



**OIL SPILL PREVENTION AND RESPONSE  
TECHNICAL ADVISORY COMMITTEE (TAC)**

<https://www.wildlife.ca.gov/OSPR/Preparedness/Technical-Advisory-Committee>



*Meeting of  
Tuesday, May 23, 2017  
9:30 a.m. to 3:30 p.m.*

*Department of Fish and Wildlife  
Yolo Wildlife Area  
45211 County Road 32B  
Davis, CA 95618*

**MINUTES**

**Attendance:**

<i>TAC members</i>	<i>Agency Representatives</i>	<i>OSPR Participants</i>	<i>Guests</i>
Steve Ricks ( <i>chairperson</i> )	Chris Beckwith, CA SLC	Thomas M. Cullen, Jr.	
John Berge ( <i>vice chair</i> )	Jonathan Bishop, CCC	Dr. Steve Hampton	
R. Mitchel Beauchamp ( <i>by phone</i> )	Linda Scourtis, S.F. BCDC	Dr. Julie Yamamoto	
Dr. Michael Ziccardi ( <i>alt to Jonna Mazet</i> )	Timothy Holmes, U.S.C.G.	Mike Coyne	
Matt Rezvani ( <i>by phone</i> )	Jordan Stout, NOAA	Christine Kluge	
Sejal Choksi-Chugh ( <i>alt to Deb Self</i> )	Debra French, State Fire Marshal		
	Kathryn Lawrence, Cal EPA		

**1. INTRODUCTIONS**

*Captain Thomas Cullen, Jr., OSPR Administrator*

**2. APPROVAL OF MINUTES**

*Mr. Stephen Ricks, TAC Chairman*

03/28/2017 Minutes – with a correction noted on page two, a motion to accept the minutes was made and seconded. The minutes were approved without dissent.

**3. OSPR UPDATE**

*Captain Thomas Cullen, Jr., OSPR Administrator*

*(report provided)*

Administrator Thomas Cullen, Jr. offered a brief update of each branch of the Office of Spill Prevention and Response, touching on a few highlights. Further updates can be found in the report provided.

- Met with the Appointments Advisor in the Governor’s office to discuss the TAC count and we should expect to hear something soon.
- OSPR has four Best Achievable Technology reports on line.
- OSPR is aware that Platform Holly has been permanently abandoned and we are monitoring the situation very closely. There is concern over OSRO coverages. Platform Holly has to go through a decommissioning plan which includes several steps prior even to the removal of the well. Venoco is still obligated to maintain the platform until it is officially handed over to the state.
- The department audit of our Cost Recovery unit has been rigorous and thorough and there have been some under billings. After reviewing all the cases – both open and pending – the audit determined the cost recoveries lost are a very small percentage. We have corrected the deficiencies and put a very rigorous review process in place. I will report the findings of the formal audit upon its completion.
- A month ago, OSPR was notified about a court decision that was rendered with CDFW-OSPR as the defendant. The case involved spoliation of evidence. There is an investigation underway to determine what happened. The decision is under appeal. I will report new information to the TAC as it becomes available.

#### 4. AGENCY BRIEFINGS

**California Coastal Commission**  
(report provided)

**Mr. Jonathan Bishop**

- We continue to fill our legislative mandate to participate in harbor safety committee hearings. HUM HSC – nuisance vessels working on nuisance vessels at HUM HSC; at PH HSC we are working on our safety plan updates – lobster traps in the channel entrance; under keel clearances at birth; the LA/LB HSC is discussing the topic of pre-booming bunker transfers.
- The Central Coast Area Committee has decided to **rename** Elkhorn Slough GRP to Area Plan update.
- Plains Pipeline submitted their follow-up CDP application to the Coastal Commission on 3/31/17. Oil Spill Program staff are working with Plains on the review of the application materials and anticipates holding a public hearing on the permit later this year.

**San Francisco Bay Conservation and Development Commission**  
(report provided)

**Ms. Linda Scourtis**

- The Tug Workgroup completed its effort to address SB414 requirements to assess the Bay Area’s capability for conducting emergency offshore tows. In April, the HSC voted to approve and submit the report to the Administrator.
- Staff closely monitored freight barge *Vengeance* sinking near the Bay Bridge. The complex salvage operation is ongoing.

**California State Lands Commission**  
(report provided)

**Mr. Chris Beckwith**

- The MEPD has elected a new Assistant Division Chief effective July 1, 2017 – Dennis Vogel.
- Field staff continue to monitor oil transfers as well as inspect marine oil terminals statewide.
- Updating several sets of regulations, including Article 5 and 5.5.
- MOTEMS regulations have been updated through CA Building Code, effective 1/1/2017.
- MEPD working with State Lands GIS staff to develop data layers related to marine oil terminals and their operations
- Working with other State Lands Divisions on implementation of the newly adopted strategic plan.
- MEPD staff will be developing a Safety Management Systems Audit program that will utilize OCIMF guidelines as a template.
- In the process of updating several MOUs with other agencies including OSPR and the State Fire Marshal’s Office, as well as working with CARB on the development of additional ships at berth regulations pertaining to tankers and terminals.
- MEPD has completed the follow up actions outlined in the response to the Department of Finances audit findings published this last year.

