

Canada – United States Joint Marine Pollution Contingency Plan  
Atlantic Geographic Annex



**Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex  
(CANUSLANT)**

**LETTER OF PROMULGATION**

On November 19, 2022, the Commissioner of the Canadian Coast Guard and the Commandant of the United States Coast Guard signed the revised Canada-United States Joint Marine Pollution Contingency Plan (JCP), superseding the 2016 revised JCP and any other agreement pursuant to the 2016 plan. The JCP provides for co-operative measures for dealing with accidental and unauthorized releases of pollutants that cause or may cause damage to the environment along the shared maritime boundary and that may constitute a threat to the public health, property, or welfare.

In accordance with the JCP, the responsibility for development of five regional annexes for areas to which the JCP applies are assigned to the responsible Regional Directors, Canadian Coast Guard and District Commanders, United States Coast Guard. CANUSLANT is the annex that covers the Atlantic boundary between Canada and the United States, and is the joint responsibility of the Canadian Coast Guard Maritimes Region and the United States Coast Guard First District.

CANUSLANT is based upon the premise that the responsible party will take the lead role in response. The government will only direct response in accordance with applicable legislation if the responsible party's response is deemed inadequate to protect human health, safety, the environment, and/or property. The government's role will be in accordance with a tiered level response as additional resources and expertise is required. CANUSLANT does not supersede any statutory authorities held by either of the governments. CANUSLANT also recognizes the rights of U.S. Tribes and Canadian Indigenous people and provides for their participation when their lands are threatened or impacted.

This annex will be reviewed on an annual basis by both parties and amended as required. This annex supersedes and replaces the 2016 edition. The Atlantic Regional Annex is hereby approved for implementation.


For the Canadian Coast Guard



Mr. Gary Ivany  
Assistant Commissioner, Atlantic Region  
Canadian Coast Guard

Date Signed: 13 Dec 22

For the United States Coast Guard



RADM John W. Mauger  
First Coast Guard District  
United States Coast Guard

Date Signed: 13 DEC 22

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**Revision Record**

TRANSMITTAL NUMBER	DATE ISSUED	DATE ENTERED	ENTERED BY: Signature
1	11/14/2023	11/14/2023	J. A. Boudrow
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## Revision Request

Please copy this page and additional pages as required, complete all sections to indicate your suggested revision and forward to:

Canada – United States Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex

From	J. A. BOUDROW			
Date	14 NOV 2023			
Subject	JCP ANNUAL UPDATE			
Chapter		Sections III, IV, V, VI, Appendix H		Page Number

Please revise the CANUSLANT Annex as follows:

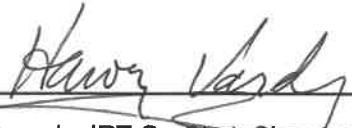
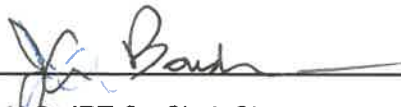
Appendix H: Replace Anne Miller with Harvey Dexter as Regional Director, Canadian CG. Change David Yard's Title from Superintendent Environmental Response to Superintendent Marine Environmental and Hazard Response. Replace Greg MacCallum with Kyle Leavitt for New Brunswick Emergency Measures Organization.

Sections III, IV, V, and VI: Change Canadian Coast Guard Incident Management to Canadian Coast Guard Response.

Section VIII: Updates to CBSA section provided by Charlotte Lewis, Assistant Director Issues & Emergency Management, CBSA.

Reason for recommended revision:

Annual Update.

 Canada JRT Co-Chair Signature:	 U.S. JRT Co-Chair Signature:
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**Revision Request**

Please copy this page and additional pages as required, complete all sections to indicate your suggested revision and forward to addresses listed in Section III:

Canada – United States Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex

From					
Date					
Subject					
Chapter		Section		Page Number	

Please revise the CANUSLANT Annex as follows:

Reason for recommended revision:

Canada JRT Co-Chair Signature:	U.S. JRT Co-Chair Signature:
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# Canada – United States Joint Pollution Contingency Plan Atlantic Regional Annex

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## **Section I. Purpose**

1. Joint Marine Pollution Contingency Plan Atlantic Geographic Annex (CANUSLANT) has been developed pursuant to the Canada-United States Joint Marine Pollution Contingency Plan (JCP), a cooperative “bridge” mechanism between the United States and Canada for preparedness and response in contiguous waters of interest to spills of harmful substances/pollutants, as defined in Section 102.9 of the JCP. The JCP divides the common maritime boundary between the two countries into five regions. The responsible Regional Directors, Canadian Coast Guard and District Commanders, United States Coast Guard were tasked to develop a detailed multilateral annex for the JCP for each region.
  - Atlantic – comprising those waters of and along the Bay of Fundy and the Gulf of Maine seaward to latitude 40° 27' 05"N, longitude 65° 41' 59"W, thence north along a bearing of 000° T to the Canadian shoreline.
  - Great Lakes – comprising the Great Lakes System as defined in the Great Lakes Water Quality Agreement.
  - Pacific – comprising those waters in the Juan de Fuca Region, including Boundary pass, Haro and Georgia Straits.
  - Beaufort Sea – comprising those waters off the Arctic Coast of Canada and the United States in the Beaufort Sea.
  - Dixon Entrance – comprising the waters of the Dixon Entrance off the Pacific Coasts of Canada and the United States.
2. This annex sets provisions for a coordinated and integrated response by the Canadian Coast Guard (CCG), Atlantic Region, and the United States Coast Guard (USCG), First District to harmful substance/pollution incidents which affect or threaten their respective areas of responsibility. It assists federal, state/provincial, local responders and Tribal/Aboriginal/Indigenous people to mitigate the effects of harmful substance/pollution incidents on human health and safety, environment, and property by providing for a coordinated and integrated response to harmful substance/pollution incidents on either side of the border.
3. CANUSLANT may be invoked when a harmful noxious substance/pollution incident presents an imminent and substantial danger to public health or welfare, and poses potential danger to the environment on either side of the maritime international boundary. This annex specifies the process that would be used to activate national response systems on either side of the border, and to facilitate an effective joint response with federal/state/provincial, local, and Tribal/Indigenous people.

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4. This plan identifies tiered response options for coordinating joint response efforts by the Canadian Incident Commander (IC) and the United States Federal On-Scene Coordinator (FOOSC), up to and including the creation of an Area Command in support of a cross border response.
5. The Primary Objectives of CANUSLANT are to:
  - provide a joint cross-border mechanism between Canada and the U.S. to ensure an effective coordinated response to cross border spills;
  - establish a Canada-United States Joint Response Team (JRT) for the Atlantic Region under co-leadership of CCG and USCG;
  - when necessary set up a Canada-US Unified Area Command post;
  - ensure timely and accurate notification of cross-border incidents to federal, state/provincial, Tribal/Indigenous people and local authorities;
  - ensure timely and accurate flow of information between responders in both countries;
  - facilitate safe and timely cross-border movement and coordination of personnel, equipment and supplies;
  - ensure coordinated and timely flow of information to the public and media; and complement the Canada – United States Joint Inland Pollution Contingency Plan, July 2009, and its CANUSEAST operational supplement. See Section II.1.
  - CANUSLANT may also be used to obtain cross-border assistance (mutual aid) when only one country is affected within the contiguous waters, if the incident is of sufficient magnitude to require assistance from the other country as provided for in Section 801.2 of the JCP.

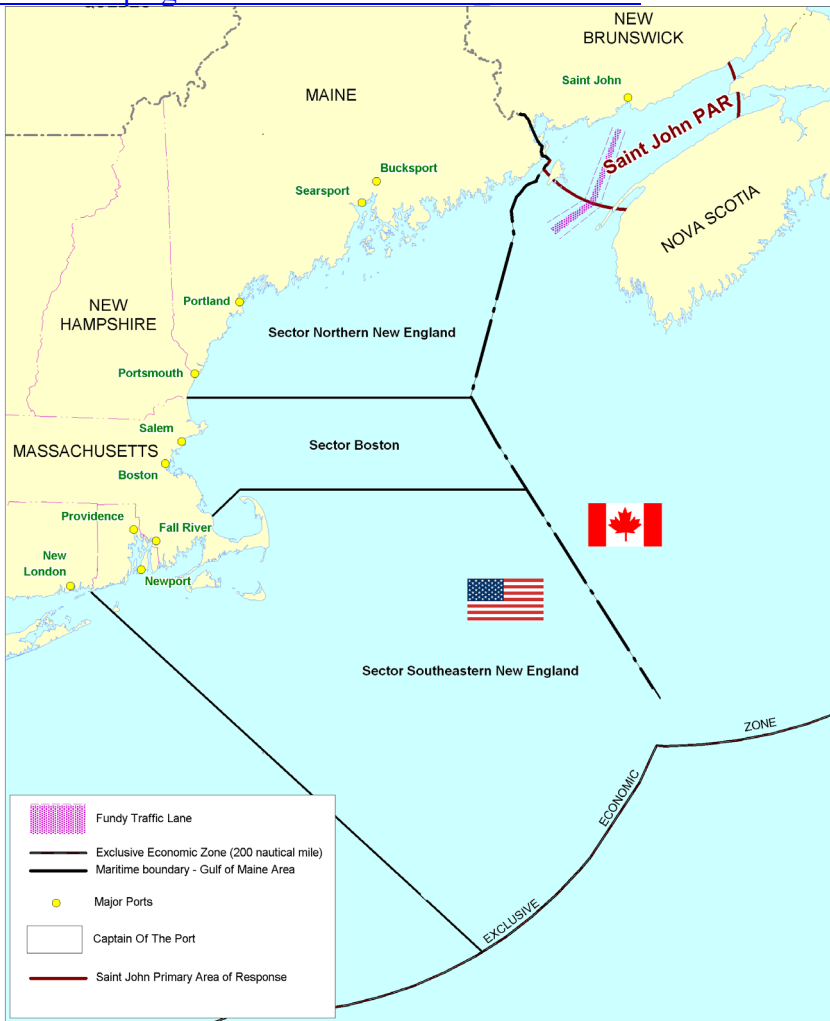


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## Section II. Area of Coverage

This supplement applies to the contiguous waters in the Atlantic Region as defined in JCP Section 104.1. The Atlantic contiguous waters are defined in this section as those waters of and along the Bay of Fundy and the Gulf of Maine seaward to Latitude 40° 27' 05" N, Longitude 65° 41' 59" W (the outermost point of the Hague line defining the U.S./Canada Atlantic ocean boundary), thence north along a bearing of 000° T to the Canadian shoreline, as shown in **Figure 1**. The inland boundary of the CANUSLANT plan is the International Bridge (45° 11' 31" N, 67° 17' 01" W), connecting Calais, Maine and St. Stephen, New Brunswick. The international inland boundary upstream of this point is covered by the Joint Inland Pollution Contingency Plan and the CANUSEAST supplement. For more information refer to:

[http://www.epa.gov/oem/content/canada\\_border.html](http://www.epa.gov/oem/content/canada_border.html)



**Figure 1 – Chartlet of area covered by JCP/Atlantic Regional Annex**

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## Section III. Responsibility

### 1. Authority for Response:

#### 1.1. Canadian Coast Guard Authority:

1.1.1 **Canadian Incident Commander**: The Canadian Incident Commander (IC) will be designated by the Director of Response. The authority for the IC is given pursuant to section 174.1(1) under Part 8 of the Canada Shipping Act. The Act states: “The Minister of Fisheries and Oceans may designate any persons or classes of pollution response officers (PRO) in respect of discharges or threats of discharges and may limit in any manner that he or she considers appropriate the powers that the officers may exercise under this Part.” In this case PRO’s are limited to staff of Canadian Coast Guard Environmental Response, see JCP section 102.3.

1.1.2 **Regional Director, Coast Guard Response**: The Regional Director, Coast Guard Response, Canadian Coast Guard Atlantic Region, will provide support and assistance to the IC.

#### 1.2 United States Coast Guard Authority:

1.2.1 **Federal On-Scene Coordinator (FOSC) Authority**: The authority for the United States FOSC is listed under 40 CFR 300.120(a)(1) (The National Oil and Hazardous Substances Pollution Contingency Plan): "The USCG shall provide On-Scene Coordinators (OSC) for oil discharges, including discharges from facilities and vessels under the jurisdiction of another federal agency, within or threatening the coastal zone. The USCG shall also provide OSCs for the removal of releases of hazardous substances, pollutants, or contaminants into or threatening the coastal zone." See JCP section 102.26.

1.2.2 **Sector Northern New England / COTP Northern New England Zone**: Commander, Sector Northern New England in the capacity of Captain of the Port (COTP) Northern New England is identified by the USCG as the pre-designated Federal On-Scene Coordinator for the COTP Northern New England zone as set forth in 33 CFR 3.05-15. The southern, seaward U.S./Canada boundary also intersects the COTP Boston and COTP Southeastern New England zones, also defined at 33 CFR 3.05. It is most likely that joint response operations would involve Sector Northern New England, and therefore CANUSLANT planning, and exercises focus on this area.

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- 1.2.3 **USCG First District:** The First Coast Guard District’s Incident Management and Preparedness Advisor (IMPA) provides support and assistance to the FOSC, while serving as a co-chair for the Joint Response Team (JRT), and as the co-chair for the U.S. Regional Response Team, Region I (Co-chaired with U.S. EPA Region I).
2. **Joint Response Authority:** The Canada-United States Joint Marine Pollution Contingency Plan (JCP), provides a cooperative “bridge” mechanism between the domestic harmful noxious substance response authorities of the United States and Canadian Coast Guards to ensure these authorities are well coordinated in a cross border incident to maximize response effectiveness. The JCP requires joint preparedness and response efforts by the two Coast Guards within the Atlantic region, and is the basis for this Annex.
- 2.1 **Activation Authority:** Whenever a harmful noxious substance/pollution incident occurs in the contiguous waters, consideration by the Incident Commander, CCG Regional Director Coast Guard Response or USCG District Commander will be given to activating the JCP and its Atlantic Regional Annex (CANUSLANT), and the Joint Response Team (JRT).
- 2.2 **Response Area:** The JCP applies to contiguous waters. The Atlantic contiguous waters are defined as those waters of and along the Bay of Fundy and the Gulf of Maine seaward to latitude 40° 27’ 05” N, longitude 65° 41’ 59”W, thence north along a bearing of 000° T to the Canadian shoreline (this line provides an eastern boundary to the contiguous waters, running from southeastern most point of the U.S./Canada Hague Line boundary to the southwest tip of Nova Scotia just west of Cape Sable Island).
- 2.3 **Harmful Noxious Substance Incidents:** The JCP provides for coordinated response to “Harmful Substance Incidents,” a broadly defined term that encompasses much of the domestic pollution response authority held by the two Coast Guards, excluding radiological substances, as stated in Section 103 of the JCP. The sections that address this from JCP are as follows:
- “102.9. Harmful Substance: Subject to Canadian or United States national laws or regulations, means any substance which, if introduced into marine or fresh waters is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the waters, and includes but is not limited to:
- substances subject to control by the *International Convention for the Prevention of Pollution from Ships, 1973 as amended by the Protocol of 1978*;
  - substances on the list of substances to which the *International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010* would apply;

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- substances subject to the *Federal Water Pollution Control Act of 1972, as amended*;
- substances subject to the *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended*
- substances subject to the *Oil Pollution Act (OPA) of 1990, as amended*;
- “pollutants” within the meaning of the *Canada Shipping Act, 2001*; and
- both oil and hazardous substances as described by the National Oil and Hazardous Substances Pollution Contingency Plan of the United States (NCP).”

“102.10. Harmful Substance Incident: A discharge, or threat of discharge of a Harmful Substance.”

“103.7. The JCP does not apply to radiological incidents. Such incidents are covered by the Canada/United States Joint Radiological Emergency Response Plan.”

### 3. Responsibilities:

3.1 **The Canadian Coast Guard**: Responsibilities of the CCG for responding to a spill or release of oil or pollutant are set out in the Canada Shipping Act. The CCG is the lead agency for spills from ships in Canadian contiguous waters, mystery spills and for spills from any source originating in foreign waters where it crosses into Canadian contiguous waters. The CCG Marine Spill Contingency Plan, National Chapter sets out CCG duties and response procedures. In an incident the following contingency plans apply:

- [Canada – United States Joint Marine Pollution Contingency Plan](#)
- [CCG Marine Spill Contingency Plan – National Contingency Chapter](#)
- CCG Marine Spill Contingency Plan – Atlantic Regional Chapter
- CCG Marine Spill Contingency Plan – New Brunswick Area Chapter

3.2 **The United States Coast Guard**: Responsibilities of the USCG for responding to a spill or release of oil or hazardous substances are set out in the Clean Water Act as amended by the Oil Pollution Act of 1990 (OPA 90), the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), as amended and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). Under OPA 90, the President is required to direct the response to spills that present a substantial threat to the public health or welfare of the United States. The responsibility for spills in the coastal zone has been delegated to the USCG. The NCP states that for discharges of oil or releases of hazardous substances the USCG Federal On-Scene Coordinator (FOSC) directs response efforts and coordinates all other efforts. The FOSC may designate

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capable persons from federal, state, tribal or local agencies to act as their on-scene representatives. The following contingency plans apply:

- [United States National Oil and Hazardous Substances Pollution Contingency Plan \(NCP\) \(Codified in regulation 40 CFR 300\)](#)
- [U.S. National Response Framework \(NRF\)](#)
- [Canada-United States Joint Marine Pollution Contingency Plan](#)
- [Canada-United States Joint Inland Pollution Contingency Plan](#)
- [Region I Regional Contingency Plan \(RCP\)](#)
- First Coast Guard District Contingency Response Plan (OPLAN 9710-0706)
- [Maine – New Hampshire Area Contingency Plan \(ACP\)](#)
- [Plymouth to Salisbury, MA Area Contingency Plan \(ACP\)](#)
- Rhode Island and Southeastern Massachusetts Area Contingency Plan

3.3 **Polluter / Responsible Party (RP):** It is always intended that the polluter or Responsible Party (RP) will take full responsibility, both operationally and financially, for the response to a spill, in Canada this requirement is clearly defined within the *Marine Liability Act*. The national laws and regulations of each country require some industries that handle harmful substances to prepare response plans that will guide initial polluter/RP efforts. The cognizant Government agencies will oversee the response, and if the response is inadequate in protecting human health, property, and the environment, then appropriate government authorities will direct the response operations in accordance with applicable legislation of the Party / Parties exercising jurisdiction.

4. **Plan and Exercise Authority:** Authority for maintenance of the operational supplement, its revision, and planning of joint exercises will be in:

Superintendent,  
Marine Environmental and Hazard  
Response  
Canadian Coast Guard Atlantic  
Region  
1 Southern Cross Road  
Mount Pearl, NL, A1C 5X1  
(709) 330-7163

Commander (drp)  
First Coast Guard District  
408 Atlantic Avenue  
Boston, MA 02110-3350  
(617) 223-4813

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## Section IV. Plan Review and Update

1. **Plan Updates**: The CCG and the USCG members in consultation with the members of the Joint Response Team (JRT) will review this plan in association with the exercise program and actual incidents, and incorporate lessons learned into this Annex from time to time per guidance contained in JCP Section 1100.
2. **Distribution**: The CCG and the USCG will jointly distribute agreed upon amendments to this plan to stakeholders and response partners.
3. **Revision Record**: Upon receiving a plan change, follow the transmittal instructions and enter the record of the change on the revision record, located on page iii.
4. **Revision Requests**: All requests or suggestions for revision to this annex should be forwarded to the the Regional Director, Coast Guard Response, Canadian Coast Guard, Atlantic Region and the Commander, First U.S. Coast Guard District (drp) at the address listed in Section III.

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## Section V. Pattern of Response

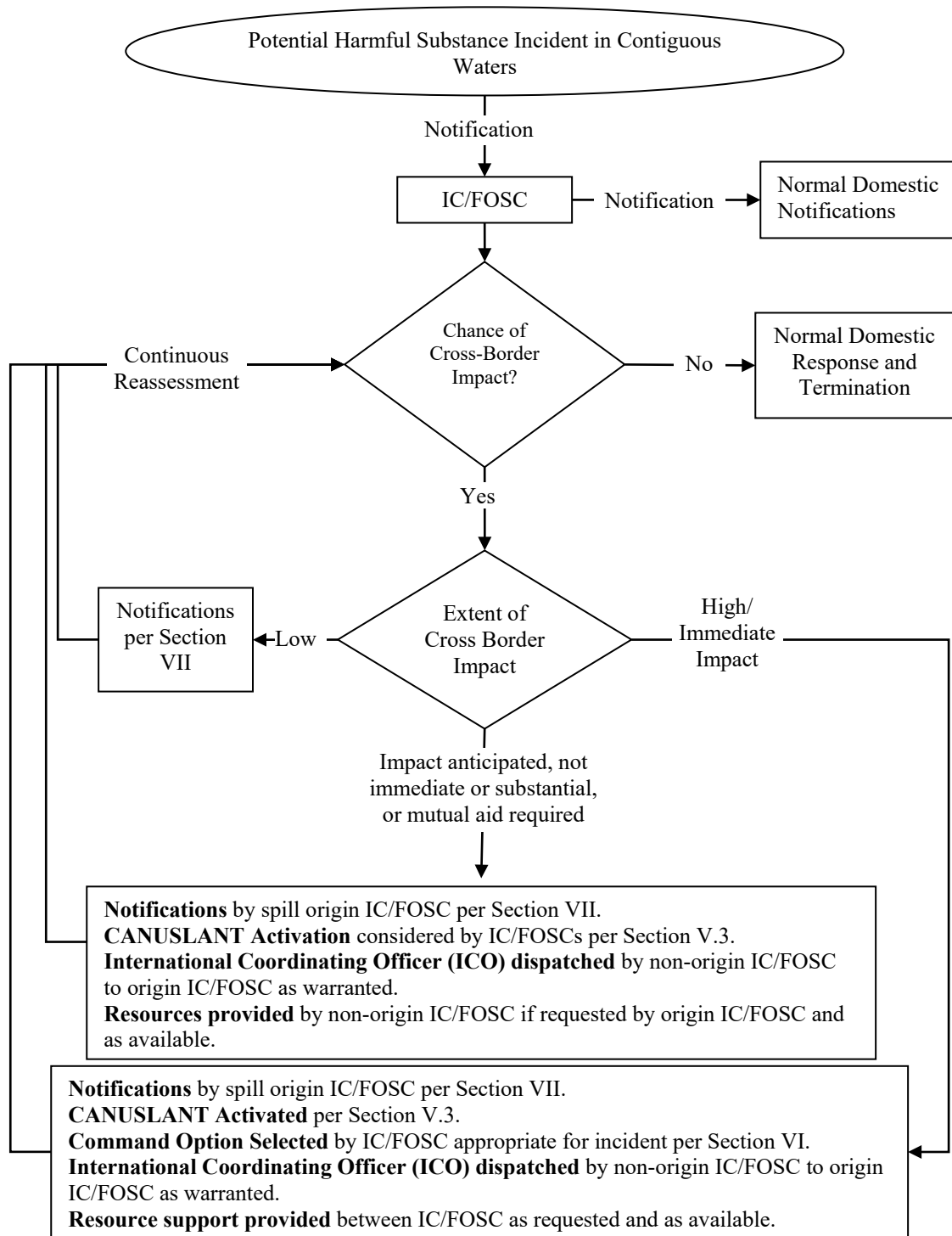
### 1. CANUSLANT Activation for cross border incidents:

- 1.1 **Activation Authority:** Whenever a harmful substance/pollution incident occurs in the contiguous waters, consideration by the Incident Commander and Regional Director, Response, CCG-Atlantic Region, or USCG First District Commander will be given to activating the JCP and its Atlantic Regional Annex (CANUSLANT), and the Joint Response Team (JRT).
- 1.2 **CANUSLANT Justification:** The following circumstances justify the activation of CANUSLANT:
  - When a high likelihood exists for cross-border impact from pollution.
  - When actions or inaction on one side of the border may result in impacts to the shores or waters of the other country.
  - When the magnitude of the incident is such that the timely availability of resources to the federal/state/provincial, Tribal/Indigenous, or local level results in a request for assistance.
- 1.3 **Activation Method and Notifications:** Figure 2 depicts the process of effecting notification, activating the plan, dispensing resources based on the risk level (i.e. likelihood) for cross-border impact from pollution and appropriate actions based on the level of risk.

CANUSLANT can be verbally activated (and deactivated) by the Assistant Commissioner, CCG-Atlantic Region/Commander, First US Coast Guard District. When the decision is made to activate CANUSLANT, the JRT Co-chairs will notify JRT members, and unified command members. Whenever practical, every effort will be made to communicate and reach consensus with the relevant state/provincial governments and Tribal/Indigenous authorities prior to invoking CANUSLANT.

It is suggested that a written confirmation of the decision to activate CANUSLANT including date, time, name and contact number of the requesting party, and a summary of the situation will be generated by the originating party and relayed to the other parties as soon as practicable (refer to Section VII of the JCP). It is the joint responsibility of the JRT Co-chairs to ensure that the members of other appropriate agencies are informed that CANUSLANT has been activated.

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**Figure 2 - Notification, CANUSLANT Activation and Coordination of Response flowchart**



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## **Section VI. Organizational Structure**

### **1. Command and Control Systems:**

1.1 Canadian Incident Command System: The Incident Command System (ICS) will be used to manage response operations within Canadian territorial waters.

1.2 U.S. Incident Command System: The United States National Incident Management System-Incident Command System (NIMS-ICS) will be used to manage response activities within the United States.

### **2. Command Posts:**

2.1 Single Incident Command Post: A single incident command post is appropriate when an incident predominantly impacts one side of the border and the other country is called upon to render mutual aid or when cross-border impacts may occur but are distant in time and/or space. The other country may send an International Coordinating Officer (ICO) to represent them and to help coordinate mutual aid and facilitate communications between the two countries. The ICO may be a single individual or a team depending on the size and scope of the incident.

2.2 Two Incident Command Post Organization: If both countries are going to be affected by the spill, a two Incident Command Post organization may be more practical. This concept requires continual synchronization between ICPs. Each country's ICP will develop an Incident Action Plan with their objectives and priorities.

The two ICPs should work to coordinate at all levels. Coordinating the use of alternative countermeasures, public information releases, and the sharing of resources are particularly critical to a successful joint response.

It is recommended to use one time zone for operations between ICPs. Time zone should be agreed upon by the Incident Commanders. For more information see Appendix Q.

2.2.1. Two Incident Command Posts with International Coordinating Officers (ICO) and support staffs. The two ICP concept requires ICOs to coordinate between ICPs. In this structure, ICOs (typically from each nation's Coast Guard, but not limited to) will serve as the primary channel between the ICPs and will work for their nation's IC.

2.2.2. Recommended International Coordinating Officer Support Staff: If two ICPs are established, ICOs with potential support staff should be dispatched to

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each nation's ICP, commensurate with the scale of the response and as required by the incident.

2.2.3. The Role of the International Coordinating Officer (ICO). The ICO will be physically located at the other country's ICP but will report to the Incident Commander (IC) of their country.

Duties of the ICO include, but are not limited to:

- Enhance cooperation and understanding between OSCs of both countries.
- Coordinate on tactical matters to achieve unity of effort.
- Request resources and scientific support to affect operational objectives.
- Ensure understanding of policy and guidance and coordination measures.

2.3 Area Command with two or more Incident Commands: An incident that crosses international borders could quickly become complex and overwhelm local and regional assets. Therefore, if the response plan is initiated, an Area Command (AC) may be established, if determined necessary, by the governments of the United States and Canada.

2.3.1 The AC does not, in any way, replace the on-scene incident organization command function. The main purpose of the AC is to focus primarily on strategic assistance and direction and resolving competition for scarce national resources. The AC will:

- Establish strategic objectives and priorities.
- Establish a battle rhythm for reporting the incident status to keep upper levels of governments informed.
- Enhance communications with the partnering nation.
- Assist with interagency and elected official outreach.
- Assist with requests for assets on a national level.
- Assist with media relations.

2.3.2 The AC will be led by the Commander, First Coast Guard District for the United States and the Assistant Commissioner, Canadian Coast Guard, Atlantic Region for Canada or their designated representatives.

2.3.3 The AC will designate a Planning Section Chief who will be responsible for facilitating meetings and for collecting, evaluating, and sharing information.

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3. **Canadian ICP Staffing:** Primary government representatives to the Incident Command System, their support staff, and resources are as follows:

3.1 Canada, Incident Commanders:

3.1.1 Incident Commander

Superintendent, Marine and Environmental Hazard Response  
Canadian Coast Guard Atlantic  
PO Box 5667  
St John's, NL A1C 5X  
Phone (24 hours): (902) 426-6030  
Phone (0800 - 1600) (902) 426-3699  
Cell: 902-497-0065

3.1.2 Alternate Incident Commanders

Senior Response Officer  
Canadian Coast Guard - Saint John  
PO Box 700, Station "A"  
Saint John, NB, E2L 4B3  
Phone: (506) 636-4714/6

3.1.3 Regional Director Response

Canadian Coast Guard Atlantic Region  
PO Box 1000  
Dartmouth, NS B2Y 3Z8  
Phone: 902 426-9022

3.2 Canada, Critical Personnel:

3.2.1 Manager, Preparedness and Response

National Environmental Emergencies Centre (NEEC),  
Environment and Climate Change Canada  
105 McGill Street, 7th Floor,  
Montreal (Quebec) H2Y2E7  
Phone: (514) 283-0195  
24 HR: (866) 283-2333

3.2.2 Alternate:

Regional Director  
Environment and Climate Change Canada  
Atlantic Environmental Protection Operations  
45 Alderney Drive  
Dartmouth, Nova Scotia, B2Y 2N6  
Phone: (902) 426-3593

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Regional Director - Marine Safety  
14<sup>th</sup> Floor, Queens Square  
45 Alderney Drive, Dartmouth, NS, B2Y 2N6  
Phone: (902) 426-2060

4. **United States ICP Staffing:** Primary government representatives to the Incident Command System and their support staff and resources are as follows.

4.1 United States, On-Scene Coordinators:

4.1.1 Federal On-Scene Coordinator:

Commander, USCG Sector Northern New England  
259 High Street  
South Portland, ME 04106-0007  
Phone 207-767-0320 (24 hours: 207-767-0303)

4.2 State of Maine Oil Spill Coordinator:

4.2.1 Director of Response Operations,

Maine Department of Environmental Protection.  
Station #17, State House  
Augusta, ME 04333  
Phone: 800-482-0777 (24 HR Spill Line)  
207-287-7190

4.3 Scientific Support Coordinator for the OSC (and Joint Environmental Team):

4.3.1 NOAA Scientific Support Coordinator

Gloucester, MA  
Phone: 617-877-2806  
24 Hours: 206-526-4911

4.4 Environmental Protection Agency:

4.4.1 Emergency Planning and Response Branch Chief

EPA New England, Region 1  
Post Office Square, Suite 100  
Boston, MA 02109-3912  
Phone: 617-918-1236

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## Section VII. Notification Procedures

### Emergency Notifications

1. **Notifications to Canada.** In the event of a harmful substance/pollution incident in U.S. contiguous waters that requires notification to the Canadian authorities the following office shall be notified:

Department of Fisheries and Oceans - Coast Guard Casualty/Pollution: 1-709-772-7043 (24-hour number) or 1-800-565-1633.

2. **Notifications to United States.** In the event of a harmful substance/pollution incident in Canadian contiguous waters that requires notification of the U.S. authorities the following notifications will be made:

Sector Northern New England: 207-780-0303 (24-hour number)

National Response Center: 800-424-8802 (24-hour U.S. number)  
202-267-2675 (from Canada)  
202-267-2165 (fax)

First District Command Center: 617-223-8555 (24-hour number)

3. **Notification Procedures.** The attached form should be used for activation and deactivation notifications.

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<b>Canada – U.S</b>						
<b>Spill Notification / Activation / Deactivation Form</b>						
<input type="checkbox"/> <b>Notification Only</b>		<input type="checkbox"/> <b>Activation</b>		<input type="checkbox"/> <b>Deactivation</b>		
Reference Number				Initiating Country		
Incident Name				Number of Pages (including cover)		
2.	Date Submitted:			3.	Time Submitted:	
4 (a).	From (Country / Agency):			5 (a).	To (Country / Agency):	
4 (b).	Name / Position:			5 (b).	Name / Position:	
4 (c).	Fax / Telephone:			5 (c).	Fax / Telephone:	
4 (d).	Email:			5 (d).	Email:	
6. Type of Incident (Primary Cause/ Secondary):						
7. Incident Date/ Time:						
8 (a). Product Type:		8 (b). Source of Pollution:				
9 (a). Volume Released (bbl):		9 (b). Max Potential (bbl):				
10. Is Source Secured?			Yes <input type="checkbox"/>		No <input type="checkbox"/>	
			If Yes -Date/Time/Method Used to Secure:			
			If No – Mitigation Measures Currently in Place:			
11. Geographic Location of Incident (Port/ Body of Water):						
12. Position:			Latitude:		Longitude:	
13. Potential for Trans-boundary Impacts?			Yes <input type="checkbox"/>		No <input type="checkbox"/>	
<b>14. Acknowledgement of Notification Received</b>						
Date/Time Acknowledged				Name/Organization		
Signature:						

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Comments (optional):			
<i>Note: The notifying Participant should, at a minimum, send Page 1 of this form when making a notification for informational purposes only, marking the “Notification” box at the top. If trans-boundary implications are present, mark the “Activation” block and provide additional information (in subsequent pages of this form) specific to the applicable Annex and amplifying incident details. Once the Joint Response Team determines that a Deactivation is appropriate, mark the “Deactivation” block. Receiving Participant should ensure to acknowledge receipt and return to Notifying Participant.</i>			
<b>15. Incident Command Information</b>			
15 (a). Lead Agency:			
15 (b). Command Post Location:			
15 (c). Request International Coordination Officer Activation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
<b>16. Situation Assessment</b>			
16 (a). Current Assessment	16 (b). Complicating Factors		
	16 (c). Mitigating Factors		
	16 (d). Additional Factors		
<b>17. Vessel Information</b>			
17 (a). Name of Vessel		17 (g). Length of Vessel	
17 (b). Flag		17 (h). Draft of Vessel	
17 (c). Owner/Operator		17 (i). Document/Official Number	
17 (d). Last Port of Call		17 (j). Next Port of Call	
17 (e). Cargo Type/Amount		17 (k). Fuel Type/Amount	
17 (f). Vessel Aground?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
<i>Additional vessel(s) involved? If so, attach to end of form.</i>			
<b>18. Pollutant Information</b>			
18 (a). Type of Pollutant		18 (d). Amount Spilled (bbl)	
18 (b). Potential Amount/Capacity (bbl)		18 (e). Sheen/Slick Length & Width	

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18 (c). Direction of Movement		18 (f). Color	
19 (a). Air Temperature		19 (e). Sea State	
19 (b). Wind Direction		19 (f). Wind Speed	
19 (c). Precipitation Type		19 (g). Visibility	
19 (d). Ice Coverage?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Coverage:</b> ____ %
20 (a). Has the Responsible Party Retained a Contractor?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	
	20 (b). Contractor Name:		
	20 (c). Contractor Capabilities/Resources Requested:		
Additional comments/information (e.g., cause of incident, areas impacted, immediate implications, trajectories, maps, charts, forecast weather conditions, etc.):			
22 (a). Name of Vessel		22 (g). Length of Vessel	
22 (b). Flag		22 (h). Draft of Vessel	
22 (c). Owner/Operator		22 (i).	



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		Document/Official Number	
22 (d). Last Port of Call		22 (j). Next Port of Call	
22 (e). Cargo Type/Amount		22 (k). Fuel Type/Amount	
22 (f). Vessel Aground?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Not Applicable</b> <input type="checkbox"/>

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## Section VIII. Procedures for Customs and Immigration Clearances

This section provides procedures for ensuring that necessary equipment and personnel receive appropriate customs and immigration clearances, respectively, to support response when such resources are not available in a timely manner within one of the nations in a cross-boundary response. The material in this section is also summarized in a checklist available within this section.

### 1. Canadian procedures for incoming United States personnel and equipment:

1.1 **Canadian Customs Regulations**: The Canada Border Services Agency has established procedures to facilitate the movement of goods for emergency use across the Border from the U.S., and for the remission of customs duty and excise taxes for such goods. The Temporary Importation (Tariff Item No. 9993.00.00) Regulations provide full relief from the payment of the customs duties. *The Goods for Emergency Use Remission Order* provides full relief from the Goods and Services Tax/Harmonized Sales Tax (GST/HST) that would otherwise be owed on these goods. The instructions are contained in Customs D Memorandum D8-1-1, June 1, 2020. Items temporarily imported shall use Special Authority Code 73-2529

In the case of such an emergency there are two other key appendices contained in the Customs D Memorandum, Appendix B provides guidelines and information regarding the temporary importation of emergency equipment and Appendix C which provides guidance on the definition of an emergency.

### Contact Numbers:

The contacts below can be used to seek information regarding importations in response to an emergency, they may also put you in direct contact with a specific CBSA office.

#### Border Information Services

[Contact border information services \(cbsa-asfc.gc.ca\)](https://www.cbsa-asfc.gc.ca)

Live Agents are available Monday to Friday 7am-7pm ET

Toll free within Canada and the United States

1-800-461-9999

TTY 1-866-335-3237

Outside Canada and the United States *\*long distance charges apply*

1-204-983-3500

1-506-636-5064

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Between 16:00-8:00 weekdays and weekends: Border Operations Centre (BOC)  
1-613-960-6001.

Officials of federal, provincial, or municipal governments declare emergencies. When time or circumstances do not permit an official notice of an emergency, Customs Officers will have to assess the situation as it develops by consulting with local response agencies. When time permits, a Temporary Admission Permit E29B will be issued covering all equipment and supplies. This permit will be issued covering emergency supplies and equipment without collection of security (duty or Goods and Services Tax [GST]). In the case of release of goods where Customs or RCMP officers are not in attendance, a record kept by a responsible individual (i.e., chief of police, a municipal mayor, provincial government representative or other individual charged with responsibility of directing the emergency countermeasures) will be accepted for the purpose of completing form E29B. When the situation is urgent, the paperwork will be reduced to a simple blotter record on the E29Bs describing the goods in general terms and a Form E29B may be completed after the fact. The E29B is cancelled whenever the responsible individual involved, provides evidence that the goods have been consumed or destroyed in resolving the emergency or have been exported from Canada. Proof of exportation is not required in respect of goods consumed or destroyed in response to an emergency. Such goods may be accounted for on form B3 after the emergency.

- 1.2 **Canadian Customs Procedures:** The CCG OSC will notify the CBSA office at the Port of Entry by contacting the principal or alternate contact, or if after-hours; weekends; or holidays the number in Ottawa. These contact numbers are listed in the second paragraph of Section 1.1 above.

The driver of the vehicle/vessel/aircraft transporting goods to Canada should adhere to the following:

- Carry two copies of the equipment list including serial numbers and monetary value.
- Stop at USCBP during crossing to get the equipment list stamped. A copy of any lists presented to Canada Customs, preferably with some type of Canada Customs stamp, should expedite the return of equipment to the United States.
- Present the list to CBSA for clearance approval. Should problems arise ask to speak to a Superintendent; and
- Report to CBSA when leaving Canada so that temporary admission permits can be canceled.

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### **1.3 Immigration and Refugee Protection Act and Regulations:**

Emergency response personnel may be granted entry under the Immigration and Refugee Protection Regulations pursuant to section 186(t), which allows them to be granted admission as personnel responding to an emergency and forego the requirement to obtain a work permit. It is advised that personnel carry proof of citizenship. Provisions under the Immigration and Refugee Protection Act, section 24(1) provide for case-by-case admission for people who are otherwise inadmissible, when an officer is of the opinion that admission is justified due to the circumstances. This will be assessed on a case-by-case basis.

### **1.4 Canada Border Services Agency Procedures into Canada:**

Canada Border Services Agency may grant temporary authority to work in Canada on an emergency basis. To facilitate the process of gaining temporary authority to work in Canada, United States citizens should notify the specific port of entry of their needs prior to arriving for entry into Canada. It is also advisable for United States citizens to arrange for an official of a Canadian agency involved in the emergency (e.g., Canadian Coast Guard) to contact Canada Border Services Agency and confirm the need for their entry into Canada.

## **2. United States procedures for incoming Canadian Equipment and Personnel:**

**2.1 Customs and Excise Regulations:** During an emergency, United States Customs and Border Protection's Regulations provide for the assisted movement of work force and equipment from Canada into the United States. *Title 19, United States Code Section 1322, International traffic and rescue work, (b) states (in part):*

“The Secretary of Homeland Security may provide by regulation or instruction for the admission, without entry and without the payment of duty or tax imposed upon or by reason of importation of pollution countermeasure, rescue, and relief equipment and supplies for emergent temporary use in connection with floods and other disasters.”

Pursuant to this section, U.S. Customs Regulations allow rescue and relief equipment into the country without payment of duty at their discretion.

**2.2 Customs and Exercise Procedures:** When federal involvement becomes necessary in a cross-border incident, the On-Scene Coordinator will notify the United States Customs and Border Protection Port Director that the JCP has been activated to deal with a harmful substance incident affecting or threatening the United States and that CANUSLANT has been activated. The telephone notification will be confirmed with a fax to U.S. Customs. Please refer to checklist under paragraph 3 for step-by-step procedures and telephone numbers.

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The United States Customs and Border Protection Port Director may authorize or direct the following:

- U.S. Customs and Border Protection should be notified as soon as possible if not before the arrival in the U.S. of any carrier and/or equipment. This may be done by telephone, email and/or fax if necessary. In no way shall any carrier responding to an emergency be delayed by U.S. Customs and Border Protection to report its arrival if the carrier follows all applicable US laws.
- Expedited entry/clearance for response equipment involved with emergency response with no duty or other fees to be collected (clearance is valid for 90 days).
- Where equipment and personnel enter the United States at other than a port of entry, e.g., air or water, it must be reported to United States Customs and Border Protection within 24 hours, or as soon as is practicable.
- Material, equipment, and supplies dispatched from Canada must remain under supervisory control of an appropriate Canadian authority.
- Equipment brought into the United States must be returned to Canada within 90 days unless an extension is granted, or other arrangements are made at the time of entry or during the response. Consumables need not be brought back into Canada and may be disposed of in the United States.
- Equipment returning to Canada must be inspected and approved by U.S. Customs and Border Protection prior to the leaving the United States.

The U.S. Customs and Border Protection Port Director at each Port of Entry in Maine is the key point of contact for the resolution of U.S. - Canadian Customs issues occurring at the border. In an actual emergency, the Port Director has authority to waive regulations and can expedite the movement of equipment personal and resolution of related issues.

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2.3 **Employment and Immigration Regulations:** The Immigration and Naturalization Act provides the U.S. Customs and Border Protection the responsibility for regulating the movement of people across the international borders of the U.S. This includes the ability to expedite the movement of emergency workers from Canada into the U.S., upon request from the U.S., to assist in responding to emergencies.

Section 212(d)(3) of the Immigration and Naturalization Act provides the U.S. Customs and Border Protection, the discretion to allow Canadian workers with special skills who might not otherwise be allowed into the U.S. to temporarily enter the U.S. to assist in the response.

2.4 **Employment and Immigration Procedures:** The following procedures provide procedures for the movement of workers with special skills from Canada into the United States to assist with response.

- When United States federal involvement in a cross-border incident becomes necessary, the On-Scene Coordinator will notify the U.S. Customs and Border Protection of an international maritime pollution incident and the need for trained Canadian workers to support the emergency response.
- The official must specify that the Canada/United States Joint Contingency Plan and CANUSLANT have been activated. Initial telephone notification will be followed up with a call to the USCBP and the FOSC.
- The USCG certifies to the US CBP
- insufficient trained response workers are available to respond in a timely manner.
- Response organizations must provide safe transport for an USCBP Officer to inspect response operations.
- U.S. Coast Guard should provide 24-hour advanced notice if possible.
- Workers from Canada may work only 90 days in the United States unless other provisions are made.
- Upon departing the United States, the Canadian workers must check out through an USCBP POE.

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The U.S. Customs and Border Protection Port Director at the POE is the key point of contact for the resolution of U.S. - Canadian Immigration issues occurring at the border. In an actual emergency, the Port Director has authority to waive regulations and expedite the movement of people/resolution of related issues. A supervisor at the main CBP port of entry can be contacted 24 hours a day/7 day a week by calling (207) 904-3000 and entering 1# or 3#.

### Checklist for Customs and Immigration Procedures (Canada and U.S.)

#### United States into Canada

Item #	Action Items <u>prior</u> to leaving for the Border.	Yes	No	Notes
1	Has the JCP-CANUSLANT Annex been activated?			Activation Authority: On-Scene Commander/On-Scene Coordinator, Regional Director, or District Commander
2	Has the OSC requested personnel or equipment assistance from the U.S. into Canada?			
3	Has the Canadian Coast Guard informed Canada Border Services Agency and Canadian Citizenship and Immigration at the port of entry that the JCP been activated and US equipment and/or personnel will be crossing the border?			Responsibility for Task 3: Canadian JRT Co-Chair (Superintendent Environmental Response). Telephone Notification to be confirmed with Fax to Customs/INS and FOOSC)
4	Has the USCG or U.S. contractors forwarded their personnel and equipment lists to the CCG?			
5	Are the lists of personnel and equipment			List should include equipment make,

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	complete?			serial number, model number
6	Have these lists been forwarded to Canada Border Services Agency and Canadian Citizenship and Immigration at the border crossing point?			<p>Between 8:00-16:00 weekdays – Phone (613)952-4113, Alternate contact- (902) 426-4910</p> <p>Between 16:00-8:00 weekdays and weekends: (613) 952-9900</p>
<b>Item #</b>	<b>Action Items while <u>en route</u> to the Border.</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
1	Prior to leaving the U.S., ensure a duplicate copy of the personnel and equipment list accompanies each vehicle or vessel.			
2	Ensure each vehicle or vessel has contact information for the CCG in case there are problems at the border.			
3	Upon arriving at the border, stop at the U.S. side of the border and have the lists stamped.			
4	Present the lists to a Canada Border Services Agency agent at the border with the list. If there is a problem, ask for the Senior Officer or Superintendent.			
5	Are there any problems? If so, contact the CCG personnel who requested the equipment or personnel.			



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<b>Checklist for Customs and Immigration Procedures (Canada and U.S.) Canada into United States</b>				
<b>Item #</b>	<b>Action Items <u>prior</u> to leaving for the Border.</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
1	Has the JCP-CANUSLANT Annex been activated?			Activation Authority: On-Scene Commander/On-Scene Coordinator, Regional Director, or District Commander
2	Has the OSC requested personnel or equipment assistance from Canada into the U.S.?			
3	Has the United States Coast Guard informed U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement at the port of entry that the JCP been activated and Canadian equipment and/or personnel will be crossing the border?			Responsibility for Task 3: Sector Northern New England, FOSC. Telephone Notification to be confirmed with Fax to Customs/USCIS and D1 JRT Co-Chair)
4	Has the CCG or Canadian contractors forwarded their personnel and equipment lists to the USCG?			
5	Are the lists of personnel and equipment complete?			List should include equipment make, serial number, model number
6	Have these lists been forwarded to U.S. Customs and Border Protection and U.S. Citizenship and Immigration Service at the border crossing point?			Border Crossing Point: Likely Calais ME. Customs: (207) 454-3621, fax 454-7122 USCIS Calais: (207) 454-2546 USCIS Houlton Sector: (207) 532-6521

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Item #	Action Items while <u>en route</u> to the Border.	Yes	No	Notes
1	Prior to leaving Canada, ensure a duplicate copy of the personnel and equipment list accompanies each vehicle or vessel.			
2	Ensure each vehicle or vessel has contact information for the USCG in case there are problems at the border.			
3	Upon arriving at the border, stop at the Canadian side of the border and have the lists stamped by Canada Customs.			
4	Present the lists to Inspector at the border with the list. If there is a problem, ask for the Senior Officer or Superintendent.			
5	Are there any problems? If so, contact the USCG personnel who requested the equipment or personnel.			
6	Retain copies of the lists for re-entry into Canada.			Workers from Canada may only work 90 days in the United States unless other provisions are made

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## Section IX Foreign Registry Vessels (Coastal Trade Law Exemptions)

The Coastal Trading laws of the United States and Canada generally provide for the use of domestic vessels involved in coastwise service and operations. This section describes exemptions available during harmful substance/pollution incident. The included checklist facilitates the use of foreign flagged vessels in response actions.

### 1. Authorities:

#### 1.1 U.S. vessels operating in Canadian Waters:

- 1.1.1 **The United States Wreckers Act** (a Canadian Act) allows U.S. Vessels, without restriction by the customs or coasting laws of Canada, to salvage any property wrecked and may render aid and assistance to any vessels wrecked, disabled, or in distress, in the waters contiguous to the U.S., and provided that a reciprocal privilege with respect to Canadian vessels exists in the U.S
- 1.1.2 **Section 3(2)(d) of the Coasting Trade Act** permits foreign or non-duty paid ships engaged in salvage operations outside of Canadian waters. (12 miles Territorial Sea limit). The Coasting Trade Act does not permit a Foreign ship or non-duty paid ship to be engaged in the coasting trade, unless it has been issued a license, OR as permitted by the section 3(2)(e) of the Coasting Trade Act, whereby a foreign ship or non-duty paid ship, is engaged with the approval of a person designated as a pollution Prevention Officer(PPO) under section 174 of CSA 2001 or authorized under paragraph 11(2)(d) of the same Act. The Coasting Trade Act does not prevent operations by U.S. flagged vessels which are permitted under the United States Wreckers Act.
- 1.1.3 **Article II of a 1908 Treaty between the United States and Canada**: Both countries agreed vessels from either country “may salvage any property wrecked and may render aid and assistance to any vessel wrecked, disabled or in distress in the waters or near the shores of the other country...” Vessels operating under the terms of this treaty shall report, as soon as possible, to the nearest Customs House of the country in whose waters the operation took place.

#### 1.2 Canadian vessels operating in U.S. Waters:

- 1.2.1 **46 App. U.S.C. § 883 (Section 27 of the Merchant Marine Act of 1920 (the Jones Act))**: Provides that only vessels built in, documented under the laws of, and owned by citizens of the U.S. may carry merchandise between points in the U.S. However, there are a number of recognized U.S. Code exemptions that apply to the Jones Act.

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- 1.2.2 **Jones Act Waivers.** Requests for waivers of certain provisions of the act are reviewed by U.S. Department of Transportation (DOT) Maritime Administration (MARAD) and the Department of Homeland Security (DHS) on a case-by-case basis. DHS issues the waiver based on assistance from MARAD in determining the necessity and extent and duration of waiver by identifying available U.S. flagged sealift capacity. Waivers can be granted in cases of national emergencies or in cases of strategic interest.
- 1.2.3 **46 U.S.C. § 80104** specifically authorizes Canadian vessels to conduct salvage operations pursuant to the 1908 treaty above.
- 1.2.4 **46 USC § 80105** provides that Canadian vessels and wrecking equipment may give aid to Canadian or other vessels and property wrecked, disabled, or in distress in the waters of the United States contiguous to Canada as long as reciprocity remains in force. This provision is self-executing assuming the reciprocity requirement is still met.
- 1.2.5 **46 U.S.C. § 55113** Provides that a foreign-flagged “oil spill response vessel” may operate in waters of the U.S. on an emergency and temporary basis, for the purpose of recovering, transporting, and unloading in a U.S. port oil discharged as a result of an oil spill in or near those waters under if:
- 1.2.5.1 An adequate number and type of oil spill response vessels documented under the laws of the United States cannot be engaged to recover oil from an oil spill in or near those waters in a timely manner, as determined by the Federal On-Scene Coordinator for a discharge or threat of a discharge of oil; and
  - 1.2.5.2 The foreign country has by its laws accorded to vessels of the United States the same privileges accorded to vessels of the foreign country under this section.
    - 1.2.5.2.1 Therefore, under this provision, as long as Canada offers reciprocal privileges, which they currently do, when *adequate* and U.S. vessels are not *timely* available, Canadian oil spill response vessels may be employed. This provision is self-executing once the Federal On-Scene Coordinator makes that determination.

## 2. Procedures for using Canadian vessels in harmful substance incident response:

- 2.1 **46 App. U.S.C. § 883 (Section 27 of the Merchant Marine Act of 1920 (the Jones Act))** provides that only vessels built in, documented under the laws of, and owned by citizens of the U.S. may carry merchandise between points in the U.S. In some limited circumstances, such as national defense (46 U.S.C. § 501), it may be necessary to obtain a waiver for use of Canadian-flagged vessels within U.S. waters. For use of Canadian vessels in response to a harmful substance incident that does not fall under

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the oil response or salvage exemptions, the FOSC may contact the legal office to seek a Jones Act waiver from Coast Guard Headquarters.

- 2.2 The U.S. FOSC must inform U.S. Customs and Border Protection as soon as the determination is made that a Canadian vessel is necessary.
- 2.3 **Related Customs and Immigration Procedures:** When CANUSLANT is activated, harmful substance incident response/salvage vessels will be crossing from the waters of one country into the other; the customs and immigrations notifications and procedures outlined in Section VIII and the included checklist (procedures for workers/equipment crossing the border) shall be followed.
- 2.4 **Salvage Vessel Use Notification:** Pursuant to operations taken under the 1908 treaty, if a vessel from a non-host country engages in a salvage operation in the waters of the host country, the owner/master of the vessel shall make a full report of the operation, as soon as possible, to the nearest Customs House of the country in whose waters the operation took place.
- 2.5 **Salvage and Rescue Vessel Resources:** Appendix B and Appendix F list/reference response, salvage, and rescue resources.

### Checklist for Canadian Flagged vessels in U.S. Waters

<b>Use of Canadian flagged vessels in U.S. waters (for hazardous spill response)</b>				
Item #		Yes	No	Notes
1	Will U.S. vessel responders be both <i>adequate</i> and <i>timely</i> ? (46 U.S.C. §55113)			If NO, FOSC can employ Canadian response vessels.
2	If Canadian response vessels are available and deemed necessary, the FOSC will notify CPB.			NOTIFICATION ONLY to CPB (CPB cannot decline Canadian vessel employment)
3	Once customs notification is made, the Canadian vessels can commence response.			
<b>Use of Canadian flagged vessels in U.S. waters (for salvage)</b>				
Item #		Yes	No	Notes
1	Are there salvage operations that call for assistance from Canadian responders? (46 U.S.C. § 80105)			If YES, Canadian response vessels may engage.
2	If Canadian response vessels are available and initiating salvage response, the FOSC will notify CPB.			NOTIFICATION ONLY to CPB (CPB cannot decline Canadian vessel employment)

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## **Section X. Exercises and Training**

### **1. Exercises**

1.1 An CANUSLANT exercise plan will be developed in accordance with Section 302 of the JCP.

1.2 The CANUSLANT exercises will be developed and documented cooperatively. Exercises may include a notification exercise, table top exercise, equipment deployment exercise, area exercise or other relevant activities. Joint exercises may be conducted in conjunction with each participant's national exercise program. Exercise goals may also be met through actual joint pollution responses.

1.3 At a minimum, the CANUSLANT exercise plan should include a discussion based exercise which can include a workshop, seminar or table top exercise at least once every five years. Each nation will alternate hosting exercises. In addition, participation in a national level exercise, as defined in Section 102.18 of the JCP, may be required based on the National Exercise Plan.

1.4 The desired ARA exercise plan will be a cycle of workshops and seminars to build the plans, a table top exercise to discuss the plans building up to an operations based exercise (drill or functional exercise) to test the plans. The CCG Incident Commander and USCG Federal On-scene Coordinator, and the responsible exercise coordinators, will document lessons learned. Lessons learned should be shared with all affected agencies, the authorities responsible for the Regional Annexes. Lessons learned will be taken into account with a view to amend the JCP and the Regional Annexes as required from time to time per Section IV of this Annex.

### **2. Training**

2.1 Shared Training opportunities enhance the CCG/USCG partnership as well as increased responder proficiency and capabilities at the regional level. Regional bi-lateral training opportunities, if applicable to their Annexes, should be shared with the National JCP Committee in order to be incorporated into the national training schedule.

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## **Section XI. Issue Resolution**

1. As provided for in Section 405 of the JCP, any issue in dispute will be referred, as expeditiously as possible, to the CCG Incident Commander and/or the USCG Federal On-scene Coordinator for resolution consistent with the respective laws of the relevant Party. Issues arising from differences in interpretation or application should be resolved by the CCG and the USCG through discussion and consensus. The Participants concur that issues in dispute, excluding cost recovery, should not be referred to courts of law or arbitrators.
2. Should the issue in dispute not be resolved at the local level, it will be referred, as expeditiously as possible, to the U.S. and Canadian Co-Chairs of the Joint Response Team defined in Appendix H. If issues cannot be addressed by the Co-Chairs in concert with Joint Response Team members as appropriate, the issue shall be further raised to the Area Command, if established, consisting of the CCG Assistant Commissioner and the USCG District Commander for resolution, or their respective delegates.
3. Should the issue in dispute not be resolved at the local or area level, it should be referred, as expeditiously as possible, to the co-chairs of the National JCP Committee for resolution. The CCG Incident Commander or the USCG Federal On-scene Coordinator making such a referral will notify his/her counterpart that the referral is being made.

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## *Appendix A. Communications*

During the notification stage of an incident involving CANUSLANT activation, communications will generally be through the telephone system. When and where possible all available technical communication means in place to support the JRT will be employed during an incident. Contact information will be shared with Command Post/Area Command as necessary



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### *Appendix B. Response Resource Inventory*

#### 1. **Canada Response Resources:**

- 1.1. Inventory data for the CCG is maintained in the MAXIMO database. Any resourcing requests or inquiries should be referred to the CCG Incident Commander.
- 1.2. Certified Canadian Response Organizations (ROs) in the Maritimes are:
  - 1.2.1. Atlantic Emergency Response Team (ALERT<sup>®</sup>) Inc  
11, Expansion Avenue, Saint John, NB E2R 1A6  
Phone: (506) 632-4499  
Email: [alertro@nb.aibn.com](mailto:alertro@nb.aibn.com)
  - 1.2.2 Eastern Canada Response Corporation  
41 Mount Hope Ave. Woodside Industrial Park, Dartmouth, NS B2Y 4R4.  
Phone: (613) 930-9690 (24-hour), (902) 461-9170 (local)
  - 1.2.3 Point Tupper Marine Services (PTMSC)  
4090 Port Malcolm Road, Point Tupper NS B9A 1Z5  
Phone: (902) 625-1711

#### 2. **United States Response Resources:**

- 2.1. United States Coast Guard response resources are listed in the Maine and New Hampshire Area Contingency Plan, Section 9210. Online access is available at: <http://homeport.uscg.mil/northernnewengland>. The State of Maine's Marine Oil Spill Contingency Plan, Appendix 1 contains a list of response and support equipment. It can be found at <http://www.maine.gov/dep/spills/emergspillresp/marine.html>.

Additional U.S. resource information is available on the following two categories of organizations.

##### 2.1.1 Oil Spill Removal Organizations (OSROs)

The U.S. Coast Guard classifies Oil Spill Removal Organizations based on removal systems and capacities available by Coast Guard Captain of the Port Zone. These OSROs and classifications are available in the Response Resource Inventory (RRI) published at <http://www.uscg.mil/hq/nsfweb/nsf/nsfcc/ops/ResponseSupport/RRIB/rri.asp>

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### 2.1.2 Basic Ordering Agreement (BOA) Contractors

The USCG has pre-established rates and services contracts with Basic Ordering Agreement (BOA) Contractors. These contractors are given preference in response for pre-establishing these agreements. A list of BOA contractors available to the USCG OSC is available at <http://www.uscg.mil/SILC/emergency.asp>

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### ***Appendix C. Resources at Risk***

This appendix describes geospatial information sharing requirements supporting the identification and prioritization of Resources at Risk in the International Response Zone. Geospatial information requirements are described here in accordance with the principles of the Incident Command System, and its concept of Resources at Risk, including: 1) Environmentally-Sensitive Areas and Wildlife, and 2) Archaeo-Cultural and Socio-Economic resources. Incident-specific priorities and response strategies are also considered.

#### **1. Environmentally-Sensitive Areas and Wildlife Resources**

Geospatial information describing environmentally-sensitive areas and wildlife in the International Response Zone includes:

- **Species of flora or fauna** where there are concentrations of individuals, early life-history stages are present, a substantial percentage of the population may be exposed, or they are legally protected or designated; or
- **Habitats** supporting specific life-history stages, migrations, propagation of species, or those that are legally protected or designated.

This data typically describes birds, fish, marine or terrestrial mammals, vegetation, habitats and shorelines.

#### **2. Archaeo-Cultural and Socio-Economic Resources**

Geospatial information describing Archaeo-Cultural and Socio-Economic resource sensitivities in the International Response Zone includes:

- Cultural assets, activities, or livelihoods that may be impacted by an environmental emergency or the resulting response, or
- Regulated socio-economic activities such as aquaculture, fisheries, oil and gas extraction, and tourism, or more generalized resources such as port areas and recreational areas, that may be impacted by an environmental emergency or the resulting response.

