

Appendix 42

SEAFOOD LIAISON SPECIALIST (SLS)

SUPPORTING DOCUMENT FOR THE REGION 6 REGIONAL CONTINGENCY PLAN

Abstract

This Appendix is intended to address contingency planning and partnership gaps, especially with the seafood-related stakeholders, e.g., all types of fishers, and related technical specialists. Having the capability to engage with all stakeholder groups will help cultivate a broad capability to understand, monitor, characterize, and model hazards that can inform all levels of preparedness and response decisions.

Purpose

The Seafood Liaison Specialist (SLS) was established to provide a way to collaborate and share information between incident management team (IMT), seafood harvesting community, e.g., fishers, and others in the seafood industry, e.g., seafood restaurants, and the agencies responsible for managing fishery closures and seafood safety. The seafood/fishing industry is directly impacted by agency decisions during spills which result in fishery closures and subsequent seafood safety testing. The seafood/fishing industry includes fishermen (commercial/aquaculture, recreational, personal use/subsistence); harvesting of finfish, shellfish, crustaceans for human consumption; wholesalers, retailers, and restaurants.

When a spill results in concerns about seafood safety, the public and seafood industry stakeholders become anxious for information about the potential seafood consumption risks from that spill. Since the Unified Command (UC) has the most up to date information about spilled oil characteristics, movement, spread, and extent of contamination it is important to act quickly to connect with these stakeholders and consider how to best share information to address seafood-related risk perceptions, and coordinate with seafood regulators (agencies which can close fisheries and are responsible for seafood safety testing, e.g., National Marine Fishery Service, FDA, and state departments of health) to help mitigate those potential impacts.

Due to the impacts on fishers and other members of the seafood industry from fishery closures, these stakeholders have a keen desire and need to understand incident-specific oil behavior, as well as the implications of response actions on their respective businesses. Given the potential for significant socio-economic and psychosocial impacts, especially on fishing communities, their concerns and questions warrant active consideration. Collaboration and information sharing with the fishing/seafood industry could strengthen incident-specific response decisions, help mitigate impacts on the seafood industry, and enhance the adaptive resilience capacity of the seafood industry following spills that result in fishery closures.

This document is intended to:

- Support the objectives of the Region 6 Regional Contingency Plan (RCP);
- Support all D8 coastal Area Committees (ACs)/Area Contingency Plans (ACPs) within Regional Response Team 6 (RRT-6);
- Provide guidance to ACs on ways to engage academia and other technical specialists during oil and/or hazmat spill preparedness and response; and
- Provide guidance to ACs on ways to coordinate and share technical information about oil spills with seafood safety stakeholders during spill preparedness and response.

Background

In 2012, USCG Headquarters developed an ACP Process Job Aid ¹ to address preparedness gaps. The Job Aid notes that ACs represent the core element of oil spill response planning and preparedness for a local Captain of the Port (COTP) zone. **Discussions and strong partnerships**

¹ Landry, Mary E. Memorandum 3121, Dec.05 2012. Area Contingency Planning Job Aid.

with all stakeholders during the AC planning process are necessary to ensure that the ACP, when implemented, will be adequate to effectively respond to a worst case discharge (WCD) within that specific COTP zone.

In those instances where a discharge threatens fish stocks or resources, proactive coordination between UC and fishery/seafood agencies could improve spill outcomes on the seafood industry. Fishing communities are dependent upon renewable resources and highly vulnerable to long-term impacts from oil spills.²

Emergency fisheries closures will likely result in an immediate negative impact on multiple levels of the seafood/fishing industry, from fishermen to wholesalers to retailers to restaurants. Addressing these impacts will be delayed through claims provisions of OPA 90, i.e., direct economic impacts (loss of income)³. Indirect impacts include disruption of fisher's way of life and psychosocial impacts, which refer to the interrelationships among social context, psychological health, and well-being. Indirect impacts have been omitted from OPA 90 and therefore have no proactive means to be addressed in the national response system.

These stakeholder groups are seldom involved in oil spill preparedness and response. However, defining mutually-appropriate ways to engage them contributes to the USCG's ability to achieve a best response to a WCD of oil in the coastal zone.

Some response actions result in negative risk perceptions about the fishery and seafood safety, e.g., chemical dispersants⁴. The full-scale opening of freshwater diversions during the DWH incident in 2010 also raised questions and concerns about the impact of the freshwater on oyster beds⁵.

