



United States Marine Debris Emergency Response Guide

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United States Marine Debris Emergency Response Guide

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Table of Contents

List of Acronyms	4
Definitions	5
1 Introduction	9
1.1 Purpose.....	9
1.2 Scope of <i>Guide</i>	9
1.3 <i>Guide</i> Development Maintenance.....	9
2 Response to Marine Debris	11
3 Roles and Responsibilities	14
3.1 Federal Agency Roles	14
3.2 Response Scenarios Matrix.....	18
3.3 State and Local Planning Considerations.....	19
3.4 Marine Debris Response Map	20
4 Marine Debris Response Flowchart.....	22
5 Marine Debris Response Challenges.....	24
5.1 Response Challenges and Recommended Actions.....	24
5.1.1 Pre-event Planning and Coordination.....	24
5.1.2 Response Timelines and Logistics.....	25
5.1.3 Policy and Funding.....	26
5.1.4 Education	26
5.1.5 Resources and Technology	27
5.2 Additional Resources.....	27
6 References.....	29
7 Appendices.....	30
7.1 Federal Agency Authorities	30
7.2 Federal Funding for Marine Debris Response.....	32

List of Acronyms

ACP	Area contingency plan
ADV	Abandoned and derelict vessel
BMP	Best management practice
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EPA	U.S. Environmental Protection Agency
ERMA	Environmental Response Management Application
ESF	Emergency support function
EWP	Emergency Watershed Protection (of NRCS)
FEMA	Federal Emergency Management Agency
ICP	Incident command post
JFO	Joint field office
JRO	Joint recovery office
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NOAA	National Oceanic and Atmospheric Administration
NPS	National Park Service
NRC	National Response Center
NRCS	Natural Resources Conservation Service
NRF	National Response Framework
RCP	Regional contingency plan
RP	Responsible party
RSF	Recovery support function
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard

Definitions

Area contingency plan (ACP) – Reference document prepared by a U.S. Coast Guard-led Area Committee for use by 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. The U.S. Coast Guard (USCG) is the lead agency for planning and responding in coastal zones and certain major inland water bodies, while the U.S. Environmental Protection Agency (EPA) is the lead in inland zones (40 C.F.R. § 300.5).

Captains of the Port – U.S. Coast Guard Captains of the Port and their representatives enforce, within their respective areas, port safety and security and marine environmental protection regulations, including, without limitation, regulations for the protection and security of vessels, harbors, and waterfront facilities; anchorages; security zones; safety zones; regulated navigation areas; deepwater ports; water pollution; and ports and waterways safety (33 C.F.R. § 1.01-30).

Coastal zone – As defined for the purpose of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), coastal zone means all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, waters of the contiguous zone, other waters of the high seas subject to the NCP, and the land surface or land substrata, ground waters, and ambient air proximal to those waters. The term coastal zone delineates an area of federal responsibility for response action. Precise boundaries are determined by EPA/USCG agreements and identified in federal regional contingency plans (40 C.F.R. § 300.5). The coastal zone is generally the USCG area of responsibility for response under the NCP.

Mission assignment – Work order issued to a Federal agency by the Regional Administrator, Assistant Administrator for the Disaster Operations Directorate, or Administrator [of the Federal Emergency Management Agency (FEMA)], directing completion by that agency of a specified task and citing funding, other managerial controls, and guidance (44 C.F.R. § 206.2(a)(18)).

Eligible applicant – The following entities are eligible to apply for assistance under the State public assistance grant: (a) state and local governments. (b) private non-profit organizations or institutions which own or operate a private nonprofit facility as defined in § 206.221(e). (c) Indian tribes or authorized tribal organizations and Alaska Native villages or organizations, but not Alaska Native Corporations, the ownership of which is vested in private individuals (44 C.F.R. § 206.222). Eligible applicants are entities who are eligible to apply for Public Assistance reimbursement funding from FEMA under the Stafford Act.

Eligible debris – The following conditions must be met for debris to be eligible for financial assistance from FEMA: (1) debris is a direct result of the emergency or major disaster event, (2) debris is located within the designated area of a major disaster or emergency declaration, and (3) removal is in the public interest based on whether the work eliminates the immediate threat to lives, public health, and safety; eliminates immediate threats of significant damage to improved public or private property; or ensures economic recovery of the affected community to the benefit of the community at large (Federal Emergency Management Agency [FEMA], 2020).

Emergency – 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 support function (ESF) – The primary response coordinating structure used to organize and manage resources and capabilities into functional areas, typically used by the federal government, as well as many state and territorial governments. Each ESF is composed of a department or agency that has been designated as the ESF coordinator, along with a number of primary and support agencies (U.S. Department of Homeland Security, 2019). ESFs most commonly applied during response to a marine debris incident are ESF-3, Public Works Engineering, and ESF-10, Oil and Hazardous Materials Response.

Federally maintained waterways and channels – A waterway that has been authorized by Congress, and which the U.S. Army Corps of Engineers (USACE) operates and maintains for general navigation, including commercial and recreational.

Hazard to navigation – An obstruction, usually sunken, that presents sufficient danger to navigation so as to require expeditious, affirmative action such as marking, removal, or redefinition 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 42 U.S.C. § 9602, (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)).

Improved property – A 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 (44 C.F.R. § 206.221(d)).

Incident command post (ICP) – The field location where the primary functions of incident command are performed. The ICP may be co-located with other incident facilities (FEMA, 2017).

Inland zone – The environment inland of the coastal zone excluding the Great Lakes and specified ports and harbors on inland rivers. The term inland zone delineates an area of federal responsibility for response action. Precise boundaries are determined by EPA/USCG agreements and identified in federal regional contingency plans (40 C.F.R. § 300.5). The inland zone is generally the EPA area of responsibility for response under the NCP.

Joint field office (JFO)/Joint recovery office (JRO) – The primary federal incident management field structure where a temporary federal facility provides a central location for the coordination of local, state, tribal, and federal governments and private sector and nongovernmental organizations

with primary responsibility for response and recovery (FEMA, 2017). Once lifelines have been stabilized, the focus of disaster operations shifts and expands to achieve recovery outcomes, and a JFO will transition to a JRO, if deemed necessary. The purpose of a JRO is to centralize communication, collaboration, and coordination to achieve recovery outcomes for large, complex disasters in a post-JFO environment.

Major disaster – 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 chapter 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 – 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)). For purposes of this document, the term marine debris may also refer to vegetative material that enters a waterway following a natural or anthropogenic incident and poses a threat to the natural or built environment. This also includes shoreline and wetland debris and debris in some inland, non-tidal waterways.

National Oil and Hazardous Substances Pollution Contingency Plan (NCP) – Federal regulation commonly known as the National Contingency Plan that is the Federal Government’s blueprint for responding to both oil spills and hazardous substance releases (U.S. Environmental Protection Agency, 2022).

National Response Framework (NRF) – A guide to how the U.S. responds to all types of disasters and emergencies. It is built on adaptable concepts structured to help jurisdictions, citizens, and nongovernmental organizations develop plans and build capabilities to respond to failures. The NRF includes ESFs that describe the federal coordinating structures that group resources and capabilities into functional areas (U.S. Department of Homeland Security, 2019).