Archaeo-cultural data typically describe sites of cultural significance (e.g. archaeological, heritage, and indigenous), or locations and activities important to livelihoods (e.g.. subsistence fishing or harvesting). The International Response Zone contains a particularly rich abundance of historical, archaeological and indigenous resources. Both Canada and the U.S. have some information on sensitive cultural resources included with environmental sensitivity information, especially for registered historically significant resources. However, there is some information that is sensitive and may not be shared conventionally. The best sources for complete data on archaeological, historical and Indigenous resources are direct contacts with provincial, state and Indigenous representatives.

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Socio-economic data typically describe resource extraction activities (e.g. mining, oil and gas exploration or production, aquaculture, and fisheries, etc.), or activities with an environmental interaction. Major transportation hubs such as ferry or cruise ship terminals and important recreational destinations such as city or state parks or swimming beaches are also considered socio-economic resources.

### **3. Canada**

Geospatial information identifying Resources at Risk in preparedness to harmful substance incidents is collected from government agencies and authorities, indigenous communities, response organizations, industry and non-government organizations. The information is consolidated by Environment and Climate Change Canada's (ECCC) National Environmental Emergencies Centre (NEEC) for the purpose of informing response.

During a response to a harmful substance incident, the NEEC coordinates ECCC services and advice including the identification of Resources at Risk. Where a harmful substance incident requires multi-agency and stakeholder cooperation, the NEEC can convene an Environmental Emergencies Science Table (Science Table) to adapt the scale of response, access the right expertise and knowledge into a forum for rapidly moving information, and develop consolidated advice to respond to Resources at Risk concerns. Science Table is flexible and may include representation from government, indigenous communities, other local communities, response organizations, industry, non-government organizations and academic institutions where appropriate for the incident.

The NEEC uses web and desktop mapping applications to produce maps, reports and web map or feature services to share Resources at Risk as well as protection and cleanup priorities with response partners including the Lead Agency, resource agencies, response organizations, and the Incident Command System where appropriate.

### **4. United States**

Data on local environmental Resources at Risk from harmful substance incidents are collected and routinely updated in the U.S. by state and federal agencies such as the Maine Department of Inland Fisheries and Wildlife, Maine Department of Marine Resources, Maine Department of Agriculture, Conservation and Forestry, National Oceanographic and Atmospheric Administration (NOAA) Fisheries and the U.S. Fish & Wildlife Service. These data, along with preliminary protection strategies, are made available in a geospatial format to the response community for use in a harmful substance incident, through NOAA and/or the Maine Department of Environmental Protection. This information is also available through NOAA's web-based electronic

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Emergency Response Management Application (ERMA) and/or through paper or PDF copies of environmental sensitivity maps.

In the event of an incident, the environmental sensitivity data specific to the event will be analyzed, summarized and distributed by NOAA's National Ocean Service Office of Response and Restoration in partnership with other agencies within the Environmental Unit under the Planning Section of the Incident Command System-based Unified Command organization. Real time environmental information will be obtained through discussions with appropriate resources experts and managers from state, tribal and federal agencies, academia and non-profit institutions.

Passamaquoddy lands are located within the International Response Zone and headquartered in the U.S. at Pleasant Point and at Indian Township, Maine. Tribal participation is imperative for environmental issues concerning the region, and representation will be requested within the Environmental Unit. Contact the Passamaquoddy Tribe Environmental Office at (207) 853-2600 ext. 234 (Pleasant Point) and (207) 796-2301 (Indian Township).

Preliminary data from the State of Maine regarding historical and archaeological resources is maintained in GIS format by the Maine Department of Environmental Protection, Division of Response Services. This data is provided by the Maine Historic Preservation Commission. The Commission should be contacted directly for more specific information:

Dr. Arthur Spiess  
Senior Archaeologist  
Maine Historic Preservation Commission  
55 Capitol Street, 65 SHS  
Augusta, ME 04333-0065  
(207) 287-2132  
[arthur.spiess@maine.gov](mailto:arthur.spiess@maine.gov)

For marine archaeological artifacts in federal waters, including sunken vessels, the representative for the US Department of Commerce / NOAA, acting as the federal trustee, should be consulted.

There is also an abundance of tribal cultural resources in the area. Contact the Passamaquoddy Tribal Historic Preservation Office at:

Donald Soctomah, Director  
Passamaquoddy Tribal Historic Preservation Office, PO Box 159  
Princeton, ME 04668  
(207) 796-5533  
(207) 214-4051  
[soctomah@gmail.com](mailto:soctomah@gmail.com)

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### 5. Geospatial Information Sharing

Both Canada and United States are able to share geospatial information through a common GIS format from the Environmental Systems Research Institute (ESRI), which allows for the quick exchange of information across the border.

In Canada, the NEEC can produce maps and reports for distribution to key response partners using its web mapping applications. The NEEC can also produce secure web map or feature services that will allow viewing of appropriate data within the response structure. To access these services, a request must be made to the NEEC.

In the U.S., much of the sensitivity data is available from NOAA through ERMA's web mapping application for the Atlantic seaboard at <https://erma.noaa.gov/atlantic/erma.html>. This information would be augmented during a spill event, and shared within the response structure via a shared data repository.

For both countries, data sharing is restricted to appropriate users through password protection. Data may be subject to sharing limitations and agreements.

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### *Appendix D. Logistics – Command Posts*

1. **Canada**: Refer to the Canadian Coast Guard Marine Spills Contingency Plan – Regional and Area Chapters, and the Community Resource Guides for details of local contacts and procedures SABS DFO’s St. Andrews Biological Station is equipped for up to 40 as a command option. It is recommended to use CCG Command Trailers to assist in LIC, Command and Finance / Logistics spaces. Other areas if seasons allow are the Community College Campus or Algonquin Hotel and Convention areas.. ALERT, Inc., the designated Response Organization for Saint John and surrounding areas has established a dedicated Incident Command post in Saint John for their use and support of the polluter. A Canadian Coast Guard OSC representative / liaison officer will be assigned to that location, as required, and will act as a conduit to the CCG OSC.
2. **United States**: The U.S. Coast Guard has exercised a command post location at The Boat School, in Eastport, Maine and the Washington County Community College in Calais, Maine. Also, a multi-purpose room at Coast Guard Station Eastport provides a facility for a small command post. When determining a command post location on the U.S. side of the border, there is a concern for housing responders due to the limited berthing resources in this remote area. Additional logistics information is contained in the Maine and New Hampshire ACP.

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### *Appendix E. Volunteers*

#### **1. Cross Border Volunteer Utilization.**

Volunteers will generally work within their own country during a harmful substances incident response, unless there are specific needs that only exist within the other country. No procedures are currently available for cross border volunteer utilization, and procedures must either be developed, or the volunteers may be hired such that they fall under the regimes for compensated workers.

#### **2. Canada Volunteer Utilization.**

- 2.1. The Canadian Coast Guard along with its response partners does not actively initiate a deployment of volunteers in the event of an emergency.
- 2.2. These evaluated and trained staff as required will then be deployed as employees of the polluter or other agencies involved as required. The many roles that volunteers coming forward often assume are:
  - Provide awareness of the incident and the effects on the marine environment to the communities through local meetings. This is accomplished with the assistance from various government agencies and industry.
  - Prepare and maintain community resource guidebooks, provide a listing of community resources and site sensitivities, provide local knowledge to Environmental Unit, and provide assistance to incoming responders.
  - Carry out shoreline surveillance during incidents, at the request of the Canadian Coast Guard Maritimes and/or Environment and Climate Change Canada.
  - Provide assistance to an oiled wildlife response at the request of the Canadian Wildlife Service (CWS).

NOTE: Volunteers will be involved only in very low risk operational roles and will be utilized solely to the extent of safety limitations.

#### **2.3 New Brunswick Emergency Measures Organization (NBEMO)**

**Volunteer Network:** In the event of an incident New Brunswick Emergency Measures Organization can access a pool of volunteers (i.e., volunteer firefighters, Red Cross, amateur radio operators, etc.). This may be accessed through the Duty Officer at 1-506-453-2133.



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3. **United States Volunteer Utilization:** Volunteers shall be utilized as described in the National Contingency Plan (40 CFR 300.185(c)) and [Maine and New Hampshire Area Contingency Plan](#). Volunteer utilization should be well organized, worthwhile, and safe (shall comply with worker health and safety requirements under 40 CFR 300.150). Volunteers should be directed by the OSC or by other federal, state, or local officials as designated by the OSC knowledgeable in contingency operations and capable of providing leadership. Specific areas in which volunteers might be used include beach surveillance, logistical support, and bird and wildlife treatment, and will be limited to low-risk operations. If, in the judgment of the OSC, unsafe conditions exist, volunteer use will be restricted.

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### *Appendix F. Salvage and Lightering Resources Inventory*

Information on the use of foreign vessels (including salvage and lightering vessels) may be found in Section IX of this Annex.

#### 1. United States

- 1.1. **Salvage Resources List**: Resources in the Northern New England area are contained in Section 9712 of the Maine and New Hampshire Area Contingency Plan.
- 1.2. **Other Contractor Resources**: Additionally, the U.S. Coast Guard has authority to access civilian equipment, personnel and services of certain Oil Spill Removal Organizations and Basic Ordering Agreement contractors; refer to Appendix B of this Annex.
- 1.3. **Vessel Response Plans (VRP)**: Section 311(j) of the Federal Water Pollution Control Act, amended by section 4202 of the Oil Pollution Act of 1990, requires the preparation and submission of response plans for all vessels defined as tank and nontank vessels. These types of vessels, through their response plans, establish preparedness measures and response protocols to mitigate the impact of oil discharges and hazardous substance releases within their area of operation. Coast Guard personnel can access VRP information for tank vessels and nontank vessels either through MISLE vessel information searches or through VRP Express. Basic information to conduct a query includes plan number, vessel name, IMO number, official number, plan status, and vessel status.
- 1.4. **Marine Safety Center Salvage Engineering Response Team (SERT)**: The SERT is comprised of staff engineers who are on call 24/7 to provide immediate salvage engineering support to the Coast Guard Captains of the Port (COTPs) and FOSCs in response to a variety of vessel casualties. Specifically, SERT can assist the COTP and FOSC to manage and minimize the risk to people, the environment, and property when responding to vessels that have experienced a grounding, allision, collision, capsizing, or structural damage. SERT provides this assistance by performing numerous technical evaluations including: assessment and analysis of intact and damaged stability, hull stress and strength, grounding and freeing forces, prediction of oil/hazardous substance outflow, and expertise on passenger vessel construction, fire protection, and safety.
- 1.5. **U.S. Naval Sea Systems Command (NAVSEA), Directorate of Ocean Engineering, Supervisor of Salvage and Diving (SUPSALV)**: SUPSALV is an agency of the U.S. Navy and is highly proficient in ship salvage and salvage-related operations. It maintains an extensive array of

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specialized equipment and personnel available for use in salvage, as well as specialized equipment for containment, collection, and removal of oil spills, specifically designed for salvage related and open sea pollution incidents. SUPSALV can deploy personnel and equipment to support FOSCs and Incident Commanders for both NCP and Stafford Act responses under existing Memoranda of Agreement (MOAs) with the U.S. Army Corps of Engineers (USACE) and the Coast Guard. The Coast Guard and Navy SUPSALV MOA is located on the Commandant (CG-MER)'s Portal. SUPSALV's Pollution Response Program participation includes subject matter experts in the areas of oil spill response and maintains the capability to respond to pollution incidents anywhere in the world. SUPSALV also provides assistance for commercial oil or hazardous substance spills, as requested by the FOSC. SUPSALV maintains the Emergency Ship Salvage Material System (ESSM). ESSM is a contractor-managed network of emergency response equipment stockpiles that are prepositioned, both within and outside the continental United States, to support and augment USN fleet capability in salvage, diving, pollution response, and underwater ship husbandry.

### 2. Canada

- 3.1. **Salvage:** Contact Regional Director-Marine Safety, Dartmouth NS at 902-426-2060 or through the Duty Officer at 902-426-3214, available 24/7.
- 3.2. **List of Salvage Contacts:** A list of salvage companies along with contact information will be maintained outside of this plan.

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### *Appendix G. Decanting, Decontamination, and Disposal*

#### 1. Disposal of Decanted Water into the Marine Environment

- 1.1. **Canada Decanting Provisions:** In the course of an oil spill cleanup, section 181.(2) of the Canada Shipping Act 2001 provides wide relief for Response Organizations and persons who have been designated in writing by the Minister as approved responders are not personally liable, either civilly or criminally, in respect of any act or omission occurring or arising during the course of a response operation unless it is shown that the act or omission was committed with the intent to cause loss or damage, or recklessly and with the knowledge that loss or damage would probably result.
  - 1.1.1 This would include for example, those involved in a "decanting" operation. It is reasonable to expect decanted water to be discharged from the front of the skimmer operation.
  - 1.1.2 A person who is directed to take or to refrain from taking measures is not personally liable, either civilly or criminally, in respect of any act or omission in the course of complying with the direction or doing anything incidental to it, unless it is shown that the person's conduct was reasonable in the circumstances.
  - 1.1.3 Note in the CSA 181. (3) that regardless, the original pollution which triggered the response is NOT clear from the liability. Notice that if the Polluter was directed by CCG-ER or another Agency to make a discharge, then that discharge would be permitted and would not be liable. (This would be important to know for those directing them as well as the Polluter.)
  - 1.1.4 Section 36. (4) of the Fisheries Act does allow for discharges which are permitted by other Regulations.
- 1.2 **United States Decanting Provisions:** The United States FOSC is granted an exclusion from the National Pollutant Discharge Elimination System (NPDES) permit requirement for discharges under 40 CFR 122.3 which states, "The following discharges do not require NPDES permits: . . .(d) Any discharge in compliance with instructions of an On-Scene Coordinator pursuant to 40 CFR 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) and (Pollution by Oil and Hazardous Substances)."

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### 2. Waste Transport and Disposal

2.1. **General:** The movement of oily waste/hazardous waste is allowed between Canada and the United States. The criteria to determine where the waste should go would generally be determined by the Responsible Party based on cost and through permitted disposal sub-contractors in the U.S. and/or Canada. The guidelines outlined below should be followed to ensure compliance with the countries' regulations.

#### 2.2. **References:**

- 2.2.1. United States-Canada Agreement on the Trans-Boundary Movement of Hazardous Waste (1986)
- 2.2.2. Canada's Export and Import of Hazardous Wastes and Hazardous Recyclable Material Regulations (EIHWHRMR) (2012)
- 2.2.3. State of Maine, Department of Environmental Protection, Rules 405, 860
- 2.2.4. State of Maine, Department of Environmental Protection's Marine Oil Spill Contingency Plan (2000)
- 2.2.5. Marine Pollution Emergency Response Plan, Province of New Brunswick (1994)

#### 2.3 **Federal Agreements/Guidelines**

2.3.1 **Cross Border Hazardous Waste Movement:** The reference above sets forth the administrative conditions for the export, import, and transportation of hazardous waste between both countries, ensures that the waste is handled safely, and requires that the waste be shipped to facilities that are authorized by the importing jurisdiction.

The agreement stipulates that each transporter must notify the destination country prior to shipping the wastes into that country. The country's hazardous waste authority can then indicate whether it objects to the proposed shipment.

Also, shipments of hazardous waste must be accompanied by proper manifests in order to verify compliance with the Agreement and with other domestic regulations.

Responders, coordinators, and waste transporters should contact the appropriate hazardous waste authority prior to transporting

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hazardous materials across the border. Shipment notification and approval process, as required by the Agreement, can take some time and that approval is not guaranteed. According to the Agreement, the hazardous waste authority from each country has up to 30 days to review a hazardous waste shipment request, alter the conditions, if necessary, and then respond (<https://www.ec.gc.ca/lcpecepa/eng/regulations/detailreg.cfm?intReg=84>). During a time critical spill response, this review period is expected to be shortened; the OSC would likely facilitate an expeditious review.

### 2.3.2. **Transportation of Hazardous Materials through Canada:**

While in Canada, responders must comply with Canadian regulations pertaining to the transportation and import/export of hazardous wastes. These regulations apply from the time a hazardous waste is collected to the time it exits Canada. Transportation and import/export of hazardous wastes in Canada is governed by Canada's Export and Import of Hazardous Wastes and Hazardous Recyclable Material Regulations ([\(EIHWRMR\)](#)). Briefly, these regulations require Canadian exporters/importers/carriers of hazardous wastes to:

- Obtain environmental impairment insurance, third-party liability insurance, and other insurance types, as necessary.
- Carry a completed waste manifest for all waste shipments.
- Notify and gain approval from the Trans-Boundary Movement Branch of Environment and Climate Change Canada of the proposed export (or import) of hazardous waste prior to initiating the shipment.
- Comply with Canada's *Transportation of Dangerous Goods Act* (TDGA) and regulations, which require Canadian exporters/importers/carriers of hazardous wastes to:
  - comply with specific waste containment regulations
  - use the necessary placards and/or safety symbols
  - comply with other prescribed safety requirements

For additional information, contact the Canadian Transport Emergency Centre (CANUTEC):

CANUTEC  
Transport Dangerous Goods Directorate  
Transport Canada  
Ottawa, Ontario, Canada K1A 0N5  
Phone (613) 992-4624 or (888) 226-8832  
Fax (613) 954-5101  
(email) [canutec@tc.gc.ca](mailto:canutec@tc.gc.ca)

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(Internet) <http://www.tc.gc.ca/canutec>

- 2.3.3 **Transportation of Hazardous Materials Into/From and Through the United States:** Transportation and import/export of hazardous wastes into/from the United States is governed by the following:
- Waste exportation and importation requirements under the U.S. Resource Conservation and Recovery Act (RCRA) (40 CFR Sections 262.50 and 262.60, respectively)
  - Importation/certification rules under the U.S. Toxic Substances Control Act (TSCA) (19 CFR Sections 12.118 through 12.127)

Once in the United States, the transportation and disposal of hazardous waste must be performed in accordance with applicable U.S. Department of Transportation (DOT) and U.S. EPA regulations. At a minimum, a Hazardous Waste Manifest must be obtained and any applicable transportation, documentation, marking, packaging, and highway requirements must be followed [Transportation rules: <http://hazmat.dot.gov/regs/rules.htm> EPA rules: <http://www.epa.gov/osw/> ].

### 2.4 **State/Province Rules/Guidelines**

- 2.4.1 **State of Maine:** The State of Maine’s Department of Environmental Protection (DEP) has a comprehensive “Marine Oil Spill Contingency Plan.” Highlights of the plan, including guidelines for handling oil/oily waste are outlined below:  
(<http://www.maine.gov/dep/spills/emergspillresp/marine.html>)

**Disposal Facilities:** A list of oil disposal facilities is contained in the Plan’s Equipment and Support Services Directory.

**Oily Debris:** Oily debris includes sorbents, seaweed, carcasses, and other materials contaminated with oil from an oil spill. Maine Regulations (DEP Chapter 405.9) state that oily debris can be land-filled or incinerated and the resultant ash land-filled. Maine DEP has a contract with the Mid-Maine Waste Action Committee in Auburn for disposal of combustible oily debris.

**Waste Oil:** The definition of waste oil includes any oil spilled to land or water, but does not include oily debris generated from the cleanup of oil spills or water generated from oil/water separation processes at waste oil facilities. Waste oil is typically disposed of by burning in a waste oil burner. The requirements of Chapter 860 of DEP regulations must be met for storage and transportation of waste oil.

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**Temporary Storage:** In the event of a major spill, the volume of waste oil/oily debris will most likely be greater than the capacity of available disposal facilities. Therefore, temporary storage (less than 45 days) must be used as an interim measure. The DEP has *no permitting requirements* for the temporary storage of oily debris. Options include storing oily debris in covered dumpsters or covered "roll-off" containers, or in temporary engineered containment structures with oil-resistant liners. Information on liners is contained in the Maine Marine Oil Spill Contingency Plan's Equipment and Support Services Directory.

- 2.4.2 **Province of New Brunswick:** Section 42 of the Province of New Brunswick's Marine Pollution Emergency Response Plan, states that suitable land disposal sites or techniques during the response effort will be the responsibility of Environment and local government- New Brunswick. Other Provincial environmental legislation applicable to Waste Handling and Disposal are as follows: Clean Environment Act: Water Quality Regulation, Used Oil Regulation, Petroleum Storage and Handling Regulation.

**Disposal Facilities:** A list of Waste Petroleum Products Management Sites is contained in the Marine Pollution Emergency Response Plan, NB Department of Environment and Local Government.

**Oily Debris:** Oily debris includes off-spec petroleum impacted solid material other than tanks, sludge or soil and is transported to approved facilities in the province for cleaning and subsequent disposal at an approved landfill.

**Waste Oil:** The Used Oil Regulation went into effect on April 30, 2002. This regulation specifies the conditions under which the burning of waste oil, as a fuel, would be approved. The Transportation of Dangerous Goods Regulation, administered by the Province, must be met for the transportation of waste oil. Storage of waste oil in quantities greater than 2000L is regulated under the Petroleum Storage and Handling Regulation.

**Temporary Storage:** The Province of New Brunswick has no specific permitting requirements for the temporary storage (less than 45 day) of oily debris. However, any temporary storage should not result in a discharge of a contaminant, in contravention of the Clean Environment Act, Water Quality Regulation.



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## *Appendix H. Joint Response Team Contact List*

In accordance with JCP, Section 304, the Joint Response Team is co-chaired by the Regional Director, Incident Management, Canadian Coast Guard Atlantic and the Incident Management and Preparedness Advisor, U.S. Coast Guard First District. Members are drawn from other federal agencies, provincial/states, and First Nations/Tribes to give advice, facilitate coordinated planning, recommend plan changes, and to provide advisory support during response.

### 1. **Canadian JRT Members:**

#### **Coast Guard**

Harvey Vardy  
Canadian Coast Guard JRT Co-Chair  
Regional Director Response  
50 Discovery Drive, PO Box 1000  
Dartmouth, Nova Scotia, B2Y 3Z8  
Phone: (782) 640-0722  
Email: [Harvey.Vardy@dfo-mpo.gc.ca](mailto:Harvey.Vardy@dfo-mpo.gc.ca)

David Yard  
Canadian Coast Guard  
Superintendent Marine Environmental & Hazard Response  
1 Southern Cross Road. PO Box 5667  
St. John's, NL A1C 5X1  
Phone: (709) 330-7163  
Email: [David.Yard@dfo-mpo.gc.ca](mailto:David.Yard@dfo-mpo.gc.ca)

#### **Environment and Climate Change Canada**

Stephane LeBlanc  
Response Manager, Atlantic  
Preparedness & Environment and Climate Change Canada  
National Environmental Emergencies Centre  
45 Alderney Drive  
Dartmouth, NS B2Y 2N6  
Phone: (514) 218-7619  
24 HR : (866) 283-2333  
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Dartmouth, NS B2Y 2N6  
Phone: (902) 719-7214  
24 HR : (866) 283-2333  
Email: [mark.dalton@ec.gc.ca](mailto:mark.dalton@ec.gc.ca)

### **Canadian Wildlife Service, Atlantic Region**

Rob Ronconi  
Wildlife Emergency Response Coordinator  
Phone : (902) 266-9864  
Email : [Robert.Ronconi@ec.gc.ca](mailto:Robert.Ronconi@ec.gc.ca)

### **Transport Canada – Marine Safety**

Daniel Kumpf  
Regional Director, Marine Safety & Security  
McDonald Building 3rd Floor  
344 Edmonton Street  
Winnipeg, MB B2Y 4K2  
Tel: (204) 984-1624

Alternate : Mihai Balaban  
45 Alderney Drive, 14th Floor Queens Square  
Dartmouth NS B2Y 4K2  
Phone: (902) 461-3837  
Duty Officer: (902) 426-3214  
Email: [Mihai.Balaban@tc.gc.ca](mailto:Mihai.Balaban@tc.gc.ca)

### **Canada Border Services Agency – Atlantic Region**

Charlotte Lewis  
Assistant Director, Issues and Emergency Management  
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CBSA Border Operations Halifax: [EmergOps.ATL-CBSA-asfc.gc.ca](mailto:EmergOps.ATL-CBSA-asfc.gc.ca)

### **Environment and Local Government- New Brunswick**

Michael Correy  
Emergency Management Supervisor  
Environment and Local Government  
PO Box 6000  
Fredericton NB E3B 5H1  
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### **Nova Scotia Environment**

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### *Appendix I. Joint Information Center / Public Affairs*

1. **General:** The public's perception of the danger posed by a harmful substance incident and the effectiveness of the response effort is often based more on media coverage of the incident than on the response itself. It is imperative that agencies involved in the cleanup operation communicate effectively to the public the measures being taken in response to a spill to galvanize public confidence. Communications with the media should stress the response objectives. It is important that messages are consistent with the best data available. It is equally important that these messages accurately reflect the priorities and activities of all agencies participating in the cleanup.

It is important to note that the U.S. and Canada use different units of measurement. The JIC needs to ensure that information being released has the correct unit of measure. Appendix Q provides a table of common units of measure and conversions.

2. **United States:** U.S. Coast Guard First District Government and Public Affairs, with assistance from the Public Information Assist Team (PIAT) if necessary, will respond to provide public affairs support to the response management organization. A Joint Information Center manual, created by PIAT, sets a standard for public affairs and information management for the ICS/UC organization. The National Response Team's Joint Information Center Model can be found at: [www.nrt.org](http://www.nrt.org).
3. **Canada:** Where appropriate, Canadian agencies will manage public information activities similar to the principles set in the JIC model.

CCG IC will task Communications Branch, Fisheries and Oceans Canada (Maritimes Region), to provide all necessary public information support. Communications Branch (CCG Communications Advisor) will ensure coordination of communications activities among participating response agencies, work to establish a location from which to manage communications and public information activities, and providing direct support to the CCG OSC in accordance with CCG contingency plans.

Communications/public information support for CCG operations is available on a as needed basis, by contacting the CCG Communications Advisor at (902) 407-8439. If needed Communications Advisor can draw on the Maritimes Region branch for addition support..

### **2.4 English/French Translation Services**

- 2.4.1 **EMO Text Translation Services:** The N.B. Emergency Measures Organization (EMO) has access to Government of New Brunswick text translation services (in-house and private sector). These services are detailed in the *Provincial Emergency Public Information Plan*. To

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activate the Provincial EPI Plan, EMO contacts Communication New Brunswick (CNB), who helps determine the requirements and assigns/notifies appropriate staff. In this case, EMO/CNB has priority access for translation and support services. Estimated turn-around time for a document is about 1 – 1.5 hours per typical non-technical page. Communication is generally by telephone, fax and/or email. Translators can operate from routine office facilities, or provide mobile assistance.

2.4.2 **CNB Text Translation Services:** Communication New Brunswick has basic in-house text translation support for non-technical documents (i.e. brief alerts, advisories, general public instructions, etc.). Staff also can assist in handling French media inquiries.

2.4.3 **EMO Simultaneous Interpretation Services:** N.B. EMO has access to simultaneous interpretation services through its Provincial EPI Plan. Notification process is the same as with text translation services. In general, private sector contractors supply the equipment and technicians, while professional interpretation services are provided by provincial government employees and/or freelance and contracted services. Resources are generally available in major cities.

2.5 **Other Language Translation:** Other specific oral/written language requirements can be met through an inventory of provincial public servants with specific language skills. In addition, local multicultural organizations can provide assistance in this area.

NOTE: Public Works Canada also has the regional translation service for the federal government and it is based in Moncton, New Brunswick. In the present plan, the provincial Translation Bureau would keep this staff on stand-by to provide back-up and support for an operation expected to be of lengthy duration.

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### *Appendix J. Worker Health, Safety and Compensation*

#### 1. General

Worker safety and health and worker compensation in the event of an injury are important considerations when preparing plans for addressing a harmful substance incident. It should be noted that workers coming into the U.S. from Canada to perform work are required to meet the training standards that are set by the U.S. Government for the State of Maine. In addition there is a requirement that site specific health and safety plans be developed prior to initiation of work. There are no similar requirements for U.S. workers going into Canada to perform work. If a worker is injured, there are state, provincial, and federal programs that provide compensation to those workers. A more detailed summary of these issues as well as statutory citations can be found in the following sections.

#### 2. Training

- 2.1 **Canadian Federal and Provincial Training Requirements:** Training requirements for responders in Canada are documented in [The Canada Labor Code Part II](#), (CLC II), and the associated [Canada Occupational Safety and Health, \(COSH\) regulations](#), primarily in CLC II, Sections 124 to 126. These sections require the employer to provide employees appropriate training, tools and personal protective equipment (PPE), to allow employees to conduct their work in a safe manner. These documents place the health and safety of employees specifically on the employer and provide in detail a list of recommendations to consider when assessing the health and safety of a workplace. For employees working with hazardous or controlled substances, Part X of the COSH regulations require that employees be trained regarding the hazard information contained in the Safety Data Sheet (SDS) for the particular substance. Employees must also be trained in the proper use of PPE as prescribed by the SDS. In order to ensure compliance with these regulations the Canadian Coast Guard has developed a series of safety related documents and training. The Canadian Coast Guard has developed a **“Risk Register”**, which identifies the hazards associated with daily tasks and activities of individual working groups. Once these hazards are identified, the risk register allows the end user to list the training required to complete specific tasks as well as the administrative and engineering controls that the Canadian Coast Guard has put in place to mitigate the threat posed by these hazards. In addition to the Risk register the CCG has developed the **Canadian Coast Guard Fleet Based Safety Manual** and the **Canadian Coast Guard Shore-based Safety Manual**. Using these manuals each individual program can develop Safe Work Instructions, Site-Specific work instructions and Standard Operating Procedures designed to enhance situational awareness of responders and identify required training, PPE and special considerations for any operational activities. Hazardous materials

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responders from the United States who are trained to their jurisdictional provisions must meet Canadian federal and provincial requirements. United States hazardous materials responders working in Canada should be prepared to provide documentation of their training to appropriate Canadian officials if requested.

**2.2 United States Federal and State Training Requirements:** The U.S. Federal requirements 29 CFR 1910.120(q) for “emergency response workers” and 29 CFR 1910.120(e) for “routine cleanup operations” applies to workers in the state of Maine. For oil spill response, the 2001 “Training Marine Oil Spill Response Workers under OSHA’s Hazardous Waste Operations and Emergency Response Standard” describes position-based training requirements (OHS 3172, online at <https://www.osha.gov/Publications/3172/3172.html>).

### 2.2.1 Emergency Response Workers

- First Responder Awareness Level (e.g. State Trooper who provides discovery and notification): Sufficient training or proven experience in competencies specified in the regulation. Annual refresher is required.
- Responder Operations Level (e.g. Responding Fire Company which provides basic control, containment, and/or confinement operations.): (Defensive tactics) A minimum of 8 hours classroom training; or proven experience in competencies specified in the regulation. Annual refresher is required.
- Hazardous Materials Technician (e.g. HAZMAT team member who responds for the purpose of stopping a release or for advanced control, containment and/or confinement operations.): (Offensive tactics) A minimum of 24 hours of classroom training and proven experience in competencies specified in the regulation. Annual refresher is required.
- Hazardous Materials Specialist (e.g. HAZMAT team member who provides support to HAZMAT Materials Technicians and whose duties require a more specific knowledge): A minimum of 24 hours of classroom training, and proven experience in competencies specified in the regulation. Annual refresher is required.

On-Scene Incident Commander (e.g. Fire Captain or State Patrol Officer who assumes control of the Incident): A minimum of 24 hours of classroom training, and proven experience in competencies specified in the regulation. Annual refresher is required.

### Routine Hazardous Materials Spill Cleanup Workers

- Routine Site Cleanup Workers: 40 hours of classroom training; and 24 hours of direct on-site field experience under a trained and experienced supervisor. Eight hour annual refresher (U.S. Occupational Safety and Health staff may provide exception for low risk oil cleanup activities - 4 hours classroom training.)

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- Supervisors of Routine Site Cleanup Workers: 40 hours of classroom training; and - 24 hours of direct on-site field experience under a trained and experienced supervisor; - 8 hours of hazardous waste management - 8 hour annual refresher.
  - Inspectors and Supervisors not working in the hot or decontaminated zone and specified limited task workers: 24 hours of classroom training; and 8 hours of actual field experience under a trained and experienced supervisor; and 8 hours of hazardous waste management - 8 hour annual refresher.
3. **Site Safety Plan Requirements:** A written site safety plan should be prepared for all cross border responses prior to post-emergency response action. If separate site safety plans have been prepared by Canadian and United States responders, the safety officers from Canada and the United States will meet to ensure the site safety plans complement each other and do not conflict. U.S. law requires site safety and health plans; federal requirements apply to response operations in the State of Maine. Site safety plans must be specific to the emergency or hazardous material site and must address any unique features of the site. The site safety plan should address personnel monitoring, environmental monitoring, hazard identification, pre-entry briefings, site security and decontamination procedures etc. For more detailed information refer to 29 CFR 1920.120(b).
4. **Worker Compensation**
- 4.1 **Canadian Government:** The Canadian federal government provides benefits to all employees of the federal government and most Crown agencies, except members of the regular forces of the Canadian Forces and the Royal Canadian Mounted Police, under the Government Employees Compensation Act, administered by Human Resources Development Canada. In the event that a responder becomes injured on the job compensation claims are directed to the provincial Workers Compensation Boards. As long as employees are engaged in work for their department or agency at the time of the accident, they are covered by the Act, wherever they may be working, in Canada or abroad. For detailed information see, “Government Employees Compensation Act”.
- 4.2 **Province of New Brunswick:** In New Brunswick (NB), workers compensation is provided through the Workers Compensation Act (and associated Regulations) of New Brunswick. The Act applies to all workers and employers in NB, and also provides automatic extension of coverage if injured outside of NB. NB employees conducting spill response activities in the United States would be covered by the Act. The Act does not provide coverage for employees or agents of either Canadian or American Federal governments. Non-NB employers and workers, who temporarily operate in NB (on an intermittent basis of less than 10 days per year, or continuously up to 15 days per year), are not covered under the Act, if coverage exists from another jurisdiction. U.S.



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workers responding to spills in NB should check with their State authorities to determine their coverage. NB and foreign volunteers are generally not covered under the Act. However, volunteer firefighters working for a municipality, city, town, village, etc. are covered as are volunteers registered with, and working under the direction of, the NB Provincial Emergency Program. Covered volunteers are provided the same benefits and protection as workers regardless of venue, i.e. inside or outside of New Brunswick. In New Brunswick (NB), workers compensation is provided through the Workers Compensation Act (and associated Regulations) of New Brunswick. The Act applies to all workers and employers in NB, and also provides automatic extension of coverage if injured outside of NB. NB employees conducting spill response activities in the United States would be covered by the Act. The Act does not provide coverage for employees or agents of either Canadian or American Federal governments.

Non-NB employers and workers, who temporarily operate in NB (on an intermittent basis of less than 10 days per year, or continuously up to 15 days per year), are not covered under the Act, if coverage exists from another jurisdiction. U.S. workers responding to spills in NB should check with their state authorities to determine their coverage.

NB and foreign volunteers are generally not covered under the Act. However, volunteer firefighters working for a municipality, city, town, village, etc. are covered as are volunteers registered with, and working under the direction of, the NB Provincial Emergency Program. Covered volunteers are provided the same benefits and protection as workers regardless of venue, i.e., inside or outside of New Brunswick.

- 4.1 **United States Government:** The U.S. Government Workers Compensation program is found in the Federal Employee Compensation Act, which is overseen by the Office of Workers Compensation Program in the U.S. Department of Labor. In this program U.S. Government Civil Service workers are covered in both Canada and the U.S. if they are performing work pursuant to their government positions. The level and type of coverage is dependent upon the type of injury and its duration. (Because of the complexity of the law, detailed discussion of the specific provision is omitted.) For detailed information see the “Federal Workers Compensation Act” at 5 U.S.C. Part 8101.

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### *Appendix K. Environmental Unit / Special Technical Advisors*

1. **Environmental Unit**: The Environmental Unit (ENV) works within the Planning Section in support of the Incident/Unified Command and is responsible for environmental matters associated with the response. These environmental matters include:
  - determining the extent, fate and effects of contamination
  - modeling,
  - developing plans for collecting, transporting and analyzing samples
  - environmental monitoring and surveillance,
  - permitting,
  - identifying sensitive areas and recommending response priorities
  - evaluating and recommending response technologies,
  - developing shoreline protection, cleanup and assessment plans
  - developing plans for protecting historical/cultural resources
  - developing wildlife protection strategies
  - developing waste disposal plans
  - consulting with natural resource trustees
  
2. **Environmental Unit Leader** The Environmental Unit Leader (ENVL) should be from a public environmental or natural resource management agency to ensure compliance with applicable laws, regulations, and ordinances.
  
3. **Advisory Bodies** The Canadian Environmental Emergencies Officer from NEEC can convene an Environmental Emergencies Science Table (Science Table) at the request of the Lead Canadian Agency coordinating the emergency response. The Science Table is an advisory body that gathers and coordinates the best available scientific expertise and information to identify environmental protection priorities for a given pollution incident. The Science Table supplies advice relevant to environmental concerns, priorities and strategies, thus enabling and optimizing the environmental response. The response mode of the Science Table could involve both on and off-site response and information gathering on affected natural resources, human and physical use sensitivities. Similarly, in the US the NOAA Scientific Support Coordinator has access to numerous advisors and advisory bodies from within the NOAA Scientific Support Team, academia, and other government and non-government organizations.

These advisors and advisory bodies, while assigned to the Command Staff of the respective countries, are equally available to and most closely associated with the respective Environmental Unit(s). Plans, assessments, recommendations and advise should be coordinated with the Environmental Unit(s) so that, as appropriate, they can be incorporated into the Incident Action Plan and made part the Operational - Planning Cycle. In as much as it is practicable, cross-border deliberation of scientific and environmental policy issues will be coordinated from within the Environmental Unit(s) in order to improve collaboration and consensus among agencies and with the

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Responsible Party. Where this direct collaboration is impossible or impractical, the Canadian Environmental Emergencies Officer (or Science Table Chair) and the NOAA SSC will act as the point of coordination and fully brief the Environmental Unit(s), seeking and transmitting input. Incorporating environmental plans and recommendations into the Operational Planning Cycle ensures that they are properly vetted by the Planning Section Chief, Operations Section Chief and Safety Officer during the Tactics Meeting and reviewed by the full Command and General staff during the Planning Meeting before being incorporated into the Incident Action Plan.

If an Area Command is established, an Environmental Unit Coordinator will be staffed within the Area Command Planning Section to coordinate sharing of information between the Environmental Units at the Incident Command Posts.

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## *Appendix L. Alternative Response Technologies*

### 1. Dispersants

#### 1.1 **Joint Decisions**

Use of dispersants or other chemicals in a cross border spill in situations where the countermeasure may affect the other country will be a joint decision, subject to the approval and decision requirements of each country. Under the Canadian Fisheries Act, there is no approval process for dispersants.

#### 1.2 **Canada**

1.2.1 **General:** In Atlantic Canada, approval for use of dispersants must be obtained from Environment and Climate Change Canada prior to application because their use is regulated by the [Fisheries Act](#). As there are other pieces of legislation relating to dispersant use, EC will consult with National Environment Emergency Center (NEEC) prior to giving final approval. Requests can be made 24 hours a day to EC through the 1-888-283-2333 spill reporting network. If permission is granted, only an EC approved dispersants can be used.

#### 1.3 **United States**

1.3.1 **General:** The use of dispersants is regulated by Subpart J of the National Contingency Plan (40 CFR 300.900). In absence of pre-authorization agreements, the decision to use dispersants and other chemicals is made by the On-Scene Coordinator with the concurrence of the RRT representatives from the EPA, Coast Guard, and states with jurisdiction over the waters threatened by the discharge, and in consultation with the Department of Commerce and Department of the Interior natural resource trustees. The OSC can draw on the RRT co-Chair at D1 (drp) to assist in gaining approval. Dispersants or chemicals used must be on the National Contingency Plan Product Schedule described at 40 CFR 300.905. If use of chemicals will, in the judgment of the OSC, eliminate or substantially reduce a threat to human life, any product may be used without further consultation or concurrence.

1.3.2 **Plan / Preauthorization:** Refer to Section 4704, Alternative Countermeasures and Section 9508, Dispersant Preauthorization in the Maine and New Hampshire Area Plan, for the established preauthorization agreement that streamlines the approval process for dispersants and other chemical countermeasures, available at <http://homeport.uscg.mil/northernnewengland>.

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1.3.3 **Listed Products:** Dispersants listed on the current product schedule are available at <http://www.epa.gov/emergencies/content/ncp/>. Only the COREXIT formulations were considered by the Natural Resource Trustees in evaluating potential impacts to endangered species, so other formulations require case-by-case consultation.

## 2. In Situ Burning

### 2.1. Joint Decisions

Use of in situ burning in a cross border spill in situations where the countermeasure may affect the other country will be a joint decision, subject to the approval and decision requirements of each country. The Incident Commands and Area Commands and other joint bodies established during an incident can assist in ensuring a consistent decision making process is applied to both sides of the border.

### 2.2. Canada

2.2.1. **General:** In Atlantic Canada, prior approval to carry out in-situ burning during oil spills must be obtained from the Environmental Emergencies Science Table NEET because both federal and provincial legislations may apply. Requests can be made 24 hours a day to EC through the 1-800-565-1633 spill reporting network. The party or organization requesting permission should develop a plan for the burn, and monitoring of the potential effects of a burn may also be required.

### 2.3. United States

2.3.1. **General:** The use of in situ burning in concert with burning agents to enhance the flammability of the product, is regulated in the same way as dispersants and other chemical countermeasures by Subpart J of the NCP (40 CFR 300.900). If the oil is ignitable and no burning agents are used, under the NCP it is not differentiated from other countermeasures, made by the unified command in consultation with the natural resource trustees. Other regulations do apply, notably the air emissions are regulated by State Implementation Plans under the Clean Air Act.

2.3.2. **Plan / Preauthorization:** Refer to Section 4600 of the ME/NH Area Contingency Plan at <http://homeport.uscg.mil/northernnewengland>, which incorporates the Region I ISB Memorandum of Understanding. Under the Region I memorandum, the in situ burning decision belongs to the Federal On-Scene Coordinator outside 6 miles (Maine has requested consultation on the decision to 12 miles), and the State and Federal On-Scene Coordinator outside 1 mile, subject to a series of protocols. Additionally, the State of Maine On-Scene Coordinator has a

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Memorandum of Agreement with the State Bureau of Air Quality Control allowing the State On-Scene Coordinator to authorize in situ burns for oil removal throughout the state.

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## *Appendix M. International Emergency Management Assistance Memorandum of Understanding*

1. The International Emergency Management Assistance Memorandum of Understanding (MAMOU) is an agreement on mutual aid among the New England States, the Atlantic Provinces and Québec. The document makes provision for such things as:

- recognition of professional, mechanical and other skills;
- liability and immunity;
- compensation and death benefits; and
- reimbursement

1.1 The following paragraphs are extracts from the MOU, the complete text of which can be found at <http://www.iemg-gigu-web.org/mou-e.asp>.

1.1.1 **Request for assistance:** The authorized representative of a party jurisdiction may request assistance of another party jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request.

1.1.2 **Consultation among party jurisdiction officials:** There shall be frequent consultation among the party jurisdiction officials who have assigned emergency management responsibilities, such officials collectively known hereinafter as the International Emergency Management Group (IEMG).

1.1.3 **Licenses and Permits - Article V**

Whenever a person holds a license, certificate or other permit issued by any jurisdiction party to the compact evidencing the meeting of qualifications for professional, mechanical or other skills, and when such assistance is requested by the receiving party jurisdiction, such person is deemed to be licensed, certified or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by executive order or otherwise.

1.1.4 **Liability - Article VI**

Any person or entities of a party jurisdiction rendering aid in another jurisdiction pursuant to this compact are considered agents of the requesting jurisdiction for tort liability and immunity

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purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact are not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence or recklessness.

### 1.1.5 **Workers' Compensation and Death Benefits - Article VIII**

Each party jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the emergency forces of that jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

### 1.1.6 **Reimbursement - Article IX**

Any party jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the party jurisdiction receiving such aid for any loss or damage to or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding party jurisdiction may assume in whole or in part any such loss, damage, expense or other cost or may loan such equipment or donate such services to the receiving party jurisdiction without charge or cost. Any two or more party jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.



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## *Appendix N. First Nations*

### 1. **General**

The Atlantic Regional Annex (CANUSLANT) recognizes the rights of Canadian Indigenous people and U.S. Federally recognized Tribes, and provides for their participation when their lands are threatened or impacted.

### 2. **Canada**

In conducting response activities on reserve lands, culture significant lands, and First Nation treaty settlement lands, Canadian Coast Guard Atlantic will involve First Nations people as it will other agencies with relevant jurisdiction relating to a marine pollution incident. Canadian Coast Guard Atlantic recognizes the existence of both First Nations and Treaty rights as defined in [Section 35 of the Canadian Constitution Act, 1982](#). In addition, Canadian Coast Guard Atlantic supports the Government of [Canada's Inherent Right Policy \(1995\)](#) that established a new government-to-government relationship with First Nations governments within the Canadian constitutional framework.

#### 2.1. **Canadian Government Contacts:**

##### **Fisheries and Oceans Canada**

Ted Potter  
Director, Aboriginal Affairs  
Dartmouth, Nova Scotia  
(902) 456-4090  
[Ted.Potter@dfo-mpo.gc.ca](mailto:Ted.Potter@dfo-mpo.gc.ca)

Jeff Purdy  
Aboriginal Program Coordinator  
Southwest Nova Scotia Area  
Yarmouth, Nova Scotia  
(902) 740-1367  
[Jeff.Purdy@dfo-mpo.gc.ca](mailto:Jeff.Purdy@dfo-mpo.gc.ca)

Meghan Folkins  
Aboriginal Program Coordinator  
Southwest New Brunswick Area  
St. George, New Brunswick  
506-467-5468  
[Megan.Folkins@dfo-mpo-gc.ca](mailto:Megan.Folkins@dfo-mpo-gc.ca)

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### **Indigenous and Northern Affairs Canada**

Lands and Trust Services  
Atlantic Region  
PO Box 160  
Amherst, NS, B4H 3Z3  
Tel: (902) 661-6368  
Fax: (902) 661-6237

### **2.2. Canadian First Nations Contacts:**

#### **Maliseet Nation at Tobique**

13156 Route 105  
Tobique First Nation, NB E7H 5M7  
Tel: (506) 273-5400; 273-5490; 273-5499  
Fax: (506) 273-3035

#### **Maliseet Nation at Woodstock**

##### **Woodstock Indian Nation**

3 Wulastook Court  
Woodstock First Nation, NB E7M 4K6  
Tel: (506) 328-3303  
Fax: (506) 328-2420

#### **Maliseet Nation at Saint Mary's**

##### **Council of Saint Mary's Band**

35 Dedham Street  
Fredericton, NB E3A 2V2  
Tel: (506) 458-9511  
Fax: (506) 452-2763

#### **Maliseet Nation at Kingsclear**

##### **Council of Kingsclear Band**

77 French Village Road  
Kingsclear First Nation, NB E3E 1K3  
Tel: (506) 363-3028, 363-3029  
Fax: (506) 363-4324

#### **Maliseet Nation at Oromocto**

##### **Council of Oromocto Band**

PO Box 417  
Oromocto, NB E2V 2J2  
Tel: (506) 357-2083  
Fax: (506) 357-2628

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**Acadia First Nation  
Council of Acadia Band**  
RR # 4, Box 5914C  
Yarmouth, NS B5A 4A8  
Tel: (902) 742-0257  
Fax: (902) 742-8854

**Annapolis Valley First Nation  
Council of Annapolis Valley Band**  
PO Box 89  
Cambridge Station, NS B0P 1G0  
Tel: (902) 538-7149  
Fax: (902) 538-7734

**Bear River First Nation  
Council of Bear River Band**  
PO Box 210  
Bear River, NS B0S 1B0

**Glooscap First Nation  
Council of Glooscap First Nation**  
PO Box 449  
Hantsport, NS B0P 1P0  
Tel: 684-9788  
Fax: 684-9890

### 3. United States

The Department of Homeland Security, U.S. Coast Guard, will notify, coordinate and consult with, and involve Native American tribal governments in its decision making relating to a marine pollution incident affecting or potentially affecting Native American Tribes.

The United States' fiduciary trust responsibilities and Government-to-Government relationship with Native American tribal governments are found in the U.S. Constitution, statutes, treaties, judicial decisions, executive orders and policies. The Department of Homeland Security, U.S. Coast Guard, will undertake its response actions consistent with these policies, including but not limited to how these policies are expressed in the National Response Plan, National Contingency Plan, Clean Water Act, Comprehensive Environmental Response Compensation and Liability Act, National Historic Preservation Act, and Native American Graves Protection and Repatriation Act.

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### 3.1. United States Government Contacts:

#### **U.S. Department of the Interior (Designated Federal Trustee)**

Office of Environmental Policy and Compliance (OEPC)  
U. S. Department of the Interior  
Andrew L. Raddant, Regional Environmental Officer (Trustee Contact)  
5 Post Office Square, Suite 18011  
Boston, MA 02109  
Office: (617) 223-8565  
Emergency: (617) 686-1780  
Email: [andrew\\_raddant@ios.doi.gov](mailto:andrew_raddant@ios.doi.gov)  
Fax: (617) 223-8569

#### Alternate:

Diane Lazinsky  
Regional Environmental Protection Specialist  
Office of Environmental Policy and Compliance (OEPC)  
U.S. Department of the Interior  
5 Post Office Square, Suite 18011  
Boston, MA 02109  
Office: (617) 223-8565  
Emergency: (617) 686-1780  
Email: [diane\\_lazinsky@ios.doi.gov](mailto:diane_lazinsky@ios.doi.gov)  
Fax: (617) 223-8569

#### **Bureau of Indian Affairs**

Patrick Vacha  
Eastern Regional Office  
545 Marriott Drive, Suite 700  
Nashville, TN 37124  
Office: (615) 564-6810  
Emergency: (202) 577-5918  
Email: [Patrick.Vacha@bia.gov](mailto:Patrick.Vacha@bia.gov)  
Fax: (615) 564-6701

### 3.2. U.S. Native American Tribal Government Contacts

Passamaquoddy Tribe, Pleasant Point  
PO Box 343  
Perry, ME 04667  
Tel: (207) 854-2600  
Fax: (207) 853-6039

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### **Passamaquoddy Tribe, Indian Township**

PO Box 301  
Princeton, ME 04668  
Tel: (207) 796-2301  
Fax: (207) 796-5256

### **Penobscot Indian Nation**

6 River Road  
Indian Island  
Old Town, ME 04668  
Tel: (207) 827-7776  
Fax: (207) 827-1137

### **Houlton Band of Maliseet Indians**

88 Bell Road  
Littleton, ME  
Tel: (207) 532-4273

### **Mi'kmaq Nation**

7 Northern Road  
Presque Isle, ME 04769  
Tel: (207) 764-1972  
Fax (207) 764-7667

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### *Appendix O. Places of Refuge*

#### 1. **General:**

In November 2003, the International Maritime Organization (IMO) Assembly adopted two resolutions addressing the issue of places of refuge (POR) for ships in distress - an important step in assisting those involved in incidents that may lead to the need for a place of refuge to make the right decisions at the right time.

The purpose of the IMO Guidelines is to provide Member Governments, shipmasters, companies, and salvors with a framework enabling them to respond effectively and in such a way that, in any given situation, the efforts of the shipmaster and shipping company concerned and the efforts of the government authorities involved are complementary. In particular, an attempt has been made to arrive at a common framework for assessing the situation of ships in need of assistance.

Taking into account IMO Resolution A.949 (23), the U.S. and Canadian governments both created decision-making tools that allow Transport Canada (TC) officials and U.S. Coast Guard (USCG) Captains of the Port (COTPs) the ability to provide effective and efficient responses to requests from ships requesting a place of refuge. TC officials and USCG COTPs can reference three separate but complementary POR decision-making tools for coordinating joint responses to a vessel requesting a place of refuge. If providing a Place of Refuge is the best course of action both countries shall jointly explore the best options available. For options considering locations in Canadian territory the National Places of Refuge Contingency Plan and the Atlantic Annex (PORCP) will be used to assess potential places of refuge. For options considering locations within United States, the U.S. Coast Guard Places of Refuge Policy/ NRT Guidelines for Places of Refuge Decision Making guide will be used to assess potential places of refuge. Once potential places of refuge have been identified; the most suitable location, Canadian or U.S., will be chosen jointly by TC officials and the cognizant USCG COTP.

#### 2. **CANADA:**

National Places of Refuge Contingency Plan (PORCP): Transport Canada is the lead agency for decisions related to a ship in need of assistance and requesting a place of refuge. As such, Transport Canada is responsible for ensuring the IMO Guidelines are taken into account and implemented to the extent possible.

The purpose of the (PORCP) is to establish a national framework and approach which, with associated regional measures, will provide for an effective and efficient response to requests from ships in need of assistance seeking a place of refuge.

The PORCP will help to ensure that a consistent approach is taken across the country to putting in place an effective response plan that will meet both Canada's national and international responsibilities.

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The PORCP provides a decision-making risk assessment tool for Transport Canada Marine Safety and Security Regional Directors which will help to ensure that a thorough and balanced assessment of the risks are made and the best risk control strategy can be decided on and implemented in a timely and safe manner.

The PORCP takes into account International Maritime Organization (IMO) Resolution A.949(23) “Guidelines on Places of Refuge for Ships in Need of Assistance.” The National Places of Refuge Contingency Plan can be downloaded from the Transport Canada website at <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-menu-1683.htm>. The PORCP-Atlantic Region provides relevant regional information and can be found at <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-atlantic-menu-1099.htm>.

### 3. UNITED STATES:

The U.S. Coast Guard Places of Refuge Policy (COMDTINST 16451.9) provides policy guidance, a sample checklist, and a risk assessment job aid to field commanders, Area Committees, and Regional Response Teams (RRTs) to aid in preparing for and responding to a vessel requesting a place of refuge, or similar events in which a vessel, not in need of immediate Search and Rescue (SAR) assistance, may pose a variety of risks to a port or coastal area. The Instruction focuses primarily on the decision process of selecting the lowest risk Place of Refuge option for a stricken vessel. In any such situation, Operational Commanders will also be conducting other, simultaneous operations, including, but not limited to, developing transit plans, staging pollution, fire, and/or hazmat response equipment, and addressing any security concerns. The U.S. Coast Guard Places of Refuge Policy can be downloaded from the U.S. Coast Guard Directives website at [www.uscg.mil/directives/ci/16000-16999/CI\\_16451\\_9.PDF](http://www.uscg.mil/directives/ci/16000-16999/CI_16451_9.PDF)

The purpose of the NRT Guidelines for Places of Refuge Decision-Making (Guidelines2) is to provide:

- An incident-specific decision-making process (Appendix 1) to assist U.S. Coast Guard (USCG) Captains of the Port (COTPs) in deciding whether a vessel needs to be moved to a place of refuge and, if so, which place of refuge to use; and
- A framework for developing pre-incident identification of potential places of refuge for inclusion in appropriate Area Contingency Plans (ACPs)

The Guidelines address places of refuge decision-making in waters subject to U.S. jurisdiction. They are consistent with the December 2003 International Maritime Organization “Guidelines on Places of Refuge for Ships in Need of Assistance” and USCG Commandant Instruction 16451.9, “U.S. Coast Guard Places of Refuge Policy.”

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The Guidelines provide COTPs with a process that will help (1) expedite place of refuge decision-making, and (2) ensure stakeholders and other technical experts are consulted as appropriate. This in turn, helps ensure that COTPs have appropriate input, and the best available information, prior to making a place of refuge decision. The NRT Guidelines for Places of Refuge Decision Making can be downloaded from the National Response Team website at: <http://www.nrt.org>



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## *Appendix P. Wildlife Response Guidelines*

1. Due to the size and complexity of the Wildlife Response Guidelines, the guidelines are attached to this plan as Enclosure (1).
2. These guidelines were developed by the CANUSLANT Wildlife Response Working Group. Members of this group included representatives from Environment and Climate Change Canada, Canadian Wildlife Service; Fisheries and Oceans Canada; New Brunswick Department of Natural Resources and Energy Development; 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 Oceanic and Atmospheric Administration, National Marine Fisheries Service, and Maine Department of Inland Fisheries and Wildlife.

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## *Appendix Q. Standard Units of Measure*

In any environmental response along the United States (U.S.) and Canadian (CA) border one important consideration is the difference in the two countries' standard units of measure. Misstating measurements can cause confusion in any response and stating the wrong measurements in the press will give the impression of errors being made. A standard unit of measure should be agreed upon at the start of the spill to alleviate any confusion.

The Joint Information Center should be vigilant in verifying and reporting units of measure.

### Time Zones:

Since there are two times zones, (see Fig. 1) within the Coastal Maine and Canadian Maritime regions the U.S. and Canadian Incident Commanders should designate one time zone at the beginning of the response to use during an incident.

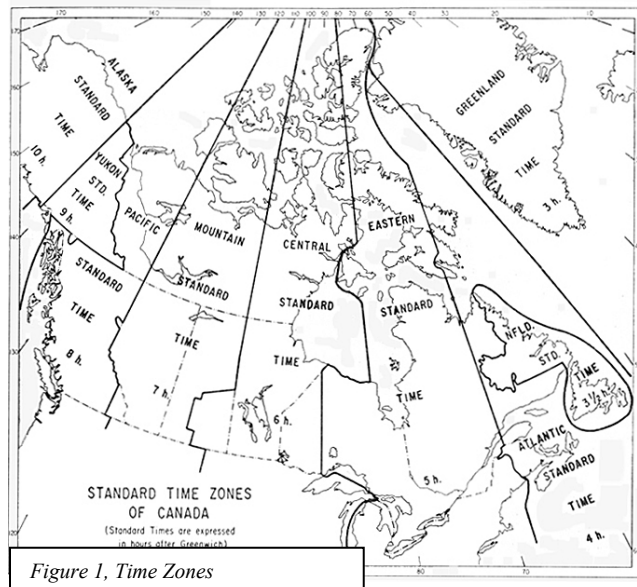


Figure 1, Time Zones

### Distance:

The U.S. uses miles. Canada uses kilometers. For maritime incidents, the use of nautical miles is recommended. The Nautical Mile conversion and some basic conversions are contained at the end of this section.

From	To	Multiply by
Miles	Nautical Miles	0.869
Kilometers	Nautical Miles	0.539
Nautical Mile	Mile	1.151
Nautical Mile	Kilometer	1.853
Miles	Kilometer	1.609
Kilometers	Miles	0.621

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## Length

When documenting or reporting vessel dimensions it is important to specify scale (feet or meters). The below conversion will aid in this.

From	To	Multiply By
Feet	Meters	0.3048
Meters	Feet	3.28084

## Temperature:

The difference between Fahrenheit (F) and Centigrade (C) is a drastically different measurement. At 0°C it is still 32 F° and at 100°C it is 212 F°. The formula is as follows:

From	To	Formula
°C	°F	$^{\circ}\text{C} \times 9/5 + 32 = ^{\circ}\text{F}$
°F	°C	$(^{\circ}\text{F} - 32) \times 5/9 = ^{\circ}\text{C}$

## Product Volume:

Between the U.S. and Canada there are several measures for reporting volumes: Gallons, Barrels, Imperial Gallons, and Metric Tons. Oil is shipped in bulk is commonly measured in Metric Tons. At API = 33° there are 7.312 Barrels in one Metric Ton. The tables below show the difference between measurements.

