

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

**Tuesday, September 28, 2021, 10:00 a.m. – 2:25 p.m.**

**Teleconference Meeting**

To Participate via Microsoft Teams, use the link [Click here to join the meeting](#)

To Participate via telephone: Call 1 (916) 535-0984, Conference ID: 580 105 320#

Public comments will be accepted for each Agenda item. Five minutes are allowed per commenter per item.

**Invitees:**

Matt Rezvani, Chair, Janell Myhre, Vice Chair, John Berge, Lynn Korwatch, Joseph Cobb, James Farner, Sejal Choksi-Chugh, Tracy Van Houten, Katherine Cole, Peter Santillan, Elizabeth Jones, Jonathan Bishop, Chris Beckwith, Jordan Stout, Doug Allen, Linda Scourtis, Timothy Holmes, Uduak-Joe Ntuk, Gordon Schremp, Thomas M. Cullen Jr., Dr. Julie Yamamoto, Eric Milstein, Jennifer Lucchesi, Christine Kluge, Renee Rose, Amir Sharifi

- I. Introductions (Thomas M Cullen, Jr., OSPR Administrator, 5 Min.)
- II. Approval of minutes from last meeting (Matt Rezvani, Chair, 5 Min.)
- III. OSPR Update (Thomas M. Cullen, Dr. Julie Yamamoto, 30 Min.)
- IV. OSPR and State Lands Budget Updates (Amir Sharifi and Jennifer Lucchesi, 25 Min.)
- V. Agency Briefings (70 Min.)

California Coastal Commission – Jonathan Bishop  
California Energy Commission – Gordon Schremp  
San Francisco Bay Conservation and Development Commission – Linda Scourtis  
California State Lands Commission - Chris Beckwith/Jennifer Lucchesi  
CALFIRE – Doug Allen  
National Oceanic and Atmospheric Administration – Jordan Stout  
United States Coast Guard - Timothy Holmes

Lunch (30 Min.)

- VI. Regulatory and Legislative Update (Christine Kluge, 15 Min.)
- VII. AB 148 – Implementation (Dr. Julie Yamamoto, 20 Min.)
- VIII. UC Davis Environmental Policy student study on OWCN program (TBA, 20 Min.)
- IX. TAC Biennial Report Discussion (Matt Rezvani, Chair, 25 Min.)
- X. Next Meeting (Matt Rezvani, Chair, 10 Min.)

**Adjourn Meeting**

NOTE: Please contact Elizabeth Vos at (916) 956-3930 if you have any person(s) participating in this meeting who require services for disability related modifications or accommodations.



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

*Thursday, April 21, 2021, 10:00 a.m. – 2:30 p.m.  
Microsoft TEAMS Meeting*

The following members were in attendance:

**TAC members:**

Matt Rezvani (Chairman), Janell Myhre (Vice Chair), John Berge, Peter Santillan, Lynn Korwatch, Tracy Van Houten, Kit Cole, Sejal Choksi-Chugh, Joseph Cobb, Elizabeth Jones

**Agency Representatives:** Jennifer Lucchesi - California State Lands Commission (CSLC), Jonathan Bishop - California Coastal Commission(CCC), Linda Scourtis - San Francisco Bay Conservation and Development Commission(BCDC), Uduak-Joe Ntuk - California Geologic Energy Management(CalGEM), Timothy Holmes - United States Coast Guard (USCG), Gordon Schremp, California Energy Commission, James Hosler – State Fire Marshall, Chris Beckwith - CLSC

**Guest Presenters:**

Cassidee Shinn – OSPR Statewide Area Contingency Plan Coordinator, Jeff Poteet – OSPR Oil Spill Prevention Specialist

**OSPR Participants:**

Thomas M. Cullen, OSPR Administrator, Dr. Julie Yamamoto, Deputy Administrator, Eric Milstein, Assistant Chief Counsel, Amir Sharifi, Branch Chief Financial and Administrative Services, Renee Rose, Budget Analyst, Christine Kluge, Regulations Analyst, Ryan Todd, Attorney, Yvonne Addassi, Preparedness Branch Chief

**Guests:**

Andrew Benware, Thomas Haug, Julie Oltmann, David Reinhard, Jenna Driscoll, Paul Hichborn, Kathleen Jennings, Cathy Conway, David Bell, Greg McGowan, Ben Eichenberg

**Roll Call:**

Matt Rezvani, Janell Myhre, John Berge, Lynn Korwatch, Tracy Van Houten, Sejal Chocksi-Chugh, Kit Cole, Joseph Cobb, Peter Santillan, Elizabeth Jones

**1. INTRODUCTIONS**

*Captain Thomas M. Cullen, Jr., Administrator, OSPR*

**2. APPROVAL OF MINUTES**

*Mr. Matt Rezvani, TAC Chair*

Quorum Present.

TAC Minutes of November 5, 2020, Matt Rezvani made a motion to accept, Peter Santillan seconded the motion.

**Vote taken:** Vote passed with unanimous approval to pass minutes for November 5, 2020, TAC meeting.

3. **TAC NOMINATION AND VOTE FOR VICE CHAIR VACANCY**

*Mr. Matt Rezvani, TAC Chair,*

John Berge made a motion to nominate Janell Myhre as Vice Chair of the TAC.

Kit Cole seconded.

**Vote taken:** Unanimous approval for the appointment of Janell Myhre as TAC Vice Chair.

4. **OSPR UPDATE**

*Captain Thomas M. Cullen, Jr., Administrator, OSPR*

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.

Thank you to John Berge for his long-time service to the TAC.

Some of the significant responses: Iron Horse Trail, Camarillo Springs Golf Course, Chevron incident at Richmond, American Challenger

The Department of Finance (DOF) submitted its report of its audit of Fund 320. DOF had two recommendations; improve the Drills and Exercises Program and improve our spill response database

Steve Hampton, the OSPR Deputy Administrator has retired. OSPR will be looking to fill that vacancy in the next few months.

The OSPR/Chevron Technology Workshop for Oil Spill Response was held in February.

OSPR received an invitation to advise the Israel government to support cleanup of a mystery oil spill that was impacting their northern coast.

OSPR has 14 contact tracers out through June and are assisting with various mutual aid projects such as wildfire debris cleanup, an inland levee break down in southern California, and staff deployed to assist with the vaccination clinics.

The Pacific States British Columbia Oil Spill Task Force held its annual meeting virtually.

OSPR supported a tabletop exercise for the Department's executive team to give a better understanding of the incident command system.

Congratulations to Janell on her Vice Chair election.

5. **OSPR AND STATE LANDS COMMISSION BUDGET UPDATES**

*Mr. Amir Sharifi, Branch Chief, Financial and Administrative Services, OSPR*

*Ms. Jennifer Lucchesi, Executive Director, CSLC*

Fund balance of Fund 320, the Oil Spill Prevention and Administration Fund, continues to decline.

This fiscal year(FY), the Department of Finance (DOF) authorized a onetime loan from our oil spill response trust fund in the amount of \$6.5 million.

Non-tank vessel fees are renewed every 2 years. When OSPR responds to an incident and there is a Responsible Party (RP), or staff are deployed for fire debris cleanup, contact tracing etc., they charge their time off to project codes that are not OSPAF funded.

There is a significant decline in barrel fee recoveries, from 56M barrels down to 42M barrels in June.

This FY20/21, OSPR recovered fees from 45M barrels and are still trending significantly below the average.

**Ms. Jennifer Lucchesi, , Executive Director, CSLC**

Prior to FY 2018/2019, SLC's appropriations increased year after year primarily due to salary/benefits and retirement increases that are dictated by the State.

The significant decreases experienced in FY2019/2020 are due to the insolvency and ultimate quit claims of the leases associated with the Rincon Island offshore facility and Platform Holly. There are 75 wells associated with the Rincon leases offshore of Ventura County and 32 wells associated with the Platform Holly operations. The work on Platform Holly will not resume until the 3rd or 4th quarter of 2021.

SLC's Marine Environmental Protection Division and Mineral Resources Management Division had significant vacancies that have not been filled that have contributed to our expenditures being less than typical for FY 2019/2020.

FY2020/2021, SLC was appropriated a little over \$14M. We are waiting for year-to-date numbers from FISCAL.

SLC has completed work at Rincon. We are moving into the ultimate disposition of the island and the onshore facilities, including significant CEQA work. That work is not charged to the OSPAF.

Based on the Governor's budget issued in January 2021, SLC has an appropriation of \$15.2 million for our oil spill prevention activities.

SLC has relied on bonds to help provide the liability protection for the State. SLC has taken additional steps to increase liability protections such as renegotiating royalty formulas, naming the State on deeds of trust, requiring money to be deposited into a fund that the Commission has access to in order to complete the plugging and abandonment work.

**6. AGENCY BRIEFINGS**

**California Coastal Commission**

**Mr. Jonathan Bishop**

**Administration**

New CCC Headquarters Address: 455 Market Street, Suite 300. San Francisco, CA, 94105.

Covid-19/Planned Leave Program: CCC Staff continues to telework.

Personnel changes in the Energy and Ocean Resources and Federal Consistency Programs: Alison Dettmer, Chief Deputy Director; Kate Huckelbridge, Deputy Director, EORFC; Cassidy Teufel, Federal Consistency Program Manager.

Harbor Safety Committees: Jonathan Bishop has been reappointed to represent the Coastal Commission on Harbor Safety Committees for another 3-year term (beginning 3/31/21).

**Meetings:**

Commission staff attended the following meetings via Zoom or Teams:

Ten Harbor Safety Committee (HSC) meetings.

Six Area Committee (AC) meetings

Regional Response Team Region IX (RRT 9)

Updates to all Harbor Safety Plans are continuous and ongoing. Humboldt and Port Hueneme HSC's continue to work on the SB 414 emergency tug/tow capability reports. These reports will be incorporated into the HSP's. SB 414 reports and annual updates to HSP's will be sent to the OSPR Administrator.

The LA/LB HSC Tugboat Workgroup studied the issues associated with how to best apply the Tank Vessel Escort Requirements for LA/LB harbors to articulated tug and barge units (ATB's). HSC approval of suggested language for new regulations is expected.

**Six Area Committee (AC) meetings:** Two North Coast AC meetings (November 19<sup>th</sup> and March 18<sup>th</sup>); two Central Coast AC meetings (January 7<sup>th</sup> and April 8<sup>th</sup>); one SF/BD AC meeting (November 10<sup>th</sup>); one LA/LB AC meeting (February 19<sup>th</sup>); and one SD AC meeting (January 19<sup>th</sup>).

**Regional Response Team Region IX (RRT 9):** Quarterly Meeting, (January 27<sup>th</sup>).

**OSPR/Chevron Technology Workshop :** (February 22<sup>nd</sup> – 26<sup>th</sup>).

**ExxonMobil Oil Spill Response Plan (OSRP) NE-0001-21.** CCC OS program staff has been working with BSEE, OSPR, and the USCG on the ExxonMobil OSRP update. CCC has issued a No Effects Determination # NE-0001-21. The Commission finds that removing the FRV from Santa Barbara Harbor does not reduce protection of coastal resources.

**Refugio Draft Damage Assessment and Restoration Plan.** CCC OS Program and Federal Consistency staff have been working with OSPR (NRDA program) and other stakeholders on the funding and implementation of restoration projects identified in the Damage Assessment and Restoration Plan.

**New Legislation/Regulations:**

AB 1197 (Limon) Spill Management Teams (SMT's)

Non-tank Vessel Fees

Articulated Tug/Barges - ATB's

**Emergency/Follow-up Coastal Development Permits:**

Upper Magnolia Marsh Restoration 5-20-0072

Avila Beach Pier Rehabilitation

**California Energy Commission**

**Mr. Gordon Schremp**

Demand for gasoline remains low compared to same pre-pandemic period in 2019. It is expected to rise slightly but not completely.

The crude receipts at refineries through April are down about 32M barrels. The continuing reduction of crude oil receipts is significant. The Martinez Refinery operated by Marathon plans to convert that facility to produce renewable diesel later in 2023/2024. That will be a permanent reduction in crude oil receipts.

Another refinery change will be the Philips 66 facility in conjunction with their Santa Maria refinery. Philips will be ceasing operations around the end of 2023 beginning 2024. Those facilities will stop processing crude oil resulting in a further decline of crude oil receipts.

Diesel demand has recovered and that is due to goods movement. Goods movement from the ports of LA/LB have been at record levels. Diesel demand in California has gone up and so have exports.

It will be a few years before the demand for jet fuel recovers. It is currently down 35-45% which is very significant.

Refineries are able to accommodate higher diesel demand only because jet fuel demand is down. Refineries disproportionately produce more diesel at the expense of jet fuel.

Absent a change to the liquids that the barrel fee is applied to, or the size of the fee per barrel, there will be revenue issues.

Renewable fuel demand is increasing in CA. Renewable diesel imports are averaging about 300,000 barrels a week and expected to continue. Renewable diesel use is about 15% of total diesel use, and bio-diesel about 5-7%. These numbers are meaningful if there is a fee applied to the imports of renewable diesel and bio-diesel.

Ethanol is about 10% of the gasoline supply and a fee applied to that would be rather significant – 1.5 billion gallons of ethanol a year.

The more renewable diesels used in California, the greater the pressure on refineries.

## **San Francisco Bay Conservation and Development Commission (BCDC)**

*Ms. Linda Scourtis*

BCDC staff participated in the November 2020 and January-April HSC meetings.

### **SF Harbor Safety Committee**

The Draft EIR for the proposed ballpark at Howard Terminal was released. The HSC will submit a comment letter on potential impacts to navigation. USACE has begun a feasibility study of widening the turning basin adjacent the proposed development. At the same time, BCDC staff is drafting its comments on a broad range of topics.

Ongoing depth condition issues at Pinole Shoal were a primary topic for a series of Dredge Issues work group meetings.

Four dead whales were recently found in the Bay Area within an eight-day span. Necropsies to date have revealed no disease.

BCDC staff has initiated the update of the Harbor Safety Plan to reflect 2020-2021 activities.

