

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

Wednesday, October 12, 2022, 10:00 a.m. – 2:00 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: 333 479 168#

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, James Hosler, Cody Aichele, Timothy Holmes, Katherine Lawrence, Uduak-Joe Ntuk, Gordon Schremp, Dr. Julie Yamamoto, Eric Milstein, Jennifer Lucchesi, Christine Kluge, Amir Sharifi, Emily Sunahara, Renee Rose, Andrew Benware

- I. Introductions (Dr. Julie Yamamoto OSPR Administrator, 5 Min)
- II. Approval of minutes from last meeting (Matt Rezvani, Chair, 5 Min)
- III. OSPR Update (Dr. Julie Yamamoto, 20 Min)
- IV. Agency Briefings (90 Min.)
  - A. California Coastal Commission – Jonathan Bishop
  - B. California Energy Commission – Gordon Schremp
  - C. San Francisco Bay Conservation and Development Commission – Cody Aichele
  - D. California State Lands Commission - Chris Beckwith/Jennifer Lucchesi
  - E. CALFIRE – James Hosler
  - F. CalGEM – Uduak-Joe Ntuk
  - G. National Oceanic and Atmospheric Administration – Jordan Stout
  - H. United States Coast Guard - Timothy Holmes
  - I. US EPA – Katherine Lawrence

## **Lunch (30 Min)**

- V. Regulatory and Legislative Update (Andrew Benware, 15 Min)
- VI. OSPR and State Lands Budget Updates (Emily Sunahara and Jennifer Lucchesi, 30 Min)
- VII. Update on American Challenger and All American incidents (TBA, 30 Min)
- VIII. Next Meeting (Matt Rezvani, Chair, 5 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**

### **DRAFT Meeting Minutes**

Wednesday, April 27, 2022, 9:00 a.m.

Microsoft TEAMS Meeting

The following members were in attendance:

#### **TAC Members:**

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

#### **Agency Representatives:**

Jennifer Lucchesi - California State Lands Commission (CSLC), Jonathan Bishop - California Coastal Commission (CCC), Uduak-Joe Ntuk - California Geologic Energy Management (CalGEM), Jordan Stout - National Oceanic Atmospheric Association (NOAA), Chris Beckwith - CLSC, Cody Aichele - (BCDC), Doug Allen - CalFIRE, Kay Lawrence - US EPA

#### **Recording Secretary:**

Elizabeth Vos-Widtfeldt

#### **OSPR Participants:**

Dr. Julie Yamamoto - Acting Administrator, Eric Milstein - Assistant Chief Counsel, Amir Sharifi - Assistant Deputy Administrator, Christine Kluge - Regulations Analyst,

#### **Roll Call (Members Present):**

Matt Rezvani, John Berge, Tracy Van Houten, Sejal Choksi-Chugh, Kit Cole, Peter Santillan, Liz Jones, Lynn Korwatch, Janell Myhre

Quorum present.

#### **I. INTRODUCTIONS**

**Dr. Julie Yamamoto, Acting Administrator, OSPR**

#### **II. APPROVAL OF MINUTES**

**Mr. Matt Rezvani, TAC Chair**

Christine Kluge asked a correction to be made to item **IV, Assembly Bill 148 – new requirements for renewable fuel production begin January 1, 2022.**

Quorum Present.

Action: Motion to approve the TAC Minutes of April 21, 2021, Motion Seconded, Roll Call Vote taken, Motion Approved.

#### **III. OSPR UPDATE**

**Dr. Julie Yamamoto, Acting Administrator, OSPR**

Administrator Dr. Julie Yamamoto offered a brief update of each branch of the Office of Spill Prevention and Response. Further updates can be found in the [TAC Binder](#).

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

*Mr. Amir Sharifi, Assistant Deputy Administrator, OSPR*

*Ms. Jennifer Lucchesi, Executive Director, CSLC*

The OSPR and State Lands Commission budget updates can be found in the [TAC Binder](#).

V. **AGENCY BRIEFINGS**

All Agency briefings can be read in their entirety in the [TAC Binder](#).

VI. **REGULATORY AND LEGISLATIVE UPDATE**

*Christine Kluge, OSPR Regulations Analyst*

The regulatory and legislative update can be read in its entirety in the [TAC Binder](#).

**Lunch (11:30 a.m. – 12:00 p.m.)**

VII. **BIENNIAL REPORT WORKGROUP**

*TAC Members only*

This portion of the meeting was dedicated to the members working on the Biennial Report to the Governor and the Legislature.

VIII. **NEXT MEETING**

*Matt Rezvani, TAC Chair*

A Doodle Poll will be sent out to determine the best available dates three weeks from today for the WorkGroup to continue work on the Biennial Report.

Another Doodle Poll will be sent out for October to determine the next TAC meeting for all participants.

**Adjourn Meeting: 12:30 p.m.**



## **OIL SPILL PREVENTION AND RESPONSE TECHNICAL ADVISORY COMMITTEE**

### **DRAFT Meeting Minutes**

*Wednesday, July 26, 2022, 10:00 a.m.*

*Microsoft TEAMS Meeting*

Link Used was [Click here to join the meeting](#)

Or Dial in +1 916-535-0984 United States, Sacramento (Toll)  
Conference ID: 808029610#

*Public comments were accepted via the chat function.*

The following members were in attendance:

#### **TAC Members:**

Matt Rezvani (Chairman), James Farner, John Berge, Lynn Korwatch, Peter Santillan, Tracy Van Houten,

#### **Recording Secretary:**

Elizabeth Vos-Widtfeldt

#### **OSPR Participants:**

Dr. Julie Yamamoto - Acting Administrator, Eric Milstein - Assistant Chief Counsel, Amir Sharifi - Assistant Deputy Administrator

#### **Roll Call (Members Present):**

Matt Rezvani, John Berge, Tracy Van Houten, James Farner, Peter Santillan, Lynn Korwatch  
Quorum present.

No members of the public were present.

This was a TAC Workgroup meeting to finalize and complete the 2019-2022 combined Report to the Governor and the Legislature.

Upon completion and no other changes or comments to be made, a vote was taken to approve the finalized Biennial Report:

John Berge made a motion to approve, James Farner seconded, roll call was taken, unanimous approval for passing the 2019-2022 Biennial Report.

#### **NEXT MEETING**

**Matt Rezvani, TAC Chair**

A Doodle Poll will be sent out to determine the next TAC meeting in October.

**Adjourn Meeting: 11:00 a.m.**

**Department of Fish and Wildlife  
Office of Spill Prevention and Response's  
Report to the Technical Advisory Committee  
October 12, 2022**

**EXECUTIVE BRANCH**

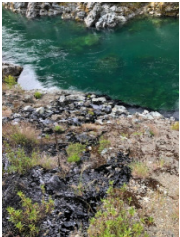
Verbal update provided by Administrator Yamamoto.

**OSPR LAW ENFORCEMENT BRANCH**

**Mid-April / May 2022**



**22-2301:** Natural Seep Discharge, Santa Clarita, Los Angeles County. SFRT members responded to the reported release site and assisted local agencies with identifying the source of the crude oil. Once it was discovered that the oil was coming out of the bank of a small dry unnamed creek, FRT members took actions to limit the spread of the oil and worked with the responders to limit future impacts from the discharge.



**22-2410:** Smith River, Gasquet, Del Norte County. NFRT members responded to a tanker truck accident near Gasquet. The truck's load of asphalt-tar spilled onto the adjacent roadway and entered the Smith River. FRT members assisted with the response and investigation. The asphalt-tar was transported as a heated material and when it entered the water solidified and sunk to the bottom of the river. This is an on-going response. OSPR continues to manage this event and will monitor the cleanup throughout all its phases.



**22-2417:** Hydraulic Oil Spill, Courtright Reservoir, Fresno County. CFRT members responded to the report of a hydraulic spill at a PG&E generating facility at Courtright Reservoir. The reservoir was iced-in at the time of the initial report, and as the weather warmed signs of the spilled hydraulic oil (dyed green) became evident. Wildlife Officers monitored the response and assisted with mitigation measures.

## June / July 2022



**22-3515:** Produced Water / Crude Oil Spill, Wilmington, Los Angeles County. SFRT members responded to a report of an oil spill near the Dominguez Channel. Wildlife Officers assisted in the response and investigation of the spill and discovered that the produced water / oil mixture had entered a storm drain. The storm drain leads to the Dominguez Channel and became an immediate concern. First responders took actions to limit the spread of the pollution and keep it from entering the Channel. In addition, Wildlife Officers monitored the replacement of the damaged transfer line that led to the spill.



**22-3517:** Vessel Fire, Sacramento River, Sacramento County. NFRT members responded to a report of a vessel fire on the Sacramento River. Wildlife Officers arrived at the scene and assisted in the initial response to the 82-foot vessel fire. Hard boom was placed around the vessel and efforts were taken to limit the spread of oil. Once the fire was extinguished, the vessel sank and became a salvage operation. FRT members monitored the pollution response during the salvage operation and ensured that the vessel was removed from the river.



**22-3531:** Sunken Vessels, Lake Kaweah, Tulare County. CFRT members responded to a report of a damaged dock and sunken vessels at the Lake Kaweah Marina. A significant windstorm damaged the Marina's dock system, leading to the sinking of several large houseboats. Wildlife Officers assisted the U.S. Army Corps of Engineers, U.S. EPA, and local emergency response organizations in managing this unique event.

## August / September 2022



**22-4791:** Tanker Truck Accident, San Diego International Airport / San Diego Bay, San Diego County. SFRT members responded to a tanker truck accident at San Diego's primary airport. Once at the spill



site, it became evident to the FRT members that approximately 2,000 gallons of Jet-Fuel had spilled from the truck and entered an adjacent stormdrain system. The stormdrain system empties into San Diego Bay and became an immediate concern. Quick action by the first responders at the outfall prevented the bulk of the spilled material from spreading throughout San Diego Bay. SFRT members ensured that the Jet-Fuel was removed from the outfall and stormdrain.