Barrels	Metric Tons	Gallons (U.S.)	Gallons (Imperial)
100	14	4,200	3,600
500	68	21,000	18,000
1,000	137	42,000	36,000
5,000	684	210,000	180,000
10,000	1,368	420,000	360,000
25,000	3,419	1,050,000	900,000
50,000	6,838	2,100,000	1,800,000
75,000	10,257	3,150,000	2,700,000
100,000	13,676	4,200,000	3,600,000
200,000	27,352	8,400,000	7,200,000
300,000	41,028	12,600,000	10,800,000
400,000	54,705	16,800,000	14,400,000
500,000	68,381	21,000,000	18,000,000
600,000	82,057	25,200,000	21,600,000
700,000	95,733	29,400,000	25,200,000

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Metric Tons	Barrels	Gallons (U.S.)	Gallons (Imperial)
1	7	307	263
10	73	3,071	2,632
50	366	15,355	13,162
100	731	30,710	26,323
500	3,656	153,552	131,616
1,000	7,312	307,104	263,232
5,000	36,560	1,535,520	1,316,160
10,000	73,120	3,071,040	2,632,320
15,000	109,680	4,606,560	3,948,480
20,000	146,240	6,142,080	5,264,640
50,000	365,600	15,355,200	13,161,600
100,000	731,200	30,710,400	26,323,200

1. *At API = 33° there are 7.312 Barrels in one Metric Ton. These calculations are valid at API calculated at 60°F or 15.5°C. Department of Energy uses fixed gravity for calculations API = 33°. In density terms it is around 0.858 kg/L. One Barrel contains 42 U.S. Gallons or 158.987295 Liters. Metric Ton is an equivalent to 1000 kg or 2205 pounds.*

*Data from: <http://aenergytrading.com/2013/06/28/conversion-metric-ton-mt-into-barrels-for-crude/>*

## MEASUREMENT CONVERSIONS

(Multiply Number of Units by Conversion Number to Obtain New Number of Units)

millimeters (mm)	x 0.03937	= inches
centimeters (cm)	x 0.3937	= inches
meters	x 3.281	= feet
meters per second	x 3.281	= feet per second
square meters	x 10.76	= square feet
square meters	x 1.196	= square yards
square meters	x 0.0002471	= square acres
cubic meters	x 35.31	= cubic feet
cubic meters	x 1.308	= cubic yards
cubic meters	x 0.0008107	= acre-feet
cubic meters per second	x 35.31	= cubic feet per second
cubic meters per second	x 15,850.00	= gallons per minute

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kilometers (km)	x 1000	= meters
kilometers (km)	x 0.6214	= miles
square kilometers	x 0.3861	= square miles
cubic kilometers	x 0.2399	= cubic miles
inches (in)	x 25.4	= millimeters
square inch	x 6.4516	= square centimeters
feet	x 0.3048	= meters
square feet	x 0.09294	= square meters
cubic feet	x 0.02832	= cubic meters
yard	x 0.9144	= meters
miles (mi)	x 5280	= feet
miles	x 1609.3	= meters
miles	x 1.609	= kilometers
square miles	x 2.590	= square kilometers
cubic miles	x 4.168	= cubic kilometers
acre-foot (acre-ft)	x 1233	= cubic meters
gallon	x 0.1337	= cubic feet
gallon	x 3.785	= liters
gallon	x 8.336	= pounds of water
liter	x 0.001	= cubic meter
liter	x 0.03531	= cubic fee

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### *Appendix R. Joint Fisheries Protocol*

1. **Purpose:** The purpose of the Protocol is to coordinate fisheries management practices in shared waters impacted or threatened by pollution emergencies. While the primary goals of both countries remain the same- to ensure human health and safety, market confidence, safety of fisheries and aquaculture operations, and the protection of marine fisheries and aquaculture resources - the decisions of the country relative to shared waters should, if practicable, be made jointly and with consideration of each other. The Protocol establishes the Joint Fisheries Task Force (JFTF) that will coordinate procedures for notifications and information sharing, closures, monitoring and sampling, and re-opening of fisheries and aquaculture. The Protocol is supported by a set of appendices containing relevant regulatory, organizational, and technical information.
  
2. **Joint Fisheries Task Force:** The JFTF is a sub-group of the environmental unit under the Joint Response Team (Canada and US Coast Guard or Unified Command) structure.
  - 2.1 **Purpose:** The mandate of the JFTF is to coordinate the planning, implementation, monitoring and reporting of measures and actions related to fisheries and aquaculture during an incident.
  
  - 2.2 **Leadership:** The JFTF is co-led by Fisheries and Oceans Canada (DFO) for Canada and the Maine Department of Marine Resources for the United States when the area of interest is within the territorial water of the US (typically 3 miles seaward of land). When the area of interest extends beyond the Territorial Water of the US, the National Oceanic and Atmospheric Administration (NOAA) will be included in a leadership role. In the event multiple U.S. states fisheries and aquaculture are impacted, each state will be represented, but DFO and NOAA will lead the JFTF within the Joint Response Team structure.
  
  - 2.3 **Membership:** The JFTF is comprised of the following federal, provincial, and state departments and agencies from Canada and the United States:

<b>United States</b>	<b>Canada</b>
National Oceanic and Atmospheric Administration (NOAA)	Fisheries and Oceans Canada (DFO) Maritimes Region
Food and Drug Administration	Environment and Climate Change Canada (EC)
United States Coast Guard	Canadian Food Inspection Agency

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	(CFIA)
Maine: <ul style="list-style-type: none"> <li>• Department of Marine Resources (DMR)</li> <li>• Maine Department of Agriculture, Conservation and Forestry</li> </ul>	Canadian Coast Guard – Environmental Response (CCG-ER)
New Hampshire Fish and Game	Health Canada
Massachusetts <ul style="list-style-type: none"> <li>• Division of Marine Fisheries</li> <li>• Department of Public Health</li> </ul>	New Brunswick Department of Agriculture, Aquaculture and Fisheries (DAAF)
National Marine Fisheries Service	Nova Scotia Department of Fisheries and Aquaculture (DFA)

Additional departments and agencies with marine environmental protection and response mandates may be included in JFTF activities, as required.

**2.4 Decision Making and Reporting:** The JFTF functions in accordance with decision making and reporting procedures for the Joint Response Team to coordinate measures and actions related to fisheries and aquaculture during and in the aftermath of an incident. Regulatory decision making, implementation, monitoring and enforcement of fisheries measures, such as closures, occur independently by the relevant authorities.

**3. Scope:** The Protocol applies to all living resource harvesting and processing in marine waters covered by the CANUSLANT Annex.

### 3.1 Commercial, Recreational and Aboriginal/Tribal Fisheries

**3.1.1 Canada:** A range of commercial, recreational, and Aboriginal fisheries occur in the Canadian portion of the CANUSLANT Annex area of responsibility. These include ground fish (demersal), invertebrate (including intertidal species) and pelagic fisheries. Marine fisheries are regulated and licensed by Fisheries and Oceans Canada. Aboriginal fisheries are divided into two categories: (a) Commercial Communal which is managed and licensed in same manner as non-Aboriginal fisheries; and (b) Food, Social and Ceremonial (FSC) which is right-based access for non-economic purposes.

**3.1.2 United States:** A range of commercial, recreational, and Tribal fisheries occur in the US portion of the CANUSLANT Annex area of

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responsibility. These include ground fish (demersal), invertebrate (including inter-tidal) and pelagic fisheries. Marine fisheries in federal waters are regulated and licensed by the National Marine Fisheries Service (NMFS-NOAA). Marine fisheries in state waters (within 3 miles) are regulated and licensed by state fisheries authorities.

Maine's four federally recognized tribes are authorized to issue certain marine resources licenses in accordance with 12 MRS §6302-A. This includes certain commercial licenses and licenses for sustenance or ceremonial tribal use. Members of the Passamaquoddy Tribe of Indians, Penobscot Indian Nation, Mi'kmaq Nation, or Houlton Band of Maliseet Indians issued a tribal license are subject to all laws and rules applicable to holders of a state license or permit to conduct those activities, with certain exceptions identified in the law.

No federally recognized tribes exist in New Hampshire.

Massachusetts' two federally recognized tribes: Mashpee Wampanoag Tribe and Wampanoag Tribe of Gay Head (Aquinnah) are issued certain commercial licenses or licenses for subsistence or ceremonial use. They are subject to the laws and rule applicable to holders of state licenses or permits to conduct those activities but are also granted certain legal exceptions.

### 3.2 Aquaculture

3.2.1 **Canada:** Aquaculture operations, including finfish, shellfish, marine plants, and hatcheries, are regulated, and licensed by provincial fisheries authorities.

3.2.2 **United States:** Aquaculture operations, including finfish, shellfish, and hatcheries, are regulated and licensed by state fisheries authorities.

### 3.3 Marine Plants

3.3.1 **Canada:** There is an active harvest of rockweed and other marine plant species in the Canadian portion of the CANUSLANT Annex area of responsibility.

3.3.2 **United States:** There is an active harvest of rockweed, as well as other marine plants in the US portion of the CANUSLANT Annex area of responsibility.



# Canada – United States Joint Marine Pollution Contingency Plan

## Atlantic Regional Annex

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### 3.4 Processing Facilities

- 3.4.1 **Canada:** Processing and holding facilities and other facilities with saltwater intakes (e.g., lobster pounds) are regulated by provincial fisheries authorities, with responsibilities for food health and safety held by the Canadian Food Inspection Agency.
- 3.4.2 **United States:** Processing and holding facilities (e.g., lobster ponds) are regulated by state fisheries authorities, with responsibilities for food health and safety held by the Food and Drug Administration and the Maine Department of Agriculture, Conservation and Forestry.
4. **Joint Fisheries Task Force Functions:** The Protocol applies to all types and levels of incidents covered by the CANUSLANT Annex. A tiered approach is taken when determining the requirement for implementing the Protocol and JFTF.

### 4.1 Joint Incident Notifications and Coordination

- 4.1.1 Incidents that require CANUSLANT activation but are unlikely to impact on fisheries and aquaculture due to type, location and/or magnitude:
- JFTF co-leads notified by Joint Response Team
  - Co-leads convene meeting (virtual) as soon as practicable to assess situation and determine if further action is required, including:
    - o General notification to all JFTF members
    - o Specific notifications and advice to potentially affected JFTF members depending on type, location and/or magnitude of incident
  - Affected JFTF members implement and report actions/measures, as required
  - Co-leads report to Joint Response Team/Incident Command, as required
- 4.1.2 Incidents that require CANUSLANT activation and are likely to impact on fisheries and aquaculture operations:
- JFTF co-leads notified by Joint Response Team.
  - Co-leads convene meeting (virtual) as soon as practicable to assess situation and determine if further action is required, including:
    - o General notification and stand up of JFTF.

# Canada – United States Joint Marine Pollution Contingency Plan

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- Specific notification and advice to potentially affected JFTF members depending on type, location and/or magnitude of incident.
- JFTF procedures are implemented, with affected members to implement and report actions/measures, as required.
- Co-leads report to Joint Response Team/Incident Command, as required.

### **4.2 Industry and Stakeholder Notifications and Information Sharing**

- 4.2.1 Established notification procedures for JFTF members are used to inform and share information with industry stakeholders.
- 4.2.2 Notifications and information sharing with non-fisheries related response agencies and stakeholders is managed through the Joint Response Team/Incident Command (i.e., Public Information Officer/Stakeholder Liaison).

### **4.3 Closures**

- 4.3.1 During the initial phase of an incident response, the United States/Canadian Coast Guard emergency/exclusion zone serves, in effect, as a preliminary and temporary fisheries and aquaculture restriction.
- 4.3.2 JFTF assesses further requirements for a formal fisheries and aquaculture closures and their coordination across respective national, state, and provincial jurisdictions, including the following considerations:
  - Timing of establishment
  - Closure type/classification
  - Location and spatial extent
  - Species and/or fleet coverage
  - Duration (e.g., mandatory timelines)
- Monitoring and sampling requirements for re-opening, including differential requirements by species and location (i.e., relative population, accessibility)
- 4.3.3 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of respective closures.

# Canada – United States Joint Marine Pollution Contingency Plan

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4.3.4 Affected JFTF members implement and report actions/measures, as required.

4.3.5 JFTF co-leads report to Joint Response Team/Incident Command, as required.

### **4.4 Monitoring and Sampling**

4.4.1 JFTF assesses the respective monitoring and sampling requirements for the planned and/or established closures, including the following considerations:

- Compatibility of and/or inconsistencies in:
  - Procedures
  - Methods
  - Required end points
  - Timelines

4.4.2 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of respective monitoring and sampling procedures, methods, end points and timelines.

4.4.3 Affected JFTF members implement and report actions/measures, as required.

4.4.4 JFTF co-leads report to Joint Response Team/Incident Command, as required.

### **4.5 Re-Opening**

4.5.1 JFTF assesses the respective timelines and locations for re-opening of planned and/or established closures, including the following considerations:

- Compatibility of and/or inconsistencies in type and timing of re-opening
- Potential market or related impacts on affected fisheries
- Notification and communication requirements

## Canada – United States Joint Marine Pollution Contingency Plan Atlantic Regional Annex

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- 4.5.2 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of re-opening of respective closures.
  - 4.5.3 Affected JFTF members implement and report actions/measures, as required.
  - 4.5.4 JFTF co-leads report to Joint Response Team/Incident Command, as required.
5. **Protocol Review and Maintenance:** The JFTF is responsible for review and updating of the Protocol, including procedures and supporting annexes. This document will be reviewed annually and updated as required. A full review and update will occur in conjunction with the renewal of the CANUSLANT Annex. The co-leads report to the Joint Response Team, as required.



**Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex  
(CANUSLANT)**

**LETTER OF PROMULGATION**

On November 19, 2022, the Commissioner of the Canadian Coast Guard and the Commandant of the United States Coast Guard signed the revised Canada-United States Joint Marine Pollution Contingency Plan (JCP), superseding the 2016 revised JCP and any other agreement pursuant to the 2016 plan. The JCP provides for co-operative measures for dealing with accidental and unauthorized releases of pollutants that cause or may cause damage to the environment along the shared maritime boundary and that may constitute a threat to the public health, property, or welfare.

In accordance with the JCP, the responsibility for development of five regional annexes for areas to which the JCP applies are assigned to the responsible Regional Directors, Canadian Coast Guard and District Commanders, United States Coast Guard. CANUSLANT is the annex that covers the Atlantic boundary between Canada and the United States, and is the joint responsibility of the Canadian Coast Guard Maritimes Region and the United States Coast Guard First District.

CANUSLANT is based upon the premise that the responsible party will take the lead role in response. The government will only direct response in accordance with applicable legislation if the responsible party's response is deemed inadequate to protect human health, safety, the environment, and/or property. The government's role will be in accordance with a tiered level response as additional resources and expertise is required. CANUSLANT does not supersede any statutory authorities held by either of the governments. CANUSLANT also recognizes the rights of U.S. Tribes and Canadian Indigenous people and provides for their participation when their lands are threatened or impacted.

This annex will be reviewed on an annual basis by both parties and amended as required. This annex supersedes and replaces the 2016 edition. The Atlantic Regional Annex is hereby approved for implementation.

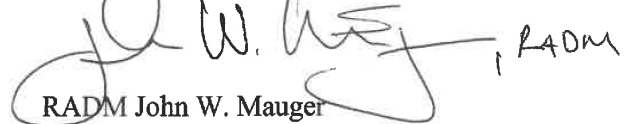
For the Canadian Coast Guard



Mr. Gary Ivany  
Assistant Commissioner, Atlantic Region  
Canadian Coast Guard

Date Signed: 13 Dec 22

For the United States Coast Guard



RADM John W. Mauger  
First Coast Guard District  
United States Coast Guard

Date Signed: 13 DEC 22

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**Revision Request**

Please copy this page and additional pages as required, complete all sections to indicate your suggested revision and forward to addresses listed in Section III:

Canada – United States Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex

From					
Date					
Subject					
Chapter		Section		Page Number	

Please revise the CANUSLANT Annex as follows:

Reason for recommended revision:

Canada JRT Co-Chair Signature:

U.S. JRT Co-Chair Signature:

# Canada – United States Joint Pollution Contingency Plan Atlantic Regional Annex

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## Section I. Purpose

1. Joint Marine Pollution Contingency Plan Atlantic Geographic Annex (CANUSLANT) has been developed pursuant to the Canada-United States Joint Marine Pollution Contingency Plan (JCP), a cooperative “bridge” mechanism between the United States and Canada for preparedness and response in contiguous waters of interest to spills of harmful substances/pollutants, as defined in Section 102.9 of the JCP. The JCP divides the common maritime boundary between the two countries into five regions. The responsible Regional Directors, Canadian Coast Guard and District Commanders, United States Coast Guard were tasked to develop a detailed multilateral annex for the JCP for each region.
  - Atlantic – comprising those waters of and along the Bay of Fundy and the Gulf of Maine seaward to latitude 40° 27’ 05”N, longitude 65° 41’ 59”W, thence north along a bearing of 000° T to the Canadian shoreline.
  - Great Lakes – comprising the Great Lakes System as defined in the Great Lakes Water Quality Agreement.
  - Pacific – comprising those waters in the Juan de Fuca Region, including Boundary pass, Haro and Georgia Straits.
  - Beaufort Sea – comprising those waters off the Arctic Coast of Canada and the United States in the Beaufort Sea.
  - Dixon Entrance – comprising the waters of the Dixon Entrance off the Pacific Coasts of Canada and the United States.
2. This annex sets provisions for a coordinated and integrated response by the Canadian Coast Guard (CCG), Atlantic Region, and the United States Coast Guard (USCG), First District to harmful substance/pollution incidents which affect or threaten their respective areas of responsibility. It assists federal, state/provincial, local responders and Tribal/Aboriginal/Indigenous people to mitigate the effects of harmful substance/pollution incidents on human health and safety, environment, and property by providing for a coordinated and integrated response to harmful substance/pollution incidents on either side of the border.
3. CANUSLANT may be invoked when a harmful noxious substance/pollution incident presents an imminent and substantial danger to public health or welfare, and poses potential danger to the environment on either side of the maritime international boundary. This annex specifies the process that would be used to activate national response systems on either side of the border, and to facilitate an effective joint response with federal/state/provincial, local, and Tribal/Indigenous people.

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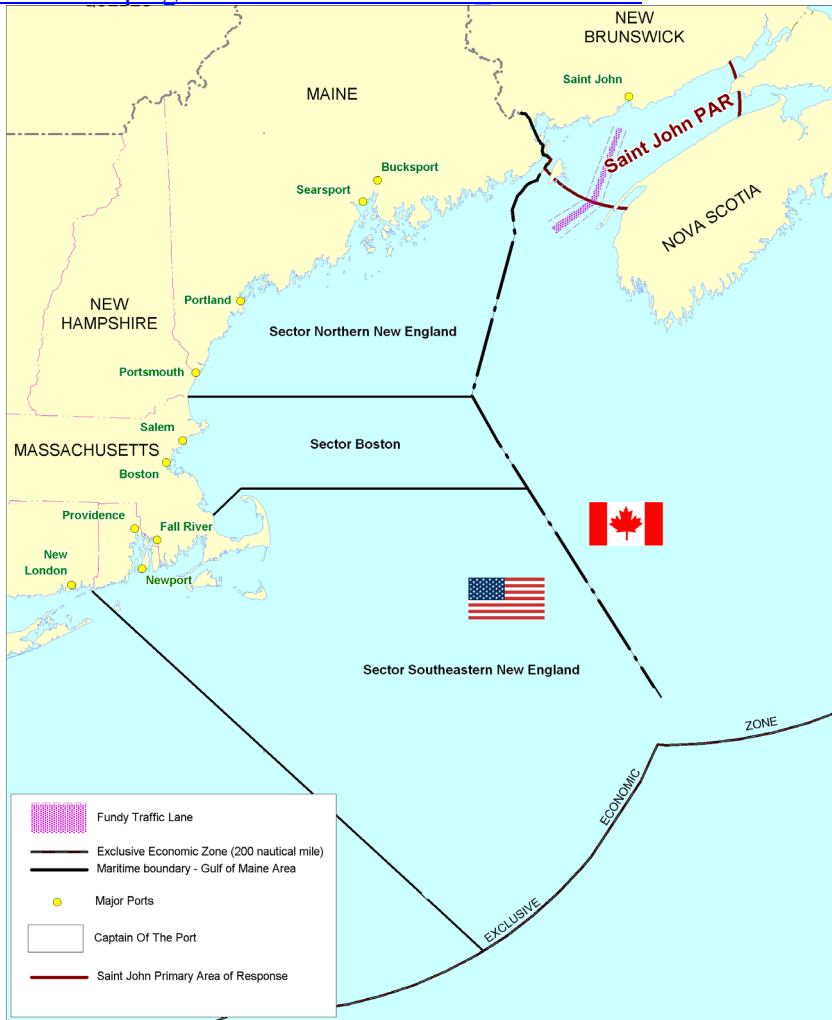
4. This plan identifies tiered response options for coordinating joint response efforts by the Canadian Incident Commander (IC) and the United States Federal On-Scene Coordinator (FOSC), up to and including the creation of an Area Command in support of a cross border response.
5. The Primary Objectives of CANUSLANT are to:
  - provide a joint cross-border mechanism between Canada and the U.S. to ensure an effective coordinated response to cross border spills;
  - establish a Canada-United States Joint Response Team (JRT) for the Atlantic Region under co-leadership of CCG and USCG;
  - when necessary set up a Canada-US Unified Area Command post;
  - ensure timely and accurate notification of cross-border incidents to federal, state/provincial, Tribal/Indigenous people and local authorities;
  - ensure timely and accurate flow of information between responders in both countries;
  - facilitate safe and timely cross-border movement and coordination of personnel, equipment and supplies;
  - ensure coordinated and timely flow of information to the public and media; and complement the Canada – United States Joint Inland Pollution Contingency Plan, July 2009, and its CANUSEAST operational supplement. See Section II.1.
  - CANUSLANT may also be used to obtain cross-border assistance (mutual aid) when only one country is affected within the contiguous waters, if the incident is of sufficient magnitude to require assistance from the other country as provided for in Section 801.2 of the JCP.

# Canada – United States Joint Pollution Contingency Plan Atlantic Regional Annex

## Section II. Area of Coverage

This supplement applies to the contiguous waters in the Atlantic Region as defined in JCP Section 104.1. The Atlantic contiguous waters are defined in this section as those waters of and along the Bay of Fundy and the Gulf of Maine seaward to Latitude 40° 27' 05" N, Longitude 65° 41' 59" W (the outermost point of the Hague line defining the U.S./Canada Atlantic ocean boundary), thence north along a bearing of 000° T to the Canadian shoreline, as shown in **Figure 1**. The inland boundary of the CANUSLANT plan is the International Bridge (45°11'31"N, 67°17'01"W), connecting Calais, Maine and St. Stephen, New Brunswick. The international inland boundary upstream of this point is covered by the Joint Inland Pollution Contingency Plan and the CANUSEAST supplement. For more information refer to:

[http://www.epa.gov/oem/content/canada\\_border.html](http://www.epa.gov/oem/content/canada_border.html)



1.

**Figure 1 – Chartlet of area covered by JCP/Atlantic Regional Annex**

# Canada – United States Joint Pollution Contingency Plan Atlantic Regional Annex

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## Section III. Responsibility

### 1. Authority for Response:

#### 1.2. Canadian Coast Guard Authority:

1.1.1 **Canadian Incident Commander**: The Canadian Incident Commander (IC) will be designated by the Director of Incident Management. The authority for the IC is given pursuant to section 174.1(1) under Part 8 of the Canada Shipping Act. The Act states: “The Minister of Fisheries and Oceans may designate any persons or classes of pollution response officers (PRO) in respect of discharges or threats of discharges and may limit in any manner that he or she considers appropriate the powers that the officers may exercise under this Part.” In this case PRO’s are limited to staff of Canadian Coast Guard Environmental Response, see JCP section 102.3.

1.1.2 **Regional Director, Coast Guard Incident Management**: The Regional Director, Coast Guard Incident Management, Canadian Coast Guard Atlantic Region, will provide support and assistance to the IC.

#### 1.2. United States Coast Guard Authority:

1.2.1 **Federal On-Scene Coordinator (FOSC) Authority**: The authority for the United States FOSC is listed under 40 CFR 300.120(a)(1) (The National Oil and Hazardous Substances Pollution Contingency Plan): "The USCG shall provide On-Scene Coordinators (OSC) for oil discharges, including discharges from facilities and vessels under the jurisdiction of another federal agency, within or threatening the coastal zone. The USCG shall also provide OSCs for the removal of releases of hazardous substances, pollutants, or contaminants into or threatening the coastal zone." See JCP section 102.26.

1.2.2 **Sector Northern New England / COTP Northern New England Zone**: Commander, Sector Northern New England in the capacity of Captain of the Port (COTP) Northern New England is identified by the USCG as the pre-designated Federal On-Scene Coordinator for the COTP Northern New England zone as set forth in 33 CFR 3.05-15. The southern, seaward U.S./Canada boundary also intersects the COTP Boston and COTP Southeastern New England zones, also defined at 33 CFR 3.05. It is most likely that joint response operations would involve Sector Northern New England, and therefore CANUSLANT planning and exercises focus on this area.

1.2.3 **USCG First District**: The First Coast Guard District’s Incident Management and Preparedness Advisor (IMPA) provides support and assistance to the FOSC, while serving as a co-chair for the Joint Response Team (JRT), and as the co-

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chair for the U.S. Regional Response Team, Region I (Co-chaired with U.S. EPA Region I).

2. **Joint Response Authority:** The Canada-United States Joint Marine Pollution Contingency Plan (JCP), provides a cooperative “bridge” mechanism between the domestic harmful noxious substance response authorities of the United States and Canadian Coast Guards to ensure these authorities are well coordinated in a cross border incident to maximize response effectiveness. The JCP requires joint preparedness and response efforts by the two Coast Guards within the Atlantic region, and is the basis for this Annex.

2.1 **Activation Authority:** Whenever a harmful noxious substance/pollution incident occurs in the contiguous waters, consideration by the Incident Commander, CCG Regional Director Coast Guard Incident Management or USCG District Commander will be given to activating the JCP and its Atlantic Regional Annex (CANUSLANT), and the Joint Response Team (JRT).

2.2 **Response Area:** The JCP applies to contiguous waters. The Atlantic contiguous waters are defined as those waters of and along the Bay of Fundy and the Gulf of Maine seaward to latitude 40° 27' 05" N, longitude 65° 41' 59"W, thence north along a bearing of 000° T to the Canadian shoreline (this line provides an eastern boundary to the contiguous waters, running from southeastern most point of the U.S./Canada Hague Line boundary to the southwest tip of Nova Scotia just west of Cape Sable Island).

2.3 **Harmful Noxious Substance Incidents:** The JCP provides for coordinated response to “Harmful Substance Incidents,” a broadly defined term that encompasses much of the domestic pollution response authority held by the two Coast Guards, excluding radiological substances, as stated in Section 103 of the JCP. The sections that address this from JCP are as follows:

“102.9. Harmful Substance: Subject to Canadian or United States national laws or regulations, means any substance which, if introduced into marine or fresh waters is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the waters, and includes but is not limited to:

- substances subject to control by the *International Convention for the Prevention of Pollution from Ships, 1973 as amended by the Protocol of 1978*;
- substances on the list of substances to which the *International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010* would apply;
- substances subject to the *Federal Water Pollution Control Act of 1972, as amended*;
- substances subject to the *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended*
- substances subject to the *Oil Pollution Act (OPA) of 1990, as amended*;

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- “pollutants” within the meaning of the *Canada Shipping Act, 2001*; and
- both oil and hazardous substances as described by the National Oil and Hazardous Substances Pollution Contingency Plan of the United States (NCP).”

“102.10. Harmful Substance Incident: A discharge, or threat of discharge of a Harmful Substance.”

“103.7. The JCP does not apply to radiological incidents. Such incidents are covered by the Canada/United States Joint Radiological Emergency Response Plan.”

### 3. Responsibilities:

3.1 **The Canadian Coast Guard**: Responsibilities of the CCG for responding to a spill or release of oil or pollutant are set out in the Canada Shipping Act. The CCG is the lead agency for spills from ships in Canadian contiguous waters, mystery spills and for spills from any source originating in foreign waters where it crosses into Canadian contiguous waters. The CCG Marine Spill Contingency Plan, National Chapter sets out CCG duties and response procedures. In an incident the following contingency plans apply:

- [Canada – United States Joint Marine Pollution Contingency Plan](#)
- [CCG Marine Spill Contingency Plan – National Contingency Chapter](#)
- CCG Marine Spill Contingency Plan – Atlantic Regional Chapter
- CCG Marine Spill Contingency Plan – New Brunswick Area Chapter

3.2 **The United States Coast Guard**: Responsibilities of the USCG for responding to a spill or release of oil or hazardous substances are set out in the Clean Water Act as amended by the Oil Pollution Act of 1990 (OPA 90), the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), as amended and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). Under OPA 90, the President is required to direct the response to spills that present a substantial threat to the public health or welfare of the United States. The responsibility for spills in the coastal zone has been delegated to the USCG. The NCP states that for discharges of oil or releases of hazardous substances the USCG Federal On-Scene Coordinator (FOSC) directs response efforts and coordinates all other efforts. The FOSC may designate capable persons from federal, state, tribal or local agencies to act as their on-scene representatives. The following contingency plans apply:

- [United States National Oil and Hazardous Substances Pollution Contingency Plan \(NCP\) \(Codified in regulation 40 CFR 300\)](#)
- [U.S. National Response Framework \(NRF\)](#)
- [Canada-United States Joint Marine Pollution Contingency Plan](#)
- [Canada-United States Joint Inland Pollution Contingency Plan](#)
- [Region I Regional Contingency Plan \(RCP\)](#)

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- First Coast Guard District Contingency Response Plan (OPLAN 9710-0706)
- [Maine – New Hampshire Area Contingency Plan \(ACP\)](#)
- [Plymouth to Salisbury, MA Area Contingency Plan \(ACP\)](#)
- Rhode Island and Southeastern Massachusetts Area Contingency Plan

3.3 **Polluter / Responsible Party (RP)**: It is always intended that the polluter or Responsible Party (RP) will take full responsibility, both operationally and financially, for the response to a spill, in Canada this requirement is clearly defined within the *Marine Liability Act*. The national laws and regulations of each country require some industries that handle harmful substances to prepare response plans that will guide initial polluter/RP efforts. The cognizant Government agencies will oversee the response, and if the response is inadequate in protecting human health, property, and the environment, then appropriate government authorities will direct the response operations in accordance with applicable legislation of the Party / Parties exercising jurisdiction.

4. **Plan and Exercise Authority**: Authority for maintenance of the operational supplement, its revision, and planning of joint exercises will be in:

Superintendent, Environmental  
Response  
Canadian Coast Guard Atlantic  
Region  
1 Southern Cross Road  
Mount Pearl, NL, A1C 5X1  
(709) 330-7163

Commander (drp)  
First Coast Guard District  
408 Atlantic Avenue  
Boston, MA 02110-3350  
(617) 223-4813



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## Section IV. Plan Review and Update

2. **Plan Updates**: The CCG and the USCG members in consultation with the members of the Joint Response Team (JRT) will review this plan in association with the exercise program and actual incidents, and incorporate lessons learned into this Annex from time to time per guidance contained in JCP Section 1100.
3. **Distribution**: The CCG and the USCG will jointly distribute agreed upon amendments to this plan to stakeholders and response partners..
4. **Revision Record**: Upon receiving a plan change, follow the transmittal instructions and enter the record of the change on the revision record, located on page iii.
4. **Revision Requests**: All requests or suggestions for revision to this annex should be forwarded to the the Regional Director, Coast Guard Incident Management, Canadian Coast Guard, Atlantic Region and the Commander, First U.S. Coast Guard District (drp) at the address listed in Section III.

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## Section V. Pattern of Response

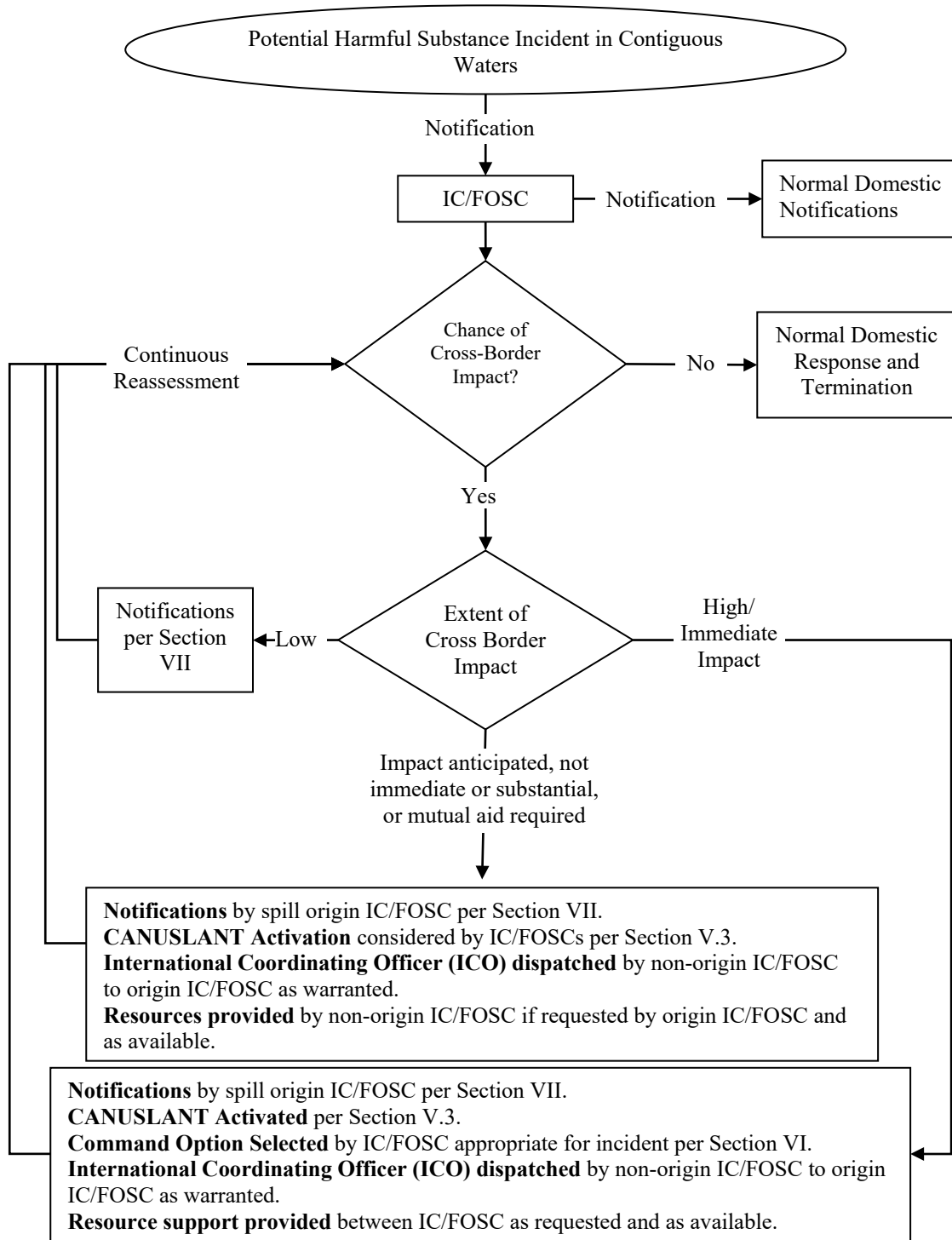
### 5. CANUSLANT Activation for cross border incidents:

- 1.1 **Activation Authority:** Whenever a harmful substance/pollution incident occurs in the contiguous waters, consideration by the Incident Commander and Regional Director, Incident Management, CCG-Atlantic Region, or USCG First District Commander will be given to activating the JCP and its Atlantic Regional Annex (CANUSLANT), and the Joint Response Team (JRT).
- 1.2 **CANUSLANT Justification:** The following circumstances justify the activation of CANUSLANT:
- When a high likelihood exists for cross-border impact from pollution.
  - When actions or inaction on one side of the border may result in impacts to the shores or waters of the other country.
  - When the magnitude of the incident is such that the timely availability of resources to the federal/state/provincial, Tribal/Indigenous, or local level results in a request for assistance.
- 1.3 **Activation Method and Notifications:** Figure 2 depicts the process of effecting notification, activating the plan, dispensing resources based on the risk level (i.e. likelihood) for cross-border impact from pollution and appropriate actions based on the level of risk.

CANUSLANT can be verbally activated (and deactivated) by the Assistant Commissioner, CCG-Atlantic Region/Commander, First US Coast Guard District. When the decision is made to activate CANUSLANT, the JRT Co-chairs will notify JRT members, and unified command members. Whenever practical, every effort will be made to communicate and reach consensus with the relevant state/provincial governments and Tribal/Indigenous authorities prior to invoking CANUSLANT.

It is suggested that a written confirmation of the decision to activate CANUSLANT including date, time, name and contact number of the requesting party, and a summary of the situation will be generated by the originating party and relayed to the other parties as soon as practicable (refer to Section VII of the JCP). It is the joint responsibility of the JRT Co-chairs to ensure that the members of other appropriate agencies are informed that CANUSLANT has been activated.

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**Figure 2 - Notification, CANUSLANT Activation and Coordination of Response flowchart**

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## Section VI. Organizational Structure

### 6. Command and Control Systems:

- 1.1 Canadian Incident Command System: The Incident Command System (ICS) will be used to manage response operations within Canadian territorial waters.
- 1.2 U.S. Incident Command System: The United States National Incident Management System-Incident Command System (NIMS-ICS) will be used to manage response activities within the United States.

### 2. Command Posts:

- 2.1 Single Incident Command Post: A single incident command post is appropriate when an incident predominantly impacts one side of the border and the other country is called upon to render mutual aid or when cross-border impacts may occur but are distant in time and/or space. The other country may send an International Coordinating Officer (ICO) to represent them and to help coordinate mutual aid and facilitate communications between the two countries. The ICO may be a single individual or a team depending on the size and scope of the incident.
- 2.2 Two Incident Command Post Organization: If both countries are going to be affected by the spill, a two Incident Command Post organization may be more practical. This concept requires continual synchronization between ICPs. Each country's ICP will develop an Incident Action Plan with their objectives and priorities.

The two ICPs should work to coordinate at all levels. Coordinating the use of alternative countermeasures, public information releases, and the sharing of resources are particularly critical to a successful joint response.

It is recommended to use one time zone for operations between ICPs. Time zone should be agreed upon by the Incident Commanders. For more information see Appendix Q.

- 2.2.1. Two Incident Command Posts with International Coordinating Officers (ICO) and support staffs. The two ICP concept requires ICOs to coordinate between ICPs. In this structure, ICOs (typically from each nation's Coast Guard, but not limited to) will serve as the primary channel between the ICPs and will work for their nation's IC.
- 2.2.2. Recommended International Coordinating Officer Support Staff: If two ICPs are established, ICOs with potential support staff should be dispatched to each nation's ICP, commensurate with the scale of the response and as required by the incident.

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2.2.3. The Role of the International Coordinating Officer (ICO). The ICO will be physically located at the other country's ICP but will report to the Incident Commander (IC) of their country.

Duties of the ICO include, but are not limited to:

- Enhance cooperation and understanding between OSCs of both countries.
- Coordinate on tactical matters to achieve unity of effort.
- Request resources and scientific support to affect operational objectives.
- Ensure understanding of policy and guidance and coordination measures.

2.3 Area Command with two or more Incident Commands: An incident that crosses international borders could quickly become complex and overwhelm local and regional assets. Therefore, if the response plan is initiated, an Area Command (AC) may be established, if determined necessary, by the governments of the United States and Canada.

2.3.1 The AC does not, in any way, replace the on-scene incident organization command function. The main purpose of the AC is to focus primarily on strategic assistance and direction and resolving competition for scarce national resources. The AC will:

- Establish strategic objectives and priorities.
- Establish a battle rhythm for reporting the incident status to keep upper levels of governments informed.
- Enhance communications with the partnering nation.
- Assist with interagency and elected official outreach.
- Assist with requests for assets on a national level.
- Assist with media relations.

2.3.2 The AC will be led by the Commander, First Coast Guard District for the United States and the Assistant Commissioner, Canadian Coast Guard, Atlantic Region for Canada or their designated representatives.

2.3.3 The AC will designate a Planning Section Chief who will be responsible for facilitating meetings and for collecting, evaluating, and sharing information.

3. **Canadian ICP Staffing:** Primary government representatives to the Incident Command System, their support staff, and resources are as follows:

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## 3.1 Canada, Incident Commanders:

### 3.1.1 Incident Commander

Superintendent Environmental Response  
Canadian Coast Guard Atlantic  
PO Box 5667  
St John's, NL A1C 5X  
Phone (24 hours): (902) 426-6030  
Phone (0800 - 1600) (902) 426-3699  
Cell: 902-497-0065

### 3.1.2 Alternate Incident Commanders

Senior Response Officer  
Canadian Coast Guard - Saint John  
PO Box 700, Station "A"  
Saint John, NB, E2L 4B3  
Phone: (506) 636-4714/6

### 3.1.3 Regional Director Incident Management

Canadian Coast Guard Atlantic Region  
PO Box 1000  
Dartmouth, NS B2Y 3Z8  
Phone: 902 426-9022

## 3.2 Canada, Critical Personnel:

### 3.2.1 Manager, Preparedness and Response

National Environmental Emergencies Centre (NEEC),  
Environment and Climate Change Canada  
105 McGill Street, 7th Floor,  
Montreal (Quebec) H2Y2E7  
Phone: (514) 283-0195  
24 HR: (866) 283-2333

### 3.2.2 Alternate:

Regional Director  
Environment and Climate Change Canada  
Atlantic Environmental Protection Operations  
45 Alderney Drive  
Dartmouth, Nova Scotia, B2Y 2N6  
Phone: (902) 426-3593

Regional Director - Marine Safety  
14<sup>th</sup> Floor, Queens Square  
45 Alderney Drive, Dartmouth, NS, B2Y 2N6

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Phone: (902) 426-2060

4. **United States ICP Staffing:** Primary government representatives to the Incident Command System and their support staff and resources are as follows.

4.1 United States, On-Scene Coordinators:

4.1.1 Federal On-Scene Coordinator:

Commander, USCG Sector Northern New England  
259 High Street  
South Portland, ME 04106-0007  
Phone 207-767-0320 (24 hours: 207-767-0303)

4.2 State of Maine Oil Spill Coordinator:

4.2.1 Director of Response Operations,

Maine Department of Environmental Protection.  
Station #17, State House  
Augusta, ME 04333  
Phone: 800-482-0777 (24 HR Spill Line)  
207-287-7190

4.3 Scientific Support Coordinator for the OSC (and Joint Environmental Team):

4.3.1 NOAA Scientific Support Coordinator

Gloucester, MA  
Phone: 617-877-2806  
24 Hours: 206-526-4911

4.4 Environmental Protection Agency:

4.4.1 Emergency Planning and Response Branch Chief

EPA New England, Region 1  
Post Office Square, Suite 100  
Boston, MA 02109-3912  
Phone: 617-918-1236

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## Section VII. Notification Procedures

### Emergency Notifications

7. **Notifications to Canada.** In the event of a harmful substance/pollution incident in U.S. contiguous waters that requires notification to the Canadian authorities the following office shall be notified:

Department of Fisheries and Oceans - Coast Guard Casualty/Pollution: 1-709-772-7043 (24-hour number) or 1-800-565-1633.

8. **Notifications to United States.** In the event of a harmful substance/pollution incident in Canadian contiguous waters that requires notification of the U.S. authorities the following notifications will be made:

Sector Northern New England: 207-780-0303 (24-hour number)

National Response Center: 800-424-8802 (24-hour U.S. number)  
202-267-2675 (from Canada)  
202-267-2165 (fax)

First District Command Center: 617-223-8555 (24-hour number)

9. **Notification Procedures.** The attached form should be used for activation and deactivation notifications.



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<b>Canada – U.S</b>					
<b>Spill Notification / Activation / Deactivation Form</b>					
<input type="checkbox"/> <b>Notification Only</b>		<input type="checkbox"/> <b>Activation</b>		<input type="checkbox"/> <b>Deactivation</b>	
Reference Number				Initiating Country	
Incident Name				Number of Pages (including cover)	
2.	Date Submitted:			3.	Time Submitted:
4 (a).	From (Country / Agency):			5 (a).	To (Country / Agency):
4 (b).	Name / Position:			5 (b).	Name / Position:
4 (c).	Fax / Telephone:			5 (c).	Fax / Telephone:
4 (d).	Email:			5 (d).	Email:
6. Type of Incident (Primary Cause/ Secondary):					
7. Incident Date/ Time:					
8 (a). Product Type:		8 (b). Source of Pollution:			
9 (a). Volume Released (bbl):		9 (b). Max Potential (bbl):			
10. Is Source Secured?			Yes <input type="checkbox"/>		No <input type="checkbox"/>
			If Yes -Date/Time/Method Used to Secure:		
			If No – Mitigation Measures Currently in Place:		
11. Geographic Location of Incident (Port/ Body of Water):					
12. Position:			Latitude:		Longitude:
13. Potential for Trans-boundary Impacts?			Yes <input type="checkbox"/>		No <input type="checkbox"/>
<b>14. Acknowledgement of Notification Received</b>					
Date/Time Acknowledged				Name/Organization	
Signature:					

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Comments (optional):			
<i>Note: The notifying Participant should, at a minimum, send Page 1 of this form when making a notification for informational purposes only, marking the “Notification” box at the top. If trans-boundary implications are present, mark the “Activation” block and provide additional information (in subsequent pages of this form) specific to the applicable Annex and amplifying incident details. Once the Joint Response Team determines that a Deactivation is appropriate, mark the “Deactivation” block. Receiving Participant should ensure to acknowledge receipt and return to Notifying Participant.</i>			
<b>15. Incident Command Information</b>			
15 (a). Lead Agency:			
15 (b). Command Post Location:			
15 (c). Request International Coordination Officer Activation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
<b>16. Situation Assessment</b>			
16 (a). Current Assessment	16 (b). Complicating Factors		
	16 (c). Mitigating Factors		
	16 (d). Additional Factors		
<b>17. Vessel Information</b>			
17 (a). Name of Vessel		17 (g). Length of Vessel	
17 (b). Flag		17 (h). Draft of Vessel	
17 (c). Owner/Operator		17 (i). Document/Official Number	
17 (d). Last Port of Call		17 (j). Next Port of Call	
17 (e). Cargo Type/Amount		17 (k). Fuel Type/Amount	
17 (f). Vessel Aground?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
<i>Additional vessel(s) involved? If so, attach to end of form.</i>			
<b>18. Pollutant Information</b>			
18 (a). Type of Pollutant		18 (d). Amount Spilled (bbl)	
18 (b). Potential Amount/Capacity (bbl)		18 (e). Sheen/Slick Length & Width	

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18 (c). Direction of Movement		18 (f). Color	
19 (a). Air Temperature		19 (e). Sea State	
19 (b). Wind Direction		19 (f). Wind Speed	
19 (c). Precipitation Type		19 (g). Visibility	
19 (d). Ice Coverage?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Coverage:</b> ____ %
20 (a). Has the Responsible Party Retained a Contractor?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	
	20 (b). Contractor Name:		
	20 (c). Contractor Capabilities/Resources Requested:		
Additional comments/information (e.g., cause of incident, areas impacted, immediate implications, trajectories, maps, charts, forecast weather conditions, etc.):			
22 (a). Name of Vessel		22 (g). Length of Vessel	
22 (b). Flag		22 (h). Draft of Vessel	
22 (c). Owner/Operator		22 (i).	

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		Document/Official Number	
22 (d). Last Port of Call		22 (j). Next Port of Call	
22 (e). Cargo Type/Amount		22 (k). Fuel Type/Amount	
22 (f). Vessel Aground?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Not Applicable</b> <input type="checkbox"/>

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## Section VIII. Procedures for Customs and Immigration Clearances

This section provides procedures for ensuring that necessary equipment and personnel receive appropriate customs and immigration clearances, respectively, to support response when such resources are not available in a timely manner within one of the nations in a cross boundary response. The material in this section is also summarized in a checklist available within this section.

### 1. Canadian procedures for incoming United States personnel and equipment:

1.1 **Canadian Customs Regulations:** The Canada Border Services Agency has established procedures to facilitate the movement of goods for emergency use across the Border from the U.S., and for the remission of customs duty and excise taxes for such goods. The Temporary Importation (Tariff Item No. 9993.00.00) Regulations provide full relief from the payment of the customs duties. *The Goods for Emergency Use Remission Order* provides full relief from the Goods and Services Tax/Harmonized Sales Tax (GST/HST) that would otherwise be owed on these goods. The instructions are contained in [Customs D Memorandum D8-1-1, June 1, 2020](#). Items temporarily imported shall use Special Authority Code 73-2529

In the case of such an emergency there are two other key appendices contained in the Customs D Memorandum, Appendix B provides guidelines and information regarding the temporary importation of emergency equipment and Appendix C which provides guidance on the definition of an emergency

### Contact Numbers:

The contacts below can be used to seek information regarding importations in response to an emergency, they may also put you in direct contact with a specific CBSA office.

Between 8:00-16:00 weekdays: BIS 204-983-3500 or 506-636-5064 press 0 to speak with an agent

Between 16:00-8:00 weekdays and weekends: BOC (613) 952-9900

Officials of federal, provincial or municipal governments declare emergencies. When time or circumstances do not permit an official notice of an emergency, Customs Officers will have to assess the situation as it develops by consulting with local response agencies. When time permits, a Temporary Admission Permit E29B will be issued covering all equipment and supplies. This permit will be issued covering emergency supplies and equipment without collection of security (duty or Goods and Services Tax [GST]). In the case of release of

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goods where Customs or RCMP officers are not in attendance, a record kept by a responsible individual (i.e. chief of police, a municipal mayor, provincial government representative or other individual charged with responsibility of directing the emergency countermeasures) will be accepted for the purpose of completing form E29B. When the situation is urgent, the paperwork will be reduced to a simple blotter record on the E29Bs describing the goods in general terms and a Form E29B may be completed after the fact. The E29B is cancelled whenever the responsible individual involved, provides evidence that the goods have been consumed or destroyed in resolving the emergency or have been exported from Canada. Proof of exportation is not required in respect of goods consumed or destroyed in response to an emergency. Such goods may be accounted for on form B3 after the emergency.

**1.2 Canadian Customs Procedures:** The CCG OSC will notify the CBSA office at the Port of Entry by contacting the principal or alternate contact, or if after-hours; weekends; or holidays the number in Ottawa. These contact numbers are listed in the second paragraph of Section 1.1 above.

The driver of the vehicle/vessel/aircraft transporting goods to Canada should adhere to the following:

- Carry two copies of the equipment list including serial numbers and monetary value;
- Stop at USCBP during crossing to get the equipment list stamped. A copy of any lists presented to Canada Customs, preferably with some type of Canada Customs stamp, should expedite the return of equipment to the United States;
- Present the list to CBSA for clearance approval. Should problems arise ask to speak to a Superintendent; and
- Report to CBSA when leaving Canada so that temporary admission permits can be canceled.

**1.3 Immigration and Refugee Protection Act and Regulations:**

Emergency response personnel may be granted entry under the Immigration and Refugee Protection Regulations pursuant to section 186(t), which allows them to be granted admission as personnel responding to an emergency, and forego the requirement to obtain a work permit. It is advised that personnel carry proof of citizenship. Provisions under the Immigration and Refugee Protection Act, section 24(1) provide for case by case admission for people who are otherwise inadmissible, when an officer is of the opinion that admission is justified due to the circumstances. This will be assessed on a case by case basis.

**1.4 Canada Border Services Agency Procedures into Canada:**

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Canada Border Services Agency may grant temporary authority to work in Canada on an emergency basis. To facilitate the process of gaining temporary authority to work in Canada, United States citizens should notify the specific port of entry of their needs prior to arriving for entry into Canada. It is also advisable for United States citizens to arrange for an official of a Canadian agency involved in the emergency situation (e.g. Canadian Coast Guard) to contact Canada Border Services Agency and confirm the need for their entry into Canada.

## 2. United States procedures for incoming Canadian Equipment and Personnel:

2.1 **Customs and Excise Regulations:** During an emergency, United States Customs and Border Protection's Regulations provide for the assisted movement of work force and equipment from Canada into the United States. *Title 19, United States Code Section 1322, International traffic and rescue work, (b) states (in part):*

“The Secretary of Homeland Security may provide by regulation or instruction for the admission, without entry and without the payment of duty or tax imposed upon or by reason of importation of pollution countermeasure, rescue, and relief equipment and supplies for emergent temporary use in connection with floods and other disasters.”

Pursuant to this section, U.S. Customs Regulations allow rescue and relief equipment into the country without payment of duty at their discretion.

2.2 **Customs and Exercise Procedures:** When federal involvement becomes necessary in a cross border incident, the On-Scene Coordinator will notify the United States Customs and Border Protection Port Director that the JCP has been activated to deal with a harmful substance incident affecting or threatening the United States and that CANUSLANT has been activated. The telephone notification will be confirmed with a fax to U.S. Customs. Please refer to checklist under paragraph 3 for step by step procedures and telephone numbers.

The United States Customs and Border Protection Port Director may authorize or direct the following:

- U.S. Customs and Border Protection should be notified as soon as possible if not before the arrival in the U.S. of any carrier and/or equipment. This may be done by telephone, email and/or fax if necessary. In no way shall any carrier responding to an emergency be delayed by U.S. Customs and Border Protection to report its arrival as long as the carrier is in compliance with all applicable US laws.
- Expedited entry/clearance for response equipment involved with emergency response with no duty or other fees to be collected (clearance is valid for 90 days).
- Where equipment and personnel enter the United States at other than a port of entry, e.g., air or water, it must be reported to United States Customs and Border Protection

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within 24 hours, or as soon as is practicable.

- Material, equipment and supplies dispatched from Canada must remain under supervisory control of an appropriate Canadian authority.
- Equipment brought into the United States must be returned to Canada within 90 days unless an extension is granted or other arrangements are made at the time of entry or during the response. Consumables need not be brought back into Canada and may be disposed of in the United States.
- Equipment returning to Canada must be inspected and approved by U.S. Customs and Border Protection prior to the leaving the United States.

The U.S. Customs and Border Protection Port Director at each Port of Entry in Maine, is the key point of contact for the resolution of U.S. - Canadian Customs issues occurring at the border. In an actual emergency, the Port Director has authority to waive regulations and can expedite the movement of equipment personal and resolution of related issues.

- 2.3 **Employment and Immigration Regulations:** The Immigration and Naturalization Act provides the U.S. Customs and Border Protection the responsibility for regulating the movement of people across the international borders of the U.S. This includes the ability to expedite the movement of emergency workers from Canada into the U.S., upon request from the U.S., to assist in responding to emergencies.

Section 212(d)(3) of the Immigration and Naturalization Act provides the U.S. Customs and Border Protection, the discretion to allow Canadian workers with special skills who might not otherwise be allowed into the U.S. to temporarily enter the U.S. to assist in the response.

- 2.4 **Employment and Immigration Procedures:** The following procedures provide procedures for the movement of workers with special skills from Canada into the United States to assist with response.

- When United States federal involvement in a cross-border incident becomes necessary, the On-Scene Coordinator will notify the U.S. Customs and Border Protection of an international maritime pollution incident and the need for trained Canadian workers to support the emergency response.
- The official must specify that the Canada/United States Joint Contingency Plan and CANUSLANT have been activated. Initial telephone notification will be followed up with a call to the USCBP and the FOSC.
- The USCG certifies to the US CBP



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- insufficient trained response workers are available to respond in a timely manner.
- Response organizations must provide safe transport for an USCBP Officer to inspect response operations.
- U.S. Coast Guard should provide 24-hour advanced notice if possible.
- Workers from Canada may work only 90 days in the United States unless other provisions are made.
- Upon departing the United States, the Canadian workers must check out through an USCBP POE.

The U.S. Customs and Border Protection Port Director at the POE is the key point of contact for the resolution of U.S. - Canadian Immigration issues occurring at the border. In an actual emergency, the Port Director has authority to waive regulations and expedite the movement of people/resolution of related issues. A supervisor at the main CBP port of entry can be contacted 24 hours a day/7 days a week by calling (207) 904-3000 and entering 1# or 3#.

### Checklist for Customs and Immigration Procedures (Canada and U.S.)

#### United States into Canada

Item #	Action Items <u>prior</u> to leaving for the Border.	Yes	No	Notes
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1	Has the JCP-CANUSLANT Annex been activated?			Activation Authority: On-Scene Commander/On-Scene Coordinator, Regional Director, or District Commander
2	Has the OSC requested personnel or equipment assistance from the U.S. into Canada?			
3	Has the Canadian Coast Guard informed Canada Border Services Agency and Canadian Citizenship and Immigration at the port of entry that the JCP been activated and US equipment and/or personnel will be crossing the border?			Responsibility for Task 3: Canadian JRT Co-Chair (Superintendent Environmental Response). Telephone Notification to be confirmed with Fax to Customs/INS and FOSC)
4	Has the USCG or U.S. contractors forwarded their personnel and equipment lists to the CCG?			
5	Are the lists of personnel and equipment complete?			List should include equipment make, serial number, model number
6	Have these lists been forwarded to Canada Border Services Agency and Canadian Citizenship and Immigration at the border crossing point?			Between 8:00-16:00 weekdays – Phone (613)952-4113, Alternate contact- (902) 426-4910  Between 16:00-8:00 weekdays and weekends: (613) 952-9900
<b>Item #</b>	<b>Action Items while <u>en route</u> to the Border.</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
1	Prior to leaving the U.S., ensure a duplicate copy of the personnel and equipment list accompanies each vehicle or vessel.			
2	Ensure each vehicle or vessel has contact information for the CCG in case there are problems at the border.			
3	Upon arriving at the border, stop at the U.S. side of the border and have the lists stamped.			
4	Present the lists to a Canada Border Services Agency agent at the border with the list. If there is a problem, ask for the Senior Officer or Superintendent.			
5	Are there any problems? If so, contact the CCG personnel who requested the equipment or personnel.			

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<b>Checklist for Customs and Immigration Procedures (Canada and U.S.) Canada into United States</b>				
<b>Item #</b>	<b>Action Items <u>prior</u> to leaving for the Border.</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
1	Has the JCP-CANUSLANT Annex been activated?			Activation Authority: On-Scene Commander/On-Scene Coordinator, Regional Director, or District Commander
2	Has the OSC requested personnel or equipment assistance from Canada into the U.S.?			
3	Has the United States Coast Guard informed U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement at the port of entry that the JCP been activated and Canadian equipment and/or personnel will be crossing the border?			Responsibility for Task 3: Sector Northern New England, FOSC. Telephone Notification to be confirmed with Fax to Customs/USCIS and D1 JRT Co-Chair)
4	Has the CCG or Canadian contractors forwarded their personnel and equipment lists to the USCG?			
5	Are the lists of personnel and equipment complete?			List should include equipment make, serial number, model number
6	Have these lists been forwarded to U.S. Customs and Border Protection and U.S. Citizenship and Immigration Service at the border crossing point?			Border Crossing Point: Likely Calais ME. Customs: (207) 454-3621, fax 454-7122 USCIS Calais: (207) 454-2546 USCIS Houlton Sector: (207) 532-6521

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Item #	Action Items while <u>en route</u> to the Border.	Yes	No	Notes
1	Prior to leaving the Canada, ensure a duplicate copy of the personnel and equipment list accompanies each vehicle or vessel.			
2	Ensure each vehicle or vessel has contact information for the USCG in case there are problems at the border.			
3	Upon arriving at the border, stop at the Canadian side of the border and have the lists stamped by Canada Customs.			
4	Present the lists to Inspector at the border with the list. If there is a problem, ask for the Senior Officer or Superintendent.			
5	Are there any problems? If so, contact the USCG personnel who requested the equipment or personnel.			
6	Retain copies of the lists for re-entry into Canada.			Workers from Canada may only work 90 days in the United States unless other provisions are made

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### Section IX Foreign Registry Vessels (Coastal Trade Law Exemptions)

The Coastal Trading laws of the United States and Canada generally provide for the use of domestic vessels involved in coastwise service and operations. This section describes exemptions available during harmful substance/pollution incident. The included checklist facilitates the use of foreign flagged vessels in response actions.

#### 10. Authorities:

##### 1.1 U.S. vessels operating in Canadian Waters:

- 1.1.1 **The United States Wreckers Act** (a Canadian Act) allows U.S. Vessels, without restriction by the customs or coasting laws of Canada, to salvage any property wrecked and may render aid and assistance to any vessels wrecked, disabled, or in distress, in the waters contiguous to the U.S., and provided that a reciprocal privilege with respect to Canadian vessels exists in the U.S
- 1.1.2 **Section 3(2)(d) of the Coasting Trade Act** permits foreign or non-duty paid ships engaged in salvage operations outside of Canadian waters. (12 miles Territorial Sea limit). The Coasting Trade Act does not permit a Foreign ship or non-duty paid ship to be engaged in the coasting trade, unless it has been issued a license, OR as permitted by the section 3(2)(e) of the Coasting Trade Act, whereby a foreign ship or non-duty paid ship, is engaged with the approval of a person designated as a pollution Prevention Officer(PPO) under section 174 of CSA 2001 or authorized under paragraph 11(2)(d) of the same Act. The Coasting Trade Act does not prevent operations by U.S. flagged vessels which are permitted under the United States Wreckers Act.
- 1.1.3 **Article II of a 1908 Treaty between the United States and Canada**: Both countries agreed vessels from either country “may salvage any property wrecked and may render aid and assistance to any vessel wrecked, disabled or in distress in the waters or near the shores of the other country...” Vessels operating under the terms of this treaty shall report, as soon as possible, to the nearest Customs House of the country in whose waters the operation took place.

##### 1.2 Canadian vessels operating in U.S. Waters:

- 1.2.1 **46 App. U.S.C. § 883 (Section 27 of the Merchant Marine Act of 1920 (the Jones Act))**: Provides that only vessels built in, documented under the laws of, and owned by citizens of the U.S. may carry merchandise between points in the U.S. However, there are a number of recognized U.S. Code exemptions that apply to the Jones Act.

