

**Department of Fish and Wildlife
Office of Spill Prevention and Response**

GUIDANCE DOCUMENT

For use in the preparation of

Contingency Plans

Geographic Response Planning

BACKGROUND

The *Lempert-Keene-Seastrand Oil Spill Prevention & Response Act* [the Act; Gov. C. §8670.1 *et seq.*; significantly amended in 2014 by Senate Bill 861 (SB 861)] requires the Administrator for oil spill response, acting at the direction of the Governor, to ensure the State fully and adequately responds to all oil spills in state waters and to represent the State in any coordinated response efforts with the federal government. This includes establishing and periodically revising a California Oil Spill Contingency Plan that provides integrated and effective coordination for state agencies to address the results of major oil spills.

The Administrator must implement activities relating to oil spill response, such as emergency drills for preparedness, oil spill containment and cleanup, and financial responsibility. This also specifically includes adopting and implementing regulations governing the adequacy of oil spill contingency plans that must be prepared and implemented by vessels and facilities that could spill oil into state waters.

The Administrator has the primary authority to direct prevention, removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in waters of the state. This includes authority over the use of all response methods, such as *in situ* burning, dispersants, and other oil spill cleanup agents in connection with an oil discharge. The Administrator must cooperate with any federal on-scene coordinator, as specified in the National Contingency Plan.

The Administrator is required to establish a network of rescue and rehabilitation stations for wildlife injured by oil spills in waters of the state, including sea otters and other marine mammals. This network is known as the Oiled Wildlife Care Network (OWCN), and is administered through the Wildlife Health Center at the University of California, Davis. If a plan holder has a spill that injures wildlife, plan holders are encouraged to use a local OWCN facility if there is one in the area.

The goal and purpose of the Act is for the Administrator to provide for the best achievable protection of waters of the state from oil spills.

Owners or operators of facilities that have the potential to spill oil into state waters are required to prepare and submit an oil spill contingency plan (C-plan) to the Office of Spill Prevention and Response (OSPR) for approval. [Ref. CA Government Code §§8670.28, 8670.28.5, 8670.29, 8670.30.5, and 8670.31] Contingency plans are prepared and used for response activities in the event of an oil spill or threatened spill into waters of the state. The Act authorizes the Administrator to require that contingency plans provide for best achievable protection taken and that sufficient response resources are capable of arriving on-scene and equipment deployed within a certain timeframe for effective containment and response.

DISCLAIMER

The purpose of the guidance document is to assist owner/operators in complying with the oil spill contingency plan (C-plan), drills and exercises, financial responsibility and other requirements established by the Office of Spill Prevention and Response. C-plans are mandated for certain vessels and facilities by the *Lempert-Keene-Seastrand Oil Spill Prevention & Response Act* (the Act; Gov. C. §8670.1 *et seq.*), which was significantly amended in 2014 by Senate Bill 861 (SB 861).

This document does not contain specific requirements, nor does it replace any statutory requirements established by the Act, SB 861 amendments, or regulations promulgated to implement the Act and SB 861 amendments. This guidance document helps explain how to comply with the Act and the implementing regulations. However, all applicable laws and regulations should be read before using this guidance document for the preparation of C-plans. All guidance documents can be obtained by visiting our website at <http://www.wildlife.ca.gov/OSPR/Preparedness/Inland-Facilities-Contingency-Plan>. Guidance documents may be updated periodically without notice, as necessary, to reflect any changes in applicable laws or regulations. Comments or questions regarding a guidance document should be addressed to the OSPR Branch listed on the specific guidance document.

Geographic Response Planning

For coastal areas of California, the Office of Spill Prevention and Response (OSPR) participates in multi-agency and stakeholder committees for oil spill response planning. As a result of this process, Area Contingency Plans have been produced which cover spill response planning for the entirety of the coast. With new mandates to expand OSPR's spill program statewide, OSPR will focus on developing analogous planning tools for inland waters, including Geographic Response Plans (GRPs).

GRPs are site-specific strategies for the initial response to hazardous materials spills including oil spills into state waters. Led by U.S. Environmental Protection Agency, GRPs are created to provide guidelines for responders in the event of a spill, which significantly reduces the time needed to make decisions during the initial response. A GRP provides the responders with essential information about the site, the equipment needed to carry out an effective response, access details, and other information. The goal of a GRP is to ensure that the response to a spill is rapid and effective, and that sensitive resources are protected. A contingency plan holder may reference a GRP to fulfill those requirements for identification of sensitive sites and concomitant protection strategies.

GRPs are typically developed for a specific area (for example a river, a lake, or section of waterway in California), and includes tactical response strategies tailored to a particular shore or waterway at risk of injury from oil. GRPs have two main objectives:

- Identify sensitive natural, cultural or significant economic resources at risk of injury from oil spills; and
- Describe and prioritize response strategies in an effort to prevent or reduce injury to these resources at risk from oil spills.

A GRP contains a set of planned response strategies that are designed to give responders important information about particular sites so that damage to sensitive resources is minimized in the first few hours following a spill. These can be actions to control, contain, redirect, or collect the spilled material. The strategies are designed to be flexible, letting responders adjust actions to meet the needs of current conditions, such as water levels or weather. However, GRPs are not a substitute for seeking input from natural resources managers/trustees during a response.

A GRP is developed as a planning tool with representatives from various levels of government, responders, resource specialists, and industry working together to identify spill risks and sensitive resources. Participants identify resource priorities and possible strategies for particular locations. Many factors are considered in identifying specific locations for protection in the GRP area, such as flow conditions and other seasonal changes, shoreline and resource sensitivity to oil, equipment availability, and site access. Then potential sites are visited in the field to verify assumptions and gather field information. Some sites may be added or dropped from the list of strategies as a result of field verification. Once an area is identified for consideration, planners can evaluate site-

specific qualities that can determine what type of response would be effective. This can include resource qualities such as habitat types, presence of threatened and endangered species, or presence of a drinking water intake, as well as practical qualities such as accessibility, physical/hydrologic conditions, and responder safety.

In general, other response activities or information included in GRPs are:

- Notifications/Communications
- Incident Command Structure
- Response Tactics/Strategies, Assets and Resources
- Logistics
- Maps

Contingency plans prepared by facilities are required to provide information about sensitive sites or environmental resources that they may impact with an oil spill, and the strategies to protect those sites or resources through mechanical or other means. In lieu of determining sensitive sites and strategies, the contingency plan may reference the relevant sections of ACP's and GRP's if available for the plan holder's geographic area of transit or operation. In coastal areas, coverage by ACP's is complete; this is not the case for GRP's and inland waters. GRPs are available for the Upper Sacramento River, Truckee River, Lake Tahoe, Carson River, Walker River and Lower Colorado River:

- <http://ndep.nv.gov/bca/response.htm>
- <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=28403&inline=true>)

An update of the Truckee River GRP is in progress and additional GRP's for other areas of California are planned.