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SANTA BARBARA • SANTA CRUZ

POLICE DEPARTMENT

IRVINE, CALIFORNIA 92697-4900

October 19, 2001

Richard A. Meserve
United States
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Richard Meserve,

I am writing in response to your letter sent to Governor Davis, dated September 28, 2001, requesting notification and assurance that the University of California, Irvine has established "...the necessary communication links to facilitate the rapid integration of additional state security measures...) in our overall security response with the State of California.

The University of California, Irvine is in compliance with the California, County of Orange, Mutual Aid agreement and we have contacted Governor Gray Davis to confirm this communication link as you have requested.

I can be contacted at 949-824-7797 if you need additional information, please do not hesitate to call.

Sincerely,

Kathy Hooven
Chief of Police
University of California, Irvine

Attachments: Letter to Governor Gray Davis dated October 19, 2001
California "Standardized Emergency Management System" (SEMS) brochure,
California's Title 19. Public Safety, Division

cc: Karl Wolonsky
Dr. George Miller
Dr. F. S. Rowland
David Tomcheck

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9/15/02*

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POLICE DEPARTMENT

IRVINE, CALIFORNIA 92697-4900

October 19, 2001

The Honorable Gray Davis
Governor of California
Sacramento, California 85814

Dear Governor Gray Davis,

As a request made by the United States Nuclear Regulatory Commission, I am writing to assure you that The University of California, Irvine has established the necessary communication links to facilitate the rapid integration of additional state security measures in our overall security response.

As confirmation of this link, attached is a copy of the Police Services Agreement Policy, which includes a "Mutual Aid" section, this order assures a harmonious and supportive relationship between the City of Irvine, and the County of Orange, by establishing understanding and agreement with regard to both day-to-day operations and mutual aid incidents.

In addition, I will be sending a letter to the United States Nuclear Regulatory Commission (NRC), advising them that the University of California, Irvine and the State of California has a program known as, the "Standardized Emergency Management System" (SEMS). Thereby complying with their requests of a letter we received by the NRC dated September 28, 2001, to "Inform the appropriate NRC about the agreement reached with the state government."

Included in the letter to the NRC will be a copy of this letter, a copy of the SEMS brochure, and a copy of California's Title 19. Public Safety Division 2. Office of Emergency Services Chapter 1. Standardized Emergency Management System.

I can be contacted at 949-824-7797 if you need additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Hooven".

Kathy Hooven
Chief of Police
University of California, Irvine

cc: Karl Wolonsky
Dr. George Miller
Dr. F. S. Rowland
David Tomcheck



UCI POLICE DEPARTMENT

Police Services Agreement – UCI PD and The City of Irvine

218.1 PURPOSE

The purpose of this Order is to assure a harmonious and naturally supportive relationship between both Departments by establishing understanding and agreement with regard to both day-to-day law enforcement and provision of police services and mutual aid incidents in that portion of the City of Irvine wherein both Departments have, by law, concurrent jurisdiction.

218.2 OPERATIONAL JURISDICTIONS

1. The Irvine Police Department shall exercise operational jurisdiction in all of the City of Irvine except the University of California campus.
2. The limits of the campus as defined as a line on the campus side of boundary roads, at the edge of the roadway, where there are no curbs with the exception of a portion of land located within the boundaries that is private property under the jurisdiction of the City of Irvine. This land is located in the vicinity of University, MacArthur And Academy and is further delineated as RD #84 in the Irvine Police Department map book.
3. The University of California, Irvine Police Department shall exercise operational jurisdiction on the campus of the University, and its properties, as provided in Section 830.2c of the California Penal Code.
4. Should it become necessary, in the course of investigating criminal activity originating within the jurisdiction of either agency to enter into the jurisdiction of the other, prior "courtesy" notification will be made unless the emergent nature of the incident renders such notification impractical or impossible.

218.3 ASSISTANCE

1. Normally, officers of either Department will assist in the jurisdiction of the other upon request, or upon an observed need.
2. When an officer of one Department observes a non-emergency requirement for police service in the other Department's operational jurisdiction, that officer will, if appropriate, handle the incident and notify the other Agency. If action by the officer is not appropriate, the other Agency shall be notified.
3. When an officer of one Department is confronted by a sudden emergency in the operational jurisdiction of the other Department, which, in the officer's judgment,

UCI POLICE DEPARTMENT

Police Services Agreement – UCI PD and The City of Irvine

requires immediate action, the officer will take the necessary action and inform the other Department as soon as possible.

