

Canada–U.S. Joint Marine Contingency Plan, Great Lakes Annex

Coordinated operations are a way of life on the Great Lakes

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Canada and the United States are extraordinary teammates in pollution response on the Great Lakes; a necessity in the event of a pollution incident which could impact both countries, especially where one nation's shoreline is visible from the other's. Through cooperative efforts, responders and planners from both nations have established an effective framework, practices, and relationships that enable operations to be closely coordinated. That framework is called the Great Lakes Operational Supplement to the Canada-U.S. Joint Marine Contingency Plan¹ (CANUSLAK Annex) and it formalizes the way coordinated marine environmental response operations are executed on United States' and Canada's shared waters, including the Great Lakes.

Great Lakes Water Quality Agreement

The Canadian Coast Guard (CCG) and United States Coast Guard Joint Marine Pollution Contingency Plan² was initially jointly developed for the Great Lakes region in 1974. This followed the establishment of the Great Lakes Water Quality Agreement in 1972, which formalized the requirement for the Great Lakes Annex in Article 6. In 1983, both countries agreed to add four additional geographic annexes: Atlantic Coast; Pacific Coast; Dixon Entrance, Alaska; and the Beaufort Sea. Coast Guard District Commanders and CCG Regional Directors are responsible for reviewing, updating, and exercising each regional annex, where Canada and the United States share borders. However, because there are several key Great Lakes and St. Lawrence Seaway "choke points" near population and industrial centers for both nations, binational pollution incidents have historically occurred in the Great Lakes



Canadian Coast Guard Assistant Commissioner Marc-Andre Meunier, left, and Ninth Coast Guard District Commander RADM Michael Johnston signed the CANUSLAK Annex in Montreal, Quebec, Canada, on March 14, 2022. Coast Guard photo

region more frequently than in the other regions. In some of these areas, like the St. Marys, St. Clair, Detroit, Buffalo, Niagara, and St. Lawrence rivers, the distance over water between the United States and Canada can be very short indeed, making close cooperation a necessity. Because of this, the Great Lakes region remains the most frequently activated. The nations enjoy seamless coordination between their coast guards and lead all regions in notifications, activations, successful responses, and innovations.

Coordinated Response

One of the key tenets in the Joint Marine Pollution

Contingency Plan is coordinated response. The plan and annexes acknowledge that each nation has its own pollution response regime, subject to its laws, regulations, and governmental structures. These necessary sovereignty considerations frequently make a completely unified command impractical during responses. Instead, decades of regional experience have shown that a *coordinated* response is the preferred choice. Coordinated response can, and often does, include some co-location of coordinating personnel, which can also be accomplished virtually using teleconferencing tools.

Enter the International Coordinating Officer

As a best practice to achieve the international coordination contemplated in the Joint Marine Pollution Contingency Plan, the Canadian Coast Guard's Central Region and Coast Guard's Ninth District developed the International Coordinating Officer position. With some similarities to the Incident Command System's Liaison Officer and Agency Representative positions, the International Coordinating Officer elevates and transcends those responsibilities by employing a Senior Response Officer or Federal On-Scene Coordinator. Capitalizing on experience and lessons learned from two decades of exercises and real-world incidents, the International Coordinating Officer position has proven to be an effective construct to achieve coordinated response while maintaining close international cooperation.

Binational, regional experience has shown that, in instances of spills with international impacts, complete co-location of both Canadian and U.S. command structures and response organizations is usually unlikely due to funding, legal, logistical, political, media, and geographical constraints. Coordinated response, however, remains a chief tenet. Accordingly, the Great Lakes Annex specifies a "geographically separated command structure" that uses an International Coordinating Officer or team to attain the prerequisite coordination. In practice, one of two scenarios generally occur in the coverage area. Either a spill incident primarily affects the internal waters of one nation with minimal or only potential impacts to the other nation, or there is equal impact. In the case of the former, it is usually appropriate for the primarily impacted nation to establish a robust incident-specific response organization and request an International Coordinating Officer or team from the

other nation for either on-site or virtual participation.

In the instance of a spill incident that produces equal effects on both sides of the border, it is expected that both nations will establish robust incident-specific response organizations and exchange International Coordinating Officers or teams as needed, for either on-site or virtual participation.