**22-4903:** Vehicle Accident / Fish Kill, San Luis Obispo Creek, San Luis Obispo County. CFRT members responded to a vehicle accident that turned into a fully involved vehicle fire. SLO County fire personnel did not take measures to contain excess firefighting foam from entering the creek. Once in the creek, the firefighting foam caused a dissolved oxygen deficiency that ultimately led to a significant fish kill (steelhead). Wildlife Officers assisted in limiting the spread of the foam and began documenting the damage caused by the foam and spilled petroleum products. This is an on going investigation.



**22-5486:** Crude Oil Discharge, San Ardo, Monterey County. CFRT members responded to a report of a crude oil spill in the San Ardo Oil Fields. The FRT members assisted with the initial response and initiated an investigation to the causation of stuffing-box failure that led to the spill. Several thousand gallons of produced water and approximately 200 gallons of crude oil spilled from the damaged box and entered the environment. FRT members guided the response efforts and assisted with the removal of the crude oil from an adjacent dry ephemeral creek.

**Personnel:** As of October 5<sup>th</sup>, OSPR's Law Enforcement Branch has 5 statewide vacancies: Lt. Supervisor Northern Area of Responsibility, Lt. Specialist Sacramento, Wildlife Officer San Diego, Wildlife Officer West SF Bay, and Wildlife Officer SF Bay P/V CABEZON. Some of these positions will hopefully be filled by transferring veteran officers in the Fall of 2022.

## **ENVIRONMENTAL RESPONSE BRANCH (ERB)**

### **Recently Filled and Vacant Positions:**

ERB – One Staff Services Analyst (SSA) Position filled in West Sacramento – primary OSPR Spill Desk Dispatcher.

NERB – No vacancies

CERB – One ES position and one Senior ES Specialist position filled in Bakersfield, and one vacant ES Position in Bakersfield.

SERB - One ES position filled in Los Alamitos.

## **PREPAREDNESS:**

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

OSPR Statewide Internal GRP Workgroup Meetings were held on 06/28/2022 and 09/27/2022

#### **Current GRPs in progress (North to South):**

##### **NERB:**

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

Lower Sacramento River GRP (Shasta, Tehama, Glenn, Butte, Colusa, Sutter, Yolo and Sacramento Counties) - Draft package ready to send for Supervisor review before Executive review.

Lower American River GRP (Sacramento and Yolo Counties)- Completion of all 13 GRP site visits using Survey 123 and photos; coordination with GIS for GRP maps.

##### **CERB:**

Salinas River GRP (Monterey County) - still working on finalizing upstream boundary but identified as county line between Monterey and San Luis Obispo counties. Limited field reconnaissance is underway. Nothing new to report.

##### **SERB:**

Santa Margarita River GRP (Riverside and San Diego Counties) completed on 05/17/2022.

West and East Walker River GRPs will be updated concurrently with the State of Nevada. Field surveys took place on 09/27/2022 and 09/28/2022.

### **Area Contingency Plans (ACPs)**

#### *Sector San Francisco – Major Revision Year (2022)*

North Coast (ACP 1) Area Subcommittee Meetings held on 7/21 and 9/15

San Francisco Bay & Delta (ACP 2) Area Committee Meetings held on 5/21 and 8/9

Central Coast (ACP 3) Area Subcommittee Meetings held on 7/21 and upcoming 10/13

Final Revisions for ACPs 1,2,3 posted to OSPR Website. Working on uploading revised ACP into ERMA.

#### *Sector Los Angeles/Long Beach*

ACP 4/5 Area Committee Meetings held on 06/30/2022 and 09/22/2022. September meeting was in-person.

ACP 4/5 - In process to identify any necessary changes for Annual Update.

#### *Sector San Diego*

ACP 6 Area Committee Meetings held on 05/10/2022 and 08/10/2022

ACP6 – Started on next Major Revision in January 2022, due in spring of 2023

### **Sensitive Site Strategy Evaluation Program (SSSEP):**

#### **NFRT**

Freeman and Snag Islands (2-667) tested on 6/8/2022 by MSRC

#### **CFRT:**

Goleta Slough and Beach (655.1.2 - A) tested on 06/15/2022 by MSRC.

#### **SFRT**

Anaheim Bay (5-310) - Tested on 08/25/2022 by Marine Spill Response Corporation.

Alamitos Bay/Los Cerritos Wetland (5-260.1) - Tested on 09/09/2022 by OC Vac.



Los Penasquitos Lagoon (6-275.2) will be tested on 10/25/2022 by US Ecology.

Mission Bay Entrance (6-304.4 and .6) will be tested 11/15/2022 by Marine Spill Response Corporation and Patriot Environmental

### **Drills and Exercises (Virtual and In-Person)**

#### **NFRT**

6/9/2022 Phillips 66 Richmond  
6/29 - 6/30/2022 Martinez Refining Co.  
8/3/2022 - Kinder Morgan, Richmond  
8/12/2022 - IMTT, Richmond  
8/23/2022 - Union Pacific California Equipment Drill, Shasta Co  
8/24/2022 - UPRR TTX, Shasta Co.  
8/25/2022 - Bay Ship & Yacht, Alameda  
9/21/2022 - Chevron Pipeline, San Ramon  
9/23/2022 - Ramos Oil, Sacramento  
9/26/2022 - Chevron, Richmond

#### **CFRT**

05/19/2022 – Aera Energy, Ventura  
07/13/2022 – Torrance Logistics, Taft  
08/02/2022 – Chevron Pipeline Kern River, Bakersfield  
08/25/2022 – CA Resources Bakersfield SJV Facility, Bakersfield  
08/30/2022 – CalTriVex virtual  
09/07/2022 - Genesee & Wyoming Western Region, Bakersfield  
09/13-14/2022 - CalTRIVEX BP, Long Beach  
09/22/2022 - Kinder Morgan Fresno Terminal, Fresno  
09/27/2022 - Patriot Environmental Services, Oxnard  
09/28/2022 - Aera Energy SJV, Coalinga

#### **SFRT**

04/26/2022 - CalTRIVEX Exercise with Gallagher Marine, Oceanside  
05/10/2022 - USCG Marine Transportation System Exercise, Wilmington  
06/15/2022 - Chevron Pipeline and Power, El Segundo  
06/30/2022 - US Navy Port Operations, San Diego  
07/06/2022 - Dion and Sons, Long Beach  
07/20/2022 - Kinder Morgan Pipeline – Mission Valley, San Diego  
07/21/2022 - Olympus Terminals, Long Beach  
07/28/2022 - South Bay Sand Blasting and Tank Cleaning, National City  
08/04/2022 - Andeavor Logistics, So. Cal. Marine Terminals, Carson  
08/05/2022 - Warren E&P, Wilmington  
08/09/2022 - Vopak Corporation, Wilmington  
08/10/2022 - Petro Diamond Terminal Co., Long Beach  
08/26/2022 - Clean Harbors, Rancho Dominguez  
09/08/2022 - Environmental Logistics, Rialto  
09/13-14/2022 - CalTRIVEX Exercise with British Petroleum, Long Beach  
09/15/2022 - Phillips 66, Wilmington  
09/20/2022 - Foss, Long Beach  
09/22/2022 - Andeavor Logistics, So. Cal. Pipeline, Carson  
09/28/2022 - Zenith Energy, West Coast Terminals, Cerritos

Shoreline Protection Table Workgroup Meetings were held on 06/06/2022, 07/18/2022, and 09/07/2022

## Training:

- Select ERB staff participated in ICS 300 training, Sacramento on 5/17-5/19/2022
- All ERB Field Staff participated in Building a Better Fieldwork Future (BFF)
- Select staff participated in Potential Places of Refuge (PPOR) Training for exercises in May and September
- ERB Staff participated in Renewable Fuels Workshop on 06/28/2022
- All ERB staff completed their Traffic Incident Management Training.
- ERB Staff participated in virtual trainings and discussions of relevant oil spill topics.
- ERB Staff continue UAV (drone piloting) practice.
- ERB staff continue monthly field SCATologue training as schedules permit.
- ERB Staff participated as instructors and students at the Environmental Response to Oil Spills (EROS) 06/07-09/2022 for the virtual class and field days on 06/14, /15, and 28/2022. There was also a field make-up day in Carpinteria on 08/10/2022.
- Environmental Response to Oil Spills Training Workgroup met on 08/24/2022 and started planning for the next event
- CERB staff participated in Sampling Training on 09/21/2022.

## RESPONSE (Selected):

### NFRT

**22-3517** - Sacramento River boat fire and salvage. NFRT responded to a fire of an 85-foot wood vessel in Sacramento. USEPA coordinated removal of the engines and petroleum products and California State Lands Commission later funded the salvage and removal of the vessel from the Sacramento River.

**22-4133** – NFRT responded to sinking of a vessel at the Stockton Marina. NFRT deployed boom from OSPR response trailer. Vessel was raised and over 600 gallons of petroleum was removed.

**22-4800** - Mission Clay Products Incident. NFRT responded to a surface expression of fuel oil from a legacy industrial site on Alameda Creek, Niles Canyon. RWQCB is overseeing a cleanup and abatement order for the removal of product and OSPR is monitoring any threat to state waters and wildlife.

### CFRT

**22-2861**- Dyer Creek impacted by 10bbls crude 50 bbls produced water from tank overflow on 5/19/22, FRT responded physically. Sign off was 5/26/22, all endpoints met. No wildlife impacts observed, no fish closure needed because waterway unlikely to support fish.

**22-3267** - Vessel Polaris Moss Landing - 07 June 2022 Moss Landing Harbor derelict vessel with several 55 gal drums of oil on board, some leaking. M/V POLARIS (60 ft) potential release 4,000 gal of water/ petroleum mix in the bilge and nineteen 55-gal barrels on the deck. 07 July 2022 hazmat removed from vessel and returned to slip in Moss Landing Harbor.

**22-4903** – Spill into San Luis Obispo Creek that occurred on 8/23/2022. A vehicle fire resulted in 50 gallons of foam concentrate to enter the creek. Dead fish were observed and collected. The fish were believed to be killed from the firefighting foam, as very little rainbow sheening was observed in the water. Wildlife Officer Hickey will be handling the case as a Regional response. Greg McGowan was contacted and alerted OEHHHA to the fish kills, but no fisheries closure was enacted. Completed a fisheries closure worksheet on standby but it was not sent to OEHHHA.

