

**SUMMARY MEETING NOTES**  
**U.S./CANADIAN TRANSBOUNDARY**  
**SPILL PLANNING & RESPONSE PROJECT**  
**Lacey, Washington**  
**June 11-12, 2008**

**Attending**

Scott Knutson, U.S. Coast Guard (USCG) D13; Don Rodden, Canadian Coast Guard; CAPT William Devereaux, USCG D13; Pamela Bergmann, U.S. Department of the Interior Office of Environmental Policy and Compliance; Ravinder Pasricha, Transport Canada; Graham Knox, British Columbia Ministry of Environment; Dusty Henry, MSRC; Amy Trainer, Makah Tribe; Jeff Krausmann, U.S. Fish and Wildlife Service; Bob Mattson, Alaska Department of Environmental Conservation; Kevin Gardner, Western Canada Marine Response Corporation; Dave Owings, Southeast Alaska Petroleum Response Organization (SEAPRO); Dave Byers, Jon Neel, Dale Jensen, and Barbara Lensch of the Washington Department of Ecology; Fred Beech, Environment Canada; John Staynor for the Council of Marine Carriers; Thomas Callahan, Washington State Maritime Cooperative (WSMC); Ruth Yender, NOAA Office of Response and Restoration; Carol Bernthal, NOAA/Olympic National Marine Sanctuary; CAPT Steve Metruck and LCDR Marty Smith, USCG Sector Seattle; LCDR Jeannot Smith, USCG Pacific Area; Heather Parker-Hall, Sound Enterprises & Associates; and Jean Cameron, Pacific States/British Columbia Oil Spill Task Force.

**June 11th Meeting Notes**

- The first meeting of the U.S./Canadian Transboundary Spill Planning and Response Project Workgroup was convened on June 11, 2008.
- As Co-Chair of the Workgroup, Dave Byers of the Washington Department of Ecology welcomed everyone and noted the importance of this project. Dave also explained that it is the intent of the Task Force that the CANUSPAC and CANUSDIX Joint Response Teams would co-sponsor and co-chair this project workgroup with the Oil Spill Task Force.
- Jean Cameron explained that the Pacific States/British Columbia Oil Spill Task Force had been formed in response to the *Nestucca* oil spill in 1988, which affected the coast lines of both Washington and British Columbia. The Task Force members now feel it's time for a comprehensive re-evaluation of our marine transboundary preparedness status on the West Coast. She further explained that this project was outlined in the Task Force's 2007-2008 Annual Work Plan.
- Following introductions from all attendees, Jean explained the *Project Guidelines* as developed by the Task Force Coordinating Committee. She also noted that this project would follow the "standard protocols" of the Task Force, i.e., that she would staff a Project Workgroup of key stakeholders who would provide project guidance and oversight. She also explained that subject-specific subcommittees would work by conference call and email, allowing the Project Workgroup to meet only three times, thus reducing travel costs. The product of this project is to be a final report produced by the Workgroup - and providing for public review - that includes recommendations as necessary.

- The rest of the first day was spent reviewing existing U.S./Canadian transboundary agreements, response systems, mutual aid agreements, and the CANUSDIX guidelines for wildlife and resource agency decision-making. Summaries are provided below.