Natural waterway – A waterway that is not improved or maintained (FEMA, 2020).

Navigable waters – 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. § 2.36; 33 C.F.R. § 329.4). Navigable waterways include both those waterways which are federally maintained and those waterways which are not federally maintained.

Obstruction – Anything that restricts, endangers, or interferes with navigation (33 C.F.R. § 64.06).

Pollutant or contaminant – Includes, but is not 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 42 U.S.C. § 9601(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)).

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

Recovery support function (RSF) – Organizing structures for key functional areas of assistance outlined in the National Disaster Recovery Framework that group capabilities of various government and private sector partner organizations to promote effective recovery from disasters before and after disasters strike (FEMA, 2017). The Infrastructure Systems RSF and Natural and Cultural Resources RSF are those most likely to be applied during recovery from a marine debris incident.

Regional contingency plan (RCP) – Developed by teams of designated representatives from Federal agencies working with the states to coordinate timely, effective response by various federal agencies and other organizations to discharges of oil or releases of hazardous substances, pollutants, or contaminants. RCPs shall, as appropriate, include information on all useful facilities and resources in the region, from government, commercial, academic, and other sources. RCPs shall contain lines of demarcation between the inland and coastal zones, as mutually agreed upon by USCG and EPA (40 C.F.R. § 300.210(b)).

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

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 (42 U.S.C. § 5121).

1 Introduction

1.1 Purpose

This *United States Marine Debris Emergency Response Guide (Guide)* serves as a national-level reference for marine debris response. The purpose of this *Guide* is to improve preparedness for response and recovery operations following a disaster that generates large amounts of marine debris in the United States. This tool serves as a reference for all U.S. states and territories and supports regional and national planning and response efforts. Because all incidents are different, some aspects of marine 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 structures and actions at the federal level, with the understanding that state and local agency involvement is a critical component of an effective response. State and local planning considerations can be found in [Section 3.3](#).

Federal agency roles and responsibilities are presented in text form as well as in a consolidated one-page [flowchart](#) that functions as a decision tree for marine debris response. Additionally, agency jurisdictions are presented in a dynamic map available [online](#).

Published guides for certain state and U.S. territories are available on the National Oceanic and Atmospheric Administration (NOAA) Marine Debris Program website, <http://marinedebris.noaa.gov/our-work/emergency-response> (National Oceanic and Atmospheric Administration [NOAA], 2022b).

1.2 Scope of Guide

The *Guide* addresses marine debris generated as a result of both natural and anthropogenic disasters impacting the United States. 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 (33 U.S.C. § 1956(3)). Although vegetative debris is not included in the legal definition for marine debris, responders have identified it as a common debris stream of concern following natural disasters. Therefore, in this document, the term marine debris is used more generally and includes vegetative material and debris that enters a waterway following an acute incident and poses a threat to the natural or built environment. This also includes shoreline and wetland debris and debris in some inland, non-tidal waterways. This *Guide* specifically addresses marine debris resulting from episodic incidents, such as disaster debris, and may not apply to chronic marine debris issues.

1.3 Guide Development and Maintenance

Response to marine debris after disasters is complex, and the development of this product benefited greatly from the input and experience of federal agencies with a role in marine debris response.

The *Guide* is a living document and is subject to change as additional information becomes available and updates are needed. It will be maintained by the NOAA Marine Debris Program and will

undergo formal reviews as needed. The *United States Marine Debris Emergency Response Guide* and subsequent versions will be posted on the NOAA Marine Debris Program [website](#) (NOAA, 2022b).

2 Response to Marine Debris

While debris removal on land usually begins immediately after a disaster, response to marine debris often occurs more slowly. Generally, marine debris response occurs over three phases: Preparedness, Response, and Recovery (Figure 1). After a disaster, the short-term response phase occurs in the days and weeks following an event and usually includes actions related to public health and safety. Common actions during this phase are clearing shipping routes for safe navigation and responding to debris that is a pollution hazard. Marine debris that does not pose an immediate threat may not be addressed until the longer-term recovery phase, which may take place in the months to years following a disaster.

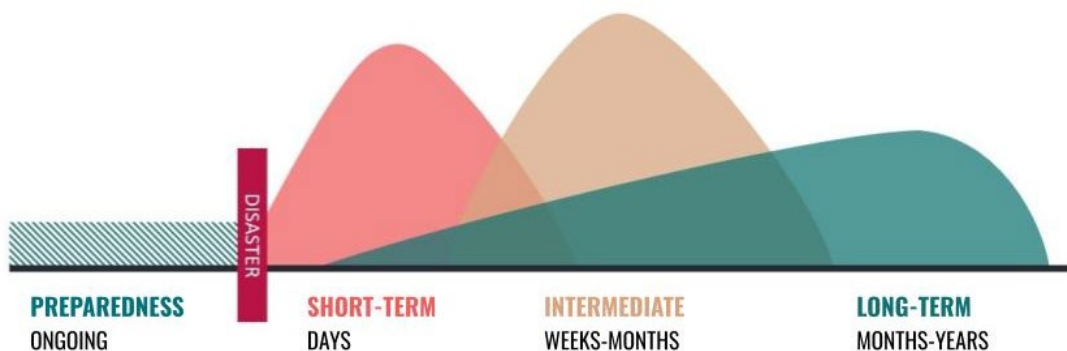


Figure 1. The three phases of marine debris response: Preparedness, Response (short-term and intermediate), and Recovery (intermediate to long-term). Data adapted from Federal Emergency Management Agency (2011).

Determining responsibility for marine debris response and removal can be complicated and may involve multiple agencies and overlapping jurisdictions. The lead agency may change depending on the type of incident, the magnitude of the incident, and the debris type and location. If there is a lack of resources or unclear roles and responsibilities, marine debris may be left in place. This *Guide* seeks to capture the most likely federal response structures, as well as the roles and responsibilities of federal agencies who may be involved.

The National Response Framework provides the foundation for how the nation responds to all types of incidents and how multiple organizations coordinate, integrate, and unify their response across all levels of government (U.S. Department of Homeland Security, 2019). Generally, emergency response begins and ends at the local level. Depending on the state or U.S. territory, initial marine debris response operations typically begin with local jurisdictions working through county or city emergency management agencies. Assistance from the state may be provided once local resources are exhausted, resources are needed that the jurisdiction does not possess, or response falls under state jurisdiction.

Similarly, the Federal Government may supplement state and local response efforts when their resources have been exceeded, when unique capabilities are needed, or when response falls under federal jurisdiction. When the capabilities of state or territorial governments are exceeded, the

governor may request a presidential disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; 42 U.S.C. § 5121 et seq.). If the president issues a declaration that a major disaster exists, it authorizes the Federal Emergency Management Agency (FEMA) to provide financial assistance through the Public Assistance Program (Figure 2). This program provides reimbursement funding typically at a 75% federal cost share for eligible marine debris removal to local, state, and territorial governments that have the legal authority to remove the debris. In some cases, FEMA may mission assign another federal agency to perform or contract debris removal work if the state, territory, or local government lacks the capacity to do so. The U.S. Army Corps of Engineers (USACE) and U.S. Coast Guard (USCG) are the federal agencies most commonly mission assigned by FEMA to remove debris from waterways.

