

# **2023 Webinar Series**



## Understanding and Responding to Massive Sargassum Influxes

Mariana C. León-Pérez Ph.D. Harte Research Institute at Texas A&M University-Corpus Christi

> May 30, 2023 3 PM EST

## **Housekeeping items**

- Participants will be muted to reduce background noise. Please type questions into the chat at anytime. Participants may raise hand to ask question verbally during the Q&A at end.
- Webinar is being recorded and will be shared on the NSGLC's website following the webinar.
- <u>http://nsglc.olemiss.edu/</u>

## About Us

- Founded in 2002
- Based at the University of Mississippi School of Law
- Established to provide non-advocacy legal research, outreach, and education services to Sea Grant network.
- One of 34 Sea Grant programs



## Sustainable Fisheries and Aquaculture

We provide legal research and education on issues such as fishery management, aquaculture, seafood marketing and labeling, and harvesting and processing.

#### Subscribe to the SandBar!

SandBar is our free online quarterly publication that brings awareness to coastal problems and issues.

#### Legal Research



Law Center attorneys contribute to the field of ocean and coastal Isw and policy through the analysis of current issues and the publication of their research results.

#### Education



continuing education programs, conferences, and symposia which serve to educate policy makers, practitioners and laypersons on issues of marine resources policy issues. Attorneys also train law students in the field

of ocean and coastal law

#### Outreach



The staff of the National Sea Grant Law Center respond to research requests from the legal community, Sea Grant College Programs, and state and federal agencies located across the country.

SUBSCRIBE FOR FREE

## **NSGLC on Social Media**

### Follow us on Twitter and Facebook!



#### **Sea Grant Law Center**

@SGLawCenter

Providing Legal Research, Education, and Outreach to the Sea Grant Program since 2002

◎ Oxford, MS ② nsglc.olemiss.edu 🖾 Joined March 2012



#### National Sea Grant Law Center

647 likes · 745 followers



# **Sea Grant Puerto Rico**

**Director Ruperto Chaparro** 

## Puerto Rico Sea Grant Extension, Research and Educational Efforts

**Ruperto Chaparro** 

Director

Puerto Rico Sea Grant

University of Puerto Rico







dangerous rocks corrientes corrientes peligrosas dangerous currents peligrosas dangerous currents corrientes peligrosas dangerous currents ---corrientes peligrosas dangerous currents









**GUÍA EDUCATIVA PARA MAESTROS** 

## Las praderas de hierbas marinas



Guia educativa para, maestros



## Cambio climático

GUÍA EDUCATIVA PARA MAESTROS

VOLUMEN 1













## **GUÍA CURRICULAR: DESECHOS MARINOS**

Delmis del C. Alicea Segarra, EdD Especialista en Currículo y Evaluación











# PECES DE AGUA DULCE NATIVOS DE PUERTO RICO

## TIBURONES de PUERTO RICO



# MAMÍFEROS MARÍNOS





SURFEANOO PR Illustrates the locations and descriptions of some of the beaches that are known for surfing.

This map includes photography of the most optimal conditions for surfing, recommendations by skill level, forecast links updated by our collaborators at The Caribbean Coastal Ocean Observing System (CAR COOS), among other useful information.

This map is published for informational purposes only. The user of this map acknowledges that the information contained herein may not reflect the conditions existing at all times at the beaches included here, as these depend on the existing weather conditions at any gives to must here user further acknowledges that the information contained herein may contain inaccuracies and errors. The use of the information contained in this map and the included notes should under no circumstances be interpreted as an invitation to use these beaches for surfing. The user relevant both the creator of the content and whoever publishes this information, whether natural or legal entity, its directors, representatives, agents and employees, from any liability for damages that may be suffered when using the identified beaches either for surfing or any other sporting, recreational or commercial activity.