### **The Joint Marine Pollution Contingency Plan and CANUSDIX and CANUSPAC annexes**

- Scott Knutson of USCG Sector Seattle and Don Rodden of the Canadian Coast Guard, Pacific Region, reviewed the Joint Marine Pollution Contingency Plan and the CANUSDIX and CANUSPAC annexes to that plan, as follows:
  - The International Joint Commission recommended adoption of a Joint Contingency Plan for the Great Lakes border of the U.S. and Canada in 1970. The Canada-United States Joint Marine Pollution Contingency Plan (JCP) for the Great Lakes was subsequently promulgated in 1974, under the Canada-United States Great Lakes Water Quality Agreement of 1972.
  - In September of 1983, it was agreed that the JCP would be expanded to include four geographical annexes: one for the Atlantic (CANUSLANT); two for the Pacific (CANUSDIX and CANUSPAC); and one for the Beaufort Sea area (CANUSNORTH).
  - The JCP was revised in 1984. The responsible Canadian Coast Guard (CCG) Regional Directors and the United States Coast Guard (USCG) District Commanders were tasked to develop detailed bilateral supplements to the Joint Marine Pollution Contingency Plan for their respective transboundary regions. The JCP was last revised in 2003.
  - Don noted that the JCP directs each party to establish a response system consistent with their own statutes and regulations (JCP Section 203.1-2). Thus, the U.S. uses the Area Planning process and manages spill response according to the principles of Unified Command (UC) and the Incident Command system (ICS). The Canadian Coast Guard manages spill response according to its Response Management System (RMS).
  - The JCP also provides for a command post on both sides of the border during a Transboundary response, with liaisons operating between the command posts.
  - The JCP provides guidance for a Joint Response Team in Section 304.
  - For the U.S. Coast Guard, the District Commanders (D17 and D13) serve as Co-Chairs of the CANUSDIX and CANUSPAC Joint Response Teams respectively. The Sector Commander would serve as the Federal On-Scene Coordinator (FOSC) for the response.
  - For the Canadian Coast Guard, the Regional Directors serve as JRT Co-Chairs and the Regional Superintendents serve as the On-Scene Commander.
  - The OSCs activate the JRT when needed. The JRT members can facilitate the movement of response personnel and equipment across the borders and can activate other federal agencies as needed; the JRT liaisons from other agencies are not pre-designated, but will be a function of the incident-specific needs.
  - The JRT's role focuses on preparedness and advice, and it can also make recommendations for changes to the JCP and annexes as necessary.
  - The JCP requires that, as a minimum, the annexes include a table-top exercise at least every two years (JCP section 302.3); the CANUSDIX and CANUSPAC annexes have been exercised every year recently.
  - Don noted that the CANUSPAC Annex provides for three types of response actions: coordinated, joint, and separate response actions.
- The Canada/US Joint Marine Pollution Contingency Plan and the CANUSPAC and CANUSDIX Annexes to the JCP can now be accessed on USCG Homeport:

(<http://homeport.uscg.mil/mycg/portal/ep/home.do> ). Point and click on the Environmental block in the left hand column, then point and click on outreach programs in the left hand column, then click on Canada-United States Joint Marine Pollution Contingency Plan (JCP) and finally on the desired Annex in the supporting documents block to the right.

- Don Rodden also noted that both the U.S. and Canada are parties to the 1990 OPRC convention, which provides for mutual aid among the signers of the Convention. <sup>1</sup>

### **The Incident Command System**

- Dave Byers gave a presentation to the Workgroup on the NIMS Incident Command System, covering the following key points:
  - ICS provides for standardized organization, process, language, and forms, thus allowing multiple groups to easily integrate into one response organization.
  - There are five basic functions in ICS: Command, Operations, Planning, Logistics, and Finance/Administration.
  - In the basic ICS structure, the latter four functions support the Command function, which has overall responsibility.
  - Command can include one or more on-scene coordinators representing federal (FOOSC), state (SOOSC), and responsible party (RP Incident Commander) interests in a Unified Command structure. Other on-scene coordinators (OSC) may be included as appropriate to the incident, such as a Local or Tribal OSC. The Safety, Information, and Liaison Officers report to the incident commanders.
  - Dave further explained that Unified Command provides for:
    - A single integrated incident organization;
    - One Operations Section Chief to direct tactical efforts;
    - Collocated (shared) facilities for all functions and teams;
    - A single integrated planning process and Incident Action Plan;
    - Shared planning, logistics and finance/admin operations wherever possible; and
    - Single messages from a Joint Information Center.
  - Other functional responsibilities are as follows:
    - Planning prepares daily action plans and strategies, and also maintains resource and situation status information displays;
    - Operations implements tactical actions;
    - Logistics is responsible for providing resources and supplies to implement plans and tactics; and
    - Finance and Administration is responsible for cost-accounting, procurements, and tracking claims.
  - Dave provided examples of typical objectives and explained how they drive the response through various planning cycles.

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<sup>1</sup> The International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC), which was adopted by the International Maritime Organization on November 30, 1990 and went into force on May 13, 1995.

- He also explained the role of the Regional Response Team (RRT), which, like the JRT, provides both a planning and incident-specific support role for multiple agencies. He noted that the RRT can be activated in the following ways:
  - When oil/hazmat discharge exceeds available capability;
  - When requested by FOSC/SOSC;
  - When requested by RRT member; or
  - When activated by a lead agency RRT Co-Chair (USCG or EPA).
- Dave noted that the RRT brings national resources to an incident as needed, just as the JRT can muster international resources.

