

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

Wednesday, April 26, 2023, 10:00 a.m. – 2:30 p.m.

2825 Cordelia Road, Suite 200, Fairfield, CA 94534

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: 357335516#

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

- I. Introductions (Julie Yamamoto, 5 Min)
- II. OSPR Update (Julie Yamamoto, 10 Min)
- III. Pipeline P00547 Incident Natural Resources Damage Assessment (Michael Anderson, 15 Min)
- IV. Agency Briefings (90 Min.)
  - A. San Francisco Bay Conservation and Development Commission – Cody Aichele
  - B. California Coastal Commission – Jonathan Bishop
  - C. California State Lands Commission - Jennifer Lucchesi
  - D. California Department of Forestry and Fire Protection – James Hosler
  - E. California Geologic Energy Management Division – Gabe Tiffany
  - F. State Water Resources Control Board – Mark Bare
  - G. National Oceanic and Atmospheric Administration – Jordan Stout
  - H. US Coast Guard – Ben Perry-Thistle
  - I. US Environmental Protection Agency – Katherine Lawrence

**LUNCH (60 Min)**

- V. Approval of minutes from last meeting (Matt Rezvani, 10 Min)
- VI. Update: TAC Letters of Support (Janell Myhre, 10 Min)
- VII. OSPR and State Lands Budget Updates (Amir Sharifi and Jennifer Lucchesi, 15 Min)
- VIII. Regulatory and Legislative Update (Christine Kluge, 15 Min)
- IX. Railroad Response (Greg McGowan, 15 Min)
- X. Railroad Representative Discussion (TAC members, 15 Min)
- XI. 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.

**Department of Fish and Wildlife  
Office of Spill Prevention and Response's  
Report to the Technical Advisory Committee  
April 26, 2023**

**EXECUTIVE BRANCH**

Verbal update provided by Administrator Yamamoto.

**OSPR LAW ENFORCEMENT BRANCH**

**October / November 2022**



22-5891: Crude Oil, Talbert Channel, Huntington Beach, Orange County. The SFRT responded to a report of sheen within the channel. A Public Works project that was adding new sheet piling along the channel shivered an old out of service pipeline which caused a burping of crude oil into the waterway. FRT members and the UC monitored the removal of the old pipeline, cleanup of oil from the channel, and ensured public safety for the adjacent community utilizing the NRVP. Cleanup was completed with no wildlife impacts observed.



22-6299: Diesel, FV Bill Ketner, Wilmington, Los Angeles County. The SFRT responded to a report of diesel sheen in the water from a partially submerged 70' wooden fishing vessel. The vessel was determined to have a 1,500-gallon potential on board with an estimated 100 gallons already released. Wildlife Officers coordinated the containment, cleanup, fuel removal, patching, and refloating of the vessel. The vessel was towed and demolished, and no wildlife impacts were observed.



22-6709: Diesel, Tanzanite Park, Natomas, Sacramento County. The NFRT responded to a reported release of diesel from a 10,000 gallon generator tank which entered a storm drain and impacted a Lake at a community park. Multiple avian species as well as several beavers were impacted. FRT members and the UC oversaw the cleanup of the lake and storm drains, coordinated with OWCN for wildlife capture and care, and ensured public safety for the immediately adjacent community.

## December 2022 / January 2023



22-7342: Diesel, F/V Speranza Marie, Santa Cruz Island, Santa Barbara County. SFRT and CFRT members responded to a large diesel fuel sheen released from a grounded 60' squid vessel with a 1,000-gallon potential. Wildlife Officers working within the UC coordinated shoreline debris removal and vessel salvage. The FRT was consistently hampered by severe weather resulting in many safety shutdowns and the OSPR LED UAS (drone) program provided invaluable reconnaissance. The vessel was removed with no observed wildlife impacts.



23-0012: Crude Oil, Toro Canyon Creek, Carpinteria, Santa Barbara County. The CFRT rang in New Years Day by responding to a crude oil release from a natural seep collection system. The heavy rains caused the underground storage tank and oil water separator to fail, causing crude oil to flow down the creek and impact road crossings. Small tar balls were observed in the ocean at the mouth of the creek. The FRT along with the UC coordinated containment measures, emptied the storage tanks to prevent further release, and conducted cleanup of the impacted roads and waterway. OWCN was activated with no impacted wildlife recovered.



23-0165: Crude Oil, Summerland Beach, Santa Barbara County. The CFRT responded to a significant crude oil sheen immediately offshore. The area had seen significant weather and there was a concern of leakage from the 200+ offshore legacy wells near the beach. OSPR Wildlife Officers monitored the situation and had cleanup crews on standby. Skimming operations resulted in limited product recovery. Lab results from multiple locations onshore and offshore of Summerland indicated the product was consistent with local natural seep oil.



23-0657: Mineral Oil, Train derailment, Tehachapi, Kern County. The CFRT responded to a derailment of seven rail cars, 6 of which were on their sides. Two tank cars, which were full of non-pcb mineral oil, rolled several hundred feet down a hillside and came to rest near a small flowing creek. Fortunately, neither car released any product. The FRT worked with the railroad and assisted in coordinating containment measures, stinging product from the tank cars, and removal.

### February/ Mid-March 2023



23-1378: Markley Cove Marina fire, Lake Berryessa, Napa County. The NFRT responded to a report of a fire on a dock which had engulfed 10 to 20 boats and jet skis. Numerous boats sank as a result and petroleum, fire suppression water, and debris entered the lake. Boom was deployed, and only light sheen was captured. The FRT monitored the cleanup and removal of the damaged vessels and floating debris. No impacts to wildlife were observed.



23-1595: Crude Oil, Chevron Pipeline, Taft, Kern County. The CFRT responded to 6 bbls of crude and 4.9 bbls of produced water released from a 2" line at a production facility. Most of the material entered a dry creek bed. The FRT monitored the placement of control measures and the removal of the spilled material from the waterway. Three Heermann's Kangaroo Rats were recovered in the spill area.



23-1803: Used Motor Oil, Elk Horn Slough, Watsonville, Santa Cruz County. Due to massive flooding from rain events, the NFRT responded to the release of an unknown black petroleum product from a landscape company shed. The sheen was spreading into a marsh ecosystem. An OSPR Wildlife

Officer confirmed there was a 500-gallon waste oil tank on the property that had approximately 100 gallons of used motor oil inside.

**Personnel:** As of April 1<sup>st</sup>, OSPR's Law Enforcement Branch has 7 statewide vacancies. We will attempt to fill these vacancies through transfers, promotions, and academy cadets. On April 30<sup>th</sup>, OSPR Captain Todd Ajari is retiring after a 25-year career with the California Department of Fish & Wildlife. Captain Ajari began his career in Ventura, moving to the San Francisco Bay Area to be part of the Department's Delta Bay Enhanced Enforcement Program. After several years within this unit, he was promoted to Lt. Supervisor within OSPR's Law Enforcement District where he covered our Northern Area of Responsibility. Capt. Ajari has been an amazing leader and mentor within OSPR and will be sorely missed. He plans on fishing more, and spending quality time with his family in Hawaii and California.

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

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

ERB HQ – No vacancies

NERB – No vacancies

CERB – One ES position filled in Bakersfield. No vacancies

SERB – No vacancies

### **PREPAREDNESS:**

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

OSPR Statewide Internal GRP Workgroup Meetings were held on 01/31/2023 and 03/28/2023.

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

##### **NERB:**

Klamath River GRP, majority of field work completed, resources at risk under development.

Lower Sacramento GRP was forwarded to OSPR internal review group.

Lower American River GRP, preparing for OSPR Liaison's American River GRP tour.

##### **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:**

West and East Walker River GRPs will be updated concurrently with the State of Nevada. Field surveys to take place again in June or July during peak snowmelt to see rivers at highwater.

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

ERB Staff attended the Statewide Area Committee/RRTIX Meetings held on 1/11/2023 and 01/12/2023 in Huntington Beach. Local staff attended in-person; others participated remotely.

#### **Sector San Francisco (ACPs 1, 2, 3)**

North Coast (ACP 1) Area Subcommittee Meetings held on 1/19 and 3/16.

San Francisco Bay & Delta (ACP 2) Area Committee Meetings held on 11/8 and 2/14.

