



ORANGE COUNTY FIRE AUTHORITY

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Brian Fennessy, Fire Chief

(714) 573-6000

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VIA U.S. Certified Mail

August 27, 2018

The Honorable Charles Margines
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Your Honor,

The Orange County Fire Authority (OCFA) Board of Directors reviewed the Grand Jury report, "Competition or Collaboration – Orange County's Public Agency Helicopters" during its public meeting held on August 23, 2018. The Board has reviewed and authorized this formal response from our agency.

We appreciate the time and effort the Grand Jury has devoted to the citizens of Orange County and we share its dedication to fair and transparent governance.

If I may be of service in the clarification of this response, please feel free to contact me at brianfennessy@ocfa.org or (714) 573-6010.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Fennessy", is written over the printed name and title.

Brian Fennessy
Fire Chief

cc: Orange County Board of Supervisors
Orange County Clerk of the Board

Enclosure: OCFA Response to Grand Jury Report entitled "Competition or Collaboration – Orange County's Public Agency Helicopters"

MINUTES ORANGE COUNTY FIRE AUTHORITY

Board of Directors Regular Meeting

May 24, 2018
6:00 P.M.

5. DISCUSSION CALENDAR

C. Response to Grand Jury Report Regarding "Competition or Collaboration – Orange County's Public Agency Helicopters" (F: 20.04A11)

Presented by: Dave Anderson, Assistant Chief/Support Services Department

Recommended Action:

On motion by Director Murray and second by Director Davies, the Board of Directors voted unanimously by those present to approve and authorize the Clerk of the Authority to submit the Orange County Fire Authority's response to the Orange County Grand Jury report entitled "Competition or Collaboration – Orange County's Public Agency Helicopters."

Background & Summary

After the devastating fire season of 1993 where thousands of acres of vegetation and hundreds of homes were damaged or destroyed in Orange County, the After-Action Report (AAR) emphasized the fact that fire department personnel did not have immediate air support during the Laguna Fire. It was stressed that initial firefighting helicopters could have made the fire manageable in the early hours of spread. The report caused the Orange County Board of Supervisors to approve a one-year contract for a helicopter, pilots, and mechanics. The first helicopter response was on June 22, 1994, and the first year of operation included wildland fires, medical rescues, and responses to weather-related emergencies.

In 1995, the OCFA accepted three surplus helicopters under the Federal Excess Personal Property (FEPP) and converted them into Super Hueys. The airframes were outfitted with communications equipment, water dropping buckets, and basic rescue equipment. As El Toro Marine Base was decommissioned in 1999 and Search and Rescue operations halted, the need was identified to expand the OCFA air operations program to include all-risk rescue capabilities. In 2005, Night Vision Goggles (NVG) that allowed for nighttime missions were added to the fleet.

In 2008, the OCFA supplemented its fleet of aging helicopters with two new Bell 412ep twin-engine helicopters. The OCFA and OCSD entered into their first Memorandum of Understanding (MOU) agreement and Operating Plan in 2010, which identified each agency’s commitment and coordination to providing the highest levels of service to the residents of Orange County. That same year, air operations were moved into a 22,000 square foot hangar at Fullerton Airport. The large hangar bays included an overhead crane, office space, training rooms, and living areas for firefighters.

An independent audit in 2010 recommended additional enhancements to the OCFA air operations program. The report identified the need for constant staffing to better meet operational needs. The economic downturn during the same period delayed the implementation of 24-hour per day staffing until 2015. A year later, a paramedic rescuer was added to aircraft staffing (in addition to a pilot and crew chief) to improve all-risk response.

In 2016, the Operating Plan between the OCFA and OCSD was updated to reflect enhancements made to agency aircraft and capabilities. A year later, the Grand Jury started their investigation into the coordination of OCFA and OCSD air resources on Search and Rescue (SAR) missions and raised safety, communications, and duplication of resources concerns. In July of 2018, through the leadership of the OCSD Sheriff and OCFA Fire Chief, an updated agreement was reached to enhance command and control and safety. Subsequent to the agreement, the Grand Jury released their findings addressed in this response document.

As historic fires raged across the state and drought conditions persisted throughout California in 2018, the OCFA Board of Directors approved a second 12-hour firefighting helicopter to be staffed to enhance firefighting resources in Orange County. Today, air operations staffing includes an all-risk 24-hour helicopter (pilot, crew chief, paramedic) and second daytime helicopter (pilot and crew chief) for firefighting missions.

Response to Findings and Recommendations

Finding 1: Operating fifteen public agency helicopters in a busy and compressed airspace necessitates close cooperation and communication.

Agree with the finding.

Finding 2: While responding to search and rescue events, Orange County Sheriff’s Department and Orange County Fire Authority helicopters have flown too close to each other without adequate communication and coordination, which behavior could result in flight safety issues.

Agree with the finding.

Finding 3: Some air crew members and management personnel of the Orange County Fire Authority and Orange County law enforcement air support units have expressed serious concerns regarding each other’s flight safety and aerial rescue operations.