#### **iPhone Screenshots**



Pa' la Playa es la nueva solución para conocer las playas del Caribe y saber, al instante, como estará el cifma con anteliación, para poder planear tu diversión. Sólo tunce la playa que te interese visitar por su nembre, por su región, o por CBP, verás dettalidado su ponotítico colmático, la atura provendia del obeja y hasta las últimas mediciones de su calidad de agua. La aplicación también provee reseñas por susanos y videos que predentan lias cualidades del lugar. No lo plenses y descarga el app para que puedas planear tu da de oblaya hor mismo.



#### Screenshots iPad iPtone



Everything you need to know before boating in coastal waters near Puerto Rico and the US Virgin Islands.

#### Features:

Current Conditions: Wind, Waves, Tides, Moon Phase, Cloud Coverage and Rain Probability
Forecasts: Wind and Wave Forecasts from Caricoos WRF and SWAN Models

Proce.

Understanding and Responding to Massive Sargassum Influxes

## Mariana C. León-Pérez, Ph.D.

Understanding and Responding to Massive Sargassum Influxes

## Mariana C. León-Pérez Ph.D.

Harte Research Institute – Texas A&M University-Corpus Christi



National Sea Grant Law Center Webinar Series May 30, 2023

## The Problem

Since 2011, massive influxes of pelagic *Sargassum spp.* have been arriving recurrently to the Wider Caribbean Region and West Africa coast



https://www.elfinanciero.com.mx/cartones/rictus/sargazo/

# What is pelagic sargassum?



# Where it comes from?



León-Pérez et al. 2021; Wang et al. 2019; https://www.unep.org/events/unep-event/sargassum-caribbean-and-west-africa-key-challengesresponses-and-collaborations http://sargassummonitoring.com

# What are the impacts on the ecological system?





van Tussenbroek et al. 2017

# What are the impacts on the social system?







human health





# Purpose and Objectives

Provide information for the management and decision-making processes regarding sargassum accumulations on the coasts of Puerto Rico

- Ch1: Develop a method for using multispectral satellite data to identify sargassum influxes on the coast, and temporally and spatially characterize these occurrences in La Parguera.
- Ch2: Understand and map the social vulnerability of Palmas del Mar SESs to sargassum influxes.
- Ch3: Describe the sargassum legal framework in Puerto Rico to understand the jurisdiction of federal and local agencies regarding sargassum removal and its disposal in the ocean, and to identify legal barriers for implementing effective mitigation strategies.
## Detection of offshore sargassum masses

- Sensors
  - MODIS
  - Sentinel-3 OLCI
- Spatial resolution
  - 1 km
  - 300 m
- Algorithms
  - Alternate Floating Algae Index (AFAI)
  - Maximum Chlorophyll Index (MCI)
- Coastal areas are masked out







https://cwcgom.aoml.noaa.gov/cgom/OceanViewei

### Objective

 Develop a method for using multispectral satellite data to identify sargassum influxes on the coast, and temporally and spatially characterize these occurrences in La Parguera







## Study Area

La Parguera Nature Reserve

> ∆ 25 0 □

> > 500

Km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





### Google Earth Engine

Sentinel-2 MSI sensor data (443 images) Sep 2015-Jan 2022 Multi-index approach

Random Forest supervised classification

Training and validation

Analysis of temporal and spatial dynamics of sargassum hotspots

### **Classification of Sargassum**



+ 3 nonsargassum classes

All classes were equally well detected (above 87%) for an overall accuracy of 97%

# Classification of Sargassum



decomposing sargassum Sargassum-brown-tide fresh sargassum

📮 0 0.25 0.5 Km

fresh sargassum
decomposing sargassum
Sbt
mangroves
water
clouds
mask



Persistence Analysis to Identify Sargassum Accumulation Hotspots







# Monthly Average Area







### La Pitahaya SAH



### Takeaways

- Temporal and spatial dynamics of sargassum hotspots shows year-round impacts to the coastal system
- Geomorphological characteristics of the shoreline along with prevailing currents and wind direction drive accumulation hotspots

For more information:

León-Pérez, M.C., Reisinger, A.S., Gibeaut, J.C., 2023. Spatial-temporal dynamics of decaying stages of pelagic *Sargassum spp.* along shorelines in Puerto Rico using Google Earth Engine. Marine Pollution Bulletin 188.