### **Area Contingency Planning**

BCDC spill staff attended the February 9, 2021, Area Committee remote meeting. The next meeting is scheduled May 11; an RRTIX meeting is calendared the previous week.

Spill staff continues its membership on the interagency team managing the investigation into the cause of the ongoing seep near Hyde Street Pier in San Francisco, and visited the site as exploration of a fuel depot pipeline is underway. It is believed the source may soon be identified and cleanup procedures initiated.

BCDC Enforcement staff continue to participate in the USCG Abandoned Vessels working group as well as the Richardson's Bay Regional Authority and City of Sausalito efforts to improve navigational and open waterways.

### **Response and Related Activities**

Staff continues to monitor reports on an ongoing basis and issued no spill-related emergency permits during the period. The effects of the February Chevron pipeline spill were largely restricted to floating product and a beach remediation was avoided.

### **California State Lands Commission**

*Ms. Jennifer Lucchesi*

*Chris Beckwith*

State Lands Commission staff continue to adapt to the situation presented by the COVID-19 pandemic. The majority of our staff continue to telework.

### **State Budget/Commission Budget/OSPAF**

The State's budget for the 2021-2022 fiscal year includes a total budget for the State Lands Commission of \$61,265,000, including an appropriation of \$15,255,000 from the Oil Spill Prevention and Administration Fund (OSPAF).

Commission staff is working closely with OSPR in reviewing the condition of the OSPAFA to identify and implement solutions moving forward to ensure fund viability. Tight budget restrictions have been put in place including limiting non-essential travel, overtime, and training. Travel, overtime and training must be directly authorized by the Executive Office.

### **2021-2025 Strategic Plan**

The Commission unanimously adopted its 2021-2025 Strategic Plan in February 2021. This Strategic Plan addresses key issues including public access, climate change and sea-level rise, environmental justice, tribal relations, sustainable economic development, and environmental protection. More information can be found at

<https://www.sl.c.ca.gov/strategic-plan/2021-2025/>

### **Oil Transfer Monitoring Statistics**

From January 1 through December 31, 2020, staff monitored 22 percent of oil transfers (1,078 of 4,959 transfers) conducted at marine oil terminals (MOTs) in California. The decrease from 2019 is due to a shortage of personnel in both field offices as well as impacts resulting from the COVID-19 pandemic.

### **Regulations Update**

Staff has started the process of updating several sets of regulations including Article 5 (operations) and Article 5.5 (pipelines).

### **Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS)**

Staff reviewed multiple MOTEMS audit reports, designs, drawings and inspections related submittals from all 34 MOTs in California.

Staff are also working with the Port of Los Angeles and several MOT operators on major rebuild and rehabilitation projects in the port. There are approximately 7 projects in various stages of permitting and design.

### **Prevention First Symposium**

Prevention First is rescheduled due to the COVID-19 pandemic.

### **Platform/Island Safety Inspection Program**

Commission inspectors in the Huntington Beach and Goleta field offices continued the Commission's monthly inspection program of offshore platforms and islands and onshore drilling and production facilities.

The wells on Rincon Island and Platform Holly are shut-in and in the process of being abandoned (cleaned out and cemented to mudline), monthly inspection of life safety and pollution prevention systems on all in-service equipment continues.

### **Safety and Oil Spill Prevention Audit Activities**

Safety audit of CRC Platform Emmy was completed in December. CRC continues to make progress in resolving action items. Progress is being reviewed with CRC on a weekly to bi-weekly basis.

Safety Audit results continue to show a high level of commitment on the part of the operators to comply with applicable regulations, codes, and standards, as well as vigilance for safety and spill prevention.

### **Pipeline Inspection Program**

Commission engineers enforce strict pipeline safety regulations that include annual inspections of the eleven oil and gas pipelines from the state's four offshore platforms, and bi-annual inspections of the twenty-four pipelines from Federal OCS Platforms that traverse through State waters to shore.

### **Structural/Facility Engineering Projects**

Staff continue to review and evaluate the structural adequacy for all platforms, causeways, and piers associated with the State offshore oil operations.

### **Rincon Well Abandonment Project**

Driltek, the Commission's well abandonment contractor, is making excellent progress. All 50 wells on the island have been abandoned to the base of the common well cellar, and removal of the island tank battery and other production processing equipment is complete. Surface abandonment operations on the island are in progress.

Onshore, 24 of the 25 wells have been abandoned and the removal of the wellheads and concrete well cellars is complete. The remaining onshore well, a water injector used to inject water recovered during well abandonment operations, will be abandoned in the next few weeks.

Driltek has developed plans to prepare the onshore and offshore areas for caretaker status. The purpose of the plans is to prepare the sites for the hiatus between the end of well and surface abandonment activities and initiation of the final island repurposing or removal activities. A De Minimis Waiver from Coastal Development Permit requirements was reported to the Coastal Commission at its February 12th meeting.

Padre Associates has begun the Phase II environmental analysis work, which will include conducting a feasibility study and preparing CEQA documentation evaluating decommissioning alternatives for the ultimate disposition of the island and onshore facilities. Work has started on the feasibility study and the CEQA process will commence after the feasibility study.

### **Platform Holly/Piers 421 Decommissioning Projects**

In early March, the Commission and the City of Goleta hosted a virtual town hall to provide an update on the status of the Platform Holly and Piers 421 decommissioning projects.

ExxonMobil has developed an engineering plan to decommission the shorezone Piers 421 oil piers located on Haskell Beach. The Commission will be issuing a Notice of Preparation (NOP) shortly to begin the CEQA process and the actual removal is expected to commence early to mid-2022.



The Platform Holly work remains paused because of the COVID-19 pandemic protocols and is not expected to restart before the third quarter of 2021.

## **CalGEM**

### ***Uduak-Joe Ntuk***

We continue to have remote work in our five offices across the state due to the COVID pandemic. We do have staff going in for critical work every day.

CalGEM has a new office in Bakersfield. In Sacramento, we will be moving into the new Resource Agency building.

CalGEM has a new Chief Deputy of Programs, Courtney Smith. She oversees all of CalGEM's underground projects; injection control, data management, and underground gas storage facilities.

A summary of our 2020 permits can be found on our website.

The May revise of the budget made 21 limited term positions permanent from the 2018 budget cycle, and added 26 new positions to be phased in over three years.

Upcoming workshops have been announced on our new WELSTAR public portal and dashboard.

## **CAL FIRE - Office of the State Fire Marshal (OSFM)**

### ***James Hosler Assistant Deputy Director***

#### **General Updates**

Chief Mike Richwine has been confirmed as the State Fire Marshal. Chief Wendy Collins was promoted to the Assistant State Fire Marshal.

OSFM – Pipeline Safety Division received a score of 98.95% for the 2020 U.S. DOT PHMSA audit.

OSFM will not conduct the 2021 Hazardous Liquid Pipeline Safety Seminar due to the ongoing COVID-19 pandemic.

The Pipeline Safety Engineer training and experience exam has been advertised. We have collaborated with State of California HR and our HR department to what is called a Training and Experience application. Applicants respond to a series of questions allowing us to ascertain if people have knowledge regarding pipelines and pipeline safety.

OSFM HQ, Sacramento is scheduled to move their office to the new Natural Resources building later this year.

#### **Significant Investigations**

Kinder Morgan – Walnut Creek: On November 20, 2020, Kinder Morgan notified the OSFM of a potential product release and shut down the pipeline. After initial testing, the release location was identified in the City of Walnut Creek and Kinder Morgan began excavation of the pipeline. The failed pipeline segment was replaced with new pre-tested pipe and the failed segment with the crack was sent to laboratory analysis. Initially a limited amount of product was found at the location with the crack, however it is believed that additional product travelled along an underground gravel backfill of a sanitary sewer and was found pooling under the San Ramon Creek bypass. This incident is currently under investigation.

Torrance Valley Pipeline – Lebec: On November 20, 2020, Torrance Logistics confirmed a crude oil release occurred on their M1 pipeline at the Tejon Ranch east of the northbound I-5 highway. The source of the release was found to be from a circumferential crack. The segment will be sent to a metallurgical laboratory for analysis. This incident is currently under investigation.

### **Best Available Technology (BAT) Program**

The OSFM adopted CBAT regulation (aka AB-864) to limit the quantity of a release in the event of an oil spill. This regulation became effective on 10/1/2020. In the past few months, the OSFM created the following website to share the three-step implementation process with the operators and the public:

<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/coastal-best-available-technology/><https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/coastal-best-available-technology/>

The OSFM met with multiple operators to discuss the CBAT procedures. Multiple operators submitted Form PSD-2102 to identify pipelines that are subject to the CBAT regulation. The OSFM acknowledged their list of CBAT regulated pipelines and is working with multiple operators to classify each CBAT regulated pipeline into one of the five categories.

The first deadline for the Section 2103 Exemption and the Section 2104 Deferral is May 1, 2021. The OSFM expects to receive multiple requests to exempt/defer the implementation of BATs in the upcoming weeks.

### **United States Coast Guard**

*Timothy Holmes*

#### **Meetings, Plans & Coordination:**

RRT9's next meeting is scheduled for May 4, 2021, via MS Teams.

RRT9 Webpage has moved: [www.rrt9.org](http://www.rrt9.org) to [nrt.org/rrtix](http://nrt.org/rrtix)

MEXUSPAC: CGD8 and SEMAR R1 (MEXUSGULF) held their annual seminar on March 2021 in NOLA. Dispersant use along the international maritime border was a key discussion (cross border application; process; etc.).

USCG-SEMAR Staff Talks: Took place April 14 and included discussion on the MEXUSPLAN and its two regional annexes. Senior leadership found the MEXUSPLAN program to be among the best binational programs led by USCG & SEMAR.

NRT-RRT: Apr 27-29, 2021 Virtual Platform

IOSC 2021: May 10-13, 2021 Virtual Platform

Clean Pacific: Aug 17-19, 2021

### **CA Coastal Area Committee Activities:**

#### **San Francisco Area Committees: October 2020 to March 2021**

Sector SF Pollution Responses received 164 NRC reports, had 8 federal cases, issued 25 Letters of Warning, 6 Notice of Violation, and 2 Civil Penalties.

AMERICAN CHALLENGER – Former F/V in-tow from Seattle to Mexico broke towline and ran aground north of Tomales Bay on March 5, 2021. FOSC removed oil/hazmat that may have posed an immediate/substantial threat from vessel; situation deemed unsafe

when vessel began to list to 30deg; FOSC will assess the vessel for any remaining oil/hazmat when deemed safer to do so; vessel remains hard aground at same location.

**Los Angeles Area Committees: October 2020 to March 2021**

Sector LA/LB Pollution Responses 118 NRC Reports, 05 federal cases, issued Letters of Warning 20, 02 Notice of Violation.

Operation Odyssey –ADV/ Vessel of Concern operation (Nov 2020 – Feb 2021):

Sector LA-LB IMD & MSD Santa Barbara conducted a joint op vessels of concern or abandoned/ derelict vessels. In depth HARPATS, engaging with OGAs and marina managers for over 4 months, 102 marinas visited/patrolled, 34 vessels identified, vessels will be updated as NOAA ERMA layer, results/ vessels will be shared internally and with OGAs.

**San Diego Area Committee: January 2021 to March 2021**

Sector SD Pollution Responses received 43 NRC reports, had 1 federal case, issued 04 Letters of Warning, 0 Notice of Violation, and 0 Civil Penalties.

Sector SD worked with CDFW to identify abandoned and derelict vessels and conducted two- OPERATION CENTRAL & SOUTHERN SURGE. SD AC identified 12 vessels and have sent them to NOAA to be uploaded into ERMA.

CY20 Annual Area Committee Reports are due to CG-MER on August 2, 2021.

The 2021 Coast Guard National Review Panel (CGNRP) for ACPs will convene in August.

D11's Area Committee Coordinator position remains unfilled. D11 anticipates advertising the position soon.

**GIUEs:**

D11 Sectors have completed 4 required GIUEs 1st, 2nd, and 3rd QTR of FY 2021; 4 pass, 0 fail.

**D11 DRAT Training & Preparedness:**

DRAT w/CA OSPR held Oil Spill Boom refresher training for Marin Fire and an Open House for local oyster farmers in Tomales Bay on March 26th, following the grounding of the M/V AMERICAN CHALLENGER.

DRAT w/ Navy Supsalv will conduct an Oil Spill Equipment deployment exercise in Port Hueneme the week of May 3, 2021.

**HQ/NRT:**

Refer to the latest continuity of operations ALCOAST (series) for information on COVID-19's impact to Marine Environmental Response operations.

The NRT developed and posted new training via FEMA's EMI training portal: National Oil and Hazardous Substances Pollution Contingency Plan/National Response System Independent Study (IS) Course (IS-1190).

The VRP Program hosted a VRP Express overview training in March.

The 2020 SONS Executive Seminar, hosted by ADM Schultz, was held September 9, 2020; draft AAR is completed. The first ever SONS Strategic Coordination Call was exercised on December 16, 2020, to test the new communications procedures with the DHS NOC. The new NIC Instruction Manual has been submitted through sequential clearance. The initial SONS 2022 Exercise Planning Team Meeting kicked off on March 10, 2021.

**CG R&D Center**

ISR Ideas submitted for the Research, Development, Technology, and Evaluation (RDT&E) Idea Forum are currently being evaluated for MER sponsorship for FY22. Three new MER projects are being considered for CG RDC R&D.

FY21 New Project Kickoff: Behavior of Diluted Bitumen (Dilbit) in freshwater: This project will study the chemicals used to dilute Dilbit for transport, behavior (density and weathering) and response tools used for Dilbit in the freshwater environment. This research will provide the USCG Federal on-Scene Coordinators with decision-making tools as they relate to the fate and transport of Dilbit in the freshwater environment.

2020 R&D Project Completion: Two new projects have been completed and closed out recently by USCG RDC:

Oil Sands Products Spill Response: A report for FOSCs on best practices and analysis on Oil Sands Product response.

Vessel of Opportunity (VOSS) Technology Market Research: Research for responders on state of the market technologies that could potentially replace the SORS and VOSS equipment.