State Lands Commission did receive documents from Venoco LLC quitclaiming its interest in the South Ellwood Field leases, including Platform Holly and the Ellwood Beach pier leases. The Commission will now begin the process of decommissioning Platform Holly. The State Lands Commission staff is working to ensure that the wells and facilities are secured and maintained while it develops a plan.

**Office of the State Fire Marshal**  
(no report provided)

**Ms. Debra French**

- The State Fire Marshal held its annual Pipeline Safety Seminar April 18<sup>th</sup> in Long Beach and over 275 people participated. A new pipeline safety engineer was hired. Interviews for pipeline safety engineers in Sacramento began May 9<sup>th</sup>.

- Annual questionnaire to the stakeholders of California mailed out May 1<sup>st</sup>. This form is part of the SB 295 mandate and provides the Office of the State Fire Marshal information on stakeholder's pipelines. The questionnaire will become the foundation for how the office will proceed with risk calculations.

*U.S. Coast Guard*  
(report provided)

*Mr. Timothy Holmes*

- **Status:** The Endangered Species Act Section 7- preauthorization of the use of dispersants in Federal waters – waiting for a response from DOC/NMFS
- **Spring RRT** – Held in Yuma, AZ and included a full-scale pipeline exercise with Kinder Morgan and special training by the EPA Environmental Response Team. AAR in development and should be released soon.
- **Summer RRT** – July 11-13, 2017 at UC Davis. This event will include a presentation about the Oroville Dam.
- April 7<sup>th</sup>, SEC SF reported a 112ft barge and crane owned by VORTEC DIVING capsized and sank in 22' of water between YBI and the Seventh St. Marine Terminal. Barge is not in the channel and is has been rolled away from the BART Transbay tube.

## 5. FUND CONDITION AND BUDGET UPDATE

(report provided)

Dr. Steve Hampton presented the Condition for Funds 207, 320, 321 and 322. Fund conditions capture three prior fiscal years of actual revenues and expenditures (FY 13/14 – FY 15/16) and three fiscal years of projected revenues and expenditures (FY 17/18 – FY 19/20). For current fiscal year 16/17, revenues and expenditures were presented reflecting fiscal month 09 (March) actuals and projections through the end of March.

## 6. SB 414 TUG EVALUATION REPORTS

*Mr. Mike Coyne*  
*OSPR Oil Spill Prevention Specialist*

The findings of the Los Angeles/Long Beach Harbor Safety Commission (LA/LB HSC) and the San Francisco Bay Harbor Safety Commission (SFB HSC) independently concluded that there was sufficient presence and capability of tugs to provide towing of vessels to arrest their drift or otherwise guide emergency transit within each the LA/LB and SF area of responsibility (AOR).

Both the LA/LB HSC and the SF HSC independently concluded there was a very high degree of likelihood that the resources presently in place within the LA/LB AOR and the SF AOR would continue to be sufficient to arrest the drift of a disabled vessel or otherwise influence its drift to prevent it from grounding.

## 7. LEGISLATIVE & REGULATIONS UPDATE

(report provided)

*Ms. Christine Kluge*  
*OSPR Regulations Analyst*

- **Inland Regulation:** The emergency regulations were readopted in September 2016, extending the expiration until September 2017. We are in the regular rulemaking process now to make the provisions of SB 861 permanent. These regulations will be readopted a second time.
- **Oil Spill Prevention and Administration Fund Fee:** The final rulemaking file was submitted to OAL in January 2017. OAL disapproved it primarily for clarity and necessity for failure to adequately explain why OSPR is setting the fee at the maximum rate of 6.5 cents per barrel despite fact this rate has been charged and collected since 2012. OSPR has 120 days to put this out to the public for a 15-day comment period, make some other minor corrections, and re-submit it to OAL (due July 14, 2017). This package was also readopted in January to preserve the emergency regulations. Therefore, the emergency regulations are also still in effect until January 23, 2018.

**8. STRATEGIC PLAN HIGHLIGHTS**  
(report provided)

*Dr. Steve Hampton*  
*OSPR Assistant Deputy Administrator*

Dr. Steve Hampton provided highlights to OSPR's Strategic Plan. A few of the items discussed were: working with drones (UAV); abandoned derelict vessels (ADV); improving cost recovery in the finance and administrative services section; working with various companies to get a portable cell phone tower that can work where there is absolutely no coverage.

**OPEN DISCUSSION: NON-FLOATING OILS**

An open discussion was held regarding the definition of group 5 or non-floating oils and current regulations. Due to the very complicated issues surrounding the subject matter, a one day workshop (date to be determined later) will be held for the TAC.

**9. TAC 2015-2016 BIENNIAL REPORT (Vote Anticipated)**  
*Chairman*

*Mr. Stephen Ricks, TAC*

The 2015-2016 Biennial Report has been revised and reviewed, and no additional changes were made.

A vote was taken to approve the final Biennial Report; it was seconded and unanimously approved. The members present constitute a quorum, as stated by the Chairman.

**10. MEETING DATES**

*Mr. Stephen Ricks, TAC Chairman*

Next TAC meeting(s) – Wednesday, October 11th, at San Francisco Estuary Institute, Richmond, CA.

**ADJOURN**

Meeting adjourned 3:50 p.m.