California State Oil Spill Contingency Plan

PREPARED BY:

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

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This Plan is available on the OSPR Contingency Plan Webpage.

Summary of 2026 Updates to the California State Oil Spill Contingency Plan

The Administrator of the Office of Spill Prevention and Response (OSPR) is required by statute to submit an updated State Oil Spill Contingency Plan to the Governor and the Legislature every three years. This 2026 update provides legislative, regulatory, and programmatic updates since the previous revision and reflects extensive interagency and interested party engagement. It includes updates aligned with changes in law, policy, and operational practice.

Specific Updates in the 2026 Revision:

- ADA compliance implemented across the document
- Updated legislative and regulatory references
- Overall restructuring and content edits to improve clarity, remove duplication, and employ direct language
- ICS chart updated to reflect California-specific positions
- Dispersant authorization zone map added
- New section on Renewable Fuels to reflect the expanded statutory definition of oil
- Agency descriptions added and updated based on reviewer feedback
- Updated sections for California Native American tribes and volunteer coordination in alignment with new OSPR positions and Department priorities

Outreach and Review Process:

- Input solicited from OSPR subject matter experts across programs
- All 58 California counties engaged through respective Offices of Emergency Services
- 23 State agencies consulted, including regulatory, emergency management, and natural resource agencies
- 20 Federal entities engaged in oil spill response and oversight
- 9 non-governmental organizations provided feedback

This update reflects OSPR's commitment to transparent, collaborative planning and continuous improvement in oil spill preparedness and response.

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CALIFORNIA STATE OIL SPILL CONTINGENCY PLAN

Purpose

The California Oil Spill Contingency Plan (Plan) is designed to ensure the best achievable protection of the state's waters from oil spills, consistent with the requirements of section 8574.7 of the California Government Code and the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. This Plan outlines the coordinated framework to prevent, prepare for, and safely respond to oil spills, while prioritizing the protection of environmentally, culturally, and ecologically sensitive areas.

In accordance with Gov. Code, sections 8574.1–8574.15 and 8670.5, 8670.7, the Governor is required to establish a State Oil Spill Contingency Plan. The California Department of Fish and Wildlife (CDFW) Office of Spill Prevention and Response (OSPR) Administrator is responsible for submitting an amended Plan to the Governor and the Legislature every three years. The Administrator is also responsible for implementing the Plan, ensuring that it addresses oil spill contingency planning, and provides for the best achievable protection of the state's waters.

OSPR's mission is to provide the best achievable protection of California's natural resources by preventing, preparing for, and responding to oil spills, and by restoring affected resources. This includes serving as the state's public trustee for fish, wildlife, and their habitats, ensuring that pollution response and natural resource protection are integrated and effective.

The Plan reflects California's commitment to safeguarding its waters from oil spills from a range of potential sources, including vessels, pipelines, production facilities, railroads, marine facilities and renewable fuel operations. It establishes a comprehensive structure for state, regional, and local collaboration, incorporating the latest scientific and operational advances to protect the environment, public health, and economic interests of the state.

In alignment with the state's proactive approach, the Plan aims to enhance readiness, promote rapid and effective response, and reduce the impact of spills through prevention measures and coordinated recovery efforts.

IMPLEMENTATION AUTHORITY FOR THIS PLAN

- All state and local agencies should be familiar with this Plan in the context of their respective codified jurisdiction and authority.
- All state and local agencies must carry out spill response activities consistent with this Plan and any other applicable federal, state, or local spill response plans (Gov. Code, § 8670.27, subd. (a)(2)).
- Vessel and facility oil spill response plans submitted to OSPR for approval must be consistent with this Plan and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (Gov. Code, § 8670.29, subd. (a)).

Section 1 – Oil Spill Reporting and Notification Requirements

1.1 Reporting

The California Office of Emergency Services (Cal OES) State Warning Center serves as the central point in state government for emergency reporting of hazardous material spills, including oil. Cal OES notifies the appropriate federal, state, and local agencies tasked with responding to such incidents (Gov. Code, § 8589.7).

When to Report

- **Immediately** upon learning of the release when it can be done safely (Cal. Code Regs., tit. 19, § 2631).

Who to Call

- **State Reporting:**
  - Cal OES State Warning Center (800) 852-7550
- **Federal Reporting**:
  - National Response Center (NRC) (800) 424-8802
- **Local Government**
  - 911 or other designated local number
- **Spill Response Organizations:**
  - If the responsible party has an Oil Spill Response Organization (OSRO), a Qualified Individual, or Spill Management Team (SMT), the spiller must contact them within 30 minutes of learning of the release (Gov. Code, § 8670.25.5; Cal. Code Regs., tit. 14, §§ 817.02 (g), 817.03 (g), 817.04 (h), 818.02 (h), 818.03 (h), 827.02(d)).

What to Report

The following oil spills must be reported immediately:

- Any amount into or that could enter state waters – inland, marine, or groundwater
- Any amount into a storm drain or onto city and county streets if there is a significant present or potential hazard to human health and safety, the environment, or property
- Any amount onto state highways and freeways if there is a significant present or potential hazard to human health and safety, the environment, or property
- Any amount onto land (except for certain San Joaquin Valley oil fields) if there is a significant present or potential hazard to human health and safety, the environment, or property
- Specific thresholds for reporting in San Joaquin Valley Oil and Gas Fields in Kern, Kings, Tulare, Fresno, Madera, Merced, and the Midway-Sunset Field in San Luis Obispo County (Pub. Resources Code, § 3233):
  - 5 barrels or more uncontained.
  - 10 barrels or more even if contained.

- 1 barrel in urban areas.
- 1 barrel to land at a lease lacking containment.
- Any amount into state waters or threatens to pass into state waters.
- For further detail, check California Geologic Energy Management Division (CALGEM) Field Rules.

Critical Incident Reporting Protocols:

- The responsible party must report the discharge or threatened discharge of oil to the Cal OES State Warning Center immediately, regardless of intent or negligence (Gov. Code, §§ 8574.7, 8670.25; Health & Saf. Code, § 25510).
- Local and state agencies responding to oil spills must notify the Cal OES State Warning Center if the spill has not yet been reported (Gov. Code, § 8670.26).
- For vessels within 12 miles of the coast, any situation involving a serious possibility of an oil spill must be reported to the United States Coast Guard (USCG) within one hour. Cal OES will receive this information from the USCG (Gov. Code, § 8670.20).

ATTENTION! Intentionally false or misleading reports are a criminal offense (Pen. Code, § 148.3; Health & Saf. Code, § 25515; Gov. Code, § 8670.64).

Spill Status Updates

If the estimated amount of oil spilled, or the volume at immediate risk of spilling, significantly changes, or if any other initially reported information was inaccurate or incomplete, the Cal OES State Warning Center must be promptly updated (Gov. Code, § 8670.25.5, subd. (a)(2)).

Companies with contingency plans approved by OSPR must provide status updates at least every 12 hours within the first 48 hours of the response. However, the State On-Scene Coordinator (SOSC) or Federal On-Scene Coordinator (FOSC), through the Unified Command (UC), may adjust this timeframe as necessary.

In some cases, updated spill volume information included in the Incident Action Plan (IAP) approved by the UC may satisfy this requirement (Cal. Code Regs., tit. 14, §§ 817.02(g), 817.03(g), 817.04(g), 818.02(h), 818.03(h), 827.02(d)).

Further Reporting Guidance

Refer to the following Cal OES resources for detailed reporting requirements:

- Cal OES Spill Release Reporting Notification Guidance
- Release Reporting Matrix
- Summary of Spill Release Laws and Regulations
- California Laws

These guides are available on the Cal OES Spill Release Reporting Webpage.

Statutory and Regulatory References on Reporting

- Gov. Code, sections 8574.7, subd. (e), 8589.7, 8670.20, 8670.25.5, 51018
- Health & Safe. Code, section 25510
- Pub. Resources Code, section 3233
- Veh. Code, section 23112.5

- Wat. Code, section 13272
- Cal. Code Regs., tit. 14, sections 817.02(g), 817.03(g), 817.04(g), 818.02(h), 818.03(h), 827.02(d), 1722
- Cal. Code Regs., tit. 19 section 2631

1.2 WHO IS ALERTED WHEN A SPILL IS REPORTED?

Immediately upon notice of a potential oil spill, the **Cal OES State Warning Center and the NRC will contact appropriate federal, state, and local agencies** (Gov. Code, §§ 8589.7, 8670.25.5, subd. (b)). Some laws and regulations specifically identify which agencies the Cal OES State Warning Center and NRC must notify based on the specific type of release.

Based on jurisdiction, the following state and local agencies will be notified:

- OSPR
- State Lands Commission (SLC)
- Regional Water Quality Control Boards (RWQCB)
- California Coastal Commission (CCC)
- San Francisco Bay Conservation and Development Commission (BCDC)
- Certified Unified Program Agency (CUPA) / Administering Agency
- State Fire Marshall (OSFM)
- Geologic Energy Management Division (Cal GEM)

Based on jurisdiction, the following federal agencies will be notified:

- USCG – Eleventh District
- US Environmental Protection Agency (US EPA), Region IX
- National Oceanic and Atmospheric Administration (NOAA)
- Department of the Interior (DOI), Office of Environmental Policy and Compliance, Regional Environmental Officer
- Federal Emergency Management Agency, Region IX (FEMA)

Additional notifications to federal, state, and local agencies, California Native American Tribes, elected officials and other interested parties may be made by the responsible party and/or Liaison Officer (LOFR). Additional agency contact information can be found in Area Contingency Plans (ACPs) and Geographic Response Plans (GRPs).

Section 2 – Primary State Authority for Oil Spill Response

2.1 Introduction to Roles and Responsibilities of State Agencies in Spill Response

Oil spill incidents often involve a response from multiple agencies with different jurisdictional authorities, capabilities, and functions. In some circumstances, the jurisdictional mandates of several agencies may overlap. Use of the National Incident Management System (NIMS) and Standardized Emergency Management System (SEMS) to organize spill response ensures that inter-agency responsibilities are collectively addressed.

2.2 Dual Oil and Hazardous Materials Release Protocols

For incidents involving both oil and chemical releases, an assessment will determine whether the response should be managed primarily as an oil spill or a chemical release. In cases involving mixed materials, responders should consult the **California HazMat Tool Kit** and the **Hazardous Materials Incident Contingency Plan** rather than this Plan.

2.3 Oil Spills In or Threatening Waters of the State

Surface Water
The OSPR Administrator has primary authority over the prevention, response, containment, and cleanup of oil spills into surface waters of the state, excluding groundwater (Gov. Code, §§ 8670.7, subd. (a), 8670.62; Fish & G. Code, § 5655, subd. (d)). OSPR's planning, preparedness, and financial responsibility programs apply to activities that pose a risk to these surface waters.

The Administrator (or their designee) serves as the SOSC with overall authority for managing and conducting incident operations during the response to the oil spill, including decisions regarding in-situ burning, dispersants, and cleanup agents (Fish & G. Code, § 5655, subd. (e)(2); Gov. Code, § 8670.7). The Administrator also represents the state in coordinated response efforts with the federal government (Gov. Code, § 8670.5) and serves as California's representative on the federally organized Region IX Regional Response Team (RRT), which covers Arizona, California, and Nevada (see the index in the Region IX Regional Contingency Plan (RCP) for more information section 1002.03.2). Additionally, the Administrator is California's representative on the Pacific States/British Columbia Oil Spill Task Force (Gov. Code, § 8670.9).

Groundwater
The applicable RWQCB is responsible for directing the cleanup of groundwater pollution and spills on land that threaten groundwater. OSPR may become involved if there are potential risks to surface waters or wildlife. Oil spills impacting groundwater are typically associated with long-term remediation efforts.

Adjacent Waters
Oil spills occurring outside of California's jurisdiction (e.g. flowing into California from rivers in Oregon, Nevada, Arizona, or Mexico) will be monitored by OSPR if they pose a threat to wildlife or habitat resources. If an oil spill in Mexican maritime waters threatens California, the

bi-national Mexico-United States Joint Contingency Plan (MEXUS Plan) applies, with the USCG Eleventh District as the lead agency. For spills on the inland border with Mexico, the US-Mexico Joint Contingency Plan for Chemical Incidents in the Inland Border Region applies, with the US EPA as the lead agency (US-Mexico Joint Plan).

2.4 Authority for Oil Spills not Threatening Waters of the State

Oil spills confined to land, without the potential to affect state waters, may fall under the authority of various local and state agencies, depending on the nature of the spill.

- CDFW could be responsible for determining when cleanup actions have mitigated impacts or potential impacts on wildlife and habitat.
- CalGEM is the principal state agency responsible for regulating all oil, gas, and geothermal production operations within the territorial boundaries of California (excluding offshore platforms beyond three miles). If an incident occurs at a CalGEM regulated facility, CalGEM may send a representative to engage as an Agency Representative (AREP) to the response.
- The Department of Toxic Substances Control (DTSC) provides technical advice and assists in the assessment, evaluation, and control phases of hazardous material incidents.
- OSFM has the authority to respond to and investigate ruptures, fires, or similar incidents, involving intrastate hazardous liquid pipelines.
- Local CUPAs, which are typically local fire departments or environmental health departments, have additional authorities to respond. When a spill occurs outside the jurisdiction of state and federal agencies, the response falls to the CUPA.

2.5 Oil Spills on Highways and Roads not Threatening Waters of the State

Oil spills isolated to the locations below that do not threaten state waters will be managed as follows:

Local Roads
In the absence of local codes, ordinances, or agreements to the contrary, the Incident Commander for an oil spill on a local roadway is vested in the appropriate law enforcement agency having primary traffic investigative authority. This is typically the local police department in cities, and the sheriff's office in unincorporated areas of a county. However, the governing body may assign this responsibility to the local fire protection agency.

State Highways
The California Highway Patrol (CHP) performs the Incident Commander role for oil spills on state highways. CHP acts as the statewide information, assistance, and notification coordinator for all oil spill incidents occurring on highways within California. CHP is required to establish a single notification mechanism for a spill response system for these spills (Veh. Code, § 2453).

2.6 Railroad Oil Spill Preparedness and Response

For railroad incidents involving an on-water oil spill that can be addressed separately from fire or public health hazards, OSPR will coordinate those cleanup efforts within a UC. For oil spills involving railroads that also present fire or public health risks, the appropriate fire or public health response agencies will lead those aspects of the incident. Once these immediate hazards are resolved, OSPR will serve as the lead state agency for remaining on-water oil spill cleanup, mitigation, and restoration. If there are no waterway impacts, long-term soil cleanup may be managed by agencies such as DTSC, the RWQCB, or a local agency.

California law establishes two specialized response forces for transportation-related hazardous material incidents:

- **Regional Railroad Accident Preparedness and Immediate Response Force**: Located within Cal OES, this force is mandated with regional and onsite response and mitigation capabilities for hazardous material releases from rail cars, including implementing the state's railroad accident preparedness and immediate response plan (Gov. Code, § 8574.30).
- **Railroad Accident Prevention and Immediate Deployment (RAPID) Force**: Housed within the California Environmental Protection Agency (CalEPA), this force is mandated with responding to large-scale toxic material releases resulting from all surface transportation accidents, not just those involving rail (Pub. Util. Code, § 7718). RAPID was established in 1991 (Pub. Util. Code, §§ 7713, 7714, 7718). The express statutory fee schedule for funding this program went inoperative at the end of 1995 (Pub. Util. Code, § 7714.5). While there is statutory authority for the program, since it is no longer funded, the program has become defunct.

2.7 State or Local Agency Permits

Some agencies may require issuance of a relevant permit mandated by that agency during spill response operations. The responsible party is required to receive any relevant permits. However, these permits might be "expedited", or the permit may be required after the emergency response actions have taken place (i.e., retroactive permit based on an initial emergency notification). Other agencies have emergency exemptions or may take the position that a particular permit is not needed in emergency situations. Regarding collection and handling of wildlife during a spill, only CDFW, federal wildlife trustee agencies, or entities with permits or other authorization will be allowed to collect or handle wildlife.

Section 3 – Oil Spill Response Structure

3.1 SEMS, NIMS, AND ICS: FOUNDATIONS OF EFFECTIVE SPILL RESPONSE

California state agencies are required to use SEMS for emergency response activities (Gov. Code, § 8607), which incorporates the Incident Command System (ICS) as a core component. At the federal level, NIMS provides a nationwide framework for coordinated incident management. Together, SEMS, NIMS, and ICS form the backbone of California's oil spill response, ensuring consistency across local, state, and federal agencies. Oil spills are managed under the NCP and NIMS serves as the primary guidance for all agencies during response.

A fundamental component of both SEMS and NIMS is ICS, which is organized around five primary management functions: Command, Planning, Operations, Logistics, and Finance/Administration. This flexible, scalable structure can expand or contract to address the specific demands of an incident, supporting both emergency and non-emergency situations. As illustrated below in Figure 1, each primary ICS section may be further subdivided based on the complexity of the response.

Incident management under ICS generally includes the development of objectives, strategies and tactics, the ordering and release of resources, and coordination with other appropriate response agencies to ensure that all resources are properly utilized and that this coordinating function is performed in a manner designated to minimize risk to other persons and to the environment (Fish & G. Code, § 5655, subd. (e)(2)).

A core principle of ICS is that tasks are assigned to the highest-ranking individual until they are formally delegated to another team member. Leadership roles within the response organization are typically assigned based on agency jurisdiction and expertise. The responsible party may also staff various positions based on company hierarchy and experience and OSPR regulations outline requirements for industry Spill Management Teams (SMT). In California, and according to the RRT IX's RCP, certain critical positions are reserved for state or federal agencies with trustee authority over wildlife and habitat resources. These include the SOSC as part of the UC, Environmental Unit Leader (EUL), Shoreline Cleanup Assessment Technique (SCAT) Coordinator, Resources at Risk Technical Specialist (RAR THSP), and Applied Response Technology Technical Specialist (ART THSP) within the Planning Section, as well as the Wildlife Branch Director (WBD) within the Operations Section. The Documentation Unit Leader, responsible for ensuring comprehensive and accurate incident records, is also filled by state or federal response agencies to maintain oversight and accountability. The Public Information Officer (PIO) and LOFR must also be from a trustee agency.

The size and structure of a response team vary significantly depending on the scale of the incident. Smaller spills may be managed by a compact team with broad responsibilities, while large-scale incidents often require the full staffing of each ICS section to maintain an effective span of control and operational efficiency. In the most severe cases, response

teams can exceed 1,000 personnel, reflecting the need for extensive coordination and resource management.

Additional information about NIMS and SEMS is available at the following sources:

- NIMS Overview (FEMA)
- FEMA NIMS Document (Regulations.gov)
- USCG Emergency Response Resources
- Cal OES - Planning and Preparedness

Figure 1: General Spill Response Organizational Chart

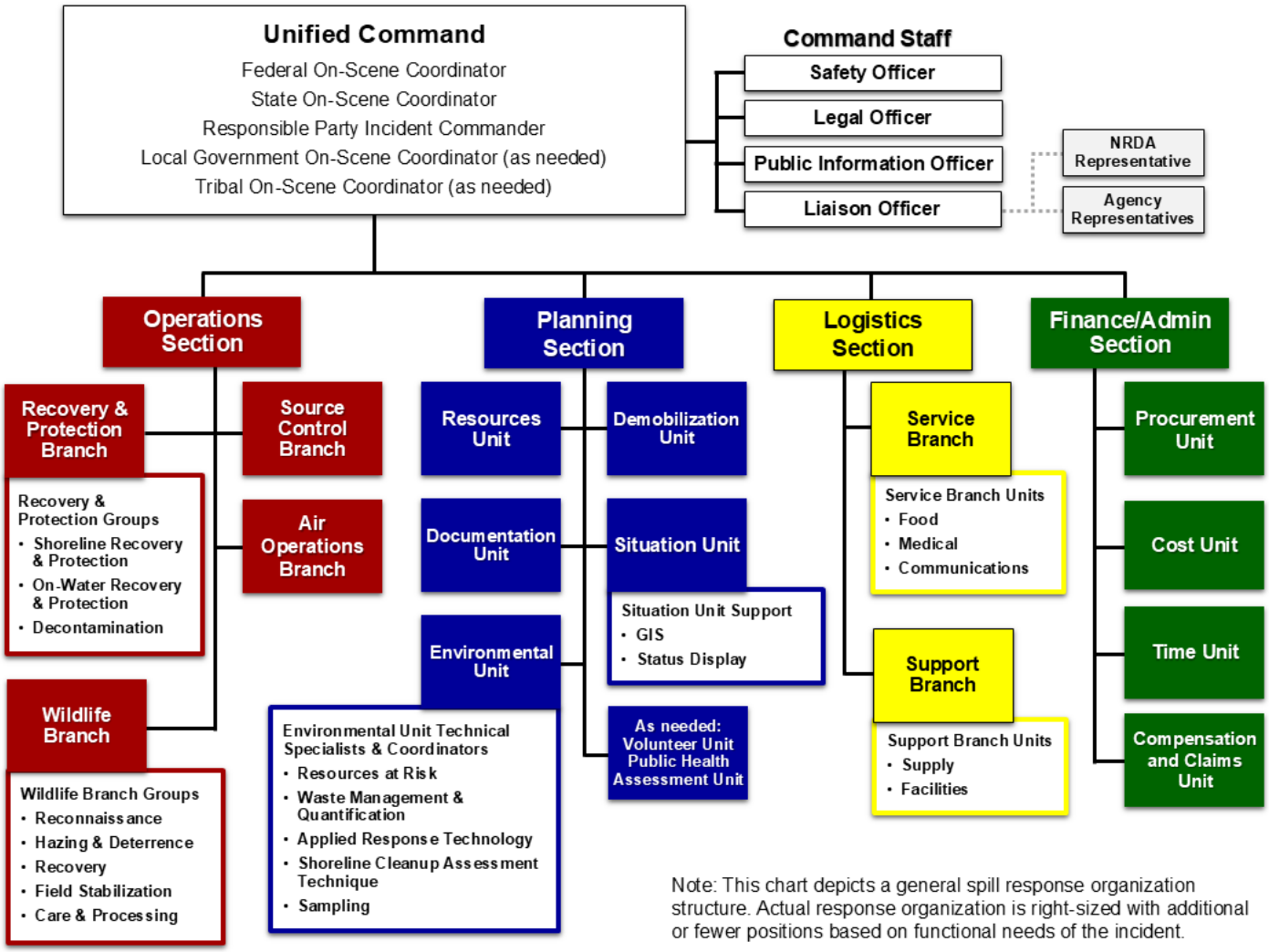

Figure 1: General Spill Response Organizational Chart showing the hierarchical structure and color-coded sections for coordinating oil spill response under Unified Command.

3.2 Operational Response Phases for Oil Removal

Phases of oil spill response are described in the NCP (40 CFR Part 300 Subpart D). These same phases are applicable to spill response in California.

Phase I: Discovery or Notification
A spill is typically reported to an agency through one of the following channels:

- A report from the party responsible for or involved in the spill
- A report from a member of the public
- A report from government personnel who discovered the spill during patrols or inspections

Initial notifications are generally made through the Cal OES State Warning Center or NRC, ensuring a coordinated and immediate response.

A list of agencies notified by Cal OES in the event of an oil spill can be found in Section 1 – Oil Spill Reporting and Notification Requirements of this Plan.