Central Coast (ACP 3) Area Subcommittee Meetings held on 10/13, 1/19, upcoming 4/13.

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

#### **Sector Los Angeles/Long Beach (ACPs 4, 5)**

Area Committee Meeting set for 12/06/2022 was cancelled.

Area Committee Meeting held on 03/23/2023

ACP 4/5 - Starting Major Revision process for 2019.

### **Sector San Diego (ACP 6)**

ACP 6 Area Committee Meetings were held on 11/09/2022 and 02/16/2023.

ACP6 Major Revision for 2023 was completed in March and is currently under Area Committee review. Final sign-off is expected to be later this year.

#### **NFRT**

None.

#### **CFRT:**

None.

#### **SFRT**

ACP5 - Santa Ana River (5-350) was scheduled to be tested on 03/22/2023 by West Coast Environmental Solutions, however, it was postponed (likely to the Fall) by weather.

Four additional sites are scheduled to be tested in the Fall of 2023.

ACP6 - Los Penasquitos Lagoon (6-275.2) was tested on 10/25/2022 by US Ecology.

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

Three sites are scheduled to be tested in the Fall of 2023.

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

#### **NFRT**

10/13/22 - TransMontaigne Richmond  
10/19/22 - Wickland Pipeline  
10/27/22 - Phillips 66 Rodeo  
11/4/22 - Redwood Coast Fuels  
11/7/22 - Bayview ES  
11/15/22 - Chevron Eureka  
11/16/22 - Valley Pacific Petroleum  
12/7/22 - Golden Gate Ferry  
12/8/22 - Hudson Marine Management Services - CalTriVEX  
12/14/22 - Valero Benicia  
12/15/22 - Safety Kleen  
3/8/23 - ECM Maritime Services - CalTriVEX

#### **CFRT**

10/6 – E&B Resources, Poso Creek  
10/11 – Crimson  
10/18 – Freeport McMoran  
10/20 – Ally Enterprises boom deployment at Lake Ming  
10/25 – Kern Oil & Refining Co. (Kern Energy)  
11/01 – Cat Canyon  
11/18 – TracTide Marine Corp  
11/29 – Teams Operating  
12/02 – Cal NRG Ventura Basin Inland Plan  
02/09/23 – Exxon Mobile drill in Las Flores Canyon  
2/15-17/23 – CERB SCAT Exercise San Luis Obispo

#### **SFRT**

10/04/2022 - TJC CA LLC, San Pedro

10/11/2022 - South Bay Industrial Services, San Pedro  
10/12/2022 - Plains All American Pipeline, Western Pipeline Systems, Long Beach  
10/13/2022 - Phillips 66 Pipeline, Wilmington  
10/19/2022 - Valero Marine Terminal, Wilmington  
10/20/2022 - World Oil Terminal, Downey  
10/25/2022 - Pacific Tank Cleaning Services, Chula Vista  
10/26/2022 - CRC Long Beach, THUMS/Tidelands, Long Beach  
10/28/2022 - Paramount Pipeline, Paramount  
11/02/2022 - E&B Natural Resources, Long Beach  
11/04/2022 - Synergy Oil and Gas Los Alamitos, Long Beach  
11/08/2022 - Shell Oil Products Carson and So Cal Pipelines, Carson  
11/09/2022 - Beta Offshore, Virtual  
11/10/2022 - Maxum Petroleum, Rancho Dominguez  
11/15/2022 - Action Cleaning, San Diego  
11/16/2022 - Continental Maritime of San Diego, San Diego  
11/17/2022 - NASSCO/General Dynamics, San Diego  
11/30/2022 - AMMEX Tank International, National City  
12/06/2022 - Global Marine Transportation, Rancho Dominguez  
12/08/2022 - VLS Environmental Services, El Cajon  
12/09/2022 - California Marine Tank Cleaning, San Diego  
12/13/2022 - BAE Systems, San Diego  
12/14/2022 - SC Commercial, San Diego  
12/15/2022 - High Seas Fuel Dock, San Diego  
12/19/2022 - Ocean Blue Environmental Services, Long Beach  
12/20/2022 - Blackbeard Marine Services, National City  
12/21/2022 - California Fuels and Lubricants, Garden Grove  
12/22/2022 - Mesa Environmental, Signal Hill  
03/15/2023 - TJC CA LLC, San Diego  
03/29/2023 - O'Briens Response Management, Marina Del Rey

### **Shoreline Protection Table Workgroup**

Meetings were held on 10/31/2022, 11/29/2022, 01/18/2023, 01/26/2023, 02/23/2023, 03/16/2023.

### **OSPR Internal UAS Workgroup met on 02/09/2023.**

#### **Training:**

SERB staff participated in Sampling Training 12/07/2022  
HAZWOPER Refresher 01/24/2023 (CFRT), 02/07/2023 (SFRT), and 3/15/2023 (NFRT)  
SoCal Historic Properties Specialist Workshop (Select) 02/28/23 through 03/02/2023 in Carlsbad  
ERB Staff were given a virtual SCAT Coordinator Overview  
ERB Staff participated in virtual trainings and discussions of various relevant oil spill topics.  
ERB Staff continue UAV (drone piloting) practice.  
ERB staff continue monthly field SCATologue training as schedules permit.  
SERB Tarball Calibration in Palos Verdes 03/07/2023.  
Environmental Response to Oil Spills (EROS) Training Workgroup met on 10/21/2022, 11/28/2022, 01/04/2023, 02/06/2023, 03/09/2023 to plan for the next event being held May 23– 25 in Martinez, CA.

#### **RESPONSE (Selected):**

##### **NFRT**

**22-6709 Tanzanite Pond Incident** – On November 14, 2022, OSPR field team responded to a release of 6,000 gallons of red dye diesel fuel from a storage tank located at Commerce Road and Arena Blvd in the Natomas area of the City of Sacramento. The product flowed through a nearby storm drain and canal that runs along Interstate 5 and into the Tanzanite Community Park Pond. Staff from the

U.S. EPA, City of Sacramento, CDFW-OSPR and Hines (representing the RP) formed a Unified Command to manage the cleanup of the spill response and impacted wildlife. OSPR activated OWCN as part of the Wildlife Branch for the spill response. The Wildlife Branch conducted reconnaissance and captured and cared for affected wildlife including birds, mammals, reptiles, and fish. Impacted birds were treated at the San Francisco Bay Oiled Wildlife Care and Education Center and impacted beavers were treated at Sonoma County Wildlife Rescue. Fully cleaned and rehabilitated birds and beavers were released back to the environment in December and the Unified Command concluded the emergency response phase of the cleanup.

**23-1378 Lake Berryessa Boat Fire.** On February 24, 2023 the release of fuel was reported due to a fire at Markley Cove Marina in Lake Berryessa, Napa County, where a portion of dock, [as many as] 23 boats and accompanying slips had burned. OSPR ES, District Fish & Wildlife Warden, Bureau of Reclamation, Cal Fire, and Markley Cove Marina staff were on scene. No dead or oiled wildlife were observed after the initial incident and subsequent cleanup.

**23-2222 Yuba Drive Sheen-Santa Rosa Incident.** On March 27, 2023, an unknown petroleum product sheen with an unknown source was reported within a stormwater drainage ditch along Yuba Drive in Sonoma County. Lt. Kyle Hiatt reconned the site after we received the report and identified sheen in the wet portions of the channel; all visible sheen was contained with booms and absorbent pads. OSPS Caliguire was asked to come up and take samples of the visible sheen. A follow up site visit was scheduled for April 4<sup>th</sup> consisting of OSPR ES, OSPS, two OSPR wardens as well as a Sonoma County fire inspector. Source samples were unable to be taken on March 27<sup>th</sup> and April 4<sup>th</sup>; however, extensive sampling was done by OSPS Caliguire when he was allowed access to the property along with an OSPR warden on April 5<sup>th</sup>. No dead or oiled wildlife were observed after the initial and follow-up visits.