### SFRT

**22-3424** – SFRT responded to a fuel delivery truck releasing over 300 gallons of gasoline into the East Compton Creek Storm Channel. The release impacted 2.25 miles of underground storm drain and produced a rainbow sheen at the outfall where it meets the Los Angeles River. There were no observed impacts to fish and/or wildlife.

**22-3989** – SFRT responded to the sunken vessel, Zephyr, near the City of Avalon on Santa Catalina Island. There was a small amount of sheen, but there was the potential for more release of diesel fuel. Sea Tow boomed off the area where the vessel sank. There were no observed impacts to fish and/or wildlife.

**22-4791** – San Diego Airport Jet Fuel – A fuel truck carrying 5,000 gallons of jet fuel rolled over at the San Diego International Airport and released an unknown amount into a storm drain. Boom was deployed at the outfall into San Diego Harbor. There were no impacts observed impacts to fish and/or wildlife, however, sheen was noticed at the outfall on day 2.

#### **OTHER:**

All ERB Field Staff Virtual Meetings – 05/26/2022, 07/28/2022, and 09/29/2022.

Boom Training Refresher to the City of Newport Beach on 06/28/2022

Boom Training Refresher to the City of Huntington Beach on 06/29/2022

#### **RESOURCE RESTORATION PROGRAM**

- Small Spills Restoration Program: OSPR deposits natural resource damages collected from small spill events in a fund managed by the Nation Fish and Wildlife Foundation (NFWF). OSPR recently completed a semiannual progress report detailing the Environmental Fund for Habitat and Incident-Specific Restoration Projects & LA County Natural Resources Protection Fund. To date: Number of Currently Active Projects: 9; Number of New Projects in 2022: 2; Number of Closed Projects in 2022: 7; and Total Funds Awarded to Date: \$5,299,579.
- Pipeline P00547 Incident Natural Resource Damage Assessment. Immediately following the incident, members of the OSPR Natural Resource Damage Assessment (NRDA) Unit began pulling together a multi-trustee agency team and deploying staff in the field to pre-assess natural resource injuries arising from the spill. The natural resource trustees (Trustee Team) for the spill include the following state trustees: OSPR, State Lands, and Parks and Recreation; and the following federal trustees: U.S. Fish and Wildlife Service, Bureau of Land Management, and National Park Service (representing the Department of the Interior), and the National Oceanic and Atmospheric Administration. The Trustee Team has directed the collection of hundreds of environmental samples, including fresh oil, tarballs, sediment, water, and biological tissues to understand the pathway the oil traveled and oil exposure levels (through chemical analyses) in various habitats and species. Various Technical Working Groups (TWGs) charged with assessing potential injuries to sandy beach, marsh, and rocky intertidal habitats will be collecting post-spill anniversary data this Fall to help assess and quantify natural resource injuries. Similarly, the Human Use TWG will be collecting anniversary data to further understand recreational-use losses following the spill. The Trustee Team has published a newsletter update on October 3, 2022, informing the public of the status of the assessment, potential injuries investigated, and preliminary findings. The newsletter also advertises an upcoming “virtual” public meeting on January 25, 2023. The purpose of the meeting is to inform the public of the status of the assessment, our preliminary findings, and request the public's input on potential restoration projects that compensate for resource injuries caused by the spill. The newsletter, public meeting invitation, and updates on NRDA activities and findings are all posted on OSPR's Restoration/NRDA webpage at: <https://wildlife.ca.gov/OSPR/NRDA/Pipeline-P00547>

#### **LABORATORY RESPONSE UNIT**

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

Performed petroleum fingerprinting analysis to support Southern California tarball event in May 2022. Conducted fingerprinting for various spill investigations. Performed PAH analysis for two NRDA

baseline sampling events. Performed PAH analysis on various tissues from a sea otter that displayed novel pathology possibly related to oil exposure.

## Research

The Petroleum Chemistry Laboratory (PCL) is continuing to work to expand the Southern California coverage of the PCL sample biomarker ratio database. Entry of the biomarker ratios from all non-matching tarball samples collected during the response efforts for Pipeline 00547 and Pipeline 0919 spills have been completed. Biomarker ratios from tarballs collected from the Southern California mystery tarball events in March 2022 and May 2022 have been added to the database. The database is now up to almost 300 samples that have been collected over the past 20 years and it will allow investigation of a relationship between historic samples and future samples that do not have an identified source. This effort has significantly expanded coverage of signatures from background oil collected from the Southern California coastline.

## Trainings

In conjunction with other OSPR staff, laboratory provided sampling training for Northern and Central Field Response Teams.

## FINANCIAL AND ADMINISTRATIVE SERVICES BRANCH

### Finance

Fund 0320 began an upward trend after October 2021 in response to implementation of the AB148 "per barrel fee" increase to \$0.085 cents. Fund 0320 again saw a significant jump in revenue after January 1, 2022, when renewable fuels portion of AB 148 went into effect.

The fourth and final Corrective Action Plan was delivered to Department of Finance by September 1, 2022, as planned.

### Chart 1: Total Budget by Category

The pie chart is a high level break down of OSPR's total budget allocation by general account category. The four categories are:

- **Administrative Overhead:** Administrative fee taken by the Department to cover shared expenses.
- **Personal Services:** Salaries, benefits, overtime, and other related payments.
- **Operating Expenses:** Goods and services that support OSPR operations
- **Grants**

### Chart 2: OSPR Operating Budget by Branch

This pie chart illustrates how OSPR's total operating budget is allocated across branches. As expected, the larger branches such as the Law Enforcement Division, Environmental Response, and Preparedness occupy larger shares of the total budget.

### Graph 1: Barrels Subject to Fee by Fiscal Year

After the decline at the end of Fiscal Year 2019-20 (red line) and suppressed numbers during Fiscal Year 2020-21 (grey line), the number of barrels subject to fees are trending upwards thanks to the inclusion of renewable fuels with the green segment marking the beginning of this trend.

### Graph 2: Revenue by Fiscal Year

After the decline at the end of Fiscal Year 2019-20 (red), and suppressed numbers during Fiscal Year 2020-21, revenues jumped as expected with the implementation of the per barrel fee increase in October 2021, then again when the fee was applied to renewable fuels starting in January 2022. Revenue is now trending upwards as we are seeing an overlap in renewables and crude, however,

the expectation is that crude will decline over time and increasing renewables will compensate for this change to stabilize revenue in the long term.

### **Cost Recovery:**

The Spring and Summer months were busy for OSPR with on-going spill incidents and billings. On-going spill incidents include American Challenger (3/5/2021), Dunsmuir Historical Oil (10/23/2018), and Camarillo Springs (11/17/2020). The Cost Recovery Unit (CRU) continues to assist with billing for the following responses: Pipeline P00547 (10/1/2021), Pipeline 0919 (12/22/2021) and Parr Canal/TransMontaigne (4/2/2021). The CRU provided training on best practices in Cost Recovery, which included the 213RR process to Orange County local government agencies. These agencies were very appreciative for the presentations given by all OSPR representatives.

The CRU opened 32 spill cases (30 statewide – 2 deleterious/fund 0207) from April 2022 thru September 2022. Since April 2022, OSPR has recovered \$533,575 in response costs from 30 incidents (which includes 2 large incidents – Pipeline 0919 and Parr Canal); \$248,207 in fines and penalties from 7 incidents.

### **Procurement/Contracts:**

OSPR Procurement had a smooth FY 2021/22 end and is off to a successful start in FY 2022/23. Between the months of April and September roughly 98 Purchase Orders for non-IT goods and 10 Purchase Orders for IT goods were processed. The bulk of OSPR needs continue to be for office supplies, health and safety supplies, and equipment for lab and field work. Additionally, we are happy to report that our Procurement team is officially fully staffed with two analysts and a Business Service Assistant.

The OSPR Contracts team is working hard to prepare all contract/payable grants for FY 2022/23. Our last update captured the bulk of the new agreements for this FY. However, since our last update, our team has executed five new payable agreements, 20 new payable grants, four short form contracts and one reimbursement agreement. They have also amended one existing payable, four payable grants, two short form contracts, one reimbursement agreement and three orphan spill agreements. The Environmental Enhancement Fund Grant Program has really ramped up this FY, making up of the payable grants.

### **Facilities:**

OSPR Facilities has been busy as the Department prepares to return to work in a hybrid model. In OSPR's West Sacramento headquarters, OSPR Facilities has established a hybrid telework model floorplan for OSPR's space and successfully implemented a hoteling space check out system allowing for staff easy hoteling as we begin returning to work in October.

The Los Alamitos office relocation continues as a top priority for OSPR Facilities. CDFW Business Management Branch Facilities has secured a "temporary" two-year office location in Seal Beach while negotiations for a permanent space continue. OSPR Facilities is working closely with the Los Alamitos OSPR programs to provide guidance and instructions for the office relocation. We are expected to move into the temporary space in November.

OSPR Facilities continues to assist with building and grounds needs of all OSPR Buildings. Some recent needs were the boiler replacement at the MWVCRC in Santa Cruz and the chiller replacement at the Rancho Cordova Laboratory.

### **Fleet:**

As in-person drills and off-site meetings become more frequent, OSPR pool vehicle usage has increased. OSPR Fleet continues to setup regular maintenance services of all pool vehicles to ensure staff safety and adhere to DGS COVID guidelines when cleaning/disinfecting pool vehicles. OSPR Fleet closely monitors vehicle recalls and smog/smoke testing requirements, providing guidance to staff on next steps.

Between the months of April and September, OSPR Fleet has surveyed five vehicles that were delivered to the auction yard. OSPR Fleet was also among the first wave of vehicles to have a new telematics system installed providing for more efficient tracking of vehicles usage.

### **Personnel Updates:**

The Finance and Human Resource Manager position has been filled by Kelly Abe. Kelly promoted into management from within the Cost Recovery Unit (CRU) where she served as a Cost Recovery Analyst. She has been with CDFW/OSPR for 18 years. Kelly started on June 1, 2022.