## LUNCH BREAK

### 7. REGULATORY AND LEGISLATIVE UPDATE *Christine Kluge, OSPR Regulations Analyst*

#### Regulations

##### [Spill Management Team Certification \(SMT\)](#)

Final rulemaking submitted to OAL on April 9, 2021.

##### [Non-tank Vessel Fee](#)

Formal rulemaking commenced January 8, 2021.

Final rulemaking to be submitted to OAL this week.

#### Drills and Exercises (D&E)

OSPR is working towards harmonizing the marine and inland D&E regulations into one section. Will include overall clean up (e.g., refresh and realign the regulations, address inconsistencies, provide clarity, update and reduce forms, and standardized language applicable to all plan holders, etc.).

#### Non-Floating Oil

A.B. 936 - Introduced by Assembly Member Rivas on 2/20/2019; approved by the Governor 10/12/2019.

#### Articulated Tug Barge

Revisions necessary to include specificity to the combinations of tanker and tank barge based on the mechanical connection system.

Revisions would allow articulated tug barges to operate as tank vessels for the purposes of tug escort assistance into LA/LB Harbor.

#### Other Initiatives:

##### Reasonable Worst-Case Spill (RWCS) Volume adjustments.

OSPR will be promulgating adjustments to the RWCS volume levels for inland production facilities, and associated adjustments in tier criteria.

For inland production facilities, the new RWCS calculation will more closely resemble the volume of spills documented since OSPR's expansion to statewide. This adjustment was deemed necessary after comparing the current RWCS volume levels with the largest inland spills over the last five years and a finding that the current RWCS volume levels did not adequately cover actual spill sizes. Over fifty spills exceeded RWCS volumes

The RWCS volume calculation for inland production facilities is currently 10% of the daily volume of the highest producing well. The new proposal will be 50% of the storage capacity of the largest storage tank, or using a formula based on the existence of gathering lines within a quarter mile of state waters if there is no storage tank within a quarter mile of waters of the state.

Drill and SMT tier assignments for all inland production plan-holders will be modified. Plan holders will either stay in the same tier or fall to a lower tier with fewer regulatory obligations. The exception will be large inland producers with a higher RWCS based on the new storage tank-based calculation. Producers near non-perennial waters (e.g., intermittent or ephemeral waters, or dry washes) will remain in the lowest tier, Tier III.

#### **Harmonization of Contingency Plan regulations.**

Similar to the D&E regulations, OSPR plans to harmonize the marine and inland contingency plan regulations.

#### **NON-OSPR REGULATIONS**

##### **California Air Resources Board (CARB) – Commercial Harbor Craft regulations**

CARB is currently developing amendments to the Commercial Harbor Craft (CHC) regulations adopted in 2007 to reduce toxic emissions from diesel engines used on commercial harbor craft operating in the regulated California waters.

Certain vessels will be required to reduce run times depending on age of engine.

Applies to diesel fueled harbor craft.

Expressly exempts designated emergency use vessels.

#### **LEGISLATION**

##### **AB 339 *State and Local Government: Open Meetings***

Introduced by Assembly Members Garcia on 1/28/21, this bill would:

Require the availability of both phone-in and internet-based options for public participation at open meetings of state and local bodies and the Legislature.

Instructions must be translated into the non-English languages that 5% or more of the population speaks and post those instructions online.

Require closed captioning for internet service.

Require translation services at meetings.

Require at least one location for in-person participation.

##### **AB 480 – *Hazardous Substances***

Introduced by Assembly Member Carrillo on 2/8/21, this bill would:

Require “handlers” of facilities regulated by Unified Program Agencies to immediately report a release or threatened release of a hazardous material, waste, or substance.

Require handlers of facilities not regulated by Unified Program Agencies to only report actual releases, not threatened releases, and only if the handler believes the release will pose a significant hazard to the environment or human health and safety.

Give Unified Program Agencies authority to issue an order to the responsible party to immediately suspend or discontinue the operations resulting in a release or threat of release of hazardous waste or hazardous substance.

Responsible party is given an opportunity to appeal the order.

Revise when/what incidents must be reported to the California Office of Emergency Services and to the Unified Program Agency.

No requirement to report until there has been "activation" of response personnel.

Those that pose an imminent *and* substantial endangerment to public health.

If handler's rationale for not reporting seems reasonable, then there is no violation.

Materials were presented and can be found at <https://cdfw.sharepoint.com/sites/OSPRTAC>

8. **PRESENTATION: CHEVRON'S INCIDENT IN RICHMOND, AMERICAN CHALLENGER**

Materials were provided and can be found at <https://cdfw.sharepoint.com/sites/OSPRTAC>

9. **NEXT MEETING**

*Matt Rezvani, TAC Chair*

A Doodle Poll will be sent out to determine the best available dates for September.

**Adjourn Meeting: 2:20 p.m.**

# Department of Fish and Wildlife Office of Spill Prevention and Response's Report to the Technical Advisory Committee September 28, 2021

## Executive Branch

Verbal update provided by Administrator Cullen.

## OSPR Law Enforcement Branch

### April/May/June



21-1767: Industrial Facility Discharge. City of Richmond, Contra Costa Co. NFRT members responded to a report of a "reddish" substance in Parr Canal (Santa Fe Channel Industrial Basin) and discovered a significant amount of an unknown floating material moving through the canal. The USCG opened the national fund to assist in the response. Hydrocarbons and renewable fuels were eventually confirmed in the spill zone, and actions were taken to mitigate the pollution threat. Wildlife Officers worked with local businesses, Contra Costa County staff, the RWQCB, and others to investigate this spill. This is a highly industrialized area on the eastern shore of San Francisco Bay, with numerous potential responsible parties. This is an on-going investigation and NFRT members continue to monitor both the Parr Canal and adjacent storm drains.



21-2080: Sunken Vessel. San Diego Bay, San Diego County. Wildlife Officers responded to a sunken vessel in a marina on Shelter Island. The officers investigated the report and discovered the vessel had caught fire and sunk. Approximately 200 gallons of diesel was released, with another 400 gallons still on board. Officers assisted the USCG and the San Diego Harbor Police with the response. An Oil Spill Response Organization was hired to boom the vessel and marina, thus limiting the drift of the spilled fuel. The vessel, F/V SEA BANDIT, was eventually re-floated, de-watered, and patched. The quick actions of the responders limited the release of fuel and helped in mitigating the pollution threat to San Diego Bay.



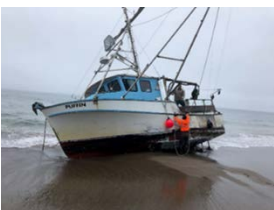
21-2366: Train Accident and Derailment. Knightsen, Contra Costa County. NFRT members responded to a train vs. tractor-trailer accident that impacted the San Joaquin River. Upon arrival, OSPR personnel discovered that the accident had led to a discharge of diesel fuel and lube oil. Most of the pollutants were along the rail embankment and adjacent soil; however, some of the product had reached the San Joaquin River (Warner Dredge Cut). US Ecology was hired to clean up the spilled materials. In addition, they placed approximately 350 feet of oil collecting boom, plus hard boom, within the river and impacted area. All spilled materials were eventually removed from the water's surface and soil.



21-2324: Diesel Discharge. Palo Alto, Santa Clara County. NFRT members responded to a diesel discharge that originated from the Veteran's Affairs Hospital in Palo Alto. The diesel spill came from one of the hospital's generators and impacted Matadero Creek. In addition, a significant amount of impacted soil was discovered at the spill site. OSPR responders worked with the hospital to control the source and begin clean-up efforts. An Oil Spill Response Organization was hired and conducted a thorough clean-up of the site. A hundred-foot stretch of the creek was impacted and measures were taken to limit the migration of the spill. OSPR responders investigated the source of the spill and closely monitored the response.



21-3242: Oil Production Facility Discharge. McKittrick, Kern County. CFRT members responded to a crude oil discharge from an oil production facility managed by Sentinel Peak, Inc. The aerial discharge of oil (misting) was on-going when the responders arrived at the spill site, but aggressive measures were taken by sentinel and their clean up contractor to limit the impact to the environment. Kern County Health and CalGEM were consulted and incorporated into the response effort. OSPR responders monitored the response and confirmed that waterways were not heavily impacted. Staff remained engaged with the spill response until the pollution threat was mitigated and removed.



21-3496: Beached Vessel. Drakes Bay, Marin County. NFRT members responded to a 32-foot fishing vessel, F/V PUFFIN, that had run aground at the east end of Drakes Bay (West of Five Brooks). OSPR

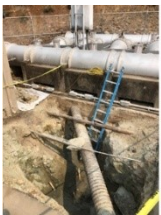


responders worked with USCG and Global Salvage and Diving personnel to remove the pollution threat. Approximately 100 gallons of diesel fuel was reported to be on the vessel and plans were developed to remove the product. National Park personnel assisted in the response and coordinated the removal of the vessel / debris from the shoreline.

### July/August/September



1-3791: Liquid Asphalt Spill. Chester, Tehama County. NFRT and OSPR Sacramento based personnel responded to what was first reported to be a large diesel spill and later confirmed to be an emulsified oil / liquid asphalt spill near Chester. OSPR personnel confirmed upon arrival that liquid asphalt had spilled from a tanker truck accident on Highway 32 and had entered a dry section of Deer Creek. An estimated 2,500 gallons was spilled onto the roadway, embankment, and into the dry creek bed. Measures were taken by US Ecology, NFRT members, and Tehama County Fire to limit the migration of the product. Vegetation, soil, and the rocks in the creek bed were heavily oiled. The cleanup process has progressed slowly and should be complete this Fall.

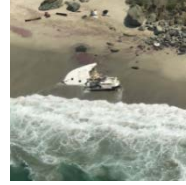


21-4165: Facility Discharge. St. Helena, Napa County. Wildlife Officers responded to a heavy sheen in Conn Creek. The origin of the discharge came from a damaged City of Napa air compressor system. The piping for the system leaked over a 100-gallons of red-dye diesel onto the adjacent soil and compressor pad where it migrated to a storm drain. From here, the fuel began to daylight in Conn Creek. Wildlife Officers worked with City and RWQCB personnel to mitigate the threat to Conn Creek. This incident required an engineering and shoring plan due to the diesel migration deep into the soil. OSPR continues to monitor and investigate this incident.



20-4549: Historic Oil Collection Site Discharge. Toro Canyon, Santa Barbara County. SFRT members responded to the report of an on-going discharge from the historic Tora Canyon Oil Collection Site. This site was an active oil production site going back 100+ years and has evolved into a long-term seep management project over the past decade. The site is now owned by Santa Barbara County and many engineering / mechanical attempts have been made to control the periodic release of crude oil from this site. Recently, the infrastructure at the site become overwhelmed and began discharging into Toro Canyon Creek. The discharge impacted the ephemeral creek bed and oiled approximately 100 native frogs. Through a concerted response effort, OSPR personnel, along with County managers and RWQCB engineers, developed and implemented a successful plan to catch

the discharging crude oil and stop the impact to the creek. OSPR personnel continue to monitor the Toro Canyon site and will update as appropriate.



21-4440: Beached Vessel. Big Sur, Monterey County. CFRT members responded to a beached vessel at Andrew Molera State Beach. The 64-foot fishing vessel, F/V FISH MAGNET, ran aground on an isolated portion of the State Beach after it lost propulsion and drifted ashore. The vessel had approximately 700 gallons of diesel on board and was being destroyed by the heavy surf. OSPR responders coordinated response activities with the USCG, Global Salvage and Diving, and California State Park personnel. Immediate efforts were taken to remove the bulk of pollutants from the vessel. Due to the heavy surf, the vessel could not be salvaged and was ruled a complete loss.

#### **Personnel:**

As of October 1st, OSPR's Law Enforcement Division will receive three new officers to our unit. Two of these officers are transferring from other Wildlife Officer positions and will operate out of the Monterey and Hopland areas. The third officer recently graduated from our law enforcement academy at Butte College and will begin the field training portion of her assignment within the next few weeks. After completing this assignment, she will operate out of the Fremont area. In addition, OSPR's Law Enforcement Division has 2 statewide vacancies. These positions will hopefully be filled by transferring veteran officers in 2021/2022.

#### **Environmental Response Branch (ERB)**

##### **Readiness:**

##### Recently Filled Positions

NERB – Senior ES Specialist Position filled in West Sacramento  
None for CERB  
None for SERB

##### Vacancies

Two current ES positions available to fill in NERB. Interviews have concluded and expect HR process to complete within weeks.  
Senior ES Supervisor position for CERB is vacant  
None for SERB

##### **Position Status Changes**

NERB - ES (Redding) will begin use of temporary office space at DFW Region 1 Office in Redding.  
None for CERB  
None for SERB

##### **Preparedness:**

Geographic Response Plans (GRPs)  
OSPR Statewide Internal GRP Workgroup Meetings:  
June 15, 2021  
September 21, 2021

## Current GRPs in progress:

Kern River June 2019 Version – no updates

Klamath River (Siskiyou, Humboldt, Del Norte Counties) – Majority of field work completed. May require revisiting some sites once COVID restrictions are lifted.

Lower Sacramento River (Shasta, Tehama, Glenn, Butte, Colusa, Sutter, Yolo, and Sacramento Counties) – field work completed. First draft of GRP being assembled.

Lower American River (Sacramento and Yolo Counties) – limited field work underway to finalize strategy sites

Salinas River (Monterey and potentially San Luis Obispo County) - still working on finalizing upstream boundary but identified as Monterey County line at San Luis Obispo County. Limited field reconnaissance is underway.

Lower Santa Ana River (San Bernardino, Riverside, and Orange Counties) - Completed

Santa Margarita River (Riverside and San Diego Counties) first draft complete – currently under GRP Workgroup review

## Area Contingency Plans (ACPs)

OSPR Statewide Internal ACP Workgroup Meetings held on June 15th and September 21, 2021.

### Sector San Francisco

ACP 1 Area Committee Meetings held via audio call on July 15th and September 16, 2021.