4. An assisting officer shall not take any action, or participate in any activity in conflict with a policy or regulation of their own Department.

218.4 COMMUNICATIONS

The University of California, Irvine Police Department has permission to use the City of Irvine radio frequencies in an emergency. When using these radio frequencies the following procedures will be followed:

1. Advise Irvine Police Department over their "Green channel" the nature of the emergency and request use of their radio frequencies.
2. The City of Irvine's Communication Center will direct the officer and the emergency until the emergency no longer exist.

218.5 MUTUAL AID

Whereas "assistance" as discussed above refers to non-major police incidents requiring only minimal response of either Department to assist the other, mutual aid involves either of the following:

1. A major incident (natural or man-made disaster, civil unrest, or criminal incident) occurring on the campus of the University of California, Irvine, involving a substantial manpower response from the Irvine Police Department, including the response of at least one Irvine Police Department supervisor.
2. A major incident (natural or man-made disaster, civil unrest, or criminal incident) occurring on the campus of the University of California, Irvine, involving a total available Irvine Police Department response including supervisors. In addition, a mutual aid response of other Orange County Law Enforcement Agencies would be required.

Requests for mutual aid assistance as noted above, shall be made by the ranking UCI officer on duty through the Irvine Police Department Watch Commander.

1. Per the County of Orange Mutual Aid Pact, requests for the assistance of other Orange County Police Agencies must be made by the Irvine Police Department Watch Commander via Control One.
2. Per the Mutual Aid Pact, initial assistance will be rendered by personnel of both the Costa Mesa and Newport Beach Police Departments. Supplemental assistance will be provided by the Tustin and Santa Ana police Departments, and others if necessary.

218.6 COMMAND AND CONTROL

In those instances classified as "Mutual Aid" per the aforementioned definitions, the ranking Irvine Police Supervisor will assume operational command of all personnel responding from mutual aid cities. This is in accord with the County Mutual Aid Pact.

Milestones

October 1991 - Oakland Hills fire draws attention to the need for better coordination among the emergency services responders.

January 1993 - Governor Wilson signs into law SB1841 (Petris) which is Government Code § 8607, requiring the development of a Standardized Emergency Management System (SEMS) by OES.

February 1993 - SEMS Steering Committee is formed to direct development of SEMS regulations.

March 1993 - SEMS Advisory Committee is formed representing agencies at all levels of government that will be using SEMS. Their task is to advise in regulation development.

September 1994 - SEMS Regulations take effect after a series of public hearings.

December 1994 - OES completes the coordinated development of the Approved Course of Instruction (ACI).

December 1995 - Counties organized into Operational Areas (OAs).

December 1, 1996 - All state and local government agencies must use SEMS when responding to multi-jurisdictional or multi-agency emergencies.

December 1, 1996 - All local government agencies must use SEMS in multi-jurisdictional or multi-agency emergency responses to be eligible for state reimbursement of personnel response-related costs.

For more information on SEMS please contact any of the following offices of the Governor's Office of Emergency Services:

Headquarters
Planning Assistance Unit
P. O. Box 419047
Rancho Cordova, CA 95741-9047
(916) 464-3200

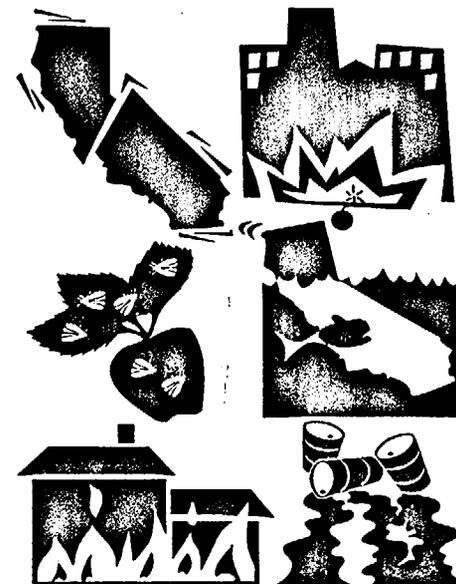
Coastal Region
1300 Clay Street, Suite 400
Oakland, CA 94612
(510) 286-0895

Inland Region
2800 Meadowview Road
Sacramento, CA 95832
(916) 262-1772

Southern Region
11200 Lexington Drive, Bldg. 283
Los Alamitos, CA 90720-5002
(562) 795-2900

For SEMS training contact:

California Specialized Training Institute
P.O. Box 8123
San Luis Obispo, CA 93403-8123
(805) 549-3535



Why SEMS ?