The OSPR Procurement Lead position has been filled. Tyler Jennings was a former Employment Development Department (EDD) employee. Tyler is an experienced state procurement specialist with detailed knowledge of state procurement processes. He also has a clear focus and understanding of delivering a positive customer service experience. Tyler started on June 1, 2022.

The OSPR Procurement SSA position has been filled. Henry Liang was a former Department of Justice (DOJ) employee. He served as an Office Technician, providing support to his entire unit. Henry has knowledge and experience in the state procurement process. He will be serving as the purchasing liaison for four of OSPR's Branches: Preparedness, Legal, Response Technology, and Resources Restoration. In addition, he will also serve as the backup to the Lead Procurement Analyst. Henry started on September 12, 2022.

Other staff changes throughout OSPR branches include:

### **Incoming:**

Kelly Kloos, ES, Drills & Exercises – (8/2022); Deanna Harkink, ES, Drills & Exercises – (8/2022); Riley Smith, ES, Environmental – (8/2022); Brooke Stutz, ES, Environmental – (7/2022); Noreen Hassan, IT Specialist I, IT Branch – (7/2022); David Liu, IT Associate, IT Branch – (6/2022); Stephen Passey, IT Associate, IT Branch – (5/2022); Andrea Moore, AGPA, Preparedness – (4/2022); 1 Scientific Aid, Amy Wells; Gary Rasse, Warden, LED – (5/2022); Melissa Boggs, Sr ES (RA), NRDA – (7/2022)

### **Outgoing:**

Cassandra White, SSM I, FASB – (4/2022); Ted Mar, OSP SUP II, Prevention – (8/2022); Jeff Westervelt, Sr Industrial Hygienist, Response Safety & Qualifications Unit – (7/2022), Lori (Guphy) Gustafson, Research Data Specialist I, GIS – (9/2022); Joshua Nicholas, Fish & Wildlife Lieutenant, LED – (5/2022); Gerald Borjeson, Warden, LED – (5/2022); Ryan Thiem, Warden, LED – (5/2022); Jessica Jacobsen, Warden, LED – (6/2022); Allen Tsao, Associate Toxicologist, NRDA – (7/2022)

### **Internal transfer/promotions:**

Jenna Driscoll, Liaison Officer, Executive – (7/2022); Leilani Birch, Sr ES, Environmental – (9/2022); Mia Roberts, Sr ES, Preparedness – (9/2022); Nita Barve, Research Data SUP II, GIS – (8/2022); Nicole Gleason, Attorney IV, Legal – (9/2022); Kelly Abe, SSM I, FASB – (6/2022); Greg Ewing, Research Data Specialist I, GIS – (6/2022); Michael Zamora, OSPS, Prevention – (6/2022)

## **PUBLIC INFORMATION OFFICE**

### **Recent Updates**

OSPR PIOs have been engaged in recent responses that include the Smith River Incident (tanker truck spilled semi-solid asphalt into the Smith River near Gasquet), Pine Incident (Truck crash spilled 7,700 gallons of oil, which a portion went into the upper Sacramento River), and the P00547 Incident (pipeline oil spill off Huntington Beach). The unit is also involved in overseeing the Dunsmuir Historical Oil Spill where petroleum seepage has impacted soil, groundwater, and the upper Sacramento River from fuel tanks constructed in the 1900s. PIO's ongoing objective is attending drills with other agencies and industry and sharing best practices regarding public/media outreach. PIO is also in the process of getting FAA-certified for UAV flights, so that we can gather optimum imagery for spill

response. Additionally, the unit has initiated an Emergency Alert System called SimpleTexting, which utilizes employee state iPhones to alert them during a major oil spill.

## **PREVENTION BRANCH**

After 24 years of service, Prevention Branch Chief Ted Mar, will be retiring from OSPR on December 31, 2022. In the interim, Jon Victoria, OSPR's Southern Prevention Oil Spill Prevention Supervisor I will serve as acting Prevention Branch Chief through November 30th. The Prevention Branch recently appointed new members to serve on the Harbor Safety Committee's including Captain John Betz who will be taking over for Captain John Strong who recently retired after serving 20 plus years as the LA/LB Harbor committee chair. OSPR would like to give thanks to those who served, and we welcome new appointees.

### **Statistics:**

#### **April 01, 2022 – Sept 30, 2022**

Vessel Arrivals: **4,198**

Vessel Boardings: **93**

Category 1 – 3 Risk Boardings: **04**

Category 4 Risk Boardings/Monitor: **02**

Oil Transfer Notifications: **3,199**

Oil Transfer Monitors: **88**

Percent of Transfers Monitored: **2.75%**

Facility Contingency Plan Verifications: **22**

Facility Contingency Plan Exemptions: **20**

Marine Outreach: **284**

Inland Outreach: **89**

Marine Oil Spill Incidents: **374**

Volume Spilled: **3,408 gal**

Inland Oil Spill Incidents: **258**

Volume Spilled: **22,382 gal**

## **LIAISON OFFICER**

One of the recommendations outlined in OSPR's After Action Report on the Pipeline P00547 response was to create a position for a full-time Liaison Officer. Previously, OSPR did not have a position that was dedicated to Liaison work during non-spill times. As a result, the Liaison Officer was created and reports directly to the Assistant Deputy Administrator. After a competitive round of interviews, Jenna Driscoll, previously OSPR's Training Coordinator, was selected to serve as OSPR's Liaison Officer (Jenna's bio is included below) as of July 2022. Responsibilities of the new Liaison position include outreach to key stakeholder groups (such as NGO, tribal, and scientific communities), participation in area and regional contingency planning, yearly meetings and trainings with elected officials and key stakeholders, development and maintenance of regional outreach lists, plans and protocols, contribution to internal training of OSPR's Liaison Officer corps, and coordination with other agency partners including Cal OES, state and regional water boards, and local Operational Area Coordinators.

Since July, the Liaison Officer has participated in the following events:

- Provided training at OSPR's quarterly Liaison training.



- Presented at BP Shipping's large scale vessel exercise and served as lead Liaison while training new staff.
- Participated in 10 plan holder exercises.
- Facilitated a meeting with an NGO and OSPR's laboratory on fingerprinting.
- Hosted a training for CalGEM on oil spill response basics.
- Served as Planning Section Chief for CDFW's response to the Harmful Algal Bloom event in the San Francisco Bay.
- Facilitated a lessons-learned discussion for CDFW's bobcat management program.
- Attended Field Response Team, Area Committee, Regional Response Team, and BC/Pacific State Oil Spill Task Force meetings.
- (Planned 10/13): Presented (virtually) the P00547 Case Study and Liaison Best Practices at the International Oil Spill Science Conference in collaboration with the Preparedness Branch Chief.

### **Jenna Driscoll bio:**

Jenna Driscoll has been with OSPR since 2018 and previously served as a Drills and Exercises Coordinator and the Training Coordinator. Jenna served as Liaison Officer during P00547, Iron Horse Trail, Richmond Recovered Oil Line Leak, and New Cuyama. Prior to joining OSPR, Jenna worked with environmental non-profits focused on clean water and ecosystem health advocacy, where she gained experience working with elected officials and agencies. Jenna was previously appointed to OSPR's TAC as an environmental representative and served as Senator Hannah-Beth Jackson's expert witness on Senate Bill 44. She holds a Master's in Environmental Science and Management with an emphasis in Coastal Marine Resources and Conservation Planning.

### **LEGAL BRANCH**

The OSPR Legal Branch is currently handling 98 active cases in addition to the routine legal matters and legal guidance and counsel provided to the OSPR leadership and other branches. Some cases that have been resolved since the last TAC meeting include:

#### **P00547 (Amplify) Spill Criminal Portion- \$4,900,000 State/\$7,100,000 Federal**

Amplify defendants (Amplify, Beta, SPBPCo) plead to six state criminal violations, paying \$4,900,000 in State criminal penalties (includes penalty assessments). Separately, on Aug 26, 2022, the Amplify defendants plead to a single federal criminal CWA violation and pay a \$7,100,000 federal penalty. The OSPR Legal Team is still working on the NRDA portion of the P00547 (Amplify) spill.

#### **Highway 121/Rinehart Oil Co – approx. \$36,000**

In November 2019 an overturned gasoline truck on Highway 121 in Sonoma County resulted in a spill of about 4500 gal. of gasoline impacting an ephemeral stream. The Sonoma County DA's office pursued a civil complaint including FGC section 5650.1 penalties resulting in a final judgment in August 2022 which included \$6K for CDFW OSPR costs and \$30K in penalties to the Fish and Game Preservation Fund.

#### **City of Napa/Conn Creek Diesel - \$2,183.64**

In August 2021, the City of NAPA Water Division reported a release of about 95 gl. of red-dye diesel at the raw water pump station in St. Helena, CA. The diesel fuel migrated subsurface into the flowing waters of Conn Creek. The NAPA County DA's office declined to pursue the case. This was a cost recovery-only case and the City of Napa paid CDFW OSPR costs in the amount of \$2183.64 in May 2022.

#### **Joseph Moustafa/Discovery Bay Gasoline Release – approx. \$11,607**

In June 2021, a fueling station failed in the Discovery Bay Yacht Harbor in Discovery Bay, Contra Costa County, resulting in the release of about 366 gallons of gasoline into the environment. The Contra County DA's office pursued a civil complaint and the case resulted in a final consent decree

and judgment which included \$2.5K to the CDFW Environmental Enhancement Fund and \$9107.55 in CDFW OSPR costs.

## **PREPAREDNESS BRANCH**

### **Drills and Exercises Unit (April – September 2022)**

#### **General Information**

The Drills and Exercises Unit (D&E) stayed busy in the second and third quarters of 2022. OSPR participated in its first completely in-person CalTriVEX since 2019 with Gallagher Marine Systems in Oceanside on April 26. A second CalTriVEX was held with BP Shipping in Long Beach on September 13-14, which included over 230 participants. D&E's new harmonized regulations were approved by the Office of Administrative Law on September 26, 2022, and will be effective January 1, 2023. D&E is currently working on generating resources to assist plan holders in transitioning to the requirements described in section 820.1 of Title 14 in the California Code of Regulations.