### **The Response Management System**

The Project Workgroup did not get a briefing at this meeting on the Response Management System used by the Canadian Coast Guard (CCG), but the following statement and link are taken from the CCG's Environmental Response website ([http://www.ccg-gcc.gc.ca/eng/CCG/ER\\_Home](http://www.ccg-gcc.gc.ca/eng/CCG/ER_Home)):

*The Canadian Coast Guard Response Management System has been designed to aid Environmental Response personnel monitor or respond to marine pollution incidents or other natural or manmade disasters. It has been accepted as the management system used by the Canadian Coast Guard in all monitoring/response operations to incidents and exercises.*

*The Response Management System is an organization that provides the necessary coordination to facilitate effective and efficient monitoring or response operations to an incident. It is based upon a structure with clear lines of authority and an appropriate span of control, facilitated by common terminology. Specifically, with respect to Environmental Response, the Response Management System is a management system designed to:*

- *Maximize the efficiency of monitoring or response efforts;*
- *Manage and execute operational objectives to mitigate the effects of pollution;*
- *Coordinate and manage human and equipment resources;*
- *Facilitate effective communications within the RMS structure and to all stakeholders;*
- *Document the actions of responders and account for their expenditures; and,*
- *Support the transition from "reacting" to "managing" the incident.*

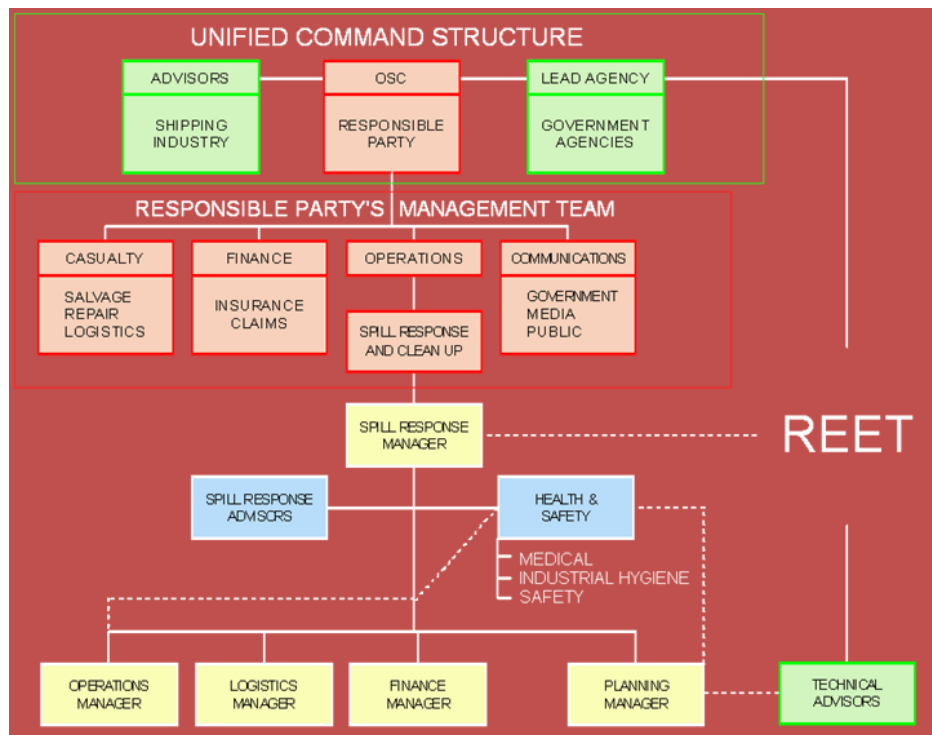
*The RMS is based upon a "management by objectives" philosophy where objectives are established based upon the needs of the circumstances. This embedded philosophy allows for the use of this system in virtually any situation requiring a response, regardless of severity.*

The RMS Guide is available at: [Response Management System User's Guide V.3.0 \(PDF Document\)](#)

### **The Regional Environmental Emergencies Team (REET)**

- Fred Beech of Environment Canada provided background information on Environment Canada and the REET, as well as information regarding the CANUSWEST annex to the JCP.
- Environment Canada (EC) has three branches: Environmental Stewardship, the Meteorological Service of Canada, and the Canadian Wildlife Service. The following divisions could participate during an emergency:
  - Environmental Protection Operations