Agree with the finding.

Finding 5: Orange County public agencies have substantially more helicopters per square mile than any county in southern California, which provides opportunity for further cost-benefit analysis.

Partially disagree with the findings. Due to extended drought conditions, lessons learned from past wildfires in the county, and the threat of wildfires to communities that are adjacent to urban-interface areas, multiple firefighting resources are needed to rapidly and effectively control wildfire. To maintain operational readiness, backup helicopters are needed for periods of scheduled and unscheduled maintenance and repairs.

Finding 6: Sheriff’s helicopters and pilots with fire department paramedics onboard are used in many other California counties, including San Bernardino, San Diego, and Santa Barbara and have proven to be an effective combination.

Agree with the finding.

Finding 7: Orange County’s public aviation units lack inter-agency coordination, inhibiting efficient and cost-effective resource utilization.

Disagree with the finding. The OCFA utilizes the National Incident Management System (NIMS) on every response. Regardless of incident size, complexity, or location, command and control components are implemented for all responses.

Finding 9: Orange County Fire Authority does not have mid- to senior-leadership with prior pilot experience who can provide appropriate oversight for flight operations and help resolve interagency issues.

Disagree with the finding. The OCFA has had an air program since 1994. Program leadership includes many years of experience: Fire Chief 38 years of aviation experience, Program Manager 10 years of aviation experience, and Lead Pilot 48 years of aviation experience. The three OCFA pilots have 48, 25, and 22 years of aviation experience.

Finding 10: Orange County air support units could benefit from collocating at Fullerton Airport where they can leverage existing facilities.

Partially agree with the finding. The OCFA has based operations out of its current Fullerton Airport hangar since 2011. While the air base meets operational needs, there may be opportunities to share facilities and resources with other public agencies and identify additional geographic locations that meet service demands.

Finding 11: Several nearby counties have gained efficiencies by successfully consolidating their sheriffs’ and fire agencies’ air support units into one organization within each county.

Agree with the finding.

Recommendation 1: By October 1, 2018, the Board of Supervisors, in coordination with the affected agencies, should consider forming and implementing an Orange County air operations safety council under the direction of the Board of Supervisors (F1, F2, F3, F7, F8, F9).

The recommendation will not be implemented. The OCFA has existing statutory public safety requirements under federal, state, and local laws.

Recommendation 2: By September 1, 2018, the Orange County Sheriff’s Department should implement the Board of Supervisors’ resolution identifying OCSD as the lead agency for wilderness, remote/off-road Search and Rescue and work with OCFA to establish procedures for communications while either party is providing assistance or backup (F1, F2, F3, F4, F8).

The recommendation has been implemented. OCFA recognizes the Board of Supervisors’ resolution and has successfully worked with OCSD to establish an operating plan.

Recommendation 3: By September 1, 2018, Orange County Fire Authority management should develop and present its board with proposed procedures for how to work cooperatively with Orange County Sheriff’s Department as OCSD implements the Board of Supervisors’ resolution identifying OCSD as the lead agency for wilderness, remote/off-road Search and Rescue and work with OCSD to establish procedures for communications while part is providing assistance or backup (F1, F2, F3, F4, F9).

The recommendation has been implemented. The Fire Chief and Sheriff have a cooperative agreement that ensures safe, efficient, and immediate response to emergencies requiring aviation resources.

Recommendation 4: By January 15, 2019, the Orange County Fire Authority in collaboration with the Orange County Sheriff’s Department should identify and implement methods for its paramedics to operate jointly with the Orange County Sheriff’s Department Air Support Unit in its search and rescue operations to the maximum extent possible (F3, F6, F11).

The recommendation requires further analysis. OCFA is open to exploring options to enhance service delivery.

Recommendation 5: By December 15, 2018, the Orange County Sheriff’s Department and the Orange County Fire Authority should evaluate potential costs and operations benefits of collocating their air units at the Fullerton Airport. The Orange County Sheriff’s Department should plan on presenting this evaluation to the Board of Supervisors and publicly posted. The Orange County Fire Authority should prepare and present their evaluation to their board and publicly post it (F1, F2, F3, F7, F10, F11).

The recommendation requires further analysis. If requested, the OCFA is open to evaluating collocation and sharing of space at Fullerton and John Wayne Airports.

Recommendation 6: By January 15, 2019, the Board of Supervisors, in coordination with the affected agencies, should consider a plan for a centralized approach to public agency air support including collocating and eventually consolidating the various Orange County city and county aerial support units (F1, F2, F3, F5, F6, F7, F8, F9, F10, F11).

The recommendation requires further analysis. Consideration of this recommendation will require collective discussion by both agencies.

Recommendation 7: By January 15, 2019, Orange County Sheriff’s Department, Orange County Fire Authority, and the cities of Huntington Beach and Anaheim air support units should consider the benefits of a leadership plan that brings a manager with pilot experience into positions above the unit level (F1, F2, F3, F7, F8, F9, F10).

This recommendation will not be implemented because it is not warranted. OCFA has proper aviation experience at all levels of the organization.