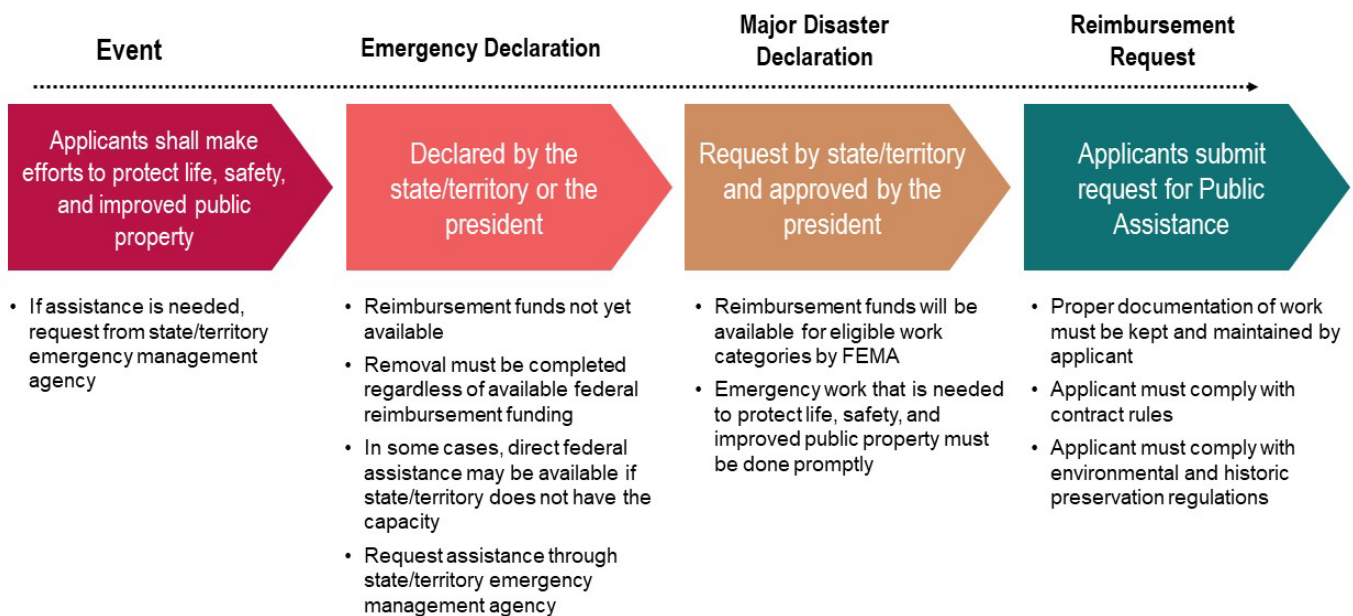


Figure 2. Typical series of events leading up to a request for Public Assistance reimbursement funding after a presidential major disaster declaration under the Stafford Act.

At the federal level, the primary response coordinating structures to manage resources and capabilities are emergency support functions (ESFs). The ESFs organize response resources into functional areas. Each ESF is led by a primary agency, along with multiple support agencies that work to deliver core capabilities. Typically, ESFs are activated by FEMA during Stafford Act declarations. However, ESFs may also be activated by an appointed lead federal agency after a severe event when there has not been a presidential disaster declaration. During an ESF activation, primary and support agencies assemble at a regional or joint field office (JFO) or Incident Command Post (ICP) and participate with local, state, tribal, or territorial governments to provide response assets.

There are 15 federal ESFs, but the two most commonly applied during response to marine debris are ESF-3, Public Works and Engineering, and ESF-10, Oil and Hazardous Materials Response. Figure 3 depicts the primary agencies engaged in ESF-3 and ESF-10. USACE serves as the primary

federal agency under ESF-3 to coordinate the removal and disposal of debris from public property, including waterways. Depending on the debris location, either USCG or U.S. Environmental Protection Agency (EPA) serve as the primary federal agency under ESF-10 to respond to oil or hazardous material spills, including marine debris that may be a pollution threat. In some instances, response to marine debris may be a joint effort between ESF-3 and ESF-10. For example, if a vessel is damaged or sunken, USCG or EPA may coordinate to remove oil or other pollutants under ESF-10, and the vessel itself may then be removed under ESF-3.

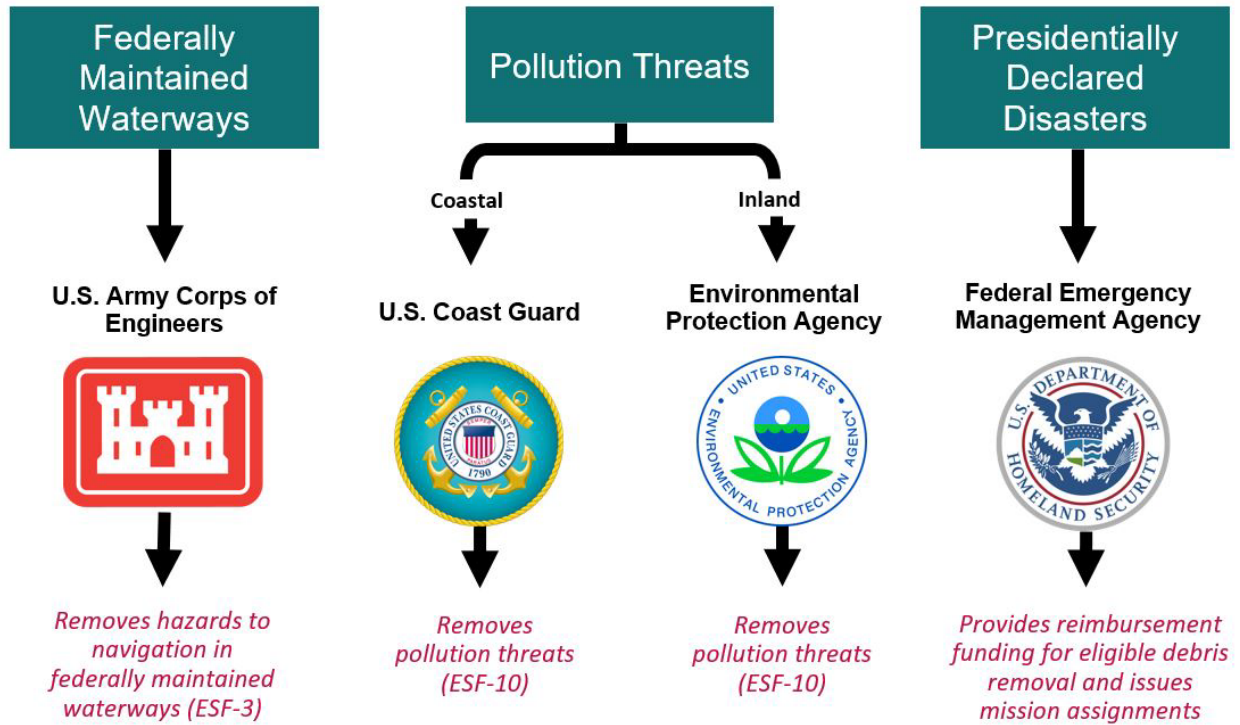


Figure 3. Overview of marine debris response roles for the four primary federal agencies engaged in ESF-3 and ESF-10 activities. Data adapted from U.S. Government Accountability Office (2017).