## **CFRT**

**22-7342 – F/V Speranza Marie Incident.** On December 15, 2022, a commercial fishing vessel named the Speranza Marie grounded near Chinese Harbor just offshore from Santa Cruz Island. The vessel was carrying approximately 1,000 gallons of red dyed diesel fuel and an unknown amount of hydraulic fluid at the time of grounding. The vessel also contained an estimated 16,000 lbs. of dead squid on board. All Speranza Marie's passengers were safely rescued from the vessel. UC was formed to oversee the response. OWCN was notified. Inclement weather and remoteness of the area presented numerous challenges to the responders. On January 24, 2023, the vessel was removed and placed on a barge. The UC determined the pollution threat ended at that point. The CINMS and CINPS continue to oversee salvage operations of the remaining debris left from the vessel in Chinese Harbor.

**23-0012 – Toro Canyon Creek Incident.** On January 1, 2023, at 1313 hours CFRT was informed of a spill in Carpinteria, Santa Barbara County, California by OSPR Spill Desk. According to the CalOES Report number 23-0012, the caller stated the county oil separator is not working, there is a lot of oil flowing down the Toro Canyon Creek and stated there is a storage tank on top of the hill. The caller also stated that in 20 years in the area this is the most oil they have seen flowing down from the tank. Toro Canyon Creek eventually flows into the Pacific Ocean at Loon Point, Summerland, CA. The waterway impacted by this incident is named Toro Canyon Creek. The RP for this incident was the County of Santa Barbara (COSB). OWCH was activated and CHRAR assessment for area was completed. Tribal liaison activated. Steep terrain and inclement weather limited access to portions of affected creek. On January 6, the CFRT determined cleanup to reasonable endpoints met and response was signed-off and handed over to the COSB to make repairs to the facility and mitigate any future spills.

**23-0165 – Summerland Incident.** On January 6, 2023, at 1322 hours, Harry Rabin from Heal the Ocean reported to Cal-OES report 23-0165 which noted he "believes that the pumping action of all the waves impacted a well head and is now releasing oil close to the shore and out to the sea near the North Star Wharf turning the water black." The Cal-OES report stated the sheen two-miles-long

between Lookout Park in Summerland and Sheffield Drive and Evans Avenue, in was over Santa Barbara County. OSPR formed a UC with USCG and COSB. MSRC was contracted and on-scene by dawn on January 7. CFRT responders used UAVs, helicopter overflights, intel from MSRCs vessels, shore-based observations, samples for petroleum fingerprinting, and historical data collected by CA State Lands and UCSB to identify source. It was determined the source was not a well “blowout” or anthropogenic but was consistent with Monterrey formation natural seep. OSPR wildlife reconnaissance team did not find any affected wildlife in the vicinity of the slick. NFA

## **SFRT**

**22-5891** - On 10/06/22, Reyes Construction struck an abandoned crude oil pipeline in the Talbert Channel, Huntington Beach, during sheet pile driving operations for Orange County Public Works. This resulted in the release of residual crude into the waters of the channel. The Southern Field Response Team (SFRT) was dispatched to the incident location and observed a petroleum sheen in the waters of the Talbert Channel adjacent to Indianapolis Avenue. The SFRT observed oil globules seeping from the sediment at the bottom of the channel creating small pockets of sheen on the water surface at the location of the compromised pipeline. A Unified Command was established (OSPR/EPA/OCPW) and Patriot Environmental (OSRO) deployed boom, pom poms and a box skimmer to contain and remove the oil from the waters of the channel from 10/6 through 11/2. On 10/27, following the UC's plan approval, Reyes used a front-end loader to remove the pipeline from the channel. Clean-up endpoints were met and sign-off was completed on 11/3.

**22-6299** On the evening of 24 October 2022, the OSPR Southern Field Response Team responded to a report of a sunken vessel in Fish Harbor at the Port of Los Angeles. The FV BILL KETTNER, a 75-ft wooden hulled vessel, sank at Berth 268D and released an unknown volume of red-dyed diesel into the surrounding environment. The USCG federalized the response. Vessel salvage and pollution removal activities concluded on 28 October. There were no observed impacts to wildlife from the spill or subsequent cleanup operations.

**23-2228:** An iron ore rail car derailment on Union Pacific rail line near Kelso, San Bernadino County. 5,000 gallons of diesel released from (2) Locomotives into the dry Kelso wash and fifty-five rail cars derailed. RP and media reports had described the spill as a minor incident. An unknown number of railcars (+55) caught on fire due to unknown reasons at this time. Contractor is on scene performing cleanup. SFRT responders are fully engaged with this response. ERB Environmental Unit Staff are working closely with National Park Service who is the lead federal agency, as well as primary resource trustee. A Desert Tortoise moving plan was developed in case they are located in the work area. Sampling plan and signoff documentation were also developed through the Environmental Unit.

## **OTHER:**

All ERB Field Staff Virtual Meetings – 11/15/2022, 01/26/2023 and 03/20/2023.

SERB - LEPC R1 Meetings held on 11/02/2022 and 12/01/2023.

SERB – LEPC R6 Meetings held on 11/03/2022 and 02/02/2023.

SERB and CERB are now using Tarball Tracking Spreadsheets to consolidate shoreline background information.

SERB - ES David Lyons completed the CDFW UAS Program in March and is certified to operate a drone.

ES Supervisors Michael Connell and Corey Kong participated in the Natural Seep Working Group Meeting on 01/31/2023.

## **LABORATORY RESPONSE UNIT**

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

Performed petroleum fingerprinting analysis to support ten different spill investigations and responses. Performed PAH and TPH analysis for two NRDA spill responses.

## **Research**

The Petroleum Chemistry Laboratory (PCL) is continuing to research appropriate tools and techniques to characterize and potentially fingerprint renewable diesel. The PCL has built a relationship with Professor Peter Vozka of California State University Los Angeles and gained his assistance in applying 2-dimensional gas chromatography (GCxGC) for differentiation of renewable diesel samples. GCxGC has been used for petroleum forensic applications for decades and based on our work with Dr. Vozka, GCxGC is proving a necessary tool for adequate characterization of renewable diesel. The PCL is looking to add GCxGC instrumentation to its analytical tool set in the upcoming fiscal year.

## **Trainings**

In conjunction with other OSPR staff, the laboratory provided sampling training for the Southern Field Response Team.

## **FINANCIAL AND ADMINISTRATIVE SERVICES BRANCH**

### **Finance**

OSPR's Budget Change Proposal was approved for \$1.25 million from the Oil Spill Prevention and Administration Fund 0320 in FY 2023-24, and \$896,000 ongoing to perform operations related to oil spill response and support.

Following Government Code Section 8670.40 (B) (i), on July 1, 2023, the fee specified in subdivision (a) will be adjusted by an amount equal to the increase or decrease in the California Consumer Price Index (CCPI) issued by the Department of Industrial Relations. The resulting fee shall be rounded to the nearest one-tenth of one cent (\$0.001) and will be increasing from **\$0.085** to **\$0.091**.

### **Cost Recovery:**

The fall and winter months were busy for OSPR with on-going spill incidents and billings. Spill incidents include Tanzanite Pond Incident (11/14/2022), Speranza Marie Grounding (12/15/2022), and Kelso Derailment (3/27/2023). The Cost Recovery Unit (CRU) continues to assist with billing for the following responses: Parr Canal/TransMontaigne (4/2/2021), Pipeline P00547 NRDA (10/1/2021) and Speranza Marie Grounding (12/15/2022).

The CRU opened 48 statewide spill cases from October 2022 through March 2023. Since October 2022, OSPR has recovered \$7,008,572.02 in response costs from 38 incidents (which includes Pipeline P00547 Response & NRDA); \$168,000 in fines and penalties from 6 incidents.

### **Procurement/Contracts:**

OSPR Procurement has had a successful year meeting deadlines and ensuring OSPR purchasing needs were met. Between the months of October and March eighty-three Purchase Orders for non-IT goods and thirteen Purchase Orders for IT goods were processed. The bulk of OSPR needs continue to be for office supplies and equipment, although there has also been an increase in safety-related purchases for OSPR's Field Response Team staff.

The Contracts team has successfully met all CDFW Business Management Branch year deadlines with many contracting requests due by February for this fiscal year (FY). In total, there were eight short form contracts, two payable agreements, one reimbursement agreement, one reimbursement agreement amendment, one payable grant amendment, and three emergency agreements for FY 22/23. In addition, staff have prepared eight short-form contracts, fifteen payable agreements, and fourteen payable grants for the upcoming FY 23/24.