- Canadian Wildlife Service
- Pacific Weather Service
- Pacific Environmental Science Centre
- Environmental Technology Centre
- EC's responsibilities during an incident include:
  - Awareness of environmental hazards and risks ;
  - Conduct an objective incident assessment;
  - Provide observations, forecasts and warnings as needed;
  - Forecast fate and effects (air, water, land);
  - Protect fisheries, migratory birds & habitats; and
  - Meet commitments as per international treaties, agreements and federal/provincial undertakings
- The Emergencies Program's mandate is "to prevent spills and reduce the frequency, severity, and consequences of environmental emergencies in Canada." In order to accomplish that mandate, they apply the following principles to prevention, preparedness, response, and recovery:
  - Protect the Environment
  - Employ Science and Technology
  - Exercise the Federal Mandate
  - Initiate Enforcement
- The Emergencies Section for the Pacific and Yukon Region has its Head Office in Vancouver, British Columbia, with District Offices in Whitehorse, Prince George, Smithers, and Nanaimo.
- The Section's primary role is to provide scientific and technical advice to Responsible Parties through the REET mechanism. Their regulatory role is to direct response to incidents, when necessary. They do so under the authorities of the Fisheries Act, the Migratory Birds Convention act, and the Canadian Environmental Protection Act.
- The REET plays an important role because environmental emergencies are extremely confusing to non-experts in the first 72 hours. In addition, spills are mobile and subject to the physical forces of nature. Not all factors can be planned ahead, so flexibility is crucial. Dedicated experts understand individual ecosystem components but not necessarily the big picture; thus effective response requires bringing these experts together as a Team.
- The REET provides environmental advice with regard to establishing protection and cleanup priorities; guiding cleanup and recovery strategies; recommending or approve alternative measures such as chemical dispersants or in-situ burning; providing fate and effects predictions; and advising on waste management strategies.
- With regard to operations, the REET:
  - Monitors environmental impact;
  - Standardizes sampling and analysis methods;
  - Issues weather/water forecasts and warnings;
  - Regulates wildlife protection & rehabilitation;
  - Evaluates cleanup efficacy and cost/benefit;
  - Establishes initial endpoints and objectives; and
  - Initiates environmental damage assessment.
- According to Fred, the REET regulates access to the OSC through an ICS "disciplined approach"; provides a forum for discussion and conflict resolution; fosters consensus on environmental priorities; and minimizes damages from response operations.



- A REET’s membership is established on an incident-specific basis. The Regional Environmental Emergencies Team (REET) may include representatives from Environment Canada, the Provincial Ministry of Environment, the Canadian Coast Guard, Fisheries and Oceans Canada, Parks, and affected ports, First Nations, and industry. Fred provided the diagram above showing how the REET would fit into the response management structure.
- The REET has not become a standing committee on the West Coast as it is in Atlantic region, and to some extent in Arctic Canada, Fred explained. But it is formalized to the extent that there is a co-chair arrangement with British Columbia.
- Fred also noted that the CANUSWEST Joint Contingency Plan sets the framework for U.S./Canadian response along the inland border, thus complimenting the marine plan. He noted that Environment Canada works well with U.S. EPA on the inland plan, and recommended that the report from this Project Workgroup examine Environment Canada’s working relationship with its U.S. counterparts on the marine side.
- He also recommended that we examine the incident reporting paradigm, noting that a recent toxic spill on the inland border area had first been reported to the U.S. National Response Center, which then alerted Ottawa, which then alerted the Emergencies Section for the Pacific and Yukon Regions. This circuitous route resulted in “too little information too late,” he explained.
- Regarding this Transboundary project, Fred noted that issues such as volunteer management and waste disposal had been problems during the 1988-1989 response to the tank barge *Nestucca* spill, and still needed to be resolved. He hopes this Project can make note of policies, agreements, best practices, and checklists from other geographic areas which can serve as templates to be adopted for the Pacific Area.