Phase II: Preliminary Assessment and Initiation of Action
The first agency on scene with jurisdiction over the incident should assume the role of Incident Commander until an agency with more appropriate authority is able to take over.

Ensuring human safety and establishing source control are always the two highest priorities for initial spill response. Containment, removal, and clean-up actions must begin as soon as possible to minimize the impact on natural resources and economic interests. The responsible party is expected to undertake these efforts as soon as they can be done safely and does not need to wait for a government agency to arrive. The responsible party should manage the spill as appropriate for the size and characteristics of the incident until the proper governmental agencies arrive on-scene to form a UC.

The responsible party will be given an opportunity to clean up the spill with oversight, but the federal, state, or local agency with jurisdictional authority may take over direction of cleanup actions if progress is not satisfactory. The responsible party is liable for all costs and damages in either case.

If an oil spill is suspected to be the result of a deliberate criminal or terrorist act, then normal cleanup activities and procedures may be significantly modified. There may be issues of national security, multi-site vulnerability, or immediate control of similar sites in the region or on a national level. Cleanup operations will proceed only when it is safe to do so and when they will not interfere with criminal or terrorist investigations.

Phase III: Containment, countermeasures, cleanup, and disposal
Defensive actions must begin as soon as possible to prevent, minimize, or mitigate threat(s) to the public health and the environment. The UC can employ a variety of containment practices and equipment, conduct mechanical recovery of oil, and utilize ARTs in specific circumstances. More information can be found in Section 5 – Cleanup Operations.

Oil and contaminated materials recovered in cleanup operations must be disposed of in accordance with the RCP, ACP, and any applicable laws, regulations, or requirements. RRT and Area Committee guidelines identify the disposal options available during an oil spill response and describe what disposal requirements are mandatory and may not be waived by the FOSC. The ACPs also identify a hierarchy of preferences for disposal alternatives, with recycling (reprocessing) being the most preferred, and other alternatives preferred based on priorities for health or the environment. More information can be found in subsection 5.3 Oil Quantification and Disposal.

Phase IV: Documentation and cost recovery

In general, documentation must be sufficient to support full cost recovery for resources utilized and must identify the source and circumstances of the incident, the responsible party or parties, and impacts and potential impacts to public health and welfare and the environment. When appropriate, documentation will also be collected for scientific understanding of the environment and for research and development of improved response methods and technology. Documentation materials must be made available to the trustees of affected natural resources. More information can be found in Section 10 – Response Funding and Cost Recovery.

Section 4 – The Nature of Oil

4.1 Physical and Chemical Properties of "Oil"

The term "oil" herein is applied to both natural and anthropogenic sources, ranging from crude oil and bitumen to different grades of refined products and other petroleum products, and renewable fuel products. Petroleum products include "any kind of petroleum, liquid hydrocarbons, or petroleum products or any fraction or residues therefrom, including, but not limited to, crude oil, bunker fuel, gasoline, diesel fuel, aviation fuel, oil sludge, oil refuse, oil mixed with waste, and liquid distillates from unprocessed natural gas and renewable fuels" (Gov. Code, § 8670.3). Crude oil is not a uniform substance, and its properties vary widely from one location of origin to another. Because of this fact, the large number of refined petroleum products used, and the increase in use of renewable fuels, it is difficult to predict the type of oil that might be spilled into waters of the state. The range includes highly volatile non-viscous products such as gasoline and thick heavy crude oils that are near solid at room temperature.

Renewable fuels include any liquid produced from nonpetroleum renewable resources that is used or useable as a fuel, or such liquid that may be blended with other types of fuels. Renewable fuel includes fuels that may contain up to 5 percent petroleum products (Gov. Code, § 8670.3. OSPR does not regulate the feedstock materials that are used to make renewable fuels. When spilled, the fate and transport of most renewable fuels in the environment is similar to their petroleum counterparts (e.g., renewable diesel and petroleum diesel are almost identical in their behavior when spilled). However, ethanol is quite different from its petroleum counterpart (gasoline) in that it readily dissolves into water and requires very different response strategies. See subsection 4.5 Renewable Fuels for more information on response to renewable fuels.

Carbon and hydrogen are the most abundant elements in crude oil, accounting for more than 95% of its composition. Crude oil may also contain dissolved gases (including hydrogen sulfide), solids, water, metals, and colloidal particles.

Hydrocarbons are separated from crude oils through distillation and catalyzation processes. Lighter hydrocarbons generally vaporize at lower temperatures. As an example, gasoline would be one of the first products distilled from a crude oil, and lubricating oils are derived from a higher temperature fraction. The majority of compounds that make up residual fuels come from the fraction left behind after most of the lighter fractions are distilled.

The spreading of an oil slick and the subsequent breakup of the oil, as well as the rates and extent of emulsification, persistence, evaporation, and biodegradation processes, are all intimately related to the physical and chemical properties of the spilled oil. The physical and chemical characteristics of oil that affect its behavior on water and the efficiency of cleanup operations include density, viscosity, pour point, and solubility in water, and these parameters change with time in response to exposure to sun, wind, waves, and other factors collectively referred to as "weathering" (see subsection 4.2 Oil Weathering Processes). Physical and chemical properties of oil are measured at a standard or constant temperature

and atmospheric pressure. However, the physical properties of oil will vary depending on local environmental conditions and may vary considerably from values reported for standard conditions. The methods for dealing with spilled oil should be based on field observations, even when specific published information is available.

For more information, see Oil Types (NOAA Office of Response and Restoration) and the Chemistry of an Oil Spill (NOAA Office of Response and Restoration).

4.2 Oil Weathering Processes

Weathering is the loss or transformation of certain components of the oil through a series of natural processes, which begins when the spill occurs and continues indefinitely while the oil remains in the environment. The processes of weathering through exposure to sunlight, wind, wave action, temperature changes and other causes occur simultaneously with the spreading and movement of an oil slick. Weathering proceeds at a rate which varies according to the type of oil, the substrate involved (e.g., in water, sand, soil, vegetation), and ambient climatic conditions. Weathering rates are not constant throughout the duration of an oil spill and are usually highest immediately following the release and decrease over time.

Major processes that contribute to weathering include:

- **Evaporation** – when lighter parts of the oil turn into gas,
- **Dissolution** – when parts of the oil mix with water,
- **Photo-oxidation** – when sunlight changes the oil's chemical makeup,
- **Emulsification** – when oil mixes with water to form a thick, mousse-like substance,
- **Microbial degradation** – when microbes break down the oil.

The rate of weathering depends on what kind of oil was spilled. Light oils (like gasoline or diesel) break down quickly, while heavier oils (like thick crude or heavy fuel oils) break down more slowly because they have fewer light components. In general, weathering of light oils reduces the amount of recoverable product (for example, by evaporating or mixing into the water column). For heavy oils, weathering makes them thicker and harder for living things to absorb.

For more information, see Weathering of Oil (Exxon Valdez Oil Spill - NOAA Office of Response and Restoration).

4.3 Movement of Oil on Water

The natural events that take place following an oil spill on water include the spreading out and directional movement of floating oil on the water's surface; the mixing, sinking or suspending of oil in the water column, and weathering as described above. The behavior of an oil slick is highly dependent on the type of oil spilled, currents and/or river flow rates, and on the ambient climatic conditions.

Immediately upon contacting the water surface, oil typically begins to move away from the spill source. It rapidly spreads to a thin layer under the influence of physical and chemical forces. It also begins to drift under the influence of wind and currents or flow rates. Each

force dominates at a different time during the life of an oil slick. When oil is first spilled in water it begins to spread by gravity. As the slick gets thinner, the driving force for gravitational spreading decreases and the rate of spreading due to this mechanism is less important. Thicker more cohesive oils will spread less and more slowly than light thin oils.

In large oil slicks in the marine environment, waves will be partially suppressed, and wave transport will be reduced. The movement of an oil slick on the surface of marine water is determined mainly by the tides, current and wind velocity in the area. The movement of an oil slick in inland waters is dependent on the current and hydrogeography of the water body as well as wind. Current velocities depend on wind velocities, geographical latitude, eddy velocity, position in the water column, water depth, and proximity to coasts and riverbanks.

Winds can be broadly divided into prevailing winds, which vary over time periods of weeks to seasons, and short-term winds which vary over time periods of hours to weeks. Rapidly varying winds, such as gusts, which vary over time periods of seconds to minutes, can also play a role in the movement of oil and their associated volatile fumes.

When wind opposes water currents or flows in different directions they can interact in a complex manner. In most models of oil slick drift, the oil is assumed to drift with approximately the same velocity and direction as the surface currents. When wind and water current are not in the same direction, each tends to drive the slick in a different direction at a different speed.

There are a number of oil spill trajectory models suitable for use in California. OSPR relies on support from NOAA for updated trajectory forecasts with current meteorological, oceanographic, and other hydrological data, rather than duplicating NOAA resources and efforts.

4.4 Non-Floating Oil

Non-floating oil (NFO) is defined as a Group V oil with a specific gravity greater than 1.0, per 33 CFR 155.1020, including any Group V oil that is diluted with a diluent for transport (Gov. Code, § 8670.3). This definition is focused on oils that are heavier than water and will naturally sink. Other oils that naturally float may suspend in the water column or sink to the bottom through mixing with wave energy, adhering to sediments, and due to weathering processes that release lighter fractions, leaving heavier fractions.

When NFOs spill to water, conventional surface spill response methods and equipment are ineffective. Cleanup of NFO spills is complicated, costly, and requires different equipment and strategies than cleanup of a floating or surface spill.

Because of this, California contingency plan holders that transport and handle NFOs must contract with an OSRO that has obtained an NFO rating from OSPR. OSROs may obtain an NFO rating by demonstrating that they have received the NFO classification from the USCG indicating that they have the necessary equipment and specialized training to deal with the unique characteristics of an NFO spill.

Guidelines for the USCG OSRO Classification Program can be found in NRT Documents List.

4.5 RENEWABLE FUELS

Renewable fuels are liquids produced from nonpetroleum renewable resources that are used or usable as fuels, or may be blended with other types of fuels, with up to five percent petroleum content. Examples include biodiesel (fatty acid methyl ester), renewable diesel, renewable gasoline, sustainable aviation fuel, and denatured ethanol, but exclude raw feedstocks like vegetable oils and animal fats. Assembly Bill 148, Chapter 115, Statues of 2021, extends the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act to cover renewable fuels, bringing the handling of these fuels under the jurisdiction of the OSPR. This legislation introduced two new facility categories: Renewable Fuel Production Facilities and Renewable Fuel Receiving Facilities. While renewable fuels can pose similar environmental risks as petroleum, including harm to wildlife and vegetation, they generally biodegrade more quickly, reducing long-term impact. However, certain types, like denatured ethanol, are highly water-soluble and can lead to oxygen depletion in aquatic environments.

Section 5 – Cleanup Operations

5.1 Containment and Recovery

The Plan is required to provide for the best achievable protection of waters of the state (Gov. Code, § 8574.7). Best achievable protection is most often accomplished using conventional mechanical spill response equipment like industry standard boom and skimmers or removal by excavators or hand-crews, combined with sensitive site protection strategies. When conventional methods alone are either insufficient to meet cleanup endpoints or may present unacceptable secondary impacts to the environment, ARTs may be considered.

On behalf of the state, the Administrator is responsible for approving ARTs for use in surface waters during oil spill response, including in-situ burning, dispersants, and other oil spill cleanup agents (Gov. Code, § 8670.7; Fish & G. Code, § 5655). The Administrator is responsible for licensing all cleanup agents that might be used on state surface waters (Gov. Code, § 8670.13.1). The decision to use certain response methods is coordinated by the UC working with the Operations and Planning Sections during spill response. However, in some cases, such as dispersant use in pre-approved areas, the FOSC has unilateral decision-making authority. ARTs are also considered when they may more successfully mitigate significant threats to the environment or public health compared to conventional methods.

Best achievable protection is also accomplished through the approval or "rating" of OSROs and SMTs that deploy and use various response strategies. OSROs and SMTs describe and list what equipment they own and their trained personnel in their applications for a rating (described in Section 13 – Private Sector).

Subsections below describe the equipment, strategies, and technologies used to contain and recover oil. For more information, see OSPR's 2016 Report on Best Achievable Technology Prevention/Mitigation.

5.1.1 Containment of Oil

Boom is the primary method used to contain, deflect, or exclude oil floating on water. Containment boom is typically classified according to form or location of use and has the following characteristics:

- A flotation unit, or freeboard, designed to contain or divert oil as well as to resist oil splashing over the top
- A skirt, or curtain, to prevent oil from being carried beneath the boom (entrainment)
- A longitudinal strength member (e.g., cable, chain, or high tensile strength fabric) that serves to join boom sections and provide anchoring points, and
- A ballast unit, or weight, designed to hold the boom in place.

Booming strategies are critical for managing the spread of floating oil and supporting effective recovery. These strategies include:

- Containment booming to trap floating oil, preventing further spread and allowing collection using skimmers, pumps, sorbents, and other recovery tools. It is often used in harbors to encircle a leaking vessel, containing the spill to a defined area.
- Deflection booming to redirect the movement of a floating slick. It can guide oil to natural collection points, such as eddies or shorelines, for easier recovery, or divert oil away from sensitive areas.
- Exclusion booming as a protective measure that prevents oil from entering sensitive areas, such as inlets, coves, marshlands, water intakes, and shorelines. Unlike containment and deflection booming, it is not intended to capture oil but rather to block it from reaching vulnerable resources.

Most spills require a combination of these booming strategies, depending on the spill's size and complexity. Specialized booms, such as sorbent booms (which combine containment and recovery) and burn booms (designed to withstand the heat of in-situ burning), may also be used depending on the response strategy.

For spills on land, containment is typically achieved using earthen berms, trenches, hay bales, and similar methods. Where possible, containment should also prevent oil from reaching water through artificial structures like storm drains.

5.1.2 Mechanical Recovery of Oil

On surface waters, mechanical recovery is typically carried out through skimming, vacuum trucks, and sorbents to remove oil from the water's surface.

- Skimmers come in various designs and sizes, suitable for spills ranging from minor incidents to large-scale offshore responses. Large skimmers mounted on vessels are commonly used in open-water spills but are more costly to purchase and maintain compared to smaller, portable skimming units. The effectiveness of skimming operations in open water depends on oil encounter rates, which are influenced by the vessel's speed and the amount of oil that can be directed into the skimmer, as well as the sea state.
- Vacuum Trucks remove surface oil and water contained within boom, often focusing on smaller, localized areas along shorelines, within storm drains, or spills on land.
- Sorbent Materials, such as sorbent pads, pom poms, and sweep, are a straightforward yet effective method for oil recovery; though they contribute to increased waste debris. Advances in technology have led to the development of reusable sorbents, where adsorbed or absorbed oil can be wrung out for reuse, reducing waste.

For shoreline cleanup, more detailed planning is essential, with considerations for injury assessment, selection of techniques, and cost-effectiveness. Rapid shoreline cleanup is critical to prevent oil from migrating to adjacent clean areas. On land, recovery efforts are often carried out by hand crews and heavy equipment such as shovels, vacuum trucks, excavators, and bulldozers.

5.2 Applied Response Technologies

ARTs generally fall into two main categories:

- Oil Spill Cleanup Agents (OSCAs): This includes dispersants, surface washing agents, oil gelling or solidifying agents, oil herding agents, de-emulsifiers, bioremediates and sorbents.
- In-Situ Burning: The controlled burning of oil either on water or land.

The NCP requires that all ARTs be authorized by the RRT (RRT Region IX for California) prior to use in spill response, unless pre-authorization has been granted. Federal procedures for authorizing the use of chemical and biological countermeasures are outlined in Subpart J of the NCP (40 CFR Part 300). Unless pre-authorization has been granted, the FOSC must obtain approval from the US EPA representative to the RRT and the State representative to the RRT from the affected states before they can be applied. In addition, Region IX RCP requires consultations with the Department of the Interior USFWS and Department of Commerce National Marine Fisheries Service (NMFS) for the use of dispersants. However, the FOSC may authorize the use of chemical and biological countermeasures without the concurrence of the RRT in situations hazardous to human life.

The OSPR Administrator has additional authority over ART use in or near state waters. ARTs used in state waters require a license or exemption from OSPR. The RRT Region IX RCP outlines ART use in Section 3400 and prioritizes response to incident-specific ART requests within two hours. A list of OSPR's licensed and exempt OSCAs are found on OSPR's ART and OSCA website.

ARTs should be considered when conventional methods are unlikely to meet cleanup endpoints or may cause unacceptable secondary impacts, provided the environmental benefits of ART use outweigh any adverse effects. The FOSC may allow use of ARTs within pre-authorized zones, while ART use outside these zones is reviewed and authorized on an incident-specific basis by the RRT.

5.2.1 In-Situ Burning

In-situ burning means burning the oil in place as a means of removal. In-situ burns can occur on marine waters, fresh waters, or on land. In-situ burning removes the surface oil through combustion and through conversion of oil to gases and soot. As with all ART usage, the OSPR Administrator has authority to grant approval consistent with Federal approvals (Gov. Code, § 8670.7). Decision makers should compare the effects of burning versus not burning and choose the option that provides the greatest net benefit to the environment without causing undue public health impacts. See Figure 2 illustrating the decision process for in-situ burning.

For on-water in-situ burn operations, oil must be contained to maintain a minimum burn thickness. As a result, the technology is limited by any adverse weather or sea state conditions that limit oil containment. When conducted properly, in situ burning significantly reduces the amount of oil on the water and minimizes the adverse effect of the oil on the environment.

For burns on federal and state waters, the Region IX RCP describes the authorization process. Currently, a request for approval to perform an in-situ burn must be made by the FOSC to the RRT and in conjunction with permitting authorities in the affected local air district (see Section 3440 of the RCP).

Figure 2: In-Situ Burning Decision-Making Process

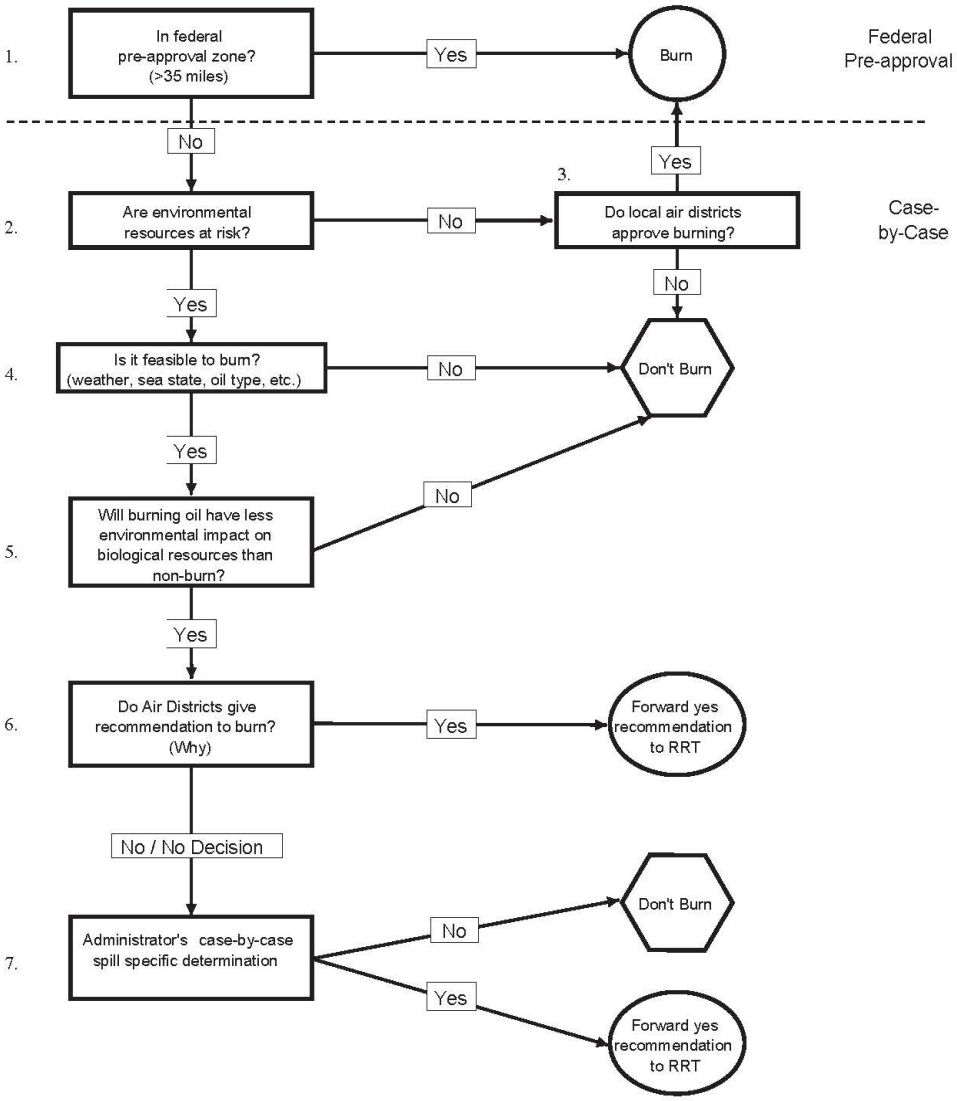

Figure 2 Illustrates the decision process for in-situ burning, with decision nodes, connecting lines, and outcome pathways to guide response actions.

5.2.2 Dispersants

Dispersants are chemicals that are applied directly to the spilled oil to remove it from the water surface, where oil can be especially harmful. The use of dispersants is intended to remove the oil from floating on the water's surface where it presents significant impacts to wildlife and may spread onto shorelines further impacting wildlife and other resources. Dispersants are applied directly to an oil slick to break up the slick into small droplets ranging in size from a few microns to a few millimeters. Dispersants do not cause the oil to sink but move the oil from the surface of the water into suspension in the water column. As such, none of the dispersed oil can be recovered. The oil and dispersant mixture is expected to biodegrade by naturally occurring micro-organisms and through subsurface dispersion, dilution, and weathering. The use of dispersants in or near California waters is detailed in the RRT IX Dispersant Use Plan for California Waters, a section of the RRT IX RCP.

By removing the oil from the water surface, birds, mammals, and sensitive coastline and natural resources are protected, but at the potential expense of water column resources. Once in the water column, the oil is diluted to less harmful levels and eventually is used as a food source by bacteria and fungi microorganisms. After a dispersant application, dispersed oil may pose toxicity to juvenile and sensitive-life-stage organisms within the water column, depending on concentrations, time, and mixing. The use of dispersants presents an environmental trade-off, and net environmental benefit analysis methodology is used for evaluating the appropriateness of using dispersants.

The efficacy of dispersants requires a threshold level of wave energy to allow the product to properly mix with the oil and partition into the water column. Dispersants can be effective in areas where environmental or logistical considerations will not allow the deployment of cleanup equipment and personnel. Dispersants are generally most effective if used within 24 hours after the spill occurs, but many factors can extend or reduce the "window of opportunity" for the use of dispersants.

In California, dispersants must be licensed by the Administrator before they can be considered for use in state waters unless the FOSC employs their sole discretion to deploy dispersants to prevent a threat to life. The RRT IX Dispersant Use Plan for California Waters prohibits the use of dispersants on or near shorelines and freshwater rivers and streams.

