



# California State Sheriffs' Association

Organization Founded by the Sheriffs in 1894

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July 11, 2024

Occupational Safety and Health Administration  
United States Department of Labor  
Electronic Submission via [www.regulations.gov](http://www.regulations.gov)

**Re: Docket No. OSHA-2007-0073**

To Whom it May Concern:

The California State Sheriffs' Association (CSSA) is a nonprofit professional organization composed of the state's 58 elected county sheriffs. The Association was formed in 1894 for the purposes of supporting the role of sheriff as the chief law enforcement officer in each California county and to speak as a collective voice on matters of public safety. We write today to express our concerns about the proposed rulemaking referred to as Emergency Response Standard per the docket number listed above.

Our overarching concern is the breadth of the proposed rulemaking. While referencing emergency responder health and safety and seeming to focus on those in the fire service, the impacts of this rulemaking will be felt by not only law enforcement agencies (much of California's search and rescue (SAR) efforts are undertaken or coordinated by Sheriffs' offices) but by the numerous nonsworn volunteers upon which our state and local mutual aid system relies. We note the rulemaking's acknowledgement of the problematic nature of a one-size-fits-all approach and its supposed flexibility, but by virtue of the rulemaking's terms and the fact that California's Division of Occupational Safety and Health (Cal/OSHA) covers volunteers, the impacts will be broad and significant, especially on California's volunteer-dependent SAR system.

In many California regions, wilderness SAR comprises much of the state's search and rescue work. Urban search and rescue (USAR) is considerably different in many ways from wilderness SAR, but the rulemaking conflates the two distinct concepts in several instances. The issues and dangers that are present in USAR applications do not always translate to wilderness SAR, and vice versa. Within the proposed rulemaking, it seems apparent that there is little justification for including technical search and rescue operations within its scope. Even the use of all-terrain vehicles (ATV), which is common in wilderness SAR applications, is considered by the rule to be a specialized skill. It is often fire departments that run and/or staff USAR teams in western states. However, wilderness SAR operations share very few similarities with USAR operations, yet all search and rescue activities are lumped together and subjected to the proposed rule.

The medical examination and surveillance requirements will be costly and problematic for law enforcement and volunteer SAR personnel. The exposure concerns upon which the medical standards are proposed simply do not exist in many wilderness SAR events. Most statistics related to death and injury are related to firefighters and EMS, and most of the proposed rule focuses on fire and EMS, with very little covered specifically regarding volunteer search and rescue operations. Not only will the rule's directives be cost prohibitive for agencies and volunteers, in many areas, the lack of appropriate medical professionals who can conduct the examinations and testing will bog down public entities' work and even discourage prospective volunteers from taking on important SAR responsibilities. It is highly likely that many people considering becoming SAR volunteers will simply not do so because of the time and expense associated with the proposed medical standards.

In addition to costs, it is likely that, to comply with the proposed rule, even the smallest organizations would need hundreds of hours, which fails to include training for new hires/volunteers as well as the time and resources needed to undertake administrative and pre-planning activities. Further, any failure to fulfill the medical, training, equipment, and other requirements of the rule would likely expose public agencies, SAR coordinators, and volunteers themselves to liability.

Simply put, the proposed rulemaking will have a devastating impact on California's state and local mutual aid response system. Standards and requirements based on work done by firefighters are being proposed to also cover tasks routinely undertaken by law enforcement personnel and volunteers who do not face the same challenges and risks. Volunteers will simply stop raising their hands to help and this will significantly and demonstrably impact public safety. We urge an exemption from this rulemaking such that wilderness/county SAR is no longer included for all the reasons stated above. Thank you for your consideration of our concerns.

Sincerely,



Don Barnes, CSSA President  
Sheriff, Orange County



Mike Boudreaux, CSSA Search & Rescue Committee Chair  
Sheriff, Tulare County

cc: California Office of Emergency Services (CalOES)  
California Division of Occupational Safety and Health (Cal/OSHA)