### Social Vulnerability Assessment

 Understand and map the social vulnerability of Palmas del Mar SESs to sargassum influxes



Adaptive Capacity





No action



Mechanized removal using boats

www.lemonde.fr

Manual removal at the beach



# Puerto Rico's Law and Policy

- Unincorporated territory of the USA
- Joint responsibility between the Commonwealth and US federal governments
- Puerto Rico
  - Department of Natural and Environmental Resources (DNER)
    - 2015: Protocol for the Handling of Extreme Accumulations of *Sargassum* on the Coasts of Puerto Rico

### Objectives

Describe the sargassum legal framework in Puerto Rico

#### **Specific Objectives**

- Clarify the jurisdiction of federal and local agencies in Puerto Rico for:
  - sargassum removal (in the coast and ocean)
  - sargassum ocean disposal
  - Clarify the permits needed for these activities
    - Identify obstacles between government processes and relevant groups' needs
      - Identify potential solutions to facilitate the permit application process

## Methods

### Literature Review

 Federal and Commonwealth laws and regulations

### Semi-Structured Interviews

# Virtual Workshop

### Introduction and legal background

- Learn about how sargassum is impacting the coasts of Puerto Rico
- Learn about the laws and regulations that apply to sargassum removal and its disposal in the ocean
  - Relevant groups and agencies presentations

### In collaboration with



Activity #1: Sargassum removal permits

Clarify the jurisdiction and role of agencies in permits processing
Co-develop a permitting process flowchart



#### Activity #2: Ideas to facilitate the permitting process

- Provide ideas for overcoming identified obstacles and for facilitating the permitting process
  - Relevant groups and agencies breakout rooms

## Participation

Agencies	Semi-structured interviews	Workshop
US Army Corps of Engineers (USACE)	$\checkmark$	$\checkmark$
National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS)		
-Protected Resources Division	$\checkmark$	
-Habitat Conservation Division	$\checkmark$	$\checkmark$
-Office of General Counsel	$\checkmark$	$\checkmark$
Caribbean Fisheries Management Council (CFMC)	$\checkmark$	
US Fish and Wildlife Service (USFWS)	$\checkmark$	$\checkmark$
US Environmental Protection Agency (EPA)	$\checkmark$	$\checkmark$
Puerto Rico Department of Natural and Environmental Resources (DNER)	$\checkmark$	

Laws and Regulations		U.S. Federal		
		Clean Water Act (1977)	Coastal Zone Management Act (1972)	Dock and Harbor Law of Puerto Rico (1968)
Puerto Rico Commonwealth			Magnuson-Stevens	
Constitution of the Commonwealth of Puerto Rico (1952)	Organic Act of the Department of Natural and Environmental Resources (1972)	Endangered Species Act (1973)	Fishery Conservation and Management Act (2007)	Marine Mammal Protection Act (1972)
		Marine Protection, Research, and Sanctuaries Act (1972)	National Environmental Policy Act (1970)	National Historic Preservation Act (1966)
Regulation for the Use, Surveillance, Conservation and Management of the Territorial Waters, Submerged Lands Thereunder and the Maritime Zone (1992)	Regulations for the Environmental Assessment Process (2016)			
		Ports and Waterways Safety Act (1972)	Rivers and Harbors Act (1899)	Robert T. Stafford Disaster Relief and Emergency Assistance Act (1988)

### Sargassum Removal Flowchart



## Sargassum Ocean Disposal Flowchart



\* Does not include the transportation and ocean dumping of dredged material as defined by USACE and EPA. If the activity involves dredging of sediments from the seabed it may require USACE permits from CWA Section 404 and MPRSA Section 103.