ACP 2 Area Committee Virtual Meeting held on May 11, 2021. August 10, 2021, meeting was cancelled with next meeting in November 2021.

ACP 3 Area Committee Virtual Meeting held on April 8, 2021, July 8, 2021, and upcoming October 7, 2021.

NFRT ES's and CFRT ES currently working on ACP revisions for ACP1, ACP 2, ACP 3 (Sector SF) due Spring of 2022.

### Sector Los Angeles/Long Beach

ACP 4 and 5 Area Committee Virtual Meeting held on August 19, 2021. Next meeting is on November 16, 2021.

### Sector San Diego

ACP 6 Area Committee Meeting held on July 20, 2021. Next meeting is on October 19, 2021.

SFRT currently looking forward to next major ACP6 Revision. Work will start early in 2022.

Shoreline Protection Table Workgroup Meetings were held on July 26th and August 26th, with next meeting on September 28, 2021.

### Statewide Area Committee Meeting

Virtual meeting held on July 13, 2021.

### Sensitive Site Strategy Evaluation Program (SSSEP)

SSSEP Testing Since mid-March 2021

ACP 1 - No testing during this reporting period

ACP 2 - No testing during this reporting period

ACP 3 - No testing during this reporting period

ACP 4 -

4-635-A Tecolote Creek was tested on July 20, 2021

4-630-A Eagle Canyon Creek was tested on August 20, 2021

ACP 5 -

5-310 Anaheim Bay New Strategy tentatively scheduled for testing in October 2021

5-140 Ballona Creek will be tested on November 8, 2021

5-370 Aliso Creek will be tested on November 9, 2021

ACP 6 -

6-400.8 Entrance to San Diego Bay was tested on April 27, 2021

6-400.9 Entrance to San Diego Bay was tested on June 22, 2021

6-260 Batiquitos Lagoon will be tested on October 6, 2021

6-275 Los Penasquitos Lagoon will be tested on November 2, 2021

Virtual Oil Spill Exercises:

**NERB:**

Chevron Pipeline, September 9, 2021

Foss Maritime, September 10, 2021

Chevron Richmond, September 29-30, 2021

**CERB:**

California Resources Corporation, June 10, 2021

California Resources Corporation, July 15, 2021

Platform Holly Beacon West, October 13, 2021

**SERB:**

Andeavor Logistics So-Cal Pipeline, May 13, 2021

So Cal Holdings LLC, May 19, 2021

Chevron Pipeline and Power, June 15, 2021

Torrance Logistics Co./PBF Energy Pipeline, June 24, 2021

Chemoil Corp. Long Beach Marine Terminal, July 7, 2021

Keenan Advantage Group, July 15, 2021

Shell Oil Products US Mormon Island, August 5, 2021

Vopak Corp., August 10, 2021

Petro Diamond, August 17, 2021

Kinder Morgan, Los Angeles Harbor Terminal, August 18, 2021

California Resources Corporation, Long Beach, August 19, 2021

ECM Maritime Long Beach, September 2, 2021 (In-Person)

NuStar Energy Long Beach, September 8, 2021

Kinder Morgan Orange Terminal, September 15, 2021

BNSF Railway Co., October 20, 2021

Marathon Los Angeles Refiner, October 21, 2021

Chevron El Segundo Refinery and Chevron Shipping Co. LLC., October 27 and 28, 2021.

Depending on staffing requirements, several more exercises are possible for the remainder of 2021.

**Training:**

Environmental Response to Oil Spills (EROS) Training Class

A hybrid training class will be held this year with on-line lectures and in person regional field trips.

The on-line lectures will be from October 5-7.

October 13 field trip in Santa Barbara

October 14 field trip in Newport Beach, Upper Newport Bay Eco Reserve

October 21 field trip in Martinez

EROS Workgroup Chair is Jenna Driscoll (OSPR Training Coordinator).

Miscellaneous Training

ERB ESs continue limited field testing of SCATologue Application in their areas, as well as during responses.

Most in-person training postponed due to Covid-19 protocols; additional training opportunities through LEARN, OWCN, NOAA, DOI Inland Response  
ASA Salvage Course was held at USCG Sector SF on 8/31-9/2/2021 with two ERB participants  
Fire Extinguisher Safety and Disaster Planning for SERB  
Staff participated in several virtual trainings and discussions of various relevant oil spill topics.

### **Selected Responses:**

NFRT responded to the following:

21-1217 American Challenger, March 6, 2021. NFRT responded to the VSL American Challenger which had run aground north of Dillon Beach. Unified Command was set up at Sector SF, YBI. Issues surrounding vessel status, actual versus potential release, and use of NPFC to fund salvage of vessel. Tribal engagement through Liaison and Environmental Unit worked with NOAA GFNMS staff. Response on-going.

21-4312 Hayfork Asphalt Emulsion, August 11, 2021. NFRT responded to 2,000 gallon spill of asphalt emulsion from tanker truck crash to dry waterway in Hayfork, Trinity County. Local tribes notified through Liaison.

CFRT responded to the following:

20-6417 Camarillo Springs Golf Course, November 17, 2020. Originally responded May 2019 to reports of oiled birds and oil in golf course pond. Oil in pond observed again in November 2019 with wildlife present. December 2020, OSPR involved in overseeing wildlife avoidance measures, and removal of the oil from the pond (on-going) while the source of the oil is investigated. Ground penetrating radar used to investigate the source. OSPR staff are still monitoring the ponds for wildlife impacts.

20-4549 Toro Canon Creek, A drone was flown at the end of July 2021. Clean-up of the creek occurred during the month of August 2021 including OWCN deployment. Spill was signed-off on August 27, 2021. There will be three months of monitoring for passive clean-up.

21-4935 Little Creek Properties Black Satin Lease Incident, FRT responded on September 10, 2021, to 3 bbls of oil and unknown bbls of produced water. One dead barn owl and one egret with oiled legs were observed.

SFRT responded to the following:

**21-3820** A boat exploded, caught fire, and sank in Dana Point Harbor. The incident resulted in the release of 4-5 gallons of fuel. Sunken and severely damaged boats were removed by Towboat U.S.. Approximately 11 boats were reportedly damaged. USCG, Orange County Sheriff Department, Orange County Fire Department and ATF were on scene.

**21-3777** On 7/15, a Sunken 65' pleasure craft vessel Godfather reported off the east end of the Long Beach breakwall. On 7/17, vessel broke from the Long Beach breakwall and drifted offshore of the Seal Beach Pier. USCG federalized the case and coordinated salvage operations. Southern Field Response Team assessed the area on water and determined no release or sheen near the sunken vessel. The vessel was lifted out of the water by a US Army Corps of Engineers barge and dismantled.

**19-2327** (Original Report from 2019) Oil being sprayed onto a dirt road and riverbed was reported by a private citizen. Southern Field Response Team assessed the area and determined it's a County of Orange project and the product is Earthbind, used to create a road surface similar to asphalt to keep dust down and improve air quality. Over time, there's been a few instances documented by the county where the Earthbind degraded or didn't bind properly and has runoff into a restoration area. Southern Field Response Team recently followed up on this incident again as it was reported by USFWS of oil leaching from this County

road. Orange County will notify CDFW and USFWS prior to the next application of Earthbind so they can monitor the operations if available.

## Other

All ERB Field Staff Virtual Meetings – held every other month:

July 8, 2021

September 9, 2021

Staff continue practice with UAV (drone) for DFW Certification.

## Spill Response Technology & Support Branch

### Units:

Best Achievable Technology (BAT)

Applied Response Technology (ART)

Oiled Wildlife

Marine Wildlife Veterinary Care & Research Center (MWVCRC)

Fisheries Closure

Geographic Information Systems (GIS)

### News and Administration:

**British Columbia / Pacific States Spill Response Task Force Legacy Award** – Judd Muskat (GIS Lead) was awarded the Legacy Award for his substantial contributions to spill response on the west coast throughout his career.

**U.S. Coast Guard Public Service Commendation** – Ellen Faurot-Daniels (ART Lead) was awarded the USCG Public Service Commendation by the Commander of the 11th District for “exceptional support to the Coast Guard’s Marine Environmental Protection mission as the team leader for the Applied Response Technologies Workgroup for RRT IX.”

### Staffing:

Continuing to support Contact Tracing

New Hires: GIS Analyst Position being advertised (2 additional GIS vacancies to fill).

Awarded Prescott Grant to support 1 limited term position at MWVCRC for sea otter pathology work. 1 additional limited term position currently advertised.

## Applied Response Technology and Best Achievable Technology

Non-dispersant Oil Spill Cleanup Agents – Drafting regulation update

Renewable Fuels – Developing and presenting technical information for spill response to renewable fuels.

Drills and Exercises – Remote participation in drills

## Oiled Wildlife & Marine Wildlife Veterinary Care & Research Facility

*Oiled Wildlife Response* – Several field responses with the Oiled Wildlife Care Network to address oiled wildlife including the Toro Canyon Incident in Santa Barbara with more than 90 oiled frogs captured, cleaned, and successfully released. Impacts also included birds, bats and reptiles, many of which were received DOA.

*Rescued Abalone* – MWVCRC worked with NMFS and UCSC in support of emergency rescue efforts for endangered black abalone. MWVCRC provided temporary housing for 130+ abalone on site. The abalone were successfully released. (<https://news.ucsc.edu/2021/04/black-abalone.html>)

### Safety

Updated boating safety program for MWVCRC vessels and operators with new oversight and maintenance program. Also shared with OWCN.

Joint OWCN/OSPR safety meeting to discuss field protocols for staff safety. Emphasis was on initial site safety plan development and review and communication needs in remote areas with little or no cell service.

*Planning and Documents* – OSPR and OWCN have completed or are nearing completion on new field and care resources including:

- Protocols for the Care of Oil-Affected Amphibians – Peer review complete
- Non-native Species Guidance – Complete
- Domoic Acid in Loons – In progress
- Hock Lesion Study – In progress
- Review of long-term data on spill impacted birds – In progress
- Revised Wildlife Branch Director Taskbook – Nearly complete
- FRT Guidelines for Wildlife Response – In progress

*Internal Wildlife Operations Drill with OWCN* – In planning (delayed due to COVID)

*Recovery and Hazing Training for FRT* – In planning

*Drills and Exercises* – Remote participation in drills

*Replaced freezer at MWVCRC*

*Oilpalooza* – October 23/24 (virtual)

## **Fisheries Closure**

*OEHHA + OSPR* – Continued coordination for response

*OSPR Coordination* – OSPR FRT and Fisheries Closure Team working collaboratively to develop and implement Fisheries Closure checklist for field responders.

*Legislative Change* – OSPR management continues to discuss potential changes to the legislative language behind fisheries closure to better align OEHHA and OSPR responsibilities during spills, particularly associated with closure requirements during the first 24 hours of a response.

## **Geographic Information Systems**

*Spatial Analysis and Mapping During Response Statewide*

*SCATatalogue* – Programming modernization and optimization occurring for SCATatalogue

*Wildlife Recover App* – Processing data and preparing maps from use of the Wildlife Recovery App. More than 65 maps prepared in support of the Toro Canyon incident alone. Developing strategy to assimilate daily and total data into single maps in addition to the individual survey maps.

*GRP Development* – Supporting spatial analysis and mapping for multiple concurrent GRPs.

*ERMA Updates* – Continual data additions to ERMA for Common Operating Picture during response. Preliminary work with NOAA on new “dashboard” tools for ERMA that would be customized by OSPR during spill response.

*Environmental Sensitivity Mapping for SF Bay ACP* – Completed shoreline map update to NOAA ESI maps for SF Bay/Delta region.

*Drills and Exercises* – Remote participation in drills addressing Common Operating Picture, Situation Unit support, SCAT, spatial analysis, and mapping.

## **Resource Restoration Program**

The natural resource trustees for the Refugio Beach Oil Spill, including OSPR, State Lands, Parks and Recreation, University of California, U.S. Fish and Wildlife Service and National Park Service (representing the Department of the Interior), and the National Oceanic and Atmospheric Administration issued their Final Damage Assessment and Restoration Plan/Environmental Assessment

in June 2021. More information and a copy of the final plan can be found on OSPR's NRDA webpage at: <https://wildlife.ca.gov/OSPR/NRDA/Refugio>. The trustees settled natural resources damages for the spill in the amount of \$22 million. OSPR continues to play a significant role as the State Lead Administrative Trustee for the Refugio Beach Oil Spill Trustee Council. The council is now actively in the process of planning and implementing restoration projects outlined in the plan. In September the council will vote on implementing two projects, the Anacapa Island Cape Ivy Removal Project (National Park Service Lead, project benefits pelican nesting and roosting) and the Santa Monica Dunes Restoration Project (Santa Monica Bay Foundation, project benefits native dune habitat) based on Statements of Work prepared by the respective project proponents. Laboratory Response Unit

## **Personnel**

The position vacancy at the Petroleum Chemistry laboratory was filled in April 2021 by Megan McWayne, a talented environmental scientist and chemist with over a decade of analytical experience.

## **Sample Analysis (since last report)**

Performed petroleum confirmation, characterization and/or fingerprinting on eight on-going cases. Performed PAH analysis on livers from oiled frogs for UC Davis study. Performed PAH analysis on sediment and tissue samples from NRDA baseline sampling event.

## **Research**

The Petroleum Chemistry Laboratory continues to optimize analytical methodologies for confirming, characterizing and potentially fingerprinting renewable diesel. The lab has completed a pilot study of lab simulated weathering of 100% renewable diesel. This pilot study will inform a larger, definitive study that will allow for the determination of a dissipation half-life of renewable diesel under lab simulated conditions. GCMS analysis will also be conducted to understand how the profile of the renewable diesel changes over the definitive experiment time course. These studies will help to inform interpretation of spill data. To add context to the renewable diesel weathering results, weathering studies using petroleum diesel will also be conducted. A presentation was made to the Pacific States – British Columbia Oil Spill Task Force (08/31/2021) on analytical tools used for spill response of renewable fuels and toxicity of renewable fuels.