In order to respond to frequent and multiple disasters occurring anytime and anywhere in the state, it is important that emergency response agencies operate within a clear and consistent organizational structure.

Public agencies are increasingly required to manage the costs of emergencies more effectively with fewer resources.

Many different agencies must work together effectively to protect lives, property and the environment during disasters.

SEMS facilitates priority setting, interagency cooperation, and the efficient flow of resources and information.

The System

The Standardized Emergency Management System (SEMS) utilizes the Incident Command System (ICS). ICS was originally developed by the fire service for managing emergency response to wildland fires.

SEMS incorporates:

Incident Command System - A field-level emergency response system based on management by objectives.

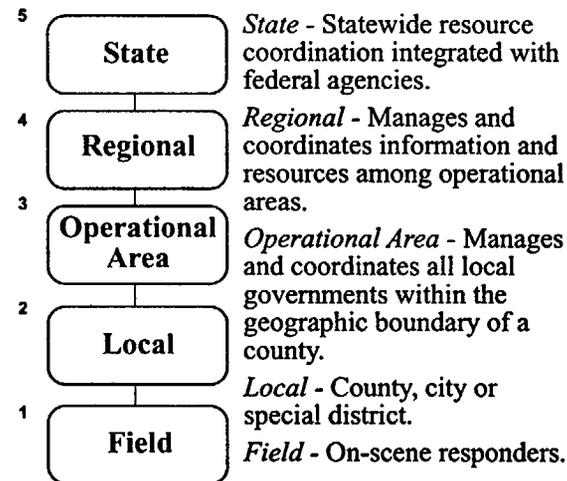
Multi/inter-agency coordination - Affected agencies working together to coordinate allocations of resources and emergency response activities.

Mutual aid - A system for obtaining additional emergency resources from non-affected jurisdictions.

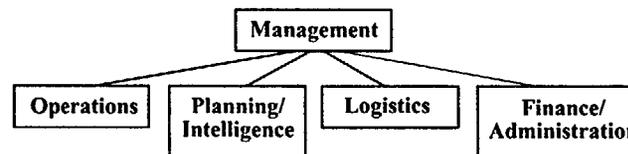
Operational Area Concept - County and its subdivisions to coordinate damage information, resource requests and emergency response.

Organizational Levels & Functions

Five organizational levels:



Five functions:



Management- provides the overall direction and sets priorities for an emergency.

Operations- implements priorities established by management.

Planning/Intelligence- gathers and assesses information.

Logistics- obtains the resources to support the operations.

Finance/Administration- tracks all costs related to the operations.

System Maintenance

OES has developed a SEMS Maintenance System to address the need for changes. The three-tiered system encompasses an Advisory Board, Technical Group, and Mutual Aid Regional Advisory Committees (MARACs).

Collectively, these multi-agency groups ensure changes are made to the system when necessary. They include representatives from all disciplines involved in emergency response.

Compliance

All state government agencies *must* use SEMS when responding to multi-jurisdictional or multi-agency emergencies. All local government agencies must use SEMS in multi-jurisdictional or multi-agency emergency responses to be eligible for state reimbursement of response-related personnel costs.

Compliance regulations were completed in December 1995.

Training

An Approved Course of Instruction (ACI) is available, consisting of four courses:

- *Introduction to SEMS*
- *Field Operations*
- *Emergency Operations Center Course*
- *Executive Course*

Each course contains modules that can be used either as a series or separately, depending on the training needs of the organization.

TITLE 19. PUBLIC SAFETY
DIVISION 2. OFFICE OF EMERGENCY SERVICES
Chapter 1. Standardized Emergency Management System (SEMS)

§ 2400. Short Title.

This Chapter shall be known and may be cited as the Standardized Emergency Management System (SEMS) Regulations.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Section 8607, Government Code.

HISTORY

1. Renumbering of former chapter 1 to chapter 2 and new chapter 1, article 1, and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2401. Purpose and Scope.

These regulations establish the Standardized Emergency Management System (SEMS) based upon the Incident Command System (ICS) adapted from the system originally developed by the Firefighting Resources of California Organized for Potential Emergencies (FIRESCOPE) program including those currently in use by state agencies, the Multi-Agency Coordination System (MACS) as developed by FIRESCOPE program, the operational area concept, and the Master Mutual Aid Agreement and related mutual aid systems.