#### **Total Drills and Exercises Statewide (April – September 2022)**

Total Drills and Exercises: 88  
Total Equipment Deployment Drills: 22  
Total Tabletop Exercises: 65  
Total CalTriVEX: 2

#### **Total Drills and Exercises in Northern California (April – September 2022)**

Total Drills and Exercises: 27  
Total Equipment Deployment Drills: 11  
Total Tabletop Exercises: 16

#### **Total Drills and Exercises in Central California (April – September 2022)**

Total Drills and Exercises: 17  
Total Equipment Deployment Drills: 1  
Total Tabletop Exercises: 16

#### **Total Drills and Exercises in Southern California (April – September 2022)**

Total Drills and Exercises: 44  
Total Equipment Deployment Drills: 10  
Total Tabletop Exercises: 32  
Total CalTriVEX: 2

#### **Unannounced Drill Program**

##### **OSRO Drills for (April – September 2022)**

Marine – Passed: 2  
Marine – Failed: 0  
Marine Modified: 0  
  
Inland On-water – Passed: 1  
Inland On-water – Failed: 0  
Inland On-water – Modified: 0  
  
Terrestrial – Passed: 6  
Terrestrial – Failed: 0  
Terrestrial Modified: 0

#### **Oil Spill Contingency Plans: (April – September 2022)**

Vessel Contingency Plans:

Approved New Plans - 95  
Approved Resubmitted Plans - 148  
Vessel Revisions – 2898  
Withdrawn – 81  
Total Approved plans: 1366

Facility Plans Approved:  
Marine: 2  
Inland: 4  
Inland Exempt: 1  
Total Approved: 7  
Withdrawn: 11

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

#### **OSPR Statewide Internal GRP Workgroup Meetings:**

March 29, 2022  
June 28, 2022  
September 27, 2022  
December 15, 2022

#### **GRP Statewide Steering Committee Meetings:**

January 2022  
December 2022

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

Lower Sacramento River (Shasta, Tehama, Glenn, Butte, Colusa, Sutter, Yolo, and Sacramento Counties) – Draft sent to OSPR Executive Team for final review and approval.

Lower American River (Sacramento and Yolo Counties) – Field work completed. Working on response strategy sections, contact sheet, and resources-at-risk. GIS completed all maps for the plan. Most chapter sections are complete.

Klamath River (Siskiyou, Humboldt, Del Norte Counties) – field work largely complete, may need to revisit some sites.

Salinas River (Monterey and potentially San Luis Obispo County) - Field reconnaissance in progress.

Walker River (Mono County) – field teams traveled to the area the last week of September 2022 to conduct field reconnaissance and data collection. Working with the State of Nevada as this will be an interstate plan with two volumes, one per either side of the state boundary.

Lower Santa Ana River (Riverside, and Orange Counties) – GRP is final and on OSPR website.

Santa Margarita River (Riverside and San Diego Counties) – GRP is final and on OSPR website.

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

OSPR staff continue to work numerous internal workgroups to review and update 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 are still virtual and on their typical meeting schedules. These meetings and all pertinent information are 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 October 19, 2022

## **Spill Management Team Program**

The spill management team (SMT) regulations went into effect on April 1, 2022, and applications for certification were due on June 30. The SMT Program has received 20 applications from external SMTs providing full or partial teams to plan holders. Thirteen external SMTs have received an interim certification, which is issued upon submission of a complete application and training plan, as well as successful completion of an unannounced exercise testing mobilization capabilities. Three external teams have achieved full certification by conducting a successful certification exercise and providing documentation of the required training and/or experience after being issued interim certifications initially. The program has received 64 plan holder applications, collectively representing ~150 facility and ~1300 vessel contingency plans. Twelve plan holder applications have been issued interim certifications. Teams will have until the end of 2025 to conduct certification exercises and achieve the training and/or experience required for full certification. The program expects the number of certification exercises to increase each year, peaking in 2025. SMTs must apply for renewal of their certifications three years after receiving a full certification, and upon renewal they must conduct a certification renewal exercise and provide documentation of qualifications for their current personnel roster at the time that certification renewal is requested.

## **Training**

In-person trainings continue as COVID restrictions have lifted throughout the state, however virtual trainings remain common as well. From April 2022 through September 2022, OSPR staff completed over 4,477 hours of training. Significant trainings included Building a Better Fieldwork Future, Microsoft Teams Video Trainings, Sexual Harassment Prevention for Supervisors, CDFW LED Pursuit Policy, Sampling Training, ICS 300, Environmental Response to Oil Spills, HAZWOPER Refreshers, and Inland Oil Spill Response.

In April 2022, OSPR hosted sampling training for the Northern FRT. Similar courses will be scheduled for the other FRTs during the remainder of the year. In May 2022, OSPR hosted Inland Spill Response training with the Whitewater Rescue Institute, a national leader in quick water oil spill response methods and water safety. Approximately 20 OSPR staff attended, and the training was held at Discovery Park at the American River and Sacramento River confluence. Topics covered in the course included boom design, deployment techniques, boat handling and boom towing, among others. OSPR also hosted an ICS 300 course in May in collaboration with Captain Michael Kirschner from CDFW Law Enforcement.

OSPR and NOAA's annual Environmental Response to Oil Spills (EROS) course was held in June 2022 and was hosted as a hybrid virtual/in-person format. Lectures and activities were held virtually over three days and were followed by an in-person field day in each of OSPR's FRT regions to accommodate smaller group sizes and limit travel. Approximately 60 people attended the course from OSPR, CDFW Reserves, USCG, OSROs, industry, local government agencies, and NGOs. The next course is tentatively planned for the spring of 2023 and is anticipated to be in person.

Finally, OSPR hosted an oil spill response training in September for CalGEM field staff that addressed how to manage oil spills observed during inspections or when accidents occur during abandonment of defunct operators. Instructors from OSPR and CalOES covered notification requirements, how to manage a response under the Incident Command System, and information about contracting with Oil Spill Response Organizations for cleanup. The training was recorded to be used for training new staff in the future.

Other significant updates include Jenna Driscoll transitioning to the OSPR Liaison Officer position on July 1, and Mia Roberts assuming the Training Coordinator role on September 15. The new Training Coordinator will continue to work with managers and supervisors to outline required and recommended trainings for each classification. Quarterly training reports were provided to supervisors to outline training completed by their staff in the second quarter of 2022. Annual reports will continue to be distributed semi-annually.

### **Certificates of Financial Responsibility (COFR) April 2022 - September 2022**

#### Vessel and Facility COFR Certificates

Tank	New: 307 Renewal: 720
Non-Tank	New: 739 Renewal: 452
Facilities	New: 33 Renewal: 258

COFR Unit staff are receiving and responding to an increase in new non-tank applications and an increase in new Facilities applications over the last two quarters. Staff have been cross-training and assisting each other across 'desks' to insure timely response to inquiries and processing of applications. The increased rate of non-tank applications is expected to continue, while ports remain congested.

## **Update on the CCC Oil Spill Program's Activities April 27, 2022, to October 12, 2022**

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

### **Meetings**

Commission staff attended the following meetings via Zoom or Teams:

**Ten Harbor Safety Committee ("HSC")** meetings: three Humboldt HSC meeting (5/19, 7/21, and 9/15); two SF HSC meetings (9/8); two Port Hueneme HSC meeting (5/5 and 8/4); one LA/LB HSC meeting (10/5) and three San Diego HSC meetings (5/25, 7/6, and 9/28).

**Tank barge Monterey Bay** - on June 20, 2022, there was an allision involving the tank barge Monterey Bay and the south jetty of the Humboldt Bay channel. Following an OSPR investigation, a tugboat to tank barge tethering technique called the "Slip Line" emerged. According to OSPR, the use of the Slip Line technique may have prevented the allision from happening. It is believed that this technique could potentially be an added tool for tugboats engaged in escorting activities. In a letter from the OSPR Administrator, the Humboldt Bay HSC has been directed to discuss the Slip Line technique and conceivably adopt it as a Best Maritime Practice of the Humboldt Bay Harbor Safety Plan.

Updates to all Harbor Safety Plans are continuous and ongoing. Annual HSP updates are submitted to the OSPR Administrator.

**Ten Area Committee ("AC")** meetings: three North Coast AC meetings (5/19, 7/21, and 9/15); one SFBD AC meeting (8/9); one Central Coast AC meetings (7/21); two LA/LB AC meetings (6/9 and 9/22); and two SD AC meeting (5/10 and 8/10).

Updates to the Area Plans are continuous and ongoing.

**Statewide Area Committee/RRT9 Quarterly meetings:** 7/12 -7/13.

**BP Shipping Long Beach WCD Exercise:** 9/13 – 9/14.

### **Oil Spill Incidents**

Amplify Pipeline P00547 Incident – OS program staff participated as the Coastal Commission's Agency Representative for this incident. CCC staff continues to coordinate with agency partners on the NRDA process.

DCOR Pipeline 0910 Incident – OS program staff participated as the Coastal Commission's Agency Representative for this incident. DCOR has submitted an after-the-fact Coastal Development Permit application to the Coastal Commission for the repair work in State waters (temporary and permanent clamps). Commission staff is coordinating with the State Lands Commission and Fire Marshall on the pipeline repairs. A public hearing in front of the CCC on the repair clamps will be held in the future.

### **New Legislation/Regulations:**

CCC staff is tracking some of the post-Huntington Beach spill bills (e.g., AB 1611 – Anchor Drags; and AB 1658 – Notice of Spills Impacting State Waters).

# San Francisco Bay Conservation and Development Commission's Report to the Technical Advisory Committee

*Cody Aichele-Rothman*

## **SF Harbor Safety Committee**

BCDC participated in the April - September 2022 HSC meetings. The May meeting was hybrid with an in person and Zoom option, then remote meetings were held in June and July, no meeting in August, and then hybrid again in September. The next meeting will be October 13, and it will be another hybrid meeting to be held in person at the Port of Oakland, as well as on Zoom.

In June the HSC voted to approve the updated Harbor Safety Plan, which included a new Executive Summary and compiled partner agency and work group reports for the past year.

The FY22 dredging program is underway and most bids have been awarded.