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- 1.2.2 **Jones Act Waivers.** Requests for waivers of certain provisions of the act are reviewed by U.S. Department of Transportation (DOT) Maritime Administration (MARAD) and the Department of Homeland Security (DHS) on a case-by-case basis. DHS issues the waiver based on assistance from MARAD in determining the necessity and extent and duration of waiver by identifying available U.S. flagged sealift capacity. Waivers can be granted in cases of national emergencies or in cases of strategic interest.
- 1.2.3 **46 U.S.C. § 80104** specifically authorizes Canadian vessels to conduct salvage operations pursuant to the 1908 treaty above.
- 1.2.4 **46 USC § 80105** provides that Canadian vessels and wrecking equipment may give aid to Canadian or other vessels and property wrecked, disabled, or in distress in the waters of the United States contiguous to Canada as long as reciprocity remains in force. This provision is self-executing assuming the reciprocity requirement is still met.
- 1.2.5 **46 U.S.C. § 55113** Provides that a foreign-flagged “oil spill response vessel” may operate in waters of the U.S. on an emergency and temporary basis, for the purpose of recovering, transporting, and unloading in a U.S. port oil discharged as a result of an oil spill in or near those waters under if:
- 1.2.5.1 An adequate number and type of oil spill response vessels documented under the laws of the United States cannot be engaged to recover oil from an oil spill in or near those waters in a timely manner, as determined by the Federal On-Scene Coordinator for a discharge or threat of a discharge of oil; and
  - 1.2.5.2 The foreign country has by its laws accorded to vessels of the United States the same privileges accorded to vessels of the foreign country under this section.
    - 1.2.5.2.1 Therefore, under this provision, as long as Canada offers reciprocal privileges, which they currently do, when *adequate* and U.S. vessels are not *timely* available, Canadian oil spill response vessels may be employed. This provision is self-executing once the Federal On-Scene Coordinator makes that determination.

## 2. Procedures for using Canadian vessels in harmful substance incident response:

- 2.1 **46 App. U.S.C. § 883 (Section 27 of the Merchant Marine Act of 1920 (the Jones Act))** provides that only vessels built in, documented under the laws of, and owned by citizens of the U.S. may carry merchandise between points in the U.S. In some limited circumstances, such as national defense (46 U.S.C. § 501), it may be necessary to obtain a waiver for use of Canadian-flagged vessels within U.S. waters. For use of Canadian vessels in response to a harmful substance incident that does not fall under

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the oil response or salvage exemptions, the FOSC may contact the legal office to seek a Jones Act waiver from Coast Guard Headquarters.

- 2.2 The U.S. FOSC must inform U.S. Customs and Border Protection as soon as the determination is made that a Canadian vessel is necessary.
- 2.3 **Related Customs and Immigration Procedures:** When CANUSLANT is activated, harmful substance incident response/salvage vessels will be crossing from the waters of one country into the other; the customs and immigrations notifications and procedures outlined in Section VIII and the included checklist (procedures for workers/equipment crossing the border) shall be followed.
- 2.4 **Salvage Vessel Use Notification:** Pursuant to operations taken under the 1908 treaty, if a vessel from a non-host country engages in a salvage operation in the waters of the host country, the owner/master of the vessel shall make a full report of the operation, as soon as possible, to the nearest Customs House of the country in whose waters the operation took place.
- 2.5 **Salvage and Rescue Vessel Resources:** Appendix B and Appendix F list/reference response, salvage, and rescue resources.

### Checklist for Canadian Flagged vessels in U.S. Waters

<b>Use of Canadian flagged vessels in U.S. waters (for hazardous spill response)</b>				
Item #		Yes	No	Notes
1	Will U.S. vessel responders be both <i>adequate</i> and <i>timely</i> ? (46 U.S.C. §55113)			If NO, FOSC can employ Canadian response vessels.
2	If Canadian response vessels are available and deemed necessary, the FOSC will notify CPB.			NOTIFICATION ONLY to CPB (CPB cannot decline Canadian vessel employment)
3	Once customs notification is made, the Canadian vessels can commence response.			
<b>Use of Canadian flagged vessels in U.S. waters (for salvage)</b>				
Item #		Yes	No	Notes
1	Are there salvage operations that call for assistance from Canadian responders? (46 U.S.C. § 80105)			If YES, Canadian response vessels may engage.
2	If Canadian response vessels are available and initiating salvage response, the FOSC will notify CPB.			NOTIFICATION ONLY to CPB (CPB cannot decline Canadian vessel employment)

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### **Section X. Exercises and Training**

#### **1. Exercises**

1.1 An CANUSLANT exercise plan will be developed in accordance with Section 302 of the JCP.

1.2 The CANUSLANT exercises will be developed and documented cooperatively. Exercises may include a notification exercise, table top exercise, equipment deployment exercise, area exercise or other relevant activities. Joint exercises may be conducted in conjunction with each participant's national exercise program. Exercise goals may also be met through actual joint pollution responses.

1.3 At a minimum, the CANUSLANT exercise plan should include a discussion based exercise which can include a workshop, seminar or table top exercise at least once every five years. Each nation will alternate hosting exercises. In addition, participation in a national level exercise, as defined in Section 102.18 of the JCP, may be required based on the National Exercise Plan.

1.4 The desired ARA exercise plan will be a cycle of workshops and seminars to build the plans, a table top exercise to discuss the plans building up to an operations based exercise (drill or functional exercise) to test the plans. The CCG Incident Commander and USCG Federal On-scene Coordinator, and the responsible exercise coordinators, will document lessons learned. Lessons learned should be shared with all affected agencies, the authorities responsible for the Regional Annexes. Lessons learned will be taken into account with a view to amend the JCP and the Regional Annexes as required from time to time per Section IV of this Annex.

#### **3. Training**

3.1 Shared Training opportunities enhance the CCG/USCG partnership as well as increased responder proficiency and capabilities at the regional level. Regional bi-lateral training opportunities, if applicable to their Annexes, should be shared with the National JCP Committee in order to be incorporated into the national training schedule.



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## **Section XI. Issue Resolution**

2. As provided for in Section 405 of the JCP, any issue in dispute will be referred, as expeditiously as possible, to the CCG Incident Commander and/or the USCG Federal On-scene Coordinator for resolution consistent with the respective laws of the relevant Party. Issues arising from differences in interpretation or application should be resolved by the CCG and the USCG through discussion and consensus. The Participants concur that issues in dispute, excluding cost recovery, should not be referred to courts of law or arbitrators.
3. Should the issue in dispute not be resolved at the local level, it will be referred, as expeditiously as possible, to the U.S. and Canadian Co-Chairs of the Joint Response Team defined in Appendix H. If issues cannot be addressed by the Co-Chairs in concert with Joint Response Team members as appropriate, the issue shall be further raised to the Area Command, if established, consisting of the CCG Assistant Commissioner and the USCG District Commander for resolution, or their respective delegates.
4. Should the issue in dispute not be resolved at the local or area level, it should be referred, as expeditiously as possible, to the co-chairs of the National JCP Committee for resolution. The CCG Incident Commander or the USCG Federal On-scene Coordinator making such a referral will notify his/her counterpart that the referral is being made.

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## *Appendix A. Communications*

During the notification stage of an incident involving CANUSLANT activation, communications will generally be through the telephone system. When and where possible all available technical communication means in place to support the JRT will be employed during an incident. Contact information will be shared with Command Post/Area Command as necessary

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### *Appendix B. Response Resource Inventory*

#### 5. **Canada Response Resources:**

5.2. Inventory data for the CCG is maintained in the MAXIMO database. Any resourcing requests or inquiries should be referred to the CCG Incident Commander.

5.3. Certified Canadian Response Organizations (ROs) in the Maritimes are:

5.3.2. Atlantic Emergency Response Team (ALERT<sup>®</sup>) Inc  
11, Expansion Avenue, Saint John, NB E2R 1A6  
Phone: (506) 632-4499  
Email: [alertro@nb.aibn.com](mailto:alertro@nb.aibn.com)

1.2.2 Eastern Canada Response Corporation  
41 Mount Hope Ave. Woodside Industrial Park, Dartmouth, NS B2Y 4R4.  
Phone: (613) 930-9690 (24-hour), (902) 461-9170 (local)

1.2.3 Point Tupper Marine Services (PTMSC)  
4090 Port Malcolm Road, Point Tupper NS B9A 1Z5  
Phone: (902) 625-1711

#### 2. **United States Response Resources:**

2.1. United States Coast Guard response resources are listed in the Maine and New Hampshire Area Contingency Plan, Section 9210. Online access is available at: <http://homeport.uscg.mil/northernnewengland>. The State of Maine's Marine Oil Spill Contingency Plan, Appendix 1 contains a list of response and support equipment. It can be found at <http://www.maine.gov/dep/spills/emergspillresp/marine.html>.

Additional U.S. resource information is available on the following two categories of organizations.

##### 2.1.1 Oil Spill Removal Organizations (OSROs)

The U.S. Coast Guard classifies Oil Spill Removal Organizations based on removal systems and capacities available by Coast Guard Captain of the Port Zone. These OSROs and classifications are available in the Response Resource Inventory (RRI) published at <http://www.uscg.mil/hq/nsfweb/nsf/nsfcc/ops/ResponseSupport/RRIB/rri.asp>

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### 2.1.2 Basic Ordering Agreement (BOA) Contractors

The USCG has pre-established rates and services contracts with Basic Ordering Agreement (BOA) Contractors. These contractors are given preference in response for pre-establishing these agreements. A list of BOA contractors available to the USCG OSC is available at <http://www.uscg.mil/SILC/emergency.asp>

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### ***Appendix C. Resources at Risk***

This appendix describes geospatial information sharing requirements supporting the identification and prioritization of Resources at Risk in the International Response Zone. Geospatial information requirements are described here in accordance with the principles of the Incident Command System, and its concept of Resources at Risk, including: 1) Environmentally-Sensitive Areas and Wildlife, and 2) Archaeo-Cultural and Socio-Economic resources. Incident-specific priorities and response strategies are also considered.

#### **1. Environmentally-Sensitive Areas and Wildlife Resources**

Geospatial information describing environmentally-sensitive areas and wildlife in the International Response Zone includes:

- **Species of flora or fauna** where there are concentrations of individuals, early life-history stages are present, a substantial percentage of the population may be exposed, or they are legally protected or designated; or
- **Habitats** supporting specific life-history stages, migrations, propagation of species, or those that are legally protected or designated.

This data typically describes birds, fish, marine or terrestrial mammals, vegetation, habitats and shorelines.

#### **2. Archaeo-Cultural and Socio-Economic Resources**

Geospatial information describing Archaeo-Cultural and Socio-Economic resource sensitivities in the International Response Zone includes:

- Cultural assets, activities, or livelihoods that may be impacted by an environmental emergency or the resulting response, or
- Regulated socio-economic activities such as aquaculture, fisheries, oil and gas extraction, and tourism, or more generalized resources such as port areas and recreational areas, that may be impacted by an environmental emergency or the resulting response.

Archaeo-cultural data typically describe sites of cultural significance (e.g. archaeological, heritage, and indigenous), or locations and activities important to livelihoods (e.g.. subsistence fishing or harvesting). The International Response Zone contains a particularly rich abundance of historical, archaeological and indigenous resources. Both Canada and the U.S. have some information on sensitive cultural resources included with environmental sensitivity information, especially for registered historically significant resources. However, there is some information that is sensitive and may not be shared conventionally. The best sources for complete data on archaeological, historical and Indigenous resources are direct contacts with provincial, state and Indigenous representatives.

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Socio-economic data typically describe resource extraction activities (e.g. mining, oil and gas exploration or production, aquaculture, and fisheries, etc.), or activities with an environmental interaction. Major transportation hubs such as ferry or cruise ship terminals and important recreational destinations such as city or state parks or swimming beaches are also considered socio-economic resources.

### **3. Canada**

Geospatial information identifying Resources at Risk in preparedness to harmful substance incidents is collected from government agencies and authorities, indigenous communities, response organizations, industry and non-government organizations. The information is consolidated by Environment and Climate Change Canada's (ECCC) National Environmental Emergencies Centre (NEEC) for the purpose of informing response.

During a response to a harmful substance incident, the NEEC coordinates ECCC services and advice including the identification of Resources at Risk. Where a harmful substance incident requires multi-agency and stakeholder cooperation, the NEEC can convene an Environmental Emergencies Science Table (Science Table) to adapt the scale of response, access the right expertise and knowledge into a forum for rapidly moving information, and develop consolidated advice to respond to Resources at Risk concerns. Science Table is flexible and may include representation from government, indigenous communities, other local communities, response organizations, industry, non-government organizations and academic institutions where appropriate for the incident.

The NEEC uses web and desktop mapping applications to produce maps, reports and web map or feature services to share Resources at Risk as well as protection and cleanup priorities with response partners including the Lead Agency, resource agencies, response organizations, and the Incident Command System where appropriate.

### **4. United States**

Data on local environmental Resources at Risk from harmful substance incidents are collected and routinely updated in the U.S. by state and federal agencies such as the Maine Department of Inland Fisheries and Wildlife, Maine Department of Marine Resources, Maine Department of Agriculture, Conservation and Forestry, National Oceanographic and Atmospheric Administration (NOAA) Fisheries and the U.S. Fish & Wildlife Service. These data, along with preliminary protection strategies, are made available in a geospatial format to the response community for use in a harmful substance incident, through NOAA and/or the Maine Department of Environmental Protection. This information is also available through NOAA's web-based electronic

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Emergency Response Management Application (ERMA) and/or through paper or PDF copies of environmental sensitivity maps.

In the event of an incident, the environmental sensitivity data specific to the event will be analyzed, summarized and distributed by NOAA's National Ocean Service Office of Response and Restoration in partnership with other agencies within the Environmental Unit under the Planning Section of the Incident Command System-based Unified Command organization. Real time environmental information will be obtained through discussions with appropriate resources experts and managers from state, tribal and federal agencies, academia and non-profit institutions.

Passamaquoddy lands are located within the International Response Zone and headquartered in the U.S. at Pleasant Point and at Indian Township, Maine. Tribal participation is imperative for environmental issues concerning the region, and representation will be requested within the Environmental Unit. Contact the Passamaquoddy Tribe Environmental Office at (207) 853-2600 ext. 234 (Pleasant Point) and (207) 796-2301 (Indian Township).

Preliminary data from the State of Maine regarding historical and archaeological resources is maintained in GIS format by the Maine Department of Environmental Protection, Division of Response Services. This data is provided by the Maine Historic Preservation Commission. The Commission should be contacted directly for more specific information:

Dr. Arthur Spiess  
Senior Archaeologist  
Maine Historic Preservation Commission  
55 Capitol Street, 65 SHS  
Augusta, ME 04333-0065  
(207) 287-2132  
[arthur.spiess@maine.gov](mailto:arthur.spiess@maine.gov)

For marine archaeological artifacts in federal waters, including sunken vessels, the representative for the US Department of Commerce / NOAA, acting as the federal trustee, should be consulted.

There is also an abundance of tribal cultural resources in the area. Contact the Passamaquoddy Tribal Historic Preservation Office at:

Donald Soctomah, Director  
Passamaquoddy Tribal Historic Preservation Office, PO Box 159  
Princeton, ME 04668  
(207) 796-5533  
(207) 214-4051  
[soctomah@gmail.com](mailto:soctomah@gmail.com)

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### 5. Geospatial Information Sharing

Both Canada and United States are able to share geospatial information through a common GIS format from the Environmental Systems Research Institute (ESRI), which allows for the quick exchange of information across the border.

In Canada, the NEEC can produce maps and reports for distribution to key response partners using its web mapping applications. The NEEC can also produce secure web map or feature services that will allow viewing of appropriate data within the response structure. To access these services, a request must be made to the NEEC.

In the U.S., much of the sensitivity data is available from NOAA through ERMA's web mapping application for the Atlantic seaboard at <https://erma.noaa.gov/atlantic/erma.html>. This information would be augmented during a spill event, and shared within the response structure via a shared data repository.

For both countries, data sharing is restricted to appropriate users through password protection. Data may be subject to sharing limitations and agreements.



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### *Appendix D. Logistics – Command Posts*

1. **Canada**: Refer to the Canadian Coast Guard Marine Spills Contingency Plan – Regional and Area Chapters, and the Community Resource Guides for details of local contacts and procedures. SABS DFO’s St. Andrews Biological Station is equipped for up to 40 as a command option. It is recommended to use CCG Command Trailers to assist in LIC, Command and Finance / Logistics spaces. Other areas if seasons allow are the Community College Campus or Algonquin Hotel and Convention areas.. ALERT, Inc., the designated Response Organization for Saint John and surrounding areas has established a dedicated Incident Command post in Saint John for their use and support of the polluter. A Canadian Coast Guard OSC representative / liaison officer will be assigned to that location, as required, and will act as a conduit to the CCG OSC.
2. **United States**: The U.S. Coast Guard has exercised a command post location at The Boat School, in Eastport, Maine and the Washington County Community College in Calais, Maine. Also, a multi-purpose room at Coast Guard Station Eastport provides a facility for a small command post. When determining a command post location on the U.S. side of the border, there is a concern for housing responders due to the limited berthing resources in this remote area. Additional logistics information is contained in the Maine and New Hampshire ACP.

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### *Appendix E. Volunteers*

#### **1. Cross Border Volunteer Utilization.**

Volunteers will generally work within their own country during a harmful substances incident response, unless there are specific needs that only exist within the other country. No procedures are currently available for cross border volunteer utilization, and procedures must either be developed, or the volunteers may be hired such that they fall under the regimes for compensated workers.

#### **2. Canada Volunteer Utilization.**

- 2.1. The Canadian Coast Guard along with its response partners does not actively initiate a deployment of volunteers in the event of an emergency.
- 2.2. These evaluated and trained staff as required will then be deployed as employees of the polluter or other agencies involved as required. The many roles that volunteers coming forward often assume are:
  - Provide awareness of the incident and the effects on the marine environment to the communities through local meetings. This is accomplished with the assistance from various government agencies and industry.
  - Prepare and maintain community resource guidebooks, provide a listing of community resources and site sensitivities, provide local knowledge to Environmental Unit, and provide assistance to incoming responders.
  - Carry out shoreline surveillance during incidents, at the request of the Canadian Coast Guard Maritimes and/or Environment and Climate Change Canada.
  - Provide assistance to an oiled wildlife response at the request of the Canadian Wildlife Service (CWS).

NOTE: Volunteers will be involved only in very low risk operational roles and will be utilized solely to the extent of safety limitations.

#### **2.3 New Brunswick Emergency Measures Organization (NBEMO)**

**Volunteer Network:** In the event of an incident New Brunswick Emergency Measures Organization can access a pool of volunteers (i.e., volunteer firefighters, Red Cross, amateur radio operators, etc.). This may be accessed through the Duty Officer at 1-506-453-2133.

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3. **United States Volunteer Utilization:** Volunteers shall be utilized as described in the National Contingency Plan (40 CFR 300.185(c)) and [Maine and New Hampshire Area Contingency Plan](#). Volunteer utilization should be well organized, worthwhile, and safe (shall comply with worker health and safety requirements under 40 CFR 300.150). Volunteers should be directed by the OSC or by other federal, state, or local officials as designated by the OSC knowledgeable in contingency operations and capable of providing leadership. Specific areas in which volunteers might be used include beach surveillance, logistical support, and bird and wildlife treatment, and will be limited to low-risk operations. If, in the judgment of the OSC, unsafe conditions exist, volunteer use will be restricted.

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### *Appendix F. Salvage and Lightering Resources Inventory*

Information on the use of foreign vessels (including salvage and lightering vessels) may be found in Section IX of this Annex.

#### 1. United States

- 1.1. **Salvage Resources List**: Resources in the Northern New England area are contained in Section 9712 of the Maine and New Hampshire Area Contingency Plan.
- 1.2. **Other Contractor Resources**: Additionally, the U.S. Coast Guard has authority to access civilian equipment, personnel and services of certain Oil Spill Removal Organizations and Basic Ordering Agreement contractors; refer to Appendix B of this Annex.
- 1.3. **Vessel Response Plans (VRP)**: Section 311(j) of the Federal Water Pollution Control Act, amended by section 4202 of the Oil Pollution Act of 1990, requires the preparation and submission of response plans for all vessels defined as tank and nontank vessels. These types of vessels, through their response plans, establish preparedness measures and response protocols to mitigate the impact of oil discharges and hazardous substance releases within their area of operation. Coast Guard personnel can access VRP information for tank vessels and nontank vessels either through MISLE vessel information searches or through VRP Express. Basic information to conduct a query includes plan number, vessel name, IMO number, official number, plan status, and vessel status.
- 1.4. **Marine Safety Center Salvage Engineering Response Team (SERT)**: The SERT is comprised of staff engineers who are on call 24/7 to provide immediate salvage engineering support to the Coast Guard Captains of the Port (COTPs) and FOSCs in response to a variety of vessel casualties. Specifically, SERT can assist the COTP and FOSC to manage and minimize the risk to people, the environment, and property when responding to vessels that have experienced a grounding, allision, collision, capsizing, or structural damage. SERT provides this assistance by performing numerous technical evaluations including: assessment and analysis of intact and damaged stability, hull stress and strength, grounding and freeing forces, prediction of oil/hazardous substance outflow, and expertise on passenger vessel construction, fire protection, and safety.
- 1.5. **U.S. Naval Sea Systems Command (NAVSEA), Directorate of Ocean Engineering, Supervisor of Salvage and Diving (SUPSALV)**: SUPSALV is an agency of the U.S. Navy and is highly proficient in ship salvage and salvage-related operations. It maintains an extensive array of

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specialized equipment and personnel available for use in salvage, as well as specialized equipment for containment, collection, and removal of oil spills, specifically designed for salvage related and open sea pollution incidents. SUPSALV can deploy personnel and equipment to support FOSCs and Incident Commanders for both NCP and Stafford Act responses under existing Memoranda of Agreement (MOAs) with the U.S. Army Corps of Engineers (USACE) and the Coast Guard. The Coast Guard and Navy SUPSALV MOA is located on the Commandant (CG-MER)'s Portal. SUPSALV's Pollution Response Program participation includes subject matter experts in the areas of oil spill response and maintains the capability to respond to pollution incidents anywhere in the world. SUPSALV also provides assistance for commercial oil or hazardous substance spills, as requested by the FOSC. SUPSALV maintains the Emergency Ship Salvage Material System (ESSM). ESSM is a contractor-managed network of emergency response equipment stockpiles that are prepositioned, both within and outside the continental United States, to support and augment USN fleet capability in salvage, diving, pollution response, and underwater ship husbandry.

## 2. Canada

- 3.2. **Salvage:** Contact Regional Director-Marine Safety, Dartmouth NS at 902-426-2060 or through the Duty Officer at 902-426-3214, available 24/7.
- 3.3. **List of Salvage Contacts:** A list of salvage companies along with contact information will be maintained outside of this plan.

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### *Appendix G. Decanting, Decontamination, and Disposal*

#### 1. Disposal of Decanted Water into the Marine Environment

- 1.1. **Canada Decanting Provisions:** In the course of an oil spill cleanup, section 181.(2) of the Canada Shipping Act 2001 provides wide relief for Response Organizations and persons who have been designated in writing by the Minister as approved responders are not personally liable, either civilly or criminally, in respect of any act or omission occurring or arising during the course of a response operation unless it is shown that the act or omission was committed with the intent to cause loss or damage, or recklessly and with the knowledge that loss or damage would probably result.
  - 1.1.1 This would include for example, those involved in a "decanting" operation. It is reasonable to expect decanted water to be discharged from the front of the skimmer operation.
  - 1.1.2 A person who is directed to take or to refrain from taking measures is not personally liable, either civilly or criminally, in respect of any act or omission in the course of complying with the direction or doing anything incidental to it, unless it is shown that the person's conduct was reasonable in the circumstances.
  - 1.1.3 Note in the CSA 181. (3) that regardless, the original pollution which triggered the response is NOT clear from the liability. Notice that if the Polluter was directed by CCG-ER or another Agency to make a discharge, then that discharge would be permitted and would not be liable. (This would be important to know for those directing them as well as the Polluter.)
  - 1.1.4 Section 36. (4) of the Fisheries Act does allow for discharges which are permitted by other Regulations.
- 1.2 **United States Decanting Provisions:** The United States FOSC is granted an exclusion from the National Pollutant Discharge Elimination System (NPDES) permit requirement for discharges under 40 CFR 122.3 which states, "The following discharges do not require NPDES permits: . . .(d) Any discharge in compliance with instructions of an On-Scene Coordinator pursuant to 40 CFR 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) and (Pollution by Oil and Hazardous Substances)."

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### 2. Waste Transport and Disposal

2.2. **General:** The movement of oily waste/hazardous waste is allowed between Canada and the United States. The criteria to determine where the waste should go would generally be determined by the Responsible Party based on cost and through permitted disposal sub-contractors in the U.S. and/or Canada. The guidelines outlined below should be followed to ensure compliance with the countries' regulations.

#### 2.3. **References:**

- 2.3.2. United States-Canada Agreement on the Trans-Boundary Movement of Hazardous Waste (1986)
- 2.3.3. Canada's Export and Import of Hazardous Wastes and Hazardous Recyclable Material Regulations (EIHWHMR) (2012)
- 2.3.4. State of Maine, Department of Environmental Protection, Rules 405, 860
- 2.3.5. State of Maine, Department of Environmental Protection's Marine Oil Spill Contingency Plan (2000)
- 2.2.5. Marine Pollution Emergency Response Plan, Province of New Brunswick (1994)

#### 2.3 **Federal Agreements/Guidelines**

2.3.1 **Cross Border Hazardous Waste Movement:** The reference above sets forth the administrative conditions for the export, import, and transportation of hazardous waste between both countries, ensures that the waste is handled safely, and requires that the waste be shipped to facilities that are authorized by the importing jurisdiction.

The agreement stipulates that each transporter must notify the destination country prior to shipping the wastes into that country. The country's hazardous waste authority can then indicate whether it objects to the proposed shipment.

Also, shipments of hazardous waste must be accompanied by proper manifests in order to verify compliance with the Agreement and with other domestic regulations.

Responders, coordinators, and waste transporters should contact the appropriate hazardous waste authority prior to transporting

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hazardous materials across the border. Shipment notification and approval process, as required by the Agreement, can take some time and that approval is not guaranteed. According to the Agreement, the hazardous waste authority from each country has up to 30 days to review a hazardous waste shipment request, alter the conditions, if necessary, and then respond (<https://www.ec.gc.ca/lcpecepa/eng/regulations/detailreg.cfm?intReg=84>). During a time critical spill response, this review period is expected to be shortened; the OSC would likely facilitate an expeditious review.

### 2.3.2. **Transportation of Hazardous Materials through Canada:**

While in Canada, responders must comply with Canadian regulations pertaining to the transportation and import/export of hazardous wastes. These regulations apply from the time a hazardous waste is collected to the time it exits Canada. Transportation and import/export of hazardous wastes in Canada is governed by Canada's Export and Import of Hazardous Wastes and Hazardous Recyclable Material Regulations ([\(EIHWRMR\)](#)). Briefly, these regulations require Canadian exporters/importers/carriers of hazardous wastes to:

- Obtain environmental impairment insurance, third-party liability insurance, and other insurance types, as necessary.
- Carry a completed waste manifest for all waste shipments.
- Notify and gain approval from the Trans-Boundary Movement Branch of Environment and Climate Change Canada of the proposed export (or import) of hazardous waste prior to initiating the shipment.
- Comply with Canada's *Transportation of Dangerous Goods Act* (TDGA) and regulations, which require Canadian exporters/importers/carriers of hazardous wastes to:
  - comply with specific waste containment regulations
  - use the necessary placards and/or safety symbols
  - comply with other prescribed safety requirements

For additional information, contact the Canadian Transport Emergency Centre (CANUTEC):

CANUTEC  
Transport Dangerous Goods Directorate  
Transport Canada  
Ottawa, Ontario, Canada K1A 0N5  
Phone (613) 992-4624 or (888) 226-8832  
Fax (613) 954-5101  
(email) [canutec@tc.gc.ca](mailto:canutec@tc.gc.ca)



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(Internet) <http://www.tc.gc.ca/canutec>

- 2.3.3 **Transportation of Hazardous Materials Into/From and Through the United States:** Transportation and import/export of hazardous wastes into/from the United States is governed by the following:
- Waste exportation and importation requirements under the U.S. Resource Conservation and Recovery Act (RCRA) (40 CFR Sections 262.50 and 262.60, respectively)
  - Importation/certification rules under the U.S. Toxic Substances Control Act (TSCA) (19 CFR Sections 12.118 through 12.127)

Once in the United States, the transportation and disposal of hazardous waste must be performed in accordance with applicable U.S. Department of Transportation (DOT) and U.S. EPA regulations. At a minimum, a Hazardous Waste Manifest must be obtained and any applicable transportation, documentation, marking, packaging, and highway requirements must be followed [Transportation rules: <http://hazmat.dot.gov/regs/rules.htm> EPA rules: <http://www.epa.gov/osw/> ].

### 2.1 **State/Province Rules/Guidelines**

- 2.1.1 **State of Maine:** The State of Maine’s Department of Environmental Protection (DEP) has a comprehensive “Marine Oil Spill Contingency Plan.” Highlights of the plan, including guidelines for handling oil/oily waste are outlined below:  
(<http://www.maine.gov/dep/spills/emergspillresp/marine.html>)

**Disposal Facilities:** A list of oil disposal facilities is contained in the Plan’s Equipment and Support Services Directory.

**Oily Debris:** Oily debris includes sorbents, seaweed, carcasses, and other materials contaminated with oil from an oil spill. Maine Regulations (DEP Chapter 405.9) state that oily debris can be land-filled or incinerated and the resultant ash land-filled. Maine DEP has a contract with the Mid-Maine Waste Action Committee in Auburn for disposal of combustible oily debris.

**Waste Oil:** The definition of waste oil includes any oil spilled to land or water, but does not include oily debris generated from the cleanup of oil spills or water generated from oil/water separation processes at waste oil facilities. Waste oil is typically disposed of by burning in a waste oil burner. The requirements of Chapter 860 of DEP regulations must be met for storage and transportation of waste oil.

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**Temporary Storage:** In the event of a major spill, the volume of waste oil/oily debris will most likely be greater than the capacity of available disposal facilities. Therefore, temporary storage (less than 45 days) must be used as an interim measure. The DEP has *no permitting requirements* for the temporary storage of oily debris. Options include storing oily debris in covered dumpsters or covered "roll-off" containers, or in temporary engineered containment structures with oil-resistant liners. Information on liners is contained in the Maine Marine Oil Spill Contingency Plan's Equipment and Support Services Directory.

- 2.1.2 **Province of New Brunswick:** Section 42 of the Province of New Brunswick's Marine Pollution Emergency Response Plan, states that suitable land disposal sites or techniques during the response effort will be the responsibility of Environment and local government- New Brunswick. Other Provincial environmental legislation applicable to Waste Handling and Disposal are as follows: Clean Environment Act: Water Quality Regulation, Used Oil Regulation, Petroleum Storage and Handling Regulation.

**Disposal Facilities:** A list of Waste Petroleum Products Management Sites is contained in the Marine Pollution Emergency Response Plan, NB Department of Environment and Local Government.

**Oily Debris:** Oily debris includes off-spec petroleum impacted solid material other than tanks, sludge or soil and is transported to approved facilities in the province for cleaning and subsequent disposal at an approved landfill.

**Waste Oil:** The Used Oil Regulation went into effect on April 30, 2002. This regulation specifies the conditions under which the burning of waste oil, as a fuel, would be approved. The Transportation of Dangerous Goods Regulation, administered by the Province, must be met for the transportation of waste oil. Storage of waste oil in quantities greater than 2000L is regulated under the Petroleum Storage and Handling Regulation.

**Temporary Storage:** The Province of New Brunswick has no specific permitting requirements for the temporary storage (less than 45 day) of oily debris. However, any temporary storage should not result in a discharge of a contaminant, in contravention of the Clean Environment Act, Water Quality Regulation.

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## *Appendix H. Joint Response Team Contact List*

In accordance with JCP, Section 304, the Joint Response Team is co-chaired by the Regional Director, Incident Management, Canadian Coast Guard Atlantic and the Incident Management and Preparedness Advisor, U.S. Coast Guard First District. Members are drawn from other federal agencies, provincial/states, and First Nations/Tribes to give advice, facilitate coordinated planning, recommend plan changes, and to provide advisory support during response.

### 1. **Canadian JRT Members:**

#### **Coast Guard**

Anne Miller  
Canadian Coast Guard JRT Co-Chair  
Regional Director Incident Management  
50 Discovery Drive, PO Box 1000  
Dartmouth, Nova Scotia, B2Y 3Z8  
Phone: (902) 499-9759  
Email: Anne.miller@dfo-mpo.gc.ca

David Yard  
Canadian Coast Guard  
Superintendent Environmental Response  
1 Southern Cross Road. PO Box 5667  
St. John's, NL A1C 5X1  
Phone: (709) 330-7163  
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### *Appendix I. Joint Information Center / Public Affairs*

3. **General:** The public's perception of the danger posed by a harmful substance incident and the effectiveness of the response effort is often based more on media coverage of the incident than on the response itself. It is imperative that agencies involved in the cleanup operation communicate effectively to the public the measures being taken in response to a spill to galvanize public confidence. Communications with the media should stress the response objectives. It is important that messages are consistent with the best data available. It is equally important that these messages accurately reflect the priorities and activities of all agencies participating in the cleanup.

It is important to note that the U.S. and Canada use different units of measurement. The JIC needs to ensure that information being released has the correct unit of measure. Appendix Q provides a table of common units of measure and conversions.

4. **United States:** U.S. Coast Guard First District Government and Public Affairs, with assistance from the Public Information Assist Team (PIAT) if necessary, will respond to provide public affairs support to the response management organization. A Joint Information Center manual, created by PIAT, sets a standard for public affairs and information management for the ICS/UC organization. The National Response Team's Joint Information Center Model can be found at: [www.nrt.org](http://www.nrt.org).
5. **Canada:** Where appropriate, Canadian agencies will manage public information activities similar to the principles set in the JIC model.

CCG IC will task Communications Branch, Fisheries and Oceans Canada (Maritimes Region), to provide all necessary public information support. Communications Branch (CCG Communications Advisor) will ensure coordination of communications activities among participating response agencies, work to establish a location from which to manage communications and public information activities, and providing direct support to the CCG OSC in accordance with CCG contingency plans.

Communications/public information support for CCG operations is available on a as needed basis, by contacting the CCG Communications Advisor at (902) 407-8439. If needed Communications Advisor can draw on the Maritimes Region branch for addition support..

## 2.2 English/French Translation Services

- 2.2.1 **EMO Text Translation Services:** The N.B. Emergency Measures Organization (EMO) has access to Government of New Brunswick text translation services (in-house and private sector). These services are detailed in the *Provincial Emergency Public Information Plan*. To

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activate the Provincial EPI Plan, EMO contacts Communication New Brunswick (CNB), who helps determine the requirements and assigns/notifies appropriate staff. In this case, EMO/CNB has priority access for translation and support services. Estimated turn-around time for a document is about 1 – 1.5 hours per typical non-technical page. Communication is generally by telephone, fax and/or email. Translators can operate from routine office facilities, or provide mobile assistance.

2.2.2 **CNB Text Translation Services:** Communication New Brunswick has basic in-house text translation support for non-technical documents (i.e. brief alerts, advisories, general public instructions, etc.). Staff also can assist in handling French media inquiries.

2.2.3 **EMO Simultaneous Interpretation Services:** N.B. EMO has access to simultaneous interpretation services through its Provincial EPI Plan. Notification process is the same as with text translation services. In general, private sector contractors supply the equipment and technicians, while professional interpretation services are provided by provincial government employees and/or freelance and contracted services. Resources are generally available in major cities.

2.3 **Other Language Translation:** Other specific oral/written language requirements can be met through an inventory of provincial public servants with specific language skills. In addition, local multicultural organizations can provide assistance in this area.

NOTE: Public Works Canada also has the regional translation service for the federal government and it is based in Moncton, New Brunswick. In the present plan, the provincial Translation Bureau would keep this staff on stand-by to provide back-up and support for an operation expected to be of lengthy duration.

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### *Appendix J. Worker Health, Safety and Compensation*

#### 1. General

Worker safety and health and worker compensation in the event of an injury are important considerations when preparing plans for addressing a harmful substance incident. It should be noted that workers coming into the U.S. from Canada to perform work are required to meet the training standards that are set by the U.S. Government for the State of Maine. In addition there is a requirement that site specific health and safety plans be developed prior to initiation of work. There are no similar requirements for U.S. workers going into Canada to perform work. If a worker is injured, there are state, provincial, and federal programs that provide compensation to those workers. A more detailed summary of these issues as well as statutory citations can be found in the following sections.

#### 2. Training

- 2.1. **Canadian Federal and Provincial Training Requirements:** Training requirements for responders in Canada are documented in [The Canada Labor Code Part II](#), (CLC II), and the associated [Canada Occupational Safety and Health, \(COSH\) regulations](#), primarily in CLC II, Sections 124 to 126. These sections require the employer to provide employees appropriate training, tools and personal protective equipment (PPE), to allow employees to conduct their work in a safe manner. These documents place the health and safety of employees specifically on the employer and provide in detail a list of recommendations to consider when assessing the health and safety of a workplace. For employees working with hazardous or controlled substances, Part X of the COSH regulations require that employees be trained regarding the hazard information contained in the Safety Data Sheet (SDS) for the particular substance. Employees must also be trained in the proper use of PPE as prescribed by the SDS. In order to ensure compliance with these regulations the Canadian Coast Guard has developed a series of safety related documents and training. The Canadian Coast Guard has developed a **“Risk Register”**, which identifies the hazards associated with daily tasks and activities of individual working groups. Once these hazards are identified, the risk register allows the end user to list the training required to complete specific tasks as well as the administrative and engineering controls that the Canadian Coast Guard has put in place to mitigate the threat posed by these hazards. In addition to the Risk register the CCG has developed the **Canadian Coast Guard Fleet Based Safety Manual** and the **Canadian Coast Guard Shore-based Safety Manual**. Using these manuals each individual program can develop Safe Work Instructions, Site-Specific work instructions and Standard Operating Procedures designed to enhance situational awareness of responders and identify required training, PPE and special considerations for any operational activities. Hazardous materials

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responders from the United States who are trained to their jurisdictional provisions must meet Canadian federal and provincial requirements. United States hazardous materials responders working in Canada should be prepared to provide documentation of their training to appropriate Canadian officials if requested.

- 2.2 **United States Federal and State Training Requirements:** The U.S. Federal requirements 29 CFR 1910.120(q) for “emergency response workers” and 29 CFR 1910.120(e) for “routine cleanup operations” applies to workers in the state of Maine. For oil spill response, the 2001 “Training Marine Oil Spill Response Workers under OSHA’s Hazardous Waste Operations and Emergency Response Standard” describes position-based training requirements (OHS 3172, online at <https://www.osha.gov/Publications/3172/3172.html>).

### 2.2.1 Emergency Response Workers

- First Responder Awareness Level (e.g. State Trooper who provides discovery and notification): Sufficient training or proven experience in competencies specified in the regulation. Annual refresher is required.
- Responder Operations Level (e.g. Responding Fire Company which provides basic control, containment, and/or confinement operations.): (Defensive tactics) A minimum of 8 hours classroom training; or proven experience in competencies specified in the regulation. Annual refresher is required.
- Hazardous Materials Technician (e.g. HAZMAT team member who responds for the purpose of stopping a release or for advanced control, containment and/or confinement operations.): (Offensive tactics) A minimum of 24 hours of classroom training and proven experience in competencies specified in the regulation. Annual refresher is required.
- Hazardous Materials Specialist (e.g. HAZMAT team member who provides support to HAZMAT Materials Technicians and whose duties require a more specific knowledge): A minimum of 24 hours of classroom training, and proven experience in competencies specified in the regulation. Annual refresher is required.

On-Scene Incident Commander (e.g. Fire Captain or State Patrol Officer who assumes control of the Incident): A minimum of 24 hours of classroom training, and proven experience in competencies specified in the regulation. Annual refresher is required.

### Routine Hazardous Materials Spill Cleanup Workers

- Routine Site Cleanup Workers: 40 hours of classroom training; and 24 hours of direct on-site field experience under a trained and experienced supervisor. Eight hour annual refresher (U.S. Occupational Safety and Health staff may provide exception for low risk oil cleanup activities - 4 hours classroom training.)



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- Supervisors of Routine Site Cleanup Workers: 40 hours of classroom training; and - 24 hours of direct on-site field experience under a trained and experienced supervisor; - 8 hours of hazardous waste management - 8 hour annual refresher.
  - Inspectors and Supervisors not working in the hot or decontaminated zone and specified limited task workers: 24 hours of classroom training; and 8 hours of actual field experience under a trained and experienced supervisor; and 8 hours of hazardous waste management - 8 hour annual refresher.
3. **Site Safety Plan Requirements:** A written site safety plan should be prepared for all cross border responses prior to post-emergency response action. If separate site safety plans have been prepared by Canadian and United States responders, the safety officers from Canada and the United States will meet to ensure the site safety plans complement each other and do not conflict. U.S. law requires site safety and health plans; federal requirements apply to response operations in the State of Maine. Site safety plans must be specific to the emergency or hazardous material site and must address any unique features of the site. The site safety plan should address personnel monitoring, environmental monitoring, hazard identification, pre-entry briefings, site security and decontamination procedures etc. For more detailed information refer to 29 CFR 1920.120(b).
4. **Worker Compensation**
- 4.1 **Canadian Government:** The Canadian federal government provides benefits to all employees of the federal government and most Crown agencies, except members of the regular forces of the Canadian Forces and the Royal Canadian Mounted Police, under the Government Employees Compensation Act, administered by Human Resources Development Canada. In the event that a responder becomes injured on the job compensation claims are directed to the provincial Workers Compensation Boards. As long as employees are engaged in work for their department or agency at the time of the accident, they are covered by the Act, wherever they may be working, in Canada or abroad. For detailed information see, “Government Employees Compensation Act”.
- 4.2 **Province of New Brunswick:** In New Brunswick (NB), workers compensation is provided through the Workers Compensation Act (and associated Regulations) of New Brunswick. The Act applies to all workers and employers in NB, and also provides automatic extension of coverage if injured outside of NB. NB employees conducting spill response activities in the United States would be covered by the Act. The Act does not provide coverage for employees or agents of either Canadian or American Federal governments. Non-NB employers and workers, who temporarily operate in NB (on an intermittent basis of less than 10 days per year, or continuously up to 15 days per year), are not covered under the Act, if coverage exists from another jurisdiction. U.S.

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workers responding to spills in NB should check with their State authorities to determine their coverage. NB and foreign volunteers are generally not covered under the Act. However, volunteer firefighters working for a municipality, city, town, village, etc. are covered as are volunteers registered with, and working under the direction of, the NB Provincial Emergency Program. Covered volunteers are provided the same benefits and protection as workers regardless of venue, i.e. inside or outside of New Brunswick (NB), workers compensation is provided through the Workers Compensation Act (and associated Regulations) of New Brunswick. The Act applies to all workers and employers in NB, and also provides automatic extension of coverage if injured outside of NB. NB employees conducting spill response activities in the United States would be covered by the Act. The Act does not provide coverage for employees or agents of either Canadian or American Federal governments.

Non-NB employers and workers, who temporarily operate in NB (on an intermittent basis of less than 10 days per year, or continuously up to 15 days per year), are not covered under the Act, if coverage exists from another jurisdiction. U.S. workers responding to spills in NB should check with their state authorities to determine their coverage.

NB and foreign volunteers are generally not covered under the Act. However, volunteer firefighters working for a municipality, city, town, village, etc. are covered as are volunteers registered with, and working under the direction of, the NB Provincial Emergency Program. Covered volunteers are provided the same benefits and protection as workers regardless of venue, i.e., inside or outside of New Brunswick.

- 4.1 **United States Government:** The U.S. Government Workers Compensation program is found in the Federal Employee Compensation Act, which is overseen by the Office of Workers Compensation Program in the U.S. Department of Labor. In this program U.S. Government Civil Service workers are covered in both Canada and the U.S. if they are performing work pursuant to their government positions. The level and type of coverage is dependent upon the type of injury and its duration. (Because of the complexity of the law, detailed discussion of the specific provision is omitted.) For detailed information see the “Federal Workers Compensation Act” at 5 U.S.C. Part 8101.

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### *Appendix K. Environmental Unit / Special Technical Advisors*

1. **Environmental Unit**: The Environmental Unit (ENV) works within the Planning Section in support of the Incident/Unified Command and is responsible for environmental matters associated with the response. These environmental matters include:
  - determining the extent, fate and effects of contamination
  - modeling,
  - developing plans for collecting, transporting and analyzing samples
  - environmental monitoring and surveillance,
  - permitting,
  - identifying sensitive areas and recommending response priorities
  - evaluating and recommending response technologies,
  - developing shoreline protection, cleanup and assessment plans
  - developing plans for protecting historical/cultural resources
  - developing wildlife protection strategies
  - developing waste disposal plans
  - consulting with natural resource trustees
2. **Environmental Unit Leader** The Environmental Unit Leader (ENVL) should be from a public environmental or natural resource management agency to ensure compliance with applicable laws, regulations, and ordinances.
3. **Advisory Bodies** The Canadian Environmental Emergencies Officer from NEEC can convene an Environmental Emergencies Science Table (Science Table) at the request of the Lead Canadian Agency coordinating the emergency response. The Science Table is an advisory body that gathers and coordinates the best available scientific expertise and information to identify environmental protection priorities for a given pollution incident. The Science Table supplies advice relevant to environmental concerns, priorities and strategies, thus enabling and optimizing the environmental response. The response mode of the Science Table could involve both on and off-site response and information gathering on affected natural resources, human and physical use sensitivities. Similarly, in the US the NOAA Scientific Support Coordinator has access to numerous advisors and advisory bodies from within the NOAA Scientific Support Team, academia, and other government and non-government organizations.

These advisors and advisory bodies, while assigned to the Command Staff of the respective countries, are equally available to and most closely associated with the respective Environmental Unit(s). Plans, assessments, recommendations and advise should be coordinated with the Environmental Unit(s) so that, as appropriate, they can be incorporated into the Incident Action Plan and made part the Operational - Planning Cycle. In as much as it is practicable, cross-border deliberation of scientific and environmental policy issues will be coordinated from within the Environmental Unit(s) in order to improve collaboration and consensus among agencies and with the

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Responsible Party. Where this direct collaboration is impossible or impractical, the Canadian Environmental Emergencies Officer (or Science Table Chair) and the NOAA SSC will act as the point of coordination and fully brief the Environmental Unit(s), seeking and transmitting input. Incorporating environmental plans and recommendations into the Operational Planning Cycle ensures that they are properly vetted by the Planning Section Chief, Operations Section Chief and Safety Officer during the Tactics Meeting and reviewed by the full Command and General staff during the Planning Meeting before being incorporated into the Incident Action Plan.

If an Area Command is established, an Environmental Unit Coordinator will be staffed within the Area Command Planning Section to coordinate sharing of information between the Environmental Units at the Incident Command Posts.

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## *Appendix L. Alternative Response Technologies*

### 1. Dispersants

#### 1.1 Joint Decisions

Use of dispersants or other chemicals in a cross border spill in situations where the countermeasure may affect the other country will be a joint decision, subject to the approval and decision requirements of each country. Under the Canadian Fisheries Act, there is no approval process for dispersants.

#### 1.2 Canada

1.2.1 **General:** In Atlantic Canada, approval for use of dispersants must be obtained from Environment and Climate Change Canada prior to application because their use is regulated by the [Fisheries Act](#). As there are other pieces of legislation relating to dispersant use, EC will consult with National Environment Emergency Center (NEEC) prior to giving final approval. Requests can be made 24 hours a day to EC through the 1-888-283-2333 spill reporting network. If permission is granted, only an EC approved dispersants can be used.

#### 1.3 United States

1.3.1 **General:** The use of dispersants is regulated by Subpart J of the National Contingency Plan (40 CFR 300.900). In absence of pre-authorization agreements, the decision to use dispersants and other chemicals is made by the On-Scene Coordinator with the concurrence of the RRT representatives from the EPA, Coast Guard, and states with jurisdiction over the waters threatened by the discharge, and in consultation with the Department of Commerce and Department of the Interior natural resource trustees. The OSC can draw on the RRT co-Chair at D1 (drp) to assist in gaining approval. Dispersants or chemicals used must be on the National Contingency Plan Product Schedule described at 40 CFR 300.905. If use of chemicals will, in the judgment of the OSC, eliminate or substantially reduce a threat to human life, any product may be used without further consultation or concurrence.

1.3.2 **Plan / Preauthorization:** Refer to Section 4704, Alternative Countermeasures and Section 9508, Dispersant Preauthorization in the Maine and New Hampshire Area Plan, for the established preauthorization agreement that streamlines the approval process for dispersants and other chemical countermeasures, available at <http://homeport.uscg.mil/northernnewengland>.

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1.3.3 **Listed Products:** Dispersants listed on the current product schedule are available at <http://www.epa.gov/emergencies/content/ncp/>. Only the COREXIT formulations were considered by the Natural Resource Trustees in evaluating potential impacts to endangered species, so other formulations require case-by-case consultation.

## 2. In Situ Burning

### 2.2. Joint Decisions

Use of in situ burning in a cross border spill in situations where the countermeasure may affect the other country will be a joint decision, subject to the approval and decision requirements of each country. The Incident Commands and Area Commands and other joint bodies established during an incident can assist in ensuring a consistent decision making process is applied to both sides of the border.

### 2.3. Canada

2.2.1. **General:** In Atlantic Canada, prior approval to carry out in-situ burning during oil spills must be obtained from the Environmental Emergencies Science Table NEET because both federal and provincial legislations may apply. Requests can be made 24 hours a day to EC through the 1-800-565-1633 spill reporting network. The party or organization requesting permission should develop a plan for the burn, and monitoring of the potential effects of a burn may also be required.

### 2.4. United States

2.3.1. **General:** The use of in situ burning in concert with burning agents to enhance the flammability of the product, is regulated in the same way as dispersants and other chemical countermeasures by Subpart J of the NCP (40 CFR 300.900). If the oil is ignitable and no burning agents are used, under the NCP it is not differentiated from other countermeasures, made by the unified command in consultation with the natural resource trustees. Other regulations do apply, notably the air emissions are regulated by State Implementation Plans under the Clean Air Act.

2.3.2. **Plan / Preauthorization:** Refer to Section 4600 of the ME/NH Area Contingency Plan at <http://homeport.uscg.mil/northernnewengland>, which incorporates the Region I ISB Memorandum of Understanding. Under the Region I memorandum, the in situ burning decision belongs to the Federal On-Scene Coordinator outside 6 miles (Maine has requested consultation on the decision to 12 miles), and the State and Federal On-Scene Coordinator outside 1 mile, subject to a series of protocols. Additionally, the State of Maine On-Scene Coordinator has a

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Memorandum of Agreement with the State Bureau of Air Quality Control allowing the State On-Scene Coordinator to authorize in situ burns for oil removal throughout the state.

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## *Appendix M. International Emergency Management Assistance Memorandum of Understanding*

1. The International Emergency Management Assistance Memorandum of Understanding (MAMOU) is an agreement on mutual aid among the New England States, the Atlantic Provinces and Québec. The document makes provision for such things as:

- recognition of professional, mechanical and other skills;
- liability and immunity;
- compensation and death benefits; and
- reimbursement

1.1 The following paragraphs are extracts from the MOU, the complete text of which can be found at <http://www.iemg-gigu-web.org/mou-e.asp>.

1.1.1 **Request for assistance:** The authorized representative of a party jurisdiction may request assistance of another party jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request.

1.1.2 **Consultation among party jurisdiction officials:** There shall be frequent consultation among the party jurisdiction officials who have assigned emergency management responsibilities, such officials collectively known hereinafter as the International Emergency Management Group (IEMG).

1.1.3 **Licenses and Permits - Article V**

Whenever a person holds a license, certificate or other permit issued by any jurisdiction party to the compact evidencing the meeting of qualifications for professional, mechanical or other skills, and when such assistance is requested by the receiving party jurisdiction, such person is deemed to be licensed, certified or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by executive order or otherwise.

1.1.4 **Liability - Article VI**

Any person or entities of a party jurisdiction rendering aid in another jurisdiction pursuant to this compact are considered agents of the requesting jurisdiction for tort liability and immunity



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purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact are not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence or recklessness.

### 1.1.5 **Workers' Compensation and Death Benefits - Article VIII**

Each party jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the emergency forces of that jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

### 1.1.6 **Reimbursement - Article IX**

Any party jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the party jurisdiction receiving such aid for any loss or damage to or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding party jurisdiction may assume in whole or in part any such loss, damage, expense or other cost or may loan such equipment or donate such services to the receiving party jurisdiction without charge or cost. Any two or more party jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.

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## *Appendix N. First Nations*

### 1. **General**

The Atlantic Regional Annex (CANUSLANT) recognizes the rights of Canadian Indigenous people and U.S. Federally recognized Tribes, and provides for their participation when their lands are threatened or impacted.

### 2. **Canada**

In conducting response activities on reserve lands, culture significant lands, and First Nation treaty settlement lands, Canadian Coast Guard Atlantic will involve First Nations people as it will other agencies with relevant jurisdiction relating to a marine pollution incident. Canadian Coast Guard Atlantic recognizes the existence of both First Nations and Treaty rights as defined in [Section 35 of the Canadian Constitution Act, 1982](#). In addition, Canadian Coast Guard Atlantic supports the Government of [Canada's Inherent Right Policy \(1995\)](#) that established a new government-to-government relationship with First Nations governments within the Canadian constitutional framework.

#### 2.1. **Canadian Government Contacts:**

##### **Fisheries and Oceans Canada**

Ted Potter  
Director, Aboriginal Affairs  
Dartmouth, Nova Scotia  
(902) 456-4090  
[Ted.Potter@dfo-mpo.gc.ca](mailto:Ted.Potter@dfo-mpo.gc.ca)

Jeff Purdy  
Aboriginal Program Coordinator  
Southwest Nova Scotia Area  
Yarmouth, Nova Scotia  
(902) 740-1367  
[Jeff.Purdy@dfo-mpo.gc.ca](mailto:Jeff.Purdy@dfo-mpo.gc.ca)

Meghan Folkins  
Aboriginal Program Coordinator  
Southwest New Brunswick Area  
St. George, New Brunswick  
506-467-5468  
[Megan.Folkins@dfo-mpo-gc.ca](mailto:Megan.Folkins@dfo-mpo-gc.ca)

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### **Indigenous and Northern Affairs Canada**

Lands and Trust Services  
Atlantic Region  
PO Box 160  
Amherst, NS, B4H 3Z3  
Tel: (902) 661-6368  
Fax: (902) 661-6237

### **2.2. Canadian First Nations Contacts:**

#### **Maliseet Nation at Tobique**

13156 Route 105  
Tobique First Nation, NB E7H 5M7  
Tel: (506) 273-5400; 273-5490; 273-5499  
Fax: (506) 273-3035

#### **Maliseet Nation at Woodstock**

##### **Woodstock Indian Nation**

3 Wulastook Court  
Woodstock First Nation, NB E7M 4K6  
Tel: (506) 328-3303  
Fax: (506) 328-2420

#### **Maliseet Nation at Saint Mary's**

##### **Council of Saint Mary's Band**

35 Dedham Street  
Fredericton, NB E3A 2V2  
Tel: (506) 458-9511  
Fax: (506) 452-2763

#### **Maliseet Nation at Kingsclear**

##### **Council of Kingsclear Band**

77 French Village Road  
Kingsclear First Nation, NB E3E 1K3  
Tel: (506) 363-3028, 363-3029  
Fax: (506) 363-4324

#### **Maliseet Nation at Oromocto**

##### **Council of Oromocto Band**

PO Box 417  
Oromocto, NB E2V 2J2  
Tel: (506) 357-2083  
Fax: (506) 357-2628

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**Acadia First Nation  
Council of Acadia Band**  
RR # 4, Box 5914C  
Yarmouth, NS B5A 4A8  
Tel: (902) 742-0257  
Fax: (902) 742-8854

**Annapolis Valley First Nation  
Council of Annapolis Valley Band**  
PO Box 89  
Cambridge Station, NS B0P 1G0  
Tel: (902) 538-7149  
Fax: (902) 538-7734

**Bear River First Nation  
Council of Bear River Band**  
PO Box 210  
Bear River, NS B0S 1B0

**Glooscap First Nation  
Council of Glooscap First Nation**  
PO Box 449  
Hantsport, NS B0P 1P0  
Tel: 684-9788  
Fax: 684-9890

### 3. United States

The Department of Homeland Security, U.S. Coast Guard, will notify, coordinate and consult with, and involve Native American tribal governments in its decision making relating to a marine pollution incident affecting or potentially affecting Native American Tribes.

The United States' fiduciary trust responsibilities and Government-to-Government relationship with Native American tribal governments are found in the U.S. Constitution, statutes, treaties, judicial decisions, executive orders and policies. The Department of Homeland Security, U.S. Coast Guard, will undertake its response actions consistent with these policies, including but not limited to how these policies are expressed in the National Response Plan, National Contingency Plan, Clean Water Act, Comprehensive Environmental Response Compensation and Liability Act, National Historic Preservation Act, and Native American Graves Protection and Repatriation Act.

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### 3.1. United States Government Contacts:

#### **U.S. Department of the Interior (Designated Federal Trustee)**

Office of Environmental Policy and Compliance (OEPC)  
U. S. Department of the Interior  
Andrew L. Raddant, Regional Environmental Officer (Trustee Contact)  
5 Post Office Square, Suite 18011  
Boston, MA 02109  
Office: (617) 223-8565  
Emergency: (617) 686-1780  
Email: [andrew\\_raddant@ios.doi.gov](mailto:andrew_raddant@ios.doi.gov)  
Fax: (617) 223-8569

#### Alternate:

Diane Lazinsky  
Regional Environmental Protection Specialist  
Office of Environmental Policy and Compliance (OEPC)  
U.S. Department of the Interior  
5 Post Office Square, Suite 18011  
Boston, MA 02109  
Office: (617) 223-8565  
Emergency: (617) 686-1780  
Email: [diane\\_lazinsky@ios.doi.gov](mailto:diane_lazinsky@ios.doi.gov)  
Fax: (617) 223-8569

#### **Bureau of Indian Affairs**

Patrick Vacha  
Eastern Regional Office  
545 Marriott Drive, Suite 700  
Nashville, TN 37124  
Office: (615) 564-6810  
Emergency: (202) 577-5918  
Email: [Patrick.Vacha@bia.gov](mailto:Patrick.Vacha@bia.gov)  
Fax: (615) 564-6701

### 3.2. U.S. Native American Tribal Government Contacts

Passamaquoddy Tribe, Pleasant Point  
PO Box 343  
Perry, ME 04667  
Tel: (207) 854-2600  
Fax: (207) 853-6039

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### **Passamaquoddy Tribe, Indian Township**

PO Box 301  
Princeton, ME 04668  
Tel: (207) 796-2301  
Fax: (207) 796-5256

### **Penobscot Indian Nation**

6 River Road  
Indian Island  
Old Town, ME 04668  
Tel: (207) 827-7776  
Fax: (207) 827-1137

### **Houlton Band of Maliseet Indians**

88 Bell Road  
Littleton, ME  
Tel: (207) 532-4273

### **Mi'kmaq Nation**

7 Northern Road  
Presque Isle, ME 04769  
Tel: (207) 764-1972  
Fax (207) 764-7667

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### *Appendix O. Places of Refuge*

#### 1. **General:**

In November 2003, the International Maritime Organization (IMO) Assembly adopted two resolutions addressing the issue of places of refuge (POR) for ships in distress - an important step in assisting those involved in incidents that may lead to the need for a place of refuge to make the right decisions at the right time.

The purpose of the IMO Guidelines is to provide Member Governments, shipmasters, companies, and salvors with a framework enabling them to respond effectively and in such a way that, in any given situation, the efforts of the shipmaster and shipping company concerned and the efforts of the government authorities involved are complementary. In particular, an attempt has been made to arrive at a common framework for assessing the situation of ships in need of assistance.

Taking into account IMO Resolution A.949 (23), the U.S. and Canadian governments both created decision-making tools that allow Transport Canada (TC) officials and U.S. Coast Guard (USCG) Captains of the Port (COTPs) the ability to provide effective and efficient responses to requests from ships requesting a place of refuge. TC officials and USCG COTPs can reference three separate but complementary POR decision-making tools for coordinating joint responses to a vessel requesting a place of refuge. If providing a Place of Refuge is the best course of action both countries shall jointly explore the best options available. For options considering locations in Canadian territory the National Places of Refuge Contingency Plan and the Atlantic Annex (PORCP) will be used to assess potential places of refuge. For options considering locations within United States, the U.S. Coast Guard Places of Refuge Policy/ NRT Guidelines for Places of Refuge Decision Making guide will be used to assess potential places of refuge. Once potential places of refuge have been identified; the most suitable location, Canadian or U.S., will be chosen jointly by TC officials and the cognizant USCG COTP.

