). Response would have to be of enough magnitude to warrant that FWRI move resources.

[8]FWC Division of Habitat and Species Conservation
[9]FWC Refers to post-processing of remote sensing
[10]FWC Division of Law Enforcement
[11]FWC Refers to mobile response trailer with satellite communications and Wi-Fi
[12]BSEE BSEE may have other capabilities, but agency mission does not directly support debris response
[13]FEMA Capabilities contingent upon a Presidential major disaster declaration. FEMA capable of mission-assigning other federal support to increase capabilities. FEMA has interactive live collection and mapping capabilities and a template wet debris collector map for Region IV.
[14]NOAA Capability is particular to Florida Keys National Marine Sanctuary (FKNMS)
[15]NOAA Coordinates marine mammal and sea turtle stranding response and reviews proposed debris removal activities for compliance with ESA and Magnuson-Stevens Fisheries Conservation and Management Act
[16]NOAA Funding through grant program and possible Congressional supplemental funding
[17]USACE Jacksonville District
[18]USACE Mobile District
[19]USACE Have GIS cadre for response
[20]USACE Have planning response teams
[21]USACE Funding in place for federal projects only
[22]USCG Not typically used for waterway debris
[23]USCG Small amounts of boom on hand but capable of using pre-event contracts for larger pollution events
[24]USCG Not typically used for waterway debris
[25]USCG USCG contracts only
[26]USCG For pollution incidents only
[27]USCG Limited space and suitable for larger vessels only
[28]USCG Funding for pollution incidents only
[29]USCG Limited space
[30]EPA EPA routinely conducts removal operations of hazardous substances and oil, including debris. EPA resources would be tasked by the EPA personnel operating in the Unified Command or by EPA's Federal On-Scene Coordinator/Duty Officer in Region 4.

8.3 Agency Contact Information

State/Local Agencies

Agency	Division	Topic	Point of Contact	Phone	Email
County Emergency Management Agencies	-	-	See website at Florida Division of Emergency Management [FDEM], 2014a	-	-
Florida Department of Agriculture and Consumer Services (FDACS)	Division of Animal Industry	ESF 17 Animal and Agricultural Issues lead	Joe Kight	850-251-2841	Joe.Kight@freshfromflorida.com
	Division of Aquaculture	Coordination	Portia Sapp	850-617-7600	Portia.Sapp@FreshFromFlorida.com
Florida Department of Environmental Protection (DEP)	Division of State Lands: Bureau of Public Land Administration	Planning and coordination	Cheryl McCall	850-245-2739	Cheryl.McCall@dep.state.fl.us
	Division of State Lands: Submerged Lands Section	Determines state ownership of submerged coastal areas	Title and Land Records Section	850-245-2555	-
	Division of Waste Management: Solid Waste Section	Debris management and disposal	Cory Dilmore, P.E., Environmental Administrator	850-245-8712	cory.dilmore@dep.state.fl.us
	Division of Water Resource Management: Beaches, Inlets and Ports Program	Joint Coastal Permit	See DEP, 2016a at http://www.dep.state.fl.us/beaches/programs/envpermt.htm#JCP	850-245-8020	BIPP@dep.state.fl.us
	Division of Water Resource Management: SLERC	ERP permit	See DEP, 2014a for District Offices at http://www.dep.state.fl.us/secretary/dist/default.htm	850-245-8702	-
	Florida Coastal Office: Apalachicola NERR	Capability contact for equipment	Jason Garwood, Research Coordinator	850-670-7716	jason.garwood@dep.state.fl.us
		Capability contact for IT support	Jennifer Harper, Manager	850-670-7716	Jennifer.harper@dep.state.fl.us
		Capability contact for IT support	Megan Lamb, Research Assistant	850-670-7709	megan.lamb@dep.state.fl.us
	Florida Coastal Office: Coral Reef Conservation Program	Southeast Florida Marine Debris Reporting and Removal Program	Kristi Kerrigan, Reef Resilience Coordinator	305-795-1204	Kristi.Kerrigan@dep.state.fl.us
			SEAFAN Hotline	866-770-SEFL (7335)	-
	Florida Coastal Office: FCMP	Marine Debris Rapid Response Coordination	Ann Lazar, Environmental Administrator	850-245-2168	ann.lazar@dep.state.fl.us
	Office of Emergency Response (OER)	ESF 10 lead and capability contact	John Johnson, Director	850-245-2010	John.S.Johnson@dep.state.fl.us
Florida Department of State	Division of Historical Resources: Bureau of Historic Preservation	National Historic Preservation Act compliance	Timothy Parsons, Deputy State Historic Preservation Officer	850-245-6333	Timothy.Parsons@dos.myflorida.com
Florida Department of Transportation	-	ESF 3 lead	Patrick Odom, Logistics Chief	850-545-1232	patrick.odom@dot.state.fl.us
Florida Division of Emergency Management (FDEM)	-	Report hazardous material, marine, petroleum or weather incidents	State Watch Office	800-320-0519	-
	Recovery Bureau	Planning and coordination	Amanda Campen, Deputy Bureau Chief	-	Amanda.Campen@em.myflorida.com