SEMS is intended to standardize response to emergencies involving multiple jurisdictions or multiple agencies. SEMS is intended to be flexible and adaptable to the needs of all emergency responders in California. SEMS requires emergency response agencies use basic principles and components of emergency management including ICS, multi-agency or inter-agency coordination, the operational area concept, and established mutual aid systems. State agencies must use SEMS. Local government must use SEMS by December 1, 1996 in order to be eligible for state funding of response-related personnel costs pursuant to activities identified in California Code of Regulations, Title 19, §2920, §2925, and §2930. Individual agencies' roles and responsibilities contained in existing laws or the state emergency plan are not superseded by these regulations.

NOTE

Authority cited: Sections 8607.5(a) and 8607(b), Government Code. Reference: Section 8607, Government Code; and Sections 13071 and 13072, Health and Safety Code.

HISTORY

1. New article 2 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2402. Definitions.

(a) "Action Plan" means the plan prepared in the EOC containing the emergency response objectives of that SEMS level reflecting overall priorities and supporting activities for a designated period. The plan is shared with supporting agencies.

(b) "Activate" means, at a minimum, a designated official of the emergency response agency implements SEMS as appropriate to the scope of the emergency and the agency's role in response to the emergency.

(c) "Department Operations Center" means an EOC used by a district discipline (such as flood operations, fire, medical, hazardous material), or a unit (such as Department of Public Works or Department of Health). Department operations centers may be used at all SEMS levels above the field response level depending upon the impacts of the emergency.

(d) "Disaster Assistance Program" is a program that provides state funding or reimbursement for local government response-related personnel costs incurred in response to an incident as defined in Section 2402(i).

(e) "Emergency" means a condition of disaster or of extreme peril to the safety of persons and property caused by such conditions as air pollution, fire, flood, hazardous material incident, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestations or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake or other conditions, other than conditions resulting from a labor controversy.

(f) "Emergency Operations Center (EOC)" means a location from which centralized emergency management can be performed.

(g) "Emergency Response Agency" means any organization responding to an emergency, or providing mutual aid support to such an organization, whether in the field, at the scene of an incident, or to an operations center.

(h) "Emergency Response Personnel" means personnel involved with an agency's response to an emergency.

(i) "Incident" means an occurrence or event, either human-caused or by natural phenomena, that requires action by emergency response personnel to prevent or minimize loss of life or damage to property and/or natural resources.

(j) "Incident Action Plan" means the plan developed at the field response level which contains objectives reflecting the overall incident strategy and specific tactical actions and supporting information for the next operational period. The plan may be oral or written.

(k) "Incident Commander" means the individual responsible for the command of all functions at the field response level.

(l) "Incident Command System (ICS)" means the nationally used standardized on-scene emergency management concept specifically designed to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, with responsibility for the management of resources to effectively accomplish stated objectives pertinent to an incident.

(m) "Local Government" means local agencies as defined in Government Code §8680.2 and special districts defined in California Code of Regulations, Title 19, §2900(y).

(n) "Multi-agency or interagency coordination" means the participation of agencies and disciplines involved at any level of the SEMS organization working together in a coordinated effort to facilitate decisions for overall emergency response activities, including the sharing of critical resources and the prioritization of incidents.

(o) "Office of Emergency Services (OES)" means the Governor's Office of Emergency Services.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607, 8680.2 and 8558(c), Government Code.

HISTORY

1. New article 3 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).
2. New subsection (d), subsection relettering and amendment of newly designated subsection (i) filed 12-1-95; operative 12-31-95 (Register 95, No. 48).
3. Editorial correction of subsection (k) (Register 96, No. 52).

§ 2403. SEMS Organizational Levels and Functions.

(a) All emergency response agencies shall use the Standardized Emergency Management System in responding to, managing, and coordinating multiple agency or multiple jurisdiction incidents, whether single or multiple discipline.

(b) There are five designated levels in the SEMS organization: field response, local government, operational area, regional, and state. Each level is activated as needed.

(1) "Field response level" commands emergency response personnel and resources to carry out tactical decisions and activities in direct response to an incident or threat.

(2) "Local government level" manages and coordinates the overall emergency response and recovery activities within their jurisdiction.

(3) "Operational area level" manages and/or coordinates information, resources, and priorities among local governments within the operational area and serves as the coordination and communication link between the local government level and the regional level.

(4) "Regional level" manages and coordinates information and resources among operational areas within the mutual aid region designated pursuant to Government Code §8600 and between the operational areas and the state level. This level along with the state level coordinates overall state agency support for emergency response activities.