3 Roles and Responsibilities

Federal agency roles and responsibilities as they relate to marine debris preparedness, response, and recovery are outlined in the following section. For visual representations of agency roles and responsibilities, see “Response Scenario Matrix” and “Marine Debris Response Flowchart” in [Section 3.2](#) and [Section 4](#), respectively.

While this document focuses on federal agency marine debris response roles, permitting and environmental compliance requirements must also be considered before marine debris removal can begin. One or more permits and agency consultations may be required to ensure that activities do not impact natural, cultural, or historical resources.

3.1 Federal Agency Roles

Animal and Plant Health Inspection Service

- Veterinary Services Program provides for removal and burial of diseased animal carcasses
- Plant Protection and Quarantine Program provides guidance to reduce the risk of introduction and spread of invasive species

Bureau of Safety and Environmental Enforcement

- Marine Trash and Debris Program eliminates debris associated with oil and gas operations on the outer continental shelf

Farm Service Agency

- Emergency Conservation Program helps farmers repair damage to farmland caused by natural disasters, such as debris removal from farmland in coastal areas

Federal Emergency Management Agency (FEMA)

- Public Assistance Program provides reimbursement funding at a typical 75% federal cost share for eligible debris removal from navigable waterways (non-federally maintained) or natural waterways (not improved or maintained) during presidentially declared disasters when another federal agency does not have authority to fund the activity
 - Makes eligibility determinations for debris removal on a case-by-case discretionary basis in coordination with the eligible applicant, state or territory, and other federal agencies
 - Debris removal must be necessary to eliminate the immediate threat to life, public health and safety, or improved property
 - For navigable waterways, debris removal is limited to a maximum depth of 2 feet below the low-tide draft of the largest vessel that used the waterway prior to the incident
 - 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 improved property during the occurrence of a 5-year flood
- Issues mission assignments to other federal agencies for technical assistance, federal operations support, or to perform or contract debris removal from waterways when state or territory capabilities are exceeded

- For more information, see [FEMA Public Assistance Program Policy Guide](#) (FEMA, 2020)

Federal Highway Administration

- Provides federal funding to eligible applicants for repairing damaged roads and bridges as a result of natural disasters or catastrophic failures from an external cause
- Eligible activities include work that minimizes the extent of damage, such as removing debris pileup on bridge substructure, protecting remaining facilities, or restoring essential traffic
- For more information see [Federal Highway Administration Emergency Relief Program](#) (Federal Highway Administration, 2022)

National Oceanic and Atmospheric Administration (NOAA)

National Ocean Service

National Geodetic Survey

- Acquires and rapidly disseminates spatially-referenced remote-sensing datasets, such as aerial imagery, or connects stakeholders to commercial high-resolution satellite imagery to support national emergency response

Office of Coast Survey

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

Office of National Marine Sanctuaries

- Identifies and removes marine debris from within sanctuaries when feasible
- May assess the accumulation and impacts of marine debris with the sanctuaries
- Maintains boundary/regulatory buoys and mooring buoys

Office of Response and Restoration

- Provides scientific support to assist the federal on-scene coordinator in making timely decisions by coordinating NOAA assets and services during emergencies
- Provides support for marine debris response planning and operations, including inter-agency planning and coordination, response trainings and exercise support, removal best management practices (BMPs), debris behavior, debris survey and detection protocols, disposal guidance, and information management
- May provide onsite or remote support to internal and external partners at an incident command post (ICP) or joint field office (JFO) if there is a need for marine debris or NOAA expertise
- Funds marine debris assessment and removal projects through grants or congressional supplemental funding
- Manages the Environmental Response Management Application (ERMA), a web-based geographic information system that can be used as a common operating picture for debris mapping and includes an [online](#) “Marine Debris Response Map” (NOAA, 2022a)
- For events determined by the NOAA Administrator to be severe marine debris events, the Office of Response and Restoration 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

National Weather Service

- Predicts, forecasts, and issues official watches and warnings of severe weather

- Provides operational tools and briefings to federal, state, and territorial officials for emergency management awareness and decision support

National Park Service (NPS)

- Responsible for debris assessment and cleanup within NPS-managed lands and waters
- May coordinate with partners to conduct marine debris assessment and cleanup
- Provides BMPs to protect NPS-managed areas and associated resources

Natural Resources Conservation Service (NRCS)

- When funding is available, Emergency Watershed Protection (EWP) Program provides emergency technical and financial assistance at a typical 75% federal cost share to relieve imminent threats to life and property caused by natural disasters that impair a watershed—including sediment and debris deposition in floodplains and upland portions of a watershed
 - Projects must demonstrate that they
 - protect from additional flooding or soil erosion;
 - reduce threats to life or property;
 - restore the hydraulic capacity to the natural environment; and
 - are economically and environmentally defensible and technically sound
- For more information, see [NRCS Emergency Watershed Protection Program](#) (Natural Resources Conservation Service, n.d.)

U.S. Army Corps of Engineers (USACE)

- Typically maintains regional pre-event contracting capabilities

Emergency Operations

- Serves as coordinator and a primary agency for ESF-3, Public Works and Engineering
- Following a Stafford Act declaration, may be mission assigned by FEMA to provide technical support or lead eligible debris removal from land and navigable waterways (non-federally maintained) and wetlands if local, state, or territorial governments do not have the capacity to perform or contract debris removal and/or surveying

Navigation

- Responsible for operation and maintenance of federally maintained waterways and channels, including debris removal or overseeing removal by a responsible party (RP)
- Authorized to clear snags in specified small waterways, may provide assistance for debris removal from flood control structures, and may remove derelict objects that may damage vessels or threaten public health, recreation, or the environment at publicly maintained commercial boat harbors
- Serves as lead federal agency for conducting surveys within federally authorized channels for changes in water depth and hazards to navigation

U.S. Coast Guard (USCG)

- Serves as lead federal agency under ESF-10, Oil and Hazardous Materials Response, in the coastal zone and Great Lakes
- Oversees response to debris exposed to (or with the potential to release) oil or hazardous substances that poses a substantial threat within the coastal zone as defined in each sector's area contingency plan (ACP)
 - Actions are generally limited to removing oil or other hazardous substances while leaving vessels or other items such as containers and tanks in place

- Maintains a year-round, 24-hour telephone watch through the National Response Center (NRC) at 800-424-8802 for reporting of oil and hazardous material releases
- Establishes a safety zone around hazards to navigation and broadcasts maritime safety warnings including notices to mariners to warn of debris obstructing watercourses or hazards to navigation
- Following a Stafford Act declaration, may be mission assigned by FEMA to lead eligible debris removal from navigable waterways (non-federally maintained) and wetlands if local, state, or territorial governments do not have the capacity to perform or contract debris removal
- May track location of known abandoned and derelict vessels (ADVs)