State Agencies Continued

Agency	Division	Topic	Point of Contact	Phone	Email
Florida Fish and Wildlife Conservation Commission (FWC)	Division of Habitat and Species Conservation	Marine Debris Rapid Response Coordination and capability contact	Kent Smith, Biological Administrator	850-617-9504	kent.smith@myfwc.com
	Division of Law Enforcement	Boating and Waterways: Derelict Vessel Program	Phil Horning, Derelict Vessel Program Administrator	850-617-9540	Phil.Horning@MyFWC.com
			Captain Gary Klein, Waterway Management Unit Leader	850-617-9528	Gary.Klein@MyFWC.com
	Division of Marine Fisheries Management	Trap removal programs	Kyle Miller	850-487-0554	kyle.miller@myfwc.com
	Fish and Wildlife Research Institute (FWRI)	Capability contact for technology, manpower/expertise, electronic equipment	Rene Baumstark, Information Science & Management Section Leader	727 502-4866	Rene.baumstark@myfwc.com
		Capability contact for sampling equipment, vessels, logistics	Henry Norris, Deputy Director	727-502-4842	henry.norris@myfwc.com
		Pollution response, resources at risk, damage assessment	Timyn Rice, State Scientific Support Coordinator	727-502-4855 (O) 727-310-7368 (C)	Timyn.Rice@MyFWC.com
Water Management Districts (WMD)	Northwest Florida WMD	Permitting and compliance and response within WMD jurisdiction	-	850-539-5999	-
	South Florida WMD		-	561-686-8800	-
	Southwest Florida WMD		-	352-796-7211	-
	St. Johns River WMD		-	386-329-4500	-
	Suwannee River WMD		-	386-362-1001	-

Federal Agencies

Agency	Division	Topic	Point of Contact	Phone	Email
Bureau of Safety and Environmental Enforcement (BSEE)	Marine Trash and Debris Program	Planning and coordination	James Sinclair, Marine Ecologist	504-736-2789	James.Sinclair@bsee.gov
Federal Emergency Management Agency (FEMA)	Region IV	Funding following Presidential disaster declaration	Contact local Emergency Management Agency (see FDEM, 2014a)	-	-
		Capability contact for GIS mapping and plotting of imagery	David Lawson, Region IV GIS Coordinator	770-220-5504	David.Lawson@fema.dhs.gov
		Capability contact for technical expertise for removal operations and environmental, compliance and permitting expertise	Valerie Rhoads, Public Assistance Branch Chief	770-220-5618	valerie.rhoads@fema.dhs.gov
National Oceanic and Atmospheric Administration (NOAA) *continued on next page*	National Marine Fisheries Service (NMFS or NOAA Fisheries)	Emergency ESA/EFH consultation	-	-	nmfs.ser.emergency.consult@noaa.gov
		EFH information	Atlantic: Pace Wilber	843-460-9926	pace.wilber@noaa.gov
			Gulf: David Dale	727-551-5736	david.dale@noaa.gov
			Gulf: Rusty Swafford	409-766-3699	rusty.swafford@noaa.gov