The FOSC evaluates the need to use dispersants during an oil spill. Currently, dispersant use in Region IX is governed by either the pre-authorization process or an incident-specific authorization process. Figure 3 depicts California's pre-authorization zones. The Administrator is required to provide written justification of the use of dispersants to the Legislature within three days of any use in state waters, and provide, within two months, a report on the effectiveness of the dispersants used (Gov. Code, § 8670.13.3). The use of dispersants in state waters outside of the pre-authorization zones is decided by the FOSC in consultation with the state and natural resource trustees on an incident-specific basis using the decision tree shown in Figure 4 (see Region IX RCP, Enclosure 4600; and RRT IX Dispersant Use Plan for California).

Figure 3: Map of Dispersant Zones Based on Authorization

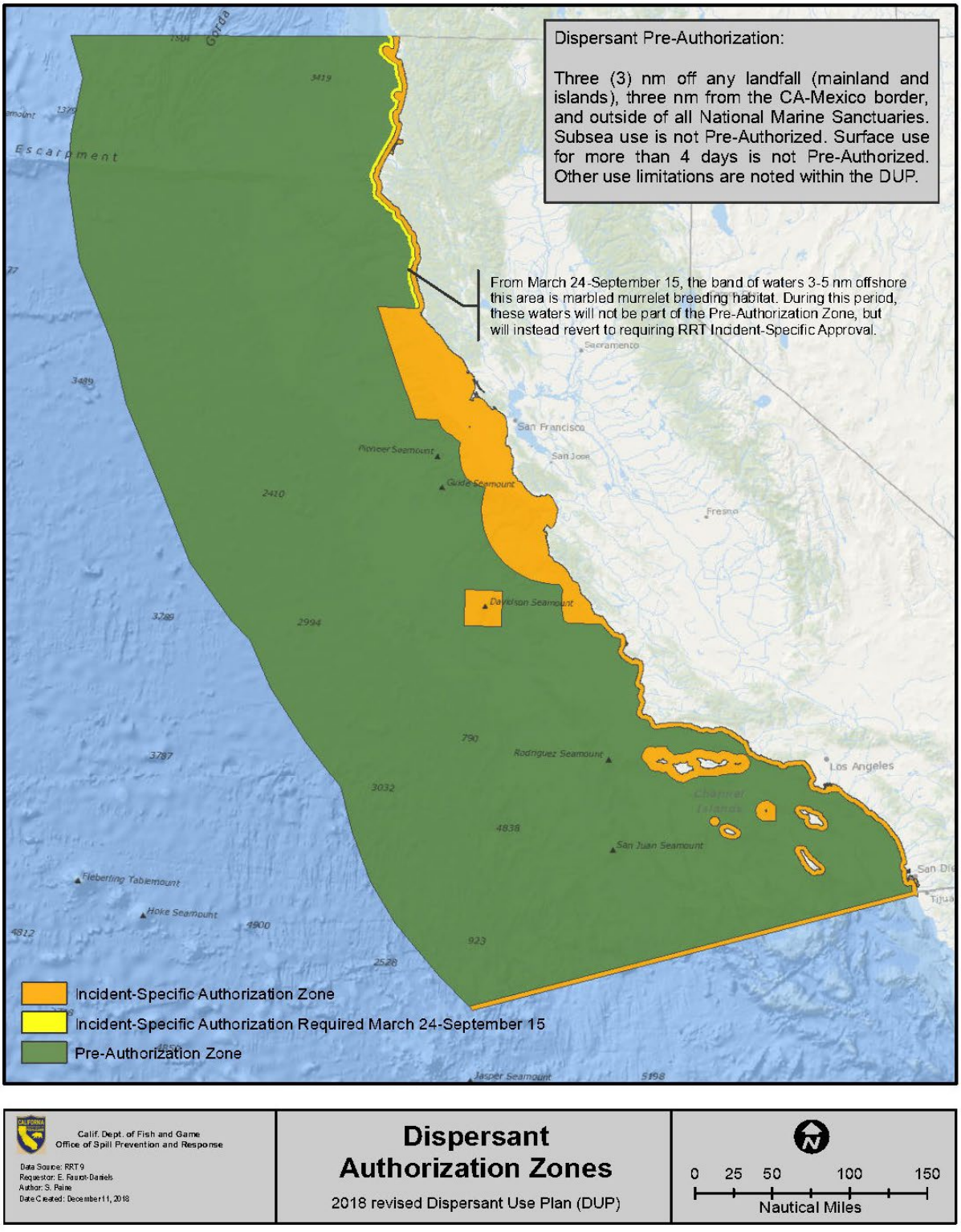

Figure 3: Dispersant Authorization Zones off California, showing pre-authorized areas, zones needing case-by-case approval, and seasonal restrictions.

Figure 4: Dispersant Use Decision Flowchart for California

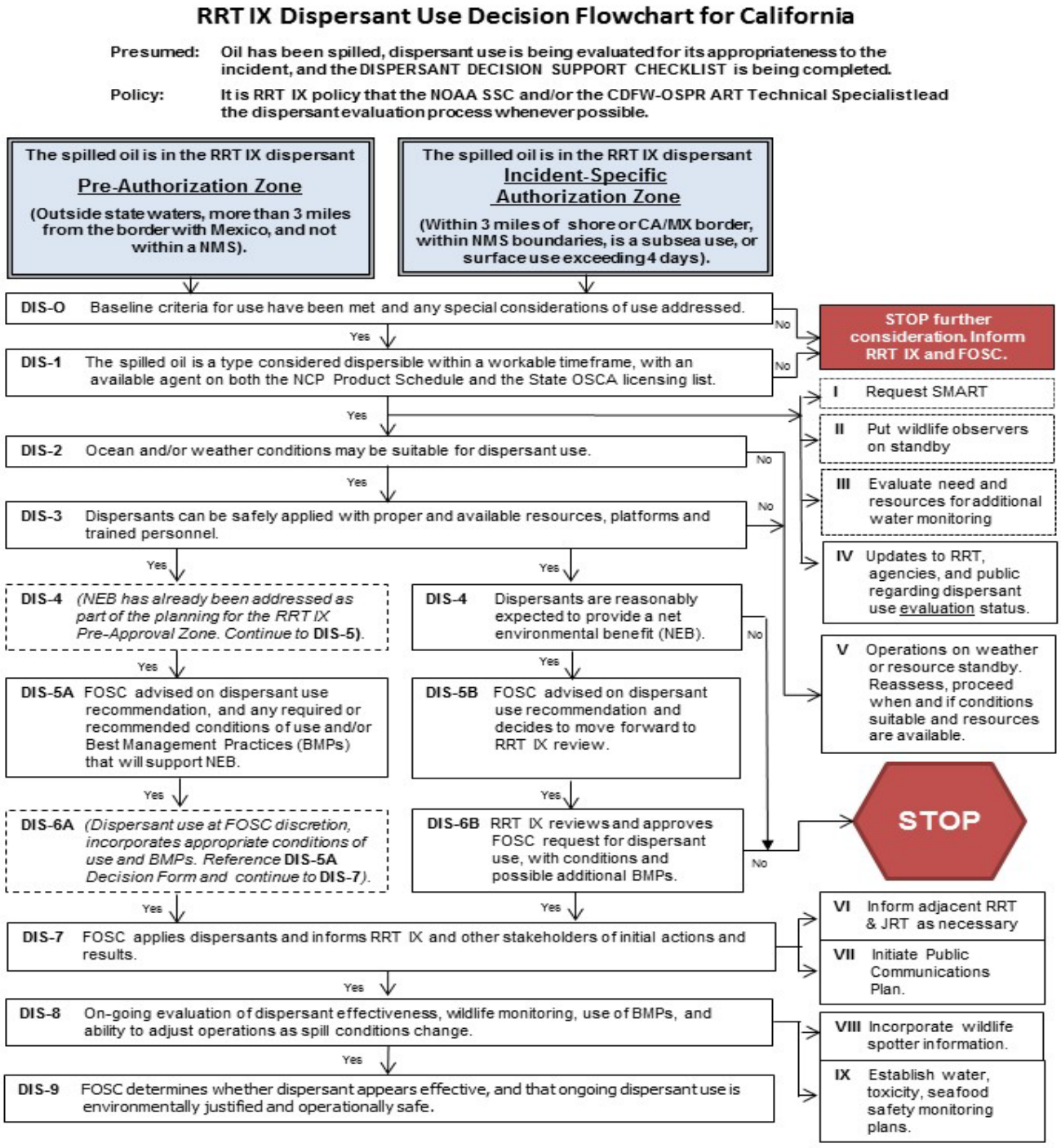

Figure 4: Illustrates the decision-making process for dispersant use in oil spill response.

5.2.3 Oil Spill Cleanup Agents

An OSCA is defined as any chemical, or any other substance, used for removing, dispersing, or otherwise cleaning up oil or any residual products of petroleum in, or on, any of the waters of the state (Gov. Code, § 8670.3). These include dispersants, bioremediates, sorbents, surface washing agents, beach/shoreline cleaners, herding agents, gelling agents, solidifiers, and emulsion treating agents.

These products generally have specific use parameters targeting specific spill situations such as heavy oil in sensitive tidal marsh environments, or thin oil layers that may be herded into thicker slicks for recovery or burning. The approval and use of these products within state waters is under the jurisdiction of the Administrator and RRT IX.

5.2.4 Biological Countermeasures

Use of biological countermeasures, or bioremediation, is another subset of oil spill cleanup agents. It involves the enhancement of indigenous hydrocarbon-degrading bacteria, introduction of specialized oil-eating bacteria, or the addition of nutrients or oxygen to support microbial populations. Microbes or microbial processes are used to break down oil more quickly than would occur without their introduction into the area of a spill.

Effective bioremediation requires that the bacteria, water, oxygen, and bio-available oil all be present in the same location at the same time. Adequate nutrients to sustain the bacteria are also required. As a result, the rate of biodegradation is slow (weeks, months, years) for shoreline cleanup. Less is known about the rate of bioremediation in open water environments. Bioremediation should be viewed as a finishing agent for the final stages of cleanup where further mechanical removal would do more environmental harm than allowing the residual oil to remain in the environment and biodegrade.

Note, OSPR is only involved with the use of bioremediants when addressing oil spills to water, or to lands where run-off can affect state waters. Bioremediation is a commonly used strategy for soil remediation projects in California and elsewhere.

Specific policies and procedures for the use of bioremediation during spill response can be found in the Region IX RCP.

5.3 Oil Quantification and Disposal

Initial spill volume estimates are critical to help assess the scale of equipment and personnel needed to adequately respond. Early reported estimates of spill size are often unavailable or inaccurate and are best determined on-site. Initial maximum potential spill volume estimates can be evaluated by considering the source's capacity (e.g., tank, pipeline, tank car) and how long it took to secure the source.

A waste disposal plan will typically be developed by the Planning and Operations section, and for large spills, a Disposal Group Supervisor may be appointed, with a formal Disposal Group established within the Operations Section. Collected oil and oily debris must be segregated, securely stored, and coordinated with disposal operations. Interim and long-term storage, transportation, and final disposal or re-use must be addressed.

Oily debris includes vegetation, soil, sorbents, protective clothing, and decontamination wash. These materials must be segregated by type and oil content, with their volume and degree of contamination quantified. Oily materials must be classified as hazardous or non-hazardous waste and handled accordingly. Some materials may serve as evidence in civil or criminal enforcement actions and must be stored in compliance with evidence protocols. Wildlife carcasses are to be immediately bagged, tagged, and collected. They are then transferred to the Wildlife Branch and Law Enforcement Division for retention as evidentiary material to assess the impact of the spill.

When recovering oil from surface waters, a significant portion of the recovered material is water, resulting in storage containers filling primarily with water rather than oil. To optimize storage capacity for oil, the recovered water may be decanted back into the surface water from which it was collected. In federal waters, decanting can be approved through a request to the FOSC. For California state waters, a Memorandum of Understanding (MOU) between OSPR and the State Water Resources Control Board (SWRCB) outlines decanting oil into marine waters. The MOU pre-approves decanting if certain conditions are met (Gov. Code, § 8670.7; RCP). For inland state waters, approval for decanting must be obtained from the RWQCB during the incident.

Decontamination of people and equipment is a complex issue, as the process may result in additional waste streams. Under the Recovery and Protection Branch, the Decontamination Group Supervisor is responsible for decontamination of personnel and response equipment. An MOU between the OSPR Administrator and DTSC authorizes limited pre-approval for handling oily materials recovered from a spill into state waters. The MOU provides that recovery, containment, and transport of oily materials to temporary storage sites do not need manifesting or facility permits. However, transport from these sites may require permits if the material is classified as hazardous waste. Recovery, handling, and disposal actions must comply with applicable regulations.

The ACPs and the RCP contain detailed sections on waste characterization and handling (see applicable sections in ACP, RCP section 3900).

Official quantification of oil spilled and recovered may be subject to investigation and subsequent legal actions.

5.4 Operational Support Functions

It is critical that response organization's Operations Section coordinates with appropriate air and vessel traffic controllers to ensure the safety of responders and the public. The below sections outline the various authorities and communication pathways that ensure effective and safe coordination of aerial and on-water assets during an incident.

5.4.1 Airspace Management During Oil Spill Response

If necessary, the UC could seek secured air space over an incident. For a large incident, this request is made through the Air Operations Branch Director in the response organization. The request can be made to the local Flight Standards District Office of the Federal Aviation Administration (FAA). A request could also be made to the NRC through the RRT, and the

NRC would then forward the request to the FAA. The FAA would decide whether to issue a Notice to Airmen restricting certain air space in the area of the oil spill.

See also, Region IX RCP Section 3400 on Air Operations.

5.4.2 Vessel Traffic Management During Oil Spill Response

The USCG Captain of the Port can direct recreational and commercial vessel movement through navigable waters of the United States (33 CFR § 6.04-8). The USCG implements Vessel Traffic Service (VTS) to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS interacts with marine traffic and responds to traffic situations developing in the VTS Area. They utilize a variety of sensors and tactics aimed at preventing collisions, allisions, and groundings. They also facilitate vessel movements and enhance transportation system efficiency. Participating vessels provide transit plans and VTS monitors vessel movements using VHF communication, Automatic Identification System, radar and digital camera technologies, ensuring the good order and predictability of vessel traffic. The USCG also maintains Marine Transportation System Recovery Plans that provide procedures to facilitate a safe, efficient, and timely restoration of marine traffic in the event of disruption due to an oil spill. The USCG may also issue a Notice to Mariners to advise vessel traffic of safety zones or closures.

Information regarding shipping lanes and navigational aids for tankers, barges, and other commercial vessels and ship position reporting and communications can be found in Chapter 2 of Volume 7 of the *Coast Pilot*, regarding Navigation Regulations. For complete details, visit the NOAA Coast Pilot website. The *United States Coast Pilot*, published by NOAA, is a series of 10 nautical books (volumes) that cover a wide variety of information important to navigators of US coastal and intracoastal waters and the waters of the Great Lakes. Most of the *Coast Pilot* information cannot be shown graphically on the standard nautical charts and is not readily available elsewhere. The topics in the *Coast Pilot* include, but are not limited to, channel descriptions, anchorages, bridge and cable clearances, currents, tide and water levels, prominent features, pilotage, towage, weather, ice conditions, wharf descriptions, dangers, routes, traffic separation schemes, small-craft facilities, and Federal regulations applicable to navigation.

5.4.3 Communications Frequencies

For small incidents, standard radio frequencies may be sufficient. For larger incidents, the UC will establish a formal Communications Plan. Communications on-scene by VHF-FM radio will likely be conducted on frequencies designated by the USCG, US EPA, Cal OES, or via the California Law Enforcement Mutual Aid Radio System with a National Law Enforcement Mutual Aid Radio System channel.

Cal OES operates three interconnected mobile relay radio networks for mutual aid coordination, collectively known as the Statewide Mutual Aid Radio System. These networks provide critical field-level coordination capabilities.

For additional information refer to:

- Marine VHF Radio Information (USCG)
- Public Safety Radio Communications (Cal OES)

- NOAA Weather Radio
- Cal OES Radio Channels

Cell phones, tablets (for calls, texts, emails, and apps), and satellite communication devices (e.g., Garmin inReach and SPOT) are also widely used in oil spill response. While reception in remote areas can be challenging, solutions like Cellular On Wheels devices and mobile hotspots can help bridge these gaps.

The following tables provide a list of relevant radio frequencies:

Table 1: California Law Enforcement Mutual Aid Radio System Frequencies

Channel	Frequency MHz
1	154.920
2	154.935
3	155.475
UHF	460.025
Low Band	39.460
800 MHz	866.200; 868.5125

Table 2: NOAA Weather Radio Frequencies

Channel	Frequency MHz
WX1	162.55
WX2	162.4
WX3	162.475
WX4	162.425
WX5	162.45
WX6	162.5
WX7	162.525

TABLE 3: USCG Radio Frequencies

Channel	Transmit MHz	Receive MHz	Use
9	156.45	156.45	Boater Calling. Commercial and Non-Commercial.
11	156.55	156.55	Commercial. VTS in selected areas.
12	156.6	156.6	Port Operations. VTS in selected areas.
13	156.65	156.65	Intership Navigation Safety (Bridge-to-bridge); for ships >20m length while in US waters.
14	156.7	156.7	Port Operations. VTS in selected areas.
16	156.8	156.8	International Distress, Safety and Calling.
22A	157.1	157.1	USCG Liaison and Maritime Safety Information. Broadcasts announced on channel 16.
24	157.2	161.8	Public Correspondence (Marine Operator)
25	157.25	161.85	Public Correspondence (Marine Operator)
26	157.3	161.9	Public Correspondence (Marine Operator)
27	157.35	161.95	Public Correspondence (Marine Operator)
28	157.4	162	Public Correspondence (Marine Operator)
73	156.675	156.675	Port Operations

Section 6 – Sensitive Site Identification, Prioritization, and Protection

Protection of environmental resources is given the highest priority after human health and safety during oil spill response. Both federal and state laws require that sensitive sites are identified and protection strategies are outlined to mitigate impacts from spills. Examples of sensitive sites include wetlands; estuaries; lagoons with emergent vegetation (e.g., marsh, riparian); habitats of species that are listed or candidates for listing as rare, threatened, or endangered; sites with significant concentrations of vulnerable and/or sensitive species; species experiencing significant population declines though not yet threatened; and culturally sensitive areas.

The following subsections are generally relevant to both marine and inland oil spills, describe planning and informational tools that support the identification, protection, and prioritization of environmentally and culturally sensitive areas, and are required to be part of this Plan pursuant to Government Code section 8574.7.

6.1 Environmental Sensitive Site Protection Regulations

The Environmental Sensitive Site Protection regulations (Cal. Code Regs., tit. 14, § 828.1) set forth planning requirements for sensitive site protection from spills from marine facilities, tank vessels, and nontank vessels operating in California's marine waters. The owner or operator of a marine facility, tank vessel, or nontank vessel must demonstrate through contracts or other approved means the response resources necessary to protect all applicable sensitive sites as outlined in Cal. Code Regs., tit. 14, section 828.1. To meet these requirements, contracts for environmental sensitive site protection services can only be made with OSROs rated by OSPR.

The requirements set forth in Cal. Code Regs., tit. 14, section 828.1 are planning standards and may not reflect the exigencies of actual spill response. However, these are the standards that must be used to determine the amount of response resources that must be available under contract or other approved means. The owner/operator is ultimately responsible for protecting the sensitive sites identified from the entire volume of an actual spill regardless of the planning volume.

To the greatest extent possible, California has endeavored to be consistent with the scope and intent of the federal oil spill response regulations and the ACPs completed by the USCG, state agencies, and local governments, with public participation, as required by the federal Oil Pollution Act of 1990 (OPA 90) (33 USC §2701, et seq.). The Environmental Sensitive Site Protection regulations (Cal. Code Regs., tit. 14, § 828.1) replaced the former Shoreline Protection Tables and were promulgated on 01 January 2026.

6.2 Sensitive Site Identification and Planning

6.2.1 Response Plans

Area Contingency Plans (ACPs)

The USCG and OSPR agreed to joint preparation of California ACPs and co-chairing of the three USCG Port Area Committees (Area Committees) for areas San Francisco, Los

Angeles/Long Beach, and San Diego. The three Port ACPs outline guidance for the first 24 hours of response. Each of the six coastal subdivisions provide detailed evaluation, prioritization, and protection strategies for California's shoreline resources, as well as relevant local contacts and resources. ACPs are updated on a regular schedule (currently every five years), and the respective Area Committees meet regularly to discuss lessons learned from spills, drills, and exercises to inform updates to the ACPs. Meetings are open to the public. The ACPs and Area Committee meeting schedules are available at OSPR's Contingency Plan Webpage.

The selection of sensitive sites within ACPs and development of specific protection strategies to meet the site-specific needs in marine waters are conducted using a standardized protocol to ensure consistency for California's entire coast. Environmental sensitivity differs by location or season depending on conditions or the presence of species. Sites are ranked by environmental sensitivity to help guide protection strategies as follows:

- Category A (Extremely Sensitive) includes areas like wetlands, estuaries, and tidal flats that support endangered species or large concentrations of vulnerable wildlife, such as nesting birds or pinniped pupping sites.
- Category B (Very Sensitive) covers areas with moderate wildlife concentrations and low-energy habitats like sheltered shorelines.
- Category C (Sensitive) includes more exposed coastlines that are important to many species, including those valued for recreation, fishing, or science.
- Category X (Key Protection) represents key oil protection sites through collection, deflection, or exclusion. Although there is no inherent environmental sensitivity, these strategies are designed to prevent the spread of oil or protect nearby sensitive areas. Deployment is prioritized based on the spill's specific trajectory.

Economic importance is one of the criteria used to identify and prioritize sensitive areas (Gov. Code, § 8574.7, subd. (d)(1)). ACPs are required to describe areas of special economic importance that could be harmed by a spill (33 U.S.C. 1321(j)(4)(C)(ii); 40 C.F.R. 300.210(c)(3)(i); 40 C.F.R. Part 300, Appendix E, 4.1.3). Economic resources that may be impacted by a marine oil spill, such as ports, marinas, water intakes, and waterfront businesses are listed in the "Economic Resources Susceptible to Oiling" section of each ACP. This section provides useful contact information to support responders, particularly in the early stages of a spill before local experts are available. When a site holds both economic and environmental value, it is typically listed under environmentally sensitive sites to better guide response priorities.

Geographic Response Plans

GRPs follow a similar approach as ACPs, but cover inland waters, and target a smaller area, typically a river or portion of a river or other water body. GRPs identify sensitive wildlife, fisheries, plants, and habitats and outline information for key contacts and seasonal considerations. GRP strategies are primarily driven by access to sites along rivers and lakes where response activities are feasible. Unlike marine response where on-water access and active oil recovery can occur, the majority of the response activities for an inland spill occur

from the shoreline. Often, large stretches of river shoreline are not readily accessible. Prioritization for developing GRPs is given to waterways within ¼ mile of pipelines, facilities, high-risk rail; areas with historical spills; areas with higher risk to sensitive fish and wildlife and the habitats that they depend on; and areas with cultural and historic concerns.