U.S. Customs and Border Protection

- May serve as first responder to coordinate with RP and inspect foreign vessels or debris entering the United States from international waters

U.S. Department of Defense

- Responsible for debris assessment and cleanup within lands and waters managed by U.S. Department of Defense
- See [U.S. Army Corps of Engineers](#) and [U.S. Navy](#) for a description of individual agency roles

U.S. Department of Interior

- Responsible for debris assessment and cleanup within lands and waters managed by U.S. Department of Interior
- Lead for Natural and Cultural Resources Recovery Support Function (RSF)
- See [Bureau of Safety and Environmental Enforcement](#), [National Park Service](#), [U.S. Fish and Wildlife Service](#), and [U.S. Forest Service](#) for a description of individual agency roles

U.S. Environmental Protection Agency (EPA)

- Serves as lead federal agency under ESF-10, Oil and Hazardous Materials Response, in the ACP inland zone and in incidents affecting both inland and coastal zones
- Oversees response to debris exposed to (or with the potential to release) oil or hazardous substance that poses a substantial threat within the inland zone as defined in the USCG sector ACP
- Following a Stafford Act declaration, may be mission assigned by FEMA to lead removal of contaminated debris if local, state, or territorial governments do not have the capacity to perform or contract debris removal
- Administers general ocean disposal permit for the ocean disposal of steel-hulled vessels

U.S. Fish and Wildlife Service

- Coordinates and manages debris assessment and cleanup within National Wildlife Refuges
- May coordinate with federal, state, territorial, and local partners to remove marine debris within their jurisdiction
- Provides BMPs to protect listed threatened or endangered land and freshwater species, certain marine species, and their critical habitat

U.S. Forest Service

- Assesses vegetative debris characteristics and suggests salvage pathways, e.g., compost, chips, biofuels, timber salvage

- Works with partner organizations to develop protocols for hardwood resources collected as disaster debris
- When necessary, responsible for debris assessment and cleanup within U.S. Forest Service-managed lands and waters

U.S. Navy

- Responsible for debris assessment and cleanup within their managed lands and waters
- In some areas, if debris removal exceeds capabilities of local and territorial governments, the governor may request assistance from the U.S. Navy, and the U.S. Navy will decide whether they can support the request

Supervisor of Salvage and Diving

- Manages and provides technical assistance for salvage, deep search and recovery, towing, and oil spill response operations
- Maintains an array of remotely operated vehicles, oil spill response, and salvage equipment
- Exercises and manages regional standing emergency salvage contracts to quickly draw upon resources of the commercial salvage industry (U.S. National Response Team, 2014)
- Serves as a special team under ESF-3, Public Works and Engineering, primarily for vessel removal from navigable waterways
- Serves as a special team under ESF-10, Oil and Hazardous Materials Response

3.2 Response Scenario Matrix

As discussed in [Section 2](#), the lead marine debris response organization depends on the magnitude of the incident, the type of debris, and the debris location. [Table 1](#) summarizes typical organization responsibilities given different debris types and locations. Note that after a major disaster declaration, the response lead may change if FEMA issues a federal agency mission assignment.

Table 1. Matrix of lead organizations for typical marine debris responses as a function of debris type and location.

Type/ Location of Debris	Oiled/Hazardous Debris	Vessels	Other Non-hazardous Debris
Public Waters or Lands (non-federal)	<p>Response led by lowest jurisdictional level possible (city, county, state/territory)</p> <p>State/territory response typically led by pollution (ESF-10) lead agency</p> <p>EPA/USCG leads if federal assistance is required</p>	<p>Response led by lowest jurisdictional level possible (city, county, state/territory)</p> <p>USCG may remove pollutants from vessel if federal assistance is required</p>	<p>Response led by lowest jurisdictional level possible (city, county, state/territory)</p> <p>State/territory response typically led by agency responsible for coastal areas, submerged lands, or debris (ESF-3)</p>
Federal Waters or Lands (outside of USACE federally maintained waterways)	EPA/USCG leads	<p>Federal land/water management agency leads</p> <p>USCG may remove pollutants from vessel</p>	Federal land/water management agency leads
USACE Federally Maintained Waterways	USCG leads	<p>USACE leads</p> <p>USCG may remove pollutants from vessel</p>	USACE leads
Private Property	<p>Response led by lowest jurisdictional level possible (city, county, state/territory)</p> <p>State/territory response typically led by pollution (ESF-10) lead agency</p> <p>EPA/USCG leads if federal assistance is required</p>	<p>Property owner leads</p> <p>Possible resources include homeowner insurance policy and NRCS EWP Program</p> <p>State or federal agency requiring vessel registration may assist in identifying owner</p>	<p>Property owner leads</p> <p>Possible resources include homeowner insurance policy and NRCS EWP Program</p>

3.3 State and Local Planning Considerations

While this document seeks to capture the most likely response structures and actions at the federal level, state and local agency involvement is a critical component of an effective response. Response to debris may vary from event to event, or from state to state, depending on both the location and type of debris. Therefore, pre-event planning and coordination at the state and local level are encouraged for a timely and effective response.

Important questions that state and local governments should consider when planning for marine debris response after disasters are listed below. Additional considerations and recommendations can be found in [Section 5](#).

- What state/local agency has legal jurisdiction within coastal waterways, along shorelines, and in inland waterways?
- What state/local agency has been designated as the lead for marine debris response and removal after disasters in coastal waterways, along shorelines, and in inland waterways?
- What mechanisms does the state or territory have in place for reporting marine debris after disasters?
- What funding sources are available for marine debris removal?
- What capabilities are available for the storage and disposal of marine debris, including vessels and other large debris items?
- What resources are available for responding to marine debris after disasters (contracting, equipment, expertise)?
- What environmental compliance regulations need to be met and/or what permits might need to be acquired before debris removal can take place?
- What state/local agency has been designated as the lead for responding to marine debris that might pose a pollution threat?
- What additional agencies or organizations not typically involved in response to debris on land should be considered (port authority, harbor masters, marine patrol)?

3.4 Marine Debris Response Map

After a marine debris incident, the agency (or agencies) with debris response authorities will vary depending on where the debris is located. The “Marine Debris Response Map” is available [online](#) through ERMA and displays relevant federal agency jurisdictional boundaries (NOAA, 2022a; [Figure 4](#)). Additional regional or local data layers become visible when zoomed into a desired area. This map includes information that may be important in determining jurisdiction within the state.

For detailed information regarding federal agency roles and responsibilities, see [Section 3.1](#). For a visual one-page representation of agency roles and responsibilities, see flowchart in [Section 4](#).