Federal Agencies Continued

Agency	Division	Topic	Point of Contact	Phone	Email
continued from previous page National Oceanic and Atmospheric Administration (NOAA)	National Marine Fisheries Service (NMFS or NOAA Fisheries)	ESA information	General Contact	727-824-5312	-
			Florida Keys and Caribbean: Jennifer Moore, Threatened Coral Recovery Coordinator	727-551-5797 (O) 727-647-2357 (C)	jennifer.moore@noaa.gov
			North Carolina to Texas: Karla Reece	727-824-5348	karla.reece@noaa.gov
	NOS, Florida Keys National Marine Sanctuary (FKNMS)	Response in FKNMS and capability contact	Stephen Werndli, Enforcement and Emergency Response Coordinator	305-434-9371 (O) 305-797-7229 (C)	stephen.werndli@noaa.gov
		Compliance consultation	-	305-797-7229	-
	NOS, ORR, Emergency Response Division	Potential to release oil or hazardous substance	Brad Benggio, Scientific Support Coordinator for USCG District 7 and RRT IV	305-530-7925 (O) 206-375-5697 (24hr)	brad.benggio@noaa.gov
			Adam Davis, Scientific Support Coordinator for USCG District 8 and backup for RRT IV	206-549-7759 (C) 206-526-4911 (24hr)	adam.davis@noaa.gov
	NOS, ORR, Marine Debris Division	Planning and coordination	Charles Grisafi, Florida and Caribbean Regional Coordinator	202-557-5149	charles.grisafi@noaa.gov
National Park Service (NPS)	-	Response on NPS-owned lands	Darrell Echols, Chief, Science and Natural Resources Management Division	404-507-5807	darrell_echols@nps.gov
			C. Anna Toline, Marine Scientist, Oceans Program Coordinator	843-518-1939	catherine_toline@nps.gov
Natural Resource Conservation Service (NRCS)	-	Emergency Watershed Protection (EWP) Program Information	Jason Strenth, State Conservation Engineer	352-338-9559 (O) 352-538-4892 (C)	jason.strenth@fl.usda.gov
U.S. Air Force	-	Report launch/range debris in a waterway or shoreline	Patrick Command Post	321-494-7001	-
U.S. Army Corps of Engineers (USACE) *continued on next page*	Emergency Operations	Planning and coordination	Jacksonville District (Primary): Aaron Stormant, Chief Emergency Management	904-232-3626	gregory.a.stormant@usace.army.mil
			Mobile District (Support): Bo Ansley, Chief Emergency Management	251-690-2027	hubert.r.ansley@usace.army.mil
	Navigation	Federally maintained waterway or channel	Jacksonville District: Jackie Keiser	904-232-3915	jacqueline.j.keiser@usace.army.mil
			Mobile District: Duane Poiroux, Operations Division	251-694-3720	duane.b.poiroux@usace.army.mil
	Regulatory Program	Compliance and permitting expertise	Donnie Kinard, Chief, Regulatory Division	904-232-2255	donald.w.kinard@usace.army.mil
			Tori White, Deputy, Regulatory Division	904-232-1658	tori.white@usace.army.mil
			North Branch (Pensacola, Panama City, Jacksonville, Cocoa): Clif Payne, Chief	904-232-3943	lyal.c.payne@usace.army.mil
			South Branch (Palm Beach Gardens, Miami): Kelly Finch, Chief	904-232-1659	kelly.c.finch@usace.army.mil
			West Branch (Gainesville, Tampa, Ft. Myers): Kelly Unger, Chief	904-232-1676	kelly.e.unger@usace.army.mil

Federal Agencies Continued and Tribal Governments

Agency	Division	Topic	Point of Contact	Phone	Email
continued from previous page U.S. Army Corps of Engineers (USACE)	-	Capability contact for remote sensing (UAS)	Brian Brodehl	904-232-3600	-
		Capability contact for UAV/UAS	Mike Hensch	904-232-2665	-
		Capability contact for environmental cleanup expertise	Bill Niemes	904-232-2815	-
		Capability contact for equipment	Mark Shore	863-983-8101x236	-
		Capability contact for NEPA	Eric Summa	904-232-1665	-
U.S. Coast Guard (USCG)	-	Potential to release oil or hazardous substance	National Response Center (NRC)	800-424-8802	-
	District 7	Planning and coordination	LCDR Lori Loughran	305-415-7138	Lori.A.Loughran@uscg.mil
			LTJG James Davis, RRT IV Coordinator	305-415-6926	James.P.Davis3@uscg.mil
			Forest Willis, RRT IV Co-Chair	305-415-6676	Forest.A.Willis@uscg.mil
	District 8	Planning and coordination	LCDR Chris Miller, DRAT Environmental Specialist	504-671-2235	Chris.J.Miller@uscg.mil
			Dee Oos, Area Contingency Plan Program Manager	504-671-2233	Damara.a.oos@uscg.mil
			Mike Sams, Incident Management Preparedness Advisor	504-671-2234	Michael.K.Sams@uscg.mil
			Adam Tyndale, Response Equipment Coordinator	504-671-2063	Adam.J.Tyndale@uscg.mil
		Capability contact	Sector Mobile: USCG Sector Mobile Command Center	251-441-6211	-
U.S. Environmental Protection Agency (EPA)	Region IV	Potential to release oil or hazardous substance	National Response Center (NRC)	800-424-8802	-
		Planning and coordination	Gary Andrew, RRT IV and ESF 10 Coordinator	678-733-1621	Andrew.Gary@epa.gov
			Leo Francendese, On-Scene Coordinator	404-606-2223	francendese.leo@epa.gov
			Chris Russell, On-Scene Coordinator	850-274-1575	russell.chris@epa.gov
		Capability contact	EPA Region IV Duty Officer	404-562-8700	-
U.S. Fish and Wildlife Service (USFWS)	Ecological Service Program	Compliance and permitting expertise	Larry Williams, State Supervisor	772-469-4251	larry_williams@fws.gov
			Rafael Gonzalez, State Chief of Staff	772-469-4269	rafael_gonzalez@fws.gov
			North Florida Ecological Services Field Office	904-731-3336	jaxregs @ fws.gov
			Panama City Ecological Services Field Office	850-769-0552	-
			South Florida Ecological Services Field Office	772-562-3909	verobeach@fws.gov
	National Wildlife Refuges	Response in Florida Keys NWR Complex	Steve Berger, Senior Federal Wildlife Officer	-	steven_berger@fws.gov
Miccosukee Tribe of Indians	-	Response on tribal lands	Colley Billie, Chairman	305-223-8380	hopel@miccosukeetribe.com
Seminole Tribe of Florida	-	Response on tribal lands	James E. Billie, Chairman	954-966-6300	jamesbillie@semtribe.com