## **Financial and Administrative Services Branch**

### **Finance**

Fiscal Year 21/22 is off to a great start with Assembly Bill 148 (AB 148) signed into law on July 22nd. AB 148 includes a 2-cent increase on the per barrel fee (now 8.5 cents), allows the collection of fees on renewable fuels (renewable fuels are slowly but steadily displacing petroleum fuels in the California market, serving to further impact oil demand), and allows for future adjustments based on changes in the annual California Consumer Price Index. The passing of AB 148 will allow OSPR to keep up with fluctuating market conditions and will help ensure sufficient resources will be available to sustain operations into the future.

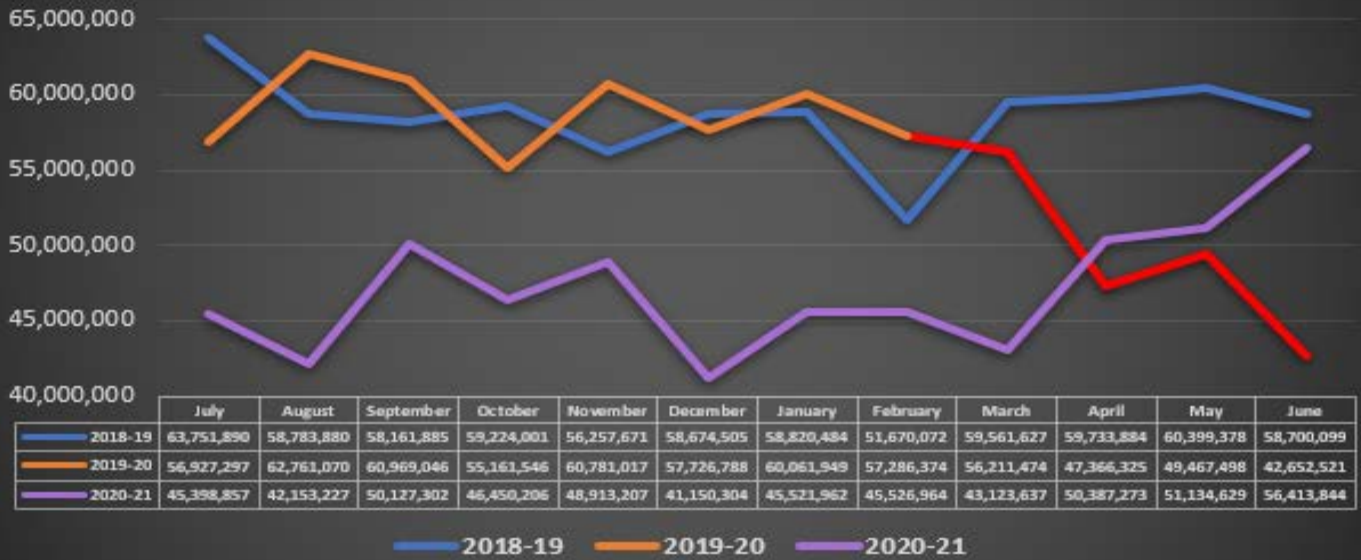
On September 1, OSPR submitted an updated Corrective Action Plan (CAP) to the Department of Finance (DOF). The CAP stems from the quadrennial audit of the OSPAF where periodic updates are required to show progress on implementing the two findings as identified by the DOF.

Beginning July 1, 2021, the State ended the Personal Leave Program 2020 and reinstated any deferred employee compensation adjustments that were negotiated through collective bargaining.

Fund 0320 ended Fiscal Year 20/21 on a better note. April through June saw a slight uptick in barrels subject to fee with the highest in June at 56M. However, in July, 53M barrels were received, a loss of three million barrels. Per the chart below, Fiscal Year 20/21 barrels received remain below our yearly average as seen in prior years.



## Fund 0320 Barrels Subject to Fee



### Cost Recovery:

Since April, the Cost Recovery Unit (CRU) continues to assist with filling the finance role in four major responses: Camarillo Springs (11/17/2020); Iron Horse Trail (12/2/2020); Recovered Oil Line Leak – Chevron (2/9/2021) and American Challenger (3/5/2021). The CRU **opened 32 spills cases (30 statewide and two Fund 207 – Deleterious) from April 2021** thru August 2021. Since April 2021, OSPR has recovered \$540k from 2 large incidents; Cuyama River (\$314,420.91; this was the first remote response during COVID) and Iron Horse (\$225,214.17).

### Procurement/Contracts:

The OSPR Procurement team had a smooth and successful ending to FY 20/21. We were able to meet all BMB deadlines and submit all purchases and contract/grant requests on time. FY 21/22 is off to a great start. Annual blanket purchase orders for shipping and industrial gases have been established. We have a steady flow of purchase requests coming in. Office supplies and field equipment have been most of the requested items on our list. Our Contracts team has successfully setup new procurement contracts and purchase orders in FISCAL for all contracts/grants with FY 21/22 funding. In total, we have dispatched 50 new purchase orders. Additionally, since April, we have received and processed two payable grant amendments, two payable amendments, eight short form contracts, and five new payable grants for the Environmental Enhancement Fund Program.

### Facilities:

Most recently, OSPR Facilities completed their part in the HQ Budget Facilities drill. Two office leases, Los Alamitos and Santa Barbara, are up for renewal in the next year and a half. OSPR Facilities worked with the Headquarters Facilities to provide our program needs for both offices. OSPR Facilities continues to assist daily with coordinating building and grounds needs. Current tasks include coordinating repairs of the Fairfield Office alarm system, setting up alarm user training, and working with Building Management to schedule landscaping services to minimize fire risks.

### Fleet:

OSPR Fleet staff completed their part in the Department's Underutilized Vehicle Report. Due to COVID-19, much of OSPR's fleet did not meet the mile requirement. We also completed our part of the Vehicle Tracking System/FISCAL Custodian cleanup project, ensuring that all OSPR's Fleet assets are listed correctly. OSPR Fleet staff completed all necessary paperwork and submitted requests for

Field Response Team vehicle home storage permits. We continue to provide guidance for routine maintenance and any vehicle issues that arise. In an ongoing effort to ensure staff safety, OSPR fleet continues to adhere to DGS COVID guidelines when cleaning/disinfecting pool vehicles.

### **Personnel Updates:**

The OPSR HR analyst position was occupied in May 2021 and vacated August 31st. The position will be advertised and filled within the next couple of months. In June 2021, the vacated Contract Analyst position was filled by Kendall Craycraft (former Lab Program SSA). In July, after 15 years with OSPR, OSPR Procurement Officer, Jayson Smith left the department for a promotion to an AGPA. His position has been advertised, pending application review and the interview process. The vacated cost recovery analyst position has been filled, pending a September start date.

Other staff changes throughout OSPR branches include the **incoming transfers/new hires:** Megan McWayne (ES, PCL) and Mike Melin (OSPS, Prevention); **outgoing transfers:** Alex Cheung (MST, Legal) **internal transfer/promotions:** Lisa Corvington (Sr. ES Spec, ERB); Mia Roberts (ES, Preparedness); Paul Hichborn (OSPS, Preparedness); Kim Penttila (Sr. ES Spec, Preparedness); Stephen Snavely (SSM I, Preparedness) and Nancy Copeland (SSA (LT), Preparedness) **retirements:** Jeff Poteet (OSPS, Preparedness); Mike Roskey (Research Data Specialist I); and Jon Goetzl (ES, MLML).

### **Prevention Branch**

Vessel Arrivals: 8,537

Vessel Boardings: 12

Category 1 – 3 Risk Boardings: 02

Category 4 Risk Boardings/Monitorings: 00

Oil Transfer Notifications: 4,059

Oil Transfer Monitors: 66

Percent of Transfers Monitored: 01.6%

Facility Contingency Plan Verifications: 16

Facility Contingency Plan Exemptions: 34

Marine Outreach: 226

Inland Outreach: 111

Marine Oil Spill Incidents: 517                      Volume Spilled: 21,532.6 gal

Inland Oil Spill Incidents: 388                      Volume Spilled: 106,181.8 gal

### **Notes:**

It should be noted that the oil being bunkered to ships has shifted from heavy fuel oils (i.e. Bunker C, No. 6 Fuel Oil) to the lighter low sulfur fuels.

On 08/19/2021 the Central Field Office received a DJI Mavic Pro drone which will be used in the prevention program to conduct periodic overflight verifications of facilities with contingency plan exemptions currently in place. The initial training of the OSPS Visual Observers and Pilot is complete and drone overflights are set to commence prior to CY 2022.

### **Legal Branch**

The OSPR Legal Branch is currently handling 73 active cases in addition to the routine legal matters and legal guidance and counsel provided to the OSPR leadership and other branches. No significant matters to report out as of this date.

## Preparedness Branch

### Drills and Exercises (updated through September 2021)

#### Virtual Drills

In light of the COVID-19 pandemic, OSPR Executive directed that OSPR staff will not participate in drills and exercises in person through at least the end of 2021. To maintain OSPR standards and regulatory mandates, the Drills and Exercises Unit (D&E) has collaborated with industry to coordinate remote and virtual exercises. Remote drills have occurred when plan holders assemble their spill management team in person, with OSPR evaluation and participation occurring through FaceTime, conference call, or direct calls. Virtual drills involve assembling the team over a digital conferencing platform like Microsoft Teams, Zoom, or Adobe Connect. Some drills have been a hybrid, with limited plan holder staff in person and the remaining drill participants attending virtually. Participation has ranged from a small group of initial responders, to over 100 participants from the plan holder, OSROs, and other agency staff. The drills have also varied in complexity from initial response to development of an Incident Action Plan. The table below summarizes the virtual drills held from March through September.

Some plan holders were already utilizing a digital conferencing and/or document collaboration platform so transitioning to virtual exercises was relatively straightforward. However, other plan holders have had to rely on their external SMTs and contractors to train staff and facilitate the exercise. Virtual drills have provided an excellent opportunity to experiment with different technologies to more quickly and efficiently assemble oil spill responders, make decisions, and collaborate on documents. Primary lessons learned thus far focus on establishing clear processes for document approval and distribution and developing and maintaining a Situation Status Board.

#### Total Drills Statewide (March 2021 – September 2021)

Statewide summary for 2021 oil spill contingency plan regulated drills and exercises during this period:

Total Drills: 98

Total Tabletop (all exercises attended remote or virtual): 66

Total Equipment Deployment (remote): 32

Total Drills Southern California (March 2021 – September 2021)

Total Drills: 51

Total Tabletop (all exercises attended remote or virtual): 36

Total Equipment Deployment (remote): 15

Total Drills Central California (March 2021 – September 2021)

Total Drills: 16

Total Tabletop (all exercises attended remote or virtual): 14

Total Equipment Deployment (remote): 2

Total Drills Northern California (March 2021 – September 2021)

Total Drills: 31

Total Tabletop (all exercises attended remote or virtual): 16

Total Equipment Deployment (remote): 15

#### Unannounced Drill Program

##### Unannounced OSRO Drills for April 2021 through July 2021

Marine – Passed: 2

Marine – Failed: 1

Marine Modified - 1

Terrestrial – Passed: 3  
Terrestrial – Failed: 0  
Terrestrial Modified: 0

### **Oil Spill Contingency Plans: April 2021 - July 2021**

Total New Approved Plans for April 2021 – July 2021: 74  
Total Approved Resubmitted Plans for April 2021 – July 2021: 24  
Vessel Revisions April 2021 – July 2021: 624

Facility Plans Approved:

Marine: 2  
Inland: 9  
Inland Exempt: 3  
Total Approved: 14  
Withdrawn: 6

### **Geographic Response Plans (GRPs)**

OSPR Statewide Internal GRP Workgroup Meetings:

Jun. 15, 2021  
September 21, 2021  
December 14, 2021

### **GRP Statewide Steering Committee Meeting:**

Planning for November 2021

### **Current GRPs in progress:**

Klamath River (Siskiyou, Humboldt, Del Norte Counties) – field work largely complete, may need to revisit some sites. Sites on tribal lands not available for visits during Covid. GRP Lead currently working on ACP revisions which takes priority, will resume work again on Klamath GRP in early 2022.

Lower Sacramento River (Shasta, Tehama, Glenn, Butte, Colusa, Sutter, Yolo, and Sacramento Counties) – First draft almost completed. Will go to the GRP Subcommittee for a first round of review.

Lower American River (Sacramento and Yolo Counties) – Field work underway to identify strategy sites. Numerous sites along the American River Parkway with access, thus paring down to the best sites.

Salinas River (Monterey and potentially San Luis Obispo County) - Field reconnaissance in progress. GRP Lead working on ACP revisions which takes priority, will resume work again in early 2022.

Lower Santa Ana River (Riverside, and Orange Counties) – GRP is final. Need to make some Accessibility Compliance updates in order to put it on our website.

Santa Margarita River (Riverside and San Diego Counties) – Draft plan has been reviewed by the GRP Subcommittee and is now being reviewed by the internal GRP Workgroup. Comments due by the end of October 2021.

### **Marine Area Contingency Plans (ACPs) and Regional Contingency Plan (RCP):**

OSPR field staff also updated environmental sensitive sites via the Sensitive Site Strategy Evaluation Program (SSSEP) for ACPs in 2020, and those sites are posted online as of June 1, 2021. OSPR is currently updating the USCG Sector SF ACPs 1-3, and the revision is due in early 2022. OSPR Workgroup is currently updating the "economic sites sensitive to oiling" section to be included in that 2022 revision. OSPR staff also have numerous internal workgroups to review and update other ACP-related content,

including the shoreline protection tables, and drafting various statewide-applicable guidance documents, templates, and sample plans. All of the 6 Area Committee meetings have gone virtual and are on their typical meeting schedules, just virtually. These meetings' information is posted on OSPR's webpage: <https://wildlife.ca.gov/OSPR/Public-Meetings> .