**Facilities:**

Since our last update, the Los Alamitos office relocation was successfully completed. Staff previously assigned to the Los Alamitos office are now reporting to their new office in Seal Beach. Additionally, storage space for OSPR's Conex boxes, boats, and ATVs originally placed at Berth 58 were relocated to Berth 59 as the Department secured long term storage space at Berth 59.

OSPR Facilities continues to assist with building and grounds needs of all OSPR office buildings. Most recently, OSPR Facilities assisted in coordinating several repairs at multiple facilities where damage occurred due to the severe storms taking place across California.

**Fleet:**

With the return of in-person drills and off-site meetings, OSPR vehicle usage has increased. OSPR Fleet continues to set up regular maintenance services of all pool vehicles and the OSPR Command trailer, ensuring each are ready to deploy when needed. OSPR Fleet also continues to provide guidance for maintenance/repairs to field staff for all staff assigned vehicles. The bulk of the field repair needs continue to be for tires, brakes, and routine oil changes, although there has been an increase in transmission related repairs.

Between the months October and March, OSPR Fleet has surveyed one vehicle and two trailers that were delivered to the auction yard.

**Personnel Updates:**

The OSPR Cost Recovery position has been filled. Vanessa Pino transferred to us from CDFW/Law Enforcement Division. She was a previous OSPR employee. Vanessa has ICS and spill response experience. She is currently getting up to speed with spill response billing procedures. Vanessa started on November 28, 2022.

Other staff changes throughout OSPR branches include:

**Incoming:**

Zachary Floerke, RDA II, Response Technology – (10/2022); Grecia Almaguer, ES, Environmental Response – (2/2023); Danny Tham, IT Specialist I, IT Branch – (3/2023); Peter-Thien Nguyen, IT Specialist I, IT Branch – (4/2023); Dillon McMenomey, Scientific Aid, Laboratory Program – (3/2023); Kai Fitzpatrick, Scientific Aid, Laboratory Program – (3/2023); Jenny Chase, Scientific Aid, Laboratory Program – (3/2023); Alexx Contreras, Scientific Aid, Laboratory Program – (3/2023)

**Outgoing:**

Joe Mello, Captain, LED – (12/2022); Todd Van Epps, Warden, LED – (12/2022); Mindy Akins, MST, Prevention – (1/2023); Chuck DeSilva, IT Associate, IT Branch – (1/2023); Megan McWayne, Environmental Scientist, Laboratory Program – (2/2023); Emily Sunahara, SSMII, FASB – (2/2023); Andrew Benware, AGPA, Regulations – (3/2023); Gary Rasse, Warden, LED – (3/2023); Martin Amezcua, IT Associate, IT Branch – (3/2023)

**Internal transfer/promotions:**

Shawn McBride, Sr. ES (SUP), Laboratory Program – (12/2022); Ryan Hanson, Lieutenant SUP, LED – (12/2022); Nathan Mack, Sr. ES, Laboratory Program – (2/2023); Hannah Ferguson, IT Specialist I, IT Branch – (2/2023)

**PREVENTION BRANCH**

After 24 years of service, Prevention Branch Chief Ted Mar retired on December 31, 2022. The final filling date for the Prevention Branch Chief position closed on 4/9/2023. OSPR is in the process of

reviewing applications and is looking forward to holding interviews soon. The Prevention Branch recently appointed new members to serve on the Harbor Safety Committee's including Scott Humphrey who will serve as the Chair overseeing the San Francisco Bay Region. Other recently appointed members within the San Francisco Bay Region include Joe Monroe, Troy Hosmer, and Justin Taschek. OSPR would like to give thanks to those who served, and we welcome new appointees.

### **Statistics:**

November 1, 2022, - February 28, 2023

Vessel Arrivals: **2,727**

Vessel In-port: **12,843**

**Category 1** – 4 Risk Boardings: **0**

Oil/Fuel Transfer Notifications: **1,650**

Oil/Fuel Transfer Monitors: **93**

Percent of Transfers Monitored: **5.63%**

Facility Contingency Plan Verifications: **42**

Facility Contingency Plan Exemptions: **11**

Marine Outreach: **80**

Inland Outreach: **66**

Marine Oil Spill Incidents: **215**

Inland Oil Spill Incidents: **221**

Vessel Compliance Checks **23**

Drills attended: **30**

OSRO/GIUE Drills attended: **4**

### **PREPAREDNESS BRANCH**

#### **Drills and Exercises Unit (October 2022 – Mar 2023)**

##### **General Information**

The Drills and Exercises Unit (D&E) kept busy in the fourth quarter of 2022 and first quarter of 2023. There were three CalTriVEX held statewide along with an exercise in Yuma, Arizona. D&E's new harmonized regulations, section 820.1, became effective January 1, 2023. D&E hosted plan holder workshops in the northern and southern regions to highlight differences between previous and current regulations and answer any questions industry had; the third and final workshop is being held in the central region in April. D&E will be making the presentation and plan holder resources available online in early May.

##### **Total Drills and Exercises Statewide**

Total Drills and Exercises: 80

Total Equipment Deployment Drills: 7

Total Tabletop Exercises: 70

Total CalTriVEX: 3

##### **Total Drills and Exercises in Northern California**

Total Drills and Exercises: 22

Total Equipment Deployment Drills: 3

Total Tabletop Exercises: 17

Total CalTriVEX: 2

### **Total Drills and Exercises in Central California**

Total Drills and Exercises: 18

Total Equipment Deployment Drills: 1

Total Tabletop Exercises: 17

### **Total Drills and Exercises in Southern California**

Total Drills and Exercises: 40

Total Equipment Deployment Drills: 3

Total Tabletop Exercises: 36

Total CalTriVEX: 1

### **Unannounced Drill Program**

#### **OSRO Drills for (November-December 2022 & January-March 2023)**

Total Rated Marine: 9

Marine – Passed: 1

Marine – Failed: 0

Marine Modified: 0

Total Rated Inland On-water: 5

Inland On-water – Passed: 1

Inland On-water – Failed: 0

Inland On-water – Modified: 0

Total Rated Terrestrial: 28

Terrestrial – Passed: 3

Terrestrial – Failed: 0

Terrestrial Modified: 0

OSRO Ratings Withdrawn: 1

### **Oil Spill Contingency Plans:**

#### **Vessel Contingency Plans: (Oct – Dec 2022)**

Approved New Plans - 36

Approved Resubmitted Plans - 70

Vessel Revisions – 1522

Withdrawn – 36

Total Approved plans: 1270

#### **Vessel Contingency Plans: (Jan – Mar 2023)**

Approved New Plans - 28

Approved Resubmitted Plans - 46

Vessel Revisions – 1027

Withdrawn – 29

Total Approved plans: 1267

#### **Facility Plans Approved: (Oct 2022 – Mar 2023)**

Marine: 1

Marine Revisions: 3

Inland: 4

Inland Revisions: 2

Inland Exempt: 4

Total Approved: 14

Withdrawn: 5

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

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

January 31, 2023

March 28, 2023

June 27, 2023

September 26, 2023

December 12, 2023

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

TBD 2023

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

Lower Sacramento River (Shasta, Tehama, Glenn, Butte, Colusa, Sutter, Yolo, and Sacramento Counties) – Comments from OSPR Executive received. Finalizing GRP and it should be uploaded to OSPR website by end of March 2023.

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. GRP lead for Siskiyou County section working on response strategy pages.

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 are currently revising the San Diego ACP 6, which is due for public release in the summer of 2023. The draft will be available for public comment in April. Additionally, the Los Angeles/Long Beach ACPs 4 & 5 are due for a revision in 2024, and staff are beginning to update the current plan.

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. The 6 Area Committee meetings are on their typical schedules. These meetings' 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 and in-person meetings and workshops. These meetings' information is posted on OSPR's webpage (same URL as above). The next meeting is planned for July 2023.

### **Spill Management Team Program**

The spill management team (SMT) program has been underway for one year, as the regulations went into effect on April 1, 2022. The SMT Program has processed 66 plan holder applications and has issued 49 plan holder SMT certifications representing 129 facility and over 1300 vessel plans. The program has processed 21 external SMT applications and issued 17 external SMT certifications. Three

external SMTs have achieved full certifications by conducting certification exercises and providing documentation of required qualifications, and full certification has been achieved for 52 facility and 302 vessel plan holders. The SMT program has six additional certification exercises scheduled for 2023. The program expects the number of certification exercises to increase yearly, peaking in 2025. SMTs must apply for renewal of their certifications three years after receiving a full certification.

