



HOUSE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

NOVEMBER 19, 2007

Statement of San Francisco Mayor Gavin Newsom

Chairman Cummings, House Speaker Pelosi and California members, thank you for convening today's hearing on the November 7 oil spill in San Francisco Bay. I am pleased to provide this testimony for the record.

The San Francisco Bay Area is fortunate to have outstanding leadership from our congressional delegation, including the Speaker of the House and both California senators, as well as other local, state, and federal leaders throughout the Bay. I thank you for your urgent attention to and oversight of the environmental disaster caused by last week's discharge of 58,000 gallons of toxic bunker fuel into San Francisco Bay.

Local Coordination

Since 9/11, millions of dollars in homeland security funds have been invested into our first responders across the nation to prepare for human generated events. Since Katrina, we have focused and invested heavily into local and regional planning, preparation and response capability for natural disasters. These two events have redefined the emergency management world.

The San Francisco Bay Area has been a model for outstanding regional collaboration, coordination and planning for both human and natural disasters. This region has recently completed a robust Regional Emergency Coordination Plan (RECP). However, after all of this investment, effort, preparation, planning and coordination to prepare the RECP, our local public safety leadership in this urban area was relegated to a liaison role during the oil spill because of the existing federal regulations and protocols for oil spill events developed as a result of the 1989 Exxon Valdez incident. Our local resources and expertise were left unused for days, despite our desire and expert ability to assist.

On the morning of Wednesday, November 7, the container ship Cosco Busan collided with the Bay Bridge at 8:34 a.m. Our fireboat dispatched within the hour from Station 35 under the Bay Bridge to help assess damage, but returned to the dock after the Coast Guard notified us that there was no fire or injuries and expressed concern for safety of the fire boat due to the foggy conditions. At 1:00 p.m., the City initiated a conference call, during which the Coast Guard notified the City that 140 gallons of fuel were in the water. It was not until 9:00 p.m. – over 12 hours after the initial collision – that the State Office of Emergency Services (OES) Coastal Region initiated a conference call where the Coast Guard notified the City that in fact 58,000 gallons of fuel had spilled into our Bay. Although the City continued to register our concerns about the need for local involvement, it was not until Saturday that Unified Command began to actively incorporate City officials into the disaster response.

A key obstacle to smooth emergency management in the first few days of this incident was the structure of the incident command. Our local emergency response procedures are designed to give the disaster management experts at State OES the lead authority for management of a regional disaster, in close coordination with local authorities. This structure worked well just last month, during the response to the Southern California wildfires. However, the outdated protocols for response to oil spills, dating from the 1989 Exxon Valdez spill, do not include this key leadership role for State OES. Instead, the Unified Command structure for response to this spill puts State Fish and Game, the Coast Guard, and the clean-up contractor for the shipping company in the lead, and defines the contractor, the O'Brien's Group, as the Incident Commander. This command structure is foreign to any other command protocol used for other emergencies, and resulted in slow, disjointed, and incomplete communication with local authorities who are trained and ready to aid with the response.

Over the next months, we will be working collaboratively with the Coast Guard and our regional partners to improve response protocols for oil spills and other disasters. We have learned so much from 9/11 and Katrina about the value of advance planning, and response/recovery coordination. Let us not allow those "lessons learned" be lost because oil was the weapon.

Legislation and response protocols in place since the Exxon Valdez disaster should be updated to include the new best practices for a coordinated approach to planning, response and recovery. The oil spill in the Bay has taught us that it is essential for federal agencies to coordinate and communicate immediately with state and local public safety officials. Thanks to Homeland Security funding, San Francisco Bay Area first responders have a well developed planning and response capability which is a model for local and regional collaboration and coordination. Our local and regional expertise and emergency response structure should play a crucial role from the *beginning* of any disaster.

After some initial challenges, our communication and coordination with the Unified Command has improved significantly under the leadership of Coast Guard Rear Admiral Craig Bone. Unified Command is now working more collaboratively with City representatives, enhancing our overall cleanup efforts.

