

Maritime Response: Monitoring Coordination Cell Arrangements for Wales The Decision Making and Funding Process

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Introduction

The Premium (Pollution Response in Emergencies: Marine Impact Assessment and Monitoring) project was initiated to strengthen both the use of applied science and coordination of post spill monitoring activities in UK marine waters.

The project represents an ongoing collaboration across all the main UK government stakeholders including the Devolved Administrations and is providing a focus through which the necessary improvements to science and organisation are being realised. A key deliverable under the project that is facilitating this is an overarching set of monitoring guidelines detailing the scientific principles and approaches that should be applied following a marine incident. These guidelines provide the agreed principles and practices under which marine monitoring in UK waters will be conducted (the guidelines can be downloaded at <http://cefas.defra.gov.uk/premium/guidelines>).

While a primary driver for the Premium partners has been the appropriate application of sound, quality science to post spill monitoring this can only be fully realised if it is part of an effective management and co-ordination process fully integrated with national plans (e.g. the National Contingency Plan). The ultimate effectiveness of the monitoring programme might be determined by how well the current or baseline status of the threatened environment is established so that subsequent damage and recovery can be properly assessed. Therefore, as equally important to deploying the right methodologies is the necessity to deploy them promptly, within hours, before an impact may have occurred.

In order to facilitate the promptness in monitoring initiation the decision making process for the mobilisation of initial sampling and analysis needs to be straight forward with clear responsibilities identified. In addition, it needs to be recognised that any initial mobilisation, sampling or analysis will incur costs and therefore pre-considered mechanism or funding this initial activity is essential. In Wales the

decision to begin monitoring would be taken by members of the established Environment Group (EG). Decisions about how this work should be funded would need to be quickly taken. In practice this is most likely to be lead initially by Natural Resources Wales but would involve other organisations with appropriate remit including Welsh Government.

A programme of marine monitoring for a significant incident can be extremely complex as it may need to co-ordinate many service contributors and take account of an ever changing scenario. In Wales, these requirements will be planned by the SEG's drawing on the Guidance made available via the Premium process. It is possible that impact monitoring in cross-border situations will need to integrate with Premium Monitoring Co-ordination Cells convened by SEG's covering parts of England.

This guidance is the result of a series of workshop/meeting(s) involving the key UK government bodies and Devolved Administrations with responsibilities for i) taking the decision to initiate/continue/cease monitoring activities, and ii) funding monitoring activities. It aims to detail the decision making and funding process with respect to post-spill monitoring within Wales and how that process is managed and developed as the incident proceeds. As such it forms a deliverable from the Premium group aimed at clarifying and improving post-spill monitoring processes across the UK.

Impact Assessment decisions made by the Environment Group

The Environment Group will be the group responsible for the overall conduct and integrated co-ordination of monitoring and impact assessment activities following a marine incident. In practice it is likely that a sub group of the Environment Group will be created with responsibility for steering impact assessment work. Terminology will be kept consistent to ensure commonality and the sub group responsible for monitoring will be referred to as a Monitoring Coordination Cell.

Its specific responsibilities will include:

- The initiation and development of a co-ordinated monitoring programme in line with the Premium post-spill monitoring guidelines.
- The formation and management of a 'monitoring team' (selected from the Premium network of service providers) to undertake the monitoring activities.
- The maintenance of strong communication links to any formed Environment Group (EG) and other response cells as necessary.

- The management and maintenance of financial and expenditure records pertaining to any monitoring activities (including liaison with and payment of any subcontractors used).
- Overseeing the generation and publication of reports as necessary. These will include i) regular/routine updates for Premium partner organisations and the EG (but not necessarily the media), and ii) interim and final monitoring and impact assessment reports.

The Monitoring Coordination Cell may be formed at the discretion of one of the Welsh Standing Environment Groups within minutes/hours of an incident as a result of key individuals being informed through the already established emergency response notification procedures (e.g. POLREPs etc.). The formation of the MCC will be the responsibility of the pre-identified SEG chairs and/or deputy chairs and controlled by the SEG. The chairs and deputy chairs will be drawn from the organisation with primary responsibility for overseeing marine monitoring in Welsh waters namely: Natural Resources Wales.

The membership of the MCC will be driven by the nature of the incident, including geographic position, and the nature of the resources that form the focus of the monitoring activity (e.g. fisheries, food, conservation, amenities etc. Government stakeholder 'evidence needs and statutory requirements' will be the main driver in the design of the monitoring programme – see Annex 1). The membership will also evolve as the group move from considering initial to ongoing to cessation of activities.

MCC Membership

Permanent members (Wales)

Natural Resources Wales (NRW) (will act as Chair or Deputy Chair)

Natural Resources Wales (NRW) member(s) (to provide monitoring expertise)

Other potential members

Welsh Government Marine Policy Branch (as the conduit through which the Welsh Ministers will be informed and to liaise on wider funding within Wales)

Food Standards Agency (FSA) (where focus of monitoring is food/human health issues)

Welsh Government fisheries (where focus is fisheries)

CEFAS

Joint Nature Conservation Committee (JNCC) (where focus is conservation issues beyond 12 nm – especially if special protected areas (SPAs) are under threat)

Natural England, Environment Agency, MMO (where incident straddles Welsh / English border)

Maritime Coastguard Agency (MCA) (where focus is effectiveness/impacts of counter pollution and clean-up activity)

Department Energy Climate Change (DECC) (if the incident involves an offshore installation)

Local Government Authority (if focus is contamination of local amenities)

Public Health Wales (PHW) (as the agency responsible for public health matters)

NGOs involved in collection and recording of wildlife casualties (e.g. RSPB, RSPCA, Wildlife Trusts)

Others as required dependant on nature of incident

The initial (0-96 hours) membership of the MCC will be managed either by a chair nominated by the SEG/EG or standing chair Mike Camplin in consultation as necessary. As any incident evolves input to the MCC might be sought from a wide range of potential organisations and individuals including; Public Health Wales, identified scientific or local experts, industry representatives, suppliers of significant effort into the monitoring programme, RSPB, local wildlife associations etc.