The Bay Conservation and Development Commission and staff completed the work to consider an application by the Oakland Athletics to amend the San Francisco Bay Plan (BPA 2-19) to remove the Port priority use area designation for Howard Terminal so the applicant could build the proposed Oakland Waterfront Ballpark District Project, which includes a new ballpark as well as residential and commercial uses. BCDC staff worked with the applicant and the Seaport Planning Advisory Committee to study the broad range of issues and implications across the regional seaport system. The Bay Conservation and Development Commission voted to approve the amendment at a special Commission meeting in late June. BCDC staff will now continue to consider the proposed Bay Plan Amendment 1-19, which aims to update the Seaport Plan as a whole. Continued HSC input is welcome.

San Francisco Fleet Week is this week, October 3-11, and it includes multiple planned events such as the Parade of Ships, ship tours, multiple bands, and air shows.

Capt. Korwatch will be retiring at the end of the year; the SF Marine Exchange is seeking her replacement.

NOAA has reported that the transition from raster charts to ENC's is continuing with more local raster charts scheduled to be canceled through 2025.

## **Navigation Work Group**

In May the Navigation work group met to discuss the USACE's Oakland Harbor Turning Basin Widening Study. The Navigation work group was advised to and then drafted a letter for the USACE, which the HSC voted to send in September. BCDC has their own approval process and therefore abstained from the vote. The project is expected to continue with CEQA review process and a draft EIR should become available next year.

## **Dredge Issues Work Group**

Pinole Shoal Channel should be a two-way channel but is not fully usable due to shoaling and reduced depths in some areas. The Dredge work group met, with USCG participation, to discuss the sedimentation at Pinole Shoal and future dredging plans. An emergency dredging request was submitted, but denied by the USCG.

## **Area Contingency Planning**

BCDC oil spill staff attended the statewide Area Committee in May, and the RRT IX meetings in July.

BCDC oil spill staff continues its participation on the interagency team managing the remediation of the ongoing seep near Hyde Street Pier in San Francisco. The work is being monitored and will be ongoing. Coordination responsibilities have been smoothly transferred from the EPA to the Waterboard.



## **Response and Related Activities**

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

Removal of the grounded vessel American Challenger is ongoing under Unified Command. All pollution has been removed and the vessel is being moved to shore. Additional sources of funding are needed for full removal.

In May, BCDC staff observed the Golden Eagle Exercise which was held by the Bay Area Urban Areas Security Initiative, so Bay Area jurisdictions and their partner agencies from the private sector, NGOs, as well as state and federal agencies, could come together to exercise Critical Transportation Operations, Regional Situational Awareness, Activation of the Bay Area Joint Information System, and Alert and Warning Tests. Overall it was a successful exercise.

BCDC staff attended the Effect of Oil on Wildlife conference in Long Beach at the end of September. It was an enlightening and valuable experience to learn more about international as well as regional planning, and volunteer engagement between and during incidents.

# **California State Lands Commission Oil Spill Technical Advisory Committee Report October 12, 2022**

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

The 2022-23 Enacted State Budget includes a total budget for the State Lands Commission of \$54,131,000, including an appropriation of \$15,723,000 from OSPA. The Budget includes several items specific to the Commission. The first is a \$2 million appropriation from the Environmental License Plate Fund to operate, maintain, and dredge the Bolsa Chica wetlands. This item will fund dredging work at Bolsa Chica for three years. The second is \$500,000 from the General Fund to hire a consultant to conduct a risk assessment to determine the state's liability associated with the Commission's leased premises and to establish criteria for and develop a framework for staff to calculate appropriate levels of insurance and bonding/security for its leases. The third item is a \$2,165,000 one-time General Fund appropriation to remove deteriorated infrastructure at the Crockett waterfront. The fourth item is a \$1,625,000 appropriation from the General Fund and \$2,650,000 in reimbursement authority to accept cost-sharing contributions for the preliminary plan phase of the Selby Slag Remedial Action Plan. The fifth item is a reappropriation of \$12 million that the Commission received in last year's budget to remove abandoned and derelict vessels from the Delta. This reappropriation extends the encumbrance and expenditure deadline to June 2025. And finally, the Budget includes a \$1 million appropriation to the Commission to develop a study to assess the cost of buying out the State's interest in its remaining offshore oil and gas leases. The Commission authorized staff to [solicit for consultant services](#) for this study at its August Meeting.

The Commission also received \$ 1.2 million for technical assistance to support a study of ports and other waterfront facilities as required by AB 525, Chiu, (Chapter 231, Statutes of 2021). AB 525 is intended to develop a strategic framework to facilitate offshore wind development in federal waters.

Table 1. OSPAF Historical Fund Data

Fiscal Year	Appropriation	Expenditures	Savings	Usage
MRMD	\$ 5,498,000	\$ 5,498,000	\$ -	100.0%
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	\$ 3,405,000	\$ 2,037,000	62.6%
MEPD	\$ 8,600,000	\$ 8,070,000	\$ 530,000	93.8%
<b>2020-21</b>	<b>\$ 14,042,000</b>	<b>\$ 11,475,000</b>	\$ 2,567,000	81.7%
MRMD	\$ 6,231,000	\$ 3,354,000	\$ 2,877,000	53.8%
MEPD	\$ 9,498,000	\$ 8,646,000	\$ 852,000	91.0%
<b>2021-22</b>	<b>\$ 15,729,000</b>	<b>\$ 12,000,000</b>	\$ 3,729,000	76.3%
MRMD	\$ 6,219,000	\$	\$ 6,219,000	0.0%
MEPD	\$ 9,504,000	\$	\$ 9,504,000	0.0%
<b>2022-23</b>	<b>\$ 15,723,000</b>	<b>\$ -</b>	\$ 15,723,000	0.0%

Table 2. OSPAF PYs

	19-20	20-21	21-22	22-23
<b>OSPAF PYs</b>	<b>92.9</b>	<b>92.9</b>	<b>92.9</b>	<b>92.9</b>
MRMD	28.3	28.3	28.3	28.3
MEPD	64.6	64.6	64.6	64.6
<b>State Lands Commission</b>	<b>205.4</b>	<b>210.4</b>	<b>210.4</b>	<b>248.6*</b>

\*Change due to a Salaries and Wages realignment Drill done in 2021-22

### All American Vessel Removal

The Commission removed the burned debris of the vessel All American from the Sacramento River just north of the I-80 Bridge in Sacramento County. The All American was an 85-foot-long Air-Sea Rescue vessel, a type of vessel used by the military during World War II and the Korean War to rescue downed pilots. The vessel was decommissioned in the 1970s and eventually ended up in private ownership. A homeowner used the All American to tow a large boat from Antioch to Sacramento.

On June 21, shortly after the tow, the *All American* burned at a private dock in the Sacramento River on public land under the Commission's jurisdiction and stewardship.

After the fire was extinguished, the *All American* was at threat of breaking apart and releasing residual petroleum, hazardous waste, and debris into the water. Ownership of the vessel is disputed, and no private party was identified as both responsible and able to timely remove the burned vessel. Sacramento County requested the Commission's assistance to remove and dispose of the vessel. The Commission's Executive Officer declared an emergency pursuant to the Commission's delegation of authority, entered into a contract with Lind Marine for removal and disposal, and coordinated with the Department of Toxic Substances Control to abate hazardous waste before vessel removal. Staff also began negotiating a monetary settlement with the homeowner. The Commission's contractors safely removed the *All American* from the water using a barge-mounted excavator, removing a threat to the environment, navigation, and health and safety. Several local media outlets published news reports about the vessel removal. More information is in [Staff Report 44](#).

### **Pipeline 0919/Platform Eva to Shore Pipeline**

On December 22, 2021, DCOR, LLC, a Commission lessee and operator of multiple offshore oil and gas operations, reported a sheen off the coast of Orange County. An investigation found that pipeline 0919, which transports oil from state Platform Eva to shore, was the source of the discharge. In accordance with the Commission's regulations, and at the direction of Commission staff, DCOR immediately suspended operations at Platform Eva. Under California Code of Regulations, Title 2, Section 2137, an immediate suspension of drilling and production operations is required to control pollution caused by such operations and corrective action must be taken immediately. Similarly, the lease agreement between DCOR and the Commission obligates DCOR to perform repairs and maintenance as required to maintain the premises and improvements in good order and repair and safe condition. Staff has worked closely with other regulators, including OSPR and the State Fire Marshall, throughout the initial spill response, including identification and repair of the damaged portion of the pipeline.

Platform Eva and pipeline 0919 continue to remain shut-in. Additional pipeline internal and external corrosion survey inspections are being conducted and analyzed. DCOR is currently exploring options for repair/replacement of this pipeline, in consultation with Commission staff and the State Fire Marshall, and subject to regulatory review and approval.

### **Staffing**

The Commission will be recruiting for one (1) Marine Safety Supervisor, and several field staff positions later this year. 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 1 through June 30, 2022, staff monitored 26 percent of oil transfers (656 of 2,544 transfers) conducted at marine oil terminals (MOTs) in California. During this same period, 332,927,394 barrels of product were transferred at MOTs in California. Each barrel is 42 gallons. Spills directly resulting from oil transfers during this time was just 1 barrel, or 42 gallons. This is approximately 0.000003 percent of all barrels transferred. In the same time frame, staff conducted 34 spot and annual inspections at MOTs.

### **Regulations Update**

Staff continues to work on 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)**

Commission staff reviewed multiple MOTEMS audit reports, designs, drawings, and inspections-related submittals from all 35 MOTs in California. Overall, MOTs in California continue to make substantial progress towards full MOTEMS compliance. Engineering and operations staff have also been working with one proposed renewable fuels terminal in the Port of Stockton as well as reviewing the EIR's for the retooling of two bay area refineries to process renewable fuels.

## **Prevention First Symposium**

Prevention First has been cancelled for 2022 due to the uncertainty of the COVID-19 pandemic. Staff continues to explore options to host this important symposium in Fall 2023.

## **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, four manmade islands, and their related offshore pipelines. These facilities also include 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 on a monthly basis.

Although the wells on Platform Holly are shut in and in the process of being abandoned, monthly inspection of life 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.