#### 2. **CANADA:**

National Places of Refuge Contingency Plan (PORCP): Transport Canada is the lead agency for decisions related to a ship in need of assistance and requesting a place of refuge. As such, Transport Canada is responsible for ensuring the IMO Guidelines are taken into account and implemented to the extent possible.

The purpose of the (PORCP) is to establish a national framework and approach which, with associated regional measures, will provide for an effective and efficient response to requests from ships in need of assistance seeking a place of refuge.

The PORCP will help to ensure that a consistent approach is taken across the country to putting in place an effective response plan that will meet both Canada's national and international responsibilities.

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The PORCP provides a decision-making risk assessment tool for Transport Canada Marine Safety and Security Regional Directors which will help to ensure that a thorough and balanced assessment of the risks are made and the best risk control strategy can be decided on and implemented in a timely and safe manner.

The PORCP takes into account International Maritime Organization (IMO) Resolution A.949(23) “Guidelines on Places of Refuge for Ships in Need of Assistance.” The National Places of Refuge Contingency Plan can be downloaded from the Transport Canada website at <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-menu-1683.htm>. The PORCP-Atlantic Region provides relevant regional information and can be found at <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-atlantic-menu-1099.htm>.

### 3. UNITED STATES:

The U.S. Coast Guard Places of Refuge Policy (COMDTINST 16451.9) provides policy guidance, a sample checklist, and a risk assessment job aid to field commanders, Area Committees, and Regional Response Teams (RRTs) to aid in preparing for and responding to a vessel requesting a place of refuge, or similar events in which a vessel, not in need of immediate Search and Rescue (SAR) assistance, may pose a variety of risks to a port or coastal area. The Instruction focuses primarily on the decision process of selecting the lowest risk Place of Refuge option for a stricken vessel. In any such situation, Operational Commanders will also be conducting other, simultaneous operations, including, but not limited to, developing transit plans, staging pollution, fire, and/or hazmat response equipment, and addressing any security concerns. The U.S. Coast Guard Places of Refuge Policy can be downloaded from the U.S. Coast Guard Directives website at [www.uscg.mil/directives/ci/16000-16999/CI\\_16451\\_9.PDF](http://www.uscg.mil/directives/ci/16000-16999/CI_16451_9.PDF)

The purpose of the NRT Guidelines for Places of Refuge Decision-Making (Guidelines2) is to provide:

- An incident-specific decision-making process (Appendix 1) to assist U.S. Coast Guard (USCG) Captains of the Port (COTPs) in deciding whether a vessel needs to be moved to a place of refuge and, if so, which place of refuge to use; and
- A framework for developing pre-incident identification of potential places of refuge for inclusion in appropriate Area Contingency Plans (ACPs)

The Guidelines address places of refuge decision-making in waters subject to U.S. jurisdiction. They are consistent with the December 2003 International Maritime Organization “Guidelines on Places of Refuge for Ships in Need of Assistance” and USCG Commandant Instruction 16451.9, “U.S. Coast Guard Places of Refuge Policy.”



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The Guidelines provide COTPs with a process that will help (1) expedite place of refuge decision-making, and (2) ensure stakeholders and other technical experts are consulted as appropriate. This in turn, helps ensure that COTPs have appropriate input, and the best available information, prior to making a place of refuge decision. The NRT Guidelines for Places of Refuge Decision Making can be downloaded from the National Response Team website at: <http://www.nrt.org>

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## *Appendix P. Wildlife Response Guidelines*

1. Due to the size and complexity of the Wildlife Response Guidelines, the guidelines are attached to this plan as Enclosure (1).
2. These guidelines were developed by the CANUSLANT Wildlife Response Working Group. Members of this group included representatives from Environment and Climate Change Canada, Canadian Wildlife Service; Fisheries and Oceans Canada; New Brunswick Department of Natural Resources and Energy Development; 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 Oceanic and Atmospheric Administration, National Marine Fisheries Service, and Maine Department of Inland Fisheries and Wildlife.

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## *Appendix Q. Standard Units of Measure*

In any environmental response along the United States (U.S.) and Canadian (CA) border one important consideration is the difference in the two countries' standard units of measure. Misstating measurements can cause confusion in any response and stating the wrong measurements in the press will give the impression of errors being made. A standard unit of measure should be agreed upon at the start of the spill to alleviate any confusion.

The Joint Information Center should be vigilant in verifying and reporting units of measure.

### Time Zones:

Since there are two times zones, (see Fig. 1) within the Coastal Maine and Canadian Maritime regions the U.S. and Canadian Incident Commanders should designate one time zone at the beginning of the response to use during an incident.

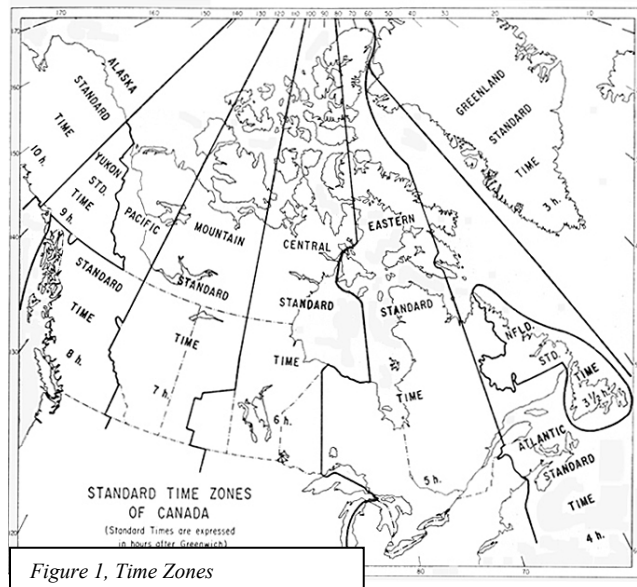


Figure 1, Time Zones

### Distance:

The U.S. uses miles. Canada uses kilometers. For maritime incidents, the use of nautical miles is recommended. The Nautical Mile conversion and some basic conversions are contained at the end of this section.

From	To	Multiply by
Miles	Nautical Miles	0.869
Kilometers	Nautical Miles	0.539
Nautical Mile	Mile	1.151
Nautical Mile	Kilometer	1.853
Miles	Kilometer	1.609
Kilometers	Miles	0.621

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## Length

When documenting or reporting vessel dimensions it is important to specify scale (feet or meters). The below conversion will aid in this.

From	To	Multiply By
Feet	Meters	0.3048
Meters	Feet	3.28084

## Temperature:

The difference between Fahrenheit (F) and Centigrade (C) is a drastically different measurement. At 0°C it is still 32 F° and at 100°C it is 212 F°. The formula is as follows:

From	To	Formula
°C	°F	$^{\circ}\text{C} \times 9/5 + 32 = ^{\circ}\text{F}$
°F	°C	$(^{\circ}\text{F} - 32) \times 5/9 = ^{\circ}\text{C}$

## Product Volume:

Between the U.S. and Canada there are several measures for reporting volumes: Gallons, Barrels, Imperial Gallons, and Metric Tons. Oil is shipped in bulk is commonly measured in Metric Tons. At API = 33° there are 7.312 Barrels in one Metric Ton. The tables below show the difference between measurements.

Barrels	Metric Tons	Gallons (U.S.)	Gallons (Imperial)
100	14	4,200	3,600
500	68	21,000	18,000
1,000	137	42,000	36,000
5,000	684	210,000	180,000
10,000	1,368	420,000	360,000
25,000	3,419	1,050,000	900,000
50,000	6,838	2,100,000	1,800,000
75,000	10,257	3,150,000	2,700,000
100,000	13,676	4,200,000	3,600,000
200,000	27,352	8,400,000	7,200,000
300,000	41,028	12,600,000	10,800,000
400,000	54,705	16,800,000	14,400,000
500,000	68,381	21,000,000	18,000,000
600,000	82,057	25,200,000	21,600,000
700,000	95,733	29,400,000	25,200,000

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Metric Tons	Barrels	Gallons (U.S.)	Gallons (Imperial)
1	7	307	263
10	73	3,071	2,632
50	366	15,355	13,162
100	731	30,710	26,323
500	3,656	153,552	131,616
1,000	7,312	307,104	263,232
5,000	36,560	1,535,520	1,316,160
10,000	73,120	3,071,040	2,632,320
15,000	109,680	4,606,560	3,948,480
20,000	146,240	6,142,080	5,264,640
50,000	365,600	15,355,200	13,161,600
100,000	731,200	30,710,400	26,323,200

*1. At API = 33° there are 7.312 Barrels in one Metric Ton. These calculations are valid at API calculated at 60°F or 15.5°C. Department of Energy uses fixed gravity for calculations API = 33°. In density terms it is around 0.858 kg/L. One Barrel contains 42 U.S. Gallons or 158.987295 Liters. Metric Ton is an equivalent to 1000 kg or 2205 pounds.*

*Data from: <http://aenergytrading.com/2013/06/28/conversion-metric-ton-mt-into-barrels-for-crude/>*

## MEASUREMENT CONVERSIONS

(Multiply Number of Units by Conversion Number to Obtain New Number of Units)

millimeters (mm)	x 0.03937	= inches
centimeters (cm)	x 0.3937	= inches
meters	x 3.281	= feet
meters per second	x 3.281	= feet per second
square meters	x 10.76	= square feet
square meters	x 1.196	= square yards
square meters	x 0.0002471	= square acres
cubic meters	x 35.31	= cubic feet
cubic meters	x 1.308	= cubic yards
cubic meters	x 0.0008107	= acre-feet
cubic meters per second	x 35.31	= cubic feet per second
cubic meters per second	x 15,850.00	= gallons per minute

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kilometers (km)	x 1000	= meters
kilometers (km)	x 0.6214	= miles
square kilometers	x 0.3861	= square miles
cubic kilometers	x 0.2399	= cubic miles
inches (in)	x 25.4	= millimeters
square inch	x 6.4516	= square centimeters
feet	x 0.3048	= meters
square feet	x 0.09294	= square meters
cubic feet	x 0.02832	= cubic meters
yard	x 0.9144	= meters
miles (mi)	x 5280	= feet
miles	x 1609.3	= meters
miles	x 1.609	= kilometers
square miles	x 2.590	= square kilometers
cubic miles	x 4.168	= cubic kilometers
acre-foot (acre-ft)	x 1233	= cubic meters
gallon	x 0.1337	= cubic feet
gallon	x 3.785	= liters
gallon	x 8.336	= pounds of water
liter	x 0.001	= cubic meter
liter	x 0.03531	= cubic fee

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### *Appendix R. Joint Fisheries Protocol*

1. **Purpose:** The purpose of the Protocol is to coordinate fisheries management practices in shared waters impacted or threatened by pollution emergencies. While the primary goals of both countries remain the same- to ensure human health and safety, market confidence, safety of fisheries and aquaculture operations, and the protection of marine fisheries and aquaculture resources - the decisions of the country relative to shared waters should, if practicable, be made jointly and with consideration of each other. The Protocol establishes the Joint Fisheries Task Force (JFTF) that will coordinate procedures for notifications and information sharing, closures, monitoring and sampling, and re-opening of fisheries and aquaculture. The Protocol is supported by a set of appendices containing relevant regulatory, organizational, and technical information.
2. **Joint Fisheries Task Force:** The JFTF is a sub-group of the environmental unit under the Joint Response Team (Canada and US Coast Guard or Unified Command) structure.

**2.1 Purpose:** The mandate of the JFTF is to coordinate the planning, implementation, monitoring and reporting of measures and actions related to fisheries and aquaculture during an incident.

**2.2 Leadership:** The JFTF is co-led by Fisheries and Oceans Canada (DFO) for Canada and the Maine Department of Marine Resources for the United States when the area of interest is within the territorial water of the US (typically 3 miles seaward of land). When the area of interest extends beyond the Territorial Water of the US, the National Oceanic and Atmospheric Administration (NOAA) will be included in a leadership role. In the event multiple U.S. states fisheries and aquaculture are impacted, each state will be represented, but DFO and NOAA will lead the JFTF within the Joint Response Team structure.

**2.3 Membership:** The JFTF is comprised of the following federal, provincial, and state departments and agencies from Canada and the United States:

<b>United States</b>	<b>Canada</b>
National Oceanic and Atmospheric Administration (NOAA)	Fisheries and Oceans Canada (DFO) Maritimes Region
Food and Drug Administration	Environment and Climate Change Canada (EC)
United States Coast Guard	Canadian Food Inspection Agency

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	(CFIA)
Maine: <ul style="list-style-type: none"> <li>• Department of Marine Resources (DMR)</li> <li>• Maine Department of Agriculture, Conservation and Forestry</li> </ul>	Canadian Coast Guard – Environmental Response (CCG-ER)
New Hampshire Fish and Game	Health Canada
Massachusetts <ul style="list-style-type: none"> <li>• Division of Marine Fisheries</li> <li>• Department of Public Health</li> </ul>	New Brunswick Department of Agriculture, Aquaculture and Fisheries (DAAF)
National Marine Fisheries Service	Nova Scotia Department of Fisheries and Aquaculture (DFA)

Additional departments and agencies with marine environmental protection and response mandates may be included in JFTF activities, as required.

**2.4 Decision Making and Reporting:** The JFTF functions in accordance with decision making and reporting procedures for the Joint Response Team to coordinate measures and actions related to fisheries and aquaculture during and in the aftermath of an incident. Regulatory decision making, implementation, monitoring and enforcement of fisheries measures, such as closures, occur independently by the relevant authorities.

**3. Scope:** The Protocol applies to all living resource harvesting and processing in marine waters covered by the CANUSLANT Annex.

### 3.1 Commercial, Recreational and Aboriginal/Tribal Fisheries

**3.1.1 Canada:** A range of commercial, recreational, and Aboriginal fisheries occur in the Canadian portion of the CANUSLANT Annex area of responsibility. These include ground fish (demersal), invertebrate (including intertidal species) and pelagic fisheries. Marine fisheries are regulated and licensed by Fisheries and Oceans Canada. Aboriginal fisheries are divided into two categories: (a) Commercial Communal which is managed and licensed in same manner as non-Aboriginal fisheries; and (b) Food, Social and Ceremonial (FSC) which is right-based access for non-economic purposes.

**3.1.2 United States:** A range of commercial, recreational, and Tribal fisheries occur in the US portion of the CANUSLANT Annex area of



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responsibility. These include ground fish (demersal), invertebrate (including inter-tidal) and pelagic fisheries. Marine fisheries in federal waters are regulated and licensed by the National Marine Fisheries Service (NMFS-NOAA). Marine fisheries in state waters (within 3 miles) are regulated and licensed by state fisheries authorities.

Maine's four federally recognized tribes are authorized to issue certain marine resources licenses in accordance with 12 MRS §6302-A. This includes certain commercial licenses and licenses for sustenance or ceremonial tribal use. Members of the Passamaquoddy Tribe of Indians, Penobscot Indian Nation, Mi'kmaq Nation, or Houlton Band of Maliseet Indians issued a tribal license are subject to all laws and rules applicable to holders of a state license or permit to conduct those activities, with certain exceptions identified in the law.

No federally recognized tribes exist in New Hampshire.

Massachusetts' two federally recognized tribes: Mashpee Wampanoag Tribe and Wampanoag Tribe of Gay Head (Aquinnah) are issued certain commercial licenses or licenses for subsistence or ceremonial use. They are subject to the laws and rule applicable to holders of state licenses or permits to conduct those activities but are also granted certain legal exceptions.

### 3.2 Aquaculture

3.2.1 **Canada:** Aquaculture operations, including finfish, shellfish, marine plants, and hatcheries, are regulated, and licensed by provincial fisheries authorities.

3.2.2 **United States:** Aquaculture operations, including finfish, shellfish, and hatcheries, are regulated and licensed by state fisheries authorities.

### 3.3 Marine Plants

3.3.1 **Canada:** There is an active harvest of rockweed and other marine plant species in the Canadian portion of the CANUSLANT Annex area of responsibility.

3.3.2 **United States:** There is an active harvest of rockweed, as well as other marine plants in the US portion of the CANUSLANT Annex area of responsibility.

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### 3.4 Processing Facilities

- 3.4.1 **Canada:** Processing and holding facilities and other facilities with saltwater intakes (e.g., lobster pounds) are regulated by provincial fisheries authorities, with responsibilities for food health and safety held by the Canadian Food Inspection Agency.
- 3.4.2 **United States:** Processing and holding facilities (e.g., lobster ponds) are regulated by state fisheries authorities, with responsibilities for food health and safety held by the Food and Drug Administration and the Maine Department of Agriculture, Conservation and Forestry.
4. **Joint Fisheries Task Force Functions:** The Protocol applies to all types and levels of incidents covered by the CANUSLANT Annex. A tiered approach is taken when determining the requirement for implementing the Protocol and JFTF.

### 4.1 Joint Incident Notifications and Coordination

- 4.1.1 Incidents that require CANUSLANT activation but are unlikely to impact on fisheries and aquaculture due to type, location and/or magnitude:
- JFTF co-leads notified by Joint Response Team
  - Co-leads convene meeting (virtual) as soon as practicable to assess situation and determine if further action is required, including:
    - o General notification to all JFTF members
    - o Specific notifications and advice to potentially affected JFTF members depending on type, location and/or magnitude of incident
  - Affected JFTF members implement and report actions/measures, as required
  - Co-leads report to Joint Response Team/Incident Command, as required
- 4.1.2 Incidents that require CANUSLANT activation and are likely to impact on fisheries and aquaculture operations:
- JFTF co-leads notified by Joint Response Team.
  - Co-leads convene meeting (virtual) as soon as practicable to assess situation and determine if further action is required, including:
    - o General notification and stand up of JFTF.

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- Specific notification and advice to potentially affected JFTF members depending on type, location and/or magnitude of incident.
- JFTF procedures are implemented, with affected members to implement and report actions/measures, as required.
- Co-leads report to Joint Response Team/Incident Command, as required.

### **4.2 Industry and Stakeholder Notifications and Information Sharing**

- 4.2.1 Established notification procedures for JFTF members are used to inform and share information with industry stakeholders.
- 4.2.2 Notifications and information sharing with non-fisheries related response agencies and stakeholders is managed through the Joint Response Team/Incident Command (i.e., Public Information Officer/Stakeholder Liaison).

### **4.3 Closures**

- 4.3.1 During the initial phase of an incident response, the United States/Canadian Coast Guard emergency/exclusion zone serves, in effect, as a preliminary and temporary fisheries and aquaculture restriction.
- 4.3.2 JFTF assesses further requirements for a formal fisheries and aquaculture closures and their coordination across respective national, state, and provincial jurisdictions, including the following considerations:
  - Timing of establishment
  - Closure type/classification
  - Location and spatial extent
  - Species and/or fleet coverage
  - Duration (e.g., mandatory timelines)
- Monitoring and sampling requirements for re-opening, including differential requirements by species and location (i.e., relative population, accessibility)
- 4.3.3 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of respective closures.

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4.3.4 Affected JFTF members implement and report actions/measures, as required.

4.3.5 JFTF co-leads report to Joint Response Team/Incident Command, as required.

### **4.4 Monitoring and Sampling**

4.4.1 JFTF assesses the respective monitoring and sampling requirements for the planned and/or established closures, including the following considerations:

- Compatibility of and/or inconsistencies in:
  - Procedures
  - Methods
  - Required end points
  - Timelines

4.4.2 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of respective monitoring and sampling procedures, methods, end points and timelines.

4.4.3 Affected JFTF members implement and report actions/measures, as required.

4.4.4 JFTF co-leads report to Joint Response Team/Incident Command, as required.

### **4.5 Re-Opening**

4.5.1 JFTF assesses the respective timelines and locations for re-opening of planned and/or established closures, including the following considerations:

- Compatibility of and/or inconsistencies in type and timing of re-opening
- Potential market or related impacts on affected fisheries
- Notification and communication requirements

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- 4.5.2 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of re-opening of respective closures.
  - 4.5.3 Affected JFTF members implement and report actions/measures, as required.
  - 4.5.4 JFTF co-leads report to Joint Response Team/Incident Command, as required.
5. **Protocol Review and Maintenance:** The JFTF is responsible for review and updating of the Protocol, including procedures and supporting annexes. This document will be reviewed annually and updated as required. A full review and update will occur in conjunction with the renewal of the CANUSLANT Annex. The co-leads report to the Joint Response Team, as required.

**Canada - United States  
Joint Marine Pollution Contingency Plan**

**CANUSLANT Regional Annex  
Enclosure (1) - Wildlife Response Guidelines**

**Canada-United States Wildlife Response Working Group**

**December 2022**

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Figure 1. Area covered by the JCP/Atlantic Geographic Annex





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## LIST OF ACRONYMS

ALERT	Atlantic Environmental Response Team
APHIS	Animal Plant Health Inspection Service
CANUSLANT	Canada-United States Joint Marine Pollution Contingency Plan, Atlantic Geographic Annex
CCG	Canadian Coast Guard
CITES	Convention on International Trade in Endangered Species of Wildlife Fauna and Flora
CWS	Canadian Wildlife Service
DFO	Fisheries and Oceans Canada
DOC	U.S. Department of Commerce
DOI	U.S. Department of the Interior
ECCC	Environment and Climate Change Canada
ECRC	Eastern Canada Response Corporation
ESA	Endangered Species Act
FOSC	Federal On-Scene Coordinator
GPS	Global Positioning System
IPIECA	International Petroleum Industry Environmental Conservation Association
JIC	Joint Information Center
MBCA	Migratory Birds Convention Act
MBTA	Migratory Bird Treaty Act
MDEP	Maine Department of Environmental Protection
MDIFW	Maine Department of Inland Fisheries and Wildlife
MMPA	Marine Mammals Protection Act

MMR	Marine Mammal Regulations
NBDNRED	New Brunswick Department of Natural Resources and Energy Development
NMFS	National Oceanic and Atmospheric Administration, National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NWR	National Wildlife Refuge
OEPC	Office of Environmental Policy and Compliance, DOI
OMA	Office of Management Authority
OSC	On-Scene Commander
PTMS	Point Tupper Marine Services
SARA	Canadian Species at Risk Act
SCAT	Shoreline Cleanup and Assessment Team
USCG	U.S. Coast Guard
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service

## I. INTRODUCTION

### A. Background and Objectives

The 2002 CANUSLANT) exercise report recommended forming a Canadian-United States Wildlife Response Working Group with representatives from the respective wildlife resource agencies. The purpose of the working group was to develop wildlife response guidelines for keeping wildlife away from oiled areas and for capturing and treating individuals of selected wildlife species that become oiled. This document, the *Canada-United States Marine Pollution Contingency Plan, Atlantic Geographic Annex (CANUSLANT) - Wildlife Response Guidelines*), is the result of that process, and has further benefited from testing during the CANUSLANT 2007 and 2019 exercises. It provides an overview of existing wildlife response protocols and areas of collaboration between Canada and the United States that will be used when the CANUSLANT annex is activated to facilitate coordinated, timely, and appropriate wildlife response protection activities under existing legal frameworks in the CANUSLANT area. Wildlife species are addressed by taxa to further clarify jurisdiction and legal frameworks for managing the variety of species found within the CANUSLANT area. It was further agreed that the goal of this effort is to ensure that decisions regarding wildlife-response activities are based on what is best for the wildlife resources (without putting human life at risk), and then to determine how the goal can be accomplished consistent with each country's regulations, policies and practices.

The CANUSLANT area (Figure 1) provides important seasonal habitat for significant numbers of migratory birds, sea turtles, and marine mammals. Many of these wildlife species support hunting and tourism and are federally or locally protected within the joint response area.

Significant numbers of birds migrate through or breed in the area, including waterfowl, seabirds, shorebirds, and bald eagles. Although most birds are in the area during the spring, summer, and fall, both waterfowl and bald eagles overwinter. The entire New Brunswick wintering population of the harlequin duck, Canadian Species at Risk Act (SARA) Status: Schedule 1, Special Concern, occurs in the outer Bay of Fundy. The numerous seabird colonies in the area range from hundreds to thousands of birds. Notable species of colonial breeding birds include terns, gulls, storm petrels, razorbills, common murrelets, puffins, and common eiders.

Many marine mammal species are found within the CANUSLANT area year-round and seasonally. Pinnipeds (seals), odontocetes (toothed cetaceans), and larger baleen whale species make up the collective group of marine mammals that occur in the area. There are many species within each marine mammal group that can occur in the CANUSLANT area that require different documentation/permitting, monitoring and response techniques, and have different rehabilitation needs. Federal protection for marine mammal species under existing laws and regulations differ between countries. In the United States, all marine mammals are protected under the Marine Mammal Protection Act (MMPA). Additional protection is provided under the Endangered Species Act (ESA) for select baleen whales: fin, sei, blue and right whale. In Canada, certain species are protected under SARA, including the North Atlantic right whale,

blue whale, fin whale, Sowerby's beaked whale, and northern bottlenose whale (Scotian Shelf population), and further requirements are identified for all marine mammals as part of the Marine Mammal Regulations (SOR /93-56) (MMR). Accordingly, processes under each country's legal structures exist to implement the relevant regulations pertaining to marine mammal species. Details on how existing legal requirements and response techniques for marine mammals will be implemented during a joint oil spill response are provided throughout these guidelines.

Four species of marine turtles are found in the Gulf of Maine. In the United States, all four species are listed as endangered under the ESA and in Canada, loggerhead and leatherback are listed as endangered under SARA. Similar to migratory birds and marine mammals, response to sea turtle species is implemented under existing legal requirements and response/rehabilitation protocols that are further outlined in subsequent sections. Other marine species, such as sharks and highly migratory fish, such as tuna, may also be impacted during an oil spill and will likely require consultation with state and federal agencies if present in the spill area.

Terrestrial mammals in the area that are vulnerable to discharges of petroleum products include black bear, moose, white-tailed deer, coyote, red fox, river otters, beaver, mink, and weasels. For a complete listing of endangered and protected species that could be present in the CANUSLANT area, please refer to <http://www.fws.gov/endangered/>; <http://www.nmfs.noaa.gov/pr/species/>; <http://maine.gov/ifw/wildlife/endangered/>; **Error! Hyperlink reference not valid.**; <https://www1.gnb.ca/0078/speciesatrisk/search-e.asp>; and <https://novascotia.ca/natr/wildlife/species-at-risk/>.

Because of their interdependence with the marine environment, during an oil spill that affects offshore or coastal areas these wildlife species may contact oil in the water column or through ingesting contaminated prey, on the water surface and/or along shorelines, marshes, or tide lands. The number of individuals and species affected depends on variables such as the location and size of the spill, characteristics of the oil, weather and water conditions, types of habitats affected, and seasonality.

Marine mammals and turtles are vulnerable to impacts from oil spills, but the types of impacts are not well understood. In comparison impacts to migratory birds are well documented resulting in significant response planning and development of protocols to implement during an oil spill. Although recent oil spill responses have provided much needed information on the impacts to these marine species - information that is critical in informing response planning and impact mitigation - documentation of impacts to and response of wildlife remains an ongoing need.

## **B. Wildlife Resources Addressed**

Appendix 1 identifies the Canadian and U.S. wildlife resource agencies having management responsibility for selected wildlife in the CANSULANT area. The *CANUSLANT Wildlife Response Guidelines* focus on migratory birds, marine mammals, and sea turtles because of their susceptibility and vulnerability to oiling, their requirement for specialized handling, and because

these species move across the CANUSLANT area.

Migratory birds. “Migratory birds” on the Canadian side of border are under the jurisdiction of Environment and Climate Change Canada-Canadian Wildlife Service (CWS) and include those species identified in the Migratory Birds Convention Act (MBCA). “Migratory birds” on the U.S. side of the border are under the jurisdiction of the U.S. Department of the Interior-Fish and Wildlife Service (USFWS) and the Maine Department of Inland Fisheries and Wildlife (MDIFW) and include those species identified in the Migratory Bird Treaty Act (MBTA). The remainder of these guidelines also addresses the “non-migratory bird species” that occur on the Canadian side of the border. Those species, which are under the jurisdiction of the New Brunswick Department of Natural Resources and Energy Development (NBDNRED), include, but are not limited to: grouse, hawks, owls, eagles, falcons, cormorants, vultures, pelicans, crows, jays, blackbirds, and kingfishers.

Decisions about keeping unoiled terrestrial wildlife away from a spill and/or the capture and treatment of terrestrial wildlife will be made on a case-by-case basis by NBDNRED and MDIFW representatives for the geographic areas under their respective jurisdiction.

Marine mammals. Harbor seals, grey seals, minke whales, harbor porpoises, small whale and dolphin species may be present in the CANUSLANT area throughout the year. Several species of federally protected baleen whales, including the fin, sei, humpback, blue, and right whale, migrate through the area and stop to feed throughout the year.

Marine mammal species on the Canadian side of the border are under the jurisdiction of the Department of Fisheries and Oceans Canada (DFO) and are protected under the Fisheries Act (RSC, 1985, c. F-14), Species at Risk Act (SC 2002, c. 29) (SARA), and MMR. Marine mammals on the U.S. side of the border are under the jurisdiction of the U.S. Department of Commerce, National Marine Fisheries Service (NMFS). All marine mammals are protected under the MMPA, and some species are afforded extra protection under the Endangered Species Act (ESA).

Prohibitions and requirements under SARA, MMR, MMPA, and ESA may require consultation by oil spill clean-up response agencies with DFO and NMFS prior to any disturbance of a species. For example, with regard to species listed on Schedule 1 of SARA, oil spill and clean-up agencies may require specific permitting or approval from DFO. DFO and NMFS may have existing protocols and recommendations in place for documenting impacts, surveillance, monitoring, response, and recovery activities for marine mammal species. Due to the unique adaptations for life in the water and marine mammal biology, detecting, monitoring, and responding to marine mammal species can be challenging. Specialized equipment and highly trained personnel are usually needed to appropriately identify marine mammal species at sea and to implement existing surveillance and response strategies for the various types of marine mammal species that may be encountered during a spill response. Decisions for keeping unoiled pinnipeds and cetaceans away from a spill and/or the capture and treatment of pinnipeds and cetaceans will be made on a case-by-case basis by DFO and NMFS representatives for the



geographic area under their respective jurisdiction. DFO and NMFS will also authorize and coordinate aerial and on-water survey efforts to monitor marine mammals in the spill area and assess potential oil spill impact risks that may facilitate additional response activities or documentation required under existing legal frameworks. Due to the need for highly trained personnel to implement surveillance and response efforts to marine mammal species, DFO and NMFS may authorize and work with external partners that maintain specific training and experience for some of these specialized activities. Coordination of these efforts will be conducted by DFO and NMFS within the infrastructure of the Joint Response Plan.

Sea turtles. Sea turtle species on the Canadian side of the border are under the jurisdiction of DFO and responsibility for their conservation and protection falls under the Fisheries Act (RSC, 1985, c. F-14) and SARA (SC 2002, c. 29). Sea turtles on the U.S. side of the border are under the co-jurisdiction of the USFWS and NMFS and include those species identified in the ESA.

Prohibitions and requirements under SARA and ESA may require consultation by oil spill clean-up response agencies with DFO, USFWS and NMFS. For example, with regard to species listed on Schedule 1 of SARA, oil spill and clean-up agencies may require specific permitting or approval from DFO. DFO, USFWS and NMFS may have existing protocols and recommendations in place for documenting impacts, surveillance, monitoring, response, and recovery activities for sea turtles. Due to the unique adaptations for life in the water and sea turtle biology, detecting, monitoring, and responding to sea turtles can be challenging. Specialized equipment and highly trained personnel are usually needed to appropriately identify sea turtle species at sea and to implement existing surveillance and response strategies for the various types of sea turtle species that may be encountered during a spill response.

Decisions regarding keeping unoiled sea turtles away from a spill and/or the capture and treatment of sea turtles will be made on a case-by-case basis by DFO, USFWS, and NMFS representatives for the geographic area under their respective jurisdiction. DFO and NMFS will also authorize and coordinate aerial and on-water survey efforts to monitor sea turtles in the spill area and assess potential oil spill impact risks that may facilitate additional response activities or documentation required under existing legal frameworks. Due to the need for highly trained personnel to implement surveillance and response efforts to sea turtle species, DFO, USFWS and NMFS may authorize and work with external partners that maintain specific training and experience for these specialized activities. Coordination of these efforts will be conducted by DFO and NMFS within the infrastructure of the Joint Response Plan.

### **C. Wildlife Response Strategies**

The *CANUSLANT Wildlife Response Guidelines* are based on the following three wildlife response strategies:

Primary response strategies emphasize controlling the release and spread of spilled oil at the source to prevent or reduce contamination of potentially affected species and/or their habitat. These strategies include use of mechanical recovery and (if approved) chemical

countermeasures; oiled carcass removal; and minimizing wildlife disturbance.

The use of alternative countermeasures such as dispersants or *in situ* burning in the CANUSLANT Area, specifically in situations where use in one country could affect the other, is subject to approval through the “joint decisions” process outlined in the CANUSLANT Regional Annex, Appendix L. As these countermeasures may not be supported or appropriate in all instances and locations, the incident-specific decision process includes involvement and input of federal and local officials and subject matter experts as specified in the respective country’s policies and procedures. Communication between Canada and U.S. wildlife response operations on presence of and risk to wildlife and active field personnel involved in the wildlife response is anticipated as needed. See also CANUSLANT Regional Annex, Appendix J, Worker Health, Safety and Compensation.

Secondary response strategies emphasize keeping wildlife that could be oiled away from oiled areas by deterrents or other techniques.

Tertiary response strategies address the capture and treatment of oiled wildlife, and other preventative measures such as rat/mice countermeasures on seabird islands, as needed during the breeding season.

#### **D. Development of CANUSLANT Wildlife Response Guidelines**

The *CANUSLANT Wildlife Response Guidelines* were prepared by the CANUSLANT Wildlife Response Working Group<sup>1</sup> and submitted to the Canadian Coast Guard (CCG) Atlantic Region Regional Director and U.S. Coast Guard (USCG) First Coast Guard District Commander and other interested parties for review and comment. The Guidelines were finalized in 2010 for inclusion in the *Canada-United States Marine Spill Pollution Contingency Plan, Atlantic Regional Annex*, with updates in 2016 and 2021.

#### **E. Procedures for Revisions and Updates**

The *CANUSLANT Wildlife Response Guidelines* will be reviewed and updated as needed by the CANUSLANT Wildlife Response Working Group members. The CANUSLANT Working Group Chairperson(s) will coordinate review of the document. Following CANUSLANT Wildlife Working Group member review of any proposed changes, the revised *CANUSLANT Wildlife Response Guidelines* will be submitted to the CCG Atlantic Region Regional Director and USCG First Coast Guard District Commander for review, concurrence, inclusion in the *Canada-United States Marine Spill Pollution Contingency Plan*, and subsequent distribution.

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<sup>1</sup> CANUSLANT Wildlife Response Working Group members include: representatives from Environment and Climate Change Canada, Canadian Wildlife Service; Fisheries and Oceans Canada; New Brunswick Department of Natural Resources and Energy Development; 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 Oceanic and Atmospheric Administration, National Marine Fisheries Service, and Maine Department of Inland Fisheries and Wildlife.

## F. CANUSLANT Wildlife Response Guidelines Organization

The *CANUSLANT Wildlife Response Guidelines* are divided into the following sections:

- I. Introduction
- II. Assumptions
- III. Wildlife Resource Agency Notification and Coordination
- IV. Migratory Birds
- V. Marine Mammals and Sea Turtles

The Introductory section, which outlines the purpose and origin of the guidelines, is followed by a list of assumptions agreed upon by Canadian and U.S. wildlife resource agency representatives that provide the basis for the *CANUSLANT Wildlife Response Guidelines*. The “Wildlife Resource Agency Notification and Coordination” section describes the appropriate wildlife resource agency contacts for the CANUSLANT annex and how Canadian and U.S. wildlife resource agency representatives will coordinate wildlife response-related activities following activation of the CANUSLANT annex. The sections on migratory birds, marine mammals and sea turtles provide information on the population and distribution of the species in the CANUSLANT area; a description of potential oil-related impacts to those species; species-specific response strategies; and how those response activities will be coordinated between Canadian and U.S. wildlife resource agency representatives.

## II. ASSUMPTIONS

The *CANUSLANT Wildlife Response Guidelines* are based on the following assumptions<sup>2</sup> :

- Actions taken under these guidelines will be consistent with the provisions of the CANUSLANT Regional Annex, including but not limited to Section III.1. Authority for Response; III.2. Joint Response Authority; and III.3. Responsibilities, which lists the respective Federal, Provincial, and State contingency plans being implemented by the respective jurisdictions. This includes applicable wildlife response practices and policies that may be incorporated into or referenced by the respective Canada and U.S. contingency plans (see CANUSLANT Regional Annex section III.3.), including, but not limited to:
  - Maine/New Hampshire Area Contingency Plan (2020)
  - Maine Marine Oil Spill Contingency Plan
  - MDIFW Oiled Wildlife Response Plan (2020)
  - ECCC-CWS National Policy on Wildlife Emergency Response (2021)
  - ECCC-CWS Guidelines for Wildlife Response Plans (2022)

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<sup>2</sup> These assumptions apply in both Responsible Party- and CCG/USCG-led responses. Wildlife resources agency representatives will coordinate as appropriate, with Responsible Party wildlife-response personnel and/or wildlife-response contractors.

- ECCC-CWS Guidance and Protocols for Wildlife Surveys for Emergency Response (2022)
  - ECCC-CWS Guidelines for Establishing and Operating Treatment Facilities for Oiled Wildlife (2022)
  - ECCC-CWS Guidelines for the Capture, Transport, Cleaning, and Rehabilitation of Oiled Wildlife (2022)
  - National Oceanic and Atmospheric Administration (NOAA) Pinniped and Cetacean Oil Spill Response Guidelines (2015)
  - USFWS Best Practices for Migratory Bird Care during an Oil Spill (2003)
- Canadian and U.S. wildlife resource agency representatives will provide the CCG On-Scene Commander (OSC) and the USCG Federal On-Scene Coordinator (FOSC) agreed-upon protocols for removing oiled carcasses from the environment. The removal of oiled carcasses will be overseen by appropriate wildlife resource agency representatives.
  - Surveillance and monitoring for marine mammals or sea turtles in the CANUSLANT area will be overseen by the NMFS on the U.S. side of the border and by DFO on the Canadian side of the border. In the case of cross-jurisdictional events or if assistance is requested by the neighboring country, NMFS and DFO will follow established protocols and proper channels developed for these communications.
  - Recommendations on whether to deter wildlife away from oiled areas, conduct pre-emptive capture of unoiled marine mammals or sea turtles, and/or capture, stabilize, and treat oiled migratory birds, marine mammals, and/or sea turtles will be made jointly by the appropriate Canadian and U.S. wildlife resource agency representatives and then will be submitted to the CCG OSC and the USCG FOOSC for approval.
    - Public announcements regarding wildlife response recommendations and activities will be released through the CCG/USCG Joint Information Center (JIC) in consultation with the appropriate wildlife resource agencies.
    - Actions taken to keep wildlife away from oiled areas will be coordinated among appropriate Canadian and U.S. wildlife resource agency representatives to ensure the activities are not in conflict. Actions taken will be overseen or conducted by the appropriate Canadian or U.S. wildlife resource agency representatives in their respective area.
  - Oiled bird capture and treatment programs will be overseen/monitored by USFWS on the U.S. side of the border, and by the CWS on the Canadian side of the border, in cooperation with their State and Provincial partners.
  - Canadian and U.S. wildlife resource agency representatives are responsible for funding their respective personnel and associated expenses for wildlife-response-related activities

and for requesting reimbursement via their normal respective reimbursement procedures.

- Expenses associated with wildlife response-related activities (e.g., hiring bird capture and treatment contractors and/or acquiring wildlife response equipment, materials, and supplies) will be paid by the responsible party or by the CCG and/or USCG, through respective U.S. and Canada procedures.
- Wildlife response-related equipment, materials, supplies, and personnel may be transferred across the Canada/U.S. border without special permits during the emergency phase of the response as outlined in Section VIII of the *CANUSLANT Annex*. Additional considerations are addressed in Appendix 15 of this document.
- Individuals conducting migratory bird capture and treatment in New Brunswick and Maine will have appropriate training under currently established guidelines and procedures.<sup>3</sup> These will be wildlife resource agency personnel, wildlife rehabilitation contractors, or trained volunteers working under appropriate supervision.
- Decisions regarding the secondary and tertiary response options for terrestrial wildlife will be made on a case-by-case basis by NBDNRED and MDIFW representatives in the geographic area under their respective jurisdiction.
- Decisions regarding secondary and tertiary response options for marine mammals and sea turtles will be made on a case-by-case basis by DFO and NMFS representatives in the geographic area under their respective jurisdiction.

### **III. WILDLIFE RESOURCE AGENCY NOTIFICATION AND COORDINATION**

#### **A. Notification**

*CANUSLANT Regional Annex*, Section VI outlines the circumstances under which the regional annex may be invoked. Section VII provides for the notification procedures in the event the annex is activated. In Canada, appropriate DFO, ECCC, and CWS representatives will be notified by the 24/7 on-call EC Emergency Duty Officer. In the U.S., appropriate DOI, USFWS, and NMFS representatives will be notified (24/7) by the USCG FOSC's representative. Appropriate MDIFW representatives will be notified (24/7) by a Maine Department of

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<sup>3</sup>Examples include but are not limited to: U.S. Fish and Wildlife Service. November 2003. Best Practices for Migratory Bird Care During Oil Spill Response. 86 pp.; White, J., S. Patton, A. Kasker and J. Lainson. 1998. Recommended Protocols for the Care of Oil-affected Birds. Pacific States-British Columbia Oil Spill Task Force. 73 pp.; International Petroleum Industry Environmental Conservation Association (IPIECA) (2017) Key principles for the protection, care and rehabilitation of oiled wildlife. International Association of Oil and Gas Producers. 63pp.; Beaulieu, D., and G. Fitzgerald. 1998. Guide d'intervention d'urgence Guide d'intervention d'urgence lors de déversements d'hydrocarbures: Réhabilitation d'oiseau contaminés. Union Québécoise de Réhabilitation des oiseaux proie. 28 pp.; ECCC-CWS (2020 draft) Guidelines for the Capture, Transport, Cleaning, and Rehabilitation of Oiled Wildlife. 47 pp.

Environmental Protection (MDEP) representative. Canadian and U.S. wildlife resources agency contacts for the CANUSLANT area are listed in Appendix 2.

As soon as practicable following their respective notification by CCG and USCG representatives, Canadian and U.S. wildlife resource agency representatives will contact each other to begin coordinating wildlife response information and activities. Initial coordination will include, but not be limited to: (1) how to obtain “real time” information on wildlife resources affected or potentially-affected by the incident; (2) when and how (if necessary) resources agency representatives will travel to the incident area; (3) what entities (including wildlife rehabilitators under contract with the responding agencies) need to be placed “on alert”; and (4) when the CCG OSC and USCG FOSC may expect to begin receiving recommendations regarding wildlife response-related activities.

## **B. Coordination**

Following activation of the CANUSLANT Annex, the CCG OSC and the USCG FOSC will coordinate their response efforts but will not fully integrate their response structures. It is currently anticipated that their response structures will initially be in separate locations, with the CCG in Canada and the USCG in the U.S. Both the CCG and USCG response structures will receive advice and input on wildlife response activities through the appropriate Canadian and U.S. wildlife resource agency contacts. If appropriate, Canadian and U.S. wildlife resource agencies will assign wildlife resource agency liaisons to work with their respective organization to help facilitate the coordination of wildlife response-related activities. Wildlife resource agency representatives for wildlife in the Canadian portion of the CANUSLANT area will work through the Science Table chaired by Environment and Climate Change Canada’s National Environmental Emergencies Centre and the Environmental Unit in the Planning Section, in coordination with the Operations Section/Wildlife Branch, as applicable. Wildlife resource agency representatives for wildlife in the U.S. portion of the CANUSLANT area will work in the Environmental Unit in the Planning Section, in coordination with the Operations Section/Wildlife Branch, or in the Joint Environmental Team if established consistent with Section VI, and Appendix K of the CANUSLANT Regional Annex. Both Canadian and U.S. wildlife resource agencies representatives will physically co-locate with their respective CCG and USCG counterparts as appropriate.

## **IV. MIGRATORY BIRDS**

### **A. General Considerations**

#### **1. Population and Distribution**

The CANUSLANT area has high levels of biodiversity and productivity in part due to its estuaries and tremendous tides that circulate nutrient rich water from deeper waters and stimulate phytoplankton growth throughout the year. The estuaries are critically important as nurseries for larval and juvenile invertebrates and fish, and as feeding and nesting areas for migratory fish and

birds. Estuaries, mudflats, saltmarshes, and offshore islands of Grand Manan Channel, Cobscook Bay, Passamaquoddy Bay and the Bay of Fundy are significant wildlife habitats at the boundary between Maine and New Brunswick.

Tens of thousands of shorebirds, representing 33 species including turnstones, plovers, sandpipers, dowitchers, curlews, godwits, use the areas for feeding and roosting on their fall, southerly migration. The CANUSLANT area is recognized as a critical staging region for migratory shorebirds in the western Atlantic Flyway. The area was historically a common place for red-necked phalaropes to concentrate in numbers of 250,000 to 1,000,000 during the autumn migration. The purple sandpiper is the only shorebird that is a regular winter resident in the CANUSLANT area.

The irregular shoreline and strong tidal flow keep the bays relatively free of winter ice and make them a very attractive area for the 20 species of waterfowl that spend the winter in coastal waters. Cobscook Bay may winter as much as 25% of the State of Maine black duck population. Other waterfowl that use the area include common eider, three species of scoter, long-tailed duck, common and Barrow's goldeneye, bufflehead, common merganser, mallard, and Canada goose. The entire provincial population of the harlequin duck, listed as endangered in New Brunswick, and over 30,000 waterfowl are known to winter in the outer Bay of Fundy. Large number of Brant geese stage in the Grand Manan Archipelago during spring migration.

There are several seabird nesting islands in the CANUSLANT area providing nesting habitat. Migratory, non-breeding and offshore island breeding seabirds visit these waters. These species include common murre, common tern, and Leach's storm-petrel (all state-listed species of special concern in Maine; Leach's storm-petrel listed as threatened by the Committee on the Status of Endangered Species in Canada); roseate tern (federally-listed as endangered in the U.S. and Canada), Arctic tern, Atlantic puffin, razorbill (all state-listed as threatened in Maine); as well as black guillemot, great black-backed and herring gulls, double-crested cormorants, and common eiders. Common eiders are particularly vulnerable during summer when rearing flightless young on the water and late summer when adults are flightless during molt. Over 100,000 alcids are known to winter offshore in the CANUSLANT area.

Finally, there is a higher concentration of nesting bald eagle pairs in Cobscook Bay and Passamaquoddy Bay than anywhere else in Maine.

## **2. Potential Oil Spill Impacts**

### **a. Petroleum Products**

Most birds that contact oil will die before they can be captured. Toxic effects may result from ingestion of oil and/or hypothermia caused by injury to their plumage. Birds captured alive and taken to treatment centers can often be cleaned, rehabilitated, and released. However, mortality following arrival at a treatment center in some circumstances may be high due to the effects of oil or stresses associated with handling and captivity. The proportion of birds brought to a

treatment center to those that are released can be expected to vary. Of the birds released, not all can be expected to survive. Therefore, every effort should be made to prevent birds from becoming oiled.

Seabirds exhibit obvious immediate behavioral changes in response to exposure to oil. In particular, they begin preening to clean oil from their feathers. As a result, normal activities such as feeding, nesting, and migrating are abandoned. In addition, skin contact or ingestion of oil due to preening may have long-term chronic effects on birds' metabolic processes. The severity of those effects will depend on factors including, but not limited to the species contaminated, health of the birds prior to exposure, type of petroleum product, degree and length of exposure, and distribution of oil in the environment.

To date, a wide variety of migratory birds have been affected by oil spills. The long-term implication of those effects is just beginning to be understood. Seabirds, such as the Atlantic puffin, that have low reproductive rates may require decades to rebuild population levels to pre-spill numbers.

Bird species exhibit different levels of susceptibility to oiling. Appendix 3 shows the susceptibility of the species commonly found in the CANUSLANT area. Birds concentrate in various areas, depending on the species and season. If possible, the following types of areas where birds concentrate in the spring and fall should be protected following an oil spill:

- Seabird colonies. Birds are vulnerable to oil contamination when they are in large flocks on the water near their colony. This is a common occurrence around island complexes during the summer when thousands of birds may be at their respective colonies.
- Major seabird feeding areas. Most seabirds obtain their food at sea away from land. While they may feed in areas that are close to land or more than 100 miles offshore, they are often concentrated in small areas. As a result, the presence of oil in some feeding areas could negatively affect the majority of seabirds in the region. Feeding areas shift with the tides and seasons. Some seabirds, such as storm-petrels, are nocturnal feeders.
- Wintering areas of marine birds. These include near-shore waters of New Brunswick and Maine. Concentrations of birds vary during the winter. Several alcid species concentrate in large flocks offshore in the CANUSLANT area.
- Tidal flats and roosting areas. Intertidal areas with sand, mud, gravel, or cobble substrates contain high concentrations of invertebrates that are a critical food source to tens of thousands of shorebirds that migrate from the northern to the southern hemisphere each year during late summer and early fall. Loss of this feeding opportunity due to the habitat being oiled, disturbance caused by spill responders, or a decline in the invertebrate resource from a spill outside the migratory season could have a significant global impact on numerous bird populations. Roosts, or resting/sleeping areas associated with the tidal flats, typically are near the high-tide line and may consist of a variety of rocky/vegetated configurations. They are



equally critical to the survival of migrating shorebirds. Outside the migratory season, these intertidal flats are also used by coastal waterfowl and wading birds.

- Shallow subtidal flats. These areas have similar substrates to the intertidal flats described above and usually are subtidal extensions of them. Coastal waterfowl dive down to the shallow bottom to feed.

In addition, other important coastal habitats, such as marshes, are sensitive to oil contamination and should be protected if they are at risk from oil contamination even when no birds are present.

#### **b. Rats and Mice**

Most islands in the CANUSLANT area are believed to be free of rats and mice. The introduction of rats and mice could result in significant mortality of the islands' seabird colonies during the immediate nesting season, because the rats and mice may prey on nesting birds and their eggs.

The most likely pathway for rats and mice to be introduced to these islands as a result of an oil spill is through the grounding of a vessel onshore or grounding of a vessel sufficiently close to shore that rats and mice aboard the vessel swim to shore. In addition, it is also possible for rats and mice to drift to shore onboard vessel debris. In addition, vessels responding to an oil spill could inadvertently introduce rats and mice to the islands.

### **B. Response Strategies**

#### **1. Primary Response Strategies**

Decisions regarding primary response strategies are made by the CCG OSC and the USCG FOSC with input from wildlife resource agency representatives and other appropriate parties.

#### **a. Mechanical Recovery and Other Countermeasures**

The primary response in protecting birds from an oil spill is to prevent the oil from reaching areas where migratory birds are concentrated. This can be done using either booms and skimmers or - where environmental considerations allow and authorization is given - using chemical dispersants and/or *in situ* burning. Booms and skimmers and *in situ* burning are typically preferred near concentrations of birds because dispersants, being detergents, reduce the insulating value of bird plumage and therefore may cause mortality to some birds. Spraying dispersants directly into large concentrations of birds should be avoided. After dispersants have mixed with water, the potential, negative effects on birds are reduced, although not eliminated.

## **b. Wildlife Assessment**

Assessment of oiled and unoled wildlife, which will only be undertaken by qualified and approved personnel, can be done concurrently with Shoreline Cleanup & Assessment Team (SCAT) surveys or separately. In either case, it may be most efficient to use the same shoreline segments, or portions of them, delineated for SCAT. Wildlife assessment also may be needed in areas not included in SCAT surveys, such as near-shore and open water areas that may be surveyed by vessel or aircraft. Important data to record includes the total number of observed birds, the number of live oiled birds that could be/are collected, live oiled birds that could not be collected, and live unoled birds.

## **c. Oiled Carcass Recovery**

Dead, oiled wildlife need to be removed from the environment as soon as possible to help prevent secondary contamination of scavengers, including raptors. Secondary contamination may occur through (1) ingestion of oily carcasses; and (2) physical contact with oil on carcasses by unoled feathers, fur, and/or skin. The collection of oiled, dead wildlife needs to be performed by qualified personnel only, in such a manner to protect the integrity of data or evidence that may be obtained and used for law enforcement, scientific, and/or Environmental Damages (Canada)/Natural Resource Damage Assessment (U.S.) purposes. Appropriate Canadian and U.S. wildlife resource agency representatives and their law enforcement branch/division will provide information to the CCG OSC and USCG FOSC, respectively, on entities authorized to conduct oiled carcass recovery, and will communicate and coordinate as appropriate regarding the exchange of data for the aforementioned purposes. Please see Appendix 4, Oiled Carcass Recovery, 5, Sample Data Sheet for Collected Oiled Carcasses and Wildlife Assessment, and 7, Sample Chain-of-Custody Record and Evidence Storage Log.

## **d. Disturbance Minimization**

During a response to an oil spill, appropriate wildlife resource agency representatives will evaluate the potential for response activities, such as low-altitude aircraft and certain shoreline cleanup techniques, to negatively affect sensitive migratory birds and/or their habitats. Canadian and U.S. wildlife resource agency representatives may recommend to the CCG OSC and the USCG FOSC that response activities in or adjacent to sensitive species or areas in the CANUSLANT area be modified or completed prior to, or following, critical biological periods to help reduce or eliminate wildlife disturbance. If that is not possible, wildlife resource agency representatives may recommend to the CCG OSC and the USCG FOSC that agency on-site monitors accompany near-shore and/or shore-based activities to help eliminate or minimize and monitor disturbance.

Over-flight activities, including unmanned aerial vehicles, associated with oil spill response have the potential for causing unnecessary and illegal disturbance to migratory bird species. To reduce disturbance and improve the chances for migratory bird survival, appropriate Canadian and U.S. wildlife resource agency representatives will provide the CCG OSC and the USCG

FOSC with over-flight advisories to pilots (e.g., flights over nesting Bald Eagles). These advisories may request that operations remain at a certain distance from migratory bird concentration areas, seabird nesting islands, and critical habitats. Wildlife resource agency representatives will request that copies of any advisories be sent by the CCG OSC to Transport Canada, Airspace Restriction, System Safety, Civil Aviation and by the USCG FOSC to the Federal Aviation Administration.

In addition, appropriate Canadian and U.S. wildlife resource agency representatives will provide to the CCG OSC and the USCG FOSC, notices to mariners for areas affected by an oil spill. These advisories may request vessel operators to remain at a certain distance from migratory bird concentration areas and critical habitats. Wildlife resource agency representatives will request that copies of any advisories be sent by the CCG OSC and the USCG FOSC to all government agency, agency-contracted, and responsible party-related spill-response personnel. In addition, a news release will be prepared by appropriate Canadian and U.S. wildlife resource agency representatives for distribution by the CCG/USCG JIC.

If warranted, a request will be made of the appropriate authorities<sup>4</sup> to temporarily close an area to hunting to avoid displacing unoiled wildlife into oiled areas.

## **2. Secondary Response Strategies**

As stated in Section II, actions taken to keep wildlife away from oiled areas will be coordinated among appropriate Canadian and U.S. wildlife resource agency representatives to ensure activities are not in conflict. All deterrence activities will be overseen or conducted by the appropriate Canadian or U.S. wildlife resource agency representatives in their respective jurisdictions. Appendix 8 of this document addresses issues related to hazing/deterrence of wildlife to prevent additional oiling. Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency permits required for keeping unoiled birds away from oiled areas. Appendix 10 identifies equipment and materials currently stockpiled in the CANUSLANT area for deterring unoiled birds, and the contact person to obtain the equipment and materials. Appendix 11 identifies entities with bird deterrence capabilities in the CANUSLANT area.

## **3. Tertiary Response Strategies**

### **a. Rat and Mice Countermeasures**

If a vessel operating in rat or mice free islands experiences an emergency that results or may result in the vessel going aground, CWS and USFWS representatives or their designated representative will seek, with the assistance of the CCG OSC and the USCG FOSC, information from the vessel operator/owner on whether rats or mice are onboard. If the vessel is safe to

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<sup>4</sup> As appropriate, Minister of Environment and Climate Change Canada; Commissioner, State of Maine, Department of Inland Fisheries and Wildlife; Refuge Manager(s), U.S. Fish and Wildlife Service.

board, CWS or USFWS representatives or a designated CWS or USFWS on-scene representative will conduct an onboard inspection of the vessel to determine if rats or mice are present. If rats or mice are known or suspected to exist on board the vessel, CWS or USFWS representatives or a designated CWS or USFWS on-scene representative will deploy rodent traps and/or poisons on the vessel, if possible, prior to or following the vessel grounding.

In the event it is not possible to conduct onboard rat and mice inspection and prevention activities prior to a vessel going aground, CWS or USFWS representatives will develop a rodent prevention plan specific to the incident for approval by the CCG OSC and USCG FOSC. The plan will include, but not be limited to, the deployment of traps and poison stations in appropriate locations on the vessel and the island, individual(s) authorized to deploy and monitor the stations, and a station monitoring plan. In the event of an oil spill that includes the use of response-related aircraft that may contain rats or mice, CWS and USFWS representatives will provide the CCG OSC and the USCG FOSC with rat and mice prevention information that will in turn be provided to appropriate spill-response-related aircraft operators.

#### **b. Migratory Bird Capture and Treatment**

A request to initiate an oiled migratory bird capture and treatment program will occur in one of the following ways:

- A request will be made jointly by CWS, NBDNRED, USFWS and MDIFW representatives to the CCG OSC and the USCG FOSC; or
- A request will be made by the responsible party and submitted to CWS and USFWS representatives for their consideration and potential submittal to the CCG OSC and the USCG FOSC. If capture and treatment are only anticipated to take place on one side of the border, the request need only be submitted to CWS or USFWS as appropriate.

The factors included in Appendix 12 will be used by CWS, NBDNRED, USFWS and MDIFW representatives as the basis for deciding whether to request approval from the CCG OSC and USCG FOSC to initiate an oiled migratory bird capture and treatment program. Any request to the CCG OSC and the USCG FOSC to conduct a capture and treatment program for oiled migratory birds must be made via the checklist in Appendix 13.

These *CANUSLANT Wildlife Response Guidelines* assume that, if an oiled migratory bird capture and treatment program is approved by the CCG OSC and the USCG FOSC:

- As practicable, the program will be initiated jointly by CWS, NBDNRED, USFWS and MDIFW representatives. In the State of Maine, USFWS requests MDIFW to call the State's oiled wildlife rehabilitation contractor when the RP has requested it or is not doing an appropriate job. Contractors will need to maintain permitting in US/State of Maine and Canada/New Brunswick and/ or Nova Scotia.

- CWS, NBDNRED, USFWS and MDIFW will provide agency representatives to oversee and monitor joint capture and treatment operations.
- Personnel should have appropriate level of hazardous materials training because the oil on the wildlife is a hazardous substance. Appropriate training is essential if personnel will be entering the spill site to pick up animals. See also Appendix J CANUSLANT Regional Annex.
- Oiled-bird-treatment facilities need to be located where there is appropriate infrastructure (e.g., access to clean, hot water and oiled water disposal, sufficient room for housing birds, appropriate temperature control and air quality), minimal disturbance, and good road/air access for moving birds and personnel. The best location(s) may not be those nearest the spill site. Oiled-bird-treatment facilities should be established based on currently available guidelines and procedures<sup>5</sup>.
- Decisions regarding euthanizing birds will be based on standard agency practices and policies being implemented within respective countries.
- CWS, NBDNRED, USFWS and MDIFW representatives will coordinate on the release plans being developed for rehabilitated birds.
- The establishment of joint Canada/U.S. oiled-bird-treatment facility(ies) is not anticipated.

Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency permits required for collecting, transporting (including importing and exporting), and treating oiled birds.

Appendix 10 identifies equipment and materials currently stockpiled in the CANUSLANT area for capturing and stabilizing oiled birds and the contact person.

Potential facilities (and contact information) in the CANUSLANT area that could be used for stabilization and/or treatment of oiled birds are listed in Appendix 14. NBDNRED licenses existing wildlife rehabilitation facilities in the province. Typically, there are 3 licensed operators in a given year, one of which is trained to handle oiled birds. In the event a migratory bird capture program is initiated, the availability of these facilities must be verified at that time.

## **V. MARINE MAMMALS AND SEA TURTLES**

### **A. General Considerations**

#### **1. Population and Distribution**

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<sup>5</sup> Examples include but are not limited to: IPIECA (2017) Key principles for the protection, care and rehabilitation of oiled wildlife. International Association of Oil and Gas Producers. 63pp.; ECCC-CWS (2020 draft) Guidelines for Establishing and Operating Treatment Facilities for Oiled Wildlife. 43 pp.