THE UNITED STATES VIRGIN ISLANDS OFFICE OF THE GOVERNOR GOVERNMENT HOUSE Charlotte Amalie, V.I. 00802 340-774-0001

#### EXECUTIVE ORDER NO. 523 – 2022

#### ORDER AND PROCLAMATION BY THE GOVERNOR OF THE UNITED STATES VIRGIN ISLANDS DECLARING A STATE OF EMERGENCY IN THE UNITED STATES VIRGIN ISLANDS DUE TO UNPRECEDENTED INFLUX OF SARGASSUM SEAWEED AFFECTING THE TERRITORY'S WATER SUPPLY

\*\*\*\*\*\*\*\*

WHEREAS, Title 23, Section 1005(a), Virgin Islands Code, vests in the Governor the responsibility for meeting the dangers to the Territory of the United States Virgin Islands and its people presented by emergencies or major disasters; and

WHEREAS, sargassum is a free-floating pelagic seaweed which has had an unprecedented blooming due to the deforestation of the northern Amazon basin combined with the rapid expansion of agricultural fertilizers and nitrogen, and documented changes in sea temperatures; and

WHEREAS, the United Nations and the European Union through the One Shared Ocean Initiative predicts the level of nitrogen in the North Brazil Shelf will remain high in the coming decades promoting increased sargassum seaweed production; and

WHEREAS, the massive influx of sargassum seaweed on and around July 15 has had a negative impact on the Water Production Facility at the Virgin Islands Water and Power Authority (VIWAPA) Estate Richmond Plant on the island of St. Croix, resulting in challenged intake pump efficiency from clogging, maximum filter backwashing, increased chlorine injection and threatened membrane and equipment failure; and

WHEREAS, the V.I. Water and Power Authority is at the maximum capacity in water production in gallons per day due to a 2022 long-standing drought in the territory and sargassum influx threatens production and the planned territorial management storage of water for the community for the 2022 hurricane season; and

WHEREAS, the Juan Luis Hospital requires a high standard of potable water for their dialysis patients and that standard is threatened by the sargassum influx; and

### Robert T. Stafford Disaster Relief and Emergency Assistance Act

- Enacted in 1988 to provide assistance by the federal government to state and local governments in the case of an emergency or major disaster
- Criteria:
  - 1) an emergency or major disaster has occurred,
  - 2) needs exceed local government capabilities and resources,
  - 3) the local government has exhausted its emergency plan, dedicated it resources to respond, and agreed to cost-sharing requirements with the federal government.

## Obstacles Between Agencies' Processes and Relevant Groups' Needs

Lack of knowledge of required permits

### Participants' Main Recommendations

Create a territorywide plan to respond to sargassum influxes Develop plans and permits application packages for priority areas where sargassum is a recurrent issue

Conduct workshops and round tables with agencies to further clarify the sargassum legal regime in Puerto Rico

Create a website (one-stop-portal) to share permitting information about sargassum

## Next Steps

- Legal aspects of sargassum disposal on land and sargassum processing
- Manuscript in collaboration with agencies and other relevant groups
- Short/summarized publication with Puerto Rico Sea Grant



### mleonperez@tamucc.edu

### Acknowledgments







This publication was made possible by the National Oceanic and Atmospheric Administration, Office of Education Educational Partnership Program award (NA16SEC4810009). Its contents are solely the responsibility of the award recipient and do not necessarily represent the official views of the U.S. Department of Commerce, National Oceanic and Atmospheric Administration. Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the view of the U.S. Department of Commerce, National Oceanic and Atmospheric Administration. Photos credits: J.P. Zegarra and W. Hernández



### **NSGLC on Social Media**

#### Follow us on Twitter and Facebook!



#### **Sea Grant Law Center**

@SGLawCenter

Providing Legal Research, Education, and Outreach to the Sea Grant Program since 2002

◎ Oxford, MS ⊘ nsglc.olemiss.edu 🖾 Joined March 2012



#### **National Sea Grant Law Center**

647 likes · 745 followers