## **Pacific States/British Columbia Oil Spill Task Force Mutual Aid Agreements**

- Jean Cameron explained that the Oil Spill Task Force member agencies have signed two Mutual Aid agreements, as follows:
  - The 1993 Mutual Aid Plan, which covers sharing of member agency expertise and equipment; and
  - The 1996 Mutual Aid Agreement, which establishes protocols which allow private sector equipment that is cited in approved contingency plans to leave a jurisdiction for mutual aid in another member jurisdiction.
- The 1993 Plan is applicable whenever a marine spill incident has the potential to affect people, property, or the environment across jurisdictional boundaries, or whenever the incident is of such magnitude that the resources of the responding state or province are likely to be exhausted.
- The Plan identifies contacts for prompt notification of a marine spill and for responding to requests for assistance in the form of response equipment, personnel, or both. It also provides guiding principles for arranging for and agreeing to mutual aid in both emergency and non-emergency situations.
- A liaison will be established in order to provide timely situation information on the:
  - cause of spill incident;
  - volume of oil spilled;
  - anticipated/observed oil trajectory;
  - response activities;
  - responsible party;
  - agencies involved and up-to-date contacts;
  - weather conditions;
  - potential for transboundary effects;
  - natural resource sensitivity and potential impacts; and
  - sensitive decisions/actions such as the use of oil dispersants, in-situ burning, or movement/salvage of leaking vessels.
- Mutual Aid requests can cover qualified personnel, technical expertise and/or response equipment. It is the responsibility of the Task Force members to establish and maintain their own inventory of equipment and registry of response personnel. They are also responsible to ensure that their response personnel have current passports for travel between Canada and the U.S.
- The aid sought and the terms-and-conditions for receiving aid will be developed by the requesting state or province and provided with the signed request. It is the responsibility of the lending agency to assess the request, review terms-and-conditions, and to authorize, modify, and deny issuance of aid.
- Both the requesting and lending agency should be prepared to provide sufficient information to facilitate the transfer of aid, and to propose terms-and-conditions. Lists and examples for both are provided in the Plan, as well as standards for financial record-keeping.
- The 1993 Mutual Aid Plan also states that the lending agency will provide 24 hour notice of intent to recall any loaned resources. This notice requirement is waived should an emergency arise within its jurisdiction which necessitates the return of any essential resources.
- In their 1996 Mutual Aid Agreement, the Task Force Members state their intent to examine each transboundary (cascading) request by a private contractor according to that Agreement. The Task Force Member agencies further agreed to:

- Implement the mutual aid policy with the intent of maximizing the availability of private and public sector response resources during oil spills where assistance is requested by another Member;
- Maintain relative equivalency between Members' approaches to mutual aid, to assure effective reciprocity; and to
- Advise other Task Force Members of policy and procedural changes affecting this Agreement.
- The purpose of the policies and procedures established in the 1996 Agreement is to set specified conditions whereby certain contingency plan holders may be allowed to meet temporarily reduced response standards in order that their response equipment may be available for mutual aid. This agreement thereby assures that most of the spill response equipment on the West Coast will be available to respond rapidly in the event of a major spill. Any private sector response resources over and above those committed to fulfilling the legal requirements of a facility/vessel response plan are not affected by this Agreement.
- It is noted in the Agreement that Task Force members do not have authority to require that private spill response contractors provide mutual aid assistance and that the Agreement does not address mutual aid by federal agencies.
- To implement this Agreement, Task Force members have adopted minimum requirements for resident, non-cascadable response resources. It is the Task Force's intention that the specific resident equipment standards be as liberal as possible and provides relative equivalency between members to assure effective reciprocity. These minimum requirements for resident response systems assure the continued ability of plan holders to initiate effective response action at their facility/vessel while a portion of their response capability is out of the region for purposes of mutual aid.
- After a decision by a Unified Command (UC) on the West Coast to request additional response resources, there will be direct and concurrent notifications as follows:
  - From the Task Force member requesting mutual aid to the Task Force Member who is allowing a regulated contractor to provide mutual aid. This notification will formally invoke this Agreement.
  - From the Responsible Party (RP) or other UC member to the OSRO(s) whose assistance is requested. The OSRO then notifies the Contingency Plan Holder of the potential removal of their response equipment, and that plan holder must notify the Task Force member agency.
- An exception to this Agreement may occur in cases where a spill in one jurisdiction is likely to impact waters of an adjacent jurisdiction. In such cases the Unified Command requesting mutual aid may not invoke this agreement with the adjacent jurisdiction.
- Other elements of the 1996 Mutual Aid Agreement cover the following factors:
  - Time Frame: there will be a consultation within 30 days after mobilization between the Task Force representatives affected to discuss the continued need to deploy the response resources.
  - Demobilization: first priority will be given to the demobilization of equipment provided through Mutual Aid unless this equipment has proven to operate more effectively than other equipment.
  - Post Response Evaluation: after each event, the Unified Command will forward a brief report on the effectiveness of the mutual aid process and policy to those entities providing mutual aid. The Task Force will review the report and determine if changes to the mutual aid procedures should be instituted.