The waters off North America's east coast are home to a wide variety of marine life, including marine mammals and sea turtles. Resident populations of pinnipeds (seals) and cetaceans (whales, dolphins and porpoises) inhabit both the coastal and offshore waters in the CANUSLANT area. The Bay of Fundy's nutrient rich waters bring in phytoplankton, krill and many fish species that are prey items for many marine mammals and sea turtles. More than 20 species of marine mammals and 4 species of marine turtles are known to spend at least part of the year in the Gulf of Maine. The marine mammals can be grouped into general categories to facilitate review: large cetaceans, small cetaceans, and seals. Within each group, the overall patterns of population trends and habitat use are similar, with a few differences among species.

Large cetaceans. In the Gulf of Maine, this group is dominated by the Mysticeti, baleen whales, and includes North Atlantic right whale (*Eubalaena glacialis*), humpback whale (*Megaptera novaeangliae*), fin whale (*Balaenoptera physalus*), sei whale (*Balaenoptera borealis*) and minke whale (*Balaenoptera acutorostrata*). Blue whales (*Balaenoptera musculus*) and some of the large Odontoceti (toothed whales) such as sperm whales (*Physeter macrocephalus*) and the beaked whales (e.g. northern bottlenose whale, *Hyperoodon ampullatus*; Cuvier's beaked whale, *Ziphius cavirostris*) are sighted only rarely. The baleen whales are known to occupy Canadian waters in the Gulf of Maine, Bay of Fundy and southwestern Scotian Shelf mainly during the summer and autumn months, but most species are sighted sporadically year-round.

Small cetaceans. This group includes the dolphins and related species. In Canadian waters of the Gulf of Maine the main species sighted are harbour porpoise (*Phocoena phocoena*), white-sided dolphin (*Lagenorhynchus acutus*), two species of pilot whales (long-finned, *Globicephala melas*; short-finned, *Globicephala macrorhynchus*), and the common dolphin (*Delphinus delphinus*). Two other dolphin species, Atlantic bottlenose dolphin (*Tursiops truncatus*) and white-beaked dolphin (*Lagenorhynchus albirostris*), are seen occasionally. Risso's dolphin (*Grampus griseus*) and killer whale (*Orcinus orca*) are rarely sighted. Overall, there is little or no information on abundance trends. All abundance estimates for the Gulf of Maine area have been derived from surveys undertaken by the NMFS, and have not centred on Canadian waters.

Seals. Seals can be spotted swimming or hauled out off the coast of Canada's Atlantic Provinces and into the northeastern United States year round. Seals take advantage of the rich resources of the sea while maintaining close ties with the land. It is here that seals rest, moult, give birth and nurse their young. There are 33 species of pinnipeds (fur seals, sea lions, true seals and the walrus) worldwide (a 34<sup>th</sup> species, the Caribbean monk seal, is now considered extinct). Of these, 18 are "true" seals, six of which are found along the east coast of North America and can be found in the CANUSLANT area: grey seal, harbor seal, harp seal, hooded seal, ringed seal and bearded seal.

Sea turtles. Four species of sea turtles - green, Kemp's ridley, leatherback, and loggerhead - can be found in the CANUSLANT area. Leatherback and loggerhead sea turtles are frequently encountered throughout the Gulf of Maine. Juvenile Kemp's ridleys and greens are found in the waters from Cape Cod south, with the former being much more common. All sea turtle species

are in the area only seasonally, typically from May through November.

## 2. Potential Oil Spill Impacts

Prior to the *Deepwater Horizon* (DWH) oil spill, marine mammals were reported as being infrequently affected by oil spill incidents. However, data collected during ongoing assessment work, during and after DWH, documented impacts and increased mortality to cetacean species due to exposure of elevated petroleum compounds. The number of individuals and species affected, as well as the degree of pathological impact of such exposure, will depend on many variables, such as the location and size of the spill, the characteristics of the oil, weather and water conditions, types of habitats affected, the time of year the spill occurs, as well as the behavior and physiology of the marine mammal. Information on the effects of oil on marine mammals is mostly a result of the *Exxon Valdez* oil spill in Alaska in 1989, a limited number of exposure experiments on a narrow range of species exposed to relatively low doses of oil (Geraci and St. Aubin, 1990), and most recently research efforts conducted on the DWH (Venn-Watson et al., 2015). The sensitivity of marine mammals to spilled oil is highly variable and appears to be most directly related to the relative importance of fur and blubber to thermoregulation. In those species with relatively sparse fat stores, direct contact with oil impairs the thermal insulative value of fur thus resulting in hypothermia. External exposure can also result in dermal injury and conjunctivitis. Internal exposure of oil by ingestion (either by direct ingestion or indirect through food and water sources) can result in gastrointestinal ulcers and liver and kidney damage. Inhalation of volatile hydrocarbons can result in central nervous system and pulmonary damage and behavioral abnormalities. Adrenal and lung disease have been documented with chronic exposure (Venn-Watson et al., 2015). Depending upon the extent of external exposure, the toxicity of the petroleum product, the volume ingested or inhaled, the presenting clinical signs, and the species affected, some marine mammals exposed to oil may not need rehabilitation. Oil spill responders must consider that such procedures involving capturing, holding, treating, and releasing wild animals places stress on the animal, and the consequences of capture and captivity may be a greater risk to its well-being than contacting oil. Exceptions may include abandoned or moribund young pups of any species and species that rely on fur for thermal insulation. These animals will most likely require rehabilitation when oiled due to the physical and toxicological effects of petroleum exposure.

Although surprisingly robust when faced with physical damage (shark attacks, boat strikes), sea turtles are highly sensitive to chemicals such as oil.

"Sea turtles at all life stages appear to be highly sensitive to oil spills, perhaps due to certain aspects of their biology and behavior, including a lack of avoidance behavior, indiscriminate feeding in convergence zones, and large pre-dive inhalations (Milton /et al/. 2003). Milton /et al/. (2003) state that the oil effects on turtles include direct mortality due to oiling in juveniles and adults, and impacts to the skin, blood, salt glands, and digestive and immune systems. All life history stages are vulnerable to the harmful effects of oil through direct contact, degradation of food resources, and loss of habitat (Vargo /et al/. 1986, Minerals Management Service 2000). Vargo /et al/. (1986) reported

that sea turtles would be at substantial risk if they encountered an oil spill or large amounts of tar in the environment. In a review of available information on debris ingestion, Balazs (1985) reported that tar balls were the second most prevalent type of debris ingested by sea turtles. Physiological experiments showed that sea turtles exposed to petroleum products may suffer inflammatory dermatitis, ventilatory disturbance, salt gland dysfunction or failure, red blood cell disturbances, immune response, and digestive disorders (Vargo /et al/. 1986, Lutz and Lutcavage 1989, Lutcavage /et al/. 1995)."

Pathological effects of petroleum exposure. Documented clinical and histopathological effects of oil in pinnipeds include ambulatory restrictions, thermoregulatory imbalance, central nervous system depression, interstitial pulmonary emphysema, aspiration pneumonia, anemia, conjunctivitis and corneal edema, gastrointestinal irritation, and hepatic and renal tubular necrosis/lipidosis, and adrenal gland dysfunction (Davis and Anderson, 1976; Geraci and Smith, 1976; Engelhardt et al., 1977; Engelhardt, 1985; Geraci and St. Aubin, 1988; Geraci and Williams, 1990; St. Aubin, 1990; Lipscomb et al., 1993). Small laboratory studies on the effects of oil have been conducted on ringed and harp seals (Smith and Geraci, 1975; Geraci and Smith, 1976); however, most studies have been unable to correlate the degree of oiling with the type of effect and many of these lesions may be related to captivity stress or other underlying factors. Changes in acute phase proteins and cytokines (e.g. elevated IL-6, haptoglobin and creatine kinase) have been correlated with probable petroleum exposure in river otters (Duffy et al., 1993; Duffy et al., 1994). Heavy oiling did not appear to interfere with seal locomotion during the *Exxon Valdez* oil spill (Lowry et al., 1994), but in previous spills seal pups encased in oil have drowned due to their inability to swim (Davis and Anderson, 1976). During *Exxon Valdez*, harbor seals were observed exhibiting abnormally tame or lethargic behavior. These observations are most likely explained by midbrain nerve damage found in oiled harbor seals and Steller sea lions (Spraker et al., 1994). In addition to the acute mortalities associated with the loss of thermoregulation and buoyancy, many physiological and behavioral problems have been attributed to internal exposure to petroleum and polycyclic aromatic hydrocarbon (PAH) compounds in sea otters. However, many of these conditions have been difficult to differentiate from lesions attributed to, or compounded by, shock and chronic stress associated with capture and the rehabilitation process (Williams and Davis, 1995). It has become clear that animals captured during oil spill responses undergo additional stressors that may or may not be offset by the medical care they receive.

Research efforts in the DWH oil spill have greatly increased the data on the types of clinical and histopathological effects oil can have on cetacean species. Data collected during necropsy examination and live animal health assessments of Gulf of Mexico Bottlenose dolphins (*Tursiops truncatus*) indicate that animals within the DWH spill area had (1) affected adrenal gland cortices, causing chronic adrenal insufficiency; (2) increased susceptibility to life-threatening adrenal crises, especially when challenged with pregnancy, cold temperatures, and infections; and (3) increased susceptibility to primary bacterial pneumonia, possibly due to inhalation injury, aspiration of oil, or perturbations in immune function (Venn-Watson et al., 2015). Internal exposure of oil through inhalation and ingestion, as well as external contact with mucus membranes and skin are of concern for cetacean species.



Not much is known about the toxicity of oil to marine turtles; however, some documented pathologic effects include changes in blood chemistry, specifically a reduced red blood cell volume, damage to skin at exposure sites, and salt gland dysfunction. Other potential impacts include hemorrhagic enteritis, gastrointestinal blockage due to tar ball ingestion, fluid and/or hemorrhaging in the lungs, and liver and kidney damage (Milton et al. 2003).

## **B. Response Strategies**

### **1. Primary Response Strategies**

Decisions regarding primary response strategies are made by the CCG OSC and the USCG FOSC with input from wildlife resource agency representatives and other appropriate parties.

The primary response strategies to protect marine mammals and sea turtles from an oil spill focus on preventing oil from reaching marine mammal and/or sea turtle concentration areas. These sensitive areas can include haulouts, pupping, feeding, nursing, and rearing areas. Because marine mammals react differently to disturbance, response actions implemented must not drive them into oiled areas. Additional information regarding marine mammal oil spill response can be found in Zicardi, et al. (2015)<sup>6</sup>.

#### **a. Mechanical Recovery and Other Countermeasures**

Mechanical recovery operations such as skimming and booming are recommended to prevent oil from reaching marine mammal or sea turtle concentration areas. Both response actions should have little to no negative impact to these species; however, indirect impacts (such as vessel strikes or entanglement from additional lines in the water) may occur that should be considered and prepared for through best management practices recommendations.

There are general considerations that should be discussed prior requesting approval from the appropriate agencies. For example, when considering *in situ* burning it is unclear how air quality may be impacted, and the practice may potentially create a risk for surfacing marine mammals and turtles that may inhale smoke. Additionally, early life stage sea turtles associate with floating sargassum along convergence lines where oil may also accumulate. In previous response efforts where sargassum-related sea turtles were present, observers (as recommended through best management practices) were used to ensure sea turtles were not present before burning occurred.

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<sup>6</sup> Zicardi, M.H., S.M. Wilkin, T.K. Rowles, and S. Johnson. 2015 Pinniped and Cetacean Oil Spill Response Guidelines, U.S. Dept. of Commerce, NOAA. NOAA Technical Memorandum NMFA-OPR-52, 138pp.

## **b. Wildlife Assessment**

The presence, distribution and behavior of marine mammals and sea turtles will help inform recommendations and best management practices for primary response actions. Surveillance of the spill area for the presence of marine mammal and sea turtle species should be conducted as early as possible to determine the distribution and behavior of animals in the area.

While the primary goal of initial overflights may be to determine the extent of the spill, observers should also be tasked to survey for marine species present in the area. As the response progresses, and as determined by representatives of the appropriate wildlife agencies, dedicated aerial surveillance platforms may be required to efficiently monitor for the presence of marine species in the spill area.

## **c. Oiled Carcass Removal**

Protocols and processes may be in place to recover oiled carcasses; however, disturbance of live animals near carcasses may require additional consideration and authorization under MMPA, ESA, SARA, and MMR.

Dead, oiled wildlife need to be removed from the environment as soon as possible to help prevent secondary contamination of other individuals such as seal pups or scavengers. Secondary contamination may occur through (1) ingestion of oily carcasses; and (2) physical contact with oil on carcasses by unoiled fur and/or skin. The collection of oiled, dead wildlife needs to be performed by qualified personnel only, in such a manner to protect the integrity of data or evidence that may be obtained and used for law enforcement, scientific, and/or Environmental Damages (Canada)/Natural Resource Damage Assessment (U.S.) purposes.

Appropriate Canadian and U.S. wildlife resource agency representatives and their law enforcement branch/division will provide information to the CCG OSC and USCG FOSC, respectively, on entities authorized to conduct oiled carcass recovery, and will communicate and coordinate as appropriate regarding the exchange of data for the aforementioned purposes.

Please see Appendix 4, Oiled Carcass Recovery; 5, Sample Data Sheet for Collected Oiled Carcasses and Wildlife Assessment; and 7, Sample Chain-of-Custody Record and Evidence Storage Log. Note that while many of the above Appendices relate to birds, there are some aspects that can be transferable to other species.

## **d. Disturbance Minimization**

Consideration must be given to minimizing wildlife disturbance while implementing primary response strategies. As previously noted, surveillance of the spill area to determine presence, distribution, and behavior of marine species is critical to developing response strategies and recommendations. Implementing existing best management practices, such as slow speeds for vessels, or avoiding feeding areas that are not directly in the path of the oil, may be

recommended to minimize disturbing marine species present in the general area. These types of recommendations will be specific to the type and number of animals in the area and the behavior of the species present in the affected and near-by areas.

## **2. Secondary Response Strategies**

The purpose of secondary response strategies is to keep marine mammals and turtles away from oiled areas. As stated in Section II, actions taken to keep wildlife away from oiled areas will be coordinated among appropriate Canadian and U.S. wildlife resource agency representatives to ensure activities are not in conflict. All deterrence activities will be overseen or conducted by the appropriate Canadian or U.S. wildlife resource agency representatives in their respective jurisdictions. Appendix 8 of this document addresses issues related to hazing/deterrence of wildlife to prevent additional oiling. Note that information in Appendix 8, while mostly related to birds, contains some consideration transferable to other marine species.

### **a. Deterrent Methods**

Deterrent methods for marine mammal species are highly variable, are species specific and often require specialized or regulated materials (e.g. pyrotechnics, cannons, or other sound generating devices). Implementation of marine mammal species deterrent methods requires specially trained personnel to ensure safety for responders and animals, and often significant lead time for preparation and acquiring specialized equipment and resources is needed. Additionally, deterrent or hazing activities must be authorized by DFO and NMFS to ensure compliance under existing regulations. There are a number of potential deterrent options that can be used on marine mammals – each of which have associated positive and negative benefits. Potential deterrent methods can include, but are not limited to: oikomi pipes, seal control devices, acoustic deterrent devices, prerecorded calls, vessel traffic, aircraft, fire hoses, experimental methods, acoustic harassment devices, chemoattractants, air guns, and mid-frequency sonar. More detailed information regarding deterrent methods and the advantages and disadvantages for their use can be found in the Pinniped and Cetacean Oil Spill Response Guidelines (Ziccardi et al., 2015)<sup>7</sup>.

### **b. Pre-emptive Capture**

Pre-emptive capture of marine mammals or turtles that are in the path of an oil spill is also an option that may be considered though the capture of free-swimming animals, especially in deeper waters, is extremely difficult. In the CANUSLANT area pre-emptive capture of hauled out pinnipeds and surfacing sea turtles may be the only instances where pre-emptive capture may be conducted safely. In some cases, smaller cetaceans may be captured in shallow water areas, but this requires significant resources and trained personnel to conduct capture attempts safely.

Pre-emptive capture of marine species will be initiated and authorized by DFO and NMFS while

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<sup>7</sup> Ibid.

assessing the potential overall risk versus benefit to the species within the geographic context of the response, as well as considering safety requirements for marine mammal/sea turtle response personnel. Highly specialized equipment and resources will be required to conduct pre-emptive capture work. A site-specific pre-emptive capture plan will be developed as part of the spill response and provided to the OSC/FOSC as necessary for approval.

### **c. Approvals and Coordination**

A request to deter marine species or to initiate a pre-emptive capture program for unoiled marine mammals or turtles in the CANUSLANT area will occur in the following way:

- A request will be made jointly by DFO and NMFS representatives to the CCG OSC and the USCG FOSC

The factors included in Appendix 12 will be used by DFO and NMFS representatives as the basis for deciding whether to request approval from the CCG OSC and USCG FOSC to initiate a pre-emptive capture program for unoiled marine mammals or sea turtles in the CANUSLANT area (note that Appendix 12 does not differentiate between oiled and unoiled individuals). Any request to the CCG OSC and the USCG FOSC to conduct a pre-emptive capture program for un-oiled marine mammals or sea turtles must be made via the checklist in Appendix 13.

These *CANUSLANT Wildlife Response Guidelines* assume that, if the use of deterrent methods or a pre-emptive unoiled marine mammal or sea turtle capture program is approved by the CCG OSC and the USCG FOSC:

- All aspects of the program will be conducted under the direction of NMFS on the U.S. side of the border and by DFO on the Canadian side of the border. Representatives of DFO and NMFS will coordinate their responses.
- Elements of the program may be performed by a contractor agreeable to both NMFS and DFO representatives.
- Decisions regarding euthanizing any captured marine mammals or sea turtles will be based on a written plan or existing protocols approved by NMFS and DFO representatives. More information regarding euthanasia can be found in DFO, 2015<sup>8</sup>.
- The marine mammal or sea turtle release plan will be developed by NMFS and DFO representatives.

Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency

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<sup>8</sup> DFO, 2015. Euthanasia techniques for small and large cetaceans. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2014/046.

permits required for collecting, transporting (including importing and exporting), hazing, and holding marine mammals and sea turtles. In the U.S., two organizations/agencies in Maine are authorized to respond to or deter marine mammals or sea turtles during an oil spill response. Appendix 16 provides contact information for all organizations authorized to respond to marine mammal and sea turtle stranding and oil spill events in the Northeastern United States.

### **3. Tertiary Response Strategies**

Tertiary Response Strategies are reserved for oiled wildlife, and include the stabilization, capture, handling, transporting, rehabilitating, euthanizing, holding, and releasing rehabilitated wildlife.

Existing infrastructure is in place in the U.S. to respond to and rehabilitate live, stranded marine mammals and sea turtles. Currently, no infrastructure exists in Canada to rehabilitate oiled marine mammals. In the U.S., comprehensive capture and treatment protocols are in place nationally that will be mobilized to some extent during an oil spill response (Ziccardi et al., 2015; NOAA, 2003). In the CANUSLANT area there are limited rehabilitation facilities that can accept an oiled marine animal, therefore temporary facilities will be required to intake and triage oiled animals. A tertiary response program will be considered if marine mammals or sea turtles are oiled in the CANUSLANT area.

A request to initiate an oiled marine mammal or sea turtle capture and treatment program in the CANUSLANT area will occur in the following way:

- A request will be made jointly by DFO and NMFS representatives to the CCG OSC and the USCG FOSC

The factors included in Appendix 12 will be used by DFO and NMFS representatives as the basis for deciding whether to request approval from the CCG OSC and USCG FOSC to initiate an oiled marine mammal or sea turtle capture and treatment program in the CANUSLANT area that includes marine mammals or sea turtles on the Canadian side of the border. Any request to the CCG OSC and the USCG FOSC to conduct an oiled marine mammal or sea turtle capture and treatment program must be made via the checklist in Appendix 13.

If an oiled marine mammal or sea turtle capture and treatment program is approved by the CCG OSC and the USCG FOSC:

- All aspects of the program will be conducted under the direction of NMFS on the U.S. side of the border and by DFO on the Canadian side of the border. Representatives of DFO and NMFS will coordinate their responses.
- Elements of the program may be performed by a contractor agreeable to both NMFS and DFO representatives.

- Decisions regarding euthanizing any captured marine mammals or sea turtles will be based on a written plan or existing protocols approved by NMFS and DFO representatives.
- The marine mammal or sea turtle release plan will be developed by NMFS and DFO representatives.
- Personnel should have appropriate level of hazardous materials training because the oil on the wildlife is a hazardous substance. Appropriate training is essential if personnel will be entering the spill site to pick up animals. See also *CANUSLANT Regional Annex*, Appendix J.

Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency permits required for collecting, transporting (including importing and exporting), and holding marine mammals and turtles.

## APPENDIX 1

### SELECTED SPECIES AND WILDLIFE RESOURCE AGENCY MANAGEMENT RESPONSIBILITIES

ENTITY	MANAGEMENT RESPONSIBILITY
<b>CANADA</b>	
New Brunswick Department of Natural Resources and Energy Development	Terrestrial mammals, migratory, and non-migratory birds*
Fisheries and Oceans Canada	Sea turtles, pinnipeds, cetaceans. (If animal is removed from the water, it is no longer DFO's responsibility, but would fall under provincial jurisdiction). However, it would remain under Federal jurisdiction if a marine mammal is transferred across provincial boundaries (unless it is a seal) as per Marine Mammal Regulations Section 16.
Canadian Wildlife Service	Migratory birds (as defined in the MBCA)
<b>UNITED STATES</b>	
Maine Department of Inland Fisheries and Wildlife	Migratory and non-migratory birds, terrestrial mammals, freshwater fish
Maine Department of Marine Resources	Shellfish, marine and anadromous finfish
U.S. Fish and Wildlife Service	Migratory birds (as defined in the MBTA) and sea turtles on land
National Marine Fisheries Service	Pinnipeds, cetaceans and sea turtles in the marine environment

\*Birds under New Brunswick Department of Natural Resources and Energy Development jurisdiction as defined by the Fish and Wildlife Act include: eagles, grouse, quail, pheasants, hawks, owls, cormorants, vultures, pelicans, crows, jays, blackbirds, kingfishers, and falcons.

**APPENDIX 2**  
**CANUSLANT WILDLIFE RESOURCE AGENCY CONTACTS**

<b>CANADA</b>	<b>EMERGENCY CONTACT</b>	<b>CONTACT INFORMATION</b>
Marine Pollution Emergency		(800) 565-1633 or VHF Channel 16
Fisheries and Oceans Canada	1. Glen Herbert	Cell: (902) 802-7051 Email: glen.herbert@dfo-mpo.gc.ca
	2. Environmental Incident Coordinators (EICs)	Email (Generic Inbox): DFO.FMAREnvironmentalIncidentReports-RapportdincidentenvirF.MPO@dfo-mpo.gc.ca
Canadian Wildlife Service	1. Robert Ronconi	Office: (902) 426-6405 Cell: (902) 266-9864 Email: robert.ronconi@canada.ca
	2. Carina Gjerdrum	Office: (902) 426-9641 Cell: (902) 233-2506 Email: carina.gjerdrum@canada.ca
	3. Becky Whittam	Office: (506) 364-5189 Cell: (506) 224-0152 Email: becky.whittam@canada.ca
New Brunswick Department of Natural Resources and Energy Development	1. Director, Forest Planning and Stewardship Branch	Office: (506) 453-3826 Fax: (506) 453-6699
	2. Kevin Connor	Office: (506) 457-4861 Cell: (506) 238-5748 Email: kevin.connor@gnb.ca



**APPENDIX 2, CONT.**

<b>UNITED STATES</b>	<b>EMERGENCY CONTACT</b>	<b>CONTACT INFORMATION</b>
U.S. Department of the Interior Office of the Secretary, Office of Environmental Policy and Compliance	1. Andrew Raddant	Office: (617) 223-8565 Cell: (617) 592-5444 Fax: (617) 223-8569 Email: andrew_raddant@ios.doi.gov
	2. Diane Lazinsky	Office: (617) 223-8565 Cell: (617) 686-1780 Fax: (617) 223-8569 Email: diane_lazinsky@ios.doi.gov
	3. John Nelson	Office: (215) 5917-5378 Cell: (215) 266-5155 Fax: (215) 597-9845 Email: john_nelson@ios.doi.gov
U.S. Fish and Wildlife Service	1. Andrew Major	Office: (603) 223-2541 Cell: (603) 496-8876 Email: andrew_major@fws.gov
U.S. Department of Commerce, National Marine Fisheries Service	1. Mendy Garron, Marine Mammal Emergency Response Coordinator	24 hour Stranding Hotline: (866) 755-6622 Office: (978) 282-8478 Cell: (978) 335-6768 Email: mendy.garron@noaa.gov
	2. Kate Sampson, Sea Turtle Stranding and Disentanglement Coordinator	24 hour Stranding Hotline: (866) 755-6622 Office: (978) 282-8470 Cell: (978) 479-9729 Email: kate.sampson@noaa.gov
Maine Department of Inland Fisheries and Wildlife	1. Donald Katnik	Office: (207) 941-4455 Cell: (207) 852-0167 Fax: (207) 941-4450 Email: donald.katnik@maine.gov

### APPENDIX 3

#### MIGRATORY BIRD SUSCEPTIBILITY TO OILING: SELECTED SPECIES IN THE CANUSLANT AREA

MIGRATORY BIRD SPECIES	SUSCEPTIBILITY TO OILING
Alcids (e.g., murres, puffins, <i>guillimots</i> )	High
Sea ducks	High
Other waterfowl	High
Loons	High
Cormorants	High
Gulls, Kittiwakes, Terns	Medium
Pelagic birds (e.g., shearwaters, gannets, storm-petrels)	Medium
Purple Sandpiper	Medium
Raptors (e.g., bald eagles, osprey)	Low
Plovers, sandpipers	Low
Song birds	Low

## APPENDIX 4

### OILED CARCASS RECOVERY (Primarily oiled birds)

#### Equipment and Materials Requirements:

- Aluminum foil or paper bags (for wrapping individual carcasses)
- Large non-plastic bags or cardboard box (to hold birds)
- Small non-plastic bags that self-seal (for identification tags, labels, or data sheets)
- Identification tags, labels, and/or data sheets
- Water-proof writing implements
- Water-proof notebook for documentation of search
- Data sheet and tag for collected oiled carcass
- Personal protective equipment (e.g., nitrile gloves, rubber boots or other protective footwear, coveralls)
- Coolers for shipping samples to be analyzed
- Tape (to secure coolers)

#### Collection Site Requirements\*:

- Hood ventilation and lighting. Must have adequate protection from weather elements.
- Freezer space to store carcasses required for evidence and analysis. Size and space required will vary with each incident. Freezer space should be locked to maintain chain-of-custody.

#### Personnel Requirements:

- The survey of beach and shorelines for, and recovery of, oiled wildlife carcasses will only be conducted by trained/qualified personnel.

\*This area serves as the collection point for carcasses and for carcass documentation, necropsy, and temporary storage.

## APPENDIX 4, CONT.

### Search and Recovery Procedures:

- Identify beach segments by landmark and type for consistent search repeatability.
- Walk entire length of all (may be oiled or unoiled) as designated for incident.
- While conducting shoreline search, if possible, document all live birds and other wildlife observed in the vicinity and whether birds and/or other wildlife appear oiled.
- Collect and tag carcasses. Identification tags and pre-printed data sheets should be filled out at time of collection. Tags must include: incident name, date, time, location (GPS coordinates and/or Shoreline Cleanup Segment), and name of collector. If tags are not available be certain this information is written directly onto the box or bag in which the bird is collected.
- ▶ For U.S. Law enforcement, each bird of every species: wrap carcass in foil or place in a paper bag before wrapping carcass in a non-plastic bag; tag carcass. Carcasses can also be place in a cardboard box. Take all stored carcasses to wildlife resource agency representative at collection site and complete chain-of-custody form.
- ▶ For Canada Law enforcement each bird of the first 12 birds of every species should be collected following the procedures above. All recovered bird carcasses in excess of the first 12 of every species: place in non-plastic bag and attach tag. Turn over all bagged carcasses to wildlife resource agency representative at collection site and complete chain-of-custody form.
- ▶ For carcasses that are too large to bag: tag carcass and provide duplicate tag information to wildlife resource agency personnel at collection site.
- Appropriate wildlife resource agency representatives will receive all carcasses and accompanying documents at the collection site. In addition, they will ensure that chain-of-custody forms are completed at the collection point. Carcasses collected for evidence and analysis will be kept frozen and shipped in coolers to designated lab(s) or to storage areas as determined at the time of the incident. Specimens may also be saved for research as determined at the time of each incident.

Carcass Disposal:

- Carcass disposal plans will be prepared by appropriate wildlife resource agency representatives for the oil spill incident for their respective countries. The plan will identify any necessary permits, carcass handling or retention requirements as may be required or appropriate.

## APPENDIX 5

### SAMPLE\* Data Sheet for collected Oiled Carcasses and Wildlife Assessment

Wildlife Assessment Form

Task Force ID: \_\_\_\_\_ Incident: \_\_\_\_\_ Date (dd/mm/yy): \_\_\_\_\_ Time Start (GMT): \_\_\_\_\_ Time End (GMT): \_\_\_\_\_

Survey location: \_\_\_\_\_ Observers: \_\_\_\_\_

Weather: wind \_\_\_\_\_ precipitation \_\_\_\_\_ temperature \_\_\_\_\_ % cloud cover: \_\_\_\_\_

GPS unit ID: \_\_\_\_\_ Start waypoint #: \_\_\_\_\_ End waypoint #: \_\_\_\_\_ Survey type: Air, Land, Water

Number Observed	Time (0-2400)	Live/Dead	Collected? (Y/N)	Waypoint No. (# # #)	Field Photo (#'s)	Comments (including location coordinates)

\*Other examples may include June 2011, *WILDLIFE RESPONSE PLAN FOR OIL SPILLS IN CALIFORNIA*, California Department of Fish and Game, Office of Spill Prevention and Response, Appendix III, Forms (<https://www.wildlife.ca.gov/OSPR/Preparedness/Wildlife-Response>).

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## APPENDIX 6

### SAMPLE OILED BIRD COLLECTION TAGS

**1** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_

**2** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_

**3** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**4** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**5** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**6** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**7** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**8** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_



## APPENDIX 7

### SAMPLE CHAIN-OF-CUSTODY RECORD AND EVIDENCE STORAGE LOG

<b>CHAIN-OF-CUSTODY RECORD</b>			FILE NO.	
			INV.	
DATE AND TIME OF SEIZURE:	REGION:	EVIDENCE/PROPERTY SEIZED BY:		
SOURCE OF EVIDENCE/PROPERTY: (person and/or location) <input type="checkbox"/> Taken from: <input type="checkbox"/> Received from: <input type="checkbox"/> Found at:		CASE TITLE AND REMARKS:		
ITEM NO.	DESCRIPTION OF EVIDENCE/PROPERTY: (Include Seizure Tag Numbers and any serial numbers)			
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	

<b>CHAIN-OF-CUSTODY RECORD, Continued</b>				FILE NO. INV.
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	

REGION:		EVIDENCE STORAGE LOG FACILITY LOCATION:				LOG PAGE:
LOG ENTRY NO.	IN or OUT	DATE AND TIME OF TRANSFER	BRIEF DESCRIPTION OF EVIDENCE (Include Seizure Tag Numbers)	RECEIVED FROM/ RELEASED TO (Print Name)	PREVIOUS LOG ENTRY NO. REFERENCE	COMMENTS: REASONS FOR REMOVAL:
INV.		SUBJECT		EVIDENCE CUSTODIAN (Signature)		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		

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## APPENDIX 8

### DETERRENCE PROGRAM CONSIDERATIONS

(Taken from: Best Practices for Migratory Bird Care during an Oil Spill, USFWS 2003)

Note: No attempt should be made to disperse oiled birds.

- Worker Safety
- Local Habitats and Species
- Some species, especially those found associated with a human environment are difficult to deter, especially if chosen deterrents mimic sounds or visual elements associated with that environment.
- Consider the potential effects of human activity and disturbance on sensitive habitats and species.
- Molting birds are not easily dispersed, and require a combination of different techniques.
- Availability of “clean” habitat within a reasonable distance.
- Avoid dispersing birds into areas that might become contaminated; be aware of tidal cycle and oil trajectory predictions.
- Determine if “clean” habitat can be made more attractive (e.g., temporarily limiting access to people, boats or certain activities).
- Appropriate technique.
- Deterrence will be most effective if the entire area of concern can be hazed as continuously as possible. As a general rule, do not start a deterrence operation that cannot be maintained for the required duration.
- Automatically operated devices, which require checking only once a day or less, may be used when staffing is limited, during bad weather, or at night.
- In general, expose the area to a variety of devices and techniques, with random variations to control habitations. Be prepared to back off as events dictate.
- In general, most deterrence activities would probably not be effective for areas larger than seven to 10 miles in length or diameter.

- Highly mobile devices (e.g. sound-emitting buoys) that can influence large radiuses are necessary for larger spills on water
- Some types of oil, like fuel oil, are highly flammable during the first hours following a spill, due to the presence of high concentrations of volatile oil fractions. Techniques with potential to induce sparks are to be avoided in these situations.
- Potential side effects.
- The effects of sound-emitting devices on humans will influence whether or not some techniques will be acceptable to local residents.

## APPENDIX 9A

### GENERAL PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MIGRATORY BIRDS, MARINE MAMMALS, AND SEA TURTLES

ACTION	DOC NATIONAL MARINE FISHERIES SERVICE	MAINE DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	U.S. FISH AND WILDLIFE SERVICE	ECCC CANADIAN WILDLIFE SERVICE	FISHERIES AND OCEANS CANADA	NEW BRUNSWICK DEPARTMENT OF NATURAL RESOURCES AND ENERGY DEVELOPMENT
	Marine Mammals and Sea Turtles (in the marine environment)	Migratory Birds <sup>1</sup>	Migratory Birds <sup>1</sup> and Sea Turtles (on land)	Migratory Bird <sup>7, 8,</sup> <sup>13</sup>	Marine Mammals and Sea Turtles	Non-Migratory Birds <sup>7</sup>
Collect, Transport, and Hold	Yes <sup>9</sup>	Yes <sup>2</sup>	Yes <sup>5</sup>	Yes <sup>4,8</sup>	Yes <sup>8, 11, 12</sup>	Yes
Haze	Yes <sup>9</sup>	Yes <sup>3</sup>	Yes <sup>6</sup>	No <sup>4,8</sup>	Yes <sup>8, 11</sup>	No
Import and Export	Yes <sup>9</sup>	Yes	Yes	No <sup>14</sup> /Yes <sup>15</sup>	Yes <sup>10</sup>	Yes

<sup>1</sup> There is currently no provision in place that allows the import of live eagles into the United States or the export of live eagles out of the United States.

<sup>2</sup> An MDIFW permit is needed to collect, hold, or haze any species on the State endangered species list. In 2015, the list included Arctic, Black, Least and Roseate Tern, Bald and Golden Eagle, Piping Plover, Atlantic Puffin, Razorbill, Harlequin Duck, breeding Peregrine Falcon and breeding Great Cormorant.

<sup>3</sup> Passive hazing (e.g., balloons, scarecrows, mylar tape) does not require a permit.

<sup>4</sup> No permit is available for hazing Migratory Birds under the MBCA, but permit may be required for species listed under SARA. Federal Permits for hazing SARA-listed species cannot be issued, but permits may be issued for hazing non-Migratory Bird species if the activity is conducted on federal lands.

<sup>5</sup> Includes salvage of oiled wildlife carcasses.

<sup>6</sup> A USFWS permit is needed to haze species managed by USFWS including those listed on the Federal endangered species list.

<sup>7</sup> Birds under NBDNRED jurisdiction, as defined by the Fish and Wildlife Act, include: eagles, grouse, quail, pheasants, hawks, owls, cormorants, vultures, pelicans, crows, jays, blackbirds, kingfishers, and falcons.

<sup>8</sup> Under SARA permits are required to collect, transport, hold or harass (haze) listed species. Contact ECCC CWS and DFO for requirements when dealing with species listed under SARA. SARA-listed Migratory Birds require SARA authorizations on an MBCA permit if it affects SARA-listed Migratory Bird species anywhere in Canada. Parks Canada Agency may also issue SARA permits for individuals within the borders of National Parks.

<sup>9</sup> Permit is required to handle/harass any marine mammals, currently in the CANUSLANT area. Only 2 agencies (College of the Atlantic/Allied Whale, and Marine Mammals of Maine) have the authority to haze, move, hold or import/export marine mammal and sea turtles. If additional resources are required, other authorized members of the regional and national stranding network can provide mutual aid at the request of NMFS.

<sup>10</sup> Many marine mammals and sea turtles are listed under the Convention on International Trade in Endangered Species of Wildlife Fauna and Flora (CITES), and therefore permits may be required. DFO can issue export permits but not import permits for CITES. ECCC is the lead agency responsible for implementing CITES on behalf of the federal government. Within ECCC, the CWS administers CITES and interacts with provincial, territorial and other federal agencies.

<sup>11</sup> Hazing, transport, collection and holding of non-SARA listed marine mammals and turtles require a permit under Section 52 and 56 of the *Fishery (General) Regulations* and Section 38 of the *Marine Mammal Regulations*

<sup>12</sup> The Marine Mammal Transportation License (Section 15 of the *Marine Mammal Regulations*) which is issued by DFO Resource Management is required for moving any marine mammals or parts over provincial borders.

<sup>13</sup> Eagles are not protected by the MBCA in Canada.

<sup>14</sup> The MBCA and regulations do not require an import or export permit for migratory birds listed under the Convention, however, a permit holder must be able to demonstrate that migratory birds, eggs, nest or their parts including samples were collected legally under a permit (e.g., scientific permit for collection or rehabilitation). For SARA-listed species, the export/import itself (action of crossing the border) would not require SARA authorization, however, a permit for possession is required (see footnote 8).

<sup>15</sup> A permit is required for bird species listed under CITES (see also footnote 10).



## APPENDIX 9B

### SPECIFIC PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MIGRATORY BIRDS

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Hazing Migratory Birds	Scientific Collection Permit <sup>1</sup>	12 MRSA part12 Chpt. 925 subchpt. 1, §12704	MDIFW, Bangor, ME <sup>2</sup>
	Hazing Permit <sup>3</sup>	Endangered Species Act	USFWS, Hadley, MA
	Hazing Permit	Bald Eagle Protection Act	USFWS, Hadley, MA
	No permit available. Contact CWS for information.	Migratory Birds Convention Act	CWS, Sackville, N.B.
Capturing, Transporting, and Cleaning Migratory Birds	SARA Permit <sup>4</sup>	Species at Risk Act	CWS, Sackville, N.B.
	Migratory Bird Permit	Migratory Bird Treaty Act	USFWS, Hadley, MA
	Scientific Collection Permit <sup>1</sup>	12 MRSA part12 Chpt 925 subchpt 1, §12704	MDIFW, Bangor, ME
	Rehabilitation Permit	12 MRSA part 12 Chpt 915 subchpt 15, §12152	MDIFW, Augusta, ME <sup>5</sup>
	Migratory Bird Scientific Permit <sup>4,6</sup>	Migratory Birds Convention Act Species at Risk Act	CWS, Sackville, N.B.
	Possession/Collection of N.B. or Regionally Endangered Species	New Brunswick Endangered Species Act	NBDNRED Forest Planning and Stewardship Barnch <sup>7</sup> , Fredericton, N.B.

<sup>1</sup> Required to collect, hold or haze any species included on the State endangered species list.

<sup>2</sup> MDIFW Bangor permit contact: Brenda Lord (207) 941-4463

<sup>3</sup> Required only for migratory bird species included on the Federal endangered species list and for bald eagles.

<sup>4</sup> Under SARA permits are required to collect, transport, hold or harass (haze) listed species. Contact ECCC CWS and DFO for requirements when dealing with species listed under SARA. SARA-listed Migratory Birds cannot be issued federal permits for hazing, but SARA-listed non-Migratory Bird species may be issued permits for hazing, if the activity is conducted on federal lands.

**APPENDIX 9B, CONT.**

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Importing/Exporting Migratory Birds at	Import/Export Permit <sup>8,9,10</sup>	Migratory Bird Treaty Act	USFWS, Hadley, MA
	Import/Export Permit <sup>9</sup>	CITES <sup>11</sup>	USFWS, OMA, Washington, D.C. CWS CITES Admin., Hull, QE NBDNRED <sup>7</sup> , Fredericton, N.B.
	Import Permit	12 MRSA part12 Chpt 915 subchpt 15, §12155	MDIFW, Augusta, ME
	Capture, Obtain, Export, Release, Take, Kill N.B. Wildlife	Fish and Wildlife Act, Section 90 (1) (a)-(d)	NBDNRED Forest Planning and Stewardship Branch <sup>7</sup> , Fredericton, N.B.

<sup>5</sup>MDIFW Augusta permit contact person: Donald Katnik (207) 941-4455

<sup>6</sup> Permit for possession is issued under a scientific permit, the bird is being held for rehabilitation purposes.

<sup>7</sup> Contact: Director, Forest Planning and Stewardship Branch (506) 453-3826, fax (506) 453-6699

<sup>8</sup> Currently, there are no provisions that allow for the import of live eagles into the United States or the export of live eagles out of the United States.

<sup>9</sup> Necessary for CITES Appendix 2 and Appendix 3 Species. The exporting country issues the permit to receiving country.

<sup>10</sup> See Form 3-200-6 at <https://www.fws.gov/forms/display.cfm?number1=200>.

<sup>11</sup> CITES sets controls on movement of animal and plant species that are, or may be, threatened due to excessive commercial exploitation. ECCC is the lead agency responsible for implementing CITES on behalf of the federal government. Within ECCC, the CWS administers CITES and interacts with provincial, territorial and other federal agencies.

## APPENDIX 9C

### SPECIFIC PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MARINE MAMMALS AND TURTLES IN CANADIAN WATERS

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Hazing SARA-listed Marine Mammals and Turtles	SARA Section 73 Permit	Species at Risk Act	DFO Ecosystem Management, Dartmouth, NS
Capturing, Transporting and Cleaning SARA-listed Marine Mammals and Turtles	SARA Section 73 Permit*	Species at Risk Act	DFO Ecosystem Management, Dartmouth, NS
Hazing, Capturing, Transporting and Cleaning all other Non-SARA Marine Mammals and Turtles **	Section 52 License Section 56 License Section 38 Authorization	Fishery (General) Act Fishery (General) Act Marine Mammal Regulations	DFO Licensing, Dartmouth, NS
Foreign Vessels Operating in Canadian Waters	Foreign Vessel License	Coastal Fishery Protection Regulations	DFO Licensing, Dartmouth, NS
Transporting Marine Mammals and Turtles Internationally	Import / Export Permit	CITES	DFO, Resource Management, Dartmouth, NS
	Marine Mammal Transportation License	Marine Mammal Regulations	DFO Licensing, Dartmouth, NS

\*Note that under Section 74 (SARA), an authorization under the *Marine Mammal Regulations* can act as a SARA permit under certain conditions

\*\*Depending on the activity, may only require an authorization under Section 38 of the MMR, though may also require Section 56

## APPENDIX 9D

### SPECIFIC PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MARINE MAMMALS AND TURTLES IN UNITED STATES WATERS

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Hazing, Capturing, Transporting and Cleaning Marine Mammals	112(c) Authorization	Marine Mammal Protection Act	NOAA National Marine Fisheries Service, Gloucester MA
	109(h) Authorization	Endangered Species Act	
	Scientific Research Permit		
Hazing, Capturing, Transporting and Cleaning Turtles	On land, Endangered Species Permit TE-697823 and 2013 sub permit written to the Northeast Region STSSN	Endangered Species Act; 50 CFR 222.310 and 50 CFR 223.206	USFWS, Hadley MA NMFS, Silver Spring, MD
Transporting Marine Mammals and Sea Turtles Internationally	Import / Export Permit	CITES	NMFS, Silver Spring MD USFWS, Hadley MA

**APPENDIX 10**  
**EQUIPMENT AND MATERIALS STOCKPILED FOR MIGRATORY BIRDS RESPONSE ACTIVITIES:**  
**CANUSLANT AREA <sup>1</sup>**

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Bangor	Hazing	1 Breco Buoy 1 Phoenix Marine Wailer 2 Propane Cannons 3 Shotguns	Birds at offshore locations  Birds at onshore locations	Donald Katnik MDIFW Office: (207) 941-4455 Cell: (207) 852-0167 Fax: (207) 941-4450 Email: donald.katnik@maine.gov
Augusta	Hazing	Pyrotechnics 3 Shotguns 2 Boats, 17' Boston Whaler (90 hp); 17' Lund John Boat (60 hp jet) 1 canoe and 3 kayaks Electronic Bird Frightening Alarm	Birds at onshore locations  Birds at offshore locations	Jesse Morris U.S. Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Wildlife Services Office: (207) 629-5181 Fax: (207) 629-5182 Email: jesse.w.morris@aphis.usda.gov
Sackville, NB	Hazing	2 boats: 17'boats (25 hp) 2 shot guns Pyrotechnics 10 canoes, 2 kayaks	Birds at onshore locations	Robert Ronconi CWS Office: (902) 426-6405 Cell: (902) 226-9864 Email: robert.ronconi@canada.ca

<sup>1</sup>Information in this appendix has not been verified by wildlife trustee resource agencies. The appearance of wildlife response information in this appendix does not constitute compliance by oil spill contingency plan holders with state oil spill contingency plan requirements.

**APPENDIX 10, CONT.\***

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Dartmouth, NS	Hazing	1 Breco Buoy 1 Phoenix Marine Wailer 5 Propane Cannons 12 Bird Hazing Kits (starter pistol kits with crackers, bangers and whizzers) Numerous statics hazing devices (effigies, tape & balloons) ^additional supplies can be cascaded in from other locations	Birds at offshore locations  Birds at onshore locations	Eastern Canada Response Corporation (ECRC)* 24h Emergency: (613) 930-9695 <b>Atlantic Region</b> 41 Mount Hope Ave Woodside Industrial Park Dartmouth, NS B2Y 4R4 Phone: (902) 461-9170 Fax: (902) 461-9590
Saint John, NB	Hazing	Contact for availability	Contact for details	Atlantic Environmental Response Team (ALERT)* 24/7: (506) 632-4499 11 Expansion Avenue Saint John, NB
Mulgrave, NS	Hazing	1 Phoenix Wailer 1 Propane Cannons 6 Bird Hazing Kits (starter pistol kits with crackers, bangers and whizzers)	Birds near shore and at onshore locations	Point Tupper Marine Services (PTMS)* 24/7: (902) 625-1711

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.

**APPENDIX 10, CONT.\***

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Saint John, NB	Capture and field stabilization	Mobile response trailer including items such as: PPE Husbandry supplies: tanks, heat lamps, pens Medical supplies Animal carriers Nets and traps General supplies Full list available upon request Generator 59 boxes	Contact for details	ALERT* 24/7: (506) 632-4499 11 Expansion Avenue Saint John, NB
Mulgrave, NS	Capture and field stabilization	Mobile response trailer including items such as: PPE Husbandry supplies: tanks, heat lamps, pens Medical supplies Animal carriers Dip nets General supplies Full list available upon request	Max 10 birds (Using CWS Level 1 Rehabilitation Permit from Clean Seas).	PTMS* 24/7: (902) 625-1711

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.

**APPENDIX 10, CONT.**

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON 24-HOUR CONTACT NUMBER</b>
Cookville, NB	Capture and field stabilization	6 Large dip nets, 2 Small 2 14' foot Larivee boats 1 ATV 100+ Pet carriers, various sizes Large supply of bedding materials for animal care; (blankets, towels and linen) 3 Boxes of Dawn detergent 2 1000-gallon indoor diving tanks 2 600-gallon portable outdoor diving tanks 1 Wildlife emergency pickup truck vehicle 1 SUV 2 canoes 12 heat lamps 6 heaters	50 birds Atlantic Wildlife Institute (AWI) maintains a large amount of triage materials for the hundreds of animals on site	AWI*^ (506) 364-1902 info@atlanticwildlife.ca  Barry Rothfuss, Executive Director (506) 878-7906 barry@atlanticwildlife.ca  Pam Novak Director of Animal Care (506) 870-0208 pam@atlanticwildlife.ca  ^This group has an MOU with ALERT for access and use of resources for wildlife response
CWS Sackville, NB	Capture (migratory birds and raptors)	Duck Traps mist nets, gill nets for molters drive traps for land cannon nets air boat	25 birds	Robert Ronconi CWS Office: (902) 426-6405 Cell: (902) 266-9864 Email: robert.ronconi@canada.ca

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.



**APPENDIX 10, CONT.**

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Canadian Coast Guard- Atlantic	Deterrence	8- Propane Cannons 2- Breco Buoy	N/A	<b>24/7 Emergencies 1-800-565-1633</b>
Augusta, ME	Capture and field stabilization	4 Mist nets (shorebird size) 3 large, long-handled dip nets 12 bird-holding crates Duck traps	Birds at onshore locations	<b>Jesse Morris</b> USDA, APHIS, Wildlife Services Office: (207) 629-5181 Fax: (207) 629-5182 Email: jesse.w.morris@aphis.usda.gov
Bangor, ME	Capture, field stabilization, and rehabilitation	1-supply trailer 1- net gun	15-25 birds	Donald Katnik MDIFW Office: (207) 941-4455 Cell: (207) 852-0167 Fax: (207) 941-4450 Email: donald.katnik@maine.gov
Jonesboro, ME	Capture and field stabilization	1- response/capture kit	5 birds	Steve Dunham MDIFW Office: (207) 434-5927 Cell: (207)- 441-1725 Fax: (207) 434-5923 Email: steve.dunham@maine.gov
Moosehorn National Wildlife Refuge (NWR), Baring, ME	Capture and field stabilization	1- net gun Mist nets Duck traps	50-75 birds	Maurice Mills Moosehorn NWR Office: (907) 723-6471 Cell: (907) 225-7002 Fax: (907) 247-1117 Email: Maurice Mills@fws.gov

## APPENDIX 11 A

### ENTITIES WITH BIRD DETERRENT PERSONNEL CANUSLANT AREA

AGENCY/ENTITY	CONTACT INFORMATION	ESTIMATED # OF TRAINED INDIVIDUALS	LOCATION
USDA, APHIS, Wildlife Services	Jesse Morris Office: (207) 629-5181 Fax: (207) 629-5182 jesse.w.morris@aphis.usda.gov	7	Augusta, Maine
ECRC*	24h Emergency: (613)-930-9695	The ECRC-SIMEC Atlantic Region maintains a large pool of trained responders to permit 24-hour operation. Please contact for availability.	Dartmouth, NB
ALERT*	Donovan W. Case General Manager ALERT Inc. 506-632-4499 Donovan.case@irvingoil.com	2 in-house 30+ through response contractor	Saint John, NB
PTMS*	PTMS 24h Emergency: (902)-625-1711	PTMS maintains annual training of oil spill responders for response operations. Clean Seas would be able to aid with Hazing Operations with those personal who have experience. Please call for more info on numbers of trained personnel.	Mulgrave, NS

**APPENDIX 11A, CONT.**

<b>AGENCY/ENTITY</b>	<b>CONTACT INFORMATION</b>	<b>ESTIMATED # OF TRAINED INDIVIDUALS</b>	<b>LOCATION</b>
AWI*	info@atlanticwildlife.ca (506) 364-1902  Barry Rothfuss (506) 878-7906 barry@atlanticwildlife.ca	Contact for details	Cookville, NB
Canadian Coast Guard-Atlantic	<b>24/7 Emergencies 1-800-565-1633</b>	Response personnel trained	Atlantic Canada

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.

## APPENDIX 11 B

### ENTITIES WITH CAPABILITY TO RESPOND TO MARINE MAMMALS IN DISTRESS CANUSLANT AREA

AGENCY/ENTITY	CONTACT INFORMATION	ESTIMATED # OF TRAINED INDIVIDUALS	LOCATION
Marine Animal Response Society (Canada)	(866) 567-6277	2	Predominantly Nova Scotia and some areas of New Brunswick
College of the Atlantic, Allied Whale	(800) 532-9551		Canadian Border to Rockland, ME
Marine Mammals of Maine Maine Marine Animal Reporting Hotline	(800) 532-9551		Rockland, ME to NH Border

## APPENDIX 12

### FACTORS TO CONSIDER IN DETERMINING WHEN TO BEGIN AND END A WILDLIFE CAPTURE AND TREATMENT PROGRAM

The following factors are not presented in any order of relative importance. Each factor must be considered and the resulting information must be documented by appropriate wildlife resource agency representatives and by the responsible party (during a responsible party response).

- Response team safety considerations.
- Status of the species affected (e.g., special management concern, threatened, endangered; red or blue listed species).
- Population status of the species affected (e.g., international, national, and regional significance).
- Estimated percentage of the population affected.
- Use of the species as a subsistence resource.
- Logistical constraints in treating oiled animals (e.g., airports/runways and equipment availability).
- Anticipated success in effectively treating oiled animals (i.e., expected survival rate of treated wildlife).
- Public concern.
- Projected cost of treatment program and funding availability.
- Whether wildlife capture and treatment contractors (if required) agreeable to appropriate Canadian and U.S. wildlife resources agencies are available.
- Whether adequate treatment facilities exist; e.g., facilities must maintain wildlife in an environment that has low risk of disease.
- Whether capture and treatment program and subsequent release poses any unreasonable risk (e.g., disease, social disruption, or mortality) to wild animal populations.
- Whether sufficient facilities exist for keeping wildlife in captivity that cannot be released back into the wild without further rehabilitation.
- Whether appropriate Canadian and U.S. wildlife resource agency representatives have sufficient staff to perform required oversight, monitoring, and/or activities required for a wildlife capture and treatment program.

## APPENDIX 13

### CHECKLIST FOR REQUESTING INITIATION OF WILDLIFE CAPTURE AND TREATMENT PROGRAMS AND/OR PRE-EMPTIVE CAPTURE PROGRAM

Any migratory bird, marine mammal or sea turtle capture and treatment program and/or bird, marine mammal or sea turtle pre-emptive capture must be authorized by appropriate Canadian and U.S. wildlife resource agency representatives CWS, DFO, NBDNRED, USFWS, NOAA/NMFS, and MDIFW. Responsible Parties who wish to initiate such activities must complete Parts I-VI of this checklist (one set for migratory birds, one set for marine mammals and one set for sea turtles) and submit it to the appropriate wildlife resource agency representatives. If approved by those agency representatives, a request to initiate such a program will be forwarded by wildlife resource agency representatives to the CCG OSC and the USCG FOSC.

If there are no requests by a Responsible Party to initiate such a program, wildlife resource agency representatives may complete Parts I-VI of this checklist (one set for migratory birds, one set for marine mammals, one set for sea turtles) and then forward the request to the CCG OSC and the USCG FOSC.

<b>I. SPILL DATA</b>	
Name of incident:	
Date of incident:	
Spill location:	latitude ; longitude
Spill location: land ; water	; land and water
Distance to nearest water body, if on land:	km/mi
Type/name of product released: _____	
Estimated volume of product released: _____ (gals/bbls)	
Release status: Stopped ; Continuing ; Unknown	
Is spill: Contained ; Spreading ; Unknown	
Estimated volume of product potentially released: _____ (gals/bbls)	

**APPENDIX 13, CONT.**

<b>II. WILDLIFE DATA</b>	
<b>SPECIES/SPECIES GROUPS</b>	<b>ESTIMATED NUMBERS OF WILDLIFE AND LOCATION RELATIVE TO SPILL RELEASE</b>
e.g., Waterfowl e.g., pinnipeds	e.g., 100 eiders 1 mile from leading edge of spill e.g., 25 harbour seals hauled out 1 mile from leading edge of spill

**APPENDIX 13, CONT.**

**III. PRIMARY RESPONSE ACTIONS**

**Describe any response actions underway or previously taken: (1) to protect wildlife and/or wildlife habitat; and (2) that may affect proposed capture, transport, stabilization, or wildlife treatment activities.**



**APPENDIX 13, CONT.**

**IV. SECONDARY RESPONSE ACTIONS: PRE-EMPTIVE CAPTURE**

**A. Describe pre-emptive capture plan, including: estimated numbers of birds/marine mammals/sea turtles requiring capture; location(s) of those birds/marine mammals/sea turtles; techniques to be used for capture; estimated number of capture personnel required; equipment, materials, and logistics support required; description of holding facility; length of time to be held; and release plan:**

**B. Information on Person in Charge of Pre-emptive Capture:**

Name:

Affiliation:

Address:

Qualifications:

Contact Information (phone/fax/email):

Permit Holder(s):

**V. TERTIARY RESPONSE ACTIONS: CAPTURE AND TREATMENT**

**A. Briefly describe each element of capture, handling, transportation (including importing and exporting), stabilization, and treatment plan, including: estimated numbers of birds (for each species or species group)/marine mammals/sea turtles requiring capture; location(s) of those birds/marine mammals/sea turtles; techniques to be used for capture; estimated number of capture personnel required; equipment, materials and facility (e.g., stabilization and treatment) requirements; and logistics and other technical support required:**

**B. Information on Person or Persons in Charge of Capture and Treatment Program:**

Name:

Affiliation:

Address:

Qualifications:

Contact Information (phone/fax/email):

Permit Holder(s):

**APPENDIX 13, CONT.**

**VI. REQUESTOR INFORMATION**

Signature of requestor: \_\_\_\_\_

Printed name of requestor: \_\_\_\_\_

Title of requestor: \_\_\_\_\_

Requestor affiliation: \_\_\_\_\_

Requestor representing: \_\_\_\_\_

Contact information of requestor (phone/fax/email): \_\_\_\_\_

Time and Date Request Submitted to CCG OSC or USCG FOSC, and the following wildlife resource agency representatives\* : \_\_\_\_\_

CWS (identify contact): \_\_\_\_\_

DFO (identify contact): \_\_\_\_\_

NBDNRED (identify contact): \_\_\_\_\_

USFWS (identify contact): \_\_\_\_\_

NOAA/NMFS (identify contact): \_\_\_\_\_

MDIFW (identify contact): \_\_\_\_\_

\*Contact information for wildlife resource agency representatives is listed in Appendix 2.

**APPENDIX 13, CONT.**

<b>VII. WILDLIFE RESOURCE AGENCY RESPONSE TO REQUEST</b>		
<b>Date and time request received by wildlife resource agency representative(s):</b>		
<b>Canadian Wildlife Service</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>Fisheries and Oceans Canada</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>New Brunswick Department of Natural Resources and Energy Development</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>U.S. Fish and Wildlife Service</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>NOAA/National Marine Fisheries Service</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>Maine Department of Inland Fisheries and Wildlife</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____

**APPENDIX 13, CONT.**

**VII. WILDLIFE RESOURCE AGENCY RESPONSE TO REQUEST (CONT.)**

**CWS Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**DFO Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**NBDNRED Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**USFWS Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX 13, CONT.**

**MDIFW Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX 13, CONT.

**IX. CCG ON SCENE COMMANDER AND USCG FEDERAL ON-SCENE  
COORDINATOR DECISION**

**CCG On Scene Commander's decision regarding request to initiate wildlife response program:**

Request received by CCG On Scene Commander: \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_ Concur with wildlife resource agency representatives

\_\_\_\_ Concur with attached conditions

\_\_\_\_ Do not concur

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**USCG Federal On-Scene Coordinator's decision regarding request to initiate wildlife response program:**

Request received by USCG Federal On-Scene Coordinator: \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_ Concur with wildlife resource agency representatives

\_\_\_\_ Concur with attached conditions

\_\_\_\_ Do not concur

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

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## APPENDIX 14

### POTENTIAL BIRD STABILIZATION AND TREATMENT FACILITIES: CANUSLANT AREA <sup>1,2</sup>

FACILITY/ ADDRESS	OWNER/ CONTACT INFORMATION (24-Hour Number)	COMMENTS
Calais Armory <sup>1</sup> Calais ME	Dan Nadeau Maine Army National Guard Office: (207) 430-2105 Cell: (207) 561-0969 Fax: (207) 626-4553	Site inspection pending
Belfast Armory <sup>1</sup> Belfast, ME	Dan Nadeau Maine Army National Guard Office: (207) 430-2105 Cell: (207) 561-0969 (cell)	Site inspection pending
Westbrook Armory <sup>1</sup> Westbrook, ME	Dan Nadeau Maine Army National Guard Office: (207) 430-2105 Cell: (207) 561-0969	Site inspection pending
Maine Inland Fisheries and Wildlife Service Building Jonesboro, ME	Steve Dunham, MDIFW Office: (207) 434-5927 Cell: (207) 441-1725	Facility inspected by International Bird Rescue Research Center (October 2006) Staging area or small rehabilitation

**APPENDIX 14, CONT.**

<p style="text-align: center;"><b>FACILITY/ ADDRESS</b></p>	<p style="text-align: center;"><b>OWNER/ CONTACT INFORMATION (24-Hour Number)</b></p>	<p style="text-align: center;"><b>COMMENTS</b></p>
<p>USFWS – Moosehorn NWR 103 Headquarters Road Baring, ME 04694</p>	<p>Keith Ramos, Refuge Manager Office: (207) 454-1705 Cell: (207) 436-0000</p>	

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<sup>1</sup> In the event a migratory bird capture program is initiated, the availability of these facilities must be verified at that time.