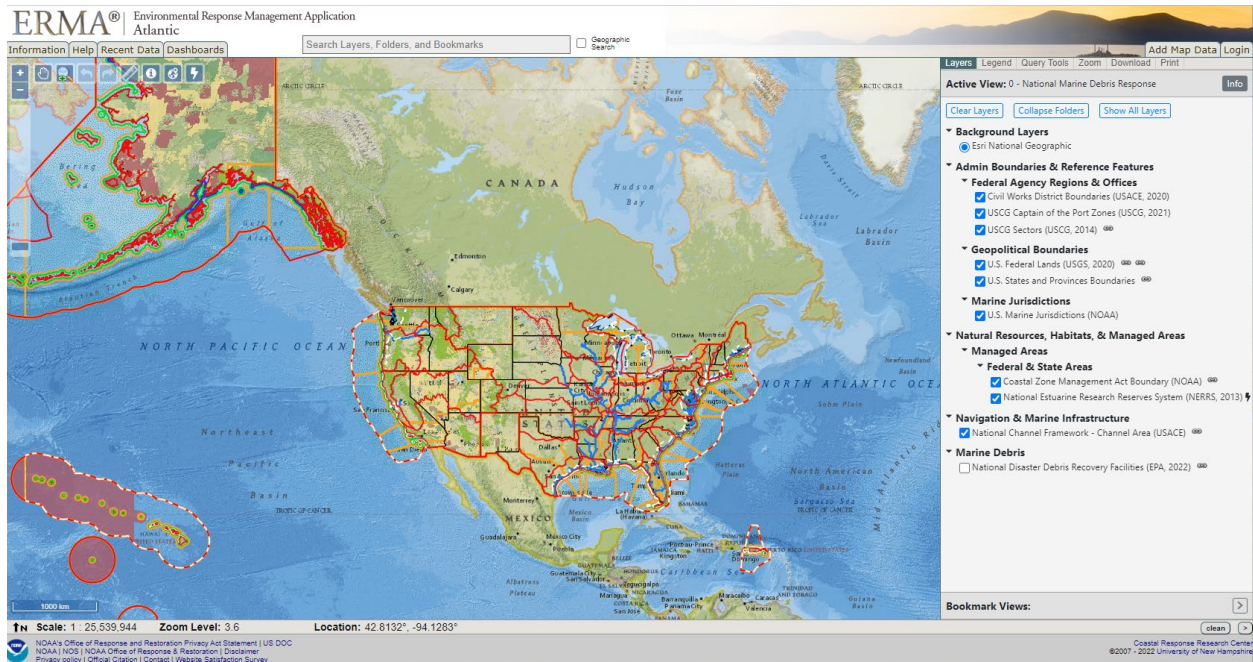


Figure 4. Screenshot of Marine Debris Response Map in the Environmental Response Management Application (ERMA). Data layers and descriptions can be viewed and customized using the right size bar.

4 Marine Debris Response Flowchart

The “Marine Debris Response Flowchart” included in this section provides a visual one-page representation of agency and organization roles and responsibilities. The flowchart functions as a decision tree for marine debris response with color-coded endpoints. Yellow endpoints represent response to marine debris that is exposed to or has the potential to release oil, hazardous substances, pollutants, or contaminants. Dark blue endpoints represent response to debris that is not exposed to and does not have the potential to release oil, hazardous substances, pollutants, or contaminants. Light blue shaded endpoints indicate that response may occur under Stafford Act authorities and/or funding.

Marine Debris Response Flowchart

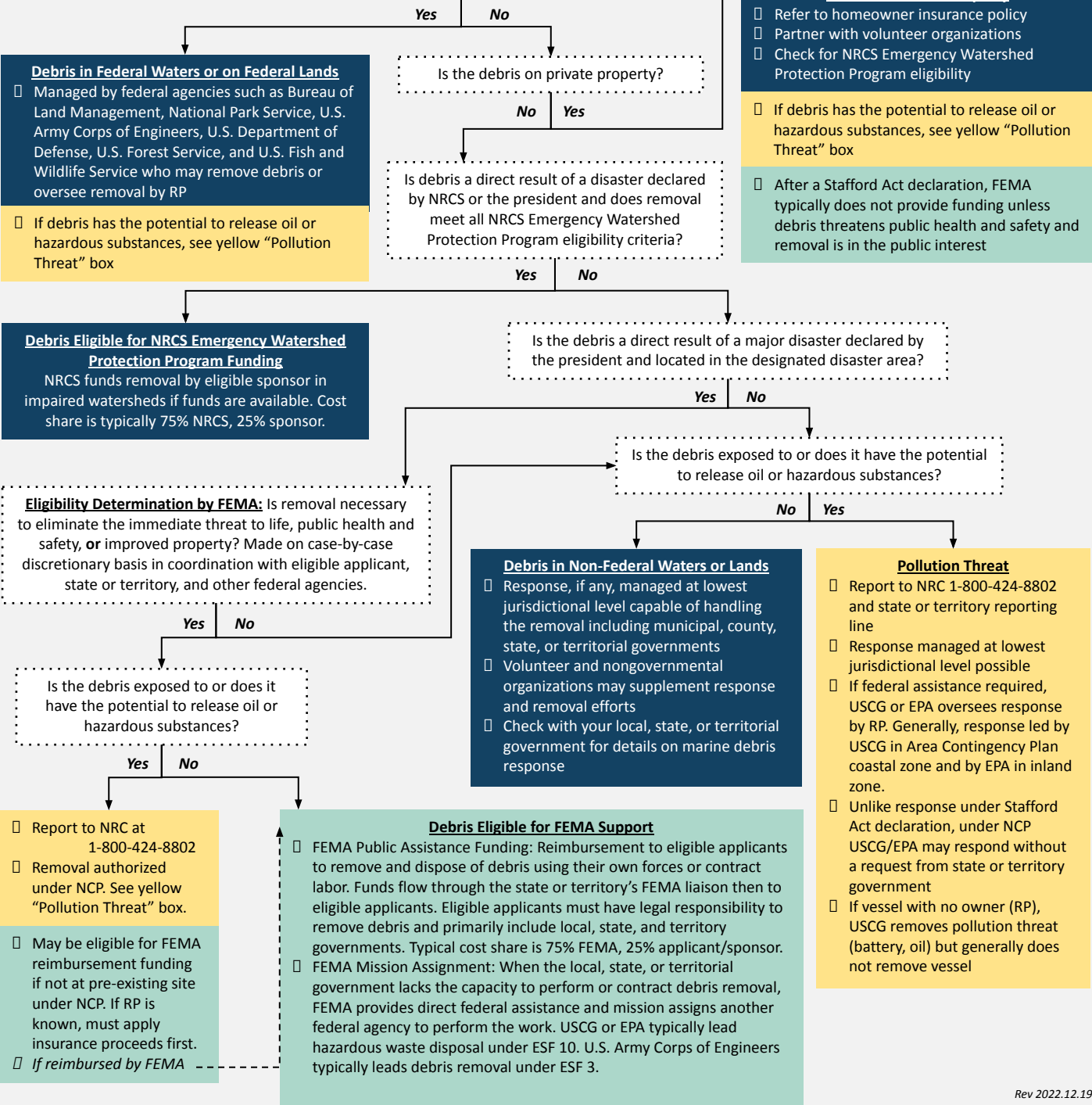
The flowchart functions as a decision tree for marine debris response with color-coded endpoints. It is designed to inform response to debris in waterways and along shorelines after disasters.

