

Jurisdictional authorities of municipalities and Coast Guard within the City and Borough of Kodiak

Authority of Local On-Scene Coordinator (LOSC).

KODIAK SUBAREA CONTINGENCY PLAN

RESPONSE SECTION, PART TWO

B. Roles of the OSCs, RP and RACs, Page A-7

In the event of an oil spill or hazardous substance release in the Kodiak Subarea, the Kodiak Regional Emergency Services Director (or designee) will serve as the Local On-Scene Coordinator in the Unified Command. For all spills in the Kodiak Subarea in which the ICS is implemented, the LOSC will sit in the Unified Command with the FOSC, SOSC, and RPOSC, sharing decision-making and oversight responsibilities with the other On-Scene Coordinators. For spills which affect or threaten to affect the Kodiak Subarea in addition to other subareas, the Kodiak Emergency Services Director or designee will integrate into the command structure either through a LOSC liaison representing all affected communities, or through a Regional MAC group.

As long as there is an immediate threat to public safety, the LOSC will serve as the ultimate command authority for the public safety issue, while the FOSC, SOSC, and RPOSC work with the LOSC to ensure mitigation of the situation. So long as the threat to public safety remains, the LOSC will be guided by the Emergency Operations Plan developed by the Kodiak Regional Emergency Services Organization and Kodiak Island Borough Local Emergency Planning Committee. If the FOSC, SOSC, or RPOSC does not assume the lead role for response, the LOSC may request higher authority to assume that responsibility. (See the Unified Plan page B-4.)

Additional policy guidance is provided to the LOSC by the Kodiak Regional Emergency Services Council, which is composed of the Emergency Services Director, the Mayor of the City of Kodiak, the Kodiak Island Borough Mayor and Manager, and the Commanding Officer of the USCG Integrated Support Command (ISC) Kodiak, or their designees. Facility and vessel Oil Discharge Prevention and Contingency Plans for operations in and around the Kodiak Subarea should include a description of the LOSC position, which reflects the unique situation in the Kodiak Subarea.

<http://www.akrrt.org/Kodiakplan/PDF/KodiakResponse.pdf>

Authority of the Captain of the Port

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER I--COAST GUARD, DEPARTMENT OF HOMELAND SECURITY

PART 6--PROTECTION AND SECURITY OF VESSELS, HARBORS, AND WATERFRONT

FACILITIES--Table of Contents

Subpart 6.04--General Provisions

Sec. 6.04-8 Possession and control of vessels.

The Captain of the port may supervise and control the movement of any vessel and shall take full or partial possession or control of any vessel or any part thereof, within the territorial waters of the United

States under his jurisdiction, whenever it appears to him that such action is necessary in order to secure such vessel from damage or injury, or to prevent damage or injury to any vessel or waterfront facility or waters of the United States, or to secure the observance of rights and obligations of the United States.

Sec. 6.04-11 Assistance of other agencies.

The Captain of the port may enlist the aid and cooperation of Federal, State, county, municipal, and private agencies to assist in the enforcement of regulations issued pursuant to this part.

http://www.access.gpo.gov/nara/cfr/waisidx_03/33cfr6_03.html