(5) "State level" manages state resources in response to the emergency needs of the other levels, manages and coordinates mutual aid among the mutual aid regions and between

the regional level and state level, and serves as the coordination and communication link with the federal disaster response system.

(c) Local government, operational area, regional, and state levels shall provide for all of the following functions within SEMS: management, operations, planning/intelligence, logistics, and finance/administration.

(1) Management is responsible for overall emergency policy and coordination through the joint efforts of governmental agencies and private organizations.

(2) Operations is responsible for coordinating all jurisdictional operations in support of the response to the emergency through implementation of the organizational level's action plan.

(3) Planning/Intelligence is responsible for collecting, evaluating, and disseminating information; developing the organizational level's action plan in coordination with the other functions; and maintaining documentation.

(4) Logistics is responsible for providing facilities, services, personnel, equipment, and materials.

(5) Finance/Administration is responsible for financial activities and administrative aspects not assigned to the other functions.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607, 8559, 8605 and 8600, Government Code.

HISTORY

1. New article 4 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2405. Field Response Level.

(a) Emergency response agencies operating at the field response level of an incident shall utilize the Incident Command System, incorporating the functions, principles and components of ICS.

(1) The functions of ICS are command, operations, planning, logistics and finance.

(A) Command is the directing, ordering, and/or controlling of resources by virtue of explicit legal, agency, or delegated authority.

(B) Operations is responsible for the coordinated tactical response of all field operations directly applicable to or in support of the mission(s) in accordance with the Incident Action Plan.

(C) Planning (may be referred to as planning/intelligence) is responsible for the collection, evaluation, documentation, and use of information about the development of the incident, and the status of resources.

(D) Logistics is responsible for providing facilities, services, personnel, equipment, and materials in support of the incident.

(E) Finance (may be referred to as finance/administration) is responsible for all financial and cost analysis aspects of the incident, and for any administrative aspects not handled by the other functions.

(2) The principles of ICS are that:

(A) The system provides for the following kinds of operation: single jurisdictional responsibility/single agency involvement, single jurisdictional responsibility with multiple-agency involvement, and multiple-jurisdictional responsibility with multiple-agency involvement.

(B) The system's organizational structure adapts to any emergency or incident to which emergency response agencies would be expected to respond.

(C) The system shall be applicable and acceptable to all user agencies.

(D) The system is readily adaptable to new technology.

(E) The system expands in a rapid and logical manner from an initial response into a major incident and contracts just as rapidly as organizational needs of the situation decreases.

(F) The system has basic common elements in organization, terminology and procedures.

(3) The components of ICS are common terminology, modular organization, unified command structure, consolidated action plans, manageable span-of-control, predesignated incident facilities, comprehensive resource management, and integrated communications.

(A) Common terminology is the established common titles for organizational functions, resources, and facilities within ICS.

(B) Modular organization is the method by which the ICS organizational structure develops based upon the kind and size of an incident. The organization's staff builds from the top down with responsibility and performance placed initially with the Incident Commander. As the need exists, operations, planning, logistics, and finance may be organized as separate sections, each with several units.

(C) Unified command structure is a unified team effort which allows all agencies with responsibility for the incident, either geographical or functional, to manage an incident by establishing a common set of incident objectives and strategies. This is accomplished without losing or abdicating agency authority, autonomy, responsibility or accountability.

(D) Consolidated action plans identify objectives and strategy determinations made by the Incident Commander for the incident based upon the requirements of the jurisdiction. In the case of a unified command, the incident objectives must adequately reflect the policy and needs of all the jurisdictional agencies. The action plan for the incident covers the tactical and support activities required for the operational period.

(E) Manageable span-of-control within ICS is a limitation on the number of emergency response personnel who can effectively be supervised or directed by an individual supervisor. The kind of incident, the nature of the response or task, distance and safety will influence the span of control range. The ordinary span-of-control range is between three and seven personnel.

(F) Predesignated incident facilities are identified within ICS. The determination of the kinds and locations of facilities to be used will be based upon the requirements of the incident.

(G) Comprehensive resource management is the identification, grouping, assignment and tracking of resources.

(H) Integrated communications are managed through the use of a common communications plan and an incident-based communications center established for the use of tactical and support resources assigned to the incident.

(b) Where an agency has jurisdiction over multiple-agency incidents, it shall organize the field response using ICS to provide for coordinated decision-making with emergency response agencies.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a)(1) and (e), Government Code; and Sections 13071 and 13072, Health and Safety Code.