## Training

The last quarter of 2022 and first quarter of 2023 proved to be a busy time for the OSPR Training Program. OSPR staff logged approximately 4,795 total hours of training between September 2022 and March 2023. Trainings have largely shifted to in-person since the last update, but virtual and hybrid training options will continue to be part of the OSPR Training Program moving forward.

Multiple new staff have joined OSPR across the state, requiring new-employee onboarding provided by the OSPR Training Coordinator via individual training orientations. This dovetails nicely with the Training Program's efforts to continually improve OSPR's training qualifications tracking for spill response roles, which will be a high priority for the program in the first quarter of 2023 and beyond.

In addition to supporting the Drills and Exercises Unit during the new OSPR Training Coordinator's transition, the last quarter of 2022 marked the beginning of the planning effort for OSPR's annually recurring Environmental Response to Oil Spills (EROS) training. This year, EROS will be hosted fully in-person at the end of May 2023, as compared to the hybrid delivery given during the fall of 2022. OSPR will welcome 40 participants from OSPR; local, state, and federal agencies; oil spill response organizations; the oil industry; and the NGO community.

The OSPR Training Program also reassumed logistical and training support for the HAZWOPER training program in coordination with OSPR's Safety Officer, Jim McCall. This includes scheduling, managing rosters, and facilitating training modules for various HAZWOPER courses throughout the year, including seven 8-Hour HAZWOPER Refresher courses scheduled between December 2022 and June 2023. HAZWOPER training was provided to over 100 participants from OSPR and external agencies in the last two quarters.

Other trainings and efforts identified during the first quarter of 2023 that the Training Program continues to support and coordinate include: ICS 400, Building a Better Fieldwork Future (BBFF) and other workplace harassment prevention, ATV Safety Training, and First Aid/CPR training. Providing excellent customer service to both internal OSPR staff and external partners continues to be a top priority for the program.

## Certificates of Financial Responsibility (COFR) October 2022 – March 2023

Vessel and Facility COFR Certificates (Oct 1, 2022 – Dec 31, 2022)

Tank	New: 123 Renewal: 295
Non-Tank	New: 231 Renewal: 174
Facilities	New: 9 Renewal: 108

Vessel and Facility COFR Certificates (Jan 1, 2023 – March 31, 2023)

Tank	New: 180 Renewal: 399
Non-Tank	New: 243 Renewal: 239
Facilities	New: 7 Renewal: 127

**COFR Unit (Vessels)** Staff are in the midst of P&I season which refers to the period between Jan 24 and April 7. On Feb 20, each year, P&I insurance (pollution) expires for over 95% of the vessels (Tank and NonTank) in the database. A renewal document must be reviewed and updated in the database for over 7000 vessels in a 6-week period.

This task overlays the normal Desk workload, which has increased over last quarter.

**COFR Unit (Facilities)** Beginning to receive Self-Insurance submittals from plan holders who use that form of evidence of financial responsibility. 30% of Facilities COFR certificate holders use self-insurance. These are generally large corporations.

90% of Self-insurance submittals are due March 31 (90 days after end of fiscal year) and must be processed within 30 days of receipt.

Workload slightly increased over the last quarter.

## **LEGAL BRANCH**

The OSPR Legal Branch is currently handling 86 active cases in addition to the routine legal matters and legal guidance and counsel provided to the OSPR leadership and other branches. A significant case that has been resolved since the last TAC meeting is:

### **US, People of the State of California ex rel. CDFW v. HVI Cat Canyon, Inc., f/k/a Greka Oil and Gas, Inc.**

HVI Cat Canyon, formerly known as Greka Oil and Gas Inc., was a small oil production company operating several fields in Santa Maria since 1999. In June of 2011, the State (CDFW & Central Regional Water Board) joined forces with the United States EPA in a federal court action seeking response costs, natural resource damages, penalties, and injunctive relief from HVI Cat Canyon related to inland oil spills which occurred between 2005 and 2010.

In addition to the normal litigation delays, a series of motions and delays by the defendant and the related response filings and review by a Special Master appointed by the court delayed the start of trial multiple times. Trial was held in October 2018 and due to court backlog and other factors a decision on this case was delayed. In the interim, HVI Cat Canyon filed for bankruptcy. In October of 2019, the bankruptcy court appointed a trustee to take control of HVI's operations and finances.

On February 25, 2023, the US District Court issued a "Findings of Fact and Conclusions of Law" as required in a bench trial under the Federal Rules of Civil Procedure. Final Judgment was entered on March 2 based on these findings. The court stated that the spills were a result of HVI's "gross negligence" and ordered the following:

HVI is liable to the United States for \$40,000,000 under the Clean Water Act;  
\$15,000,000 for violation of Environmental Protection Agency regulations; and  
\$2,486,881.77 for violation of the Oil Pollution Act.  
Total Federal Liability **\$57,486,881.77.**

HVI is liable to the State of California for \$7,054,446 for violation of Water Code sec 13350  
\$650,000 for violation of Fish and Game Codes sec 5650 and 5650.1;  
\$73,365 for violation of Fish and Game Code sec 12016; and  
\$123,163.60 for violation of Fish and Game Code sec. 13013.  
Total State liability **\$7,902,974.60.**

## **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)  
Safety

## **News and Administration**

**10<sup>th</sup> Biennial OSPR/Chevron Spill Response Technology Workshop** - Representation from at least five nations; numerous states and provinces, multiple energy companies; ten universities, and more than twenty-five private companies. The four day event in Tiburon, CA included a training day for people new to oil spills and oil spill response, two days of lecture presentations, and one day of field demonstrations. Approximately 150 registrants per day with approximately 1/3 in person and 2/3 online.

## **Staffing**

New Hires: RDA II (Zack Floerke), GIS RDS II (offer pending), GIS RDS I (interviewing)  
New Wildlife Coordinator Position – Jennie Hawkins – Based in Central Valley supporting wildlife response statewide with emphasis on Central Valley oilfields  
New Position Posted – Statewide Fisheries Closure Coordinator – Position Advertised  
Preparing to advertise Sr. IH position for Safety.

## **Applied Response Technology and Best Achievable Technology**

**OSPR / Chevron - 10<sup>th</sup> Bi-Annual Oil Spill Response Technology Workshop** – Highly successful event integrated industry, agencies, NGOs, responders, and technology development companies.

**Oil Spill Cleanup Agents (OSCA)** – Continuing product review (sorbent), proposing modest regulatory changes (in development with OSPR Legal and Regulations support)

**Drills and Exercises** – Participation in drills remotely and in person

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

*Multiple Significant Field Responses* – Tanzanite (including beavers), Toro Cyn (frogs), Ventura Mystery Event (birds), Summerland, Chevron Oilfield (finches), Marathon Refinery (river otters), among others.

*Filled new position* – Wildlife Response Coordinator (Jennie Hawkins)

*Wildlife Response Plan* – Update in progress

*Wildlife Response Guidelines for FRT* – Update in progress

*Reconnaissance and Recovery Functional Guide* – Completed with OWCN

*Evidence vs. Documentation* – Completed with LED and NRDA support.

*Pipeline 00547 Follow-up* – Updates to Wildlife Recovery App completed and in progress.

*Drills and Exercises* – Remote participation in drills

*Team Coordination* - Regular (bi-monthly) meetings with OWCN

## **Fisheries Closure**

*New Position Created* – Statewide Fisheries Closure Coordinator position being advertised. Will address closure processes with OEHHA as well response considerations for fish and aquatic invertebrates.

*OSPR Website* – Updated with new Fisheries Closure information including new process flowchart.

*New Fisheries Closure Signs* – New signage designed and includes new graphics and text in five most common languages spoken in CA

*Legislative Change* – OSPR and OEHHA discussing optimization of 5654 regarding timing of closures and enforceability.

## **Geographic Information Systems**

*Spill and Drill\_Response* - Spatial Analysis and Mapping During Response Statewide

*SCATatalogue* – Programming modernization and optimization occurring for SCATatalogue. Participated in a two-day field SCAT workshop with OSPR SCAT staff.