The SLS is envisioned working with the IMT to serve as a conduit of information to and from a potentially large number of fishing/seafood industry stakeholder representatives outside the IMT. Although the primary assignment could be in the Environmental Unit (EU), the SLS might also share information with other Incident Command System (ICS) functions, e.g., in the case of the SLS with Branch Directors in the Operations Section, and with the Support Branch Director in the Logistics Section for advice on vessels of opportunity (VOO).

This document describes the potential functions this technical specialist could serve during a

² Gill, D.A., 1994. Environmental disaster and fishery co-management in a natural resource community: impacts of the Exxon Valdez oil spill. *Folk management in the world's fisheries: Implications for fisheries managers*, pp.207-35; Gill, D.A., Ritchie, L.A., Picou, J.S., Langhinrichsen-Rohling, J., Long, M.A. and Shenese, J.W., 2014. The Exxon and BP oil spills: a comparison of psychosocial impacts. *Natural Hazards*, 74(3), pp.1911-1932.

³ Picou, J.S., 2009. When the solution becomes the problem: The impacts of adversarial litigation on survivors of the Exxon Valdez oil spill. *U. St. Thomas LJ*, 7, p.68.

⁴ <http://www.nmfs.noaa.gov/stories/2012/02/dwhpaper.html>; <http://www.desmogblog.com/2013/10/23/dean-blanchard-grand-isle-sets-record-straight-about-bp-s-failed-cleanup>; <http://georgewashington2.blogspot.com/2010/08/bp-vessel-of-opportunity-workers-allege.html>.

⁵ <http://bellona.org/news/fossil-fuels/oil/2014-08-crushing-oyster-harvest-gulf-devastating-fishermen-science-tries-determine-oil-water-blame>; http://www.nola.com/environment/index.ssf/2013/07/louisiana_seafood_bp_oil_spill.html

response. Clearly the effectiveness of this position would be strengthened by procedures developed during the preparedness phase.

Overview

The SLS would function as a liaison between seafood/fishing industry and UC. These liaisons would serve as representatives of the fishing community in the area. Example entities which could provide personnel to serve as SLS include Sea Grant Marine Extension Programs, e.g., Sea Grant Area Fishery Extension Agent, LSU Seafood Industry Liaison Agent, Sea Grant GOM Oil Spill Science Outreach Team, and/or other specific subject matter experts approved by the FOSC.

The Sea Grant Extension Service Programs in coastal states are university-based educational programs that seek to apply knowledge and understanding gained through research to aid individuals and groups such as fisheries management and seafood safety. Nationwide, Sea Grant provides a workforce of over 500 on-the-ground extension agents and specialists who reside in many of the communities they serve. As trusted experts who are considered honest brokers of information (non-advocacy), extension agents provide reliable technical and science-based information to residents to address local needs.

Specific Guidance

Preparedness:

- RRT-6 leads the preparedness efforts (coastal ACs encouraged to participate; results will be shared). The RRT-6 Science and Technology committee, an existing standing committee within RRT-6, and the Eighth Coast Guard District Response Advisory Team, will be the primary focal point for all things related to SLS and will work closely with and share all relevant info with ACs.
- The RRT-6 S&T committee and the Eighth District Response Advisory Team will work with ACs to ensure SLS issues are reflected within their respective ACPs (incorporated by reference) and components are exercised during scheduled PREP exercises.

Response:

- Requests or activation: The FOSC, Liaison Officer, National Oceanic and Atmospheric Administration (NOAA) Scientific Support Coordinator (SSC) and/or designated State representative may identify the need for SLS from the academic community or other organization. As appropriate, requests or activation of SLS will be targeted to the needs of the specific incident or issue and indicate the potential level of support needed.
- Pre-deployment briefing: SLS will receive briefing as per the Incident Management Handbook (IMH) Common Responsibilities (Chapter 2).
- Funding: **Written authorization must be received prior to incurring out-of-pocket expenses** for which reimbursement is expected, e.g., remote travel. Travel arrangements will be the responsibility of the SLS, in accordance with university or federal travel regulations (to be specified upon activation, if not previously agreed).

Situational Awareness & Safety

- SLS should be familiar with the NIMS ICS management protocols.
- Any SLS field activities will be subject to response safety and health protocols, as appropriate; coordinated through both the Planning and Operations Sections.
- Safety training for field responders will be determined by the Safety Officer and will be appropriate for the proposed task.