HISTORY

1. New section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2407. Local Governmental Level.

(a) The Standardized Emergency Management System as described under SEMS Organizational Levels and Functions (§2403) shall be utilized:

(1) when the local government emergency operations center is activated.

(2) when a local emergency, as defined in Government Code §8558(c), is declared or proclaimed.

(b) When a local government EOC is activated, communications and coordination shall be established between the Incident Commander(s) and the department operations center(s) to the EOC or between the Incident Commander(s) and the EOC. Coordination of fire and law enforcement resources shall be accomplished through their respective mutual aid systems.

(c) Communications and coordination shall be established between a local government EOC, when activated, and any state or local emergency response agency having jurisdiction at an incident occurring within that local government's boundaries.

(d) Local government shall use multi-agency or inter-agency coordination to facilitate decisions for overall local government level emergency response activities.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8558(c), 8607(a) and (e), Government Code.

§ 2409. Operational Area Level.

(a) "Operational Area Level" means an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area. Each county geographic area is designated as an operational area. An operational area is used by the county and the political subdivisions comprising the operational area for the coordination of emergency activities and to serve as a link in the system of communications and coordination between the state's emergency operation centers and the operation centers of the political subdivisions comprising the operational area, as defined in Government Code §8559(b) & §8605. This definition does not change the definition of operational area as used in the existing fire and rescue mutual aid system.

(b) All local governments within the county geographic area shall be organized into a single operational area by December 1, 1995, and the county board of supervisors shall be responsible for its establishment.

(c) The operational area authority and responsibility under SEMS shall not be affected by non-participation of any local government(s) within the operational area.

(d) The county government shall serve as the lead agency of the operational area unless another member agency of the operational area assumes that responsibility by written agreement with county government.

(e) The lead agency of the operational area shall:

(1) Coordinate information, resources and priorities among the local governments within the operational area.

(2) Coordinate information, resources and priorities between the regional level and the local government level. Coordination of fire and law enforcement resources shall be accomplished through their respective mutual aid systems.

(3) Use multi-agency or inter-agency coordination to facilitate decisions for overall operational area level emergency response activities.

(f) The operational area EOC shall be activated and SEMS used as described in the SEMS Organizational Levels and Functions (§2403) when any of the following conditions exists:

(1) A local government within the operational area has activated its EOC and requested activation of the operational area EOC to support their emergency operations.

(2) Two or more cities within the operational area have declared or proclaimed a local emergency.

(3) The county and one or more cities have declared or proclaimed a local emergency.

(4) A city, city and county, or county has requested a governor's proclamation of a state of emergency, as defined in Government Code §8558(b).

(5) A state of emergency is proclaimed by the governor for the county or two or more cities within the operational area.

(6) The operational area is requesting resources from outside its boundaries, except those resources used in normal day-to-day operations which are obtained through existing agreements providing for the exchange or furnishing of certain types of facilities and services on a reimbursable, exchange, or other basis as provided for under the Master Mutual Aid Agreement.

(7) The operational area has received resource requests from outside its boundaries, except those resources used in normal day-to-day operations which are obtained through existing agreements providing for the exchange or furnishing of certain types of facilities and services on a reimbursable, exchange, or other basis as provided for under the Master Mutual Aid Agreement.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a), 8558(c), 8559(b), 8605, 8561, 8616, 8617, 8618, Government Code.

HISTORY

1. New section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2411. Regional Level.

(a) The regional level EOC shall be activated and SEMS used as described in SEMS Organizational Levels and Functions (§2403) when any operational area EOC within the mutual aid region is activated.

(b) The lead agency for establishment of the regional level EOC shall be OES.

(c) The location of the regional level EOC shall be identified by OES to accommodate the needs of the operational area(s) served.

(d) When the regional level EOC is activated, communications and coordination shall be established with the operational area(s), the state level EOC, and regional level department operations centers. Coordination of fire and law enforcement resources shall be accomplished through their respective mutual aid systems.

(e) The regional level shall use multi-agency or inter-agency coordination to facilitate decisions for overall regional level emergency response activities.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a), 8600 and 8559(a), Government Code.

HISTORY

1. New section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2413. State Level.

(a) The state level EOC shall be activated and SEMS used as described in SEMS Organizational Levels and Functions (§2403) when any of the following conditions exists:

(1) A regional level EOC is activated.

(f) The operational area EOC shall be activated and SEMS used as described in the SEMS Organizational Levels and Functions (§2403) when any of the following conditions exists:

(1) A local government within the operational area has activated its EOC and requested activation of the operational area EOC to support their emergency operations.

