



**BUSINESS AND UTILITY OPERATIONS CENTER
(BUOC)**

COMPRISED OF:

**UTILITY OPERATIONS CENTER
(UOC)**

**BUSINESS OPERATIONS CENTER
(BOC)**

ADMINISTRATIVE POLICY – DECEMBER 2016

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I. INTRODUCTION

The California Governor’s Office of Emergency Services (Cal OES) recognizes the need for communication, coordination and cooperation among all emergency management stakeholders in California. This is underscored by our long-standing relationship with the private sector. The impact of the 2007 and 2008 California wildfires emphasized the critical need for the organized synchronous exchange of information and resources between public and private sector organizations in mitigating against, preparing for, responding to, and recovering from disaster events. Historically, information and resource sharing activities between the public and private sectors have too often taken place in an ad hoc, isolated, and reactive fashion, resulting in less than optimal assistance to individuals, families, communities, and the economy.

Realizing the need for stronger public-private collaboration, legislation was enacted (Senate Bill 546) and issued, giving Cal OES greater authority to partner with private industry. The “Authorities” Section of this document provides additional information about the statute and directive. A copy of the legislation may be found in the “Appendices” Section.

To further support those efforts, Cal OES signed Memorandum of Understandings (MOUs) with private sector and non-profit organizations creating the Business and Utility Operations Center (BUOC) comprised of the Utility Operations Center (UOC) and Business Operations Center (BOC).

UOC member:

- California Utilities Emergency Association

BOC members:

- Bank of America
- California Grocers Association
- California Resiliency Alliance
- DirectRelief USA
- Gap, Inc.
- Grainger, Inc.
- Home Depot, Inc.
- Lowe’s Companies, Inc.
- Sears Holdings
- S.F. Helicopters, LLC
- Target Corporation
- Time Warner Cable
- United Parcel Service
- Wal-Mart Stores, Inc.
- Wells Fargo

The BUOC members worked together to develop this Administrative Policy and Activation Guidelines to foster this critical partnership. This policy will assist government and business to communicate, collaborate, and take the actions necessary to mitigate the effects of emergencies in California. The BUOC Activation Guidelines supplement this Policy and further define the public-private partnership activities during an event.

A. Purpose

The BUOC is intended to provide support to the state and may be requested to serve as an active operational component of the State Operations Center (SOC) or Regional Emergency Operations Centers (REOCs). The SOC and REOCs activate under the authority of California's Standardized Emergency Management System (SEMS).

NOTE: In the event the SOC/REOC are not activated, resource requests and information sharing will be coordinated through Cal OES's Executive Duty Officer (EDO).

SEMS was adopted by California in 1993, and provides a clear and consistent organizational structure for agencies involved in responding to emergencies. Under SEMS, each level of government operates an Emergency Operations Center (EOC) which serves as the central coordinating point for communications, resource requests and information sharing among the five levels (field, local, operational area, region and state). At the state level, this is called the SOC and REOC. At times, many different agencies must work together effectively to protect lives, property and the environment during emergencies. SEMS facilitates priority setting, interagency cooperation, and the efficient flow of resources and information.

The growth of the BUOC is intended to be a deliberate and iterative process enhanced by training, exercises, and events that continue to build and mature operations of the center. The fundamental goal is to continue to enhance the quality and effectiveness of the state's response capabilities by augmenting resources and situational awareness with the private and non-profit sectors.

In order to expedite resource requests, it is agreed that all BOC resources be coordinated through the Logistics Section and in coordination with the BOC Liaison and UOC resources be coordinated through the Operations Section (pursuant to SEMS). This does not preclude broader interaction/coordination with other sections if needed.

In addition, all BUOC members should assist overall response efforts by providing trained and experienced staff to support BUOC activities. Furthermore, MOU partners agree that any of its representatives will adhere to the agreement set forth in this policy and UOC/BOC Activation Guidelines.

Lastly, the BUOC is not meant to replace resources available from existing vendors on a procurement basis. The BUOC is intended to support government by information sharing and identify private sector sources that cannot be filled through existing state vendor lists or other authorized sources.