The process of developing GRPs within California consists of: 1) selecting a waterway to develop a GRP, 2) utilizing a standardized template to provide a consistent document framework, 3) convening and meeting with the Statewide GRP Steering Committee, 4) developing partnerships with industry representatives and federal, state and local agencies, including first responders, and California Native American tribes, and 5) vetting the GRPs through statewide Local Emergency Planning Committees (LEPCs) to ensure critical local expertise and information is incorporated.

OSPR Field Response Teams (FRTs) in each of the three FRT jurisdictions (northern, central and southern) analyzed the waterways in their respective areas, looking at the potential for risk of oil spills by rail, pipeline, or other industry accidents; history of spills; and presence of threatened and endangered species and developed a comprehensive list of waterways to develop GRPs for in the future.

After selecting a waterway from the comprehensive list to develop a GRP, the FRT conducts field reconnaissance to identify access locations along each respective waterway, determining the level of response per site or whether the location would serve as an access/observation site which could be used for SCAT, wildlife reconnaissance, and Unmanned Aerial System operations. FRTs continue their process by collecting site data and working with oil spill prevention specialists and oil spill response organizations to develop booming strategies for each response location and identifying staging areas. OSPR Geographic Information System (GIS) Analysts complete the process by developing a series of maps for the GRP based on the FRT data collection using ArcGIS Field Maps.

GRPs also identify sensitive resources related to human health and safety infrastructure and economic resources that would be susceptible to oiling. Examples of resources or critical infrastructure related to human health and safety include drinking water intakes, dams, power plant intakes, wastewater treatment facility intakes, groundwater replenishment, and on-water facilities for first responders. Economic resources may include aquaculture/fish hatchery facilities, tide gates, and public marinas.

Completed GRPs are available on OSPR's Contingency Plan Webpage and are updated every five years.

Industry Oil Spill Contingency Plans

Marine facilities, inland facilities, pipelines, and railroads whose operations make them subject to OSPR's regulations must develop an oil spill contingency plan that is approved by OSPR. Regulated facilities must conduct an offsite consequence analysis that, for the most likely hazards identified in a risk and hazard analysis, assumes pessimistic water and air dispersion and other adverse environmental conditions (Gov. Code, §§ 8670.28, subd. (a)(7)(9), 8670.29, subd. (b)(5)). The contingency plans must then identify strategies for protecting the sensitive areas and resources that would be threatened by a reasonable

worst-case spill. Marine facilities may meet this requirement by referencing sensitive site identification, protection strategies, and resources at risk as identified in the relevant ACPs. Inland facilities operating in areas covered by a GRP may similarly utilize the GRPs for this information, but facilities operating in inland areas not yet incorporated into a GRP must perform an offsite consequence analysis and generate a list and map of resources at risk and strategies to protect the identified resources. In the inland environment, primary protection strategies include on-land containment and use of physical barriers (e.g., earthen berms and blocking culverts) and diversion booming to move oil away from sensitive riverine and riparian resources. Regulated tank and nontank vessels are not required to perform an offsite consequence analysis, but they must demonstrate the availability of response resources to protect the sensitive sites identified in the ACPs by contracting with an OSRO that is rated by OSPR to provide environmental sensitive site protection in the geographic response areas in which a vessel transits.

6.2.2 Databases and Other Tools

Environmental Sensitivity Index Maps

NOAA's Environmental Sensitivity Index (ESI) maps provide a summary of coastal resources that are at risk if an oil spill occurs nearby. Examples of at-risk resources include biological resources (such as birds and shellfish beds), sensitive shorelines (such as marshes and tidal flats), and human-use resources (such as water intakes, public beaches and parks).

Environmental Response Management Application

NOAA's Environmental Response Management Application (ERMA) is an online GIS mapping tool and data viewer that integrates both static and real-time data, such as ESI maps, ship locations, weather, and ocean currents, in a centralized, easy-to-use format for environmental responders and decision makers. ERMA is designed to aid in spill preparedness and planning. During emergency response, ERMA can be used for the Common Operating Picture that provides situational awareness for the response. Additionally, ERMA can be used by planners before a spill happens to identify vulnerable locations, establish protection priorities, and identify cleanup strategies.

California Natural Diversity Database

CDFW's California Natural Diversity Database (CNDDB) is a user-populated database of known locations of rare plants and animals in California. The content is thorough but is biased to areas where projects require surveys for permitting or where research is occurring. Some locational information is suppressed due to confidentiality concerns. CNDDB staff work with partners to maintain current lists of rare species, as well as maintain an ever-growing database of GIS-mapped locations for these species.

Biogeographic Information and Observation System

CDFW's Biogeographic Information and Observation System (BIOS) is a system designed to enable the management, visualization, and analysis of biogeographic data collected by CDFW and its partner organizations. BIOS integrates GIS, relational database management, and Esri's ArcGIS Server technology to create a statewide, integrated information management tool that can be used on any computer with access to the Internet.

Other Tools
Other useful tools include user-populated databases such as eBird, iNaturalist, and mapping tools such as GoogleEarth.

6.2.3 Strategy Testing and Revision

Sensitive Site Strategy Evaluation Program
OSPR implements the Sensitive Site Strategy Evaluation Program (SSSEP) to test and evaluate the readiness and effectiveness of oil spill response strategies outlined in the ACPs that protect designated environmentally sensitive shoreline resources within the bays, estuaries, and coastal areas of the state. The SSSEP consists of site-specific exercises designed to test the protection strategies in marine waters and to ensure OSROs are familiar with site locations and response strategies. During each site-specific exercise, the OSRO deploys the protection strategy(ies) and recovery equipment as outlined in the ACP. OSPR and the OSRO evaluate the effectiveness of each site-specific response strategy after the exercise and develop proposals for any changes to the existing plan as necessary. Results of SSSEP deployments are presented at Area Committee meetings to collectively ensure that strategies outlined in the ACPs are feasible, updated, and offer best achievable protection.

GRP Strategy Evaluation
Response strategies identified in the GRPs are evaluated and revised by capitalizing on industry equipment deployment exercises and various training events. OSPR coordinates with industry partners, OSROs, and other agencies to identify which strategies to assess and updates the GRPs as needed. Strategy feasibility and effectiveness are also considered during the GRP revision process.

6.3 The Environmental Unit – Site Protection During Response

After protecting human health and safety, reducing impacts to natural, historic, and cultural resources are the highest priorities during oil spill response. The Environmental Unit (EU) is the central point within the Planning Section of the response organization for determining how to best protect those resources while facilitating efficient and effective spill cleanup. Specifically, the EU oversees activities such as strategic assessment, modeling, surveillance, environmental monitoring, and permitting (see IMHs, Ch. 8, Planning).

Several critical positions with the EU are staffed by natural resource trustee agencies as outlined in the following subsections. Trustee agencies are best equipped to provide the needed knowledge base and expertise to fill these roles and have personnel most familiar with local natural resources and resource issues. In addition, trustee agencies possess the authority to manage natural resources and have statutory responsibilities to protect them. For these reasons, California directs that these positions be filled with a representative from a state or federal natural resource trustee agency and may be supported by an assistant assigned by the responsible party. As a spill response matures, transition to a responsible party representative for these roles may occur with concurrence of the UC. If no such agency representative is initially available, a responsible party representative may temporarily fill the role until a trustee agency representative is available. Additional expertise for the EU is provided by NOAA's Scientific Support Coordinators (SSCs) who advise on

trajectories, sensitive site protection, cleanup strategies, and federally-mandated consultations for endangered species and cultural resources.

6.3.1 Key EU Positions

Environmental Unit Leader

The EUL provides oversight on all EU activities and fulfills the duties of all positions within the EU until otherwise delegated. To ensure that critical response decisions are made quickly and effectively in the EU, it is essential that the EUL possesses both local knowledge and the authority to make decisions on behalf of these resources and the people of the state.

Resources at Risk Technical Specialist

The Resources at Risk Technical Specialist (RAR THSP) is responsible for identifying resources at risk from exposure to the spilled oil and response activities. The RAR THSP evaluates the relative importance of the resources, weighs the risks to each, and recommends priorities for their protection. See subsection 6.2 Sensitive Site Identification and Planning for the various sources the RAR THSP will use to protect sensitive sites.

Shoreline Cleanup Assessment Technique Coordinator

The SCAT Coordinator oversees teams that collect the data needed to develop a shoreline cleanup plan that maximizes the recovery of oiled habitats and resources, while minimizing the risk of injury from cleanup efforts. The plan also identifies the cleanup endpoints for the Operations Section. The shoreline cleanup plan is also reviewed by cultural/historic specialists to ensure that the proposed actions are implemented in a manner which minimizes risks to cultural and historic resources. SCAT Teams coordinate their field activities with cleanup operations to ensure that operations are conducted safely, and that important information is exchanged. The SCAT Coordinator manages the teams and synthesizes their field data into reports used by the EU and Planning Section to support the IAP. NOAA's SCAT website has more information on the process, including manuals and job aids.

6.4 Cultural and Historic Resource Protection

Initial Assessment of Cultural and Historic Resources

The potential impact of a spill or spill response on cultural and historic resources is assessed early through presence/absence requests made by the EU staff or Tribal Coordinator. These requests are directed to the appropriate California Historical Resources Information System (CHRIS) Information Center and the Native American Heritage Commission (NAHC).

Tribal Coordinator/Cultural Resources Technical Specialist and Historic Properties Specialist

If cultural or historic resources are present in the affected area, a Tribal Coordinator and/or a Cultural Resource Specialist may be appointed within the response. A Historic Properties Specialist (HPS) may also be appointed to advise the FOSC/UC on statutory responsibilities, identify cultural/historic resources at risk, recommend resource protection strategies, develop best management practices, and facilitate consultations. The HPS works in the Planning Section and maintains direct communication with the FOSC.

Coordination with Tribal Representatives and On-Scene Monitoring

The NAHC provides a list of California Native American tribes with historical and cultural affiliations to the area, including contact information for those that have submitted cultural

resource information. The Tribal Coordinator, in coordination with tribal representatives and the HPS, will determine if cultural monitoring is necessary on-site during the response. In cases where human remains, burial sites, or burial-related materials are discovered, these must always be treated in a culturally appropriate and professionally proper manner.

Legal Compliance and Protection of Cultural Resources
State (Health & Saf. Code, § 7050.5) and federal (Native American Graves Protection and Repatriation Act) laws must be followed when handling discovered cultural materials. The protection of cultural and historic resources should be managed in accordance with the Emergency Response Program Guidelines for implementing the National Programmatic Agreement on Protection of Historic Properties in the Region IX RCP. The FOSC may also consult an HPS, as outlined by the National Historic Preservation Act (Section 106), to ensure compliance regarding the identification, evaluation, and protection of historic properties.

Government-to-Government Coordination
The Tribal Coordinator and HPS serve as the liaison between the UC and tribal government representatives, ensuring that consultation with affected California Native American tribes occurs in the spirit of Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014). This government-to-government coordination applies to all federally recognized tribes as well as non-federally recognized tribes listed by the NAHC.

6.5 Sensitive Site Prioritization

Spill response efforts prioritize three key objectives: protecting human health and safety, protecting environmental resources, and protecting economic resources. Sites predetermined to be critical to the preservation of human health, including drinking water intakes and intakes for power and desalinization plants, should be considered a high priority for protection, even if they are not explicitly listed in ACPs for security reasons.

The UC, through the EU, will make the final decision regarding the protection priorities for environmental sensitive sites based on three considerations: sites at risk based on trajectories; the predefined hierarchy of protection priorities for sensitive sites; and the time and response resources available to implement protection. The UC should utilize predetermined response strategies for environmentally sensitive sites but must remain adaptable to changing environmental conditions and other critical factors that may significantly influence the effectiveness of these strategies.

Section 7 – Wildlife and Fisheries Response

OSPR's Wildlife Response Plan for Oil Spills in California details the purposes, goals, objectives, responsibilities, and structure of the Wildlife Branch. The Plan describes procedures to meet wildlife protection responsibilities of federal and state governments during a spill. The Plan covers petroleum oil and renewable fuel spills in marine and inland waters. The organizational structure, roles and responsibilities remain the same, although some functions may be altered, as appropriate.

The Wildlife Branch is within the Operations Section of the spill response organization and provides coordinated, immediate, and effective protection, rescue, and rehabilitation of, and minimization of risk of injury to, wildlife resources and habitat during oil spills. The principal objectives of the Wildlife Branch during a spill response are to:

- Prevent and/or minimize injuries to wildlife and habitat from the spill and/or the spill response activities
- Provide best achievable capture and care for oiled/injured wildlife
- Document adverse effects to wildlife that result from the spill and cleanup

These objectives are achieved through reconnaissance, hazing/deterrence, recovery, transportation, and the care, and processing of oiled wildlife.

Although the Wildlife Branch is integrated into the spill response organization, it is self-directed in many ways and largely self-contained regarding wildlife response resources (both staff and equipment). The Wildlife Branch gathers much of its own spill information through wildlife reconnaissance, is staffed with pre-trained experts (e.g., biologists, veterinarians, rehabilitation staff, processing staff, capture experts, volunteers), and typically prepares its own sections of the IAP for the Planning Section, including specialized safety considerations.

Coordination between the Wildlife Branch and other sections within the spill response organization is critical. The Wildlife Branch provides the Planning Section with potential and known wildlife concerns, wildlife reconnaissance data, and wildlife recovery locations. The Planning Section and Operations Section use this information to aid in strategic assessment and for planning and implementation of response strategies. The Planning Section should use this information to evaluate different response countermeasures and strategies (including "no action") to reduce or prevent adverse effects to wildlife and wildlife habitat from response actions. In parallel, the EU provides the Wildlife Branch information on resources at risk and potentially other well-known wildlife occurrences as well as maps of sensitive habitats and other areas of interest (e.g., known haul-outs, nesting areas).

Through the Situation Unit and the EU, the Wildlife Branch also provides the UC with updated wildlife statistics during the response. With approval of the UC, this information is also relayed to the Joint Information Center (JIC) for use in press releases. The Wildlife Response Plan provides statewide consistency for the responsibilities and capabilities of the Wildlife Branch.

In California, trained OSPR staff assume the role of Wildlife Branch Director during a spill response because CDFW:

- Is the lead state trustee agency for California's wildlife and habitat
- Has permits and agreements with other state and federal trustee agencies to care for special status species and other protected wildlife
- Has legal mandates to protect wildlife, in addition to trustee designation pursuant to OPA 90
- Has the relevant expertise, training, and experience

Other than the Wildlife Branch Director and Wildlife Reconnaissance Group Supervisor and staff, most positions in the Wildlife Branch are filled by staff and volunteers of the Oiled Wildlife Care Network (OWCN), described below.

7.1 Rehabilitation Facilities for Wildlife Injured by an Oil Spill

The Administrator is required to establish a network of rescue and rehabilitation stations for wildlife affected by oil spills (Gov. Code, §§ 8670.37.5; 8670.48 subd. (l)). The OWCN is a cooperative system of specialized wildlife health centers and member organizations. The OWCN is administered by the Wildlife Health Center at University of California Davis. The Wildlife Health Center has an MOU with OSPR for operation of the OWCN to establish and equip wildlife rescue and rehabilitation stations, provide training to members, and provide services to rescue and rehabilitate oiled wildlife. The OWCN is integral to Wildlife Branch activities in the Operation Section during an oil spill, both marine and inland.

The OWCN maintains a corps of veterinarians, paid staff, and professionally trained volunteers. The OWCN is comprised of over 45 rehabilitation organizations and other wildlife experts throughout California to actively participate during oil spill responses and includes ten permanent wildlife care facilities. If a particular wildlife care facility reaches capacity, then additional facilities are utilized. For more information on the OWCN, see OWCN's Webpage.

7.2 Temporary Closure of Commercial and Sport Fishing and Harvesting

CDFW is responsible for closing and re-opening sport and commercial fisheries as necessary to protect public health following oil spills, based on coordinated health assessments and recommendations by the Office of Environmental Health Hazard Assessment (OEHHA) (Fish & G. Code, §§ 5654; 7715). Within 24 hours after spill notification, CDFW must close fisheries unless OEHHA determines that fishing is unlikely to pose a public health threat (Fish & G. Code, § 5654). OEHHA assesses the risks from consuming fish in the oil spill area; this assessment is used to determine whether closure of commercial and recreational fishing is necessary, the geographical boundaries of the closure, and the likely time period of the closure. An initial closure can be lifted without seafood testing if a public health threat is unlikely as determined by OEHHA.

If fisheries closure continues more than 48 hours after spill notification, then rapid testing of seafood is required before fisheries can be re-opened. OEHHA and OSPR coordinate

sampling and analysis of fish and shellfish in the area impacted by the spill to determine when fish and shellfish are safe to consume. When contaminant concentrations in seafood are below the "level of concern" and no longer increasing, then OEHHA will recommend that fisheries be re-opened. Within 24 hours of receiving a notification from OEHHA that no threat to human health exists from the spill or discharge (or that no contaminant from the spill or discharge is present that could contaminate fish or shellfish), the CDFW director will reopen the areas closed pursuant to this section.

Additionally, the California Department of Public Health is required to close shellfish growing areas if they determine chemical substances have affected shellfish (Health & Saf. Code, §§ 112150-112280; Fish & G. Code, § 7715).

Section 8 – Communications and Information Management

8.1 Internal Response Communication

Establishing clear communication pathways and expectations for information management is critical to ensuring a coordinated and effective response. Several positions, resources, and plans implemented under the response organization contribute to communication and information management.

8.1.1 Situation Unit Leader

The Situation Unit Leader (SITL) is responsible for collecting, processing, organizing and disseminating incident information relating to status of current operations, trajectories, relevant maps, cleanup status, and response metrics to support situational awareness for the incident. The SITL oversees the Common Operating Picture or Situation Status Display which serves as a central point to communicate critical incident information. Within the Situation Unit at large incidents, the GIS Group manages spatial data and contributes to the Common Operating Picture by producing maps and figures. GIS support is a critical tool for oil spill response owing to the inherent data management, analysis, and display capabilities needed by various functions in a response. Responders use GIS-based field data collection tools, remote sensing tools such as Unoccupied Aerial Vehicles, and postprocessing and presentation tools such as dashboards and interactive map products to help determine and map oiled areas, oil trajectory, wildlife response data, access routes, topography, current weather, and sensitive resources such as listed species, protected habitat, and local shorelines.

8.1.2 Incident Action Plan and Supporting Plans

An IAP can serve as an important method of communication for the response. The IAP outlines the UC's objectives and priorities, provides work assignments for responders in the field, and includes supporting plans that outline safety precautions and procedures, communication pathways, and key policies related to the response. When produced, the IAP should be distributed to all responders and be available at the Situation Unit.

The Planning Section Chief ensures the IAP and all relevant supporting plans are developed by the appropriate section. When warranted, plans that support the IAP include:

- Site Safety Plan: This plan outlines the various hazards, protective equipment, air monitoring, best practices, emergency response procedures, exposure monitoring, and decontamination protocols to ensure the safety of responders.
- Medical Plan: This plan provides information on medical stations, transportation services, hospitals, and medical emergency procedures.
- Traffic Control Plan: This plan outlines how traffic will be managed during an incident, including the placement of traffic control equipment, how traffic will be routed safely and efficiently, and any agency coordination required.

- Site Security Plan: This plan helps ensure the safety and security of responders and the public by outlining control measures at field locations and the Incident Command Post (ICP).
- Communications Plan: This plan outlines the various communication pathways used by responders, including contact information for key personnel and radio frequencies for operational communications (see subsection 5.4.3 Communications Frequencies).

Additionally, several plans directly address how the response will oversee data retention and information sharing. For example, the Information Management Plan and Data Sharing Plan are important documents meant to ensure continuity of information across the various entities represented within the spill response organization and facilitate sharing amongst the response personnel during the incident. Furthermore, these plans will set the foundation for archive and access to data used for these purposes. The scope of these plans include all operational and environmental GIS data, photography, video, remote sensing, response sampling, and response databases created, acquired or possessed by the spill response organization used to make response decisions or to support the generation of the Common Operating Picture and the Situation Status Display. The plans *exclude* sharing of investigation, criminal, and other confidential information.

8.2 External Response Communication

8.2.1 Public Information Officer and Joint Information Center

During an oil spill response in California, public information activities will be carried out by representatives of the UC (USCG, US EPA, OSPR, the responsible party, and in some cases a local jurisdiction representative) in coordination with federal, tribal, state, and local organizations. Depending upon the size of the incident, the lead PIO and the JIC manager may serve on-site or conduct activities from the office or another remote location in a virtual JIC, as directed by the UC. The PIO team will coordinate via phone, e-mail, in person, or other method to provide early notification to the public/media. The team will also draft and coordinate review of internal talking points, draft news releases, frequently asked questions, fact sheets and other materials under the direction of the unified command. Additional communication products that may be considered by the PIO and JIC include, but are not limited to, social media communications, press conferences, public meetings and website updates. PIOs will collaborate with the LOFR to ensure consistent messaging.

8.2.2 Liaison Officer

The LOFR ensures that interested parties are notified and kept informed of incident updates and incorporated into the response, as appropriate. Examples of interested parties include federal, state, and local agencies, elected officials, California Native American tribes, and Non-Governmental Organizations (NGOs). Forward-leaning, comprehensive LOFR efforts can help coordinate agency resources effectively and can impact public perception of the success or appropriateness of response activities. These factors are critical to overall response success. Per the RRT IX's RCP, the LOFR should come from one of the agencies that provide an On-Scene Coordinator. Representatives of the responsible party can serve as the LOFR during the initial phase of a response. However, once a UC is established, the role of

LOFR will be filled by OSPR, and a responsible party representative can serve as an Assistant LOFR. Additional Assistant LOFRs can be staffed from other federal, state, and local agencies, as appropriate.

The LOFR may develop and implement a Liaison Engagement Plan, which identifies relevant interested parties and strategies for engagement. Depending on the scale of engagement needed for the response, the LOFR and supporting staff may serve in-person at the ICP or remotely/virtually (via web-based platform, email, or phone). In addition to emailed Liaison Updates, virtual meetings can also be an effective tool for outreach to interested parties to maximize information-sharing without requiring their in-person attendance at the ICP or other venue. The LOFR may also coordinate with the Tribal Coordinator, Volunteer Coordinator, and Public Health Assessment Coordinator for specialized communication with California Native American tribes, volunteers, and public health agencies. The LOFR also coordinates with the JIC regarding hosting open houses for the public, interested parties, and the media, when applicable. In coordination with the JIC, the LOFR should also consider how to ensure appropriate engagement with disadvantaged or vulnerable community groups potentially impacted by the incident. This may include translation services for materials and press conferences, outreach to key leaders within particular communities, and identifying effective communication pathways.

Section 9 – Natural Resource Damage Assessment and Restoration

Natural Resource Damage Assessment (NRDA) evaluates and restores injured natural resources and the services they provide after an oil spill. This process involves a range of state, federal, and tribal trustees, each with specific responsibilities and authorities under both federal and state law. Agencies may pursue damages for the loss of use and enjoyment of natural resources, public beaches, and other affected public resources. Effective coordination among these entities is essential to ensure timely assessment and restoration efforts.

The Administrator is mandated to coordinate all actions required by state or local agencies to assess injury to, provide full mitigation for, or to restore, rehabilitate, or replace natural resources, including wildlife, fisheries, habitats, beaches, and coastal areas that are damaged by an oil spill. This coordination encompasses inviting the CCC or BCDC, as applicable according to jurisdiction, to participate in the natural resource damage assessment process. These responsibilities are outlined in Government Code section 8670.7, subd. (h)(2)(A) and section 8670.7, subd. (h)(2)(B).