- Non Task Force Member Requests: this Agreement does not authorize pre-approved aid to other coastal states and provinces except those who are signatories to this Agreement. Decisions on requests for aid from other jurisdictions will continue to be made on a case-by-case basis.
- The Agreement included several recommendations, including one that response contractors and plan holders pursue mutual aid agreements themselves (see details from the presentation below). It also included a recommendation that the private sector response organizations maintain an inventory of response capabilities on the West Coast which can be immediately accessed in the event that mutual aid is needed. (See the Western Response Resource List hosted by Genwest Systems, Inc. at <http://www.genwest.com/links>).
- The Agreement also recommended that Federal agencies, including but not limited to the Coast Guards, navies, Environment Canada, and the U.S. Environmental Protection Agency, should identify public sector response equipment which could be made available to either “backfill” for private response systems which have left an area for purposes of mutual aid, or which could be cascaded directly to a spill incident.
- Both Oil Spill Task Force mutual aid agreements are available at <http://www.oilspilltaskforce.org>.

### **Mutual Aid Agreements between Emergency Responders**

- Kevin Gardner, Executive Director for the Western Canada Marine Response Corporation, explained WCMRC’s mutual aid agreements with Southeast Alaska Petroleum Response Organization (SEAPRO), Eastern Canada Response Corporation (ECRC), and the Marine Spill Response Corporation (MSRC).
- Noting that “Mutual Aid is a formal agreement among emergency responders to lend assistance across jurisdictional boundaries when required,” he explained that both organizations which are a party to an agreement agree to:
  - Train together;
  - Ensure that equipment is compatible;
  - Share communication frequencies; and
  - Investigate and purchase new capital that works for the operating environment.
- “The Team, just like spills, does not recognize borders,” he explained. They accomplish this level of cooperation by agreeing to maintain the following:
  - ICS trained personnel who are interchangeable;
  - Operating equipment that works together (e.g., boom connectors and product transfers between vessels) - this is accomplished in part through coordinated purchasing;
  - Common communication plans/equipment, including mountain-top repeaters for remote areas;
  - Knowledgeable personnel of others operations/equipment;
  - Joint exercises and debriefs;
  - Sufficient capital assets; and
  - Government interface to reinforce cooperative roles and respect.
- Kevin noted that Customs agencies in both the U.S. and Canada are involved in transboundary training exercises in order to facilitate the movement of response equipment across the border.
- He also explained that Transport Canada must approve movement of WCMRC’s equipment out of Western Canada.

- With regard to international cooperation, Kevin noted that Joint Marine Contingency Plans exist between Canada and the U.S., France, and Denmark. Supporting Mutual Aid agreements include the Pacific States/British Columbia Task Force agreements, mutual aid agreements among the members of APICOM (American Petroleum Institute of Coop Managers) – of which WCMRC, SEAPRO, and MSRC are members - and agreements within the Global Response Network.
- It was noted that the Canada Shipping Act provides for liability for sub-contracted OSRO personnel.

**CANUSDIX Guidelines for Wildlife Response and Resource Agency Input to Places of Refuge, Dispersant Use, and In-Situ Burning Decision-Making**