Key	Response to debris that is exposed to or has the potential to release oil or hazardous substances
	Response to debris that is not exposed to and does not have the potential to release oil or hazardous substances
	Response under Stafford Act authorities and/or funds

Acronyms	EPA – U.S. Environmental Protection Agency
	ESF – Emergency Support Function
	FEMA – Federal Emergency Management Agency
	NCP – National Oil & Hazardous Substances Pollution Contingency Plan
	NRC – National Response Center
	NRCS – Natural Resources Conservation Service
	RP – Responsible party
USCG – U.S. Coast Guard	

START →

Is the debris in federal waters or on federal lands?



5 Marine Debris Response Challenges

5.1 Response Challenges and Recommended Actions

Marine debris response challenges and recommended preventative actions have been identified by stakeholders during state and territory marine debris response preparedness activities. The challenges and actions outlined below are those that have been repeated in multiple regions and have national relevance. These identified challenges may serve as future points of discussion and action within the marine debris response community.

5.1.1 Pre-event Planning and Coordination

- **Challenge:** There is a scarcity of debris removal contractors and pre-event emergency contracts, and existing contracts do not always include marine debris
 - **Actions:**
 - Include marine debris removal in contracts and statements of work
 - Encourage state/territory and local governments to establish pre-event debris removal contracts and lists of pre-qualified emergency marine debris removal contractors
 - Form a coalition with fishing companies and local vessels for hire for additional manpower
 - Develop and regularly administer trainings to certify local interested contractors or nongovernmental organizations that covers the funding process after a major disaster declaration, documentation requirements, environmental compliance and permitting, removal best management practices (BMPs), etc.
- **Challenge:** There is a lack of information regarding pre-event debris locations and little tracking or monitoring of debris
 - **Actions:**
 - Develop a prioritized inventory of marine debris in need of removal so it can be matched to existing programs and/or funding sources and to document pre-disaster conditions of waterways
 - Communicate with and support efforts of community groups and nongovernmental organizations to obtain and share data on existing or common marine debris locations
- **Challenge:** It is difficult to coordinate across agencies and jurisdictions and there is a lack of understanding regarding organization roles
 - **Actions:**
 - Establish a standing interagency debris task force that meets regularly to share information, develop protocols, and improve coordination
 - Set up contracts and agreements (memorandum of understanding/agreement) before a disaster
 - Conduct regular trainings and exercises that incorporate marine debris response and removal information

5.1.2 Response Timelines and Logistics

- **Challenge:** There is a long lag time between the disaster and when marine debris removal occurs
 - **Actions:**
 - Develop a pre-event inventory of priority areas for debris removal and/or priority debris types based on an agreed-upon set of conditions such as threat to human health, ecological sensitivity, commercial use, recreational use
 - Encourage agencies to plan for equipment resource needs, to have landowner agreements in place for accessing private property, and to pre-stage equipment in advance of a storm
 - Establish standing interagency debris task force that meets regularly to share information, develop protocols, and improve coordination
 - Encourage state/territory and local governments to establish pre-event debris removal contracts and lists of pre-qualified emergency marine debris removal contractors

- **Challenge:** There is no established procedure or mechanism for reporting a marine debris incident or debris locations after a disaster
 - **Actions:**
 - Establish and promote a procedure for reporting of marine debris and a mechanism for disseminating this information to local authorities and the public
 - Develop a platform for sharing marine debris response and removal information and resources
 - Evaluate feasibility of using existing applications and reporting tools to report, map, and track marine debris

- **Challenge:** It is difficult to process, remove, and dispose of abandoned and derelict vessels (ADV)s
 - **Actions:**
 - Encourage the surrender of boats before they become abandoned or derelict, possibly through an incentive program
 - Encourage boat owners to remove vessels from the water and store in a secure location before a disaster
 - Identify harbors of refuge that provide a safe area for storage of vessels during storms
 - Establish coordination mechanism between USCG, state/territory, and local agencies to have ADVs removed after USCG has abated a pollution threat
 - Encourage state/territory and local governments to establish pre-event debris removal contracts and lists of pre-qualified emergency marine debris removal contractors
 - Pre-identify and pre-permit staging areas for vessel salvage
 - Identify vessel disposal options before a disaster
 - Identify requirements needed and potential organizations to involve in establishing a state or territory-wide ADV program

- **Challenge:** It is difficult to access and remove debris in remote locations and in areas of ecological sensitivity or cultural and historic significance

- **Actions:**
 - Encourage agencies to plan for equipment resource needs and methods and use habitat maps to identify appropriate equipment types for specified areas
 - Require that contractors include information on accessing challenging areas as part of the bid process
 - Require contractors to use established BMPs during debris removal
 - Establish an uncrewed aerial system program or partner with agencies/organizations that have these capabilities for enhanced access to remote locations, and secure the necessary permits/permissions
 - Before an event, identify local technical monitors with environmental expertise and training
 - Plan and regularly conduct trainings, workshops, or exercises that address complex responses, including challenges like accessing remote locations and debris removal in sensitive habitats or historically significant areas
 - Hold cleanup events specifically targeting less accessible areas in need of debris removal

5.1.3 Policy and Funding

- **Challenge:** Debris management plans do not always include information on debris response and removal from waterways
 - **Actions:**
 - Encourage and incentivize local governments to incorporate marine debris response and removal information into debris management plans
 - Support the integration and implementation of marine debris response information into existing exercises, plans, and emergency operations documents
- **Challenge:** For incidents that do not result in a major disaster declaration, there is a lack of funding for debris removal from waterways. After a disaster that results in a major disaster declaration, there is a lack of funding for the state/territory's cost share for debris removal.
 - **Actions:**
 - Establish partnerships with private organizations and nongovernmental organizations to assist with fundraising and contracting for debris removal
 - Develop a list of potential non-federal funding sources in the state or territory and connect with state agencies that could leverage funding for debris removal
 - Improve coordination between appropriate agencies to include possible cost-sharing after a disaster
 - Identify the types of marine debris response activities community volunteers with little or no training could actively support, establish partnerships with volunteer organizations, and organize a clear mechanism for the public to be trained and volunteer in cleanups after natural disasters

5.1.4 Education

- **Challenge:** There is a need for enhanced understanding of the debris removal process and funding after major disasters
 - **Actions:**

- Incorporate marine debris response and removal information into existing trainings and exercises
- Develop and offer training that includes FEMA’s Public Assistance Program and requirements specific to marine debris removal
- Identify debris removal funding sources and host workshops for local communities outlining what disaster and debris removal funds are available and how they can apply

5.1.5 Resources and Technology

- **Challenge:** After a large-scale storm, there are often limited resources and equipment that hinder response and removal of marine debris
 - **Actions:**
 - Before an event, develop a region-wide list of available debris removal assets and resources and where they can be found
 - Draft resource requests before an event occurs to reduce time constraints during a response
 - Establish partnerships with surrounding local and state governments to share data such as aerial imagery and debris assessments
 - Setup contracts and agreements (memorandum of understanding/agreement) before a disaster
 - Identify and train qualified local contractors or nongovernmental organizations that could supplement the government’s labor force after a disaster
 - Encourage agencies and contractors to establish a routine for pre-event maintenance of equipment

5.2 Additional Resources

The following resources provide additional information that may be useful in the planning for or response to acute marine debris.