The Safety Audit Team began fieldwork on DCOR's Platform Eva in June 2021.

A third party electrical contractor began an electrical power distribution system evaluation in June 2022. The team is in the process of integrating the electrical contractor's work, and finalizing the action item matrix and the safety audit report. DCOR has made substantial progress on correcting identified issues.

The Safety Audit Team began fieldwork on DCOR's Platform Esther in August 2022. Upon completion of the separate safety audit reports of DCOR's Platform Eva, Esther, and Ft. Apache onshore processing facility, the Safety Audit Team will perform a Safety Assessment of Management Systems evaluation of DCOR's process safety management practices.

## **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 2022 Commission staff completed the following:

Witnessed and documented Spill Drills for:

- CRC – Platform Emmy Boom Drill.
- CRC – BSEE Surprise Tabletop Drill.
- DCOR – Platform EVA Boom Drill.
- DCOR – Platform Esther Boom Drill.

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

- CRC – Platform Emmy Pipelines Span Rectification Project.

Reviewed and documented the following Smart Pig (In-line Inspection) pipeline reports

- CSLC - Platform Holly 6" Oil Line MFL Smart Pig.
- CSLC - Platform Holly 6" Gas Pipeline MFL Smart Pig.
- DCOR – Platform Eva – reviewed Root Cause Analysis for December 2021 pipeline failure.

Reviewed and documented the following pipeline hydrotesting reports

- CRC – Platform Emmy – 4" High Pressure Gas Pipeline Hydrotest.
- CRC – Platform Emmy – 3" Low Pressure Gas Pipeline Hydrotest.

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

Commission engineers continue to review and evaluate the structural adequacy for all platforms, causeways, and piers associated with the State offshore oil operations. Our engineers have reviewed the offshore platform structural inspection 2021 reports for Platforms Emmy, Eva and Esther. Staff reviewed the above water and below water survey reports for compliance / conformance with maintenance and safety requirements per API RP 2A and ASCE standards and provided engineering recommendations for the repair and maintenance work.

### **Rincon Decommissioning Project**

At its August meeting, the Commission adopted [a proposed project](#) and various alternatives, informed by the Feasibility Study, to analyze in the EIR for the Rincon Decommissioning Phase 2 Project. Phase 2 is to develop a decommissioning plan for the disposition of Rincon Island, the onshore facility, and the causeway. This includes the feasibility study adopted today and CEQA documentation, which is the next step following today's action. In 2017, Rincon Island Limited Partnership quitclaimed three leases back to the Commission. The Commission has been working since that time to decommission the oil and gas facilities and, in June 2021, completed plug and abandonment of 75 wells onshore and on the Island. The final Feasibility Study recommends the development of an Environmental Impact Report that focuses its analysis on partial removal. The Commission's action is an important milestone and ushers in a new chapter for the future of the Island.

### **Platform Holly Decommissioning Projects**

Platform Holly well plug and abandonment work resumed in October 2021 after a 528-day hiatus owing to the COVID-19 pandemic. Five of the thirty wells are fully plugged and abandoned with the remaining abandonment work expected to be completed early 2023. Staff will continue to maintain and monitor the platform and onshore facilities to ensure the protection of public health and safety during the well 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 4th quarter of 2022, the Commission has successfully plugged and abandoned 4 Legacy Wells in Summerland Beach since SB44 was enacted. Staff continues to monitor and investigate remaining legacy wells off Summerland Beach.

During March 2022, dive teams performed two surveys in Summerland Beach and around Rincon well 102. The surveys revealed that two wells along the Treadwell pier, Treadwell #1 and Treadwell #5, are leaking. During the survey, small debris (from pier remnants) were removed around the wells in

preparation for future abandonment. Two additional target areas were investigated on the beach. One was determined to be a natural seep because the survey team did not find a casing or pier remnants after digging around the area. The survey team located a casing and pier remnants on the second target around the Moore pier, but no indication of leaking. The survey of Rincon subsea well 102 (located off Rincon Island) noted gas bubbles and oil droplets around the well but could not tell if they originated from the well itself.

Staff continues to monitor and investigate remaining legacy wells and seepage reports off Summerland Beach. Commission staff and its contractor, InterAct, are preparing engineering programs, cost estimates, and establishing priorities for additional well abandonments in the future, based on site conditions and program funding.



# **TAC AGENCY REPORT**

**October 2022**

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

### **General Updates**

- OSFM participated in the National Association of Pipeline Safety Representatives (NAPSR) National Meeting in Charleston, West Virginia in September
- [Rulemaking Activity: Pipeline Safety Intrastate Fees](#) – Became effective in January and was implemented July 1, 2022
- 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. The program received 50 out of 50 points for the Progress report and 95 out of 96 points for the Program Evaluation Review. OSRM is 99.6% of reaching the PHMSA goals.
- OSFM is planning to hold the 2023 Hazardous Liquid Pipeline Safety Seminar in Southern California on June 7th.
- Public Emergency Responders Initiative (PERI)- OSFM is moving the federal program forward. Goal is to provide free emergency pipeline response training to local agencies.

### **Pipeline Inspections and Activities**

- As of October 2022, OSFM has completed 263 pipeline safety inspection and 467 activity days, found 15 probable violations, and assessed \$289,620 in proposed civil penalties.

### **Significant Investigations**

- Kinder Morgan – Walnut Creek, CA: - ongoing. Report should be complete soon.
- DCOR- Huntington Beach, Ca. – Ongoing

### **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.
- 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/>
- The OSFM identified 390 pipelines subject to the CBAT regulation.
- The OSFM reviewed 390 risk analysis in the past two years.
  - 260 pipelines were exempted from the CBAT regulation per Section 2103 or were deferred from the CBAT regulation per Section 2104.
  - 130 pipelines will install the BAT by April 30, 2023.

## CA OSPR Technical Advisory Committee Meeting

### USCG Leadership:

ADM Linda Fagan – COMDT

VADM Andrew Tiongson – PACAREA

RADM Andrew Sugimoto – D11

CAPT Tim Lavier – D11 Plan/Force Readiness

CDR Ronald Caputo – D11 Prevention

CAPT Pat Dill – D11 IMD

CAPT Taylor Lam – Sector SF/FOSC

CAPT Ryan Manning – Sector LA/FOSC

CAPT Jim Spitler – Sector SD/FOSC

LCDR Trevor Siperek – D11 DRAT Supv

### RRT9:

- RRT9 – October 19, 2022: Virtual meeting (Executive Steering Committee in person, Nevada). Agenda will be posted to [www.nrt.org/rrtix](http://www.nrt.org/rrtix).
- RRT9 & Statewide Area Committee Meeting – January 18-19, 2023, In person – Southern California, Location TBD.
- USCG and USEPA Co Chairs met with each new Sector Commander, principal staff members, and lead EPA On Scene Coordinators over the past 2 months SECSF (June) SECLA&SD (Sep) to raise awareness of Regional Response Team role and responsibilities in supporting the on-scene coordinators and remedial project managers.
- A proposal was made to RRT9 to establish guidance for the use of Surface Washing Agents in Region 9 (similar to Region 2 & 6). To include pre-authorized testing and/or use of products on certain types of surfaces. ART workgroup to explore this.
- D11's new RRT9 USCG Coordinator, Mr. Ben Perry-Thistle, started in May.2023.
- [www.nrt.org/rrtix](http://www.nrt.org/rrtix)

### MEXUSPAC:

- Proposed 2023 Annual exercise activity will be an oil spill response seminar. Discussions will include planning & coordination, science of oil, mechanical recovery, ART, notification procedures; 3<sup>rd</sup> quarter 2023. SEMAR Region 2 requested JRT to hold such a format due to the many new MX agency reps within the response community.
- LT Ivan Sujail Velazquez has relieved CAP Norma Hernandez as MEXUSPAC Coordinator for SEMAR R2.

### D11 Contingency Planning:

- We are thrilled to announce CG has hired new employees to fill the following:
- D11's new Area Committee Coordinator is Mr. John Mower.
- Sector SF's new AC Coordinator is Mr. Kevin Reed.

### CA Coastal Area Committees::

- **San Francisco Area Committees (1-3):**  
Meetings: North Coast: 17 NOV; Central Coast: 13 OCT; SF Bay & Delta: 08 NOV.  
NPREP: TTX 01 Aug  
Active Workgroups: Abandoned and Derelict Vessels (ADV); Hazardous Materials (in conjunction with LEPC II); Drills & Exercises.  
ACP: Awaiting comments from Coast Guard National Review Panel.
- **Los Angeles Area Committees (4-5):**  
Meetings: 08 DEC.  
NPREP: 13-14 SEP (Worst Case Discharge – Tank Vessel)

- Active Workgroups: Pipeline Response Subcommittee: Collect and analyze After Action Reports and Lessons Learned from all stakeholders; Develop Working Groups to address Improvement Planning for the LA-LB ACP.

ACP Annual Update: 01 May 2022

- **San Diego Area Committee (6):**  
Meetings: 09 NOV.  
NPREP: FSE 15 NOV (with ACP sensitive site strategy evaluation)  
ACP Annual update: 2023 Submission to Coast Guard National Review Panel.  
Volume I: Five-year revision scheduled for 2023.  
Volume II: Draft files 9800 currently under review for updates with CDFW OSPR.  
Planned updates for SSSEP's from 2021-2022 deployments.

## Operations (Sectors):

### Sector SF

Pollution Responses received Apr - Aug 2022: 146 NRC reports, had 6 federal cases, issued 20 Letters of Warning, 1 Notice of Violation, and 0 Civil Penalties.