Selection of SLS members:

Individuals who will function as a SLS should possess the following skills.

- Broad familiarity with fishermen and associations/entities across the seafood industry (commercial/aquaculture, recreational/subsistence/personal use, e.g., charter boats; finfish, shrimp, crab, oyster; wholesale, retail; restaurants).
- Ability to vet and suggest incident-specific seafood industry representatives to engage during a given spill.
- Ability to suggest to federal (NMFS Sustainable Fisheries) and state (Depts. of Health) seafood agencies fishing/seafood representatives with whom to engage regarding closures and seafood assessments.
- Ability to serve as communicator between the ICP, seafood industry, and scientists, including ability to assist with information sharing via traditional media, e.g., local fishing/environmental reporters, and social media.
- Familiarity with science and scientists related to fishing issues.
- Respected and trusted with a reputation for fairness and reliability.
- Strong network across all institutions.
- Function as honest broker, not an advocate.
- Interest in and ability to help spill-impacted fishermen by facilitating connections with resources that can help them be resilient and recover faster from the spill.

Training

When the SLS is predesignated during preparedness to support responses, and work in the incident command post, the following document review and training is recommended before participating in a spill response.

- National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR part 300):
<https://nrt.org/Main/Resources.aspx?ResourceType=Regulations&ResourceSection=1>
Note: In accordance with the NCP, the SLS should not participate in the physical removal or clean-up activities during the oil spill response and should be limited to non-hazardous activities; they should not be deployed in exclusionary hot zones.
- Region 6 Regional Contingency Plan:
https://response.epa.gov/site/doc_list.aspx?site_id=5083
- Area Contingency Plans in the region:
https://response.epa.gov/site/doc_list.aspx?site_id=5083
- National Incident Management System (NIMS): <https://training.fema.gov/nims/>

- Participate in NOAA course offered by the Emergency Response Division: Science of Oil Spills: <http://response.restoration.noaa.gov/training-and-education/training/workshops/science-oil-spills-workshops.html>.
- Take the 2-Hour training for Workplace Health and Safety, Site Safety.
- Review NOAA booklet “Seafood Safety after an Oil Spill”: <http://response.restoration.noaa.gov/oil-and-chemical-spills/oil-spills/resources/seafood-safety-after-oil-spill.html>.
- Review of oil spill claims documents, e.g., ITOPF Preparation and submission of claims from oil pollution: <http://www.itopf.com/knowledge-resources/documents-guides/document/tip-15-preparation-and-submission-of-claims-from-oil-pollution/>.
- Seafood industry personnel who take part in spill response operations **must** be trained in accordance with 29 CFR part 1910.120 and any applicable state requirements. <https://www.osha.gov/laws-regs/regulations/standardnumber/1910>

Information Sharing

If SLS are invited to work inside the ICP, they may see sensitive security or liability information. Especially in this case, SLS **shall not** release incident-specific information to the public without approval by the Unified Command. SLS-generated information will be subject to the Freedom of Information Act (FOIA) process.

The SLS will receive defined boundaries of information disclosure, which clarifies what information can be shared outside of the incident command post.

Potential Tasking

It will be the responsibility of those entities providing personnel for the SLS to develop response procedures for each of the specialists when activated by the FOSC and assigned to the IMT. The following activities are potential starting points for consideration.

- Work with EU to identify local knowledge relevant to incident-specific resources at risk, e.g., active fishing areas and species.
- Work with EU to identify local knowledge relevant to incident-specific oil collection and recovery areas, e.g., convergence areas.
- Coordinate with seafood industry to identify technically-appropriate representative to participate in incident-specific seafood safety testing, data interpretation, and risk communication programs.
- Coordinate and communicate with fisher/seafood industry as appropriate about incident-specific emergency fishery management and closures.
- Coordinate with the IMT (Operations, Logistics, Safety Officer, and Liaison Officer) to address potential need and implementation of using VOO resources in a fair, situation-appropriate, mutually-beneficial, and safe manner.

Response Funding

As provided in the Oil Pollution Act of 1990 (OPA 90) and the Oil Spill Liability Trust Fund (OSLTF), the National Pollution Funds Center (NPFC) assures adequate funding for the FOSC to respond and that the polluter pays for the response. When authorized by the FOSC, response expenses can be reimbursed, in accordance with procedures specified by the NPFC.