Federal Emergency Management Agency. (2020). *Public assistance program and policy guide FP 104-009-2*. Washington, DC: U.S. Government Printing Office. Retrieved from https://www.fema.gov/sites/default/files/documents/fema_pappg-v4-updated-links_policy_6-1-2020.pdf

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U.S. Environmental Protection Agency. (2020). *[Web mapping tool of recovery facilities, recyclers, and landfills that manage disaster debris]*. *Disaster debris recovery tool*. Retrieved from <https://www.epa.gov/large-scale-residential-demolition/disaster-debris-recovery-tool>

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- U.S. Army Corps of Engineers. (2010). *Debris removal from waterways field operations guide*.
- U.S. Department of Homeland Security. (2019). *National response framework, fourth edition*. Retrieved from https://www.fema.gov/sites/default/files/2020-04/NRF_FINALApproved_2011028.pdf
- U.S. Environmental Protection Agency. (2022). *National oil and hazardous substances pollution contingency plan (NCP) overview*. Retrieved from <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-ncp-overview>
- U.S. Government Accountability Office. (2017). *Federal and state actions, expenditures, and challenges to addressing abandoned and derelict vessels*. Retrieved from <https://www.gao.gov/assets/gao-17-202.pdf>

7 Appendices

7.1 Federal Agency Authorities

Animal, Plant and Health Inspection Service

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

Federal Emergency Management Agency (FEMA)

- 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 Oceanic and Atmospheric Administration (NOAA)

- Coastal Zone Management Act of 1972, 16 U.S.C. § 1451 et seq.
- Endangered Species Act, 16 U.S.C. § 1531 et seq.
- Fish and Wildlife Coordination Act, 16 U.S.C. § 661 et seq.
- 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

Natural Resources Conservation Service (NRCS)

- Emergency Watershed Protection Program, 7 C.F.R. § 624

U.S. Army Corps of Engineers (USACE)

- Authority for snagging and clearing for flood control (Section 208), 33 C.F.R. § 263.24
- 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
- Flood Control and Coastal Emergency Act, 33 U.S.C. § 701n (Public Law 84-99)
- Permits for Structures or Work in or Affecting Navigable Waters of the United States, 33 C.F.R. § 322
- Removal of snags and debris, and straightening, clearing, and protecting channels in navigable waters, 33 U.S.C. § 603a
- Removal of Wrecks and Other Obstructions, 33 C.F.R. § 245
- Rivers and Harbors Appropriation Act of 1899 and 1945, 33 U.S.C. § 401 et seq.
 - Obstruction of navigable waters generally; wharves; piers, etc.; excavations and filling in (Section 10), 33 U.S.C. § 403
 - Taking possession of, use of, or injury to harbor or river improvements, 33 U.S.C. § 408
 - Obstruction of navigable waters by vessels; floating timber; marking and removal of sunken vessels, 33 U.S.C. § 409
 - Removal by Secretary of the Army of sunken water craft generally; liability of owner, lessee, or operator, 33 U.S.C. § 414

- Summary removal of water craft obstructing navigation; liability of owner, lessee, or operator, 33 U.S.C. § 415
- Collection and removal of drift and debris from publicly maintained commercial boat harbors and adjacent land and water areas (Water Resources Development Act, Section 202), 33 U.S.C. § 426m
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121 et seq.
- Water Resources Development Act, PL 94-587

U.S. Coast Guard (USCG)

- 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.
 - Oil Pollution Liability and Compensation, 33 U.S.C. § 2701 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. Department of Transportation

- Emergency relief, 23 U.S.C. § 125 et seq.

U.S. Environmental Protection Agency (EPA)

- 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.
- Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act), 33 U.S.C. § 1401 et seq.
- National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300

U.S. Fish and Wildlife Service

- 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.
- Marine Mammal Protection Act of 1972, 16 U.S.C. § 1361 et seq.
- Migratory Bird Treaty Act, 16 U.S.C. § 703 et seq.
- National Wildlife Refuge System Administration Act of 1966, 16 U.S.C. § 668dd et seq.
- National Wildlife Refuge System Improvement Act of 1997

U.S. Navy

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207
- National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300
- Economy Act, 10 U.S.C. §1535
- Military Support to Civilian Law Enforcement Agencies provisions, 10 U.S.C. § 271-284
- Internal Security Act, 50 U.S.C. § 797

7.2 Federal Funding for Marine Debris Response

Program/Activity	Type of Assistance	Contact
CERCLA Superfund	<ul style="list-style-type: none"> • Authorizes EPA and USCG to perform short-term removals and long-term remedial response actions for releases or threatened releases of hazardous substances that may endanger public health or the environment 	Check with your USCG or EPA contact
Farm Service Agency Emergency Conservation Program	<ul style="list-style-type: none"> • Provides funding and assistance to help repair damage to farmlands caused by natural disasters 	Check with local office to find out about sign-up periods
Federal-aid Highway Emergency Relief Program	<ul style="list-style-type: none"> • Emergency funds available for the repair of Federal-aid highways or roads on federal lands that have been seriously damaged by disasters • Debris removal is eligible during Stafford Act declarations when removal is not otherwise eligible for reimbursement by FEMA 	Request for funds must be filed by the state or territory's department of transportation
FEMA Public Assistance Program	<ul style="list-style-type: none"> • Provides reimbursement funding to eligible applicants for eligible debris removal from navigable waterways (non-federally maintained) or natural waterways during major disaster declarations when another federal agency does not have authority to fund the activity 	Contact local emergency management agency to initiate coordination with FEMA Policy, Guidance, and Fact Sheets
NOAA Marine Debris Removal Grants	<ul style="list-style-type: none"> • Provides grant funds that support locally driven, community-based marine debris prevention and removal projects • Projects benefit coastal habitat, waterways, and wildlife 	Contact your region's coordinator, or check for current funding opportunities
NRCS Emergency Watershed Protection (EWP) Program	<ul style="list-style-type: none"> • Provides technical and financial assistance for relief from imminent threats to life and property caused by natural disasters that impair a watershed 	Contact your state or territory EWP Program contact
U.S. Army Corps of Engineers (USACE)	<p><i>Flood Control Act of 1937-1976</i></p> <ul style="list-style-type: none"> • Small waterways authorized for cleaning and snagging <p><i>Flood Control and Coastal Emergencies (PL84-99)</i></p> <ul style="list-style-type: none"> • Assistance for debris removal from flood control structures • Must be active participant in Rehab and Inspection Program <p><i>Water Resources Development Act (PL94-587)</i></p> <ul style="list-style-type: none"> • Authorizes projects for drift and debris in commercial public harbors 	Check with your USACE District contact



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