Links with the Environment Group

It will be essential for the MCC to have strong communication links with any formed Environment Group. This is because the expert environmental advice being generated by the EG will provide key input to the development and evolution of the monitoring programme. This link will act as a fast and effective route through which the EG's recommendations, with respect to monitoring, can be actioned.

Furthermore, the EG will need to have prompt and effective feedback from the outputs of the monitoring programme in order to inform and update their advice.

To facilitate this relationship and the flow of advice and information between the groups a MCC representative may form part of the EG membership. It will be their specific role to facilitate the links and flow of information between the groups.

Monitoring Phases

Initial Response Phase (0-96 Hours)

Decision to initiate monitoring activity

In order to facilitate the prompt and effective decision to initiate monitoring (which may need to be taken within minutes to allow baseline samples to be collected) the responsibility for making the initial decision will be delegated to the MCC chair by the SEG/EG (on behalf of the responsible authorities, e.g. WG, NRW, FSA). In order to ensure that an effective and prompt decision is made it is necessary to invest this responsibility in a previously identified individual the SEG chair will have the same autonomy as the MCC Chair to expedite decisions. . However, in the vast majority of cases it is anticipated that the MCC chair will be able to make this decision after necessary consultation (e.g. with the EG chair and other government authorities).

Funding

The decision to initiate monitoring activity can only be taken in the knowledge that appropriate funding will be available to cover necessary costs. In Wales, initial and longer term funding would be the responsibility of the lead Government departments and their sponsored bodies, e.g. NRW. Funding would be authorised by the Duty Strategic Manager or nominated Director of NRW to ensure robust, effective and appropriate decisions are made in a timely fashion.

Management and Co-ordination

Initial management and co-ordination will be overseen by the MCC chair using input and support from the EG and other MCC members as necessary.

Ongoing Phase (96 hours onwards)

Decision to maintain/expand/reduce activity

If an incident requires continuation of monitoring activity beyond the first few days a more consultative procedure for decision making can be initiated. The overall decision making process will continue to be overseen and managed by the MCC chair but it is anticipated that time will allow full consultation with the other MCC members, the EG chair and the identified monitoring funders e.g. ITOPF.

Funding

If a decision has been made and supported that requires extended (e.g. weeks) or significantly expanded monitoring activity it is assumed that, in parallel, additional funding sources have been identified as required. The potential need for an extended/expanded environmental monitoring programme will be communicated to

potential funding authorities by the MCC chair as early as possible so that potential funding streams can be identified in advance.

It is anticipated that those government departments/agencies already identified as providing funds in the initial monitoring phase (see above) are likely to be contributors to any required funds for any ongoing monitoring phase. In particular, it is probable that NRW / Welsh Government will fund ongoing monitoring, however, time will now allow for other funding sources to be sought and identified and these might include other government department/agencies and industry/private bodies.

All monitoring programmes should be justifiable and proportionate to the scale and impact of the incident. Where a polluter has been identified cost recovery may also be sought under the 'polluter pays principle'.

Management and Co-ordination

Overall co-ordination of any extended environmental monitoring programme will continue to be undertaken through the MCC. However, any ongoing programme will be professionally managed on a project basis with full planning and will include identification and tracking of deliverables to time, quality and budget.

Where a programme extends/expands to necessitate management as described above a suitably experienced and qualified project manager will be appointed. This will most likely not be the MCC chair or any existing member of the MCC. When appointed the project manager will automatically become a member of the MCC. They will be responsible for the maintenance of project plans and the tracking of delivery to time, quality and budget. They will also provide financial updates and information to the MCC and funders as well as providing projections for potential future spend requirements.

Monitoring Cessation Phase

Decision to cease activity

It is a primary aim of the Premium process to deliver high quality but cost-effective monitoring and impact assessment processes. This can be delivered by ensuring full integration and co-ordination of the activities so that unnecessary activity is cut out, duplication of activity is minimised and quality, through adherence to the Premium guidelines, is maximised.

The decision to cease monitoring activity will be considered and made as part of the MCC responsibilities (with full consideration of any EG recommendations). In any complex monitoring programme it is likely that cessation of activities will be a phased process but it will be a principle of the MCC to not extend any monitoring activity beyond that which is necessary. Specific monitoring activities will not be completely ceased until all government stakeholder evidence needs and statutory requirements are fully met (see Annex 1).

Funding

Any residual financial issues following cessation of a monitoring programme will be handled by the project manager.

Final Reporting

Once a monitoring programme has ceased a final monitoring report, covering all issues as required by government stakeholders, will be prepared. Its production will be overseen by the MCC chair (or delegated as necessary) and its timely delivery tracked by the project manager.

Annexes

Annex 1. Evidence Needs and Statutory Requirements for Government Departments/Agencies

To be completed by Welsh SEG and PMCC Chairs under consultation with key Government Departments / Agencies and/or ITOPF, P and O club etc but will encompass the broad aims of:

- determining and quantifying any environmental impacts of a marine pollution incident;
- determining the net environmental benefit of advice provided by the EG to response units, and of response actions taken by the response units;
- meeting the statutory agencies duties to monitor and report on public health, and on the environmental condition of *inter alia*, designated sites, species and waters;
- meeting public and political requirements for environmental information