Beyond Liaison Officer or Agency Representative

Liaison Officer and Agency Representative positions are conduits of information, generally without authority to make decisions on key matters, though theoretically this can be authorized. An International Coordinating Officer is a knowledgeable, senior representative who will typically have some decision-making authority and ability to order resources and coordinate support from scientific and operational elements. Another defining



Containment boom is deployment on the St. Clair River during a 2017 joint U.S.-Canadian exercise. The international border essentially runs down the middle of the river in this photo. Photo courtesy of Jerome A. Popiel

characteristic of an International Coordinating Officer is fluency in the regimes of both nations.

The extent of each International Coordinating Officer's authority will depend on the location, nature, and scope of each incident, as well as the preferences of the Incident Commander. It should be noted that an International Coordinating Officer will never exercise his or her own nation's Senior Response Officer or Federal On-Scene Coordinator authority over actions taking place in the other nation's sovereign territory. Those authorities will be exercised in accordance with the International

Coordinating Officer's own national policy in each jurisdiction, but coordinated with the other nation's actions. These officers may direct resources, like pollution overflights, across the international border in accordance with approved entry procedures specified in applicable treaties or binational memorandums of understanding.

International Coordinating Officer Teams and Virtual Call Aid

The development of regular working relationships between key members of the Great Lakes Joint Response Team is critical. However, in some instances where staffing requirements dictate a larger international coordinating presence, an International Coordinating Officer team may be appropriate. These teams consist of several members who meet qualification guidance suggestions under the direction of a qualified International Coordinating Officer who is in charge of the team.

An International Coordinating Officer Virtual Incident Call job aid is another innovation. This aid is a procedural check sheet for how International Coordinating Officer personnel can employ virtual call tools to help manage binational incidents. During 2020–2021 pandemic conditions, in particular, most coordination took place virtually rather than in-person. The

