



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: CEO/OEM
Department No.: 012
For Agenda Of: April 9, 2019
Placement: Departmental
Estimated Time: 45 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department: Mona Miyasato, County Executive Officer
Director
Contact Info: Robert Lewin, Director of Emergency Management
Mark Hartwig, Fire Chief
SUBJECT: Santa Barbara County Operational Area Oil Spill Contingency Plan Approval

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: NA

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Approve and authorize the director of the Office of Emergency Management to submit the updated Santa Barbara County Operational Area Oil Spill Contingency Plan (OSCP) to the California Department of Fish and Wildlife Office of Spill Prevention and Response (OSPR), for OSPR's approval; and,
- b) Direct the County Office of Emergency Management (OEM) staff to return this item to the Board if OSPR makes any substantive changes to the draft OSCP; and,
- c) Determine the above actions are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions consist of organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment.

Summary Text:

This item is on the agenda for the Board of Supervisors to approve the updated Santa Barbara County Operational Oil Spill Contingency Plan (OSCP).

The OSCP is required by OSPR to be renewed every three years. (14 CCR § 852.61.11(h).) The Board of Supervisors last approved this OSCP in 2012. The County was granted an extension by OSPR in order to allow the updated OSCP to include lessons learned from the 2015 Refugio Oil Spill emergency and a second extension recognizing the delaying impacts of the recent disasters. With OEM as the lead agency, the OSCP was prepared by a contracted consultant, Hagerty Consulting, Inc., with collaboration and input from various local, county, and state agencies. Hagerty is an emergency management consulting firm that helps clients prepare for and recover from disasters. Established in 2001, Hagerty's work includes some of the nation's largest recovery and preparedness projects in more than 30 states, including 9/11, Hurricane Katrina, and Hurricane Sandy. Hagerty also assisted the County in the completion of the 2016 Refugio Oil Spill After Action Report and Improvement Plan.

This OSCP fully meets the requirements of OSPR. The OSCP is significantly different than the last approved OSCP, both in content and format. The OSCP is organized to provide an operational guide for local agencies responding to an oil spill. It includes the phases of an oil spill and the actions to be taken. It has charts and lists to provide responders with information on processes and identifies specific resources for response. By understanding this OSCP and participating in future training, responders should be able to successfully initiate actions on an oil spill.

The County Fire Department, as part of the unified command, is now designated in the OSCP as the initial Local Government On-Scene Coordinator (LGOSC) for the Operational Area. This will ensure the County has a fully qualified LGOSC. As the incident moves through different phases of the emergency, it allows the transition of LGOSC to personnel from the most appropriate agency, such as OEM or Planning and Development.

The OSCP now clarifies that the initial incident commander will have the authority to order and direct resources, as necessary, in order to make an effort at reducing the impact of the incident. These resources include both private and government, as well as both land and sea based resources.

The OSCP now includes assistant liaison positions that are tasked with gathering and providing intelligence and information to outside agencies assisting in the emergency. This includes government, NGOs, and private entities.

The OSCP identifies the training requirements of oil spill workers, including volunteers.

Background

The Federal government maintains the National Oil and Hazardous Substances Pollution Contingency Plan, more commonly referred to as the National Contingency Plan (NCP). It is contained in the Code of Federal Regulations (CFR) Title 40, Part 300. It has provisions specific to the development of state and local contingency plans, as well as state and local participation in response, are specified in both federal code and State of California legislation. The NCP provides for local participation in the response structure (§300.180[b]) and provides that local public safety organizations are expected to initiate public safety measures necessary to protect public health and welfare, including containment and cleanup activities and directing evacuations (§300.180[f]).

Specific to the State of California, the Governor is required to establish a state oil spill contingency plan (Government Code [GC] §8574.1 et seq.; GC §8670.5; and GC §8670.7). OSPR is required to submit to the Governor and the Legislature an amended California Oil Spill Contingency Plan (CAOSCP) every

three years. The CAOSCP must address oil spill contingency planning for both marine and inland surface waterways and terrestrial environments (GC §8574.8). The OSPR Administrator is required to implement this Plan (GC §8670.7). The CAOSCP specifically identifies that the County of Santa Barbara will provide a Local Government representative as the LGOSC for an oil spill incident. This will now be primarily a person designated by the County Fire Chief for initial response activities.

Local Contingency Plans are identified in Title 14 of the California Code of Regulations (CCR) which includes the requirements of the Local Government Grant Program, under which the development of Local Contingency Plans may be funded in-part. This includes the requirements associated with local government participation in unified command. This OSCP has been developed in alignment with those requirements as outlined in CCR Subdivision 4, Sections 852.60.1 – 852.62.3.

The two most significant marine oil spills in Santa Barbara County were the 1969 Santa Barbara oil spill and the 2015 Refugio oil spill. In both cases, the response by the County was extraordinary and required extensive efforts over a long period of time. Following the 2015 Refugio Oil Spill the Refugio Oil Spill After Action Report and Improvement Plan was completed to ensure there was a complete review of the County's actions and how to improve. The Plan incorporates many of the finding in that document.

Special Instructions:

Direct Clerk of the Board to send a copy of the minute order to: Office of Emergency Management,
Attn: Sonia Thompson, Department Business Specialist

Attachments:

Attachment A: Proposed Santa Barbara County Operational Area Oil Spill Contingency Plan

Authored by:

Robert Lewin, Director of Office of Emergency Management