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Pacific Region Spill and Incident Response OHEB Role Marine Spills

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Spill Response

Issue

OHEB and DFO need to develop a means to address DFO responsibilities to protect fish and fish habitat in the event of a spill, recognising existing workload and staffing constraints in all DFO Sectors.

This proposed procedure focuses on Marine Spills.





Spill Response

Overview:

- **CCG** is the lead federal authority for spills from ships
- **Environment Canada** has the lead administrative authority for s36 (pollution sections) of the *Fisheries Act* and administers the *Migratory Birds Convention Act*
- **BCE** has the lead for managing and disposing of oily waste; takes a leadership role in coastal resource identification, protection and treatment on the inter-tidal shoreline; advises on resource protection and treatment for shorelines.



Spill Response

Regional Environmental Emergencies Team (REET)

- During the response to an oil spill, technical and scientific advice is required from various experts to mitigate damage to the environment
- The REET is composed of federal, provincial, municipal, industry, FN, ENGO, and other stakeholders
- REET was first established in 1973 and now exist in all Regions
- REET is established during a spill to provide advice on priorities for protection and cleanup, sensitive habitat or species, appropriate spill response techniques, etc.
- REET evaluates impacts of the spill, assesses clean-up effectiveness, issues public advisories and warnings
- REET is chaired by EC and BCE



Spill Response

DFO role in spill response includes:

– OHEB

- Identify and set priorities for sensitive habitats that require protection, monitor cleanup efforts to ensure minimal habitat damage, assist in the development of recovery monitoring programs

– FM

- Identify fisheries resources or marine mammals at the time and place of the incident to ensure appropriate protection, assess damage to fisheries resources, assist in the development of recovery monitoring programs



Spill Response

DFO role cont'd:

- C&P
 - Locate fishery openings and fleets, implement fishery closures as required, notify sport and FN fishermen, assist in enforcement activities as appropriate
- Science
 - Model spill trajectories, provide advice on: toxicology; oil weathering; marine mammal sensitivities; spill countermeasures such as dispersants, in-situ burning, beach cleaners
- Communications
 - Work with the spill Joint Information Centre



Spill Response

If DFO does not have a strong presence on REET, DFO resources (fish and fish habitat) are unlikely to be properly identified, protected, assessed and monitored.

Risks :

- Population level impacts to species (sea otters are particularly sensitive to oil spills), long-term habitat damage
- Minister criticised for not protecting F & FH



Spill Response

- EC/PEP notification
- ↓
- Area Director *Area Director has the ability to designate staff (e.g. FAM, C&P, OHEB) in their Area as appropriate*
- ↓
- Area provides advice as appropriate
- ↓
- REET is formed *(by CCG, EC or MOE)*
- ↓
- DFO REET member *as designated by Area Director*
- ↓ *i.e. Area Manager OHEB, or Area Manager FAM*
- *DFO REET member would have access to other expertise within DFO as required – i.e. marine mammal specialist, shellfish specialist*
- DFO Habitat role
 - Impact Assessment
provide advice on impacts to habitat, priorities for areas requiring protection or cleanup
 - Chemical countermeasures (dispersant or beach cleaners)
DFO would provide advice on physical habitat sensitivities and fisheries resources that could be exposed to the countermeasures i.e. marine mammals, shellfish, pelagic fish, etc. EC would determine the toxicity/exposure/risk of these substances.

Other issues requiring DFO input include: enforcement, fishery closures and re-openings

RHQ would provide coordination, liaison, and technical and procedural support in the short term, with that function to be reviewed in future.



Spill Response

Area Director responsibility for REET

Area Director or their designates would be the REET contacts for training and incidents

Pros

- Area Directors have the authority to engage various sectors as required during an emergency
- Local knowledge of resources and fisheries
- Consistent with Area-based delivery approach

Cons

- Inefficient to have all Areas involved in planning and training
- Inconsistencies in approach to spill response
- No single window contact for CCG & EC
- More staff require training to a higher level of competency in spill response and incident management

Recommend OHEB RHQ provide a coordinator to address the above issues, for the interim





Spill Response

Summary

DFO has a clear role in the event of a spill to protect fish and fish habitat. This involves identifying sensitive species and ecosystems that are threatened by the spill, and assisting the spill response in identifying countermeasures that afford the best protection to these resources. The DFO role includes assessing damage to F&FH, providing advice on cleanup and monitoring programs, and enforcement as required.

This role can be clearly separated from EC's role regarding s36 of the *Fisheries Act*.



Spill Response

Summary cont'd

Incident response involves making significant decisions within limited timeframes and usually with inadequate information, in the high-stress environment of the Command Centre. To have credible input, REET representatives need to be familiar with the command structure and be experienced in the REET decision-making process.



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Spill Response

Next Steps

- Finalise procedure
- Discuss with RD
- Discuss with Area Directors
- Advise RDG

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