(2) Two or more cities within the operational area have declared or proclaimed a local emergency.

(3) The county and one or more cities have declared or proclaimed a local emergency.

(4) A city, city and county, or county has requested a governor's proclamation of a state of emergency, as defined in Government Code §8558(b).

(5) A state of emergency is proclaimed by the governor for the county or two or more cities within the operational area.

(6) The operational area is requesting resources from outside its boundaries, except those resources used in normal day-to-day operations which are obtained through existing agreements providing for the exchange or furnishing of certain types of facilities and services on a reimbursable, exchange, or other basis as provided for under the Master Mutual Aid Agreement.

(7) The operational area has received resource requests from outside its boundaries, except those resources used in normal day-to-day operations which are obtained through existing agreements providing for the exchange or furnishing of certain types of facilities and services on a reimbursable, exchange, or other basis as provided for under the Master Mutual Aid Agreement.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a), 8558(c), 8559(b), 8605, 8561, 8616, 8617, 8618, Government Code.

HISTORY

1. New section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2415. Mutual Aid.

(a) "Mutual Aid" means voluntary aid and assistance by the provision of services and facilities, including but not limited to fire, police, medical and health, communication, transportation, and utilities. Mutual aid is intended to provide adequate resources,

facilities, and other support to jurisdictions whenever their own resources prove to be inadequate to cope with a given situation.

(b) "Mutual Aid System" means the system which allows for the progressive mobilization of resources to/from emergency response agencies, local governments, operational areas, regions, and the state with the intent of providing adequate resources to requesting agencies. The California mutual aid system includes several discipline-specific mutual aid systems (e.g., fire and rescue, law enforcement, medical and public works) which are consistent with the Master Mutual Aid Agreement.

(c) All mutual aid systems and agreements shall be consistent with SEMS and the Master Mutual Aid Agreement.

(d) Unless otherwise provided by agreement, the responsible local official in whose jurisdiction(s) an incident requiring mutual aid has occurred remains in charge and retains overall direction of personnel and equipment provided through mutual aid (as provided for in Government Code §8618).

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a)(3), 8561, 8616, 8617 and 8618, Government Code.

HISTORY

1. New section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2425. Establishment and Purpose.

The Director, OES, shall establish the SEMS Advisory Board consisting of representatives from emergency response agencies to provide advice on all aspects of this Chapter.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a) and 8587, Government Code.

HISTORY

1. New article 5 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).

§ 2428. Minimum Performance Objectives.

(a) Emergency response agencies shall determine the appropriate level(s) of SEMS instruction for each member of their staff, based upon the staff member's potential assignment during an emergency response.

(b) Emergency response agencies shall ensure that their emergency response personnel can demonstrate and maintain, to the level deemed appropriate, the minimum SEMS performance objectives required by their agencies' training programs. Agencies shall use the Minimum Performance Objectives contained in the Approved Course of Instruction (ACI) Syllabus dated March 1, 1995, which are hereby incorporated by reference, as the basis for their training programs. Minimum Performance Objectives are contained in Paragraph D of each Course Module description.

(c) SEMS minimum performance objectives shall be met through completion of materials from the ACI, completion of equivalent courses of instruction, or through incorporation of the objectives into exercises.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a) and (e), Government Code.

HISTORY

1. New article 6 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).
2. Amendment of section heading, section and NOTE filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2443. General Provisions.

(a) Local government must use SEMS in order to be eligible for state funding of response-related personnel costs occurring in response to an incident as defined in § 2402(i). All state agencies shall use SEMS to coordinate multiple jurisdiction or multiple agency emergency and disaster operations.

(b) Compliance with SEMS shall be documented in the areas of planning, training, exercises, and performance.

(c) All applicants for reimbursement of response-related personnel costs shall self-certify compliance with §2445, 2446, 2447, and 2448. This self-certification shall be submitted in writing with the application.

(d) Evidence of compliance with SEMS as set forth in §2445, 2446, 2447, and 2448 shall be available for review.