<sup>2</sup> MDIFW currently holds an MOU to use these armories unless DVEM determines it will interfere with military operations. More information regarding the armories can found at: <https://www.me.ng.mil/Resources/Armory-Rental/>.

## APPENDIX 15

### GUIDELINES FOR CROSS-BORDER TRANSPORTATION OF OILED WILDLIFE

The checklist at the end of Section VIII of the CANUSLANT annex provides detailed information about moving personnel and equipment across the international border during an oil spill. Additional information for agency representatives involved in wildlife response activities should also be considered.

- All personnel (including contractors) must have a valid passport and necessary personal identification.
- It is best to have necessary authorizations/licenses for the legal transportation of wildlife across borders (provincial and international)
- It is best to have some documentation that CANUSLANT has been activated on your person.
- All vehicles must have proof of insurance.
- Call the border station prior to attempting to cross to brief customs/border services officials on the situation ahead of time (a daily notice/advanced notification should have been provided to border stations when the CANUSLANT annex was activated, but a follow-up FYI is recommended).
- Ideally all agency personnel crossing the international border for response purposes will be agency staff in uniform.
- It is better to minimize the number of personnel and vehicles crossing the border.
- Personnel should have appropriate level of training in hazardous materials because the oil on the wildlife is a hazardous substance. Appropriate training is essential if personnel will be entering the spill site to pick up animals. See also Appendix J Joint Marine Pollution Contingency Plan Atlantic Geographic Annex (CANUSLANT).

## APPENDIX 16

### MARINE MAMMAL AND SEA TURTLE STRANDING U.S. AND CANADA

#### U.S. Greater Atlantic Region Marine Mammal and Sea Turtle Stranding Network Hotline 866-755-6622

Institution	Area, Additional Information	Response	Rehab
<b>MAINE</b>			
<b>Allied Whale, College of the Atlantic</b> 105 Eden Street Bar Harbor, ME, 04609 Phone: (207) 288-5644 Cell: (207) 266-1326	From the Canadian border to Rockland, ME	Cetaceans Pinnipeds Sea Turtles	N/A
<b>Marine Mammals of Maine</b> 1 High Street, Suite 5 Kennebunk, ME 04043 (207) 233-3199	Rockland through Kittery, ME  <b>Maine Marine Animal Reporting Hotline:                      (800) 532-9551</b>	Cetaceans Pinnipeds Sea Turtles	N/A
<b>NEW HAMPSHIRE</b>			
<b>Seacoast Science Center</b> 570 Ocean Blvd. Rye, NH 03870 (603) 436-8043	NH and northern MA  <b>Hotline: (603) 997-9448</b>	Cetaceans Pinnipeds	N/A
<b>MASSACHUSETTS</b>			
<b>New England Aquarium</b> Central Wharf Boston, MA 02110 <b>Hotline: (617) 973-5247</b>	Boston, MA north through NH	Sea Turtles	Sea Turtles

**APPENDIX 16, CONT.**

<p><b>International Fund for Animal Welfare</b>  P.O. Box 193  Yarmouth Port, MA 02675  <b>Hotline: (508) 743-9548</b></p>	<p>Cape Cod and southeastern MA</p>	<p>Cetaceans  Pinnipeds</p>	<p>N/A</p>
<p><b>Wellfleet Bay Wildlife Sanctuary</b>  <b>Massachusetts Audubon</b>  291 State Highway, Route 6  South Wellfleet, MA 02663  508-349-2615 x 6104</p>	<p>Cape Cod</p>	<p>Marine Mammals  Sea Turtles</p>	<p>N/A</p>
<p><b>Provincetown Center for Coastal Studies</b>  115 Bradford Street  Provincetown, MA 02657  (508) 487-3622</p>	<p>Marine animal disentanglement only   <b>Entanglement Hotline: (800) 900-3622</b></p>	<p>Sea Turtle  Marine Mammal</p>	<p>N/A</p>
<p><b>Marine Mammal Alliance Nantucket</b>  Nantucket, MA  (833) 667-6626</p>		<p>Marine Mammals</p>	<p>N/A</p>
<p><b>Seacoast Science Center</b>  570 Ocean Blvd.  Rye, NH 03870  (603) 436-8043</p>	<p>Northern MA   <b>Hotline: (603) 997-9448</b></p>	<p>Cetaceans  Pinnipeds</p>	<p>N/A</p>
<p><b>RHODE ISLAND and CONNECTICUT</b></p>			
<p><b>Mystic Aquarium</b>  55 Coogan Blvd.  Mystic, CT 06355-1997  <b>Hotline: (860) 572-5955 ext. 107</b></p>	<p>Connecticut, Rhode Island and Fishers Island, New York</p>	<p>Cetaceans  Pinnipeds  Sea Turtles</p>	<p>Pinnipeds  Sea Turtles</p>

**APPENDIX 16, CONT.**

<b>NEW YORK</b>			
<p><b>New York Marine Rescue Center</b> 467 East Main Street Riverhead, NY 11901 (631) 369-9840</p>	<p><b>New York Hotline: (631) 369-9829</b></p>	<p>Cetaceans Pinnipeds Sea Turtles</p>	<p>Small cetaceans Pinnipeds Sea Turtles</p>
<p><b>Atlantic Marine Conservation Society</b> PO Box 932, Hampton Bays, NY 11946 (631) 317-0030</p>	<p>New York</p>	<p>Cetaceans Pinnipeds Sea Turtles</p>	<p>N/A</p>
<b>NEW JERSEY</b>			
<p><b>Marine Mammal Stranding Center</b> PO Box 773 3625 Brigantine Blvd Brigantine, NJ 08203 (609) 266-0538</p>	<p>New Jersey</p>	<p>Cetaceans Pinnipeds Sea Turtles</p>	<p>Pinnipeds Sea Turtles</p>
<b>DELAWARE</b>			
<p><b>MERR Institute, Inc.</b>  <b>Hotline: (302) 228-5029</b></p>	<p>Delaware</p>	<p>Cetaceans Pinnipeds Sea Turtles</p>	<p>N/A</p>
<b>MARYLAND</b>			
<p><b>Maryland Department of Natural Resources Cooperative Oxford Laboratory</b> 904 South Morris St. Oxford, MD 21654 <b>Hotline: (800) 628-9944</b></p>	<p>Maryland</p>	<p>Cetaceans Pinnipeds Sea Turtles</p>	<p>N/A</p>

**APPENDIX 16, CONT.**

<p><b>National Aquarium</b> 501 East Pratt St, Baltimore, MD 21202 <b>Hotline: (410) 576-3880</b></p>	Maryland	Cetaceans Pinnipeds Sea Turtles	Pinnipeds Sea Turtles
<b>VIRGINIA</b>			
<p><b>Virginia Aquarium &amp; Marine Science Center</b> 717 General Booth Blvd. Virginia Beach, VA 23451 <b>Hotline: (757) 385-7575</b></p>	Virginia	Cetaceans Pinnipeds Sea Turtles	Pinnipeds Sea Turtles

**Canada Marine Mammal and Sea Turtle Stranding**

<p><b>Marine Animal Response Society:</b> <b>(866) 567-6277</b> <a href="mailto:mars@marineanimals.ca">mars@marineanimals.ca</a> VHF Channel 16</p>	New Brunswick, Nova Scotia	Marine Mammals	N/A
<p><b>Canadian Sea Turtle Network</b> <b>(888) 729-4667</b></p>	New Brunswick, Nova Scotia	Sea Turtles	N/A

**Canada - United States  
Joint Marine Pollution Contingency Plan**

**CANUSLANT Regional Annex  
Enclosure (1) - Wildlife Response Guidelines**

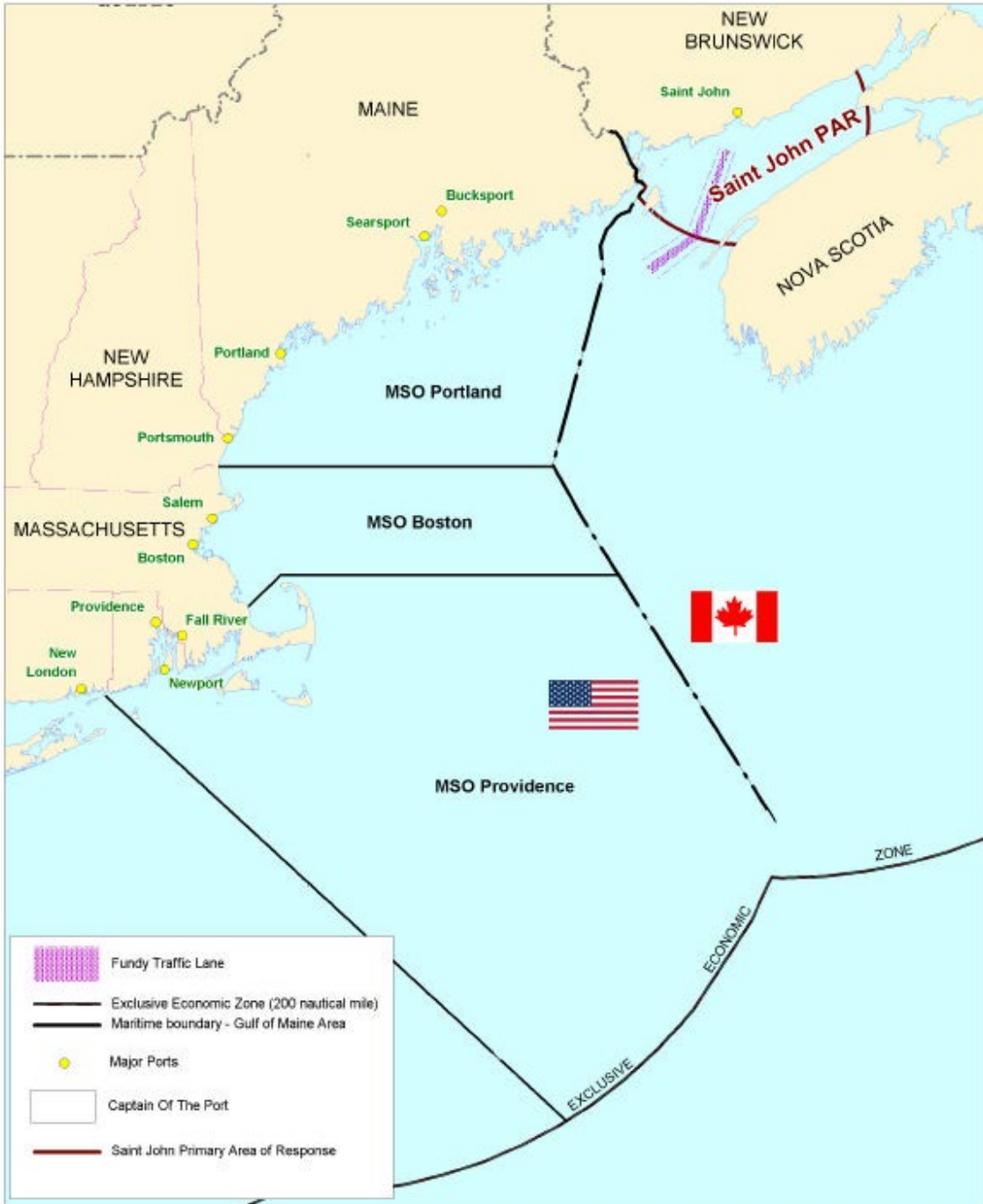
**Canada-United States Wildlife Response Working Group**

**December 2022**



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Figure 1. Area covered by the JCP/Atlantic Geographic Annex



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## LIST OF ACRONYMS

ALERT	Atlantic Environmental Response Team
APHIS	Animal Plant Health Inspection Service
CANUSLANT	Canada-United States Joint Marine Pollution Contingency Plan, Atlantic Geographic Annex
CCG	Canadian Coast Guard
CITES	Convention on International Trade in Endangered Species of Wildlife Fauna and Flora
CWS	Canadian Wildlife Service
DFO	Fisheries and Oceans Canada
DOC	U.S. Department of Commerce
DOI	U.S. Department of the Interior
ECCC	Environment and Climate Change Canada
ECRC	Eastern Canada Response Corporation
ESA	Endangered Species Act
FOSC	Federal On-Scene Coordinator
GPS	Global Positioning System
IPIECA	International Petroleum Industry Environmental Conservation Association
JIC	Joint Information Center
MBCA	Migratory Birds Convention Act
MBTA	Migratory Bird Treaty Act
MDEP	Maine Department of Environmental Protection
MDIFW	Maine Department of Inland Fisheries and Wildlife
MMPA	Marine Mammals Protection Act

MMR	Marine Mammal Regulations
NBDNRED	New Brunswick Department of Natural Resources and Energy Development
NMFS	National Oceanic and Atmospheric Administration, National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NWR	National Wildlife Refuge
OEPC	Office of Environmental Policy and Compliance, DOI
OMA	Office of Management Authority
OSC	On-Scene Commander
PTMS	Point Tupper Marine Services
SARA	Canadian Species at Risk Act
SCAT	Shoreline Cleanup and Assessment Team
USCG	U.S. Coast Guard
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service

## I. INTRODUCTION

### A. Background and Objectives

The 2002 CANUSLANT) exercise report recommended forming a Canadian-United States Wildlife Response Working Group with representatives from the respective wildlife resource agencies. The purpose of the working group was to develop wildlife response guidelines for keeping wildlife away from oiled areas and for capturing and treating individuals of selected wildlife species that become oiled. This document, the *Canada-United States Marine Pollution Contingency Plan, Atlantic Geographic Annex (CANUSLANT) - Wildlife Response Guidelines*), is the result of that process, and has further benefited from testing during the CANUSLANT 2007 and 2019 exercises. It provides an overview of existing wildlife response protocols and areas of collaboration between Canada and the United States that will be used when the CANUSLANT annex is activated to facilitate coordinated, timely, and appropriate wildlife response protection activities under existing legal frameworks in the CANUSLANT area. Wildlife species are addressed by taxa to further clarify jurisdiction and legal frameworks for managing the variety of species found within the CANUSLANT area. It was further agreed that the goal of this effort is to ensure that decisions regarding wildlife-response activities are based on what is best for the wildlife resources (without putting human life at risk), and then to determine how the goal can be accomplished consistent with each country's regulations, policies and practices.

The CANUSLANT area (Figure 1) provides important seasonal habitat for significant numbers of migratory birds, sea turtles, and marine mammals. Many of these wildlife species support hunting and tourism and are federally or locally protected within the joint response area.

Significant numbers of birds migrate through or breed in the area, including waterfowl, seabirds, shorebirds, and bald eagles. Although most birds are in the area during the spring, summer, and fall, both waterfowl and bald eagles overwinter. The entire New Brunswick wintering population of the harlequin duck, Canadian Species at Risk Act (SARA) Status: Schedule 1, Special Concern, occurs in the outer Bay of Fundy. The numerous seabird colonies in the area range from hundreds to thousands of birds. Notable species of colonial breeding birds include terns, gulls, storm petrels, razorbills, common murrelets, puffins, and common eiders.

Many marine mammal species are found within the CANUSLANT area year-round and seasonally. Pinnipeds (seals), odontocetes (toothed cetaceans), and larger baleen whale species make up the collective group of marine mammals that occur in the area. There are many species within each marine mammal group that can occur in the CANUSLANT area that require different documentation/permitting, monitoring and response techniques, and have different rehabilitation needs. Federal protection for marine mammal species under existing laws and regulations differ between countries. In the United States, all marine mammals are protected under the Marine Mammal Protection Act (MMPA). Additional protection is provided under the Endangered Species Act (ESA) for select baleen whales: fin, sei, blue and right whale. In Canada, certain species are protected under SARA, including the North Atlantic right whale,



blue whale, fin whale, Sowerby's beaked whale, and northern bottlenose whale (Scotian Shelf population), and further requirements are identified for all marine mammals as part of the Marine Mammal Regulations (SOR /93-56) (MMR). Accordingly, processes under each country's legal structures exist to implement the relevant regulations pertaining to marine mammal species. Details on how existing legal requirements and response techniques for marine mammals will be implemented during a joint oil spill response are provided throughout these guidelines.

Four species of marine turtles are found in the Gulf of Maine. In the United States, all four species are listed as endangered under the ESA and in Canada, loggerhead and leatherback are listed as endangered under SARA. Similar to migratory birds and marine mammals, response to sea turtle species is implemented under existing legal requirements and response/rehabilitation protocols that are further outlined in subsequent sections. Other marine species, such as sharks and highly migratory fish, such as tuna, may also be impacted during an oil spill and will likely require consultation with state and federal agencies if present in the spill area.

Terrestrial mammals in the area that are vulnerable to discharges of petroleum products include black bear, moose, white-tailed deer, coyote, red fox, river otters, beaver, mink, and weasels. For a complete listing of endangered and protected species that could be present in the CANUSLANT area, please refer to <http://www.fws.gov/endangered>; <http://www.nmfs.noaa.gov/pr/species/>; <http://maine.gov/ifw/wildlife/endangered/>; **Error! Hyperlink reference not valid.**; <https://www1.gnb.ca/0078/speciesatrisk/search-e.asp>; and <https://novascotia.ca/natr/wildlife/species-at-risk/>.

Because of their interdependence with the marine environment, during an oil spill that affects offshore or coastal areas these wildlife species may contact oil in the water column or through ingesting contaminated prey, on the water surface and/or along shorelines, marshes, or tide lands. The number of individuals and species affected depends on variables such as the location and size of the spill, characteristics of the oil, weather and water conditions, types of habitats affected, and seasonality.

Marine mammals and turtles are vulnerable to impacts from oil spills, but the types of impacts are not well understood. In comparison impacts to migratory birds are well documented resulting in significant response planning and development of protocols to implement during an oil spill. Although recent oil spill responses have provided much needed information on the impacts to these marine species - information that is critical in informing response planning and impact mitigation - documentation of impacts to and response of wildlife remains an ongoing need.

## **B. Wildlife Resources Addressed**

Appendix 1 identifies the Canadian and U.S. wildlife resource agencies having management responsibility for selected wildlife in the CANSULANT area. The *CANUSLANT Wildlife Response Guidelines* focus on migratory birds, marine mammals, and sea turtles because of their susceptibility and vulnerability to oiling, their requirement for specialized handling, and because

these species move across the CANUSLANT area.

Migratory birds. “Migratory birds” on the Canadian side of border are under the jurisdiction of Environment and Climate Change Canada-Canadian Wildlife Service (CWS) and include those species identified in the Migratory Birds Convention Act (MBCA). “Migratory birds” on the U.S. side of the border are under the jurisdiction of the U.S. Department of the Interior-Fish and Wildlife Service (USFWS) and the Maine Department of Inland Fisheries and Wildlife (MDIFW) and include those species identified in the Migratory Bird Treaty Act (MBTA). The remainder of these guidelines also addresses the “non-migratory bird species” that occur on the Canadian side of the border. Those species, which are under the jurisdiction of the New Brunswick Department of Natural Resources and Energy Development (NBDNRED), include, but are not limited to: grouse, hawks, owls, eagles, falcons, cormorants, vultures, pelicans, crows, jays, blackbirds, and kingfishers.

Decisions about keeping unoiled terrestrial wildlife away from a spill and/or the capture and treatment of terrestrial wildlife will be made on a case-by-case basis by NBDNRED and MDIFW representatives for the geographic areas under their respective jurisdiction.

Marine mammals. Harbor seals, grey seals, minke whales, harbor porpoises, small whale and dolphin species may be present in the CANUSLANT area throughout the year. Several species of federally protected baleen whales, including the fin, sei, humpback, blue, and right whale, migrate through the area and stop to feed throughout the year.

Marine mammal species on the Canadian side of the border are under the jurisdiction of the Department of Fisheries and Oceans Canada (DFO) and are protected under the Fisheries Act (RSC, 1985, c. F-14), Species at Risk Act (SC 2002, c. 29) (SARA), and MMR. Marine mammals on the U.S. side of the border are under the jurisdiction of the U.S. Department of Commerce, National Marine Fisheries Service (NMFS). All marine mammals are protected under the MMPA, and some species are afforded extra protection under the Endangered Species Act (ESA).

Prohibitions and requirements under SARA, MMR, MMPA, and ESA may require consultation by oil spill clean-up response agencies with DFO and NMFS prior to any disturbance of a species. For example, with regard to species listed on Schedule 1 of SARA, oil spill and clean-up agencies may require specific permitting or approval from DFO. DFO and NMFS may have existing protocols and recommendations in place for documenting impacts, surveillance, monitoring, response, and recovery activities for marine mammal species. Due to the unique adaptations for life in the water and marine mammal biology, detecting, monitoring, and responding to marine mammal species can be challenging. Specialized equipment and highly trained personnel are usually needed to appropriately identify marine mammal species at sea and to implement existing surveillance and response strategies for the various types of marine mammal species that may be encountered during a spill response. Decisions for keeping unoiled pinnipeds and cetaceans away from a spill and/or the capture and treatment of pinnipeds and cetaceans will be made on a case-by-case basis by DFO and NMFS representatives for the

geographic area under their respective jurisdiction. DFO and NMFS will also authorize and coordinate aerial and on-water survey efforts to monitor marine mammals in the spill area and assess potential oil spill impact risks that may facilitate additional response activities or documentation required under existing legal frameworks. Due to the need for highly trained personnel to implement surveillance and response efforts to marine mammal species, DFO and NMFS may authorize and work with external partners that maintain specific training and experience for some of these specialized activities. Coordination of these efforts will be conducted by DFO and NMFS within the infrastructure of the Joint Response Plan.

Sea turtles. Sea turtle species on the Canadian side of the border are under the jurisdiction of DFO and responsibility for their conservation and protection falls under the Fisheries Act (RSC, 1985, c. F-14) and SARA (SC 2002, c. 29). Sea turtles on the U.S. side of the border are under the co-jurisdiction of the USFWS and NMFS and include those species identified in the ESA.

Prohibitions and requirements under SARA and ESA may require consultation by oil spill clean-up response agencies with DFO, USFWS and NMFS. For example, with regard to species listed on Schedule 1 of SARA, oil spill and clean-up agencies may require specific permitting or approval from DFO. DFO, USFWS and NMFS may have existing protocols and recommendations in place for documenting impacts, surveillance, monitoring, response, and recovery activities for sea turtles. Due to the unique adaptations for life in the water and sea turtle biology, detecting, monitoring, and responding to sea turtles can be challenging. Specialized equipment and highly trained personnel are usually needed to appropriately identify sea turtle species at sea and to implement existing surveillance and response strategies for the various types of sea turtle species that may be encountered during a spill response.

Decisions regarding keeping unoiled sea turtles away from a spill and/or the capture and treatment of sea turtles will be made on a case-by-case basis by DFO, USFWS, and NMFS representatives for the geographic area under their respective jurisdiction. DFO and NMFS will also authorize and coordinate aerial and on-water survey efforts to monitor sea turtles in the spill area and assess potential oil spill impact risks that may facilitate additional response activities or documentation required under existing legal frameworks. Due to the need for highly trained personnel to implement surveillance and response efforts to sea turtle species, DFO, USFWS and NMFS may authorize and work with external partners that maintain specific training and experience for these specialized activities. Coordination of these efforts will be conducted by DFO and NMFS within the infrastructure of the Joint Response Plan.

### **C. Wildlife Response Strategies**

The *CANUSLANT Wildlife Response Guidelines* are based on the following three wildlife response strategies:

Primary response strategies emphasize controlling the release and spread of spilled oil at the source to prevent or reduce contamination of potentially affected species and/or their habitat. These strategies include use of mechanical recovery and (if approved) chemical

countermeasures; oiled carcass removal; and minimizing wildlife disturbance.

The use of alternative countermeasures such as dispersants or *in situ* burning in the CANUSLANT Area, specifically in situations where use in one country could affect the other, is subject to approval through the “joint decisions” process outlined in the CANUSLANT Regional Annex, Appendix L. As these countermeasures may not be supported or appropriate in all instances and locations, the incident-specific decision process includes involvement and input of federal and local officials and subject matter experts as specified in the respective country’s policies and procedures. Communication between Canada and U.S. wildlife response operations on presence of and risk to wildlife and active field personnel involved in the wildlife response is anticipated as needed. See also CANUSLANT Regional Annex, Appendix J, Worker Health, Safety and Compensation.

Secondary response strategies emphasize keeping wildlife that could be oiled away from oiled areas by deterrents or other techniques.

Tertiary response strategies address the capture and treatment of oiled wildlife, and other preventative measures such as rat/mice countermeasures on seabird islands, as needed during the breeding season.

#### **D. Development of CANUSLANT Wildlife Response Guidelines**

The *CANUSLANT Wildlife Response Guidelines* were prepared by the CANUSLANT Wildlife Response Working Group<sup>1</sup> and submitted to the Canadian Coast Guard (CCG) Atlantic Region Regional Director and U.S. Coast Guard (USCG) First Coast Guard District Commander and other interested parties for review and comment. The Guidelines were finalized in 2010 for inclusion in the *Canada-United States Marine Spill Pollution Contingency Plan, Atlantic Regional Annex*, with updates in 2016 and 2021.

#### **E. Procedures for Revisions and Updates**

The *CANUSLANT Wildlife Response Guidelines* will be reviewed and updated as needed by the CANUSLANT Wildlife Response Working Group members. The CANUSLANT Working Group Chairperson(s) will coordinate review of the document. Following CANUSLANT Wildlife Working Group member review of any proposed changes, the revised *CANUSLANT Wildlife Response Guidelines* will be submitted to the CCG Atlantic Region Regional Director and USCG First Coast Guard District Commander for review, concurrence, inclusion in the *Canada-United States Marine Spill Pollution Contingency Plan*, and subsequent distribution.

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<sup>1</sup> CANUSLANT Wildlife Response Working Group members include: representatives from Environment and Climate Change Canada, Canadian Wildlife Service; Fisheries and Oceans Canada; New Brunswick Department of Natural Resources and Energy Development; 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 Oceanic and Atmospheric Administration, National Marine Fisheries Service, and Maine Department of Inland Fisheries and Wildlife.

## F. CANUSLANT Wildlife Response Guidelines Organization

The *CANUSLANT Wildlife Response Guidelines* are divided into the following sections:

- I. Introduction
- II. Assumptions
- III. Wildlife Resource Agency Notification and Coordination
- IV. Migratory Birds
- V. Marine Mammals and Sea Turtles

The Introductory section, which outlines the purpose and origin of the guidelines, is followed by a list of assumptions agreed upon by Canadian and U.S. wildlife resource agency representatives that provide the basis for the *CANUSLANT Wildlife Response Guidelines*. The “Wildlife Resource Agency Notification and Coordination” section describes the appropriate wildlife resource agency contacts for the CANUSLANT annex and how Canadian and U.S. wildlife resource agency representatives will coordinate wildlife response-related activities following activation of the CANUSLANT annex. The sections on migratory birds, marine mammals and sea turtles provide information on the population and distribution of the species in the CANUSLANT area; a description of potential oil-related impacts to those species; species-specific response strategies; and how those response activities will be coordinated between Canadian and U.S. wildlife resource agency representatives.

## II. ASSUMPTIONS

The *CANUSLANT Wildlife Response Guidelines* are based on the following assumptions<sup>2</sup> :

- Actions taken under these guidelines will be consistent with the provisions of the CANUSLANT Regional Annex, including but not limited to Section III.1. Authority for Response; III.2. Joint Response Authority; and III.3. Responsibilities, which lists the respective Federal, Provincial, and State contingency plans being implemented by the respective jurisdictions. This includes applicable wildlife response practices and policies that may be incorporated into or referenced by the respective Canada and U.S. contingency plans (see CANUSLANT Regional Annex section III.3.), including, but not limited to:
  - Maine/New Hampshire Area Contingency Plan (2020)
  - Maine Marine Oil Spill Contingency Plan
  - MDIFW Oiled Wildlife Response Plan (2020)
  - ECCC-CWS National Policy on Wildlife Emergency Response (2021)
  - ECCC-CWS Guidelines for Wildlife Response Plans (2022)

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<sup>2</sup> These assumptions apply in both Responsible Party- and CCG/USCG-led responses. Wildlife resources agency representatives will coordinate as appropriate, with Responsible Party wildlife-response personnel and/or wildlife-response contractors.

- ECCC-CWS Guidance and Protocols for Wildlife Surveys for Emergency Response (2022)
  - ECCC-CWS Guidelines for Establishing and Operating Treatment Facilities for Oiled Wildlife (2022)
  - ECCC-CWS Guidelines for the Capture, Transport, Cleaning, and Rehabilitation of Oiled Wildlife (2022)
  - National Oceanic and Atmospheric Administration (NOAA) Pinniped and Cetacean Oil Spill Response Guidelines (2015)
  - USFWS Best Practices for Migratory Bird Care during an Oil Spill (2003)
- Canadian and U.S. wildlife resource agency representatives will provide the CCG On-Scene Commander (OSC) and the USCG Federal On-Scene Coordinator (FOSC) agreed-upon protocols for removing oiled carcasses from the environment. The removal of oiled carcasses will be overseen by appropriate wildlife resource agency representatives.
  - Surveillance and monitoring for marine mammals or sea turtles in the CANUSLANT area will be overseen by the NMFS on the U.S. side of the border and by DFO on the Canadian side of the border. In the case of cross-jurisdictional events or if assistance is requested by the neighboring country, NMFS and DFO will follow established protocols and proper channels developed for these communications.
  - Recommendations on whether to deter wildlife away from oiled areas, conduct pre-emptive capture of unoiled marine mammals or sea turtles, and/or capture, stabilize, and treat oiled migratory birds, marine mammals, and/or sea turtles will be made jointly by the appropriate Canadian and U.S. wildlife resource agency representatives and then will be submitted to the CCG OSC and the USCG FOSC for approval.
    - Public announcements regarding wildlife response recommendations and activities will be released through the CCG/USCG Joint Information Center (JIC) in consultation with the appropriate wildlife resource agencies.
    - Actions taken to keep wildlife away from oiled areas will be coordinated among appropriate Canadian and U.S. wildlife resource agency representatives to ensure the activities are not in conflict. Actions taken will be overseen or conducted by the appropriate Canadian or U.S. wildlife resource agency representatives in their respective area.
  - Oiled bird capture and treatment programs will be overseen/monitored by USFWS on the U.S. side of the border, and by the CWS on the Canadian side of the border, in cooperation with their State and Provincial partners.
  - Canadian and U.S. wildlife resource agency representatives are responsible for funding their respective personnel and associated expenses for wildlife-response-related activities

and for requesting reimbursement via their normal respective reimbursement procedures.

- Expenses associated with wildlife response-related activities (e.g., hiring bird capture and treatment contractors and/or acquiring wildlife response equipment, materials, and supplies) will be paid by the responsible party or by the CCG and/or USCG, through respective U.S. and Canada procedures.
- Wildlife response-related equipment, materials, supplies, and personnel may be transferred across the Canada/U.S. border without special permits during the emergency phase of the response as outlined in Section VIII of the *CANUSLANT Annex*. Additional considerations are addressed in Appendix 15 of this document.
- Individuals conducting migratory bird capture and treatment in New Brunswick and Maine will have appropriate training under currently established guidelines and procedures.<sup>3</sup> These will be wildlife resource agency personnel, wildlife rehabilitation contractors, or trained volunteers working under appropriate supervision.
- Decisions regarding the secondary and tertiary response options for terrestrial wildlife will be made on a case-by-case basis by NBDNRED and MDIFW representatives in the geographic area under their respective jurisdiction.
- Decisions regarding secondary and tertiary response options for marine mammals and sea turtles will be made on a case-by-case basis by DFO and NMFS representatives in the geographic area under their respective jurisdiction.

### III. WILDLIFE RESOURCE AGENCY NOTIFICATION AND COORDINATION

#### A. Notification

*CANUSLANT Regional Annex*, Section VI outlines the circumstances under which the regional annex may be invoked. Section VII provides for the notification procedures in the event the annex is activated. In Canada, appropriate DFO, ECCC, and CWS representatives will be notified by the 24/7 on-call EC Emergency Duty Officer. In the U.S., appropriate DOI, USFWS, and NMFS representatives will be notified (24/7) by the USCG FOSC's representative. Appropriate MDIFW representatives will be notified (24/7) by a Maine Department of

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<sup>3</sup>Examples include but are not limited to: U.S. Fish and Wildlife Service. November 2003. Best Practices for Migratory Bird Care During Oil Spill Response. 86 pp.; White, J., S. Patton, A. Kasker and J. Lainson. 1998. Recommended Protocols for the Care of Oil-affected Birds. Pacific States-British Columbia Oil Spill Task Force. 73 pp.; International Petroleum Industry Environmental Conservation Association (IPIECA) (2017) Key principles for the protection, care and rehabilitation of oiled wildlife. International Association of Oil and Gas Producers. 63pp.; Beaulieu, D., and G. Fitzgerald. 1998. Guide d'intervention d'urgence Guide d'intervention d'urgence lors de déversements d'hydrocarbures: Réhabilitation d'oiseau contaminés. Union Québécoise de Réhabilitation des oiseaux proie. 28 pp.; ECCC-CWS (2020 draft) Guidelines for the Capture, Transport, Cleaning, and Rehabilitation of Oiled Wildlife. 47 pp.

Environmental Protection (MDEP) representative. Canadian and U.S. wildlife resources agency contacts for the CANUSLANT area are listed in Appendix 2.

As soon as practicable following their respective notification by CCG and USCG representatives, Canadian and U.S. wildlife resource agency representatives will contact each other to begin coordinating wildlife response information and activities. Initial coordination will include, but not be limited to: (1) how to obtain “real time” information on wildlife resources affected or potentially-affected by the incident; (2) when and how (if necessary) resources agency representatives will travel to the incident area; (3) what entities (including wildlife rehabilitators under contract with the responding agencies) need to be placed “on alert”; and (4) when the CCG OSC and USCG FOSC may expect to begin receiving recommendations regarding wildlife response-related activities.

## **B. Coordination**

Following activation of the CANUSLANT Annex, the CCG OSC and the USCG FOSC will coordinate their response efforts but will not fully integrate their response structures. It is currently anticipated that their response structures will initially be in separate locations, with the CCG in Canada and the USCG in the U.S. Both the CCG and USCG response structures will receive advice and input on wildlife response activities through the appropriate Canadian and U.S. wildlife resource agency contacts. If appropriate, Canadian and U.S. wildlife resource agencies will assign wildlife resource agency liaisons to work with their respective organization to help facilitate the coordination of wildlife response-related activities. Wildlife resource agency representatives for wildlife in the Canadian portion of the CANUSLANT area will work through the Science Table chaired by Environment and Climate Change Canada’s National Environmental Emergencies Centre and the Environmental Unit in the Planning Section, in coordination with the Operations Section/Wildlife Branch, as applicable. Wildlife resource agency representatives for wildlife in the U.S. portion of the CANUSLANT area will work in the Environmental Unit in the Planning Section, in coordination with the Operations Section/Wildlife Branch, or in the Joint Environmental Team if established consistent with Section VI, and Appendix K of the CANUSLANT Regional Annex. Both Canadian and U.S. wildlife resource agencies representatives will physically co-locate with their respective CCG and USCG counterparts as appropriate.

## **IV. MIGRATORY BIRDS**

### **A. General Considerations**

#### **1. Population and Distribution**

The CANUSLANT area has high levels of biodiversity and productivity in part due to its estuaries and tremendous tides that circulate nutrient rich water from deeper waters and stimulate phytoplankton growth throughout the year. The estuaries are critically important as nurseries for larval and juvenile invertebrates and fish, and as feeding and nesting areas for migratory fish and



birds. Estuaries, mudflats, saltmarshes, and offshore islands of Grand Manan Channel, Cobscook Bay, Passamaquoddy Bay and the Bay of Fundy are significant wildlife habitats at the boundary between Maine and New Brunswick.

Tens of thousands of shorebirds, representing 33 species including turnstones, plovers, sandpipers, dowitchers, curlews, godwits, use the areas for feeding and roosting on their fall, southerly migration. The CANUSLANT area is recognized as a critical staging region for migratory shorebirds in the western Atlantic Flyway. The area was historically a common place for red-necked phalaropes to concentrate in numbers of 250,000 to 1,000,000 during the autumn migration. The purple sandpiper is the only shorebird that is a regular winter resident in the CANUSLANT area.

The irregular shoreline and strong tidal flow keep the bays relatively free of winter ice and make them a very attractive area for the 20 species of waterfowl that spend the winter in coastal waters. Cobscook Bay may winter as much as 25% of the State of Maine black duck population. Other waterfowl that use the area include common eider, three species of scoter, long-tailed duck, common and Barrow's goldeneye, bufflehead, common merganser, mallard, and Canada goose. The entire provincial population of the harlequin duck, listed as endangered in New Brunswick, and over 30,000 waterfowl are known to winter in the outer Bay of Fundy. Large number of Brant geese stage in the Grand Manan Archipelago during spring migration.

There are several seabird nesting islands in the CANUSLANT area providing nesting habitat. Migratory, non-breeding and offshore island breeding seabirds visit these waters. These species include common murre, common tern, and Leach's storm-petrel (all state-listed species of special concern in Maine; Leach's storm-petrel listed as threatened by the Committee on the Status of Endangered Species in Canada); roseate tern (federally-listed as endangered in the U.S. and Canada), Arctic tern, Atlantic puffin, razorbill (all state-listed as threatened in Maine); as well as black guillemot, great black-backed and herring gulls, double-crested cormorants, and common eiders. Common eiders are particularly vulnerable during summer when rearing flightless young on the water and late summer when adults are flightless during molt. Over 100,000 alcids are known to winter offshore in the CANUSLANT area.

Finally, there is a higher concentration of nesting bald eagle pairs in Cobscook Bay and Passamaquoddy Bay than anywhere else in Maine.

## **2. Potential Oil Spill Impacts**

### **a. Petroleum Products**

Most birds that contact oil will die before they can be captured. Toxic effects may result from ingestion of oil and/or hypothermia caused by injury to their plumage. Birds captured alive and taken to treatment centers can often be cleaned, rehabilitated, and released. However, mortality following arrival at a treatment center in some circumstances may be high due to the effects of oil or stresses associated with handling and captivity. The proportion of birds brought to a

treatment center to those that are released can be expected to vary. Of the birds released, not all can be expected to survive. Therefore, every effort should be made to prevent birds from becoming oiled.

Seabirds exhibit obvious immediate behavioral changes in response to exposure to oil. In particular, they begin preening to clean oil from their feathers. As a result, normal activities such as feeding, nesting, and migrating are abandoned. In addition, skin contact or ingestion of oil due to preening may have long-term chronic effects on birds' metabolic processes. The severity of those effects will depend on factors including, but not limited to the species contaminated, health of the birds prior to exposure, type of petroleum product, degree and length of exposure, and distribution of oil in the environment.

To date, a wide variety of migratory birds have been affected by oil spills. The long-term implication of those effects is just beginning to be understood. Seabirds, such as the Atlantic puffin, that have low reproductive rates may require decades to rebuild population levels to pre-spill numbers.

Bird species exhibit different levels of susceptibility to oiling. Appendix 3 shows the susceptibility of the species commonly found in the CANUSLANT area. Birds concentrate in various areas, depending on the species and season. If possible, the following types of areas where birds concentrate in the spring and fall should be protected following an oil spill:

- Seabird colonies. Birds are vulnerable to oil contamination when they are in large flocks on the water near their colony. This is a common occurrence around island complexes during the summer when thousands of birds may be at their respective colonies.
- Major seabird feeding areas. Most seabirds obtain their food at sea away from land. While they may feed in areas that are close to land or more than 100 miles offshore, they are often concentrated in small areas. As a result, the presence of oil in some feeding areas could negatively affect the majority of seabirds in the region. Feeding areas shift with the tides and seasons. Some seabirds, such as storm-petrels, are nocturnal feeders.
- Wintering areas of marine birds. These include near-shore waters of New Brunswick and Maine. Concentrations of birds vary during the winter. Several alcid species concentrate in large flocks offshore in the CANUSLANT area.
- Tidal flats and roosting areas. Intertidal areas with sand, mud, gravel, or cobble substrates contain high concentrations of invertebrates that are a critical food source to tens of thousands of shorebirds that migrate from the northern to the southern hemisphere each year during late summer and early fall. Loss of this feeding opportunity due to the habitat being oiled, disturbance caused by spill responders, or a decline in the invertebrate resource from a spill outside the migratory season could have a significant global impact on numerous bird populations. Roosts, or resting/sleeping areas associated with the tidal flats, typically are near the high-tide line and may consist of a variety of rocky/vegetated configurations. They are

equally critical to the survival of migrating shorebirds. Outside the migratory season, these intertidal flats are also used by coastal waterfowl and wading birds.

- Shallow subtidal flats. These areas have similar substrates to the intertidal flats described above and usually are subtidal extensions of them. Coastal waterfowl dive down to the shallow bottom to feed.

In addition, other important coastal habitats, such as marshes, are sensitive to oil contamination and should be protected if they are at risk from oil contamination even when no birds are present.

#### **b. Rats and Mice**

Most islands in the CANUSLANT area are believed to be free of rats and mice. The introduction of rats and mice could result in significant mortality of the islands' seabird colonies during the immediate nesting season, because the rats and mice may prey on nesting birds and their eggs.

The most likely pathway for rats and mice to be introduced to these islands as a result of an oil spill is through the grounding of a vessel onshore or grounding of a vessel sufficiently close to shore that rats and mice aboard the vessel swim to shore. In addition, it is also possible for rats and mice to drift to shore onboard vessel debris. In addition, vessels responding to an oil spill could inadvertently introduce rats and mice to the islands.

### **B. Response Strategies**

#### **1. Primary Response Strategies**

Decisions regarding primary response strategies are made by the CCG OSC and the USCG FOSC with input from wildlife resource agency representatives and other appropriate parties.

#### **a. Mechanical Recovery and Other Countermeasures**

The primary response in protecting birds from an oil spill is to prevent the oil from reaching areas where migratory birds are concentrated. This can be done using either booms and skimmers or - where environmental considerations allow and authorization is given - using chemical dispersants and/or *in situ* burning. Booms and skimmers and *in situ* burning are typically preferred near concentrations of birds because dispersants, being detergents, reduce the insulating value of bird plumage and therefore may cause mortality to some birds. Spraying dispersants directly into large concentrations of birds should be avoided. After dispersants have mixed with water, the potential, negative effects on birds are reduced, although not eliminated.

## **b. Wildlife Assessment**

Assessment of oiled and unoiled wildlife, which will only be undertaken by qualified and approved personnel, can be done concurrently with Shoreline Cleanup & Assessment Team (SCAT) surveys or separately. In either case, it may be most efficient to use the same shoreline segments, or portions of them, delineated for SCAT. Wildlife assessment also may be needed in areas not included in SCAT surveys, such as near-shore and open water areas that may be surveyed by vessel or aircraft. Important data to record includes the total number of observed birds, the number of live oiled birds that could be/are collected, live oiled birds that could not be collected, and live unoiled birds.

## **c. Oiled Carcass Recovery**

Dead, oiled wildlife need to be removed from the environment as soon as possible to help prevent secondary contamination of scavengers, including raptors. Secondary contamination may occur through (1) ingestion of oily carcasses; and (2) physical contact with oil on carcasses by unoiled feathers, fur, and/or skin. The collection of oiled, dead wildlife needs to be performed by qualified personnel only, in such a manner to protect the integrity of data or evidence that may be obtained and used for law enforcement, scientific, and/or Environmental Damages (Canada)/Natural Resource Damage Assessment (U.S.) purposes. Appropriate Canadian and U.S. wildlife resource agency representatives and their law enforcement branch/division will provide information to the CCG OSC and USCG FOSC, respectively, on entities authorized to conduct oiled carcass recovery, and will communicate and coordinate as appropriate regarding the exchange of data for the aforementioned purposes. Please see Appendix 4, Oiled Carcass Recovery, 5, Sample Data Sheet for Collected Oiled Carcasses and Wildlife Assessment, and 7, Sample Chain-of-Custody Record and Evidence Storage Log.

## **d. Disturbance Minimization**

During a response to an oil spill, appropriate wildlife resource agency representatives will evaluate the potential for response activities, such as low-altitude aircraft and certain shoreline cleanup techniques, to negatively affect sensitive migratory birds and/or their habitats. Canadian and U.S. wildlife resource agency representatives may recommend to the CCG OSC and the USCG FOSC that response activities in or adjacent to sensitive species or areas in the CANUSLANT area be modified or completed prior to, or following, critical biological periods to help reduce or eliminate wildlife disturbance. If that is not possible, wildlife resource agency representatives may recommend to the CCG OSC and the USCG FOSC that agency on-site monitors accompany near-shore and/or shore-based activities to help eliminate or minimize and monitor disturbance.

Over-flight activities, including unmanned aerial vehicles, associated with oil spill response have the potential for causing unnecessary and illegal disturbance to migratory bird species. To reduce disturbance and improve the chances for migratory bird survival, appropriate Canadian and U.S. wildlife resource agency representatives will provide the CCG OSC and the USCG

FOSC with over-flight advisories to pilots (e.g., flights over nesting Bald Eagles). These advisories may request that operations remain at a certain distance from migratory bird concentration areas, seabird nesting islands, and critical habitats. Wildlife resource agency representatives will request that copies of any advisories be sent by the CCG OSC to Transport Canada, Airspace Restriction, System Safety, Civil Aviation and by the USCG FOSC to the Federal Aviation Administration.

In addition, appropriate Canadian and U.S. wildlife resource agency representatives will provide to the CCG OSC and the USCG FOSC, notices to mariners for areas affected by an oil spill. These advisories may request vessel operators to remain at a certain distance from migratory bird concentration areas and critical habitats. Wildlife resource agency representatives will request that copies of any advisories be sent by the CCG OSC and the USCG FOSC to all government agency, agency-contracted, and responsible party-related spill-response personnel. In addition, a news release will be prepared by appropriate Canadian and U.S. wildlife resource agency representatives for distribution by the CCG/USCG JIC.

If warranted, a request will be made of the appropriate authorities<sup>4</sup> to temporarily close an area to hunting to avoid displacing unoiled wildlife into oiled areas.

## **2. Secondary Response Strategies**

As stated in Section II, actions taken to keep wildlife away from oiled areas will be coordinated among appropriate Canadian and U.S. wildlife resource agency representatives to ensure activities are not in conflict. All deterrence activities will be overseen or conducted by the appropriate Canadian or U.S. wildlife resource agency representatives in their respective jurisdictions. Appendix 8 of this document addresses issues related to hazing/deterrence of wildlife to prevent additional oiling. Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency permits required for keeping unoiled birds away from oiled areas. Appendix 10 identifies equipment and materials currently stockpiled in the CANUSLANT area for deterring unoiled birds, and the contact person to obtain the equipment and materials. Appendix 11 identifies entities with bird deterrence capabilities in the CANUSLANT area.

## **3. Tertiary Response Strategies**

### **a. Rat and Mice Countermeasures**

If a vessel operating in rat or mice free islands experiences an emergency that results or may result in the vessel going aground, CWS and USFWS representatives or their designated representative will seek, with the assistance of the CCG OSC and the USCG FOSC, information from the vessel operator/owner on whether rats or mice are onboard. If the vessel is safe to

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<sup>4</sup> As appropriate, Minister of Environment and Climate Change Canada; Commissioner, State of Maine, Department of Inland Fisheries and Wildlife; Refuge Manager(s), U.S. Fish and Wildlife Service.

board, CWS or USFWS representatives or a designated CWS or USFWS on-scene representative will conduct an onboard inspection of the vessel to determine if rats or mice are present. If rats or mice are known or suspected to exist on board the vessel, CWS or USFWS representatives or a designated CWS or USFWS on-scene representative will deploy rodent traps and/or poisons on the vessel, if possible, prior to or following the vessel grounding.

In the event it is not possible to conduct onboard rat and mice inspection and prevention activities prior to a vessel going aground, CWS or USFWS representatives will develop a rodent prevention plan specific to the incident for approval by the CCG OSC and USCG FOSC. The plan will include, but not be limited to, the deployment of traps and poison stations in appropriate locations on the vessel and the island, individual(s) authorized to deploy and monitor the stations, and a station monitoring plan. In the event of an oil spill that includes the use of response-related aircraft that may contain rats or mice, CWS and USFWS representatives will provide the CCG OSC and the USCG FOSC with rat and mice prevention information that will in turn be provided to appropriate spill-response-related aircraft operators.

#### **b. Migratory Bird Capture and Treatment**

A request to initiate an oiled migratory bird capture and treatment program will occur in one of the following ways:

- A request will be made jointly by CWS, NBDNRED, USFWS and MDIFW representatives to the CCG OSC and the USCG FOSC; or
- A request will be made by the responsible party and submitted to CWS and USFWS representatives for their consideration and potential submittal to the CCG OSC and the USCG FOSC. If capture and treatment are only anticipated to take place on one side of the border, the request need only be submitted to CWS or USFWS as appropriate.

The factors included in Appendix 12 will be used by CWS, NBDNRED, USFWS and MDIFW representatives as the basis for deciding whether to request approval from the CCG OSC and USCG FOSC to initiate an oiled migratory bird capture and treatment program. Any request to the CCG OSC and the USCG FOSC to conduct a capture and treatment program for oiled migratory birds must be made via the checklist in Appendix 13.

These *CANUSLANT Wildlife Response Guidelines* assume that, if an oiled migratory bird capture and treatment program is approved by the CCG OSC and the USCG FOSC:

- As practicable, the program will be initiated jointly by CWS, NBDNRED, USFWS and MDIFW representatives. In the State of Maine, USFWS requests MDIFW to call the State's oiled wildlife rehabilitation contractor when the RP has requested it or is not doing an appropriate job. Contractors will need to maintain permitting in US/State of Maine and Canada/New Brunswick and/ or Nova Scotia.

- CWS, NBDNRED, USFWS and MDIFW will provide agency representatives to oversee and monitor joint capture and treatment operations.
- Personnel should have appropriate level of hazardous materials training because the oil on the wildlife is a hazardous substance. Appropriate training is essential if personnel will be entering the spill site to pick up animals. See also Appendix J CANUSLANT Regional Annex.
- Oiled-bird-treatment facilities need to be located where there is appropriate infrastructure (e.g., access to clean, hot water and oiled water disposal, sufficient room for housing birds, appropriate temperature control and air quality), minimal disturbance, and good road/air access for moving birds and personnel. The best location(s) may not be those nearest the spill site. Oiled-bird-treatment facilities should be established based on currently available guidelines and procedures<sup>5</sup>.
- Decisions regarding euthanizing birds will be based on standard agency practices and policies being implemented within respective countries.
- CWS, NBDNRED, USFWS and MDIFW representatives will coordinate on the release plans being developed for rehabilitated birds.
- The establishment of joint Canada/U.S. oiled-bird-treatment facility(ies) is not anticipated.

Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency permits required for collecting, transporting (including importing and exporting), and treating oiled birds.

Appendix 10 identifies equipment and materials currently stockpiled in the CANUSLANT area for capturing and stabilizing oiled birds and the contact person.

Potential facilities (and contact information) in the CANUSLANT area that could be used for stabilization and/or treatment of oiled birds are listed in Appendix 14. NBDNRED licenses existing wildlife rehabilitation facilities in the province. Typically, there are 3 licensed operators in a given year, one of which is trained to handle oiled birds. In the event a migratory bird capture program is initiated, the availability of these facilities must be verified at that time.

## **V. MARINE MAMMALS AND SEA TURTLES**

### **A. General Considerations**

#### **1. Population and Distribution**

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<sup>5</sup> Examples include but are not limited to: IPIECA (2017) Key principles for the protection, care and rehabilitation of oiled wildlife. International Association of Oil and Gas Producers. 63pp.; ECCC-CWS (2020 draft) Guidelines for Establishing and Operating Treatment Facilities for Oiled Wildlife. 43 pp.

The waters off North America's east coast are home to a wide variety of marine life, including marine mammals and sea turtles. Resident populations of pinnipeds (seals) and cetaceans (whales, dolphins and porpoises) inhabit both the coastal and offshore waters in the CANUSLANT area. The Bay of Fundy's nutrient rich waters bring in phytoplankton, krill and many fish species that are prey items for many marine mammals and sea turtles. More than 20 species of marine mammals and 4 species of marine turtles are known to spend at least part of the year in the Gulf of Maine. The marine mammals can be grouped into general categories to facilitate review: large cetaceans, small cetaceans, and seals. Within each group, the overall patterns of population trends and habitat use are similar, with a few differences among species.

Large cetaceans. In the Gulf of Maine, this group is dominated by the Mysticeti, baleen whales, and includes North Atlantic right whale (*Eubalaena glacialis*), humpback whale (*Megaptera novaeangliae*), fin whale (*Balaenoptera physalus*), sei whale (*Balaenoptera borealis*) and minke whale (*Balaenoptera acutorostrata*). Blue whales (*Balaenoptera musculus*) and some of the large Odontoceti (toothed whales) such as sperm whales (*Physeter macrocephalus*) and the beaked whales (e.g. northern bottlenose whale, *Hyperoodon ampullatus*; Cuvier's beaked whale, *Ziphius cavirostris*) are sighted only rarely. The baleen whales are known to occupy Canadian waters in the Gulf of Maine, Bay of Fundy and southwestern Scotian Shelf mainly during the summer and autumn months, but most species are sighted sporadically year-round.

Small cetaceans. This group includes the dolphins and related species. In Canadian waters of the Gulf of Maine the main species sighted are harbour porpoise (*Phocoena phocoena*), white-sided dolphin (*Lagenorhynchus acutus*), two species of pilot whales (long-finned, *Globicephala melas*; short-finned, *Globicephala macrorhynchus*), and the common dolphin (*Delphinus delphinus*). Two other dolphin species, Atlantic bottlenose dolphin (*Tursiops truncatus*) and white-beaked dolphin (*Lagenorhynchus albirostris*), are seen occasionally. Risso's dolphin (*Grampus griseus*) and killer whale (*Orcinus orca*) are rarely sighted. Overall, there is little or no information on abundance trends. All abundance estimates for the Gulf of Maine area have been derived from surveys undertaken by the NMFS, and have not centred on Canadian waters.

Seals. Seals can be spotted swimming or hauled out off the coast of Canada's Atlantic Provinces and into the northeastern United States year round. Seals take advantage of the rich resources of the sea while maintaining close ties with the land. It is here that seals rest, moult, give birth and nurse their young. There are 33 species of pinnipeds (fur seals, sea lions, true seals and the walrus) worldwide (a 34<sup>th</sup> species, the Caribbean monk seal, is now considered extinct). Of these, 18 are "true" seals, six of which are found along the east coast of North America and can be found in the CANUSLANT area: grey seal, harbor seal, harp seal, hooded seal, ringed seal and bearded seal.

Sea turtles. Four species of sea turtles - green, Kemp's ridley, leatherback, and loggerhead - can be found in the CANUSLANT area. Leatherback and loggerhead sea turtles are frequently encountered throughout the Gulf of Maine. Juvenile Kemp's ridleys and greens are found in the waters from Cape Cod south, with the former being much more common. All sea turtle species



are in the area only seasonally, typically from May through November.

## 2. Potential Oil Spill Impacts

Prior to the *Deepwater Horizon* (DWH) oil spill, marine mammals were reported as being infrequently affected by oil spill incidents. However, data collected during ongoing assessment work, during and after DWH, documented impacts and increased mortality to cetacean species due to exposure of elevated petroleum compounds. The number of individuals and species affected, as well as the degree of pathological impact of such exposure, will depend on many variables, such as the location and size of the spill, the characteristics of the oil, weather and water conditions, types of habitats affected, the time of year the spill occurs, as well as the behavior and physiology of the marine mammal. Information on the effects of oil on marine mammals is mostly a result of the *Exxon Valdez* oil spill in Alaska in 1989, a limited number of exposure experiments on a narrow range of species exposed to relatively low doses of oil (Geraci and St. Aubin, 1990), and most recently research efforts conducted on the DWH (Venn-Watson et al., 2015). The sensitivity of marine mammals to spilled oil is highly variable and appears to be most directly related to the relative importance of fur and blubber to thermoregulation. In those species with relatively sparse fat stores, direct contact with oil impairs the thermal insulative value of fur thus resulting in hypothermia. External exposure can also result in dermal injury and conjunctivitis. Internal exposure of oil by ingestion (either by direct ingestion or indirect through food and water sources) can result in gastrointestinal ulcers and liver and kidney damage. Inhalation of volatile hydrocarbons can result in central nervous system and pulmonary damage and behavioral abnormalities. Adrenal and lung disease have been documented with chronic exposure (Venn-Watson et al., 2015). Depending upon the extent of external exposure, the toxicity of the petroleum product, the volume ingested or inhaled, the presenting clinical signs, and the species affected, some marine mammals exposed to oil may not need rehabilitation. Oil spill responders must consider that such procedures involving capturing, holding, treating, and releasing wild animals places stress on the animal, and the consequences of capture and captivity may be a greater risk to its well-being than contacting oil. Exceptions may include abandoned or moribund young pups of any species and species that rely on fur for thermal insulation. These animals will most likely require rehabilitation when oiled due to the physical and toxicological effects of petroleum exposure.

Although surprisingly robust when faced with physical damage (shark attacks, boat strikes), sea turtles are highly sensitive to chemicals such as oil.

"Sea turtles at all life stages appear to be highly sensitive to oil spills, perhaps due to certain aspects of their biology and behavior, including a lack of avoidance behavior, indiscriminate feeding in convergence zones, and large pre-dive inhalations (Milton /et al/. 2003). Milton /et al/. (2003) state that the oil effects on turtles include direct mortality due to oiling in juveniles and adults, and impacts to the skin, blood, salt glands, and digestive and immune systems. All life history stages are vulnerable to the harmful effects of oil through direct contact, degradation of food resources, and loss of habitat (Vargo /et al/. 1986, Minerals Management Service 2000). Vargo /et al/. (1986) reported

that sea turtles would be at substantial risk if they encountered an oil spill or large amounts of tar in the environment. In a review of available information on debris ingestion, Balazs (1985) reported that tar balls were the second most prevalent type of debris ingested by sea turtles. Physiological experiments showed that sea turtles exposed to petroleum products may suffer inflammatory dermatitis, ventilatory disturbance, salt gland dysfunction or failure, red blood cell disturbances, immune response, and digestive disorders (Vargo /et al/. 1986, Lutz and Lutcavage 1989, Lutcavage /et al/. 1995)."

Pathological effects of petroleum exposure. Documented clinical and histopathological effects of oil in pinnipeds include ambulatory restrictions, thermoregulatory imbalance, central nervous system depression, interstitial pulmonary emphysema, aspiration pneumonia, anemia, conjunctivitis and corneal edema, gastrointestinal irritation, and hepatic and renal tubular necrosis/lipidosis, and adrenal gland dysfunction (Davis and Anderson, 1976; Geraci and Smith, 1976; Engelhardt et al., 1977; Engelhardt, 1985; Geraci and St. Aubin, 1988; Geraci and Williams, 1990; St. Aubin, 1990; Lipscomb et al., 1993). Small laboratory studies on the effects of oil have been conducted on ringed and harp seals (Smith and Geraci, 1975; Geraci and Smith, 1976); however, most studies have been unable to correlate the degree of oiling with the type of effect and many of these lesions may be related to captivity stress or other underlying factors. Changes in acute phase proteins and cytokines (e.g. elevated IL-6, haptoglobin and creatine kinase) have been correlated with probable petroleum exposure in river otters (Duffy et al., 1993; Duffy et al., 1994). Heavy oiling did not appear to interfere with seal locomotion during the *Exxon Valdez* oil spill (Lowry et al., 1994), but in previous spills seal pups encased in oil have drowned due to their inability to swim (Davis and Anderson, 1976). During *Exxon Valdez*, harbor seals were observed exhibiting abnormally tame or lethargic behavior. These observations are most likely explained by midbrain nerve damage found in oiled harbor seals and Steller sea lions (Spraker et al., 1994). In addition to the acute mortalities associated with the loss of thermoregulation and buoyancy, many physiological and behavioral problems have been attributed to internal exposure to petroleum and polycyclic aromatic hydrocarbon (PAH) compounds in sea otters. However, many of these conditions have been difficult to differentiate from lesions attributed to, or compounded by, shock and chronic stress associated with capture and the rehabilitation process (Williams and Davis, 1995). It has become clear that animals captured during oil spill responses undergo additional stressors that may or may not be offset by the medical care they receive.

Research efforts in the DWH oil spill have greatly increased the data on the types of clinical and histopathological effects oil can have on cetacean species. Data collected during necropsy examination and live animal health assessments of Gulf of Mexico Bottlenose dolphins (*Tursiops truncatus*) indicate that animals within the DWH spill area had (1) affected adrenal gland cortices, causing chronic adrenal insufficiency; (2) increased susceptibility to life-threatening adrenal crises, especially when challenged with pregnancy, cold temperatures, and infections; and (3) increased susceptibility to primary bacterial pneumonia, possibly due to inhalation injury, aspiration of oil, or perturbations in immune function (Venn-Watson et al., 2015). Internal exposure of oil through inhalation and ingestion, as well as external contact with mucus membranes and skin are of concern for cetacean species.