Since the inception of Unified Command, several City agencies have contributed to the overall response, including: the Mayor's Office, the Department of Emergency Management, the Port, the Fire Department, the Board of Supervisors, the Police Department, the Department of Public Health, the Department of Public Works, the Public Utilities Commission, the Recreation and Park Department, the Department of Human Resources, 311, the City Administrator's Office, the General Services Agency, the Controller's Office, the City Attorney's Office, Treasure Island, Animal Care and Control, and the Department of Telecommunications and Information Services. As you can see, our local government can bring considerable resources to bear in response to this and other emergencies. In particular, the Department of Emergency Management has played a key and outstanding role in managing our local resources. Close and early coordination between federal, state, and local officials is essential to fully utilizing these resources during any disaster.

Early and frequent sharing of information is also essential in order for the City make the determination on whether to issue a Declaration of a Local Emergency, in order to facilitate receipt of state and federal disaster funds. I issued this declaration last week.

I urge Congress and our federal agency partners to work closely with state and local government to scrutinize and revise the protocols for emergency response to oil spills and other disasters, in order

to ensure close and immediate cooperation with State OES, local government, and non-government agencies from the beginning of any disaster. Admiral Bone and City of San Francisco have mutually agreed that local emergency contingency planning should be done in collaboration in this all-threats environment.

Volunteer Management

We are proud that our citizens from around the Bay Area immediately responded to the disaster by asking to volunteer for the clean up. However, the Coast Guard has told us they were surprised by the overwhelming response from the public. Unlike our local emergency response plans for earthquakes and other disasters, the response to an oil spill of this magnitude had no initial protocol with state authorities for volunteer management. As a result, thousands of citizens throughout the Bay Area who wanted to volunteer their time for the hard work of cleaning beaches and rescuing wildlife were left unused and frustrated for days as they were turned away by federal authorities because there was no effective volunteer management program for this type of event.

We are pleased that San Francisco has subsequently negotiated a volunteer management agreement with federal authorities that allows local citizens to be trained and deployed to assist with recovery from this disaster. Over 1000 local volunteers have been trained, credentialed and utilized to assist with disaster cleanup of beaches and animal rescue support. Our volunteers have helped to protect families and wildlife from the oil residue, and have helped to re-open our public beaches. I am proud of how our volunteers have stepped in to fill the gap on the cleanup and recovery from the spill. They have also enabled us to expand our volunteer database that we can call on to assist in future disasters.

In addition, the City's 311 non-emergency information number has been the clearing house for information about the event, and provides one number for information on volunteer training and event information. Our community non-profit organizations such as SF Connect and the San Francisco Volunteer Center have rallied to support our response and recovery efforts by supporting these volunteer efforts.

I urge Congress and our federal agency partners to work with state and local government to plan in advance for volunteer management during a disaster, so that our best resources – our local residents who care passionately about their community – can be utilized effectively.

Alternatives to Oil

The release of 58,000 gallons of oil into San Francisco Bay is a stark reminder of our economy's dependence on fossil fuel, and our urgent need to develop alternatives. Ironically, the scene of last week's environmental disaster is also the scene of one of the nation's most promising experiments in green energy – tidal power. San Francisco's unique tidal energy resource is unmatched in California or anywhere else in the lower 48 states. The volume and speed of water passing through the Golden Gate, coupled with the depth of water below the bridge itself, provide a near-perfect setting for the deployment of a tidal energy generation system. San Francisco is actively exploring options for utilizing this green energy source.

I urge Congress to work with local governments to develop alternative energy sources, including tidal, solar, wind, and geothermal power. Creation of an Energy and Environmental Block Grant for cities will help us to further spur innovations and develop alternatives. When we lessen our dependence on fossil fuel, we will ultimately reduce opportunities for environmental disasters like that experienced last week in our national treasure, the San Francisco Bay.

Thank you again for your continued leadership on environment and infrastructure issues in our nation and for your commitment to protecting San Francisco Bay.