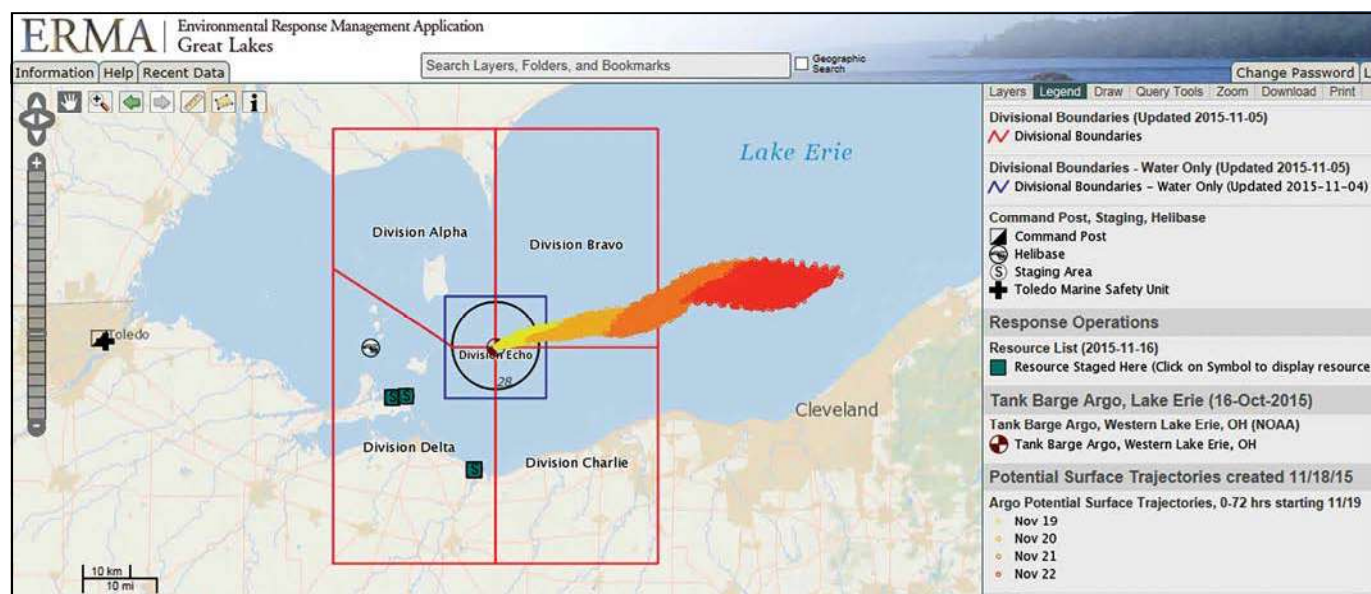


T/B Argo sank in Lake Erie near the U.S.-Canadian border during a 1937 storm. In 2015, a response effort was mounted to pump out the 10,000 gallons of benzene remaining from the more than 100,000 gallons the vessel was carrying when it went down. Coast Guard photo

virtual procedures can be used during normal conditions on a variety of minor to medium incidents where physical co-location is not necessary.

Case Example: T/B Argo

Over the years, the CCG and the Coast Guard's Ninth District have activated the International Coordinating Officer for many exercises and real-world events. The Joint Response Team is typically notified or activated five to 10 times a year for real-world events while, on average,



Example of a binational common operating picture from T/B Argo response in 2015. Divisions Alpha and Bravo are in Canadian waters, while Charlie and Delta are in U.S. waters. Coast Guard graphic

this happens about once a year for exercises. Incidents range from commercial vessel groundings with potential releases, to minor spills with negligible impacts, or major responses where extensive binational coordination is required.

The response to the sunken tank barge *Argo* is a prime example of International Coordinating Officer teamwork. T/B *Argo* sank in western Lake Erie in 1937 while carrying approximately 4,700 barrels of petroleum products. The exact resting place was unknown until a Cleveland-area dive team discovered it in August 2015. The location was inside U.S. waters, but very close to the Canadian border. Initial investigation showed that product was still onboard and there had been at least one verified release of benzene detected

via surface air monitoring. Because of the time elapsed since the sinking and the subsequent dissolution of any company ownership, a current responsible party could not be identified.

As Federal On-Scene Coordinator for the response, the Coast Guard established an incident command post in Toledo, Ohio. But because of the high potential for impacts to Canadian waters, the Canadian Coast Guard sent International Coordinating Officer team members to the incident command post while simultaneously maintaining their own response posture and organization structure in Canada.

The International Coordinating Officer team also worked closely regarding incident objectives, safety measures, and public affairs. News release content was jointly coordinated at the incident command post with each country releasing it through their respective press channels. The CCG team ordered and directed Canadian aircraft to conduct overflights, as well as ordering and coordinating Canadian scientific input for the incident.

The CCG's International Coordinating Officer team was able to facilitate the transmission of Canadian geographic information system data into the Great Lakes portal of the National Oceanic and Atmospheric Administration's Environmental Response Management Application. This allowed the incident command post to develop and display a truly binational common operating picture. Both U.S. and Canadian data regarding sensitive areas, species, water intakes, etc., were displayed on one geographic information system, which allowed for visualization of Canadian and U.S. pollution




Containment boom is prepared for deployment during a 2019 joint U.S.-Canadian exercise on the St. Lawrence Seaway. Coast Guard photo

trajectories.

As a result of the coordination, responders successfully removed all potential polluting product from the *Argo*, thereby eliminating the threat to the environment and life, and meeting the sensitive area protection strategies of both nations.

Future

The CCG and Coast Guard recently revised and renewed their commitment to the CANUSLAK agreement in March 2022. This renews the robust cooperation that happens on a regular basis. The Great Lakes Joint Response Team continues to meet annually, as well as notify and activate for each incident as necessary. We are proud of the work that both organizations do to ensure a bright future for the environmental health of the Great Lakes, connecting waterways and tributaries. 

About the authors:

Jerome A. Popiel has served 30 years with the U.S. Coast Guard, as incident management and preparedness advisor, search and rescue specialist, group operations officer, public affairs officer, admiral's aide, 47-foot MLB program manager, and shipboard engineer. He also served as assistant vice president of operations for The Great Lakes Towing Company.

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Endnotes:

1. Great Lakes Operational Supplement to the Canada-United States Joint Marine Contingency Plan, signed March 14, 2022
2. Section 403, United States Joint Marine Contingency Plan, signed August 3, 2017