Not much is known about the toxicity of oil to marine turtles; however, some documented pathologic effects include changes in blood chemistry, specifically a reduced red blood cell volume, damage to skin at exposure sites, and salt gland dysfunction. Other potential impacts include hemorrhagic enteritis, gastrointestinal blockage due to tar ball ingestion, fluid and/or hemorrhaging in the lungs, and liver and kidney damage (Milton et al. 2003).

## **B. Response Strategies**

### **1. Primary Response Strategies**

Decisions regarding primary response strategies are made by the CCG OSC and the USCG FOSC with input from wildlife resource agency representatives and other appropriate parties.

The primary response strategies to protect marine mammals and sea turtles from an oil spill focus on preventing oil from reaching marine mammal and/or sea turtle concentration areas. These sensitive areas can include haulouts, pupping, feeding, nursing, and rearing areas. Because marine mammals react differently to disturbance, response actions implemented must not drive them into oiled areas. Additional information regarding marine mammal oil spill response can be found in Zicardi, et al. (2015)<sup>6</sup>.

#### **a. Mechanical Recovery and Other Countermeasures**

Mechanical recovery operations such as skimming and booming are recommended to prevent oil from reaching marine mammal or sea turtle concentration areas. Both response actions should have little to no negative impact to these species; however, indirect impacts (such as vessel strikes or entanglement from additional lines in the water) may occur that should be considered and prepared for through best management practices recommendations.

There are general considerations that should be discussed prior requesting approval from the appropriate agencies. For example, when considering *in situ* burning it is unclear how air quality may be impacted, and the practice may potentially create a risk for surfacing marine mammals and turtles that may inhale smoke. Additionally, early life stage sea turtles associate with floating sargassum along convergence lines where oil may also accumulate. In previous response efforts where sargassum-related sea turtles were present, observers (as recommended through best management practices) were used to ensure sea turtles were not present before burning occurred.

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<sup>6</sup> Zicardi, M.H., S.M. Wilkin, T.K. Rowles, and S. Johnson. 2015 Pinniped and Cetacean Oil Spill Response Guidelines, U.S. Dept. of Commerce, NOAA. NOAA Technical Memorandum NMFA-OPR-52, 138pp.

## **b. Wildlife Assessment**

The presence, distribution and behavior of marine mammals and sea turtles will help inform recommendations and best management practices for primary response actions. Surveillance of the spill area for the presence of marine mammal and sea turtle species should be conducted as early as possible to determine the distribution and behavior of animals in the area.

While the primary goal of initial overflights may be to determine the extent of the spill, observers should also be tasked to survey for marine species present in the area. As the response progresses, and as determined by representatives of the appropriate wildlife agencies, dedicated aerial surveillance platforms may be required to efficiently monitor for the presence of marine species in the spill area.

## **c. Oiled Carcass Removal**

Protocols and processes may be in place to recover oiled carcasses; however, disturbance of live animals near carcasses may require additional consideration and authorization under MMPA, ESA, SARA, and MMR.

Dead, oiled wildlife need to be removed from the environment as soon as possible to help prevent secondary contamination of other individuals such as seal pups or scavengers. Secondary contamination may occur through (1) ingestion of oily carcasses; and (2) physical contact with oil on carcasses by unoiled fur and/or skin. The collection of oiled, dead wildlife needs to be performed by qualified personnel only, in such a manner to protect the integrity of data or evidence that may be obtained and used for law enforcement, scientific, and/or Environmental Damages (Canada)/Natural Resource Damage Assessment (U.S.) purposes.

Appropriate Canadian and U.S. wildlife resource agency representatives and their law enforcement branch/division will provide information to the CCG OSC and USCG FOSC, respectively, on entities authorized to conduct oiled carcass recovery, and will communicate and coordinate as appropriate regarding the exchange of data for the aforementioned purposes.

Please see Appendix 4, Oiled Carcass Recovery; 5, Sample Data Sheet for Collected Oiled Carcasses and Wildlife Assessment; and 7, Sample Chain-of-Custody Record and Evidence Storage Log. Note that while many of the above Appendices relate to birds, there are some aspects that can be transferable to other species.

## **d. Disturbance Minimization**

Consideration must be given to minimizing wildlife disturbance while implementing primary response strategies. As previously noted, surveillance of the spill area to determine presence, distribution, and behavior of marine species is critical to developing response strategies and recommendations. Implementing existing best management practices, such as slow speeds for vessels, or avoiding feeding areas that are not directly in the path of the oil, may be

recommended to minimize disturbing marine species present in the general area. These types of recommendations will be specific to the type and number of animals in the area and the behavior of the species present in the affected and near-by areas.

## **2. Secondary Response Strategies**

The purpose of secondary response strategies is to keep marine mammals and turtles away from oiled areas. As stated in Section II, actions taken to keep wildlife away from oiled areas will be coordinated among appropriate Canadian and U.S. wildlife resource agency representatives to ensure activities are not in conflict. All deterrence activities will be overseen or conducted by the appropriate Canadian or U.S. wildlife resource agency representatives in their respective jurisdictions. Appendix 8 of this document addresses issues related to hazing/deterrence of wildlife to prevent additional oiling. Note that information in Appendix 8, while mostly related to birds, contains some consideration transferable to other marine species.

### **a. Deterrent Methods**

Deterrent methods for marine mammal species are highly variable, are species specific and often require specialized or regulated materials (e.g. pyrotechnics, cannons, or other sound generating devices). Implementation of marine mammal species deterrent methods requires specially trained personnel to ensure safety for responders and animals, and often significant lead time for preparation and acquiring specialized equipment and resources is needed. Additionally, deterrent or hazing activities must be authorized by DFO and NMFS to ensure compliance under existing regulations. There are a number of potential deterrent options that can be used on marine mammals – each of which have associated positive and negative benefits. Potential deterrent methods can include, but are not limited to: oikomi pipes, seal control devices, acoustic deterrent devices, prerecorded calls, vessel traffic, aircraft, fire hoses, experimental methods, acoustic harassment devices, chemoattractants, air guns, and mid-frequency sonar. More detailed information regarding deterrent methods and the advantages and disadvantages for their use can be found in the Pinniped and Cetacean Oil Spill Response Guidelines (Ziccardi et al., 2015)<sup>7</sup>.

### **b. Pre-emptive Capture**

Pre-emptive capture of marine mammals or turtles that are in the path of an oil spill is also an option that may be considered though the capture of free-swimming animals, especially in deeper waters, is extremely difficult. In the CANUSLANT area pre-emptive capture of hauled out pinnipeds and surfacing sea turtles may be the only instances where pre-emptive capture may be conducted safely. In some cases, smaller cetaceans may be captured in shallow water areas, but this requires significant resources and trained personnel to conduct capture attempts safely.

Pre-emptive capture of marine species will be initiated and authorized by DFO and NMFS while

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<sup>7</sup> Ibid.

assessing the potential overall risk versus benefit to the species within the geographic context of the response, as well as considering safety requirements for marine mammal/sea turtle response personnel. Highly specialized equipment and resources will be required to conduct pre-emptive capture work. A site-specific pre-emptive capture plan will be developed as part of the spill response and provided to the OSC/FOSC as necessary for approval.

### **c. Approvals and Coordination**

A request to deter marine species or to initiate a pre-emptive capture program for unoiled marine mammals or turtles in the CANUSLANT area will occur in the following way:

- A request will be made jointly by DFO and NMFS representatives to the CCG OSC and the USCG FOSC

The factors included in Appendix 12 will be used by DFO and NMFS representatives as the basis for deciding whether to request approval from the CCG OSC and USCG FOSC to initiate a pre-emptive capture program for unoiled marine mammals or sea turtles in the CANUSLANT area (note that Appendix 12 does not differentiate between oiled and unoiled individuals). Any request to the CCG OSC and the USCG FOSC to conduct a pre-emptive capture program for un-oiled marine mammals or sea turtles must be made via the checklist in Appendix 13.

These *CANUSLANT Wildlife Response Guidelines* assume that, if the use of deterrent methods or a pre-emptive unoiled marine mammal or sea turtle capture program is approved by the CCG OSC and the USCG FOSC:

- All aspects of the program will be conducted under the direction of NMFS on the U.S. side of the border and by DFO on the Canadian side of the border. Representatives of DFO and NMFS will coordinate their responses.
- Elements of the program may be performed by a contractor agreeable to both NMFS and DFO representatives.
- Decisions regarding euthanizing any captured marine mammals or sea turtles will be based on a written plan or existing protocols approved by NMFS and DFO representatives. More information regarding euthanasia can be found in DFO, 2015<sup>8</sup>.
- The marine mammal or sea turtle release plan will be developed by NMFS and DFO representatives.

Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency

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<sup>8</sup> DFO, 2015. Euthanasia techniques for small and large cetaceans. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2014/046.

permits required for collecting, transporting (including importing and exporting), hazing, and holding marine mammals and sea turtles. In the U.S., two organizations/agencies in Maine are authorized to respond to or deter marine mammals or sea turtles during an oil spill response. Appendix 16 provides contact information for all organizations authorized to respond to marine mammal and sea turtle stranding and oil spill events in the Northeastern United States.

### **3. Tertiary Response Strategies**

Tertiary Response Strategies are reserved for oiled wildlife, and include the stabilization, capture, handling, transporting, rehabilitating, euthanizing, holding, and releasing rehabilitated wildlife.

Existing infrastructure is in place in the U.S. to respond to and rehabilitate live, stranded marine mammals and sea turtles. Currently, no infrastructure exists in Canada to rehabilitate oiled marine mammals. In the U.S., comprehensive capture and treatment protocols are in place nationally that will be mobilized to some extent during an oil spill response (Ziccardi et al., 2015; NOAA, 2003). In the CANUSLANT area there are limited rehabilitation facilities that can accept an oiled marine animal, therefore temporary facilities will be required to intake and triage oiled animals. A tertiary response program will be considered if marine mammals or sea turtles are oiled in the CANUSLANT area.

A request to initiate an oiled marine mammal or sea turtle capture and treatment program in the CANUSLANT area will occur in the following way:

- A request will be made jointly by DFO and NMFS representatives to the CCG OSC and the USCG FOSC

The factors included in Appendix 12 will be used by DFO and NMFS representatives as the basis for deciding whether to request approval from the CCG OSC and USCG FOSC to initiate an oiled marine mammal or sea turtle capture and treatment program in the CANUSLANT area that includes marine mammals or sea turtles on the Canadian side of the border. Any request to the CCG OSC and the USCG FOSC to conduct an oiled marine mammal or sea turtle capture and treatment program must be made via the checklist in Appendix 13.

If an oiled marine mammal or sea turtle capture and treatment program is approved by the CCG OSC and the USCG FOSC:

- All aspects of the program will be conducted under the direction of NMFS on the U.S. side of the border and by DFO on the Canadian side of the border. Representatives of DFO and NMFS will coordinate their responses.
- Elements of the program may be performed by a contractor agreeable to both NMFS and DFO representatives.

- Decisions regarding euthanizing any captured marine mammals or sea turtles will be based on a written plan or existing protocols approved by NMFS and DFO representatives.
- The marine mammal or sea turtle release plan will be developed by NMFS and DFO representatives.
- Personnel should have appropriate level of hazardous materials training because the oil on the wildlife is a hazardous substance. Appropriate training is essential if personnel will be entering the spill site to pick up animals. See also *CANUSLANT Regional Annex*, Appendix J.

Appendices 9A and 9B provide information on Canadian and U.S. wildlife resource agency permits required for collecting, transporting (including importing and exporting), and holding marine mammals and turtles.



## APPENDIX 1

### SELECTED SPECIES AND WILDLIFE RESOURCE AGENCY MANAGEMENT RESPONSIBILITIES

ENTITY	MANAGEMENT RESPONSIBILITY
<b>CANADA</b>	
New Brunswick Department of Natural Resources and Energy Development	Terrestrial mammals, migratory, and non-migratory birds*
Fisheries and Oceans Canada	Sea turtles, pinnipeds, cetaceans. (If animal is removed from the water, it is no longer DFO's responsibility, but would fall under provincial jurisdiction). However, it would remain under Federal jurisdiction if a marine mammal is transferred across provincial boundaries (unless it is a seal) as per Marine Mammal Regulations Section 16.
Canadian Wildlife Service	Migratory birds (as defined in the MBCA)
<b>UNITED STATES</b>	
Maine Department of Inland Fisheries and Wildlife	Migratory and non-migratory birds, terrestrial mammals, freshwater fish
Maine Department of Marine Resources	Shellfish, marine and anadromous finfish
U.S. Fish and Wildlife Service	Migratory birds (as defined in the MBTA) and sea turtles on land
National Marine Fisheries Service	Pinnipeds, cetaceans and sea turtles in the marine environment

\*Birds under New Brunswick Department of Natural Resources and Energy Development jurisdiction as defined by the Fish and Wildlife Act include: eagles, grouse, quail, pheasants, hawks, owls, cormorants, vultures, pelicans, crows, jays, blackbirds, kingfishers, and falcons.

**APPENDIX 2  
CANUSLANT WILDLIFE RESOURCE AGENCY CONTACTS**

<b>CANADA</b>	<b>EMERGENCY CONTACT</b>	<b>CONTACT INFORMATION</b>
Marine Pollution Emergency		(800) 565-1633 or VHF Channel 16
Fisheries and Oceans Canada	1. Glen Herbert	Cell: (902) 802-7051 Email: glen.herbert@dfo-mpo.gc.ca
	2. Environmental Incident Coordinators (EICs)	Email (Generic Inbox): DFO.FMAREnvironmentalIncidentReports-RapportdincidentenvirF.MPO@dfo-mpo.gc.ca
Canadian Wildlife Service	1. Robert Ronconi	Office: (902) 426-6405 Cell: (902) 266-9864 Email: robert.ronconi@canada.ca
	2. Carina Gjerdrum	Office: (902) 426-9641 Cell: (902) 233-2506 Email: carina.gjerdrum@canada.ca
	3. Becky Whittam	Office: (506) 364-5189 Cell: (506) 224-0152 Email: becky.whittam@canada.ca
New Brunswick Department of Natural Resources and Energy Development	1. Director, Forest Planning and Stewardship Branch	Office: (506) 453-3826 Fax: (506) 453-6699
	2. Kevin Connor	Office: (506) 457-4861 Cell: (506) 238-5748 Email: kevin.connor@gnb.ca

**APPENDIX 2, CONT.**

<b>UNITED STATES</b>	<b>EMERGENCY CONTACT</b>	<b>CONTACT INFORMATION</b>
U.S. Department of the Interior Office of the Secretary, Office of Environmental Policy and Compliance	1. Andrew Raddant	Office: (617) 223-8565 Cell: (617) 592-5444 Fax: (617) 223-8569 Email: andrew_raddant@ios.doi.gov
	2. Diane Lazinsky	Office: (617) 223-8565 Cell: (617) 686-1780 Fax: (617) 223-8569 Email: diane_lazinsky@ios.doi.gov
	3. John Nelson	Office: (215) 5917-5378 Cell: (215) 266-5155 Fax: (215) 597-9845 Email: john_nelson@ios.doi.gov
U.S. Fish and Wildlife Service	1. Andrew Major	Office: (603) 223-2541 Cell: (603) 496-8876 Email: andrew_major@fws.gov
U.S. Department of Commerce, National Marine Fisheries Service	1. Mendy Garron, Marine Mammal Emergency Response Coordinator	24 hour Stranding Hotline: (866) 755-6622 Office: (978) 282-8478 Cell: (978) 335-6768 Email: mendy.garron@noaa.gov
	2. Kate Sampson, Sea Turtle Stranding and Disentanglement Coordinator	24 hour Stranding Hotline: (866) 755-6622 Office: (978) 282-8470 Cell: (978) 479-9729 Email: kate.sampson@noaa.gov
Maine Department of Inland Fisheries and Wildlife	1. Donald Katnik	Office: (207) 941-4455 Cell: (207) 852-0167 Fax: (207) 941-4450 Email: donald.katnik@maine.gov

### APPENDIX 3

#### MIGRATORY BIRD SUSCEPTIBILITY TO OILING: SELECTED SPECIES IN THE CANUSLANT AREA

MIGRATORY BIRD SPECIES	SUSCEPTIBILITY TO OILING
Alcids (e.g., murres, puffins, <i>guillimots</i> )	High
Sea ducks	High
Other waterfowl	High
Loons	High
Cormorants	High
Gulls, Kittiwakes, Terns	Medium
Pelagic birds (e.g., shearwaters, gannets, storm-petrels)	Medium
Purple Sandpiper	Medium
Raptors (e.g., bald eagles, osprey)	Low
Plovers, sandpipers	Low
Song birds	Low

## APPENDIX 4

### OILED CARCASS RECOVERY (Primarily oiled birds)

#### Equipment and Materials Requirements:

- Aluminum foil or paper bags (for wrapping individual carcasses)
- Large non-plastic bags or cardboard box (to hold birds)
- Small non-plastic bags that self-seal (for identification tags, labels, or data sheets)
- Identification tags, labels, and/or data sheets
- Water-proof writing implements
- Water-proof notebook for documentation of search
- Data sheet and tag for collected oiled carcass
- Personal protective equipment (e.g., nitrile gloves, rubber boots or other protective footwear, coveralls)
- Coolers for shipping samples to be analyzed
- Tape (to secure coolers)

#### Collection Site Requirements\*:

- Hood ventilation and lighting. Must have adequate protection from weather elements.
- Freezer space to store carcasses required for evidence and analysis. Size and space required will vary with each incident. Freezer space should be locked to maintain chain-of-custody.

#### Personnel Requirements:

- The survey of beach and shorelines for, and recovery of, oiled wildlife carcasses will only be conducted by trained/qualified personnel.

\*This area serves as the collection point for carcasses and for carcass documentation, necropsy, and temporary storage.

## APPENDIX 4, CONT.

### Search and Recovery Procedures:

- Identify beach segments by landmark and type for consistent search repeatability.
- Walk entire length of all (may be oiled or unoiled) as designated for incident.
- While conducting shoreline search, if possible, document all live birds and other wildlife observed in the vicinity and whether birds and/or other wildlife appear oiled.
- Collect and tag carcasses. Identification tags and pre-printed data sheets should be filled out at time of collection. Tags must include: incident name, date, time, location (GPS coordinates and/or Shoreline Cleanup Segment), and name of collector. If tags are not available be certain this information is written directly onto the box or bag in which the bird is collected.
- ▶ For U.S. Law enforcement, each bird of every species: wrap carcass in foil or place in a paper bag before wrapping carcass in a non-plastic bag; tag carcass. Carcasses can also be place in a cardboard box. Take all stored carcasses to wildlife resource agency representative at collection site and complete chain-of-custody form.
- ▶ For Canada Law enforcement each bird of the first 12 birds of every species should be collected following the procedures above. All recovered bird carcasses in excess of the first 12 of every species: place in non-plastic bag and attach tag. Turn over all bagged carcasses to wildlife resource agency representative at collection site and complete chain-of-custody form.
- ▶ For carcasses that are too large to bag: tag carcass and provide duplicate tag information to wildlife resource agency personnel at collection site.
- Appropriate wildlife resource agency representatives will receive all carcasses and accompanying documents at the collection site. In addition, they will ensure that chain-of-custody forms are completed at the collection point. Carcasses collected for evidence and analysis will be kept frozen and shipped in coolers to designated lab(s) or to storage areas as determined at the time of the incident. Specimens may also be saved for research as determined at the time of each incident.

Carcass Disposal:

- ❑ Carcass disposal plans will be prepared by appropriate wildlife resource agency representatives for the oil spill incident for their respective countries. The plan will identify any necessary permits, carcass handling or retention requirements as may be required or appropriate.

## APPENDIX 5

### SAMPLE\* Data Sheet for collected Oiled Carcasses and Wildlife Assessment

Wildlife Assessment Form

Task Force ID: \_\_\_\_\_ Incident: \_\_\_\_\_ Date (dd/mm/yy): \_\_\_\_\_ Time Start (GMT): \_\_\_\_\_ Time End (GMT): \_\_\_\_\_

Survey location: \_\_\_\_\_ Observers: \_\_\_\_\_

Weather: wind \_\_\_\_\_ precipitation \_\_\_\_\_ temperature \_\_\_\_\_ % cloud cover: \_\_\_\_\_

GPS unit ID: \_\_\_\_\_ Start waypoint #: \_\_\_\_\_ End waypoint #: \_\_\_\_\_ Survey type: Air, Land, Water

Number Observed	Time (0-2400)	Live/Dead	Collected? (Y/N)	Waypoint No. (# # #)	Field Photo (#'s)	Comments (including location coordinates)

\*Other examples may include June 2011, *WILDLIFE RESPONSE PLAN FOR OIL SPILLS IN CALIFORNIA*, California Department of Fish and Game, Office of Spill Prevention and Response, Appendix III, Forms (<https://www.wildlife.ca.gov/OSPR/Preparedness/Wildlife-Response>).



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## APPENDIX 6

### SAMPLE OILED BIRD COLLECTION TAGS

**1** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_

**2** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_

**3** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**4** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**5** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**6** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**7** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

**8** Incident: \_\_\_\_\_  
Collected By: \_\_\_\_\_ (Print Name, Agency)  
Date/Time: \_\_\_\_\_  
Location (GPS): \_\_\_\_\_  
\_\_\_\_\_

## APPENDIX 7

### SAMPLE CHAIN-OF-CUSTODY RECORD AND EVIDENCE STORAGE LOG

<b>CHAIN-OF-CUSTODY RECORD</b>			FILE NO.	
			INV.	
DATE AND TIME OF SEIZURE:	REGION:	EVIDENCE/PROPERTY SEIZED BY:		
SOURCE OF EVIDENCE/PROPERTY: (person and/or location) <input type="checkbox"/> Taken from: <input type="checkbox"/> Received from: <input type="checkbox"/> Found at:		CASE TITLE AND REMARKS:		
ITEM NO.	DESCRIPTION OF EVIDENCE/PROPERTY: (Include Seizure Tag Numbers and any serial numbers)			
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	

<b>CHAIN-OF-CUSTODY RECORD, Continued</b>				FILE NO. INV.
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	
ITEM NO.	FROM: (Print name and agency)	RELEASE SIGNATURE:	RELEASE DATE:	DELIVERED VIA: <input type="checkbox"/> MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER
	TO: (Print name and agency)	RECEIPT SIGNATURE:	RECEIPT DATE:	

REGION:		EVIDENCE STORAGE LOG FACILITY LOCATION:				LOG PAGE:
LOG ENTRY NO.	IN or OUT	DATE AND TIME OF TRANSFER	BRIEF DESCRIPTION OF EVIDENCE (Include Seizure Tag Numbers)	RECEIVED FROM/ RELEASED TO (Print Name)	PREVIOUS LOG ENTRY NO. REFERENCE	COMMENTS: REASONS FOR REMOVAL:
INV.		SUBJECT		EVIDENCE CUSTODIAN (Signature)		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		
	IN or OUT			FROM/TO:		

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## APPENDIX 8

### DETERRENCE PROGRAM CONSIDERATIONS

(Taken from: Best Practices for Migratory Bird Care during an Oil Spill, USFWS 2003)

Note: No attempt should be made to disperse oiled birds.

- Worker Safety
- Local Habitats and Species
- Some species, especially those found associated with a human environment are difficult to deter, especially if chosen deterrents mimic sounds or visual elements associated with that environment.
- Consider the potential effects of human activity and disturbance on sensitive habitats and species.
- Molting birds are not easily dispersed, and require a combination of different techniques.
- Availability of “clean” habitat within a reasonable distance.
- Avoid dispersing birds into areas that might become contaminated; be aware of tidal cycle and oil trajectory predictions.
- Determine if “clean” habitat can be made more attractive (e.g., temporarily limiting access to people, boats or certain activities).
- Appropriate technique.
- Deterrence will be most effective if the entire area of concern can be hazed as continuously as possible. As a general rule, do not start a deterrence operation that cannot be maintained for the required duration.
- Automatically operated devices, which require checking only once a day or less, may be used when staffing is limited, during bad weather, or at night.
- In general, expose the area to a variety of devices and techniques, with random variations to control habitations. Be prepared to back off as events dictate.
- In general, most deterrence activities would probably not be effective for areas larger than seven to 10 miles in length or diameter.

- Highly mobile devices (e.g. sound-emitting buoys) that can influence large radiuses are necessary for larger spills on water
- Some types of oil, like fuel oil, are highly flammable during the first hours following a spill, due to the presence of high concentrations of volatile oil fractions. Techniques with potential to induce sparks are to be avoided in these situations.
- Potential side effects.
- The effects of sound-emitting devices on humans will influence whether or not some techniques will be acceptable to local residents.



## APPENDIX 9A

### GENERAL PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MIGRATORY BIRDS, MARINE MAMMALS, AND SEA TURTLES

ACTION	DOC NATIONAL MARINE FISHERIES SERVICE	MAINE DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	U.S. FISH AND WILDLIFE SERVICE	ECCC CANADIAN WILDLIFE SERVICE	FISHERIES AND OCEANS CANADA	NEW BRUNSWICK DEPARTMENT OF NATURAL RESOURCES AND ENERGY DEVELOPMENT
	Marine Mammals and Sea Turtles (in the marine environment)	Migratory Birds <sup>1</sup>	Migratory Birds <sup>1</sup> and Sea Turtles (on land)	Migratory Bird <sup>7, 8,</sup> <sup>13</sup>	Marine Mammals and Sea Turtles	Non-Migratory Birds <sup>7</sup>
Collect, Transport, and Hold	Yes <sup>9</sup>	Yes <sup>2</sup>	Yes <sup>5</sup>	Yes <sup>4,8</sup>	Yes <sup>8, 11, 12</sup>	Yes
Haze	Yes <sup>9</sup>	Yes <sup>3</sup>	Yes <sup>6</sup>	No <sup>4,8</sup>	Yes <sup>8, 11</sup>	No
Import and Export	Yes <sup>9</sup>	Yes	Yes	No <sup>14</sup> /Yes <sup>15</sup>	Yes <sup>10</sup>	Yes

<sup>1</sup> There is currently no provision in place that allows the import of live eagles into the United States or the export of live eagles out of the United States.

<sup>2</sup> An MDIFW permit is needed to collect, hold, or haze any species on the State endangered species list. In 2015, the list included Arctic, Black, Least and Roseate Tern, Bald and Golden Eagle, Piping Plover, Atlantic Puffin, Razorbill, Harlequin Duck, breeding Peregrine Falcon and breeding Great Cormorant.

<sup>3</sup> Passive hazing (e.g., balloons, scarecrows, mylar tape) does not require a permit.

<sup>4</sup> No permit is available for hazing Migratory Birds under the MBCA, but permit may be required for species listed under SARA. Federal Permits for hazing SARA-listed species cannot be issued, but permits may be issued for hazing non-Migratory Bird species if the activity is conducted on federal lands.

<sup>5</sup> Includes salvage of oiled wildlife carcasses.

<sup>6</sup> A USFWS permit is needed to haze species managed by USFWS including those listed on the Federal endangered species list.

<sup>7</sup> Birds under NBDNRED jurisdiction, as defined by the Fish and Wildlife Act, include: eagles, grouse, quail, pheasants, hawks, owls, cormorants, vultures, pelicans, crows, jays, blackbirds, kingfishers, and falcons.

<sup>8</sup> Under SARA permits are required to collect, transport, hold or harass (haze) listed species. Contact ECCC CWS and DFO for requirements when dealing with species listed under SARA. SARA-listed Migratory Birds require SARA authorizations on an MBCA permit if it affects SARA-listed Migratory Bird species anywhere in Canada. Parks Canada Agency may also issue SARA permits for individuals within the borders of National Parks.

<sup>9</sup> Permit is required to handle/harass any marine mammals, currently in the CANUSLANT area. Only 2 agencies (College of the Atlantic/Allied Whale, and Marine Mammals of Maine) have the authority to haze, move, hold or import/export marine mammal and sea turtles. If additional resources are required, other authorized members of the regional and national stranding network can provide mutual aid at the request of NMFS.

<sup>10</sup> Many marine mammals and sea turtles are listed under the Convention on International Trade in Endangered Species of Wildlife Fauna and Flora (CITES), and therefore permits may be required. DFO can issue export permits but not import permits for CITES. ECCC is the lead agency responsible for implementing CITES on behalf of the federal government. Within ECCC, the CWS administers CITES and interacts with provincial, territorial and other federal agencies.

<sup>11</sup> Hazing, transport, collection and holding of non-SARA listed marine mammals and turtles require a permit under Section 52 and 56 of the *Fishery (General) Regulations* and Section 38 of the *Marine Mammal Regulations*

<sup>12</sup> The Marine Mammal Transportation License (Section 15 of the *Marine Mammal Regulations*) which is issued by DFO Resource Management is required for moving any marine mammals or parts over provincial borders.

<sup>13</sup> Eagles are not protected by the MBCA in Canada.

<sup>14</sup> The MBCA and regulations do not require an import or export permit for migratory birds listed under the Convention, however, a permit holder must be able to demonstrate that migratory birds, eggs, nest or their parts including samples were collected legally under a permit (e.g., scientific permit for collection or rehabilitation). For SARA-listed species, the export/import itself (action of crossing the border) would not require SARA authorization, however, a permit for possession is required (see footnote 8).

<sup>15</sup> A permit is required for bird species listed under CITES (see also footnote 10).

## APPENDIX 9B

### SPECIFIC PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MIGRATORY BIRDS

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Hazing Migratory Birds	Scientific Collection Permit <sup>1</sup>	12 MRSA part12 Chpt. 925 subchpt. 1, §12704	MDIFW, Bangor, ME <sup>2</sup>
	Hazing Permit <sup>3</sup>	Endangered Species Act	USFWS, Hadley, MA
	Hazing Permit	Bald Eagle Protection Act	USFWS, Hadley, MA
	No permit available. Contact CWS for information.	Migratory Birds Convention Act	CWS, Sackville, N.B.
Capturing, Transporting, and Cleaning Migratory Birds	SARA Permit <sup>4</sup>	Species at Risk Act	CWS, Sackville, N.B.
	Migratory Bird Permit	Migratory Bird Treaty Act	USFWS, Hadley, MA
	Scientific Collection Permit <sup>1</sup>	12 MRSA part12 Chpt 925 subchpt 1, §12704	MDIFW, Bangor, ME
	Rehabilitation Permit	12 MRSA part 12 Chpt 915 subchpt 15, §12152	MDIFW, Augusta, ME <sup>5</sup>
	Migratory Bird Scientific Permit <sup>4,6</sup>	Migratory Birds Convention Act Species at Risk Act	CWS, Sackville, N.B.
	Possession/Collection of N.B. or Regionally Endangered Species	New Brunswick Endangered Species Act	NBDNRED Forest Planning and Stewardship Barnch <sup>7</sup> , Fredericton, N.B.

<sup>1</sup> Required to collect, hold or haze any species included on the State endangered species list.

<sup>2</sup> MDIFW Bangor permit contact: Brenda Lord (207) 941-4463

<sup>3</sup> Required only for migratory bird species included on the Federal endangered species list and for bald eagles.

<sup>4</sup> Under SARA permits are required to collect, transport, hold or harass (haze) listed species. Contact ECCC CWS and DFO for requirements when dealing with species listed under SARA. SARA-listed Migratory Birds cannot be issued federal permits for hazing, but SARA-listed non-Migratory Bird species may be issued permits for hazing, if the activity is conducted on federal lands.

**APPENDIX 9B, CONT.**

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Importing/Exporting Migratory Birds at	Import/Export Permit <sup>8,9,10</sup>	Migratory Bird Treaty Act	USFWS, Hadley, MA
	Import/Export Permit <sup>9</sup>	CITES <sup>11</sup>	USFWS, OMA, Washington, D.C. CWS CITES Admin., Hull, QE NBDNRED <sup>7</sup> , Fredericton, N.B.
	Import Permit	12 MRSA part12 Chpt 915 subchpt 15, §12155	MDIFW, Augusta, ME
	Capture, Obtain, Export, Release, Take, Kill N.B. Wildlife	Fish and Wildlife Act, Section 90 (1) (a)-(d)	NBDNRED Forest Planning and Stewardship Branch <sup>7</sup> , Fredericton, N.B.

<sup>5</sup>MDIFW Augusta permit contact person: Donald Katnik (207) 941-4455

<sup>6</sup> Permit for possession is issued under a scientific permit, the bird is being held for rehabilitation purposes.

<sup>7</sup> Contact: Director, Forest Planning and Stewardship Branch (506) 453-3826, fax (506) 453-6699

<sup>8</sup> Currently, there are no provisions that allow for the import of live eagles into the United States or the export of live eagles out of the United States.

<sup>9</sup> Necessary for CITES Appendix 2 and Appendix 3 Species. The exporting country issues the permit to receiving country.

<sup>10</sup> See Form 3-200-6 at <https://www.fws.gov/forms/display.cfm?number1=200>.

<sup>11</sup> CITES sets controls on movement of animal and plant species that are, or may be, threatened due to excessive commercial exploitation. ECCC is the lead agency responsible for implementing CITES on behalf of the federal government. Within ECCC, the CWS administers CITES and interacts with provincial, territorial and other federal agencies.

## APPENDIX 9C

### SPECIFIC PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MARINE MAMMALS AND TURTLES IN CANADIAN WATERS

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Hazing SARA-listed Marine Mammals and Turtles	SARA Section 73 Permit	Species at Risk Act	DFO Ecosystem Management, Dartmouth, NS
Capturing, Transporting and Cleaning SARA-listed Marine Mammals and Turtles	SARA Section 73 Permit*	Species at Risk Act	DFO Ecosystem Management, Dartmouth, NS
Hazing, Capturing, Transporting and Cleaning all other Non-SARA Marine Mammals and Turtles **	Section 52 License Section 56 License Section 38 Authorization	Fishery (General) Act Fishery (General) Act Marine Mammal Regulations	DFO Licensing, Dartmouth, NS
Foreign Vessels Operating in Canadian Waters	Foreign Vessel License	Coastal Fishery Protection Regulations	DFO Licensing, Dartmouth, NS
Transporting Marine Mammals and Turtles Internationally	Import / Export Permit	CITES	DFO, Resource Management, Dartmouth, NS
	Marine Mammal Transportation License	Marine Mammal Regulations	DFO Licensing, Dartmouth, NS

\*Note that under Section 74 (SARA), an authorization under the *Marine Mammal Regulations* can act as a SARA permit under certain conditions

\*\*Depending on the activity, may only require an authorization under Section 38 of the MMR, though may also require Section 56

## APPENDIX 9D

### SPECIFIC PERMIT INFORMATION FOR SELECTED RESPONSE-RELATED ACTIVITIES: MARINE MAMMALS AND TURTLES IN UNITED STATES WATERS

ACTION	PERMIT NAME	AUTHORIZING LAW OR REGULATION	ENTITY ISSUING PERMIT AND LOCATION
Hazing, Capturing, Transporting and Cleaning Marine Mammals	112(c) Authorization	Marine Mammal Protection Act	NOAA National Marine Fisheries Service, Gloucester MA
	109(h) Authorization	Endangered Species Act	
	Scientific Research Permit		
Hazing, Capturing, Transporting and Cleaning Turtles	On land, Endangered Species Permit TE-697823 and 2013 sub permit written to the Northeast Region STSSN	Endangered Species Act; 50 CFR 222.310 and 50 CFR 223.206	USFWS, Hadley MA NMFS, Silver Spring, MD
Transporting Marine Mammals and Sea Turtles Internationally	Import / Export Permit	CITES	NMFS, Silver Spring MD USFWS, Hadley MA

**APPENDIX 10**  
**EQUIPMENT AND MATERIALS STOCKPILED FOR MIGRATORY BIRDS RESPONSE ACTIVITIES:**  
**CANUSLANT AREA <sup>1</sup>**

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Bangor	Hazing	1 Breco Buoy 1 Phoenix Marine Wailer 2 Propane Cannons 3 Shotguns	Birds at offshore locations  Birds at onshore locations	Donald Katnik MDIFW Office: (207) 941-4455 Cell: (207) 852-0167 Fax: (207) 941-4450 Email: donald.katnik@maine.gov
Augusta	Hazing	Pyrotechnics 3 Shotguns 2 Boats, 17' Boston Whaler (90 hp); 17' Lund John Boat (60 hp jet) 1 canoe and 3 kayaks Electronic Bird Frightening Alarm	Birds at onshore locations  Birds at offshore locations	Jesse Morris U.S. Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Wildlife Services Office: (207) 629-5181 Fax: (207) 629-5182 Email: jesse.w.morris@aphis.usda.gov
Sackville, NB	Hazing	2 boats: 17'boats (25 hp) 2 shot guns Pyrotechnics 10 canoes, 2 kayaks	Birds at onshore locations	Robert Ronconi CWS Office: (902) 426-6405 Cell: (902) 226-9864 Email: robert.ronconi@canada.ca

<sup>1</sup>Information in this appendix has not been verified by wildlife trustee resource agencies. The appearance of wildlife response information in this appendix does not constitute compliance by oil spill contingency plan holders with state oil spill contingency plan requirements.

**APPENDIX 10, CONT.\***

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Dartmouth, NS	Hazing	1 Breco Buoy 1 Phoenix Marine Wailer 5 Propane Cannons 12 Bird Hazing Kits (starter pistol kits with crackers, bangers and whizzers) Numerous statics hazing devices (effigies, tape & balloons) ^additional supplies can be cascaded in from other locations	Birds at offshore locations  Birds at onshore locations	Eastern Canada Response Corporation (ECRC)* 24h Emergency: (613) 930-9695 <b>Atlantic Region</b> 41 Mount Hope Ave Woodside Industrial Park Dartmouth, NS B2Y 4R4 Phone: (902) 461-9170 Fax: (902) 461-9590
Saint John, NB	Hazing	Contact for availability	Contact for details	Atlantic Environmental Response Team (ALERT)* 24/7: (506) 632-4499 11 Expansion Avenue Saint John, NB
Mulgrave, NS	Hazing	1 Phoenix Wailer 1 Propane Cannons 6 Bird Hazing Kits (starter pistol kits with crackers, bangers and whizzers)	Birds near shore and at onshore locations	Point Tupper Marine Services (PTMS)* 24/7: (902) 625-1711

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.



**APPENDIX 10, CONT.\***

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Saint John, NB	Capture and field stabilization	Mobile response trailer including items such as: PPE Husbandry supplies: tanks, heat lamps, pens Medical supplies Animal carriers Nets and traps General supplies Full list available upon request Generator 59 boxes	Contact for details	ALERT* 24/7: (506) 632-4499 11 Expansion Avenue Saint John, NB
Mulgrave, NS	Capture and field stabilization	Mobile response trailer including items such as: PPE Husbandry supplies: tanks, heat lamps, pens Medical supplies Animal carriers Dip nets General supplies Full list available upon request	Max 10 birds (Using CWS Level 1 Rehabilitation Permit from Clean Seas).	PTMS* 24/7: (902) 625-1711

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.

**APPENDIX 10, CONT.**

LOCATION	RESPONSE ACTION	AMOUNT OF SUPPLIES	TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES	SUPPLY OWNER/CONTACT PERSON 24-HOUR CONTACT NUMBER
Cookville, NB	Capture and field stabilization	6 Large dip nets, 2 Small 2 14' foot Larivee boats 1 ATV 100+ Pet carriers, various sizes Large supply of bedding materials for animal care; (blankets, towels and linen) 3 Boxes of Dawn detergent 2 1000-gallon indoor diving tanks 2 600-gallon portable outdoor diving tanks 1 Wildlife emergency pickup truck vehicle 1 SUV 2 canoes 12 heat lamps 6 heaters	50 birds Atlantic Wildlife Institute (AWI) maintains a large amount of triage materials for the hundreds of animals on site	AWI* <sup>^</sup> (506) 364-1902 info@atlanticwildlife.ca  Barry Rothfuss, Executive Director (506) 878-7906 barry@atlanticwildlife.ca  Pam Novak Director of Animal Care (506) 870-0208 pam@atlanticwildlife.ca  <sup>^</sup> This group has an MOU with ALERT for access and use of resources for wildlife response
CWS Sackville, NB	Capture (migratory birds and raptors)	Duck Traps mist nets, gill nets for molters drive traps for land cannon nets air boat	25 birds	Robert Ronconi CWS Office: (902) 426-6405 Cell: (902) 266-9864 Email: robert.ronconi@canada.ca

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.

**APPENDIX 10, CONT.**

<b>LOCATION</b>	<b>RESPONSE ACTION</b>	<b>AMOUNT OF SUPPLIES</b>	<b>TOTAL BIRDS TO BE ASSISTED WITH SUPPLIES</b>	<b>SUPPLY OWNER/CONTACT PERSON/ 24-HOUR CONTACT NUMBER</b>
Canadian Coast Guard- Atlantic	Deterrence	8- Propane Cannons 2- Breco Buoy	N/A	<b>24/7 Emergencies 1-800-565-1633</b>
Augusta, ME	Capture and field stabilization	4 Mist nets (shorebird size) 3 large, long-handled dip nets 12 bird-holding crates Duck traps	Birds at onshore locations	<b>Jesse Morris</b> USDA, APHIS, Wildlife Services Office: (207) 629-5181 Fax: (207) 629-5182 Email: jesse.w.morris@aphis.usda.gov
Bangor, ME	Capture, field stabilization, and rehabilitation	1-supply trailer 1- net gun	15-25 birds	Donald Katnik MDIFW Office: (207) 941-4455 Cell: (207) 852-0167 Fax: (207) 941-4450 Email: donald.katnik@maine.gov
Jonesboro, ME	Capture and field stabilization	1- response/capture kit	5 birds	Steve Dunham MDIFW Office: (207) 434-5927 Cell: (207)- 441-1725 Fax: (207) 434-5923 Email: steve.dunham@maine.gov
Moosehorn National Wildlife Refuge (NWR), Baring, ME	Capture and field stabilization	1- net gun Mist nets Duck traps	50-75 birds	Maurice Mills Moosehorn NWR Office: (907) 723-6471 Cell: (907) 225-7002 Fax: (907) 247-1117 Email: Maurice Mills@fws.gov

## APPENDIX 11 A

### ENTITIES WITH BIRD DETERRENT PERSONNEL CANUSLANT AREA

AGENCY/ENTITY	CONTACT INFORMATION	ESTIMATED # OF TRAINED INDIVIDUALS	LOCATION
USDA, APHIS, Wildlife Services	Jesse Morris Office: (207) 629-5181 Fax: (207) 629-5182 jesse.w.morris@aphis.usda.gov	7	Augusta, Maine
ECRC*	24h Emergency: (613)-930-9695	The ECRC-SIMEC Atlantic Region maintains a large pool of trained responders to permit 24-hour operation. Please contact for availability.	Dartmouth, NB
ALERT*	Donovan W. Case General Manager ALERT Inc. 506-632-4499 Donovan.case@irvingoil.com	2 in-house 30+ through response contractor	Saint John, NB
PTMS*	PTMS 24h Emergency: (902)-625-1711	PTMS maintains annual training of oil spill responders for response operations. Clean Seas would be able to aid with Hazing Operations with those personal who have experience. Please call for more info on numbers of trained personnel.	Mulgrave, NS

**APPENDIX 11A, CONT.**

<b>AGENCY/ENTITY</b>	<b>CONTACT INFORMATION</b>	<b>ESTIMATED # OF TRAINED INDIVIDUALS</b>	<b>LOCATION</b>
AWI*	info@atlanticwildlife.ca (506) 364-1902  Barry Rothfuss (506) 878-7906 barry@atlanticwildlife.ca	Contact for details	Cookville, NB
Canadian Coast Guard-Atlantic	<b>24/7 Emergencies 1-800-565-1633</b>	Response personnel trained	Atlantic Canada

\* Equipment maintained by Response Organizations in Canada is assigned to their respective designated geographic areas of response; further negotiations will be needed to consider availability and deployment during incidents in the CANUSLANT area.

## APPENDIX 11 B

### ENTITIES WITH CAPABILITY TO RESPOND TO MARINE MAMMALS IN DISTRESS CANUSLANT AREA

AGENCY/ENTITY	CONTACT INFORMATION	ESTIMATED # OF TRAINED INDIVIDUALS	LOCATION
Marine Animal Response Society (Canada)	(866) 567-6277	2	Predominantly Nova Scotia and some areas of New Brunswick
College of the Atlantic, Allied Whale	(800) 532-9551		Canadian Border to Rockland, ME
Marine Mammals of Maine Maine Marine Animal Reporting Hotline	(800) 532-9551		Rockland, ME to NH Border

## APPENDIX 12

### FACTORS TO CONSIDER IN DETERMINING WHEN TO BEGIN AND END A WILDLIFE CAPTURE AND TREATMENT PROGRAM

The following factors are not presented in any order of relative importance. Each factor must be considered and the resulting information must be documented by appropriate wildlife resource agency representatives and by the responsible party (during a responsible party response).

- Response team safety considerations.
- Status of the species affected (e.g., special management concern, threatened, endangered; red or blue listed species).
- Population status of the species affected (e.g., international, national, and regional significance).
- Estimated percentage of the population affected.
- Use of the species as a subsistence resource.
- Logistical constraints in treating oiled animals (e.g., airports/runways and equipment availability).
- Anticipated success in effectively treating oiled animals (i.e., expected survival rate of treated wildlife).
- Public concern.
- Projected cost of treatment program and funding availability.
- Whether wildlife capture and treatment contractors (if required) agreeable to appropriate Canadian and U.S. wildlife resources agencies are available.
- Whether adequate treatment facilities exist; e.g., facilities must maintain wildlife in an environment that has low risk of disease.
- Whether capture and treatment program and subsequent release poses any unreasonable risk (e.g., disease, social disruption, or mortality) to wild animal populations.
- Whether sufficient facilities exist for keeping wildlife in captivity that cannot be released back into the wild without further rehabilitation.
- Whether appropriate Canadian and U.S. wildlife resource agency representatives have sufficient staff to perform required oversight, monitoring, and/or activities required for a wildlife capture and treatment program.

## APPENDIX 13

### CHECKLIST FOR REQUESTING INITIATION OF WILDLIFE CAPTURE AND TREATMENT PROGRAMS AND/OR PRE-EMPTIVE CAPTURE PROGRAM

Any migratory bird, marine mammal or sea turtle capture and treatment program and/or bird, marine mammal or sea turtle pre-emptive capture must be authorized by appropriate Canadian and U.S. wildlife resource agency representatives CWS, DFO, NBDNRED, USFWS, NOAA/NMFS, and MDIFW. Responsible Parties who wish to initiate such activities must complete Parts I-VI of this checklist (one set for migratory birds, one set for marine mammals and one set for sea turtles) and submit it to the appropriate wildlife resource agency representatives. If approved by those agency representatives, a request to initiate such a program will be forwarded by wildlife resource agency representatives to the CCG OSC and the USCG FOSC.

If there are no requests by a Responsible Party to initiate such a program, wildlife resource agency representatives may complete Parts I-VI of this checklist (one set for migratory birds, one set for marine mammals, one set for sea turtles) and then forward the request to the CCG OSC and the USCG FOSC.

<b>I. SPILL DATA</b>	
Name of incident:	
Date of incident:	
Spill location: _____ latitude _____ ; longitude _____	
Spill location: land _____ ; water _____ ; land and water _____	
Distance to nearest water body, if on land: _____ km/mi	
Type/name of product released: _____	
Estimated volume of product released: _____ (gals/bbls)	
Release status: Stopped _____ ; Continuing _____ ; Unknown _____	
Is spill: Contained _____ ; Spreading _____ ; Unknown _____	
Estimated volume of product potentially released: _____ (gals/bbls)	



**APPENDIX 13, CONT.**

<b>II. WILDLIFE DATA</b>	
<b>SPECIES/SPECIES GROUPS</b>	<b>ESTIMATED NUMBERS OF WILDLIFE AND LOCATION RELATIVE TO SPILL RELEASE</b>
e.g., Waterfowl e.g., pinnipeds	e.g., 100 eiders 1 mile from leading edge of spill e.g., 25 harbour seals hauled out 1 mile from leading edge of spill

**APPENDIX 13, CONT.**

**III. PRIMARY RESPONSE ACTIONS**

**Describe any response actions underway or previously taken: (1) to protect wildlife and/or wildlife habitat; and (2) that may affect proposed capture, transport, stabilization, or wildlife treatment activities.**

**APPENDIX 13, CONT.**

**IV. SECONDARY RESPONSE ACTIONS: PRE-EMPTIVE CAPTURE**

**A. Describe pre-emptive capture plan, including: estimated numbers of birds/marine mammals/sea turtles requiring capture; location(s) of those birds/marine mammals/sea turtles; techniques to be used for capture; estimated number of capture personnel required; equipment, materials, and logistics support required; description of holding facility; length of time to be held; and release plan:**

**B. Information on Person in Charge of Pre-emptive Capture:**

Name:

Affiliation:

Address:

Qualifications:

Contact Information (phone/fax/email):

Permit Holder(s):

**V. TERTIARY RESPONSE ACTIONS: CAPTURE AND TREATMENT**

**A. Briefly describe each element of capture, handling, transportation (including importing and exporting), stabilization, and treatment plan, including: estimated numbers of birds (for each species or species group)/marine mammals/sea turtles requiring capture; location(s) of those birds/marine mammals/sea turtles; techniques to be used for capture; estimated number of capture personnel required; equipment, materials and facility (e.g., stabilization and treatment) requirements; and logistics and other technical support required:**

**B. Information on Person or Persons in Charge of Capture and Treatment Program:**

Name:

Affiliation:

Address:

Qualifications:

Contact Information (phone/fax/email):

Permit Holder(s):

**APPENDIX 13, CONT.**

**VI. REQUESTOR INFORMATION**

Signature of requestor: \_\_\_\_\_

Printed name of requestor: \_\_\_\_\_

Title of requestor: \_\_\_\_\_

Requestor affiliation: \_\_\_\_\_

Requestor representing: \_\_\_\_\_

Contact information of requestor (phone/fax/email): \_\_\_\_\_

Time and Date Request Submitted to CCG OSC or USCG FOSC, and the following wildlife resource agency representatives\* : \_\_\_\_\_

CWS (identify contact): \_\_\_\_\_

DFO (identify contact): \_\_\_\_\_

NBDNRED (identify contact): \_\_\_\_\_

USFWS (identify contact): \_\_\_\_\_

NOAA/NMFS (identify contact): \_\_\_\_\_

MDIFW (identify contact): \_\_\_\_\_

\*Contact information for wildlife resource agency representatives is listed in Appendix 2.

**APPENDIX 13, CONT.**

<b>VII. WILDLIFE RESOURCE AGENCY RESPONSE TO REQUEST</b>		
<b>Date and time request received by wildlife resource agency representative(s):</b>		
<b>Canadian Wildlife Service</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>Fisheries and Oceans Canada</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>New Brunswick Department of Natural Resources and Energy Development</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>U.S. Fish and Wildlife Service</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>NOAA/National Marine Fisheries Service</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____
<b>Maine Department of Inland Fisheries and Wildlife</b>		
Name: _____	Date: _____	
Time: _____	Phone #: _____	Email: _____

**APPENDIX 13, CONT.**

**VII. WILDLIFE RESOURCE AGENCY RESPONSE TO REQUEST (CONT.)**

**CWS Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**DFO Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**NBDNRED Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**USFWS Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX 13, CONT.**

**MDIFW Recommendation/Decision:**

- Approve requested program(s) as proposed
- Approve requested program(s) with the following conditions: \_\_\_\_\_
- Deny requested program(s)

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_



APPENDIX 13, CONT.

**IX. CCG ON SCENE COMMANDER AND USCG FEDERAL ON-SCENE  
COORDINATOR DECISION**

**CCG On Scene Commander's decision regarding request to initiate wildlife response  
program:**

Request received by CCG On Scene Commander: \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_ Concur with wildlife resource agency representatives

\_\_\_\_ Concur with attached conditions

\_\_\_\_ Do not concur

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

**USCG Federal On-Scene Coordinator's decision regarding request to initiate wildlife  
response program:**

Request received by USCG Federal On-Scene Coordinator: \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_ Concur with wildlife resource agency representatives

\_\_\_\_ Concur with attached conditions

\_\_\_\_ Do not concur

Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_

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## APPENDIX 14

### POTENTIAL BIRD STABILIZATION AND TREATMENT FACILITIES: CANUSLANT AREA <sup>1,2</sup>

FACILITY/ ADDRESS	OWNER/ CONTACT INFORMATION (24-Hour Number)	COMMENTS
Calais Armory <sup>1</sup> Calais ME	Dan Nadeau Maine Army National Guard Office: (207) 430-2105 Cell: (207) 561-0969 Fax: (207) 626-4553	Site inspection pending
Belfast Armory <sup>1</sup> Belfast, ME	Dan Nadeau Maine Army National Guard Office: (207) 430-2105 Cell: (207) 561-0969 (cell)	Site inspection pending
Westbrook Armory <sup>1</sup> Westbrook, ME	Dan Nadeau Maine Army National Guard Office: (207) 430-2105 Cell: (207) 561-0969	Site inspection pending
Maine Inland Fisheries and Wildlife Service Building Jonesboro, ME	Steve Dunham, MDIFW Office: (207) 434-5927 Cell: (207) 441-1725	Facility inspected by International Bird Rescue Research Center (October 2006) Staging area or small rehabilitation

**APPENDIX 14, CONT.**

<p style="text-align: center;"><b>FACILITY/ ADDRESS</b></p>	<p style="text-align: center;"><b>OWNER/ CONTACT INFORMATION (24-Hour Number)</b></p>	<p style="text-align: center;"><b>COMMENTS</b></p>
<p>USFWS – Moosehorn NWR 103 Headquarters Road Baring, ME 04694</p>	<p>Keith Ramos, Refuge Manager Office: (207) 454-1705 Cell: (207) 436-0000</p>	

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<sup>1</sup> In the event a migratory bird capture program is initiated, the availability of these facilities must be verified at that time.

<sup>2</sup> MDIFW currently holds an MOU to use these armories unless DVEM determines it will interfere with military operations. More information regarding the armories can found at: <https://www.me.ng.mil/Resources/Armory-Rental/>.

## APPENDIX 15

### GUIDELINES FOR CROSS-BORDER TRANSPORTATION OF OILED WILDLIFE

The checklist at the end of Section VIII of the CANUSLANT annex provides detailed information about moving personnel and equipment across the international border during an oil spill. Additional information for agency representatives involved in wildlife response activities should also be considered.

- All personnel (including contractors) must have a valid passport and necessary personal identification.
- It is best to have necessary authorizations/licenses for the legal transportation of wildlife across borders (provincial and international)
- It is best to have some documentation that CANUSLANT has been activated on your person.
- All vehicles must have proof of insurance.
- Call the border station prior to attempting to cross to brief customs/border services officials on the situation ahead of time (a daily notice/advanced notification should have been provided to border stations when the CANUSLANT annex was activated, but a follow-up FYI is recommended).
- Ideally all agency personnel crossing the international border for response purposes will be agency staff in uniform.
- It is better to minimize the number of personnel and vehicles crossing the border.
- Personnel should have appropriate level of training in hazardous materials because the oil on the wildlife is a hazardous substance. Appropriate training is essential if personnel will be entering the spill site to pick up animals. See also Appendix J Joint Marine Pollution Contingency Plan Atlantic Geographic Annex (CANUSLANT).

## APPENDIX 16

### MARINE MAMMAL AND SEA TURTLE STRANDING U.S. AND CANADA

#### U.S. Greater Atlantic Region Marine Mammal and Sea Turtle Stranding Network Hotline 866-755-6622

Institution	Area, Additional Information	Response	Rehab
<b>MAINE</b>			
<b>Allied Whale, College of the Atlantic</b> 105 Eden Street Bar Harbor, ME, 04609 Phone: (207) 288-5644 Cell: (207) 266-1326	From the Canadian border to Rockland, ME	Cetaceans Pinnipeds Sea Turtles	N/A
<b>Marine Mammals of Maine</b> 1 High Street, Suite 5 Kennebunk, ME 04043 (207) 233-3199	Rockland through Kittery, ME  <b>Maine Marine Animal            Reporting Hotline:            (800) 532-9551</b>	Cetaceans Pinnipeds Sea Turtles	N/A
<b>NEW HAMPSHIRE</b>			
<b>Seacoast Science Center</b> 570 Ocean Blvd. Rye, NH 03870 (603) 436-8043	NH and northern MA  <b>Hotline: (603) 997-9448</b>	Cetaceans Pinnipeds	N/A
<b>MASSACHUSETTS</b>			
<b>New England Aquarium</b> Central Wharf Boston, MA 02110 <b>Hotline: (617) 973-5247</b>	Boston, MA north through NH	Sea Turtles	Sea Turtles

**APPENDIX 16, CONT.**

<p><b>International Fund for Animal Welfare</b>  P.O. Box 193  Yarmouth Port, MA 02675  <b>Hotline: (508) 743-9548</b></p>	<p>Cape Cod and southeastern MA</p>	<p>Cetaceans  Pinnipeds</p>	<p>N/A</p>
<p><b>Wellfleet Bay Wildlife Sanctuary</b>  <b>Massachusetts Audubon</b>  291 State Highway, Route 6  South Wellfleet, MA 02663  508-349-2615 x 6104</p>	<p>Cape Cod</p>	<p>Marine Mammals  Sea Turtles</p>	<p>N/A</p>
<p><b>Provincetown Center for Coastal Studies</b>  115 Bradford Street  Provincetown, MA 02657  (508) 487-3622</p>	<p>Marine animal disentanglement only   <b>Entanglement Hotline: (800) 900-3622</b></p>	<p>Sea Turtle  Marine Mammal</p>	<p>N/A</p>
<p><b>Marine Mammal Alliance Nantucket</b>  Nantucket, MA  (833) 667-6626</p>		<p>Marine Mammals</p>	<p>N/A</p>
<p><b>Seacoast Science Center</b>  570 Ocean Blvd.  Rye, NH 03870  (603) 436-8043</p>	<p>Northern MA   <b>Hotline: (603) 997-9448</b></p>	<p>Cetaceans  Pinnipeds</p>	<p>N/A</p>
<p><b>RHODE ISLAND and CONNECTICUT</b></p>			
<p><b>Mystic Aquarium</b>  55 Coogan Blvd.  Mystic, CT 06355-1997  <b>Hotline: (860) 572-5955 ext. 107</b></p>	<p>Connecticut, Rhode Island and Fishers Island, New York</p>	<p>Cetaceans  Pinnipeds  Sea Turtles</p>	<p>Pinnipeds  Sea Turtles</p>

**APPENDIX 16, CONT.**

<b>NEW YORK</b>			
<b>New York Marine Rescue Center</b> 467 East Main Street Riverhead, NY 11901 (631) 369-9840	<b>New York Hotline:</b> <b>(631) 369-9829</b>	Cetaceans Pinnipeds Sea Turtles	Small cetaceans Pinnipeds Sea Turtles
<b>Atlantic Marine Conservation Society</b> PO Box 932, Hampton Bays, NY 11946 (631) 317-0030	New York	Cetaceans Pinnipeds Sea Turtles	N/A
<b>NEW JERSEY</b>			
<b>Marine Mammal Stranding Center</b> PO Box 773 3625 Brigantine Blvd Brigantine, NJ 08203 (609) 266-0538	New Jersey	Cetaceans Pinnipeds Sea Turtles	Pinnipeds Sea Turtles
<b>DELAWARE</b>			
<b>MERR Institute, Inc.</b>  <b>Hotline: (302) 228-5029</b>	Delaware	Cetaceans Pinnipeds Sea Turtles	N/A
<b>MARYLAND</b>			
<b>Maryland Department of Natural Resources Cooperative Oxford Laboratory</b> 904 South Morris St. Oxford, MD 21654 <b>Hotline: (800) 628-9944</b>	Maryland	Cetaceans Pinnipeds Sea Turtles	N/A



**APPENDIX 16, CONT.**

<p><b>National Aquarium</b> 501 East Pratt St, Baltimore, MD 21202 <b>Hotline: (410) 576-3880</b></p>	Maryland	Cetaceans Pinnipeds Sea Turtles	Pinnipeds Sea Turtles
<b>VIRGINIA</b>			
<p><b>Virginia Aquarium &amp; Marine Science Center</b> 717 General Booth Blvd. Virginia Beach, VA 23451 <b>Hotline: (757) 385-7575</b></p>	Virginia	Cetaceans Pinnipeds Sea Turtles	Pinnipeds Sea Turtles

**Canada Marine Mammal and Sea Turtle Stranding**

<p><b>Marine Animal Response Society:</b> <b>(866) 567-6277</b> <a href="mailto:mars@marineanimals.ca">mars@marineanimals.ca</a> VHF Channel 16</p>	New Brunswick, Nova Scotia	Marine Mammals	N/A
<p><b>Canadian Sea Turtle Network</b> <b>(888) 729-4667</b></p>	New Brunswick, Nova Scotia	Sea Turtles	N/A