*NRDA Field App* - Developed new field data collection application for NRDA

*Wildlife Recon\_App* - Developing new field data collection application for Wildlife Reconnaissance

*Wildlife Recover App* – Addressing optimization opportunities and lessons learned from Pipeline 00547 incident where the app got its first major stress test.

*Dashboards\_* - Developing custom dashboard templates, tools, and widgets to integrate different data sets into user controlled spatial and graphical (e.g., charts) formats to optimize information sharing and informed decision making during response.

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

*ERMA Updates* – Continual data additions to ERMA for Common Operating Picture during response.

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

## **Safety**

Updating Initial Site Safety Plan to include sexual harassment and bullying avoidance measures.

Developing phone-based app for Initial Site Safety Plan.

Incorporating harassment and bullying prevention information into HAZWOPER refresher courses, FRT meetings, and 201 and other general briefing introductions.

## **PUBLIC OUTREACH UNIT**

OSPR's Public Outreach Unit travels statewide to meet with local, state, and federal agencies as well as non-profit organizations and tribes to share funding opportunities about Area Contingency Plans, Geographic Response Plans, California's oil spill response structure, spill notification requirements, and available grants.

For FY 22/23, the Unit plans to attend the events listed below:

- San Diego OSPR Overview
- Orange County OSPR Overview
- Moss Landing Harbor Outreach (site visit includes oil spill response structure, spill notifications, response grant)
- Weaverville Fire Dept (site visit includes oil spill response structure, spill notifications, response grant)
- Noyo Harbor Refresher Boom Training (boom training in collaboration w/USCG)
- 2023 OSPR/Chevron Tech Workshop – (How to Volunteer)
- City of Eureka Refresher boom training (site visit includes oil spill response structure, spill notifications, response grant)
- Marinas & Yacht Club Workshop (May)

- Tribal Water Summit Festival (booth)
- City of Huntington Beach Fire Dept Refresher Boom Training (boom training in collaboration w/USCG)
- City of Newport Harbor: Refresher Boom Training (boom training in collaboration w/USCG)
- EROS Field Day (make up) in Santa Barbara County
- East Bay Region Park District Refresher Boom Training (boom training in collaboration w/USCG)
- Monterey Bay Fire Dept: Refresher Boom Training (boom training in collaboration w/USCG)

### **Response Equipment Grants**

OSPR provides funding to cities, counties, special districts, and tribes for the acquisition of oil spill response equipment.

For FY 22/23, OSPR has awarded \$235,000 in grants to the following recipients:

- Buena Vista Rancheria: \$35,000
- South Lake Tahoe Fire: \$35,000
- Weaverville Fire Dept: \$35,000
- Marin County Fire Dept: \$45,000
- City of Huntington Fire: \$10,000
- City of Eureka Parks & Rec: \$5,000
- Humboldt Bay Harbor: \$10,000
- City of Newport Marina: \$5,000
- Noyo Harbor District: \$5,000
- East Bay Regional Park District: \$5,000
- Plumas County Office of Emergency Management: \$5,000
- Cher-Ae Heights Indian Community of the Trinidad Rancheria: \$5,000
- Buena Vista Rancheria of Me-Wuk Indians: \$35,000

### **Area Contingency Grants (ACP):**

The Local Government Grant Program provides grants to counties that have jurisdiction over or directly adjacent to state waters to complete, update, or revise a county-wide oil spill contingency plan. The grant also includes funding for ACP meetings, OSPR Overviews, and oil spill response related training.

For FY 22/23, OSPR has awarded \$57,500 in ACP grants to the following recipients:

- Alameda County Fire Dept: \$12,500
- City and County of SF Dept of Emergency Services: \$5,000
- Sonoma County Permit & Fire Dept: \$5,000
- Monterey County OES: \$5,000
- Marin County Sheriff's Office of Emergency Services: \$10,000
- County of Santa Barbara Fire Dept: \$10,000
- San Mateo County OES: \$10,000

## **California Coastal Commission (CCC) TAC Report - October 12, 2022, to April 26, 2023**

*Jonathan Bishop - California Coastal Commission ("CCC") Oil Spill Program Coordinator*

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

### **Administration**

Dr. Kate Huckelbridge was recently appointed to serve as the Executive Director of the California Coastal Commission. Cassidy Teufel is the new Manager in the Energy, Ocean Resources and Federal Consistency Unit.

### **Meetings**

Commission staff attended the following meetings via Zoom or Teams:

Nine Harbor Safety Committee ("HSC") meetings: three Humboldt HSC meeting (11/17, 1/19, and 3/16); two Port Hueneme HSC meeting (11/3 and 2/2); one LA/LB HSC meeting (2/1) and three San Diego HSC meetings (11/30, 1/26, and 3/29).

Updates to all Harbor Safety Plans are continuous and ongoing. Humboldt HSC completed the SB 414 emergency tug/tow capability report and has sent a copy to the OSPR Administrator for review. The report will be incorporated into the HUM HSP.

Tug-to-tank BMPs – On June 20, 2022, there was an allision involving the tank barge Monterey Bay and the south jetty of the Humboldt Bay channel. 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. Two special meetings have been held to discuss tug-to-tank BMPs: 12/12/22 and 4/17/23.

Seven Area Committee ("AC") meetings: three North Coast AC meetings (11/17, 1/19, and 3/16); one SFBD AC meeting (11/9); one Central Coast AC meetings (4/13); one LA/LB AC (3/23); and one SD AC meeting (11/9).

Updates to the Area Plans are ongoing. The next area plan to be reviewed/updated will be the San Diego Area Plan.

### **Other meetings include:**

Statewide Area Committee/RRT9 Quarterly meetings: 10/19/22 and 1/12/23.

BC/States Oil Spill Task Force Annual Meeting (Teams): 11/2/22

OSPR TAC meetings: 1/19/23 - review of Biennial Report recommendations; 2/9/23- letters submitted by TAC to the legislature.

DWIG - Platform Decommissioning Workgroup: 3/14/23

OSPR/Chevron Technology Workshop: 3/27 – 3/30

### **Oil Spill Incidents**

Amplify Pipeline P00547 Incident – OS program staff continues to coordinate with OSPR and other trustee agencies in the NRDA process. OS program staff participated in the virtual public meetings on January 25, 2023, and will continue to track and coordinate with agencies on potential future restoration projects.

DCOR Pipeline 0910 Incident – On March 9, 2023, the California Coastal Commission approved for DCOR, LLC Coastal Development Permit No. 9-22-0219 for development consisting of: after-the-fact authorization to install repair clamps to seal an oil leak on an 8-inch diameter offshore pipeline (Line

0919), including associated mobilization, inspection, and seafloor work. Included was a proposal by DCOR to submit \$200,000 to the Violation Remediation Account to address alleged liabilities under the Coastal Act.

Mission Hospital Laguna Beach – On April 13, 2023, the Coastal Commission approved for Mission Hospital in Laguna Beach a Coastal Development Permit Waiver No. 9-23-0281-W, to permanently authorize emergency diesel fuel spill cleanup work previously conducted under emergency permits, including equipment mobilization and the removal and backfill of approximately 445 cubic yards of diesel fuel contaminated beach sand from Totuava Beach, City of Laguna Beach. To restore the site to pre-development conditions the removed sand was replaced with clean sand of similar composition and characteristics (e.g., quantity, grain size, color, etc.) as the native beach sand.



### **New Legislation/Regulations**

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

**California State Lands Commission**  
**Oil Spill Technical Advisory Committee Report**  
**April 26, 2023**

**State Budget/Commission Budget/OSPAF**

On January 10, 2023, the Governor released his proposal for the State's budget for the 2023-24 fiscal year. This includes a total budget for the State Lands Commission of \$53,277,000, with an appropriation of \$16,438,000 from OSPA. The Governor's Budget includes one budget change proposal (BCP) submitted by the Commission for a one-time General Fund appropriation of \$3,660,000 to secure a caretaker to monitor Platform Holly. The caretaker will monitor, inspect, and promptly respond to conditions on and around Platform Holly during the caretaker period, which occurs between the final plug and abandonment of the platform's 30 wells and the commencement of platform decommissioning.