NRDA activities generally do not occur within the ICS structure of the spill response organization. The UC is focused on response while the goal of NRDA is to assess and restore injured resources. Since initial NRDA field assessment activities may overlap with response activities, close coordination and cooperation between the two efforts is necessary (see IMH, Ch. 20, Oil Spill). The NRDA Representative, who serves as the primary point of contact for establishing communication channels between the NRDA and the response organization, coordinates with the response through the LOFR, as detailed in the IMH.

OPA 90 requires designated state and federal trustees to assess natural resource damages and implement a plan to restore injured resources (33 U.S.C. § 2706). Under OPA 90, the Governor of California has designated the Secretary of the Natural Resources Agency and the Secretary of the CalEPA as California's natural resource trustees. The OPA 90 trustee authority of the California Natural Resources Agency Secretary for fish, wildlife, and habitat is further delegated to CDFW. California law also designates CDFW as the trustee for the state's wildlife (Fish & G. Code, § 711.7).

California trustee agencies typically involved in large oil spill damage assessments include CDFW, SLC, and the Department of Parks and Recreation. The Federal trustee agencies generally include the DOI through the USFWS, Bureau of Land Management (BLM) and/or the National Park Service (NPS); and the Department of Commerce through NOAA and/or NMFS. Additional trustees may also participate based on incident location. Federally recognized tribes may also be trustees under federal law.

For large spills, the trustees generally coordinate their NRDA efforts by following OPA 90 guidelines (15 C.F.R. Part 990). OPA 90 rules require the trustees to invite the responsible party to participate in a cooperative NRDA. The trustees will form an NRDA team and are often joined by a responsible party representative. Coordination of restoration planning and implementation with local agencies is also a common practice.

Section 10 – Response Funding and Cost Recovery

10.1 Financial Responsibility of Spill Response – Responsible Party

Under federal and state law, the individual or entity that caused the spill or who owns the oil will likely be deemed responsible for all costs incurred by spill responders related to the incident including, but not limited to, costs for containment, cleanup, disposal, remediation, and rehabilitation, in addition to any other liability which may be provided for by law (Gov. Code, §§8574.4; 8670.56.5; Fish & G. Code, §§ 2014; 5655).

In large-scale spill incidents, finances are typically managed by the Finance Section Chief within the response organization. This person is often a responsible party representative because the responsible party is liable for response costs and damages and can facilitate direct payment and contracting to ensure timely deployment of resources to support the response.

If the responsible party is unknown, unwilling, or unable to provide an adequate response, a government agency may arrange for cleanup of the oil spill. To support response and cleanup activities, various state and federal funding mechanisms are available to governmental agencies. These are detailed in subsequent sections and further elaborated in Section 6000 of the RCP. When these mechanisms are activated, the responsible party remains liable for response costs. State and federal agencies will seek reimbursement from any funds used during the response.

State agencies designated to implement this Plan must document and account for all state expenditures made under the Plan with respect to each oil spill Gov. Code, § 8574.4). State and local agencies must meticulously document all response-related costs to ensure successful recovery from the responsible party or an available funding source.

State and local agencies seeking reimbursement for response-related costs under California disaster assistance programs must comply with SEMS. Pursuant to Government Code section 8607, subd. (e)(1), failure to utilize SEMS renders agencies ineligible for such funding.

Regardless of the state funding source, expenditures that are recovered or reimbursed from the responsible party or another source should be deposited into the fund from which they were expended. The following subsections provide an overview of available state and federal oil spill funding options.

10.2 Federal Funds

Oil Spill Liability Trust Fund

(33 U.S.C. § 2712 - § 2713; 26 U.S.C. § 9509)

The Oil Spill Liability Trust Fund (OSLTF) provides the essential federal financial framework for oil spill response and remediation. The fund supports removal costs incurred by the USCG and US EPA, enables state agencies to access resources for removal activities, and finances payments to federal, state, and tribal trustees for natural resource damage assessments and restoration efforts. Additionally, the OSLTF covers claims for uncompensated removal costs

and damages, funds research and development related to oil spill response, and supports other specific appropriations authorized under OPA 90. Through these mechanisms, the OSLTF ensures coordinated and effective action in mitigating the impacts of oil spills. The USCG's National Pollution Fund Center administers the OSLTF.

The two major components of OSLTF are:

- Emergency Fund: This is a recurring $50 million dollars available annually to the President for use by the FOSC to cover expenses associated with mitigating the threat of an oil spill, as well as the costs of oil spill containment, countermeasures, cleanup, disposal activities, and federal trustee natural resource damage assessments.
- Principal Fund: The remaining principal balance is used to pay claims and to fund appropriations by Congress to federal agencies to administer the provisions of OPA 90, and support research and development.

10.3 STATE FUNDS

Oil Spill Response Trust Fund
(Gov. Code, §§ 8670.46 - 8670.49)

In the event of an oil spill in California, the Oil Spill Response Trust Fund (OSRTF) may or may not be opened by the FOSC, but OSPR does not wait for a determination before opening California's OSRTF. This allows OSPR flexibility in responding immediately and incurring necessary expenses without delay.

The OSRTF is continuously appropriated to the Administrator for expenditure without regard to fiscal years, and the Administrator is responsible for managing the fund. The OSRTF is funded by a fee on each barrel of oil coming into California over or through waters of the state. The OSRTF is available for use in the event of an oil spill or an imminent threat of an oil spill for the following purposes:

- Provide funds to promptly cover the costs of response, containment, and cleanup of oil spills into waters of the state, or to respond to an imminent threat of an oil spill.
- Cover response and cleanup costs and other damages suffered by the State or other persons or entities from oil spills into waters of the state, which cannot otherwise be compensated by the responsible party or the federal government.
- Pay claims for damages where:
    - There is a final judgment that has not been paid
    - The responsible party cannot be determined or is otherwise not liable
    - The claim is rejected by the OSLTF and the responsible party refuses to pay or claims under $50,000.
- Pay indemnity and related costs and expenses associated with claims against persons or companies providing authorized and appropriate response efforts.
- Pay for the costs of rescue, medical treatment, rehabilitation, and disposition of oiled wildlife, as incurred by the OWCN.

- Cover the costs of assessing the impact on human consumption of fish and shellfish species impacted by oil spills (Fish & G. Code, § 5654).

Fish and Wildlife Pollution Account
(Fish & G. Code, §§ 12017, 13010)

The Fish and Wildlife Pollution Account (FWPA) is administered by CDFW. The FWPA has no dedicated funding source; it receives money through successful cost recovery and penalties collected from the responsible party. Monies in the FWPA are continuously appropriated to CDFW. Funds in the account will be expended for the following purposes:

- Abatement, cleanup, and removal of pollutants from the environment
- Response coordination, planning, and program management
- Resource injury determination
- Resource damage assessment
- Economic valuation of resources
- Restoration or rehabilitation at sites damaged by pollution

The FWPA may be expended for cleanup and abatement if a reasonable effort was made to have the responsible party pay cleanup costs, and funds are not available for disbursement from the emergency reserve account of the Toxic Substances Control Account in the General Fund (Health & Saf. Code, § 78240 (formerly §25354)). CDFW may use funds in the FWPA to pay the costs of consultant contracts for resource injury determination or damage assessment during hazardous material spill emergencies.

10.3.3 State Water Pollution Cleanup and Abatement Account
(Wat. Code, §§ 13440 – 13443)

The SWRCB administers the State Water Pollution Cleanup and Abatement Account (SWPCAA) within the State Water Quality Control Fund. The funds in the SWPCAA are available for the following purposes in all state waters:

- Initial Allocation: The first unencumbered five hundred thousand dollars ($500,000) paid into the SWPCAA in any given fiscal year is available without regard to fiscal years, for expenditure by the SWRCB for cleanup purposes.
- Secondary Allocation: The next unencumbered five hundred thousand dollars ($500,000), or any portion thereof, deposited in any given fiscal year, is available for expenditure by the SWRCB for cleanup subject to the provisions set forth in Section 28 of the Budget Act of 1984.
- Significant Pollution Response: The next unencumbered one million dollars ($1,000,000) deposited in the SWPCAA in any given fiscal year is available for expenditure by the SWRCB to a RWQCB that is attempting to remedy a significant unforeseen water pollution problem, posing an actual or potential public health threat, or is overseeing and tracking the implementation of a supplemental environmental project required as a condition of an order imposing administrative civil liability, and for which the RWQCB

does not have adequate resources budgeted.

- Remaining Funds: The remaining unencumbered funds deposited in the SWPCAA in any given fiscal year are available without regard to fiscal years to the SWRCB for expenditure, upon application by a public agency or tribal government with authority to cleanup a waste or abate the effects of a waste, to the agency or tribal government in assistance in cleaning up the waste or abating its effects on waters of the state. The agency or tribal government will not become liable to the SWRCB for repayment of such monies.

10.3.4 Toxic Substances Control Account – Emergency Reserve Account

(Health & Saf. Code, §§ 78240; 25173.6; 78165)

DTSC administers the Toxic Substances Control Account. Each fiscal year, one million dollars ($1,000,000) is continuously appropriated from the account to DTSC as a reserve account for emergencies.

DTSC will expend monies available in the reserve account solely for the purpose of taking immediate corrective action necessary to remedy or prevent an emergency resulting from a fire or an explosion of, or human exposure to, hazardous substances caused by the release or threatened release of a hazardous substance, excluding oil. However, a spill of both oil and other hazardous substances in the same event can trigger the use of this account.

Section 11 – Government Agencies

11.1 Lead Agencies for Spills to Waters of the State

Lead Federal Agencies

Under the NCP (40 C.F.R. Part 300), the two federal agencies with primary oil spill emergency response mandates are the USCG (navigable waters of the US) and the US EPA (inland areas and non-navigable waters). See RCP Section 1200 Geographic Boundaries for information on the delineation between the two authorities within California. These agencies would serve as the FOSC. If oil discharges from Department of Defense (DoD) or Department of Energy (DOE) vessels or facilities, the USCG is the lead federal agency as the FOSC. However, DoD or DOE will assign representatives to engage with the response for the oil discharge.

The FOSC is guided by applicable statutory and regulatory authorities; the national, regional and local contingency plans; and the circumstances unique to each incident, to ensure that pollution response is carried out efficiently and effectively. The FOSC can access federal funding from the National Pollution Fund Center for response if the responsible party is unable to provide for cleanup in a timely and appropriate manner.

The FOSC must submit to the NRT or RRT a complete report on the removal operation and the actions taken, if requested by the NRT or RRT. The RRT will review the FOSC report and send a copy to the NRT with its comments or recommendations within 30 days after receiving the report. The FOSC report should record the situation as it developed, the actions taken, the resources committed, and the problems encountered with comments and recommendations.

US Coast Guard

The USCG Captain of the Port will serve as the FOSC for spills within their respective jurisdiction, in general the "coastal zone" as defined in section 1200: Geographic Boundaries in the RCP, and serve within the UC, when established. The Captain of the Port also has authority to direct vessel traffic for safety and security of the port. The USCG houses the NRC and in conjunction with other NRT agencies, helps provide the necessary personnel, communications, plotting facilities, and equipment for the NRC. The USCG manages the National Pollution Fund Center which administers the OSLTF which FOSC's can access to fund oil spill response. The USCG also co-chairs the Region IX RRT with US EPA.

In addition to serving as the FOSC, USCG personnel staff positions in the response organization based on expertise in pollution response, vessel operations, salvage, SCAT, public communications, and government affairs. Many staff also maintain certifications in specific ICS positions like Planning Section Chief, Operations Section Chief, Situation Unit Leader, and Resources Unit Leader.

US Environmental Protection Agency

US EPA serves as the FOSC for oil spills that impact inland waters within California and serves within the UC, when established. The US EPA FOSC can direct vessel traffic on non-navigable waters (e.g., Castaic Lake). US EPA also chairs the NRT, and co-chairs the Region IX RRT with the USCG. US EPA's emergency response program is supported by highly trained, experienced, and dedicated federal contractors. Additionally, the FOSC can activate Special Forces and Technical Support Centers to support major spill response and cleanup efforts.

Emergency Response and Rapid Services (ERRS) contracts are US EPA's method for hiring cleanup contractors. ERRS contractors can provide labor, equipment, materials, and subcontractor services needed to perform stabilization, cleanup, and recovery activities at oil spills. ERRS also has trained transportation and disposal coordinators. ERRS response managers, technicians, and equipment operators are trained in planning and conducting removal operations, neutralizing chemical spills, excavating, stabilizing or bioremediating contaminated soils, containerizing hazardous wastes, constructing and operating a variety of waste treatment and decontamination systems, and other cleanup operations.

Lead State Agency

California Department of Fish & Wildlife Office of Spill Prevention and Response

OSPR's mission is to provide best achievable protection of California's natural resources by preventing, preparing for, and responding to spills of oil and restoring affected resources. As an office within CDFW, OSPR has public trustee and custodial responsibilities for protecting, managing, and restoring the state's fish, wildlife, and plants. It is one of the few state agencies in the nation that has major pollution response authority and public trustee authority for wildlife and habitat. This mandate ensures that prevention, preparedness, restoration, and response will provide the best protection for California's natural resources.

OSPR's Administrator, appointed by the Governor, has primary state authority to direct all aspects of prevention, removal, abatement, response, containment, and cleanup efforts for any oil spill into waters of the state. OSPR's Administrator is also a Chief Deputy Director of CDFW. The OSPR Administrator (or their designee) serves as the SOSC to oversee response to oil spills in waters of the state or where wildlife may be affected (Fish & G. Code, § 5655, subd. (d); Gov. Code, § 8670.7). OSPR also advises the CDFW Director, in consultation with the Administrator and OEHHA, regarding fisheries closures during oil spills (Fish & G. Code, § 5654). The Administrator is also required to maintain this State Oil Spill Contingency Plan (Gov. Code, § 8574.8).

OSPR is notified of oil spills that may threaten state waters through the Cal OES State Warning Center. OSPR's Spill Desk then notifies appropriate on-call FRT staff (Wildlife Officers,

Environmental Scientists, and Oil Spill Prevention Specialists) who serve as OSPR's first responders.

During a spill, OSPR performs the following:

- The Administrator (or their designee) is the SOSC for oil spills in state waters
- Qualified staff fill positions within the spill response organization
- Through the RRT, approves the use of any chemical oil spill cleanup agents proposed for use in waters of the state (i.e., dispersants, bioremediation agents, biodegradable agents, herding agents) (Gov. Code, §8670.13.1)
- Determines when removal and cleanup actions are complete regarding wildlife and habitat impacts
- Provides "fingerprinting" analysis to determine if oil samples are a match to a particular source
- Conducts criminal and civil investigations
- Performs injury determination and damage assessment for natural resources held in public trust; seeks rehabilitation, restoration, and/or mitigation for injury caused by a spill
- Maintains expertise including law enforcement, scientific, operational, maritime, communications, and legal professionals

11.2 National Contingency Plan Special Teams

The NCP created several special teams dedicated to support and augment the FOSC's staff by providing specialized pollution response expertise. They are the USCG National Strike Force, which includes the Pacific Strike Team, the USCG Public Information Assistance Team, the US EPA Environmental Response Team, and the NOAA Scientific Support Coordinators.

The National Strike Force

The National Strike Force (NSF) provides highly trained, experienced personnel and specialized equipment to USCG and other federal agencies for preparedness and response to oil and hazardous substance pollution incidents to protect public health and the environment. NSF is comprised of the National Strike Force Coordination Center, the Public Information Assist Team, the Atlantic Strike Team, the Gulf Strike Team, the Pacific Strike Team (PST), and Incident Management Assist Team. FOSC's are encouraged to use the NSF whenever necessary or to augment the FOSC's staff when it is overburdened by a response to a given incident. The NSF should be contacted by the FOSC when:

- A medium or major discharge has occurred
- Control of the discharge requires the special knowledge or capabilities of the NSF
- Response will require many days to complete removal operations, and augmentation by NSF personnel will release local forces to return to normal operations
- The NSF is also available to assist state and local governments, provided that such assistance does not interfere with supporting FOSCs or other federal agencies

See https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/.

The PST is based at Hamilton Field in Marin County and is one of three NSF pollution control teams. The PST is equipped and trained to assist in the response to oil or chemical incidents occurring in the western area of the United States. FOSCs frequently activate special teams under the Special Forces Section of the NCP to support response operations. The PST is a unit of the USCG that specializes in response to oil and hazardous material spills and maintains a large warehouse of response equipment in Novato, California. Their inventory includes mobile command posts, communication equipment, all levels of personnel protective equipment, portable decontamination facilities and an assortment of boats, pumps, skimmers, water booming systems, generators, air monitoring equipment, medical kits, and other response equipment to supplement other resources. It is common practice for FOSC's to assign a qualified PST member as Site Safety Officer.

Services available from the PST include the following:

- Technical expertise
- Supervisory assistance
- Cost documentation
- Response to spill incidents
- Deployment of salvage and pollution control equipment
- Training in pollution response techniques

Environmental Response Team

The Environmental Response Team (ERT) supports the US EPA and is comprised of specialists, scientists, and engineers, based in Las Vegas, NV, Edison, NJ, and Cincinnati, OH. ERT is usually involved in unique and complex environmental response actions. ERT can provide specialized equipment, such as mobile laboratories and highly sophisticated monitoring equipment. ERT will work closely with the FOSC in evaluating the use and effectiveness of cleanup technologies, including bioremediation, low-temperature thermal desorption, water treatment systems, stabilization and solidification, surface washing agents, dispersant use and other technologies. The ERT is responsible for activating the Environmental Emergency Response Unit, a unit which can provide on-scene equipment capable of removing pollutants from contaminated water, conducting treatment studies, and performing a wide range of analytical capabilities.

The disciplines of the ERT include environmental engineering, chemical engineering, veterinary medicine, chemistry, biology, environmental health, risk assessment, sanitary engineering, and analytical support.

Areas of expertise include:

- Determining safety precautions for removal
- Evaluating the nature and extent of contamination
- Identifying hazards of pollutants

- Assessing degree of mitigation/removal required
- Identifying critical and sensitive areas
- Selecting disposal methods and appropriate disposal facilities
- Providing access to special decontamination equipment

National Oceanic and Atmospheric Administration Scientific Support Coordinators

The Scientific Support Coordinator (SSC) serves under the direction of the FOSC with the responsibility to provide scientific support for operational decisions and to coordinate on-scene scientific activity. The SSC augments, rather than replaces, the local scientific knowledge. Local teams generally have the advantage of minimal response times, familiarity with the area, and a working rapport with other local entities. On the other hand, oil spill response may become extremely complex and require expertise and resources not usually available at the local level. FOSCs are encouraged to use the SSC as they would use other special forces available to them. SSC assistance can be requested by contacting the regional SSC, identified in the RCP.

During a major incident, the SSC is supported by the NOAA Regional Operation Center located in Seattle, Washington. The SSC can assist in assessing the hazards that may be involved and provides predictions of movement and dispersion of oil through trajectory modelling. The SSC can also provide information on actual or predicted meteorological and hydrological conditions for inland waterways, situational mapping, and resource tracking displays for response planning purposes.

Areas in which the SSC can provide assistance include the following:

- Assessment of adverse effects/mitigation strategies: This assistance is frequently required during the initial phases of an incident when response operations and cleanup strategies are being developed. Activities to protect and mitigate adverse effects on human health and welfare, and the environment include:
    - Liaising with natural resource and chemical experts
    - Spill trajectories modeling
    - Assessing and advising on the nature, behavior, and fate of oil under various environmental conditions
    - Identifying areas of special biological importance
    - Advising on safety precautions for response personnel
    - Assisting in public relations efforts on scientific issues
- SCAT surveys, and assisting with the determination of when an area is "clean"
- "Section 7" coordination pursuant to the Federal Endangered Species Act
- "Section 106" coordination pursuant to the National Historic Preservation Act

11.3 Supporting Agencies

11.3.1 Local Government

Local governments, including counties and municipalities, are often the first to be notified and respond to oil spills, although the responsible party ultimately holds legal responsibility for response and cleanup efforts. Incident management responsibility varies depending on the specific statutory authority governing each local government or agency. The roles described in this Plan reflect typical county and municipal jurisdictions throughout California.

Certified Unified Program Agencies and Participating Agencies

CUPAs and PAs play a critical role in pre-incident planning and operational support during oil spill responses. All counties and a number of cities within California are designated to implement the state and federal hazardous materials emergency planning and community right-to-know programs; these program functions are performed by CUPAs and PAs (Cal. Code Regs., tit. 27, § 15100, et seq.).

CUPAs are responsible for the following local "unified programs", which may include addressing chemical components released by an oil spill:

- Hazardous Materials Area Plans
- Hazardous Materials Business Plan Program
- Regulation of Underground Storage Tanks
- Inspection of Aboveground Storage Tanks for Spill Prevention, Control, and Countermeasure compliance
- Hazardous waste generator regulation, including tiered permit requirements
- California Accidental Release Prevention Program

CUPAs and PAs provide valuable resources and coordination support during spills. CUPAs are typically fire departments and environmental health departments that may serve as the Local Government On Scene Coordinator (LGOSC) or coordinate through the LOFR during oil spills. A list of CUPAs and PAs is maintained by the CalEPA, Unified Program Section.

Planning and Coordination

Pursuant to Health & Saf. Code section 25503 subd. (c), CUPAs and PAs must establish emergency response area plans delineating responsibilities between local agencies and federal and state partners. Federal LEPCs, aligned with California's six Mutual Aid Regions, provide a regional framework for hazardous materials planning, supplemented by Cal OES's Regional HazMat Planning Framework.

The Administrator may offer grants to CUPAs or federally recognized tribes with jurisdiction over or directly adjacent to state waters. These grants aim to assist in completing, updating, or revising the oil spill elements of their area plan (Gov. Code, § 8670.35).

Incident Command and Response Participation

For oil spills into waters of the state, OSPR serves as the SOSC and a local government representative may serve as an LGOSC for the incident, when requested by the UC. The UC

evaluates spill severity, affected jurisdictions, public involvement, and local support needs, appointing LGOSCs as appropriate (see applicable ACP).

Local governments may establish an Operational Area Multi-Agency Coordination Group to nominate a qualified representative from among its member agencies to serve as the LGOSC within the UC. The LGOSC represents local jurisdictions, providing the UC with information on local resource availability, operational coordination, policy issues, and public concerns. The LGOSC must possess the authority to make tactical spill response decisions independently of city councils or boards of supervisors. Additionally, local government agencies can engage with the response through the LOFR as an AREP or interested party.

Local Response Equipment
Equipment used by local and regional agencies in oil spill response and cleanup can be found in the specific county's oil spill contingency plan. These local plans must list all available emergency response supplies and equipment under their control (Cal. Code Regs., tit. 14, § 852.62.2, subd. (b)(1)(E)). OSPR provides grants to local government entities, special districts, and California Native American tribes to provide oil spill response equipment that can be pre-positioned (pre-staged) adjacent to waters of the state. The equipment can be deployed by the grantee to contain a spill and/or to protect local resources during the initial response to an incident. Once the response organization is established, local governments should work through the LOFR to coordinate response.

Local information can be found in the applicable ACP and GRP, where available.