### **Regional Response Team IX:**

The Regional Response Team (RRT) is conducting virtual meetings and workshops. These meetings' information is posted on OSPR's webpage (same URL as above). The next meeting is planned for Nov. 3, 2022

### **Spill Management Team Program**

The spill management team regulations are getting closer to implementation. A third and final 15-day comment period was conducted from August 11 to August 25, 2021, to incorporate adjustments stemming from the Office of Administrative Law's (OAL) review of the rulemaking documents. The final rulemaking was submitted to OAL on September 15, and we anticipate the regulations going into effect on January 1, 2022. After OAL has approved the rulemaking, the SMT program will conduct Q&A sessions to assist the regulated community in preparing to comply with the regulations.

### **Training**

While some in-person training has resumed on a limited basis, most trainings are still occurring virtually. From May through September 2021, OSPR staff completed over 2,500 hours of training. Significant trainings included HAZWOPER Refreshers and First Responder Operations hosted by OSPR, Managing Staff in Hybrid Work Environments hosted by CalHR, Conservation Lecture Series hosted by CDFW, Workplace Fire Safety and Disaster Preparedness hosted by Orange County Fire Authority, and a Salvage course hosted by the USCG.

OSPR and NOAA's annual Environmental Response to Oil Spills (EROS) course will be hosted as a hybrid virtual/in-person format due to COVID-19. Lectures and activities will be held virtually over three days and will be followed by an in-person field day in each of OSPR's FRT regions to accommodate smaller group sizes and limit travel. Approximately 50 people are registered to attend the course from OSPR, CDFW Reserves, USCG, OSROs, industry, local government agencies, and NGOs.

Efforts are still underway to organize an OSPR-hosted ICS 300 course in collaboration with Captain Michael Kirschner from CDFW Law Enforcement. This will provide staff with annual access to these courses at a significantly reduced cost to OSPR. A course is currently scheduled for mid-November and may be converted to a virtual format pending COVID restrictions.

The Training Coordinator continues to work with Subject Matter Experts to update task books into a more user-friendly, streamlined, and ADA compliant format. Several are fully upgraded and will begin a review process to ensure that OSPR's internal task books meet or exceed standards outlined in the SMT regulations training guidance. OSPR has also developed a modern Historical Recognition Certification in line with similar USCG documentation to certify individuals with extensive expertise.

The Training Coordinator is also working with managers and supervisors to outline required and recommended trainings for each classification and has developed a system to provide supervisors with quarterly and annual reports on their staff's completed trainings. We expect these reports to begin January 2022.

## California Coastal Commission (CCC)

*Jonathan Bishop*

A summary of the CCC Oil Spill Program's work activities since the last TAC meeting is provided below:

### Administration

Covid-19/Planned Leave Program (PLP) – CCC Staff continues to be encouraged to work from home. Office visits are limited to short duration and essential duties and travel remains restricted. The PLP was lifted July 1, 2021.

### Meetings

Commission staff attended the following meetings via Zoom or Teams:

Eight Harbor Safety Committee ("HSC") meetings: two Humboldt HSC meetings (5/20, 7/15); one SF HSC meetings (6/10); two Port Hueneme HSC meeting (5/6 and 8/5); one LA/LB HSC meetings (6/2); and two San Diego HSC meetings (5/26 and 7/28).

Humboldt and Port Hueneme HSC's continue to work on the SB 414 emergency tug/tow capability reports. Final drafts of each of the reports have been prepared and are being finalized by workgroup members. It is expected that the reports will be complete and approved by the HSC's before the end of the year. These reports will be incorporated into the Harbor Safety Plans (HSP's). SB 414 reports and annual updates to HSP's will be sent to the OSPR Administrator. Updates to all HSP's are continuous and ongoing.

**Six Area Committee ("AC") meetings:** two North Coast AC meetings (5/20 and 7/15); one Central Coast AC meetings (7/8); one SF/BD AC meeting (5/11); one LA/LB AC meeting (8/19); and one SD AC meeting (7/20).

**Statewide Area Committee/RRT9:** July 13 – 14, 2021.

### Federal Consistency Review:

**ND-0022-21: Negative Determination for Refugio Final Damage Assessment and Restoration Plan (DARP).** On August 20, the CCC issued a Negative Determination for the DARP. This approval paves the way for the funding and implementation of a variety of restoration projects required as mitigation for the impacts of the Refugio oil spill.

**NE-0004-21: No Effects Determination for Freeport-McMoRan Oil & Gas's Automatic Radar Potting Aid (ARPA)/Ship Traffic Warning System (STWS) Upgrades on the Point Arguello Unit.** Although the proposed changes involve the relocation of personnel off the platforms, the relocation of personnel will not change the procedure of contacting approaching vessels or change the procedure of sending a response vessel or helicopter to warn vessels of the platforms' presence, should the vessels be unreachable by AIS or radio.

**Draft Programmatic Environmental Impact Statement (PEIS) for Oil and Gas Decommissioning Activities on Pacific Outer Continental Shelf.** BSEE intends to prepare a Draft PEIS to inform future decisions on applications for the decommissioning of oil and gas pipelines, platforms, and other facilities offshore of Southern California on the Pacific Outer Continental Shelf (OCS). Currently, eight

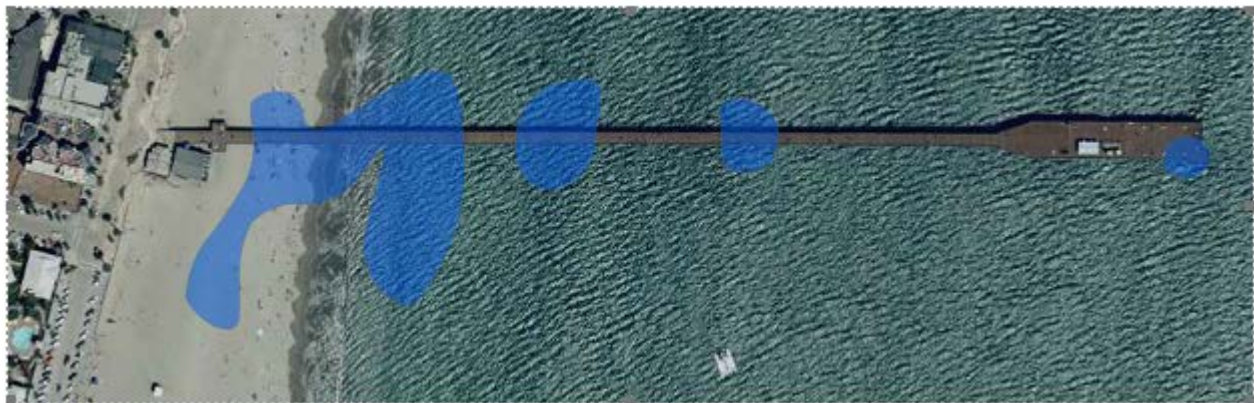
oil and gas platforms on the OCS offshore Southern California, near Point Conception and in the Santa Barbara Channel, no longer produce oil and gas and are located on terminated leases that no longer allow resumption of production. BSEE expects to receive decommissioning applications for these platforms and associated pipelines and other facilities in the near term. The PEIS will analyze three alternatives: Complete Removal of platforms and associated facilities and pipelines (Preliminary Proposed Action); Partial Removal of platforms and any associated facilities and pipelines; and No Action.

Draft Programmatic Environmental Impact Statement (PEIS) for Oil and Gas Decommissioning Activities on Pacific Outer Continental Shelf. BSEE intends to prepare a Draft PEIS to inform future decisions on applications for the decommissioning of oil and gas pipelines, platforms, and other facilities offshore of Southern California on the Pacific Outer Continental Shelf (OCS).

A comment letter was prepared by CCC, CSLC, DFW and OPC requesting that a variety of resource protection issues be evaluated in the EIR.

### **Coastal Development Permits:**

**Avila Beach Pier Rehabilitation # 3-20-0546** – On September 9<sup>th</sup>, the CCC approved a CDP to rehabilitate the Avila Beach Pier. The project includes the removal and replacement of failing pier piles into or in close proximity to a known oil plume only a few feet below the sandy surface. A variety of agencies and stakeholders, including OSPR, have been studying this plume for many years and a collaborative approach has been implemented in ensuring that oil spills are prevented and that accidental releases are adequately handled. Most importantly, the project includes a project specific oil spill contingency plan (OSCP), that includes pre-planning, monitoring, and response measures to be taken in the event of a spill. The OSPR provided oil spill trailer will be stationed at the base of the pier during all construction activities.



**American Challenger** – CCC OS program staff has been participating in weekly meetings with the EU on the American Challenger response and future salvage plan.

**New Legislation/Regulations.** AB 1197 (Limon) Spill Management Teams (SMT's), Non-tank Vessel Fees; Articulated Tug/Barges - ATB's.

## San Francisco Bay Conservation and Development Commission

Linda Scourtis

The following report covers the activities of the San Francisco Bay Conservation and Development Commission (BCDC) Oil Spill Prevention Program April 15, 2021 – September 15, 2021.

**SF Harbor Safety Committee.** BCDC participated in the May-July and September 2021 HSC meetings. No meeting was held in August. The next meeting will be held October 14.

The HSC submitted a letter to the City of Oakland commenting on navigational safety concerns related to the potential construction and operation of a baseball stadium along the Oakland Estuary. Responses to all comments received by the City are anticipated by November of this year. BCDC staff submitted comments on a broad range of topics related to development of a stadium and other mixed uses.

**Navigation Work Group.** The Harbor Safety Committee received a briefing on Vessel Speed Reduction (VSR) by NOAA, who advised that the program is in effect May 1-November 15 in northern California. Vessels are requested to reduce speed to 10 knots to protect whales from ship strikes. Compliance with the voluntary program increased with 64 percent of vessels cooperating in 2020. The work group will develop Best Maritime Practice for inclusion in the Harbor Safety Plan.

**Dredge Issues Work Group.** Bulls Head Channel, a Critical Maneuvering Area, experienced shoaling and reduced depth similar to what occurred in 2020. Vessel transit windows are affected, and congestion could become an issue. Marathon Petroleum drafted a letter to the USCG requesting support for emergency dredging of the channel, supported by the HSC. A motion was made and seconded to support The Marathon letter was sent to both the USCG and USACE and emergency dredging approved in June.

The *American Challenger*, a former fishing vessel in tow from WA to Mexico for scrap, was grounded in the Greater Farallones Marine Sanctuary near Bodega Bay offshore the Marin County coast in early March. Initially 750 gallons of oil were released are on stand-by while plans await USCG Commandant approval. Removal plans await Commandant approval.

An engine fire May 14 aboard the container ship *Delphinus* offshore led to the vessel being towed to the Port of Oakland for repairs and discharge of cargo. A total seven tow-vessels from in-Bay tug companies were involved in the operations.

Captain Taylor Lam took over as COTP.

BCDC completed the update of the Harbor Safety Plan to reflect 2020-2021 activities.

**Area Contingency Planning.** BCDC spill staff attended the May 11 Area Committee meeting. Staff also logged into the statewide Area Committee and RRT IX meetings July 13-14. The next RRT meeting will be held November 3, 2021, and the Bay-Delta meeting November 9.



Spill staff continues its participation on the interagency team managing the remediation of the ongoing seep near Hyde Street Pier in San Francisco. The team returned to weekly meetings as expanded exploratory operations were initiated.

As enforcement staff continues its involvement on the USCG ADV working group, the Commission approved an agreement with the Richardson's Bay Restoration Agency whereby an increased number of live-aboard vessels will be allowed to moor in marina slips in Richardson's Bay and along the Tiburon peninsula for a specified period. The goal is to transition the occupants of illegally anchored vessels to lawful residences within five years.

Staff joined a webinar on lessons learned from virtual worst case drills hosted by the Pac States-BC Oil Spill Task Force in July.

**Response and Related Activities.** Staff continues to monitor reports on an ongoing basis and issued no spill-related emergency permits during the period.

## California State Lands Commission

*Jennifer Lucchesi*

*Chris Beckwith*

State Lands Commission staff continue to adapt to the situation presented by the COVID-19 pandemic. The majority of our staff continue to telework. We continue to implement modified inspection practices and procedures for our inspectors and engineers who are still inspecting marine oil terminals and oil and gas production facilities, monitoring transfers, and boarding vessels as part of the Commission's oil spill prevention and marine invasive species programs. These modified practices and procedures center around the use of personal protection equipment, physical distancing, dispatching remotely, continuing data collection from the field, and digital paperwork while maintaining core inspection and monitoring activities.

### **State Budget/Commission Budget/OSPAP**

The 2021-22 state budget includes a total budget for the State Lands Commission of \$349,196,000, including a \$15,255,000 appropriation from the Oil Spill Prevention and Administration Fund. Specifically, the Commission's budget includes the following:

- A one-time \$2 million appropriation from the Environmental License Plate Fund for operations, maintenance, and dredging of the Bolsa Chica wetlands in Southern California;

- A one-time \$49.9 million General Fund appropriation, and repurposing a previous \$2.5 million General Fund appropriation for fiscal year 2021-22, for a total of \$52.4 million, to complete the decommissioning of Platform Holly, including initiating an Environmental Impact Report and feasibility study;

- A \$250 million transfer of federal coronavirus fiscal recovery funds. The Commission is required to distribute these funds to California ports to help them recover from COVID-19 related losses;

- A \$12 million appropriation to remove abandoned and derelict commercial vessels in the Sacramento-San Joaquin Delta region.

Chapter 115, Statutes of 2021 also remedies a structural deficit in the Oil Spill Prevention and Administration Fund by increasing the per barrel fee cap from 6.5 cents to 8.5 cents (with annual CPI adjustments) and authorizing the Administrator to adjust fee levels to maintain an adequate fund balance. Trailer bill language associated with this item applies the fee to renewable fuels and expands the definition of regulated oil to include renewable fuels. The OSPAP revenue supports the Commission's Mineral Resources and Management (MRMD) and Marine Environmental Protection Division's (MEPD) oil spill prevention work. Tight budget restrictions continue, including limiting non-essential travel, overtime, and training, and a permanent five percent across the board budget reduction. Travel, overtime, and training must be directly authorized by the Executive Office.