Table 1. OSPA Historical Fund Data

Fiscal Year	Appropriation	Expenditures	Savings	Usage
MRM	\$ 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>	<b>\$ 1,194,000</b>	<b>91.6%</b>
MRM	\$ 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>	<b>\$ 202,000</b>	<b>98.6%</b>
MRM	\$ 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>	<b>\$ 2,593,000</b>	<b>83.0%</b>
MRM	\$ 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>	<b>\$ 2,567,000</b>	<b>81.7%</b>
MRM	\$ 6,237,000	\$ 3,502,000	\$ 2,735,000	56.1%
MEPD	\$ 9,511,000	\$ 9,341,000	\$ 170,000	98.2%
<b>2021-22*</b>	<b>\$ 15,748,000</b>	<b>\$ 12,843,000</b>	<b>\$ 2,905,000</b>	<b>81.6%</b>
MRM	\$ 6,219,000	\$ 2,344,735	\$ 3,874,265	37.7%
MEPD	\$ 9,504,000	\$ 3,372,022	\$ 6,131,978	35.5%
<b>2022-23**</b>	<b>\$ 15,723,000</b>	<b>\$ 5,716,757</b>	<b>\$ 10,006,243</b>	<b>36.4%</b>

\*Estimate

\*\*Expenditures are YTD, FM 06

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>103.0</b>
MRM	28.3	28.3	28.3	32.0
MEPD	64.6	64.6	64.6	71.0
<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 21-22

### **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 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 continues to explore 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 two (2) Senior Engineer Petroleum Structures positions, one (1) Marine Safety Supervisor, and several field specialist positions, later this year. These have been categorized as essential positions and are vital to maintaining our field presence and maintaining a prevention program for the protection of public health, safety, and the environment.

### **MOT Pipeline Safety and Preventative Maintenance Program**

The Marine Oil Terminal (MOT) Pipeline Preventative Maintenance Program ensures the continued operational reliability of all pipelines used for over-the-water transfers at the State's 34 Marine Oil Terminals. The Commission enforces Article 5.5 Marine Terminal Pipeline regulations and makes certain all applicable requirements and guidelines prescribed in API 570 are followed to provide the best achievable protection of the public health and safety and of the environment by using the best achievable technology in providing for marine terminal oil pipeline integrity.

### **Oil Transfer Monitoring Statistics**

From January 1 through March 31, 2023, staff monitored 32.4 percent of oil transfers (447 of 1382) conducted at marine oil terminals (MOTs) in California. During this same period, 157,938,579 barrels of product were transferred at MOTs in California. Each barrel is 42 gallons and spills directly resulting from oil transfers during this time was 10 gallons or ¼ of one barrel. Staff conducted 20 spot and annual inspections at MOTs in the same time frame.

### **Regulations Update**

Staff is preparing for rulemaking on Articles 5, 5.3, and 5.5, and Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) for the 2024 calendar year.

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

In 2022, Commission staff reviewed numerous MOTEMS audit reports, designs and evaluations, drawings, and inspection submittals from all 34 existing MOTs, 1 newly commissioned MOT, and 2 proposed MOTs in California. Overall, MOTs in California continue to make substantial progress toward full MOTEMS compliance. Engineering and operations staff have also been working on multiple renewable fuels projects at various California MOTs, and related Commission leasing and CEQA reviews.

## **Prevention First Symposium**

Prevention First has been delayed due to the uncertainty caused by the COVID-19 pandemic. Staff is in the initial planning phase to hold the next Prevention First Symposium in the fall of 2024.

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

Commission Inspectors in the Huntington Beach and Goleta field offices continued the Commission's inspection program of offshore platforms and islands and onshore drilling and production facilities. The facilities inspected comprise four offshore platforms, four manmade islands, and 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 down and in the process of being abandoned, monthly inspection of life safety and pollution prevention systems on all in-service equipment continues. Monthly inspection of all in-service equipment is also conducted on Platform Eva, which was shut down in December 2021 due to a leak in its subsea pipeline.

## **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 safety system design, maintenance, spill prevention, and 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 evaluation of the electrical power distribution system in June 2022. The Action Item matrix and Audit Report for Platform Eva were transmitted to DCOR on December 1, 2022. No priority 1 action items, 16 priority 2 action items, and 65 priority 3 action items were identified, for a total of 81 items that needed to be resolved. DCOR has corrected 13 of 16 priority 2 action items and 53 of 65 priority 3 action items as of March 30, 2023.

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 the Fort Apache onshore processing facility, the Safety Audit Team will perform a Safety Assessment of Management Systems (SAMS) evaluation of DCOR's process safety management practices. The SAMS process assesses the maturity of corporate safety management practice development and degree of integration into the workforce.

## **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 first quarter of 2023 Commission staff completed the following:

- Reviewed and documented Exxon/Mobil, Santa Ynez Unit, pipeline preservation reports for 2022.
- Monitored California Resources Corporation (CRC) performing the Platform Emmy to Shore ROV offshore right of way and pipeline survey, Huntington Beach.

- Oversaw DCOR's completion of the Platform Eva and Esther to shore diver ROW and visual pipeline survey off Orange County.
- Witnessed CRC perform a boom deployment spill drill adjacent to their facilities in the Bolsa Chica wetlands, Huntington Beach.
- CRC deferred the offshore Platform Emmy pipeline span rectification project as the winter storms re-buried all the pipelines.

### **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 2021 offshore platform structural inspection reports for Platforms Holly, 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**

Following the Commission's approval of the Feasibility Study in August 2022, the Commission's environmental consultant, Padre Associates, began preparing the Environmental Impact Report under CEQA. A Notice of Preparation was released on October 4, 2022 and was followed by a public review period and two public scoping meetings. The draft EIR is anticipated to be released for public review in the third quarter of 2023. 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.

### **Platform Holly Decommissioning Projects**

In December 2023 the Platform Holly well plug and abandonment work entered a monitoring period to allow for testing and monitoring of the plugged wells to ensure the highly poisonous Hydrogen Sulfide (H<sub>2</sub>S) bearing Monterey Shale formations were successfully sealed off on all 30 wells. That period ended in March 2023 with all wells demonstrating successful isolation from the reservoir and being cleared for conductor removal. Work to cut and pull the well conductors, effectively severing the connection between the wells at the seabed and the platform topsides is now scheduled to commence in the second quarter of 2023. Work at the Ellwood Onshore Facility which was utilized to process the H<sub>2</sub>S gas coming from the platform has now moved into a cleaning and shutdown phase where equipment will be cleaned and left in a safe condition. Staff will continue to maintain and monitor the platform and onshore facilities to ensure the protection of public health and safety during the conductor removal operations.

### **421 Piers Removal Project**

The Piers 421 removal project to decommission the two piers and caissons supporting the two decommissioned oil wells on Haskell's beach commenced in August 2022. The project proceeded on schedule with the caissons being fully removed by mid-December and the pier removals finalized at the end of February. The project is now complete and the beach has been returned to its natural state.

### **Legacy Well Remediation and Coastal Hazards Program**

On January 6, reports of an oil sheen offshore Summerland Beach were reported. OSPR and the US Coast Guard responded and ultimately stood up a Unified Command that also included the County of Santa Barbara Fire Department. The Pacific Ocean offshore Summerland Beach is an area with very active natural seeps. There are also an estimated 200 legacy wells near the beach, and while OSPR lab results indicate that the product is consistent with seep activity, it's possible that one or

more of those wells could also be a factor in creating the sheening. The wells, which were drilled in the late 1800s and early 1900s and were never properly abandoned, are believed to be relatively shallow compared to modern wells, which makes it difficult to distinguish the oil from natural seepage in the area. Additionally, unprecedented high storm surge in December 2022 and January 2023 has eroded large amounts of sand at Summerland Beach. The extreme weather and tidal activity may have been a factor in the sheening activity. The Commission, through its [Coastal Hazard and Legacy Well Remediation Program](#), continues to investigate whether one of the legacy wells is discharging petroleum. 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.

The Commission is in the process of retaining a consultant to perform seep studies consistent with SB 44. The seep studies proposed will likely require historical research and an inventory of offshore natural oil and gas seeps. The survey, study, and monitoring of oil and gas seepage (seep studies) in state waters will determine locations, rates, and other techniques to characterize oil and gas samples originating from natural seeps, as well as their environmental impacts. Staff expect to seek a consultant During FY 2023-24 to perform this work i, depending on funding availability. These studies are an essential part of the Commission's efforts to research hydrocarbon sources leaking into surrounding waters and onto the beach.