- Pamela Bergmann, the U.S. Department of the Interior - Office of Environmental Policy and Compliance Regional Environmental Officer for Alaska, presented the CANUSDIX annexes “Wildlife Response Guidelines” and “Guidelines for Resource Agency Input to Places of Refuge, Dispersant Use, and In-Situ Burning Decision-Making.” Copies of both annexes were provided to the attendees ([http://www.akrrt.org/CANUS\\_DixonEntrance/](http://www.akrrt.org/CANUS_DixonEntrance/)), as were copies of her papers presented at International Oil Spill Conferences on both topics, available as follows:
  - “Keys to Success in Developing the First Joint Trans-Boundary Wildlife Response Guidelines: The Canada/U.S. Dixon Entrance Example” - this paper can be found via the following IOSC web site: <http://www.ioosc.org/papers/search.asp> and then "searching" for "Bergmann." ( It should be the third paper on the list)
  - “Developing Guidelines for Joint Trans-Boundary Resource Agency Input to Dispersant Use, ISB, and Places of Refuge Decision-Making: The Canada/U.S. Dixon Entrance Example” - this paper is available on the IOSC flash drive given to the 2008 IOSC attendees.
- Noting that both oil and wildlife cross political boundaries, Ms. Bergmann explained that the U.S. and Canadian Coast Guards requested that the U.S. Department of the Interior – Office of Environmental Policy and Compliance develop a wildlife response plan and protocols for the CANUSDIX Annex area in 1999. A workshop was held in Prince Rupert, British Columbia in September of 1999, and a workgroup was formed to develop the Guidelines. The resulting Wildlife Response Guidelines (Wildlife Guidelines) were completed and approved in September 2003.
- The Wildlife Guidelines focus on migratory birds and sea otters, since they are the species most at risk in the CANUSDIX trans-boundary area.
- Canadian resource agencies participating in developing the Wildlife Guidelines included Environment Canada; Environment Canada - Canadian Wildlife Service; Fisheries and Oceans Canada; and the British Columbia Ministry of Lands, Water, and Air Protection (now the Ministry of Environment). U.S. resource agencies included the U.S. Department of the Interior - Office of Environmental Policy and Compliance, U.S. Department of the Interior - Fish and Wildlife Service, the U.S. Department of Commerce – National Marine Fisheries Service, and the Alaska Department of Fish and Game. Other partners in the development of the Wildlife Guidelines included both Coast Guards, Burrard Clean Operations and SEAPRO, the British Columbia Society for Prevention of Cruelty to Animals, and the international Bird Rescue Research Center.
- Wildlife Guideline topics included the following primary response options: oiled carcass removal, minimizing vessel/aircraft disturbance, and avoiding rat introductions to rat-free islands from stricken vessels. Secondary response options included deterring unoiled wildlife from oiled areas

and pre-emptive capture of oiled sea otters. Tertiary response options included the capture and treatment of oiled sea otters and birds.

- Other topics covered in the Wildlife Guidelines included notification, communication, coordination, resource agency roles and responsibilities, funding for wildlife response activities.
- The Wildlife Guidelines also identify what permits are needed for each wildlife response option, and which agencies issue those permits.
- Development of the Wildlife Guidelines resulted in the following benefits:
  - Process promotes consistent and complementary approaches, which facilitates resource agencies speaking with one voice.
  - Information and resource sharing among wildlife resource agencies is facilitated, thereby making more efficient use of scarce resources.
  - Wildlife protection is integrated into the incident management system for U.S. and Canadian Coast Guard spill responses in the Dixon Entrance trans-boundary area;
  - Pre-planning enhances working relationships and ensures that the correct technical experts are advising both the U.S. and Canadian Coast Guards, thus facilitating consistent decision-making;
  - Protocols facilitate timely joint decision-making; and
  - The factors to be considered in decision-making are pre-identified, rather than identified during the “heat of a response.”
- Development of the CANUSDIX Guidelines for Resource Agency Input to Places of Refuge, Dispersant Use, and In-Situ Burning (Resource Agency Guidelines) was undertaken using the same model as the Wildlife Guidelines.
- Canadian resource agencies involved in developing the Resource Agency Guidelines included Environment Canada – Emergencies Unit, Environment Canada - Canadian Wildlife Service, Department of Fisheries and Oceans, Indian and Northern Affairs Canada, Parks Canada, and the British Columbia Ministry of Environment. U.S. agencies include U.S. Department of the Interior – Office of Environmental Policy and Compliance, U.S. Department of the Interior - Fish and Wildlife Service, U.S. Department of Commerce - National Marine Fisheries, U.S. Department of Agriculture - Forest Service, and the Alaska Departments of Fish and Game, Natural Resources, and Environmental Conservation.
- For the places of refuge section of the Resource Agency Guidelines, the work group reviewed the draft places of refuge guidelines developed by both the Alaska Regional Response Team and the Pacific States/British Columbia Oil Spill Task as well as lessons learned during the M/V *LeConte* grounding; identified factors to be considered when incident-specific resource agency input is requested by their respective coast guards; and developed a draft places of refuge decision-making framework.
- For the dispersant use and in-situ burning section of the Resource Agency Guidelines, the work group reviewed for both of these response options, the following information for the Dixon Entrance area: agency decision-making, Canadian and U.S. capabilities, potential use, and OSC and resource agency perspectives.
- Since the “factors to be considered” and resource agencies were the same for all all three topics (i.e., places of refuge, dispersant use, and in-situ burning), the resource agency guidelines were combined into on document.