**Table 1. OSPAF Historical Fund Data**

Fiscal Year	Appropriation	Expenditures	Savings	Usage %
MRMD	\$ 5,498,000	5,498,000		100
MEPD	8,674,000	7,480,000	1,194,000	86.2
<b>2017-18</b>	<b>14,172,000</b>	<b>12,978,000</b>	1,194,000	91.6
MRMD	5,554,000	5,451,000	103,000	98.1
MEPD	8,592,000	8,493,000	99,000	98.8
<b>2018-19</b>	<b>14,146,000</b>	<b>13,944,000</b>	202,000	98.6
MRMD	5,966,000	4,891,000	1,075,000	82.0
MEPD	9,249,000	7,731,000	1,518,000	83.6
<b>2019-20</b>	<b>15,215,000</b>	<b>12,622,000</b>	2,593,000	83.0
MRMD	5,442,000	3,337,000	2,105,000	61.3
MEPD	8,600,000	7,552,000	1,048,000	87.8
<b>2020-21</b>	<b>14,042,000</b>	<b>10,889,000</b>	3,153,000	77.5
MRMD	5,987,000			
MEPD	9,268,000			
<b>2021-22</b>	<b>15,255,000</b>			

**Table 2. OSPAF PYs**

OSPAF	19-20	20-21	21-22
<b>OSPAF PYs</b>	<b>92.9</b>	<b>92.9</b>	<b>92.9</b>
MRMD	28.3	28.3	28.3
MEPD	64.6	64.6	64.6
<b>State Lands Commission</b>			

**Staffing**

The Commission’s Marine Environmental Protection Division has initiated the recruiting process to fill four (4) field staff positions, one (1) Marine Safety Supervisor position and one (1) Assistant Division Chief position. These have been categorized as essential positions and are vital to maintaining our presence in the field and maintaining a prevention program for the protection of public health, safety, and the environment.

## **Oil Transfer Monitoring Statistics**

From January - June 30, 2021, staff monitored an average of 21 percent of oil transfers (534 of 2,522 transfers) conducted at marine oil terminals (MOTs) in California. This represents a decrease from 2020, during which 22% of oil transfers were monitored. The decline is due to both the impacts of the COVID-19 pandemic on our monitoring as well as a shortage of personnel in our Northern California field office. We have improved our frequency of monitoring from month to month from 15% in January, to 19% in February, to 18% in March, to 20% in April, to 22% in May, and 31% in June. There were no spills directly resulting from oil transfer operations during this time. In the same time frame, staff conducted 34 spot and annual inspections.

## **Regulations Update**

Staff has started the process of updating several sets of regulations including Article 5 (operations) and Article 5.5 (pipelines). Staff has begun the process of updating Article 5 (operations) regulations which will include updating the definition of "oil" to include renewable fuels pursuant to Chapter 115, Statutes of 2021.

## **Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS)**

Staff reviewed multiple MOTEMS audit reports, designs, drawings and inspections related submittals from all 34 MOTs in California. Overall, MOTs in California continue to make substantial progress towards full MOTEMS compliance. Staff also worked on the MOTEMS documents digitization project and defined the necessary processes for concise and accurate digitization and organization of historical engineering records.

Commission engineers are also in the process of working with the Port of Los Angeles and several MOT operators on major rebuild and rehabilitation projects at the port. There are approximately 7 projects in various stages of permitting and design. Engineering and operations staff are also working with two operators in the Port of Stockton to come into compliance to become Marine Oil Terminals.

## **Prevention First Symposium**

Prevention First is rescheduled due to the COVID-19 pandemic. The Commission is working with the venue and other stakeholders to set a future date for Fall 2022.

## **Platform/Island Safety Inspection Program**

Commission inspectors in the Huntington Beach and Goleta field offices continued the Commission's monthly inspection program of offshore platforms and islands and onshore drilling and production facilities. The facilities inspected comprise four offshore platforms, five manmade islands, and their related offshore pipelines, and also includes onshore coastal petroleum production facilities. Each facility is inspected monthly, and the inspections involve comprehensive equipment testing of all facility pollution prevention and safety alarm, control, and shutdown devices to ensure functionality, accuracy, and reliability. On average, over 2,500 individual items are inspected per month.

Although the wells on Rincon Island and Platform Holly are shut-in and in the process of being abandoned, monthly inspection of safety and pollution prevention systems on all in-service equipment continues.

## **Safety and Oil Spill Prevention Audit Activities**

The Commission's Safety and Oil Spill Prevention Audit program is used to verify regulatory compliance and conformance with design, maintenance, spill prevention, and other safety management practices that are key safety elements in preventing accidents and spills for the offshore oil and gas production industry.

Fieldwork for the safety audit of Platform Emmy, which was suspended by COVID-19 pandemic, resumed and was completed in December 2020. Reviews of the piping and instrumentation diagrams for the platform, Safety Management Programs, Operating Procedures Manual, and Spill Contingency Plan were also completed, and the Emmy Safety Audit report and action item matrix were transmitted to the operator, California Resources Corporation, in March 2021. Staff also completed work on the onshore production area and the CRC Onshore Safety Audit report and action item matrix were also transmitted to CRC in December 2020. CRC continues to make progress in resolving action items. Safety Audit results continue to show a high level of commitment on the part of the operators to comply with applicable regulations, codes, and standards, as well as vigilance for safety and spill prevention.

## **Pipeline Inspection Program**

Commission engineers enforce strict pipeline safety regulations that include annual inspections of the eleven oil and gas pipelines from the state's four offshore platforms, and bi-annual inspections of the twenty-four pipelines from Federal OCS Platforms that traverse through state waters to shore. During the second and third quarter of 2021 Commission staff completed the following:

Witnessed and documented Spill Drills for:

- The Bolsa Chica Tabletop Spill Drill
- The CRC Coastal Tabletop Spill Drill
- The Emmy Make-up 2020 Boom Drill
- The Emmy Boom Drill
- THUMS Islands Tabletop Spill Drill

Reviewed the following remote operating vehicle and visual pipeline inspection reports for spans, cathodic protection, and damage for platforms:

- Heritage, Harmony, Hondo to Shore
- Esther to Shore
- Esther to Eva
- Emmy to Shore
- Edith to Eva Visual

Witnessed and reviewed and approved hydrotesting procedures, testing and reporting for:

- Emmy Hi-Lo Gas Pipelines
- Platform Holly 6" oil, 6" gas and 4" utility lines
- Esther, Eva to shore 3.5" Gas Pipeline

## **Structural/Facility Engineering Projects**

Staff continue to review and evaluate the structural adequacy based on existing corrosion and damage for all platforms, causeways, and piers associated with the State offshore oil operations. Commission engineers have received and reviewed the offshore platform

structural inspection reports for Platforms Holly, Emmy, Eva and Esther. Commission engineers have sent engineering review comments and repair requirements to the respective operators.

### **Rincon Well Abandonment Project**

All wells both on Rincon Island and the associated onshore facilities have been successfully plugged and abandoned and the restoration of the sites has been inspected and certified as complete by the California Geologic and Energy Management Division. The onshore and offshore areas are currently placed in 'caretaker status' where the well abandonments and surface restoration complies with regulatory requirements and the site requires limited surveillance to maintain its safety, security, and stability while the feasibility study is ongoing to determine the final disposition of the island and upland lease areas.

The process of conducting the environmental analysis work has begun, which includes the feasibility study and preparing CEQA documentation evaluating decommissioning alternatives for the ultimate disposition of the island and onshore facilities. The feasibility study is expected to be completed in early 2022, after which the CEQA process will commence and is anticipated to take 18 to 24 months to complete.

### **Platform Holly/Piers 421 Decommissioning Projects**

ExxonMobil has developed an engineering plan to decommission the shorezone PRC 421 oil piers and caissons located on Haskell Beach in Goleta. The Commission issued a Notice of Preparation to begin the CEQA process in June 2021. Staff anticipates releasing a draft EIR in early fall 2021 and the pier removal project is expected to commence early to mid-2022. Preparation for Platform Holly decommissioning work restarted mid-August with the crew of mechanics and electricians arriving to inspect, repair and reactivate the drilling rig equipment which remained on the platform in a mothballed condition during the COVID-19 pandemic shutdown. The first well is scheduled for abandonment at the end of September. Staff will continue to maintain and monitor the Platform and onshore facilities to ensure public health and safety during the plugging and abandonment operations.

### **Legacy Well Remediation Program**

The Commission's SB 44 Legacy Wells and Coastal Hazards Program provides up to \$2 million per year to remediate legacy oil wells and coastal hazards to protect coastal resources, maximize public access to the beach and coastline, and reduce the presence of oil at Summerland Beach and other similarly situated locations.

As of the 3<sup>rd</sup> quarter of 2021, the Commission successfully plugged and abandoned the Olsson #805 well at Summerland Beach this past July, the third legacy well we have re-abandoned in Santa Barbara County using the SB 44 funds. The abandonment was completed on time, within budget, and without any incidents.

In April, staff authorized dive work to investigate seeps to determine if any of the leaks observed during previous drone surveys were associated with another legacy well. Throughout three days of diving, eight new well casings were discovered, two of which were leaking hydrocarbons into the ocean. During diving operations, old timber piles were also discovered and appear to be remnants of the Treadwell pier. Staff intends to address these wells and remnants in the future as part of the SB 44 Program.

The Commission and its contractor, InterAct, are finalizing the detailed engineering report with abandonment plans and cost estimates for Duquesne #910, a legacy well located off

Summerland Beach that is scheduled to be re-abandoned in December. The Commission has secured permits/approvals from the relevant agencies to be able to perform the abandonments, including CalGEM, California Coastal Commission, Central Coast Regional Water Quality Control Board, Santa Barbara County Planning & Development, Santa Barbara Air Pollution Control District, US Army Corps of Engineers, and OSPR. As part of CSLC's public outreach, there was also coordination with multiple community groups, like Summerland Citizens Association, Heal the Ocean, Summerland Community, and the Joint Oil / Fisheries Liaison.

## **CAL FIRE - Office of the State Fire Marshal (OSFM)**

*Doug Allen*

*James Hosler*

### **General Updates**

OSFM participated in the National Association of Pipeline Safety Representatives (NAPSR) National Meeting in South Dakota.

[Rulemaking Activity: Pipeline Safety Intrastate Fees](#) 45 Day Comment Period (9/3/2021 – 10/18/2021)

Hazardous Liquid pipeline operators are continuing to abandon their purged and out-of-service pipelines.

U.S. DOT PHMSA completed the annual audit of OSFM – Pipeline Safety Program.

OSFM is planning to hold the 2022 Hazardous Liquid Pipeline Safety Seminar in Southern California.

OSFM – Pipeline Safety Division, Sacramento office has moved to the new Natural Resources building.

### **Pipeline Inspections and Activities**

As of August 2021, OSFM has completed 1,142 pipeline safety inspection and activity days, found 32 probable violations, and assessed \$9,900 in proposed civil penalties.

### **Significant Investigations**

Kinder Morgan – Walnut Creek, CA: On November 20, 2020, Kinder Morgan notified the OSFM of a potential product release and shut down the pipeline. After initial testing the release location was identified in the City of Walnut Creek and Kinder Morgan began excavation of the pipeline. OSFM Pipeline Safety Engineers responded to the pipeline leak and observed a tree root system that grew around the pipeline and a circumferential crack was identified at the same location. The failed pipeline segment was replaced with new pre-tested pipe and the failed segment with the crack was sent to laboratory analysis. Initially a limited amount of product was found at the location with the crack, however it is believed that additional product travelled along an underground gravel backfill of a sanitary sewer and was found pooling under the San Ramon Creek bypass. The OSFM has imposed a 20% temporary pressure reduction which the pipeline is currently operating under. This is an ongoing investigation.

Torrance Valley Pipeline – Lebec, CA: On November 20, 2020, Torrance Logistics confirmed a crude oil release occurred on their M1 pipeline at the Tejon Ranch east of the northbound I-5 highway. The source of the release was found to be from a circumferential crack. The segment will be sent to a metallurgical laboratory for analysis. This is an ongoing investigation.

Kern Oil and Refining (KOR) – Bakersfield, CA: On March 18, 2021, an employee of an adjacent operator working near Ten Section in Bakersfield discovered crude oil on the ground near KOR's main crude oil pipeline. On 03/22/2021, the leak was discovered on a 4" dead leg segment of pipe resulting in a release of approximately 2,258 barrels of crude oil. This is an ongoing investigation.



SFPP, L.P. (Kinder Morgan) – Niland, CA: On March 30, 2021 a Kinder Morgan Line Rider recognized found a release of diesel at the Niland Station and called the field controller to shut down the system. The cause of the release was a failed “T” fitting inside the station resulting in a release of approximately 51 barrels of diesel.

### **Coastal Best Available Technology (CBAT) Program**

The OSFM adopted CBAT regulation (aka AB-864) to limit the quantity of a release in the event of an oil spill. This regulation became effective on 10/1/2020. In the past few months, the OSFM created the following website to share the three-step implementation process with the operators and the public:

<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/coastal-best-available-technology/>

For the safety of the operators and the OSFM staff, the OSFM met with multiple operators to discuss the CBAT procedures virtually. Multiple operators submitted the Form PSD-2102 to identify pipelines that are subject to the CBAT regulation. The OSFM acknowledged their list of CBAT regulated pipelines and is working with multiple operators to classify each CBAT regulated pipeline into one of the five categories (step 2 in the above website).

Fifty-three operators submitted the forms to identify the CBAT regulated pipelines and to request deferred and/or exemption requests on May 1, 2021. The OSFM conducted virtual inspections to review the risk analysis of the CBAT regulated pipelines.

After the OSFM reviewed the deferred and exemption requests, the OSFM issued 16 letters to acknowledge the deferred and the exemption requests. Each letter includes multiple pipelines, in which the OSFM did not object to the risk analysis submitted by the operators.

Because of the CBAT regulation and the results of the virtual inspections, the OSFM identify 16 projects to retrofit the pipelines so far. On October 1, 2021, operators will submit the proposed implementation plan to retrofit the remaining pipelines, and we expect to have additional construction projects in the upcoming months.