(e) When the OES Director determines sufficient evidence exists to warrant a SEMS Compliance review, a Review Team shall be established to evaluate the compliance with SEMS of any local government which has requested funding of its response-related personnel costs under disaster assistance programs, or any operational area or state agency. The OES Director shall notify the local government, operational area, or state agency being evaluated, the SEMS Advisory Board, and the fund(s) administrator of any disaster assistance program of the establishment of the Review Team. At a minimum, participants on the Review Team shall include peers of the entity being evaluated, OES staff, and others knowledgeable in emergency operations and SEMS. The Review Team shall meet with the local government, operational area, or state agency being evaluated and solicit all pertinent information. The team may also review records and interview persons knowledgeable on the SEMS compliance activities of the entity being evaluated. The Review Team shall report its findings to the local government, operational area, or state agency that was evaluated, the SEMS Advisory Board, and the OES Director. This report must be issued within ninety (90) days of the establishment of the Review Team.

(f) The SEMS Advisory Board shall examine the Review Team's report within sixty (60) days of submittal of the report. The SEMS Advisory Board shall also consider additional information pertinent to the evaluation. The local government, operational area, or state agency being evaluated may submit additional information to the Board, either verbally or in writing. After consideration, the SEMS Advisory Board shall submit a

recommendation to the OES Director. A copy of the recommendation shall be forwarded to the local government, operational area, or state agency being evaluated.

(g) The OES Director shall make a determination on whether or not the local government, operational area, or state agency being evaluated was in compliance with SEMS. This determination shall be forwarded to the local government, operational area, or state agency being evaluated by certified letter within thirty (30) days of the SEMS Advisory Board's recommendation. A copy of the determination shall be provided to the fund(s) administrator of any disaster assistance program.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(e), 8682.9 and 8558(c), Government Code.

HISTORY

1. New article 7 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).
2. Repealer and new section heading, section and NOTE filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2444. Appeal Process.

(a) In the event the local government, operational area, or state agency being evaluated disagrees with the determination of the OES Director, the local government, operational area, or state agency may request a reconsideration of the determination. The request must be submitted within thirty (30) days of receipt of the letter of determination.

(b) The request for reconsideration shall be in writing and indicate why the local government, operational area, or state agency disagrees with the decision, any new or additional pertinent information, and any legal authority or other basis for the disagreement with the determination.

(c) The OES Director shall review the request for reconsideration and make a determination. The local government, operational area, or state agency that submitted the request for reconsideration shall be notified of the OES Director's decision by certified letter within thirty (30) days of receipt of the request for reconsideration. A copy of the determination shall be provided to the fund(s) administrator of any disaster assistance program.

(d) The OES Director's decision shall be considered final for the purposes of the appeal process.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Section 8607(e), Government Code.

HISTORY

1. New section filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2445. Planning.

Local governments, operational areas, and state agencies shall include the use of SEMS in emergency plans and procedures pursuant to §2403, 2405, 2407, 2409, 2411, 2413 and 2415.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Sections 8607(a), 8607(b), 8607(c) and 8607.2(c), Government Code.

HISTORY

1. New section filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2446. Training.

Local governments, operational areas, and state agencies shall document SEMS training provided to its emergency response personnel pursuant to §2428.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Section 8607(c), Government Code.

HISTORY

1. New section filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2447. Exercises.

Local governments, operational areas, and state agencies shall incorporate the use of SEMS pursuant to §2403, 2405, 2407, 2409, 2411, 2413 and 2415 at all levels of operation when exercises are performed.

NOTE

Authority cited: Sections 8607(a) and 8607.2(c), Government Code. Reference: Sections 8607(c) and 8607.2(c), Government Code.

HISTORY

1. New section filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2448. Performance.

Local governments, operational areas, and state agencies shall document the use of SEMS. Documentation shall include activities performed pursuant to §2403, 2405, 2407, 2409, 2411, 2413 and 2415 during the emergency.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Section 8607(d), Government Code.

HISTORY

1. New section filed 12-1-95; operative 12-31-95 (Register 95, No. 48).

§ 2450. Reporting Requirements.

(a) Any city, city and county, or county declaring a local emergency for which the governor proclaims a state of emergency, and any state agency responding to that emergency shall complete and transmit an after action report to OES within ninety (90) days of the close of the incident period as specified in California Code of Regulations, Title 19, §2900(j).

(b) The after action report shall, at a minimum, be a review of response actions taken, application of SEMS, suggested modifications to SEMS, necessary modifications to plans and procedures, identified training needs, and recovery activities to date.

NOTE

Authority cited: Section 8607(a), Government Code. Reference: Section 8607(f), Government Code.

HISTORY

1. New article 8 and section filed 8-3-94; operative 9-2-94 (Register 94, No. 31).
 2. Repealer of subsection (c) filed 12-1-95; operative 12-31-95 (Register 95, No. 48).
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