Local Agency-Specific Roles
Oil spill response involves a wide range of local government agencies, each with specialized responsibilities. Coordination among these agencies and with state and federal partners ensures a timely, safe, and comprehensive response that protects public health, safety, and the environment. The following outlines key local agency roles in spill response.

- **Fire Departments**: Fire agencies, including county and municipal fire departments and special district fire services, often serve as initial Incident Commanders during oil spills to lead fire prevention and suppression, air monitoring, and rescue efforts, ensuring the scene is safe prior to initiating oil spill response efforts. For fires within the marine environment, local fire agencies will coordinate with the USCG following the relevant marine fire response plans (refer to the relevant ACP for the appropriate plan). After scene stabilization, and depending on the scale of the incident, representatives from fire agencies may transition to the LGOSC, if requested by the UC, or may engage with the response through the LOFR.
- **Law Enforcement**: For oil spills on city or county roadways, the County Sheriff or City Police usually serve as the initial Incident Commander (Gov. Code, § 2454). In other spill situations within cities or counties, and absent local agreements or ordinances, law enforcement agencies provide support as an AREP including traffic and crowd control, site security, and safety zone enforcement. Federal and state law enforcement agencies may have concurrent jurisdiction in certain incidents. Local governments may restrict non-essential vessel traffic on waters within their jurisdiction.

For non-essential or non-commercial vessel movement restrictions, the UC should contact the County Sheriff (see applicable ACP for further information).

- **Public Health**: Local health agencies, including county and city health officers, are responsible for protecting public health and coordinating emergency medical services. Health officers have the authority within their jurisdictions to take any preventive measures necessary to protect and preserve public health during oil spill incidents, such as issuing warnings, evacuation orders, and area closures. During oil spills, cities, special districts, and other entities look to the local health officer for advice or concurrence regarding closures and re-openings of beaches, parks, harbors, and other public use areas. ***In medical emergencies, such as spill-related injuries, call 911 and seek treatment.*** Local health agencies support the UC with risk assessments, community advisories, and public health measures consistent with ACP guidance. A Public Health Assessment Unit (PHAU) within the Planning Section may be activated to provide more direct coordination between public health related agencies and the UC.
- **Environmental Health**: Local environmental health departments focus on assessing and mitigating environmental impacts during an oil spill response, and they typically have authorities regarding water quality at beaches and parks within their jurisdictions. Environmental health agencies are commonly associated within a local public health department, and certain public health authorities may be formally delegated to environmental health by the local health officer. Some environmental health agencies are also CUPAs with capabilities to respond and assess public health risks during an oil spill. Environmental health agencies may participate in a PHAU when one is established during a response.
- **Air Pollution Control Districts and Air Quality Management Districts (Air Districts)**: Air Districts are responsible for developing air quality standards, permitting, and administering fence line and community air monitoring programs near major stationary sources, as well as receiving and investigating odor complaints from the public. There are 35 air districts in California, either Air Pollution Control Districts or Air Quality Management Districts, with each overseen by an Air Pollution Control Officer. These entities may provide advice to the UC regarding predicted dispersion of airborne pollutants from an oil spill, and some districts may offer laboratory support or ambient monitoring of pollutants depending on the incident. Air districts vary in level and types of resources, with large multi-county districts such as the South Coast and Bay Area Air Quality Management District having more personnel, equipment, and analytical resources than smaller, less populous districts. The Administrator must keep affected air districts informed throughout the spill response and cleanup process (Gov. Code, § 8670.7), and air districts may participate in a PHAU when one is established. The UC will coordinate with affected districts to permit in situ burning as authorized under Health & Saf. Code, section 41801, subd. (g).
- **Other Local Government Entities**: Other local agencies such as Flood Control Districts or Parks and Recreation Departments participate in spill response planning and training with LEPCs, CUPAs, PAs, and other area committees. Their roles and

capabilities should be described in local and regional intrastate response plans. These agencies would engage with the response through the LOFR.

11.3.2 State Government

State agencies play a critical role in California's oil spill response framework, providing specialized expertise, regulatory oversight, and operational support. Their responsibilities encompass environmental protection, public health, natural resource management, and emergency services coordination. Each agency contributes unique capabilities and operates within specific statutory authorities to ensure a comprehensive and effective response to oil spill incidents.

State agencies with an operational role at an oil spill should ensure any internal response plans or response plans they require of their regulated community are regularly updated and align with this Plan, the RCP, and the IMH to ensure consistency in response activities and effective coordination.

State agency representatives engage with the spill response organization through the LOFR. This engagement facilitates interagency coordination, information sharing, and the integration of specialized resources and expertise into the response effort.

In the event of an oil spill, normal government operations can be disrupted. If an oil spill escalates to a critical emergency, state governments have the authority to reconstitute themselves and are required to maintain continuity of operations to ensure the uninterrupted performance of essential functions during such incidents, as outlined in Gov. Code, sections 8635–8644. The State Emergency Plan, which includes a matrix of state agency responsibilities, is available on the Cal OES website. The annex titled "California Hazardous Materials and Oil Emergency Function" can be accessed on the CalEPA website.

California Air Resources Board

Responsibilities: California Air Resources Board's (CARB) mission is to protect and enhance the ambient air quality of the state. CARB monitors, researches, and sets air quality policies for controlling emissions from mobile sources. CARB works with regional and county air quality control authorities who set emission standards for stationary sources.

Notification Requirements: Immediate notification to CARB is required for oil spill incidents that may adversely affect air quality.

Capabilities and Limitations: CARB can assist first responders, on a limited basis, during the release of toxic industrial chemicals or fires that impact nearby communities through its Office of Emergency Response (OER). OER can be requested to conduct air quality assessments in locations surrounding the hot zone to measure the incident's effect on the surrounding community's air quality. OER has limited monitoring response capability for unanticipated releases from industrial sources but can coordinate with technical experts in the fields of chemistry, plume dispersion modeling, air quality management, and air related public messaging, and to assist during these types of incidents. For longer duration incidents,

OER can coordinate with other divisions in CARB and outside agencies to provide additional capabilities. This support function may be accessed through direct contact with agency emergency response personnel, or the Cal OES State Warning Center.

California Coastal Commission

Responsibilities: The CCC exercises authority under the California Coastal Act of 1976 (Coastal Act) to manage the conservation and development of California's 1,100 mile coastline (excluding San Francisco, San Pablo, and Suisun Bays) (Pub. Resources Code, § 30000 et seq.). The CCC regulates development activities that occur within the coastal zone. The Coastal Act contains policies for the prevention of and response to oil and hazardous substance spills Pub. Resources Code, § 30232); protection of coastal waters and marine resources (Pub. Resources Code, §§ 30214 – 30236); protection of environmentally sensitive habitats, and rare or especially valuable species of wildlife and plants (Pub. Resources Code, §§ 30240; 30107.5); and protection of fishing activities (Pub. Resources Code, §§ 30234, 30234.5).

The Executive Director of the CCC can issue an emergency permit for oil spill clean-up or repair and maintenance activities determined to constitute development under the Coastal Act. Issuing an emergency permit can be accomplished with a verbal approval on scene or by telephone. In addition, activities authorized, funded, or carried out by the federal government that affect coastal zone resources must be reviewed by the CCC for consistency with the California Coastal Management Program, including the Coastal Act (Pub. Resources Code, §§ 30330, 30400).

The CCC reviews oil spill contingency plans and assists the OSPR Administrator with carrying out studies regarding contingency planning, oil spill response equipment, and operations. The CCC may also assist with drills and exercises to test prevention operations, equipment, and procedures. The CCC is also a member of the state's five Harbor Safety Committees (see subsection 11.4 Independent Oil Spill Committees and Bodies herein). The state Oil Spill Technical Advisory Committee (TAC) provides the CCC with recommendations regarding marine oil spill issues (Gov. Code, §§ 8589.7, 8670.23, 8670.36, 8760.37, 8760.37.5, 8760.55; Pub. Resources Code, § 8757).

Notification Requirements: The CCC must be notified by the Cal OES State Warning Center of any discharge or threatened discharge of oil in marine waters (Gov. Code, §§ 8670.25.5, subd. (b), 8589.7, subd. (b)).

Capabilities and Limitations: During an oil spill the CCC can provide several types of support:

- Technical and/or response assistance (e.g., shoreline assessment, wildlife search and collection, and permitting to facilitate expeditious cleanup)
- Assistance to local governments, special purpose districts, and property owners in addressing resource protection issues
- Advice regarding preferred response and cleanup activities to avoid or minimize adverse resource impacts to coastal and marine resources

California Environmental Protection Agency

Responsibilities: CalEPA's mission is to restore, protect and enhance the environment, ensuing public health, environmental quality, and economic vitality. CalEPA's emergency response and recovery responsibilities focus on air quality, waste management, toxic substances, pesticide release or exposure, chemical releases, water quality, and ecosystem effects. CalEPA oversees six departments that also engage in oil spill response including CARB, CalReycle, DTSC, OEHHA, SWRCB, and Department of Pesticide Regulation.

Notification Requirements: CalEPA is required to receive reports of oil spills and related exposures. Notification to CalEPA is generally done through the Cal OES State Warning Center and the DTSC duty officer system.

Capabilities and Limitations: CalEPA emergency response activities are coordinated through the Emergency Response Management Committee, which is comprised of a representative from each of CalEPA's departments and through the Emergency Function for Hazardous Materials and Oil (EF-10) Annex to the State Emergency Plan. For an oil spill, CalEPA agencies can assist with:

- Scientific support for toxicology, aquatic and ecotoxicology, exposure, and risk assessment
- Debris management
- Air monitoring and modeling (including emergency mobile monitoring and stationary lab capabilities)
- Technical support for surface and groundwater contamination

California Department of Conservation, Geologic Energy Management Division

Responsibilities: CalGEM, within the Department of Conservation, is the lead state agency responsible for the supervision and regulation of well drilling and production operations within California. CalGEM's mandates include preventing damage to natural resources that could result from oil, gas, and geothermal drilling, production, or plugging and abandonment operations. CalGEM maintains records of the operator, location, production and injection data, and construction details for all oil, gas, and geothermal wells, plus location and capacity information for tanks associated with oil production operations.

Notification Requirements: Blowouts, fires, serious accidents, and significant gas or water leaks resulting from or associated with oil or gas drilling or producing operations, or related facilities, must be promptly reported to the appropriate CalGEM district office (Cal. Code Regs., tit. 14, § 1722, subd. (h)(i)). The San Joaquin Valley Oil Spill Field Rule implements unique notification requirements for oil fields in that region (see Section 1- Oil Spill Reporting and Notification Requirements).

Capabilities and Limitations: When a pollution incident results from a drilling or production facility, CalGEM can help determine the owner/operator, and advise on appropriate actions necessary to control and secure the source.

California Department of Fish & Wildlife

Responsibilities: CDFW has public trust responsibility for the state's wildlife and habitat. CDFW is responsible for closing and re-opening sport and commercial fisheries as necessary to protect public health following oil spills, based on coordinated health assessments and recommendations by OEHHA (Fish & G. Code, §§ 5654, 7715) (see subsection 7.2- Temporary Closure of Commercial and Sports Fishing and Harvesting). While OSPR is an office within CDFW and serves in a leadership role during oil spill response, CDFW regional offices and programs may also provide expertise to ensure best achievable protection of natural resources.

Notification Requirements: OSPR will notify appropriate CDFW staff to request engagement in the response if warranted.

Capabilities and Limitations: Regional CDFW staff may provide local knowledge as a technical specialist within the EU to help identify and protect sensitive resources. CDFW also oversees ecological reserves and wildlife areas throughout the state and would be directly involved in the response if a spill impacted these areas. Marine Region, Fisheries Branch, and Wildlife Officers may also be engaged if a fisheries closure is implemented. If affiliated volunteers are requested during a response, CDFW's Natural Resource Volunteers are often engaged by OSPR's Volunteer Coordinator (see Section 14 – Volunteer Coordination of Oil Spill Response).

California Department of Forestry and Fire Protection

Responsibilities: CAL FIRE, which includes the Office of the State Fire Marshal's Pipeline Safety Division (OSFM PSD) has the authority to respond to and investigate ruptures, fires, or similar incidents, involving intrastate hazardous liquid pipelines. OSFM PSD enforces federal pipeline safety regulatory requirements (49 C.F.R., Part 195). OSFM PSD maintains maps of all regulated intrastate pipelines in the State Pipeline Mapping System.

Notification Requirements: Immediate notification is required from the Cal OES State Warning Center for all oil and hazardous liquid pipeline ruptures.

Capabilities and Limitations: When an oil spill also involves a fire, CAL FIRE could perform fire protection, suppression, investigation, and prevention duties. CAL FIRE may provide:

- Incident Management Teams
- Mobile Communications Units and logistical support
- Support to local firefighting agencies in accordance with fire mutual aid agreements
- HazMat trained personnel

- Emergency response hand crews
- Law enforcement personnel (CAL FIRE has statewide peace officer powers and authority to enforce all California criminal statutes)
- Explosive ordnance disposal technicians
- Pipeline safety inspectors/investigators
- Fire investigators
- Fixed and rotary wing aircraft

California Department of Industrial Relations Division of Occupational Safety & Health Administration

Responsibilities: The primary responsibility of the California Department of Industrial Relations Division of Occupational Safety & Health Administration (Cal/OSHA) is to prevent and regulate occupational exposures and injuries in the workplace; this includes the health and safety of people responding to an oil spill (Cal. Code Regs., tit. 8, § 5192). Cal/OSHA also has the responsibility to assess when fewer than 24 hours of training is allowable for post-emergency clean-up workers, including volunteers.

Notification Requirements: Employers must verbally notify Cal/OSHA immediately when there is an exposure to a regulated carcinogen, serious injury, illness, or death of an employee during any work activity, including those performed at an oil spill.

Capabilities and Limitations: During oil spills, Cal/OSHA can advise the UC regarding regulatory compliance issues.

California Department of Parks and Recreation

Responsibilities: The Department of Parks and Recreation (State Parks) is responsible for state parks, beaches, and certain historic sites and is a trustee agency.

Notification Requirements: State Parks must be notified if a spill may impact a State Parks unit.

Capabilities and Limitations: State Parks can provide AREPs, peace officers, environmental scientists, HAZMAT first responders, oiled wildlife rescuers, volunteer management support personnel, and in limited circumstances, vessels with operators, for spills directly impacting State Park units.

Office of Historic Preservation

Responsibilities: The State Parks Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs statewide, including ensuring compliance with agency regulatory obligations and maintaining a

statewide inventory of cultural resources through the California Historical Resources Information System (CHRIS) and eight Information Centers throughout the state.

Notification Requirements: The Tribal Coordinator, in consultation with the EU, will contact the appropriate CHRIS Information Center(s) during a spill response. Contact information for each Information Center is available online and each service area is defined by county. Contact the CHRIS Coordinator if an Information Center cannot be reached.

Capabilities and Limitations: OHP and the Information Centers can advise the UC regarding cultural resource locations. They cannot provide onsite services. Delivery of data can be done in a variety of ways, but requires coordination with the Information Center, and if necessary, OHP.

California Department of Toxic Substances Control

Responsibilities: DTSC regulates the handling, storage, treatment, and disposal of hazardous wastes. Oil and petroleum products must be handled, stored, labeled, and transported, similar to other hazardous materials and substances. However, for purposes of cleanup, a spill of oil or petroleum that is a product or commodity is not addressed under the laws and regulations implemented by DTSC. Instead, oil spill cleanup laws as found in the Fish and Game Code, the Government Code, or the Water Code must be used to provide authority for cleanup. However, the spilled contaminated oil (e.g., dirt mixed in with diesel) must comply with DTSC's waste handling, storage, treatment and disposal requirements.

Notification Requirements: Immediate notification, pursuant to facility contingency plans, is required for releases from permitted treatment, storage, and disposal facilities.

Capabilities and Limitations: DTSC can provide technical advice regarding the safe handling or appropriate disposal of toxic materials.

California Governor's Office of Emergency Services

Responsibilities: Cal OES is responsible for coordinating the mitigation, preparedness, response, and recovery activities related to disasters and homeland security measures. Cal OES is delegated substantial emergency duties under the California Emergency Services Act. Cal OES coordinates mutual aid within the state and is also responsible for maintaining a day-to-day working relationship with local emergency management organizations.

The state is divided into six mutual aid regions that are managed by three Cal OES Regional Operations Centers: Southern, Coastal, and Inland. Cal OES also operates the State Operations Center and State Warning Center. Cal OES is also maintains the California State Emergency Plan to address the State's response to extraordinary situations associated with natural and human-caused disasters, and technological incidents.

Notification Requirements: A person responsible for an oil spill or threatened release must report the spill to the Cal OES State Warning Center (Health & Saf. Code, § 25510; Cal. Code Regs., tit. 19, § 2701; Gov. Code, § 8670.25.5). Once notified, Cal OES will then immediately contact the appropriate federal, state, and local agencies according to pre-determined procedures and criteria. Some laws and regulations specifically identify which agencies Cal OES must notify in the event of a specific type of release.

Capabilities and Limitations:

- Cal OES operates the California State Warning Center on a 24-hour a day, seven day a week, basis as the central notification and reporting system for the State of California
- As requested by the UC, Regional Emergency Operations Centers can manage and coordinate information and resources among operational areas within the mutual aid regions and between operational areas and the state
- Cal OES personnel can be requested to support local emergency officials (i.e., incident information and emergency management personnel)
- Cal OES can provide support working directly with the LOFR, assisting with selection of an LGOSC, and providing communications, mutual aid, and Mobile Command Posts
- Cal OES can assist local agencies in accessing mutual aid resources (e.g., fire, law, coroner). Requests must be made according to the State Emergency Plan and SEMS, and at the request of the UC

California Highway Patrol

Responsibilities: CHP serves as the initial Incident Commander for oil spills not threating state waterways that occur on state highways, at state buildings and on state grounds, even if located within political boundaries of a county or municipality. The CHP may be the Incident Commander for oil spills that occur on city and county roads if the local authorities enter into such an arrangement with CHP. CHP's authority does not include state properties where any other agencies have specific jurisdiction, such as the University of California or state hospitals under the Department of Mental Health.

Notification Requirements: Immediate notification is required for any oil spills that occur within the jurisdictional boundaries of the CHP. The CHP will subsequently notify the Cal OES State Warning Center and Caltrans, or local street and road departments, as appropriate.

Capabilities and Limitations: CHP will not normally provide incident coordination support for oil spills that occur outside its jurisdiction.

CHP capabilities include the following:

- Evaluate and report road conditions
- Provide traffic control and rerouting
- Prevent unauthorized entry into contaminated areas
- Provide law enforcement

California Native American Heritage Commission

Responsibilities: The NAHC is a nine-member body appointed by the Governor to protect and preserve Native American cultural resources across the state. Its primary responsibilities include identifying, cataloging, and safeguarding sites of religious and social significance to Native Americans, as well as known ancient graves and cemeteries on both public and private lands. The NAHC plays a crucial role in ensuring the respectful treatment and disposition of Native American human remains and associated burial items, providing a legal avenue for Native American descendants to express concerns regarding such matters. Additionally, the Commission maintains a list of California Native American tribes and their respective contacts. Through its efforts, the NAHC upholds the cultural heritage of Native American communities in California, ensuring that their sacred sites and ancestral remains are treated with the dignity and respect they deserve.

Notification Requirements: OSPR's Tribal Coordinator, in consultation with the EU, will notify NAHC if a spill may impact cultural or historic resources.

Capabilities and Limitations: The NAHC can provide a list of California Native American tribes with a traditional cultural connection to the affected area, including the tribal contact who originally submitted information about the cultural resource. Specific locations of cultural resource are kept confidential to protect them from damage, theft, or destruction.

California Public Utilities Commission

Responsibilities: The California Public Utilities Commission's (PUC) Railroad Operations and Safety Branch has responsibility and authority to investigate railroad accidents, which include oil spills. It performs railroad safety oversight of daily operations and inspections of new and existing facilities for compliance with the PUC General Orders and with federal law. Internal staff investigation reports are required which can result in a formal Commission Investigation (Pub. Util. Code, § 315).

Notification Requirements: Immediate notification is required via the Cal OES State Warning Center for railroad accidents.

Capabilities and Limitations: The headquarters office and field offices throughout the state provide field investigators to conduct on-site investigations of transportation incidents.

California Volunteers

Responsibilities: California Volunteers is the state office tasked with engaging Californians in service, volunteering, and civic action. During oil spills, California Volunteers can serve as a resource to the Volunteer Unit Leader to assist in coordinating volunteer resources.

Notification Requirements: OSPR's Volunteer Unit Leader may notify California Volunteers during spills when affiliated or community volunteers may be utilized.

Capabilities and Limitations: When requested by the Volunteer Unit Leader, California Volunteers may assist with the management of volunteers through coordination with public, private, and nonprofit organizations, including federal, state, local, and California Native American tribes; voluntary agencies; and volunteer referral agencies.

Office of Attorney General, Department of Justice

Responsibilities: The Attorney General represents the people of California in civil and criminal matters and represents most state agencies in civil litigation. The Department of Justice carries out the responsibilities of the Attorney General.

Notification Requirements: None, unless a state agency requests the immediate involvement of the Attorney General.

Capabilities and Limitations: The Attorney General and Department of Justice may assist with obtaining injunctions, criminal intelligence, evidence gathering, surveillance, communications equipment, forensic services, and provide legal advice to state agencies.

Office of Environmental Health Hazard Assessment

Responsibilities: OEHHA provides scientific information and advice upon which to base public health risk management decisions. For oil spills into waters of the state, OEHHA provides health assessments and recommendations concerning the closure and re-opening of fisheries (Fish & G. Code, §§ 5654, 7715). This is described in the CDFW/OEHHA Fisheries Closure Joint Protocol for Marine Oil Spills.

Notification Requirements: OEHHA is notified of oil spills directly by OSPR, generally by the OSPR Fisheries Closure Technical Specialist.

Capabilities and Limitations: OEHAA can assist responders in assessing and characterizing risks to public health and the environment from oil and chemical spill releases and provide health risk information to responding agencies. Generally, OEHHA supports larger scale chemical emergency responses. For oil spills to state waters, OEHHA will assess the risks from fishing and consuming fish in the impacted area and make a recommendation to the Director of CDFW as to whether closure of commercial and recreational fishing is necessary to protect public health. In general, OEHHA does the following:

- Provides chemical risk characterization information
- Provides health information to the spill response organization, and as appropriate, to the news media and release public health advisories
- Assists responders in assessing potential exposures for decisions on sheltering-in-place, evacuation, and re-entry
- Assists in environmental fate assessment, determining health and environmental consequences of breakdown products, reaction products, and inter-media transfers

- Assists with environmental sampling following oil spills requiring expedited sampling and provides consultation on residual risks associated with remediation
- Supports local health agencies and health professionals following chemical releases by providing toxicological information
- Serves within the PHAU, if activated

San Francisco Bay Conservation & Development Commission

Making San Francisco Bay Better

Responsibilities: BCDC has planning, permitting and enforcement authority over development within San Francisco Bay, salt ponds, managed wetlands, and a 100-foot Shoreline Band adjacent to the Bay, as well as the Suisun Marsh (Gov. Code, § 66600 et seq.; Pub. Resources Code, § 29000 et seq.]. BCDC must assist the OSPR Administrator with studies regarding improvements to oil spill contingency planning, response equipment, and operations and reviews proposed local government oil spill contingency plans, vessel and facility oil spill contingency plans, and proposed regulations. BCDC may also assist with drills and exercises to test prevention operations, equipment, and procedures and is represented on the San Francisco HSC. The TAC provides BCDC with recommendations regarding marine oil spill issues (Gov. Code, §§ 8574.9, 8574.10, 8670.23, 8670.36, 8670.37).