- M/V POLARIS: On 08JUN, an OSPR Warden notified SSF IMD of a 60' recreational vessel, in Moss Landing Harbor, that appeared derelict with 19 x 55-gallon drums on the deck containing diesel fuel with a significant amount of oily water in the bilges. SSF IMD dispatched personnel to the vessel and determined the vessel posed a substantial threat to the environment with major concerns for the vessel's seaworthiness and integrity of the wooden hull. An Administrative Order was issued to the owner to formulate a plan for pollution removal by 30JUN. The owner failed to meet the order, therefore, SSF IMD used the OSLTF to mitigate the threat. Parker Diving and Salvage was contracted to tow the vessel to Moss Landing Boat Works, on 07JUL, to conduct pollution removal. The tow and pollution removal operations were successful.
- Tug Vessel STANDARD NO. 2: On 11JUL, SSF IMD opened the OSLTF for the Tug STANDARD NO. 2, an abandoned and derelict vessel (ADV) in Sevenmile Slough, Isleton, CA. IMD was asked by California State Lands Commission (SLC) to conduct the pollution assessment and removal prior to final disposition. SSF IMD used the OSLTF and contracted with Lind Marine who arrived on 12JUL to conduct a pollution assessment. The pollution assessment discovered oily waste in the engine room bilges and crank shaft and posed a substantial threat to the environment. On 14JUL NRCES subcontracted by Lind Marine removed 540 gallons of oily waste and transferred the case back to SLC for final disposition of the vessel.
- Fishing Vessel AMERICAN CHALLENGER (update): On 02SEP22 Global Diving and Salvage completed all demobilization operations. Property walkthroughs were conducted at both staging areas, and SSF IMD is currently working with DOL-92 on road repairs leading out to the bluff as per the owner's request. Over the last 18 months 53,070 lbs of material was successfully removed from the vessel and all currently accessible oil pollution has been removed. With this phase of the response concluded, the Unified Command will transition to a group of coordinating agencies that will seek additional funding to address the remaining threats of pollution, marine debris, and habitat degradation to the marine environment posed by the vessel.

### Sector LA/LB

Pollution Responses received Apr - Aug 2022: 103 NRC reports, had 0 federal cases, issued 22 Letters of Warning, 0 Notice of Violation, and 0 Civil Penalties.

- UCN 22-197 Motor Yacht ZEPHYR: On July 13, 2022, the 52' moto yacht ZEPHYR caught fire near Catalina Island due to an equipment failure after the operator started the onboard

generator. Baywatch Avalon towed the vessel 50 yds offshore so local agencies could conduct firefighting operations. Once extinguished, the vessel was partially submerged with approximately 400 gallons of diesel onboard. Local commercial salvage sent divers down to secure the pollution source. On July 14th, a CG helicopter reported the vessel was fully submerged and sheening. On July 15th, Catalina Towboat utilized airbags to refloat the vessel and towed 300 yards to Catalina Boat Ramp where defueling operations were completed.

## **Sector SD**

Pollution Responses received Apr - Aug 2022: 123 NRC reports, had 02 federal cases, issued 07 Letters of Warning, 01 Notice of Violation, and 0 Civil Penalties.

- A22027 (P/C SANITY): On 12APR22, SSD IMD received a report that the 30' P/C SANITY ran aground at Lo Jolla Shores. With no known RP and an estimated 200 gallons of pollution potential, Sector SSD IMD used the OSLTF and contracted Patriot Environmental Services. Contractor successfully removed 20-gallons of gasoline & water mixture, 03 fire extinguishers & 03 batteries.
- A22033 (HAWKEYE): On 04AUG22, SSD IMD received a report of a sunken vessel HAWKEYE off the coast of Point Loma. The vessel discharged an oily sheen and estimated to have 200 gallons of diesel fuel. Vessel was estimated to have sunk at a water depth of about 100 ft. SSD used the OSLTF on 04AUG and contracted NRC US Ecology. Contractor conducted offshore booming and skimming, resulting in 08 barrels (336 gallons) of oily material recovered.

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

- DRAT is planning a US NAVY SUPSALV oil spill equipment deployment on a CG Buoy Tender (CGC ALDER) in Port Hueneme sometime in May of 2023. Using US NAVY SUPSALV oil spill equipment (Current Busters) for oil spill response is the future model for the CG. This is because the Spilled Oil Recovery Systems (SORS) has been removed from CG Buoy Tenders.
- DRAT has received an approved contract and has purchased an emergency vessel towing system that is capable of towing vessels greater than 50,000 dwt. Estimated arrival of the equipment is around November of 2022. The system will be stored at CG Air Station Sacramento to enable rapid deployment via aircraft to different ports along the California coast. DRAT will be working on developing instructions covering best practices, training, & maintenance for the system. Additionally, DRAT is planning to conduct an exercise to deploy and test the system sometime in FY23.
- Government Initiated Unannounced Exercises (GIUEs): D11 Sectors have completed 100% of the required GIUEs for FY22. The Coast Guard continues to invite partner agencies to all CG GIUEs so that industry receives credit from each of the participating agencies.
- Starting in October of 2022 the DRAT will begin planning to host a salvage and marine firefighting course for CG personnel and partner agencies in FY23. Tentative location is LA/LB.
- DRAT attended an MSRC aerial dispersant training in Moses Lake, WA in September of 2022. The training covered dispersant policies/program, a tour of MSRC's Boeing 737 dispersant aircraft, explanation of aircraft capabilities, and a training flight.
- 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>

## OSPR REGULATIONS & LEGISLATIVE UPDATE

(as of October 5, 2022)

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

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

Harmonization of the marine and inland D&E regulations into one section.

- Approved by the Office of Administrative Law (OAL): September 29, 2022
- Effective date: January 1, 2023
- Rulemaking details and documents at - <https://wildlife.ca.gov/OSPR/Legal/Rulemakings/Drills-Exercises>

#### General Provisions

Consolidation of general provisions applicable to all OSPR regulations into one chapter.

- Approved by the Office of Administrative Law (OAL): July 5, 2022
- Effective date: October 1, 2022
- Rulemaking details and documents at - <https://wildlife.ca.gov/OSPR/Legal/Rulemakings/General-Provisions>

#### Renewable Fuels

A.B. 148 (Stats. 2021, ch. 115) expanded OSPR's authority to address spills of renewable fuels including prevention, preparedness, and response measures, and the authority to collect a fee from handlers of renewable fuels.

- In development phase
- A regulatory advisory group was established consisting of subject matter experts with key agencies and industry representatives to provide input and guidance towards the development of draft regulatory language for the State of California.
- Initial kick-off meeting held in July; next meeting mid-November.

#### Non-Floating Oil (NFO)

A.B. 936 (Stats. 2019, ch. 770) requires OSPR to implement regulations addressing response to spills of NFO by Jan 1, 2023.

- Formal rulemaking commenced July 1, 2022
- Public comment periods closed September 6, 2022
- Final rulemaking package to be submitted to OAL within the week
- Rulemaking details and documents at - <https://wildlife.ca.gov/OSPR/Legal/Rulemakings/Non-Floating-Oil>

#### Articulated Tug Barge

Regulatory 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

- Regulatory Timeline: Commencement of formal rulemaking anticipated in first quarter 2023.

## **LEGISLATION**

The following provides an update of these bills since the last TAC meeting on April 27, 2022.

### **AB 1611 – Submerged Oil Pipelines**

Introduced by Assembly Member Davies on 1/5/22, last amended on 6/15/22, this bill would require a vessel operator to immediately report to OES any potential casualty in an anchorage designated as proximate to a submerged pipeline zone, among other provisions.

Status: Died in committee.

### **AB 1657 – Reporting Spills to Waters of the State**

Introduced by Assembly Member Nguyen on 1/14/22, last amended on 4/28/22, this bill would:

- Define "threatened discharge of oil into waters of the state" to mean a discharge by an offshore facility, including an offshore pipeline, located where an oil spill may impact state waters.
- Extend application to facilities located outside state waters.

Current law already requires a discharge of oil or threatened discharge of oil in waters of the state to be reported to OES, regardless of spill location or the type of equipment from which the discharge is released.

Status: Died in committee.

### **AB 1658 – Local Government Oil Spill Contingency Plans**

Introduced by Assembly Member Nguyen on 1/14/22, this bill would:

- Require the oil spill elements of local government hazardous materials area plans be consistent with applicable federal Area Contingency Plans as well as the coastal program, the state oil spill plan, and the National Contingency Plan
- The Legislature intends on the Local Oil Spill Response Equipment Grant Program to provide funding to Native American tribal governments, counties, cities, and special districts for oil spill response equipment.

Status: Passed; chaptered on 9/30/22

### **AB 1733 – Open Meetings (Bagley-Keene)**

Introduced by Assembly Member Quirk on 1/31/22, this bill specifies requirements for public meetings of state bodies including advisory boards, commissions, committees, subcommittees, or similar multimember advisory body, to be held by way of teleconference.

Status: Died in committee.

### **AB 1795 – Open Meetings (Bagley-Keene)**

Introduced by Assembly Member Fong on 2/7/22, this bill would allow all persons the ability to participate in state body meetings both in-person and remotely.

Status: Died in committee.

### **AB 1996 – Review of Regulations**

Introduced by Assembly Member Cooley on 2/10/22, this bill would require state agencies, by 1/1/26, to conduct a one-time review all of its regulations and reconcile any that are duplicative, overlapping, inconsistent, or out-of-date.

Status: Died in committee.

## **SB 1065 – Abandoned and Derelict Commercial Vessel (ADCV) Program**

Introduced by Senator Eggman on 2/15/22, amended 8/23/22, this bill would:

- Establish the California Abandoned and Derelict Commercial Vessel Program (ADCV) within the California State Lands Commission (SLC) to identify, prioritize, and fund the removal of ADCVs from waters of the state, in coordination with federal, state, and local agencies
- Establish the ADCV Program Fund in the State Treasury
- Establish within the Natural Resources Agency, the California Abandoned and Derelict Commercial Vessel Program Task Force responsible for oversight and providing policy direction for the program
- Require SLC, in coordination with the Task Force, to develop a plan to provide a strategic framework to facilitate and track actions to prevent or reduce ADCVs
- Define and prohibit a commercial vessel that is “at-risk” of becoming derelict from occupying, anchoring, mooring, or otherwise being secured in or on waters of the state
- Grant authority to specified peace officers to declare vessels as at-risk of becoming derelict, as defined, and enable jurisdictions to take actions to mitigate a potential problem
- Impose civil liability on violators [not less than \$1,000 and not more than \$5,000 per day; with each day a separate violation]

Status: Vetoed by the Governor.