B. Benefits

The benefits of the BUOC include:

- **Continuity of community.** The BUOC will help facilitate “continuity of community” during and following disasters and may include maintenance of critical infrastructure such as transportation, power, food, water, shelter, healthcare, and telecommunications. This will in turn help businesses maintain their own continuity of operations.
- **Enhanced situational awareness.** The BUOC may provide a greater degree of situational awareness to all appropriate internal and external BUOC stakeholders. Situational awareness plays a key role in supporting informed decision making and avoiding duplication or conflict in efforts by the private and non-profit sectors and government.
- **Increased information flow.** The BUOC and REOC/SOC will provide an increased bi-directional flow of information relating to activities, policies, and other efforts affecting essential community resources and critical infrastructure protection needs. Working side-by-side, the private and non-profit sectors and government benefit from direct access to crucial information that may assist with life-saving measures.
- **Improved private sector support.** The private sector has significant capability and willingness to provide supplies, services, and assistance to government. Through the BUOC, the private sector can provide this support more efficiently and effectively.
- **Development of close partnerships.** Through the BUOC, both the private and non-profit sectors and government have the opportunity to develop trusted relationships and become true partners in the emergency preparedness, response and recovery efforts.

C. Expectations

- **Expectation of the BUOC representatives.** Representatives of the BUOC, or their affiliates, will not use the BUOC to promote any organization, institution, product or service, whether charitable or for profit. Nor will the representatives or their affiliates use or share any contact information collected by the BUOC for any purpose other than the accomplishment of the documented emergency management goals.
- **Sensitive/confidential information.** It is expected that all BUOC representatives not share confidential information issued by Cal OES, other state agencies, or that may be available from another BUOC partner. For example, confidential information specific to a power outage, will not be shared outside of the BUOC unless approval is obtained from the California Utilities Emergency Association, SOC Director, or is included in a Cal OES situation report and in coordination with the BUOC Liaison.
- **Function.** The function of the BUOC is to coordinate private and non-profit sectors resources and situational awareness through Cal OES in order to provide adequate support to local government need(s) during an event. The individual(s) who report to the BUOC may be requested to fulfill a specific BUOC function or their respective company/association.

D. Authorities

- Senate Bill (SB) 546 (Dutton) – Office of Emergency Services: public-private partnerships. Effective January 1, 2006, SB 546 authorized Cal OES to share facilities and systems that include private businesses and non-profit organizations in a voluntary program that integrate private sector emergency preparedness measures into governmental disaster planning programs. See Appendix 1 for bill language.
- Assembly Bill (AB) 2796 (Nava) – Good Samaritan Liability Protection for Businesses and Non-Profit Organizations. Cal OES developed a web registry for businesses and non-profits who desire liability protection if they donate supplies, equipment, trucks, facilities, points of dispensing locations, etc. during a local or state proclaimed emergency. See Appendix 2 for bill language.

II. DAY-TO-DAY ACTIVITIES

A. Cal OES will:

- Distribute its Daily Situation Report to all pre-identified primary BUOC points of contact (POC).
- At established threshold levels, automatically send information notifications.
- Notify appropriate BUOC POC if private and non-profit sector support/resources are needed.
- Inform BUOC POC members of training/exercise opportunities.
- When necessary, assist with reimbursement requests.

B. BUOC members will:

- When requested, provide support to Cal OES. Cal OES may call upon any BUOC member to staff the BUOC within the SOC/REOC.
- Review Cal OES's CalEOC on a regular basis.
- Attend/participate in appropriate emergency management training/exercises.
- Be familiar with the function of the BUOC and SEMS.
- Submit proper documentation supporting reimbursement request(s).

C. Confidentiality:

- BUOC representative(s) will consider information that is provided by their respective peers during or after an activation confidential and shared only as appropriate.
- Sensitive information shared outside of the BUOC must be approved by the SOC Director and in coordination with the BUOC Liaison.
- If a BUOC representative is contacted by any media personnel requesting information regarding state response efforts, the representative will refer the media person to the Joint Information Center (JIC) or SOC Director and inform the BUOC Liaison.

III. APPENDICES

Appendix 1 – SB 546 (Dutton)

BILL NUMBER: SB 546 CHAPTERED
BILL TEXT

CHAPTER 232
FILED WITH SECRETARY OF STATE SEPTEMBER 13, 2005
APPROVED BY GOVERNOR SEPTEMBER 13, 2005
PASSED THE ASSEMBLY AUGUST 25, 2005
PASSED THE SENATE JUNE 1, 2005
AMENDED IN SENATE MAY 27, 2005

INTRODUCED BY Senator Dutton

FEBRUARY 18, 2005

An act to add Section 8588.1 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 546, Dutton Office of Emergency Services: public-private partnerships.

The California Emergency Services Act sets forth the duties of the Office of Emergency Services in overseeing and coordinating various emergency response programs in the state.