The BCDC Executive Director, upon consultation with the Chair of the Commission, can issue an emergency permit for oil spill clean-up or repair and maintenance activities determined to require a permit under the McAteer-Petris Act or Suisun Marsh Preservation Act. In addition, activities authorized, funded, or carried out by the federal government in the Bay or that affect the Bay must be reviewed by BCDC for consistency with the California Coastal Management Program, including BCDC's applicable laws and policies.

Notification Requirements: BCDC must be notified by the Cal OES State Warning Center of any discharge or threatened discharge of oil in marine waters within BCDC's jurisdiction (Gov. Code, § 8670.25.5, subd. (b)).

Capabilities and Limitations: BCDC staff can provide technical assistance based on local knowledge of potential resource impacts, site ownership, and site access.

State Lands Commission

Responsibilities: SLC acts as trustee by holding and managing all sovereign lands of the state and serves as a NRDA trustee agency. SLC has specific statutory jurisdiction over the operation of marine oil terminals located in the state, as well as trustee responsibility at other marine facilities on lands leased from the state. SLC must consult with the OSPR Administrator and other affected local and federal agencies with respect to the rules, regulations, and guidelines regarding marine oil spill prevention (Pub. Resources Code, § 8755). SLC reviews oil spill contingency plans of facilities in marine waters to ensure consistency with information provided in their operations manuals.

A written report is required of all lessees after a spill incident is over. This report should include, at a minimum, the source, cause, size of spill, and actions taken.

Notification Requirements: SLC should be notified of oil spills in navigable waters, including harbors, rivers and lakes, at marine terminals (whether onshore or offshore), and at coastal facilities.

Capabilities and Limitations: Lessees are required to maintain cleanup equipment on-site and to provide proper training of personnel. SLC staff can help determine the cause and amount of material spilled as well as assist in damage assessments. SLC's staff includes a variety of engineering, environmental, geological, biological, boundary determination, and legal professionals and have expertise in offshore oil facility and marine oil terminal operations.

State Water Resources Control Board and Regional Water Quality Control Boards

Responsibilities: The SWRCB has the primary responsibility to protect the state's surface, coastal, and groundwater resources for human use, and regulate water rights. There are nine RWQCBs, one located in each of the nine major watersheds of the state. The RWQCBs are guided by policies established by the SWRCB, and develop basin plans, issue waste discharge requirements, take enforcement action against violators, and monitor water quality.

Notification Requirements: Immediate notification is required by the Cal OES State Warning Center to the appropriate RWQCB of all oil spills that enter or threaten to enter any waters of the state. Reports may be required for oil spills as a condition of discharge permits.

Capabilities and Limitations: Support functions during an oil spill may include the following:

- Provide funding for response and cleanup
- Provide technical assistance to the UC
- Conduct water sampling, analysis, and monitoring activities to assist in evaluation and mitigation
- In cooperation with DTSC, designate sites for disposal of oil
- Advise water users of potential risks due to a spill
- Issue cleanup and abatement or cease and desist orders to responsible parties, as appropriate
- Conduct civil investigations
- Serve as the lead state agency for spills to groundwater and long-term site remediation

11.3.3 Federal Government

This section provides an overview of federal agencies' roles and responsibilities when responding to an oil spill. Further information on federal agency roles and responsibilities can be found in the following:

- NCP
- NRF
- NIMS
- RCPs
- ACPs

National Oceanic and Atmospheric Administration

NOAA provides scientific support to the FOSC during incident responses and contingency planning in coastal and marine zones. This support includes assessments of the hazards that may be involved, predictions of the movement and dispersion of oil through trajectory modeling and on-scene observations, and information on the sensitivity of coastal environments to oil. NOAA's software programs (like ERMA) assist emergency responders, planners, and LEPCs in the management of oil spills. When requested, NOAA may provide SSCs for responses. Prior to a spill, considerable information can be provided by the SSC in developing regional and local contingency plans. This information can include the probability that spills originating from a given location will affect specific areas; the location of environmentally sensitive areas; background data on the behavior of various pollutants known to be transported in a given area; and the possible environmental impact of an oil release.

Two divisions of NOAA serve as trustees of specific natural resources: the NMFS and the National Marine Sanctuary Program. NOAA also has a Damage Assessment and Restoration Program involved in spill NRDA and restoration activities.

The Hazardous Materials Response Branch of NOAA provides the following services:

- Scientific advice to the USCG and the US EPA to minimize the effects of spills and hazardous waste sites affecting the nation's coastal zone
- Planning assistance to the USCG, US EPA, fire departments, and LEPCs in dealing with oil and chemical emergencies

Federal Emergency Management Agency

FEMA, under the Department of Homeland Security, is the federal lead agency for the management of Presidentially declared disasters and coordinates with other federal agencies for disaster response and recovery activities. If an oil spill is significant enough to become a Presidentially declared disaster, FEMA may issue a mission assignment to the USCG or EPA under Emergency Support Function (ESF) #10 for oil and hazardous materials response.

FEMA administers disaster assistance programs provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public law 93-288, as amended. This Act allows FEMA to provide assistance to individuals and to state and local governments to help them respond to, recover from, and mitigate for the effects of disasters. FEMA serves as the lead agency in the management of response and recovery in affected areas after a major disaster, if requested by the Governor and declared by the President.

Currently, the National Response Framework (NRF) provides for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency. The NRF may be implemented in anticipation of a significant event likely to result in a need for federal assistance and/or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency. An oil spill incident could cause sufficient injury and damage to merit a Presidential declaration, or an oil spill incident may be the consequence of a larger encompassing disaster or emergency declaration.

The NRF has several ESF annexes. ESF #10 is the Oil and Hazardous Materials Response Annex (US EPA as primary agency). ESF #10 provides federal support to state and local governments in response to an actual or potential release of oil following a major disaster or emergency. As an element of the NRF, ESF #10 may be activated under one of the following conditions:

- In response to a disaster for which the President (through FEMA) determines that federal assistance is required to supplement the response efforts of the affected state and local government; or
- In anticipation of a major disaster or emergency that is expected to result in a declaration of emergency.

After the declaration of an emergency or disaster the President (through FEMA) may direct federal agencies to utilize their authorities and resources in support of local and state emergency assistance efforts to save lives, protect the public health and safety, and to protect property.

FEMA encourages the development and maintenance of federal, state, and local hazard disaster planning and mitigation measures. FEMA also provides related training through the National Emergency Training Center.

Department of Defense

DoD will provide assistance in investigations to evaluate the magnitude and severity of discharges or releases on or adjacent to resources under the jurisdiction of DoD. The DoD also documents damage to natural resources under their management authority. DoD can provide an FOSC for releases of hazardous substances, pollutants, or contaminants from DoD facilities and vessels. The DoD is responsible, as is any federal agency, for cleanup of oil discharged from its vessels and facilities.

Department of the Interior

DOI provides assistance to evaluate the magnitude and severity of discharges on or affecting facilities or trust resources, and in documenting damages to natural resources for which it has trustee responsibilities. Within the Office of Environmental Policy and Compliance, the Regional Environmental Officer is the Secretary of the Interior's response contact and serves on the RRT IX. The various DOI Bureaus may provide assistance during oil spills in accordance with the information provided below:

Bureau of Indian Affairs

The Bureau of Indian Affairs will assist in facilitating access to Tribal land areas as needed for response actions and will coordinate with the incident LOFR, Tribal Coordinator, and/or HPS to ensure pertinent information is made available to tribal authorities on a timely basis.

Bureau of Land Management

BLM oversees the management of Wild and Scenic Rivers, National Monuments, and the California Coastal National Monument. In California, BLM is responsible for more than 20,000 rocks and islands located above the mean high tide and within 12 nautical miles of California's 1,100-mile coastline, as part of the California Coastal National Monument. The Monument encompasses roughly 1,000 acres of offshore islands and over 8,000 acres of onshore units across Humboldt, Mendocino, Santa Cruz, and San Luis Obispo Counties. BLM can provide expert advice and assistance on the resources that depend on the offshore rocks and islands such as breeding seabirds and marine mammals. During an oil spill, BLM ensures the protection of these resources as well as provides expertise in emergency response. Many BLM offices are equipped to assist with sampling, investigation, surveillance, and security. BLM also has expertise in on-shore energy production, cadastral survey, cultural and historic properties, natural resources, and federal property acquisition and disposal.

Bureau of Reclamation

Bureau of Reclamation's (BOR) mission is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. BOR provides advice and information on operation, control, and maintenance of water systems and related resources, including dams, reservoirs, and channels. BOR has expertise in engineering and hydrology and can provide design services, construction, contracting, oversight, and administration support.

Bureau of Safety and Environmental Enforcement

Bureau of Safety and Environmental Enforcement (BSEE) works to promote safety, protect the environment, and conserve resources offshore through regulatory oversight and enforcement. BSEE's Oil Spill Preparedness Division sets standards for offshore oil spill response through comprehensive planning, integrated industry and government preparedness, and the use of the best available technology.

For oil spills involving Outer Continental Shelf facilities, BSEE's Pacific Regional Office can provide assistance such as responsible party identification using regional databases and mapping programs, source control technical expertise, and aerial observation platforms such as helicopters. In coordination with the UC, BSEE can deploy technical specialists to support the response at the ICP and participate in joint overflights to assist assessing damage to offshore facilities.

In addition to standard spill reporting requirements (see Section 1 - Oil Spill Reporting and Notification Requirements), if a spill from a facility located seaward of the coastline on the Outer Continental Shelf is of one barrel or more, the owner or operator must notify the BSEE Regional Supervisor, Office of Field Operations (30 C.F.R. § 254.46).

National Park Service

National Park Service (NPS) can provide technical expertise on affected NPS managed lands including National Parks, National Recreation Areas, and National Historic Sites. NPS also provides advice on and participates in activities affecting historic properties and cultural resources. NPS can provide qualified personnel to be part of a SCAT team or serve as an HPS, especially in those situations where DOI's resources are affected. When warranted, NPS can provide and maintain closure of park lands affected by the spill. When substantial NPS cultural or natural resources are adversely affected by the spill, NPS may provide an AREP and take on roles within the response organization, most likely within the EU. NPS also has independent authority under the System Unit Resource Protection Act Title 54 U.S.C. 700721-700725 for recovery of costs on response actions taken to minimize the destruction, loss, or injury to park system resources.

US Department of Agriculture

Executive Order 12580 and the NCP designate the US Department of Agriculture (USDA) as a natural resource trustee for resources on any USDA managed land, including National Forest System land and Natural Resources Conservation Service easements. Trust resources include land, fish, wildlife, air, water, ground water, drinking water supplies, and other resources managed by the USDA. USDA has responsibilities across all the USDA agencies to assist with spills as specifically addressed in 40 C.F.R. section 300.175.

US Geological Survey

US Geological Survey (USGS) has expertise in water quality characterization, oil fingerprinting, submerged oil and oil-particle formation, transport and resuspension of oil in fresh waters, riverine 2D particle transport/hydrodynamic simulations, ecotoxicology, time of travel studies for freshwater systems, and geospatial data collection of visible spill plumes, applicable to spill response events in marine and freshwater environments. In addition, the USGS can provide biological survey assistance for natural resources and contaminants and can contribute distribution information about sensitive species (e.g., seabirds, otters, invertebrates in the marine environment). USGS also provides extensive expertise and information for NRDA (e.g., aerial surveys, abundance estimation, remote sensing).

US Fish & Wildlife Service

USFWS provides expertise on migratory birds, anadromous fish, certain marine mammals, threatened and endangered species and their habitats, and National Wildlife Refuge lands. USFWS coordinates federal permitting for hazing, collecting, rescuing, and holding migratory birds, certain marine mammals, and certain threatened and endangered species. USFWS authorizes entry to, and oversees activities on, national wildlife refuge system lands. During a spill, USFWS can provide resources to the EU and Wildlife Branch. USFWS also has a Natural Resource Damage Assessment and Restoration Program with staff that can serve as the NRDA Representative within the response organization.

National Transportation Safety Board

National Transportation Safety Board (NTSB), an independent agency that reports to the US Congress, investigates all major transportation accidents with loss of life, property damage, or special circumstances and determines probable cause. This authority includes the causal factors of oil spill incidents.

US Army Corps of Engineers

The US Army Corps of Engineers (Corps) will expeditiously process a request for Department of the Army permits under its Regulatory Program should spill response activities necessitate work or structures in navigable waters under Section 10 of the Rivers and Harbors Act or a discharge of dredged or fill material into waters of the U.S. under Section 404 of the Clean Water Act. In addition, the Corps will, to the extent possible, alter the channel flow volumes of water sources from control structures under their management authority to reduce the negative environmental effects of a pollution incident or assist in spill response operations.

US Department of Justice

The US Department of Justice (DOJ) can provide expert advice on legal questions arising from oil spills and federal agency response, and represents the federal government, including its agencies, in litigation.

US Department of Transportation

The US Department of Transportation (DOT) has a responsibility to regulate the transportation of oil and hazardous substances pursuant to the Hazardous Materials Transportation Act. The following DOT agencies have oil spill responsibilities:

Pipeline & Hazardous Materials Safety Administration

The Pipeline & Hazardous Materials Safety Administration (PHMSA) oversees the operation of the nation's pipeline transportation system for natural gas, petroleum, and other hazardous materials, and other transportation modes. PHMSA's mission is to assure safety in design, construction, testing, operation, maintenance, and emergency response regarding pipelines and other transportation modes. PHMSA maps the location of major pipelines, which will help agencies and industry plan for emergencies and respond more effectively during an incident.

Federal Aviation Administration

FAA enforces oil and hazardous materials regulations for air transportation. At the request of the UC, the FAA may issue Temporary Flight Restrictions to restrict and control air space over oil spill response areas.

Federal Railroad Administration

The Federal Railroad Administration (FRA) enforces federal oil and hazardous material requirements for rail and inter-modal forms of transportation (e.g., truck trailers and containers on railcars). California PUC inspectors are also authorized to enforce federal requirements on behalf of the FRA.

US Navy

The US Navy can procure pollution response equipment from Navy stockpiles when required by the FOSC. Navy policy requires Navy commands to report to the NRC any discharge of oil which causes a sheen upon or discoloration beneath the surface of the navigable waters of the United States, any other discharge of oil which threatens to reach the navigable waters of the US, and any release of hazardous substances.

The Navy's policy is to respond to Navy spills and to undertake direct and immediate action to minimize the spill's effect. To execute this policy, the Navy uses a three-tier system and a network of response assets. Tier 2 and 3 responses are overseen or directed by the applicable Navy On-Scene Coordinator.

The Navy's Office of the Director of Ocean Engineering, Supervisor of Salvage and Diving is responsible for all aspects of ocean engineering, including salvage, in-water ship repair, contracting, towing, and diving safety and may be called upon for spills involving vessels.

11.4 Independent Oil Spill Committees and Bodies

Oil Spill Technical Advisory Committee

California's TAC consists of fourteen appointed members: eight by the Governor, three by the Speaker of the Assembly, and three by the Senate Rules Committee (Gov. Code, § 8670.54 et seq.). TAC meetings are open to the public.

- The TAC provides public input and independent judgment of the actions of the Administrator and has authority to provide recommendations to the Administrator, SLC, CCC, BCDC, CalGEM, OSFM, and PUC regarding oil spill prevention and response rules, regulations, guidelines, and policies (Gov. Code, § 8670.55).
- The TAC may, at its own discretion, study, comment on, or evaluate, any aspect of oil spill prevention and response in the state (Gov. Code, § 8670.55).
- The TAC must report biennially to the Governor and the Legislature on its evaluation of oil spill response and preparedness programs within the state and may prepare and send any additional reports it determines to be appropriate to the Governor and the Legislature (Gov. Code, § 8670.55).
- OSPR's oil spill contingency plan regulations must be developed in consultation with the TAC (Gov. Code, §§ 8670.28, subd. (a), 8670.29, subd. (h)).
- The Administrator must consult the TAC regarding OSPR regulations and guidelines addressing the adequacy of oil spill contingency plan elements of business and hazardous materials area plans required pursuant to Health & Saf. Code, section 25503 (Gov. Code, § 8670.35).
- The Administrator must present the recommendations of the OWCN Rescue and Rehabilitation Advisory Board to the TAC upon request (Gov. Code, § 8670.37.5).
- The TAC may review oil spill contingency plans submitted to OSPR for review and approval (Gov. Code, § 8670.36).
- TAC activities may be funded from the Oil Spill Prevention and Administration Fund (Gov. Code, § 8670.56).

Harbor Safety Committees

The Administrator must establish Harbor Safety Committees (HSC) for harbors and adjacent regions of San Diego, Los Angeles/Long Beach, Port Hueneme, San Francisco, and Humboldt Bay (Gov. Code, § 8670.23).

Each HSC maintains a Harbor Safety Plan that outlines procedures for safe navigation and operation of tank ships, tank barges, and other vessels within each harbor. HSCs revise Harbor Safety Plans annually to address any issues affecting maritime safety or security, as appropriate, and report findings and recommendations to the Administrator. The

Administrator must forward those findings and recommendations to the appropriate authority (Gov. Code, § 8670.23.1).

Pacific States / British Columbia Oil Spill Task Force

The Pacific States/British Columbia Oil Spill Task Force was formed by a Memorandum of Cooperation between the Governors of Alaska, Washington, Oregon, California, Hawaii, and the Premier of British Columbia. More information can be found on the Task Force Website. The Administrator engages in discussions on behalf of California to develop interstate agreements regarding oil spill prevention, preparedness, and response (see Gov. Code, § 8670.9).

The Task Force assesses interstate and cross-border issues such as:

- Coordination of vessel safety and traffic
- Oil spill prevention equipment and response required on tank ships and tank barges and at terminals
- Availability of oil spill response and cleanup equipment and personnel
- Crude-by-rail oil spill preparedness
- Monitoring federal legislation and regulations
- Other matters that may relate to the transport of oil and oil spill prevention, response, and cleanup

Section 12 – California Native American Tribes

When an oil spill threatens or impacts Tribal lands, including trust lands, traditional territories, and ancestral waters, California Native American tribal leadership plays a vital role in response efforts. Tribal leaders may participate directly or designate representatives to contribute their expertise and cultural knowledge at various levels, including:

- **UC:** California Native American tribal leaders or their representative may participate in the UC to ensure that their concerns are considered in response efforts. While NIMS emphasizes consensus-based decision-making, if an agreement cannot be reached, the FOSC holds final decision-making authority.
- **EU**: Tribal representatives may serve as cultural monitors to help identify, protect, and mitigate impacts on cultural resources and sacred sites. Sensitive cultural information is kept confidential and shared only with designated personnel, such as the HPS.
- **NRDA Trustee**: Tribes may participate in the NRDA process, particularly when Tribal resources are affected.

Reporting: Oil spills occurring on tribal lands should first be reported to the NRC and Cal OES State Warning Center. Federally recognized tribes that do not have direct oil spill response capabilities are strongly encouraged to establish agreements or partnerships with local agencies or organizations that can provide timely and effective response support.

Tribal Notification: Oil spills occurring outside of federally recognized Tribal lands may still pose a threat to cultural resources located within traditional ancestral territories. These lands may be significant to California Native American tribes. Under Pub. Resources Code, section 21073, a California Native American tribe is defined as a tribe located in California and listed on the contact list maintained by the NAHC for the purposes of Chapter 905, Statutes of 2004. Under the direction of California Assembly Bill 52, this list includes all California Native American tribes, regardless of federal recognition.

When an oil spill may impact cultural resources, the NAHC is contacted to obtain a list of tribes with a traditional cultural connection to the affected area, including the tribal contact who originally submitted information about the cultural resource. Specific locations of cultural resource are kept confidential to protect them from damage, theft, or destruction. Information on cultural resource protection is available in subsection 6.4 Cultural and Historic Resource Protection. The listed tribes will then be contacted and invited to participate in the response, with consideration for the protection of cultural resources. A notification call will also be made to the California State Historic Preservation Officer.

Tribal Preparedness Opportunities: California Native American tribes are encouraged to participate in oil spill preparedness activities through Area Committees, drills and exercises, and OSPR-funded grants and training. CDFW's Tribal Communications and Consultation Policy is the foundation of OSPR's efforts to work cooperatively and communicate effectively with tribes, building on Executive Orders B-10-11, N-15-19 and N-82-20.To learn more, go to: OSPR Grants and Outreach.

Section 13 – Private Sector

It is the responsibility of a business which uses, generates, processes, produces, packages, treats, stores, emits, discharges, or disposes of oil or petroleum products to develop contingency plans (e.g. Gov. Code, § 8670.28, et seq.; Health & Saf. Code, § 25503 et seq.). Both federal and state regulations require certain vessels, marine facilities, and inland facilities (including railroads) to submit oil spill contingency plans.

Emergency response planning for incidents also includes providing employees with proper training and skills to handle emergencies. OSPR's Preparedness Branch oversees several programs that ensure the readiness of industry partners, including industry drills and exercises, OSRO certification, and SMT certification. Additional local, state, and federal agency partners similarly regulate industry to ensure proper training is provided.

Businesses should be involved in the local planning activities related to the prevention of oil spills so that preparedness is reasonable and appropriate to make the best use of local resources. Examples include:

- Area Committees
- LEPCs
- HSCs
- Community Emergency Response Teams

Businesses must abide by local, state, and federal reporting requirements for oil releases (see Section 1 – Oil Spill Reporting and Notification Requirements). An entity responsible for an oil spill, known as the responsible party, is liable for all costs incurred by spill responders related to the incident including and would serve in the UC (Gov. Code, §§ 8574.4, 8670.56.5; Fish & G. Code, §§ 2014, 5655).

13.1 State Rated Oil Spill Response Organizations

The private sector has a significant role in oil spill response as they are often initial responders and can also be held financially liable for the incident. Some businesses have equipment and personnel for initial containment, but they often rely on a private contractor for further containment, protection, and recovery efforts. Private cleanup companies often require prior financial commitment from an identified responsible party, and OSPR's contingency plan regulations require regulated vessels and facilities to contract with an OSRO to perform cleanup operations. However, if a person responsible for an oil spill is unwilling, unable to respond, or cannot be identified, a public agency may have to finance cleanup of the spill.

Oil spill cleanup in California is typically conducted by OSROs that provide equipment, personnel, and supplies to conduct oil spill containment, cleanup, removal, and site protection activities. Regulated vessels and facilities are required to contract with a primary OSRO that is rated by OSPR.

A "rated OSRO" has demonstrated the ability to provide specific response capabilities (Gov. Code, § 8670.30; Cal. Code Regs., tit. 14, § 819 et seq.) and has received a rating from OSPR

to provide services within particular geographic regions and timeframes. An application for a rating must include a description of the OSRO's plan of operations, details of response equipment and where it is stored, and the personnel available to respond. OSROs must indicate whether equipment and personnel are company-owned and controlled or subcontracted, and whether the equipment and personnel are used only for spill response ("dedicated") or not solely limited to response ("non-dedicated"). Contingency plan holders that contract with a rated OSRO to meet requirements for containment, recovery, storage, and environmental sensitive site protection services are not required to maintain their own response resources to meet the requirements. The OSRO Rating program is administered by OSPR's Preparedness Branch.