- The Resource Agency Guidelines provide a pre-identified process for joint agency input when the CANUSDIX Annex is activated and there's a request for a place of refuge or for use of dispersants or in-situ burning.
- The U.S. Federal and State resource agencies will work through the Environmental Unit in the Planning Section. The Canadian Federal and Provincial resource agencies will work through the Regional Environmental Emergency Team.
- The process for seeking resource agency input will include (among others) the following steps:
  - Confirm input timing – when is a decision needed?
  - Ensure adequate information is received;
  - Establish a method to exchange information (phone, email, etc);
  - Engage resource agencies to ensure appropriate participation in conference calls/meetings;
  - Hold conference call/meeting;
  - Facilitate consensus input; and
  - Identify any associated constraints in a final written summary of the recommendation to the OSCs.
- The Resource Agency Guidelines include the following components:
  - Introduction
  - Tab 1: Places of refuge decision-making
  - Tab 2: Dispersant use/in-situ burning decision-making
  - Tab 3: Factors to be considered
  - Tab 4: Resource agency emergency contacts.
- Ms. Bergmann noted that the Wildlife Guidelines have been reviewed by U.S. and Canadian Coast Guard legal offices, as well as the National Pollution Fund Center of the U.S.

## June 12th Meeting Notes

### **Topics to be addressed**

- Dave Byers and Jean Cameron led the Project Workgroup through a review of the project topics recommended by the Task Force Coordinating Committee, by each subcommittee function. These topics were not to be debated or discussed in depth at this point, since such discussions will be conducted by the Subcommittees. The group brainstormed other topics, and the final list of topics by Subcommittee is provided in the Project Workplan.

### **Subcommittees**

- The Project Workgroup also discussed the subcommittees as follows:
  - The Project Workgroup chartered five subcommittees: Command, Operations, Planning, Logistics, and Finance/Administration. These subcommittees will address preparedness and response topics of mutual concern.
  - Most project work will be done by the subcommittees, which will work by email/conference call in order to minimize travel.
  - The subcommittee process for developing draft reports will include vetting by stakeholders appropriate to any specific topic.
  - Subcommittee reports may include recommendations to government and private sector organizations as appropriate, e.g., for exercises and other means of continuously improving paradigms, processes, and protocols into the future.

- Like the Project Workgroup, the subcommittees will operate by consensus; failing consensus, a majority vote and a minority report will be allowed.
- Each subcommittee has a designated chairperson to move work along according to the approved timeline, and to be responsible for draft and final reports to the Project Workgroup. These chairpersons are Project Workgroup members, as follows:
  - COMMAND: To be determined
  - PLANNING: Graham Knox, British Columbia Ministry of Environment
  - OPERATIONS: Kevin Gardner, Western Canada Marine Response Corporation
  - LOGISTICS: Bob Mattson, Alaska Department of Environmental Conservation
  - FINANCE/ADMINISTRATION: Dave Owings, SEAPRO
- The Project Workgroup then brainstormed subcommittee membership assignments; these lists are available in the FINAL DRAFT PROJECT WORKPLAN. They agreed that Subcommittee membership may include appropriate experts from outside the Project Workgroup, and that Workgroup member organizations can designate persons to serve on multiple subcommittees.

### **Project Workplan**

- Jean explained that she would draft a Project Workplan for the Workgroup's review based on the process discussions and brainstorming done at this meeting. She proposed a template which the Workgroup discussed. Workplan elements will include a goal statement, a description of the project's organization, subcommittee topics and members, deliverables, and a timeline with designated meeting locations, as follows:
  - 1<sup>st</sup> draft subcommittee reports by March 1, 2009
  - Project Workgroup review/comment/discussion by email by 4/15/2009
  - 2<sup>nd</sup> draft subcommittee reports by July 1, 2009
  - 1<sup>st</sup> draft project report by August 1, 2009
  - Project Workgroup review/comment/discussion at a meeting in Ketchikan, Alaska by August 15, 2009
  - Revisions to draft report and Project Workgroup review by email by October 15, 2009
  - Draft Project report available for Public Comment, plus presentations to key groups from October 15 through January 2, 2010
  - Public comments incorporated; report revised by January 31, 2010
  - Final report approved by Project Workgroup at their 3<sup>rd</sup> meeting in British Columbia by March 1, 2010
  - Final report delivered to stakeholders by March 31, 2010

### **Next Steps**

- Jean will work with the Project Workgroup members to confirm all representatives to both the Project Workgroup and the Subcommittees.
- She'll also compile and send them the meeting notes and a Draft Workplan.
- Jean will work with the Subcommittee chairs to confirm their members and schedule conference calls in order to initiate research and drafting of reports.