This bill would authorize the office to share facilities and systems that would, among other things, include private businesses and nonprofit organizations in a voluntary program that would integrate private sector emergency preparedness measures into governmental disaster planning programs to the extent that the cost of the program is reimbursed by the private sector.

The bill would create the Disaster Resistant Communities Account in the General Fund and would require that any new activity undertaken by the office under these provisions is contingent upon the receipt of private donations to the account.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8588.1 is added to the Government Code, to read:

8588.1. (a) The Legislature finds and declares that this state can only truly be prepared for the next disaster if the public and private sector collaborate.

(b) The Office of Emergency Services may, as appropriate, include private businesses and nonprofit organizations within its responsibilities to prepare the state for disasters under this chapter. All participation by businesses and nonprofit associations in this program shall be voluntary.

Appendix 1 – SB 546 (Dutton), continued

(c) The office may do any of the following:

(1) Provide guidance to business and nonprofit organizations representing business interests on how to integrate private sector emergency preparedness measures into governmental disaster planning programs.

(2) Conduct outreach programs to encourage business to work with governments and community associations to better prepare the community and their employees to survive and recover from disasters.

(3) Develop systems so that government, businesses, and employees can exchange information during disasters to protect themselves and their families.

(4) Develop programs so that businesses and government can work cooperatively to advance technology that will protect the public during disasters.

(d) The office may share facilities and systems for the purposes of subdivision (b) with the private sector to the extent the cost for their use are reimbursed by the private sector.

(e) Proprietary information or information protected by state or federal privacy laws, shall not be disclosed under this program.

(f) Notwithstanding Section 11005, donations and private grants may be accepted by the office and shall not be subject to Section 11005.

(g) The Disaster Resistant Communities Account is hereby created in the General Fund. Upon appropriation by the Legislature, the Director of the Office of Emergency Services may expend the money in the account for the costs associated within this section.

(h) Any new activity undertaken by the office under this section shall be contingent upon the receipt of donations to the Disaster Resistant Communities Account.

Appendix 2 – AB 2796 (Nava)

BILL NUMBER: AB 2796 CHAPTERED
BILL TEXT

CHAPTER 363
FILED WITH SECRETARY OF STATE SEPTEMBER 27, 2008
APPROVED BY GOVERNOR SEPTEMBER 27, 2008
PASSED THE SENATE AUGUST 14, 2008
PASSED THE ASSEMBLY AUGUST 18, 2008
AMENDED IN SENATE AUGUST 4, 2008
AMENDED IN SENATE JULY 2, 2008
AMENDED IN SENATE JUNE 11, 2008
AMENDED IN ASSEMBLY MAY 6, 2008
AMENDED IN ASSEMBLY APRIL 1, 2008

INTRODUCED BY Assembly Member Nava

FEBRUARY 22, 2008

An act to add Sections 8588.2 and 8657.5 to the Government Code, and to amend Section 1799.100 of the Health and Safety Code, relating to the Office of Emergency Services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2796, Nava. Office of Emergency Services: statewide registry. The California Emergency Services Act authorizes the Office of Emergency Services to include private businesses and nonprofit organizations within its responsibilities to prepare the state for emergencies and disasters. The act provides certain registered volunteers and individuals impressed into service during a state of war emergency, a state of emergency, or a local emergency with specified legal immunities. Violation of the provisions of the act is punishable as a misdemeanor. Existing law prohibits certain entities from being held civilly liable for civil damages alleged to have resulted from specified emergency medical services training.

This bill would authorize the office to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating, under certain conditions, services, goods, labor, equipment, resources, or dispensaries or other facilities to prepare the state for emergencies and disasters, and would impose certain duties on these entities in this regard. By making these entities subject to a criminal penalty for violation of the act, this bill would impose a state-mandated local program. This bill would relieve a private business or nonprofit organization included on the statewide registry from civil liability for a death, injury, illness, or other damage to a person or property caused by its donation of services, goods, labor, equipment, resources, or dispensaries or other facilities during a declared state of war, state of emergency, or state of local emergency, except for liability caused by its grossly negligent act or omission, or willful or wanton misconduct. This bill would also prohibit a private business or nonprofit organization included on the statewide registry from being held civilly liable for civil damages alleged to have resulted from specified emergency medical services training.

Appendix 2 – AB 2796 (Nava), continued

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8588.2 is added to the Government Code, to read:

8588.2. (a) The Office of Emergency Services may establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to further the purposes of Section 8588.1.