13.2 State Certified Spill Management Teams

SMTs are made up of qualified personnel who fill ICS positions during an oil spill response. Facility and vessel owners/operators holding contingency plans with OSPR must identify an SMT that is certified by OSPR to manage a spill of the reasonable worst-case spill volume listed in their plans (Gov. Code, § 8670.29, subd. (b)(8)(A); Cal. Code Regs., tit. 14, § 830.1, subd. (a)(2)). OSPR's SMT certification program ensures that plan holders retain SMTs that are qualified and available to respond and manage oil spills in coordination with federal, state, and local, agencies.

As required by statute (Gov. Code, § 8670.32, subd. (j)), OSPR's SMT regulations (Cal. Code Regs., tit. 14, §§ 830.1-11) establish criteria for certification that include the number of trained personnel provided, timeframes for arrival on-scene, training qualifications, and geographic regions in which SMTs intend to provide services. SMTs are classified into Tiers based upon reasonable worst-case spill volumes, and the requirements for certification are scaled by Tier. A full SMT consists of initial response personnel who can arrive within eight hours, as well as cascading response personnel who can arrive within 24 hours, and a plan holder's certified SMTs may be comprised of their employees, external personnel from a contracted or parent company team, or a combination thereof to (Gov. Code, § 8670.29, subd. (b)(8)(B); Cal. Code Regs., tit. 14, § 830.1, subd. (a)(3)). To become fully certified, SMTs must demonstrate that their personnel have requisite training or experience, they can arrive on-scene within the designated timeframes, and they can achieve specified objectives at a planned exercise or real response. Certifications are reviewed every three years (Gov. Code, § 8670.32, subd. (d); Cal. Code Regs., tit. 14, § 830.8, subd. (b)); to maintain certification, an SMT must submit an application for renewal, provide training documentation, and conduct a certification renewal exercise.

13.3 Private Vessels

"Vessels of opportunity", such as fishing vessels, may be used to deploy or tow boom and, depending on their size, be equipped with skimming equipment. However, these types of resources are a challenge to utilize because the vessels must meet certain characteristics, crews change over time, vessels are sold, and generally there is no obligation of private vessel owners to prepare for or participate in spill response. Depending upon the task, the vessels need to have adequate deck space and lifting ability to carry the necessary

response equipment, and crew must comply with OSHA spill response health and safety requirements.

Per the NCP, the USCG must coordinate use of private and public personnel and equipment to remove a worst-case discharge, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility (33 U.S.C. 1321(j)(2)(C)).

OSPR's tug escort regulations (Cal. Code Regs., tit. 14, §§ 851.1 - 852.30) ensure that emergency response vessels are capable of preventing disabled tankers from running aground. These requirements specify that tank vessels carrying 5,000 or more long tons of oil in bulk as cargo must be escorted by a suitable escort tug or tugs. The escort tugs will be available and must respond as needed to influence the speed and direction of travel of the tank vessel in the event of a casualty, or steering or propulsion failure, thereby reducing the possibility of groundings or collisions and the risk of oil spills from these tank vessels. The regulations also establish criteria for matching tugs to tankers and barges. Matches correlate a tanker's displacement with the braking force of a tug(s). Barges must be matched based on a one-to-one correlation of the deadweight tonnage of the barge to the braking force of the tug(s).

13.4 Additional Emergency Support Resources

American Chemical Association

The manufacturer of a spilled substance can provide detailed technical information (including special precautions, disposal procedures) regarding their products and may provide an emergency response team.

American Petroleum Institute

The American Petroleum Institute is the largest trade association representing the oil and natural gas industry in the United States. It develops industry standards, advocates for policy, and provides research and education to promote safe, environmentally responsible, and efficient energy production and use.

Community Awareness and Emergency Response

The Community Awareness and Emergency Response (CAER) program is a non-profit entity of the Chemical Manufactures' Association (CMA). The CAER organization is composed of members of local businesses, industries, utilities, emergency service agencies, related government agencies, and community representatives.

The CAER program encourages chemical plant managers to take the initiative in cooperating with local communities to develop integrated emergency plans for responding to incidents. Because chemical industry representatives can be especially knowledgeable during the planning process and because many chemical plant officials are willing and able to share equipment and personnel during response operation, community planners should seek out local CMA/CAER participants. Even if no such local initiative is in place, community planners can approach chemical plant managers or contact CMA and ask for assistance.

Chemical Transportation Emergency Center
The Chemical Transportation Emergency Center is a 24-hour public service of the CMA. It can provide the following:

- Immediate technical emergency response information concerning the product(s) involved
- Precautionary information
- Assistance in identification of petroleum components, if the manufacturer is known or shipping papers are present
- Immediate notification of manufacturers or shippers through their emergency contacts or notification of industry mutual aid networks.

Transportation Company Dispatch Centers
Carriers, including railroads, can be contacted for additional technical information and waybill or cargo manifest readouts (when requested, the Chemical Transportation Emergency Center can accomplish this service). Carriers may also assist with chemical and wreckage removal.

Section 14 – Volunteer Coordination in Spill Response

14.1 Authority to Use Volunteers

State agencies granted authority to implement this Plan may use volunteer workers (Gov. Code, §§ 8574.3, 8574.7). In response to oil spills, the Administrator may use volunteer workers for containment and restoration efforts (Gov. Code, § 8670.8.5). The California State Government Volunteers Act declares that it is not the intent of the Legislature that volunteers replace or supplant public employees, where such employees are providing services deemed necessary for the government to perform, but that volunteers add new dimensions to the providing of governmental services (Gov. Code, §§ 3110 – 3112).

14.2 Volunteer Coordination

Volunteer coordination during an oil spill in California is managed under OSPR's oil spill volunteer program which is managed by the OSPR Volunteer Coordinator. The Volunteer Coordinator engages with local, state, federal, and NGO volunteer organizations to conduct education and outreach to ensure effective coordination during spill response. During a response, the Volunteer Coordinator may serve as the Volunteer Unit Leader within the Planning Section to advise the UC on the use of volunteers. If approved by the UC, the Volunteer Unit Leader can activate OSPR's volunteer hotline and registration database to provide information on volunteer opportunities for a particular response. Information related to OSPR's volunteer program is available on OSPR's website. During an incident, volunteer information is posted to OSPR's CalSpillWatch website.

A local government agency, in consultation with the OSPR Volunteer Coordinator, may also want to engage volunteers during a response. When directed by local government, volunteers could be engaged through the Disaster Service Worker Volunteer Program (DSWVP). The DSWVP is a state-funded program that provides workers' compensation benefits and medical compensation to registered Disaster Service Workers (DSWs) during a declared state emergency, volunteers who are injured while performing disaster-related activities, or participating in pre-approved training/exercises. Eligibility for the DSWVP is based on a volunteer's registration with an accredited Disaster Council, Cal OES, or an authorized state agency. Most cities and all counties in California have established Disaster Councils that are accredited by the California Emergency Council. Affiliation with an accredited Disaster Council and delegated authority from that council are required prior to a jurisdiction administering a DSWVP.

14.2.1 Non-Wildlife Volunteer Plan

OSPR developed a statewide Non-Wildlife Volunteer Plan (NWVP) in coordination with the USCG Area Committees which details local and state government volunteer management programs, identifies volunteer opportunities and training requirements, and outlines the structure of the Volunteer Coordinator/Volunteer Unit within the response organization. The primary goal of the NWVP is to provide guidance to the UC to consider the safe integration of affiliated and community volunteers into oil spill response for missions other than the care and rehabilitation of oiled wildlife. The current NWVP can be found in each ACP.

14.3 Types of Volunteers

Three types of volunteers may be utilized under OSPR's Volunteer Program during oil spills:

- **Wildlife pre-trained** – An individual affiliated through the OWCN who is trained to assist with the care and rehabilitation of oiled wildlife. Pre-trained volunteers register under OSPR's Volunteer Program during an oil spill.
- **Affiliated** – An individual associated with either a governmental agency or NGO who is registered and trained, prior to an incident, for a specific role or function during oil spills. Examples of affiliated organizations are local Community Emergency Response Teams, managed by city/county government agencies, or the CDFW Natural Resource Volunteer Program.
- **Community** – An individual who comes forward following an incident or disaster to assist a governmental agency or NGO with response or recovery efforts without pay or other compensation. By definition, community volunteers are not associated with a response or relief organization involved in the incident.

14.4 Volunteer Safety and Liability

If the Administrator, through the Volunteer Coordinator, utilizes volunteers during an oil spill, volunteers are deemed employees of the state for the purpose of workers' compensation (Gov. Code, § 8670.5; Lab. Code, § 3363.5). The responsible party is liable for all costs related to an oil spill, including costs associated with the use of volunteers. The costs associated with the use of registered volunteers may be funded by the state's OSRTF (Gov. Code, § 8670.50). Any payments for registered volunteer workers' compensation claims must be made from the OSRTF. The responsible party is liable for payment of these costs either directly or by reimbursement to the OSRTF (Gov. Code, §§ 8670.25, 8670.46 – 8670.53, 8670.62). Under no circumstances is a self-deployed volunteer eligible for workers' compensation benefits. The Volunteer Coordinator will ensure that registered volunteers receive appropriate safety training and supervision for their specific assignments, as outlined in the NWVP.

When a local government oversees volunteer use under the DSWVP, the DSW must be registered prior to their deployment to participate in disaster-related activities, including pre-approved training. In addition to the pre-registration requirement, the DSW must be deployed/assigned disaster-related activities by the registering authority. Under the DSWVP, the registering authority must provide DSWs with adequate training and supervision.

Coordination between OSPR's Volunteer Program and the DSWVP, when appropriate, is essential for managing non-wildlife volunteer activities during oil spills. The Volunteer Coordinator or Volunteer Unit Leader will brief the UC on an incident's volunteer management needs and potential opportunities to support the response. The UC will determine whether volunteers will be utilized. In most cases, OSPR will provide the necessary volunteer liability forms. However, if local government agencies assist with volunteer management it may be appropriate to use DSWP volunteer liability forms. The UC should make this determination prior to deploying volunteers.

Section 15 – Appendices

APPENDIX A: ACRONYMS

A
ACP Area Contingency Plan
AREP Agency Representative
ART Applied Response Technology

B
BCDC San Francisco Bay Conservation and Development Commission
BIOS Biogeographic Information and Observation System
BLM Bureau of Land Management
BSEE Bureau of Safety and Environmental Enforcement

C
CAER Community Awareness and Emergency Response
CalEPA California Environmental Protection Agency
CAL FIRE California Department of Forestry and Fire Protection
CalGEM Geologic Energy Management Division (California Department of Conservation)
Cal OES California Governor's Office of Emergency Services
Cal/OSHA California Occupational Safety and Health Administration
CalTrans California Department of Transportation
CARB California Air Resources Board
CCC California Coastal Commission
CDFW California Department of Fish and Wildlife
CFR Code of Federal Regulations
CHP California Highway Patrol
CHRIS California Historical Resources Information System
CLEMARS California Law Enforcement Mutual Aid Radio System
CMA Chemical Manufacturers Association
CNDDB California Natural Diversity Database
CUPA Certified Unified Program Agency

D
DOD United States Department of Defense
DOE United States Department of Energy
DOI Department of the Interior
DOJ Department of Justice
DOT Department of Transportation
DSWVP Disaster Service Worker Volunteer Program
DSW Disaster Service Worker
DTSC California Department of Toxic Substances Control

E
EOC Emergency Operations Center
ERMA Environmental Response Management Application
ERRS Emergency Response and Rapid Services
ERT US EPA Environmental Response Team
ESF Emergency Support Function
ESI Environmental Sensitivity Index
EU Environmental Unit
EUL Environmental Unit Leader

F
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
FOSC Federal On-Scene Coordinator
FRA Federal Railroad Administration
FRT OSPR Field Response Team
FWPA Fish & Wildlife Pollution Account

G
GIS Geographic Information System
GRP Geographic Response Plan

H
HAZWOPER Hazardous Waste Operations and Emergency Response
HMIX Hazardous Materials Information Exchange
HPS Historic Properties Specialist
HSC Harbor Safety Committee

I
IAP Incident Action Plan
ICS Incident Command System
IMH Incident Management Handbook

J
JIC Joint Information Center

L
LEPC Local Emergency Planning Committee
LOFR Liaison Officer

M
MEXUS Plan Mexico-United States Joint Contingency Plan
MOU Memorandum of Understanding

N
NAHC Native American Heritage Commission
NCP National Oil and Hazardous Substances Pollution Contingency Plan
NFO Non-floating oil
NGO Non-Governmental Organization
NIMS National Incident Management System
NMFS National Marine Fisheries Service
NOAA National Oceanic and Atmospheric Administration
NPS National Park Service
NRC National Response Center
NRDA Natural Resource Damage Assessment
NFR National Response Framework
NRT National Response Team
NSF National Strike Force
NTSB National Transportation Safety Board
NWVP Non-Wildlife Volunteer Plan

O
OEHHA Office of Environmental Health Hazard Assessment
OER California Air Resource's Board Office of Emergency Response
OPA 90 Federal Oil Pollution Act of 1990
OSCA Oil Spill Cleanup Agents
OSFM Office of the State Fire Marshal
OSFM PSD Office of the State Fire Marshal's Pipeline Safety Division
OSHA Occupational Safety and Health Administration, US Department of Labor
OSLTF Oil Spill Liability Trust Fund (federal)
OSRTF Oil Spill Response Trust Fund (California)
OSPR Office of Spill Prevention and Response
OSRO Oil Spill Response Organization

P
PA Participating Agency
PHAU Public Health Assessment Unit
PHMSA Pipeline and Hazardous Materials Safety Administration
PIAT Public Information Assistance Team
PST Pacific Strike Team
PUC Public Utilities Commission

R
RAPID Railroad Accident Prevention and Immediate Deployment Force
RCP Regional Contingency Plan for Federal Region IX
RRT Regional Response Team
RWQCB Regional Water Quality Control Board

S
SCAT Shoreline Cleanup Assessment Technique
SEMS Standardized Emergency Management System
SITL Situation Unit Leader
SLC State Lands Commission
SMT Spill Management Team
SOSC State On-Scene Coordinator
SSC Scientific Support Coordinator
SSSEP OSPR Sensitive Site Strategy Exercise Program
SWPCAA State Water Pollution Cleanup and Abatement Account
SWRCB State Water Resources Control Board

T
TAC Oil Spill Technical Advisory Committee

U
UC Unified Command
USC United State Code
USCG United States Coast Guard
USDA United States Department of Agriculture
US EPA United States Environmental Protection Agency
USFS United States Forest Service
USFWS United States Fish & Wildlife Service
USGS United States Geological Survey

V
VHF Very High Frequency (radio)
VTS Vessel Traffic Service

APPENDIX B: LETTER OF PROMULGATION

LETTER OF PROMULGATION

This California State Oil Spill Contingency Plan was developed pursuant to Government Code, § 8574.1 et seq. This Plan supersedes and replaces all prior plans. The Plan is a planning tool for coordinating response to oil spills in California and is in effect as of the date of signature below. Future substantive changes to the Plan will be numbered consecutively and the date of revision noted. Agencies and individuals should review this Plan annually, and may submit any comments or proposed changes to:

Administrator

Office of Spill Prevention and Response

1010 Riverside Parkway

West Sacramento, CA 95605

January 2026

Heather Geldart

Administrator

Office of Spill Prevention and Response

APPENDIX C: STATUTORY REQUIREMENTS

The OSPR Administrator, on behalf of the Governor, is required to establish a State Oil Spill Contingency Plan, and the Administrator is required to implement the Plan. The Plan must provide an integrated and effective procedure to combat the results of major oil spills within the state (Gov. Code, §§ 8574.1, 8574.2, 8670.7, 8670.5).

There are several topics that are required by statute to be discussed in this Plan. The following table is a cross reference of those topics and where they are addressed in the Plan:

Government Code	Statutory Requirement	Plan Section
8574.2	Plan shall provide for specified state agencies to implement the plan	Purpose – Page 4
8574.3	State agencies granted authority to implement a Plan adopted under this article may use volunteer workers.	14.1 Authority to Use Volunteers
8574.7(a)	A state response element that specifies the hierarchy for state and local agency response to an oil spill.	SECTION 2 – Primary Authority for Oil Spill Response SECTION 11 – Government Agencies
8574.7(a)	The element shall define the necessary tasks for oversight and control of cleanup and removal activities associated with an oil spill and shall specify each agency's particular responsibility in carrying out these tasks.	SECTION 2 – Primary Authority for Oil Spill Response SECTION 11 – Government Agencies
8574.7(a)	The element shall also include an organizational chart of the state oil spill response organization and a definition of the resources, capabilities, and response assignments of each agency involved in cleanup and removal actions in an oil spill.	Figure 1 SECTION 11 – Government Agencies
8574.7(b)	A regional and local planning element that shall provide the framework for the involvement of regional and local agencies in the state effort to respond to an oil spill, and shall ensure the effective and efficient use of regional and local resources, as appropriate, in all of the following:	11.2.1 Local Government - Local Agency-Specific Roles

Government Code	Statutory Requirement	Plan Section
8574.7(b)(1)	Traffic and crowd control.	11.2.1 Local Government - Local Agency-Specific Roles
8574.7(b)(2)	Firefighting.	11.2.1 Local Government - Local Agency-Specific Roles
8574.7(b)(3)	Boating traffic control.	5.4.2 Vessel Traffic Management During Oil Spill Response
8574.7(b)(4)	Radio and communications control and provision of access to equipment.	5.4.3 Communications Frequencies
8574.7(b)(5)	Identification and use of available local and regional equipment or other resources suitable for use in cleanup and removal actions.	Section 13 - Private Sector Area Contingency Plans Geographic Response Plans
8574.7(b)(6)	Identification of private and volunteer resources or personnel with special or unique capabilities relating to oil spill cleanup and removal actions.	Section 13 – Private Sector Section 14 - Volunteer Coordination in Spill Response
8574.7(b)(7)	Provision of medical emergency services.	11.3.1 Local Government
8574.7(b)(8)	Consideration of the identification and use of private working craft and mariners, including commercial fishing vessels and licensed commercial fishing men and women, in containment, cleanup, and removal actions.	13.3 Private Vessels
8574.7(c)	A coastal protection element that establishes the state standards for coastline protection.	Section 6 – Sensitive Site Identification, Prioritization, and Protection
8574.7(c)(1)	Appropriate shipping lanes and navigational aids for tankers, barges, and other commercial vessels to reduce the likelihood of collisions between tankers, barges, and other commercial vessels. Designated shipping lanes shall be located off the coastline at a distance sufficient to significantly reduce the likelihood that disabled vessels will run aground along the coast of the state.	5.4.2 Vessel Traffic Management During Oil Spill Response

Government Code	Statutory Requirement	Plan Section
8574.7(c)(2)	Ship position reporting and communications requirements.	5.4.2 Vessel Traffic Management During Oil Spill Response
8574.7(c)(3)	Required pre-deployment of protective equipment for sensitive environmental areas along the coastline.	SECTION 6 – Sensitive Site Identification, Prioritization, and Protection
8574.7(c)(4)	Required emergency response vessels that are capable of preventing disabled tankers from running aground.	13.3 Private Vessels
8574.7(c)(5)	Required emergency response vessels that are capable of commencing oil cleanup operations before spilled oil can reach the shoreline.	13.1 State Rated Oil Spill Response Organizations
8574.7(c)(6)	An expedited decision-making process for dispersant use in coastal waters. Prior to adoption of the process, the administrator shall ensure that a comprehensive testing program is carried out for any dispersant proposed for use in California marine waters. The testing program shall evaluate toxicity and effectiveness of the dispersants.	5.2.2 Dispersants
8574.7(c)(7)	Required rehabilitation facilities for wildlife injured by spilled oil.	SECTION 7 – Wildlife and Fisheries Response
8574.7(c)(8)	An assessment of how activities that usually require a permit from a state or local agency may be expedited or issued by the administrator in the event of an oil spill.	2.7 State or local Agency Permits
8574.7(d)	An environmentally and ecologically sensitive areas element that shall provide the framework for prioritizing and ensuring the protection of environmentally and ecologically sensitive areas.	SECTION 6 – Sensitive Site Identification, Prioritization, and Protection

Government Code	Statutory Requirement	Plan Section
8574.7(d)(1)	Identification and prioritization of environmentally and ecologically sensitive areas in state waters and along the coast. Identification and prioritization of environmentally and ecologically sensitive areas shall not prevent or excuse the use of all reasonably available containment and cleanup resources from being used to protect every environmentally and ecologically sensitive area possible. Environmentally and ecologically sensitive areas shall be prioritized through the evaluation of criteria, including, but not limited to, all of the following	SECTION 6 – Sensitive Site Identification, Prioritization, and Protection Area Contingency Plans Geographic Response Plans
8574.7(d)(1)(A)	Risk of contamination by oil after a spill.	SECTION 6 – Sensitive Site Identification, Prioritization, and Protection
8574.7(d)(1)(B)	Environmental, ecological, recreational, and economic importance.	SECTION 6 – Sensitive Site Identification, Prioritization, and Protection
8574.7(d)(1)(C)	Risk of public exposure should the area be contaminated.	SECTION 6 – Sensitive Site Identification, Prioritization, and Protection
8574.7(d)(2)	Regional maps depicting environmentally and ecologically sensitive areas in state waters or along the coast that shall be distributed to facilities and local and state agencies. The maps shall designate those areas that have particularly high priority for protection against oil spills.	6.2.1 Response Plans Area Contingency Plans Geographic Response Plans
8574.7(d)(3)	A plan for protection actions required to be taken in the event of an oil spill for each of the environmentally and ecologically sensitive areas and protection priorities for the first 24 to 48 hours after an oil spill shall be specified.	SECTION 5 – Cleanup Operations 6.2.1 Response Plans Area Contingency Plans Geographic Response Plans 7.2 Temporary Closure of Commercial and Sport Fishing and Harvesting

Government Code	Statutory Requirement	Plan Section
8574.7(d)(4)	The location of available response equipment and the availability of trained personnel to deploy the equipment to protect the priority environmentally and ecologically sensitive areas.	SECTION 13 - Private Sector
8574.7(d)(5)	A program for systemically testing and revising, if necessary, protection strategies for each of the priority environmentally and ecologically sensitive areas.	6.2.3 Strategy Testing and Revision
8574.7(d)(6)	Any recommendations for action that cannot be financed or implemented pursuant to existing authority of the administrator, which shall also be reported to the Legislature along with recommendations for financing those actions.	Recommendations made separately from plan through budget change proposals and regulatory updates on an ongoing basis
8574.7(e)	A reporting element that requires the reporting of spills of any amount of oil in or on state waters.	SECTION 1 – Oil Spill Reporting and Notification Requirements

Questions and Comments

Questions and comments about this Plan may be directed to the following contacts:

California Department of Fish and Wildlife
Office of Spill Prevention and Response
1010 Riverside Parkway
West Sacramento, CA 95605
OSPRLiaison@wildlife.ca.gov