## National Oceanic and Atmospheric Association Emergency Response Division (ERD)

Jordan Stout

### NOAA-supported Incidents for 2021

As of 20-SEP-2021, NOAA ERD has supported 134 incidents: 100 involving oil, 6 involving chemicals, and 28 involving other stuff (e.g. whale carcasses, marine debris, and unknown materials). In CA, NOAA has supported 20 incidents, including sunken/grounded/drifted vessels, shipboard fires, a pipeline release, whale carcasses, and a missing person.

### NOAA Spill Research Projects & Publications

NOAA continues to be involved in oil spill-related research and publishing guidance. Here are some recent examples:

Canada's Multi-Partner Research Initiative (MPRI) – Comparing advances in remote sensors to estimate/measure oil slick thickness on water through controlled tank, wave tank, and field testing. Developing side-by-side testing protocols with University of New Hampshire's (UNH's) Coastal Response Research Center (CRRC) and John Hopkins University (JHU). Controlled testing now underway at UNH, with multi-researcher testing at the Bureau of Safety & Environmental Enforcement's (BSEE's) Ohmsett oil spill test/wave tank later this Fall.

With USCG Research & Development Center (RDC) – Advancing Autonomous Underwater Vehicle (AUV) and Un-manned Aerial Systems (UAS) capabilities to characterize water column and surface oil in ice environments. Testing was completed in a freshwater tank at the Army Corps of Engineers (ACOE) Cold Regions Research & Engineering Laboratory (CRREL) in April 2021. Data analysis & reporting are in progress.

Multi-platform oil thickness sensors recently deployed at the Santa Barbara seeps from USCG Cutter Blackfin. It included in-situ sampling, multisensory UAS, NASA/JPL high altitude fixed wing UAV SAR (multi polarization), and Sentinel-1 satellite-based synthetic aperture radar (SAR) to allow for inter-sensor calibration and large-scale synoptic view of oil on open water.

With JHU – Cetacean surface oil risk characterization from inhalation/aspiration. Phase Ia – high resolution/high speed 3-D imagery of droplets/aerosols during captive dolphin respiration is in development. Phase Ib – Use a lab-scale mechanized respiration simulator to mimic droplet/aerosol production and inhalation by dolphins. Estimate potential inhalation/aspiration exposure to cetaceans from oil, dispersant, and dispersant-treated oil. Phase 2 – Measure droplets, aerosols, and VOCs above a slick on a real spill(s).

Takeshita, R., et al. (2021). "A Review of the Toxicology of Oil in Vertebrates: What We Have Learned Following the Deepwater Horizon Oil Spill" Journal of Toxicology and Environmental Health, Part B: 1-40. Available here:

<https://www.tandfonline.com/doi/full/10.1080/10937404.2021.1975182>

Shigenaka, G. et al. (2021). "Oil and Sea Turtles - Biology, Planning and Response" NOAA manual, 150 pp. This updates NOAA's previous Oil & Sea Turtle manual from 2003 with lessons learned from the Deepwater Horizon (MC-252) spill. Will soon be posted to <https://response.restoration.noaa.gov/>, once 508 compliant.

"Uncrewed Aircraft Systems Oil Spill Response Job Aid" (2021) NOAA Emergency Response Division job aid, 52 pp. Intended for small UAS operators with little/no experience supporting oiled shoreline assessment teams under the Shoreline Cleanup Assessment Technique (SCAT) Program on a spill. Will soon be posted to <https://response.restoration.noaa.gov/>, once 508 compliant.

"Uncrewed Aircraft Systems Hurricane Response Job Aid" (2021) NOAA Emergency Response Division job aid, 50 pp. Intended for small UAS operators with little/no experience supporting oil & hazmat assessments following natural disasters in coastal environments (e.g. hurricanes) under Emergency Support Function (ESF) 10. Will soon be posted to <https://response.restoration.noaa.gov/>, once 508 compliant.

## United States Coast Guard

Timothy Holmes

### RRT9:

RRT9 Webpage has moved: [www.rrt9.org](http://www.rrt9.org) TO [nrt.org/rrtix](http://nrt.org/rrtix)

RRT9's next meeting is scheduled for November 3, 2021 via MS Teams; Meeting notification sent on Monday 9/20/21 by Bill Jones, EPA.

RRT9 & Statewide Area Committee Meeting – July 13-14, 2021: Statewide Area Committee Meeting (held every 18 months) and the RRT9 meeting were held via the Adobe Connect via HSIN platform. Agenda and meeting presentations are posted at [www.nrt.org/rrtix](http://www.nrt.org/rrtix). Choose "All Documents", then "meeting date 2021-07-13...".

Final date for Annual RCP update input was September 1. Annual update to be published in March 2022.

CG & CA OSPR personnel met to discuss Potential Places of Refuge in August discuss the current PPOR guidance content and process; which plan the PPOR documents are to be included; and potential need for PPOR review/training for CG Sectors, Area Committees, and related stakeholders.

NRT Guidance on NHPA to be released by end of 2021.

Additional content included to the RCP9 section on Marine Mammals-; content attained from a recent Washington State Department of Ecology Webinar on marine mammals. (Krala).

### MEXUSPAC:

CGD11 and SEMAR R2 hosted annual meeting activity on August 11, 2021. The activity was an oil spill response seminar. The topics of discussion ranged from planning & policy to science of spills to response equipment. It was a great benefit to the many new member agency reps of the spill response community in the Baja Norte AOR. Agenda and public slide shows are posted at [www.nrt.org/rrtix](http://www.nrt.org/rrtix). Choose "All Documents, and then the date of the meeting 2021-08-11".

### CA Coastal Area Committee Activities:

**San Francisco Area Committees (1-3):** OCT '20-MAR '21

**Meetings: North Coast:** 9/16 & 11/18; **Central Coast:** 10/7; **SF Bay & Delta:** 11/9.  
Active Workgroups: Abandoned and Derelict Vessels (ADV); Hazardous Materials (in conjunction with LEPC II); Drills & Exercises.  
SF ACP will be submitted to CG National Review Panel in 2022.  
New issues: Understanding Renewable Fuels.

**Los Angeles Area Committees (4-5):** OCT '20-MAR '21

**Meetings:** 11/16.  
Active Workgroups: Draft IAP Working Group; Drills & Exercises.  
PREPEX 10/27-28 w/Chevron.  
LA ACP: Change #2 to the 2019 to be published.  
Ocean Disposal Site # 2: EPA Superfund project; receiving media and political attention; DDT was discovered at the site; related to the Montrose Chemical Corporation.

## **San Diego Area Committee (6): JAN '21-MAR '21**

Meetings: 11/4.

Prep Notification Drill: 11/15; Prep Exercise: 11/16.

SD ACP: 2021 update to 2018 ACP to be completed in 2022.

New initiative: SSD coordination with D11 & SEMAR to hold a MEXUSPAC incident notification drill, 11/8/2021.

D11 Area Committee Coordinator position remains unfilled.

### **Sector IMD Operations:**

#### **Sector SF**

Pollution Responses received 272 NRC reports, had 11 federal cases, issued 45 Letters of Warning, 11 Notice of Violation, and 1 Civil Penalty.

AMERICAN CHALLENGER – Former F/V in-tow from Seattle to Mexico broke towline and ran aground north of Tomales Bay on 5 March 2021. Vessel remains hard aground at same location while the CG seeks funding to remove the vessel; CG has currently spent \$4 million of OSLTF.

30' P/C JI MI II aground near Tomales Point on an inaccessible beach w/200 gallons fuel onboard. SEC SF used OSLTF to remove fuel from tanks, vessel broke apart and National Park Service is working with the vessel owner's insurance to remove debris.

#### **Sector LA/LB**

Pollution Responses received 137 NRC Reports, had 01 federal cases, and issued 20 Letters of Warning, 02 Notice of Violation and 0 Civil Penalties.

Sector LA/LB raised the partially sunk 65' P/C GODFATHER to remove pollution using the OSLTF and US Army Corps of Engineers took over disposition and destruction of the vessel.

#### **Sector SD**

Pollution Responses received 162 NRC reports, had 4 federal cases, issued 14 Letters of Warning, 0 Notice of Violation, and 0 Civil Penalties.

Sector SD responded to a vessel fire at Southwestern Yacht Club; fire extinguished by SD Harbor Patrol; boom was deployed for the leaking pollution; and the vessel was removed and destroyed by the owner.

### **D11 DRAT Training & Preparedness:**

DRAT w/CA OSPR held Oil Spill Boom refresher training for SF Fire and had to cancel training with the Yurok Tribe due to increased COVID-19 concerns.

DRAT w/ PACAREA held an American Salvage Association (ASA) Marine Salvage and Response Course on CG Island with CG members from throughout the Pacific Region and several OSPR members.

DRAT conducted a US NAVY SUPSALV oil spill equipment deployment on a CG Buoy Tender in Homer AK. This will be the model for CG large oil spill equipment needs now that the Spilled Oil Recovery System (SORS) has been removed from CG Buoy Tenders.

GIUEs: D11 Sectors have completed 100% required GIUEs for FY2021; 9 pass, 1 fail. 1 GIUE was led by US EPA in partnership with CG. DRAT also participated in 2 BSEE led GIUEs on Oil platforms.

#### **HQ/NRT:**

CG will implement a new financial management system (FSMS) beginning FY22. The implementation of this new financial system may temporarily affect CG contract payments. An ALCOAST contains an impacts notice to all contractors. DOL-92 will be directly engaging OSROs with BOAs. FOSC/Rs are being encouraged to remind contractors that there will be up to 60-90 day delays in processing payments given the transition to FSMS.

SONS Executive Steering Committee and the SONS FSEx Planning Team continues to plan for the SONS 2022 Cascadia Rising scenario exercise. Date TBD.

Refer to the latest continuity of operations ALCOAST (series) for information on COVID-19's impact to Marine Environmental Response operations. A running list of all COVID related ALCOASTs is maintained on CG-OEM's Community of Practice page.

New COMDTINST (16465.6A): National Incident Commander's (NIC) Manual for Spill of National Significance (SONS) Management was signed on 29 July 2021.

The efforts of the NRT ACP Workgroup led by CG-MER since fall 2020 has been placed on hold due to concerns by a partner agency. No major change to the ACP format or process is anticipated at this time.

The NRT developed and posted new training via FEMA's EMI training portal: National Oil and Hazardous Substances Pollution Contingency Plan/National Response System Independent Study (IS) Course (IS-1190).

<https://training.fema.gov/is/courseoverview.aspx?code=IS-1190>

30 September: NRT/RRT Member Monthly Meeting.

GIUEs: ALCOAST 107/20 outlines the FY21 GIUE requirements. The FY22 ACN got GIUEs will be published late September 2021.

#### **CG R&D Center:**

The Submission window for the Ideas for the Research, Development, Technology, and Evaluation (RDT&E) Idea Forum are now closed. The ISR review panel will convene in mid Oct to vote on all ideas submitted for the FY23 R&D portfolio. ALCOAST 235/21 provides additional information.

## **OSPR REGULATIONS & LEGISLATIVE UPDATE**

**(as of September 20, 2021)**

To be added to the distribution list to receive notification of regulation workshop information, proposed regulations and hearing notices, visit OSPR's [Laws and Regulations web page](#).

### **REGULATIONS**

#### **Spill Management Team Certification (SMT)**

Office of Administrative Law (OAL) initial review in May 2021

Additional 15-day public comment period Aug 11 – Aug 25, 2021

OAL determination deadline: Oct 27, 2021

#### **Non-tank Vessel Fee**

OAL initial review in May 2021

Additional 15-day public comment period Aug 13 – Aug 27, 2021

OAL determination deadline: Sept 24, 2021

#### **Drills and Exercises (D&E)**

OSPR is working towards harmonizing the marine and inland D&E regulations into one section.

Regulatory Timeline: Commencement of formal rulemaking delayed until approval of SMT regulations

#### **Non-Floating Oil**

A.B. 936 approved by the Governor 10/12/2019

Requires OSPR to develop regulations addressing NFO by Jan 1, 2023

Regulatory Timeline: Commencement of formal rulemaking anticipated in Spring/Summer 2022

### **LEGISLATION**

#### **AB 339 – State and Local Government: Open Meetings**

Introduced by Assembly Members Garcia on 1/28/21, this bill would:

Require local agencies to conduct meetings consistent with applicable state and federal civil rights laws, including but not limited to any applicable language access and other nondiscrimination obligations.

Covid response: During a proclaimed state of emergency, permits a legislative body of a local agency to conduct meetings via teleconference including but not limited to:

Teleconference meeting shall be conducted in a manner that protects the statutory and constitutional rights of the parties and the public.

Agenda shall identify and include call-in or internet-based service option for public to attend.

Shall provide public opportunity to address the legislative body directly and provide public comment in real time.

Legislative body is not required to provide a physical location for public to attend.

Operative only until 12/31/2023.

Status: Pending approval by Governor.

**AB 480 – Hazardous Substances**

Introduced by Assembly Member Carrillo on 2/8/21, this bill would:

Require “handlers” of facilities regulated by Unified Program Agencies (UPA) to immediately report a release or threatened release of a hazardous material, waste, or substance to the UPA and the Office of Emergency Services.

Require handlers of facilities *not* regulated by UPAs to only report actual releases (not threatened releases) that results in an emergency response where the release will pose a significant hazard to the environment or human health and safety.

Grants UPAs authority to take action to protect the health and safety of the public, such as:

Issue an order to the responsible party to immediately suspend or discontinue the operations resulting in a release or threat of release of hazardous waste or hazardous substance that meets a reporting threshold established by the Office of Emergency Services. Order shall remain in effect until the UPA determines the endangerment to public health has been abated or order has been overturned by an Administrative Law Judge.

Coordinate with other appropriate regulatory agencies that may take any other action necessary to protect the public health, including, but not limited to, environmental investigations and temporary relief to, or relocation of, affected individuals.

OES required to adopt regulations to implement the amendments by 1/1/2022.

Status: Pending approval by Governor.