(b) If the Office of Emergency Services establishes a statewide registry pursuant to subdivision (a), the office shall create and implement protocols and procedures for inclusion onto the statewide registry that do, but are not limited to, all of the following:

(1) Establish eligibility requirements for a private business or nonprofit organization to be included on the statewide registry.

(2) Require the services, goods, labor, equipment, resources, or dispensaries or other facilities donated by a private business or nonprofit organization included on the statewide registry to be provided at no cost to state governmental entities or the victims of emergencies and disasters.

(3) Require the services, goods, labor, equipment, resources, or dispensaries or other facilities donated by a private business or nonprofit organization included on the statewide registry to be safely collected, maintained, and managed.

(4) Require that federal, state, and local governmental entities and nonprofit organizations that are engaged in assisting communities prepare for, respond to, or recover from emergencies and disasters have access to the statewide registry.

(c) A private business or nonprofit organization included on the statewide registry shall reasonably determine all of the following:

(1) Donated services, goods, labor, equipment, resources, or dispensaries or other facilities comply with all applicable federal and state safety laws and licensing requirements.

(2) Donated services, goods, labor, equipment, resources, or dispensaries or other facilities have not been altered, misbranded, or stored under conditions contrary to the standards set forth under federal or state laws or by the product manufacturer.

(3) Donated medicine shall be unopened, in tamper-resistant packaging or modified unit dose containers that meet United States Pharmacopeia standards, and show lot numbers and expiration dates. Medicine that does not meet these standards shall not be donated.

SEC. 2. Section 8657.5 is added to the Government Code, to read:

8657.5. (a) (1) A private business included on the statewide registry pursuant to Section 8588.2 that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during a declared state of war, state of emergency, or state of local emergency shall not be civilly liable for a death, injury, illness, or other damage to a person or property caused by the private business's donation of services, goods, labor, equipment, resources, or dispensaries or other facilities.

Appendix 2 – AB 2796 (Nava), continued

(2) A private business included on the statewide registry that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during an emergency medical services training program conducted by the Office of Emergency Services and a city, a county, or a city and county shall not be civilly liable for damages alleged to have resulted from those training programs, as described in Section 1799.100 of the Health and Safety Code.

(b) (1) A nonprofit organization included on the statewide registry pursuant to Section 8588.2 that voluntarily and without expectation and receipt of compensation from victims of emergencies and disasters donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during a declared state of war, state of emergency, or state of local emergency shall not be civilly liable for a death, injury, illness, or other damage to a person or property caused by the nonprofit organization's donation of services, goods, labor, equipment, resources, or dispensaries or other facilities.

(2) A nonprofit organization included on the statewide registry that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2, during an emergency medical services training program conducted by the Office of Emergency Services and a city, a county, or a city and county, shall not be civilly liable for damages alleged to have resulted from those training programs, as described in Section 1799.100 of the Health and Safety Code.

(c) A private business or nonprofit organization that discriminates against a victim of an emergency or disaster based on a protected classification under federal or state law shall not be entitled to the protections in subdivision (a) or (b).

(d) This section shall not relieve a private business or nonprofit organization from liability caused by its grossly negligent act or omission, or willful or wanton misconduct.

SEC. 3. Section 1799.100 of the Health and Safety Code is amended to read:

1799.100. In order to encourage local agencies and other organizations to train people in emergency medical services, no local agency, entity of state or local government, private business or nonprofit organization included on the statewide registry that voluntarily and without expectation and receipt of compensation donates services, goods, labor, equipment, resources, or dispensaries or other facilities, in compliance with Section 8588.2 of the Government Code, or other public or private organization which sponsors, authorizes, supports, finances, or supervises the training of people, or certifies those people, excluding physicians and surgeons, registered nurses, and licensed vocational nurses, as defined, in emergency medical services, shall be liable for any civil damages alleged to result from those training programs.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Appendix 3 – List of Acronyms

BOC	Business Operations Center
BUOC	Business and Utility Operations Center
Cal OES	California Governor’s Office of Emergency Services
CGA	California Grocers Association
CRA	California Resiliency Alliance
CUEA	California Utilities Emergency Association
EDO	Executive Duty Officer
EOC	Emergency Operations Center
MOU	Memorandum of Understandings
OES	Office of Emergency Services
POC	Point of Contacts
REOC	Regional Emergency Operations Center
CalEOC	Statewide Virtual Emergency Operations Center
SEMS	Standardized Emergency Management System
SOC	State Operations Center
UOC	Utility Operations Center