8.4 Coastal County Debris Management Plans That Address Waterway Debris

County	Details
Charlotte	County CEMP mentions debris removal and county has contract which includes debris removal from canals
Collier	Debris Management Plan includes information regarding public utilities handing debris, and county will conduct beach cleanups if needed
Lee	Have waterway debris removal contractors, and Debris Management Plan states county may notify federal agencies with authority to remove debris if it is outside county's jurisdiction
Manatee	County Debris Management Plan does mention waterway debris
Nassau	Waterborne debris is addressed in county Debris Management Plan as a special consideration
Pasco	Have debris contract with language to address waterway clearance
Volusia	County Debris Management Plan outlines agencies responsible for debris removal from canals, ditches, retention ponds and applicable waterways, as well as marine debris removal contractor information

Note: Data obtained by FDEM via phone survey in June-July 2015.

8.5 Florida Legislation Applicable to Waterway Debris Response

- Abandoned and derelict vessels; removal; penalty, Fla. Stat. § 823.11
- Distribution of certain proceeds, Fla. Stat. § 206.606
- Environmental Control, Fla. Stat. § 403
    - Comprehensive illegal dumping, litter, and marine debris control and prevention, Fla. Stat. § 403.41315
    - Management of Storm-Generated Debris, Fla. Stat. § 403.7071
- Environmental Resource Permitting, Fla. Admin. Code R. 62-330
    - Exempt Activities, Fla. Admin. Code R. 62-330.051(5)(g)
- Florida Aquatic Preserves, Fla. Admin. Code R. 18-20
- Florida Endangered and Threatened Species Act, Fla. Stat. § 379.2291
- Florida Fish and Wildlife Conservation Commission Grants Program, Fla. Admin. Code R. 68-1.003
- Jurisdiction over Navigable Waters, Fla. Stat. § 47.071
- Lost or Abandoned Property, Fla. Stat. § 705
    - Definitions, Fla. Stat. § 705.101
    - Reporting lost or abandoned property, Fla. Stat. § 705.102
    - Procedure for abandoned or lost property, Fla. Stat. § 705.103
    - Title to lost or abandoned property, Fla. Stat. § 705.104
- Navigation Districts; Waterways Development, Fla. Stat. § 374
    - Inland navigation districts; legislative intent, Fla. Stat. § 374.975
- Pollution Discharge Prevention and Removal, Fla. Stat. § 376
    - Florida Coastal Protection Trust Fund, Fla. Stat. § 376.11
    - Derelict vessels; removal from public waters, Fla. Stat. § 376.15
- Role of counties, municipalities, and local pollution control programs in permit processing, Fla. Stat. § 373.441
- Solid Waste Management Facilities, Fla. Admin. Code R. 62-701
- Sovereignty Submerged Lands Management, Fla. Admin. Code R. 18-21
    - Scope and Effective Date, Fla. Admin. Code R. 18-21.002
    - Definitions, Fla. Admin. Code R. 18-21.003
    - Delegation of Authority, Fla. Admin. Code R. 18-21.0051
- State boundaries, F.L. Const. art. II, § 1, pt. (a)
- Vessel Safety, Fla. Stat. § 327
    - Definitions, Fla. Stat. § 327.02
    - Uniform waterway regulatory markers, Fla. Stat. § 327.41
    - Marine Sanitation, Fla. Stat. § 327.53
    - Enforcement of this chapter and chapter 328, Fla. Stat. § 327.70
- Vessels: Title Certificates; Liens; Registration, Fla. Stat. § 328
    - Nonjudicial sale of vessels, Fla. Stat. § 328.17
    - Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers – Distribution of Fees, Fla. Stat. § 328.72(15)

Wilbur L. Ross, Jr.
United States Secretary of Commerce

RDML Tim Gallaudet, Ph.D., USN Ret.
Assistant Secretary of Commerce for Oceans and Atmosphere and
Acting Under Secretary of Commerce for Oceans and Atmosphere

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