The Commission plans to re-abandon two additional offshore wells along the Treadwell Pier (Treadwell-1 and Treadwell-5) and permitting for that work is still underway. The re-abandonment approach will be similar to the approach used in the Treadwell-10 and NorthStar-815 abandonments performed in 2020, with some improvements or modifications based on lessons learned from previous operations. The abandonment approach involves driving a pipe-pile around the well, like a sleeve, and filling the pipe with cement, entombing the well. This work will occur, depending on funding availability and permitting being finalized, in August 2023. As of the 4<sup>th</sup> quarter of 2022, the Commission has successfully plugged and abandoned 4 Legacy Wells in Summerland Beach since SB44 was enacted.

**TAC AGENCY REPORT**  
**CAL FIRE - Office of the State Fire Marshal (OSFM)**  
**April 23, 2023**

General Updates

- [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. OSFM is 99.6% of reaching the PHMSA goals.
- The OSFM is holding the 2023 Hazardous Liquid Pipeline Safety Seminar in Long Beach on June 6th.
- Public Emergency Responders Initiative (PERI)- OSFM is moving the federal program forward. The goal is to provide free emergency pipeline response training to local agencies.
- The OSFM is coordinating the 2023 NAPSR Western conference, which will be held April 24- April 28 in San Diego.

Regulation Updates

- [Rulemaking Activity: Pipeline Operator Drug Testing and Enforcement Proceedings](#) – Became effective on January 1, 2023. Amendments included adopting federal drug and alcohol regulations and incorporating current federal pipeline safety enforcement proceedings into OSFM regulations. This allows OSFM additional risk-based enforcement tools such as directing pipeline operators to amend procedures, warning letters, corrective action orders, and immediate orders.

Pipeline Inspections and Activities

- In 2022, OSFM completed over 320 pipeline safety inspections, 15 investigations, 1,500 activity days, found 95 probable violations, and assessed \$321,560 in proposed civil penalties. The most cited code sections involve cathodic protection requirements, annual reporting, record keeping, valve maintenance, and failure to follow procedures.

Enforcement:

As of April 1, 2023, OSFM has identified 23 proposed violations and issued 15 Compliance Actions. The proposed violations involve operators not following their procedures, failing to perform inspections at the required intervals, and failing to submit required reports within the required time frame.

Notice of Amendment	1
Proposed Compliance Order	3
Warning Letter	10
Proposed Civil Penalty	3
	(Totaling \$34,000)
Grand Total	15

Staffing

- New Pipeline Safety Engineer (PSE) started in March and is assigned to our Sacramento office.
- Final filing date for the PSE examinations was March 2, 2023. Once the exam process is finalized, OSFM plans to advertise additional PSE positions for Long Beach, Bakersfield, Sacramento area offices.

## Significant Investigations

Kinder Morgan – Walnut Creek, CA – Completed  
DCOR- Huntington Beach, CA – Ongoing  
Kinder Morgan – Cerritos, CA – Ongoing  
Plains Pipeline – Valencia, 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.
  - Operators had until April 1, 2023 to install the Best Available Technology (BAT). Some operators requested an extension to implement their BAT due to global supply chain issues and the lead time of construction permits from various cities and counties. The OSFM reviewed their documents and acknowledged the extension request if the delay in construction was beyond their control. Periodic updates were requested via email.

**San Francisco Bay Conservation and Development Commission**  
**TAC Activity Report**  
*Cody Aichele-Rothman*

The following report covers the activities of the San Francisco Bay Conservation and Development Commission (BCDC) Oil Spill Prevention Program for the last quarter.

**SF Harbor Safety Committee**

BCDC staff has attended three San Francisco Harbor Safety Committee meetings, in January, February and March.

I attended the special TAC meetings in which we discussed and mailed the legislative letters, and discussed them with my management team at BCDC.

BCDC staff continues to attend the bi-weekly agency coordination meetings for the remediation of Hyde Pier in San Francisco.

BCDC staff also attended the RRIX meeting and the ACP-2 meetings.

I continue to monitor the incoming Warning Center Incident Reports, checking back with reports of particular concern to the Bay, and checking with other BCDC teams to see about compliance needs.

BCDC staff had a meeting with our parallel team at the California Coastal Commission, and we look forward to greater coordination moving forward.

BCDC staff also attended the **ECM Maritime Services spill drill event** in San Francisco, and virtually attended the OSPR/Chevron Technology Workshop at the end of March.



## OIL SPILL PREVENTION AND RESPONSE TECHNICAL ADVISORY COMMITTEE

### DRAFT Meeting Minutes

Wednesday, October 12, 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: 333 479 168#

*Public comments were accepted via the chat function.*

The following members were in attendance:

#### **TAC MEMBERS:**

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

#### **AGENCY REPRESENTATIVES:**

Jennifer Lucchesi - California State Lands Commission (CSLC), Jonathan Bishop - California Coastal Commission (CCC), Cody Aichele-Rothman (BCDC), James Hosler – CalFIRE, Kay Lawrence – US EPA, Benjamin Perry-Thistle – U.S. Coast Guard

#### **RECORDING SECRETARY:**

Elizabeth Vos-Widtfeldt

#### **OSPR PARTICIPANTS:**

Dr. Julie Yamamoto - Acting Administrator, Eric Milstein - Assistant Chief Counsel, Amir Sharifi - Assistant Deputy Administrator, Emily Sunahara – FASB Branch Chief, Andrew Benware - Regulations Analyst, Greg McGowan – Response Technology Branch Chief, Steve Gonzalez – OSPR Public Relations, Information Officer II

#### **ROLL CALL (MEMBERS PRESENT):**

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

Quorum present.

#### **I. INTRODUCTIONS**

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

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

**Mr. Matt Rezvani, TAC Chair**

Action: Motion to approve the TAC Minutes of April 27, 2022, 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. **AGENCY BRIEFINGS**

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

V. **REGULATORY AND LEGISLATIVE UPDATE**

**Andrew Benware, OSPR Regulations Analyst**

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

**Lunch**

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

**Emily Sunahara, Financial and Administrative Services Branch Chief, OSPR**

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

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

VII. **UPDATE ON AMERICAN CHALLENGER AND ALL AMERICAN INCIDENTS**

**Steve Gonzalez, Information Officer II, OSPR Public Relations**

VIII. **NEXT MEETING**

**Matt Rezvani, TAC Chair**

A Doodle Poll will be sent out to determine the best available dates in April 2023.

**Adjourn Meeting: 2:00 p.m.**

# FY 22/23 OSPR Budget Presentation

04.26.2023

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**  
**0320 Oil Spill Prevention and Administration Fund**  
**FUND CONDITION STATEMENT**  
(As of 4/1/2023)

		Prior Year 2021-22*	Current Year 2022-23*	YTD 2022-23*
<b>BEGINNING BALANCE</b>		\$ 6,284	\$ 23,898	
Prior year adjustments		11,110	-	-
Adjusted Beginning Balance		\$ 17,394	\$ 23,898	
<b>REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS</b>				
Revenues:				
4129200	Other Regulatory Fees	\$ 53,662	\$ 54,735	\$ 28,499
4129200	NTV Fee	\$ 8,266	\$ 5,673	\$ 3,269
4163000	Investment Income - Surplus Money Investments	\$ 129	\$ 347	\$ 99
4171100	Cost Recoveries - Other	\$ -	\$ -	\$ -
4171400	Escheat - Unclaimed Checks, Warrants, Bonds, Coupons	-	-	\$ 8
4173500	Settlement and Judgements - Other	-	-	
Transfers and Other Adjustments				
	Operating Transfer from Coronavirus Relief Fund	1		
	Operating Transfer to General Fund 001 from Oil Spill Prevention and Administration Fund per EO E 21/22-276	(1,433)		
	Operating Transfers to General Fund 001 per GC EO	(11)		
	Operating Transfers to General Fund 0001 per EO E 21/22-276 REVISED	(10)		
<b>Total Revenues, Transfers, and Other Adjustments</b>		<b>\$ 60,604</b>	<b>\$ 60,755</b>	<b>\$ 31,875</b>
<b>Total Resources</b>		<b>\$ 77,998</b>	<b>\$ 84,653</b>	<b>\$ 31,875</b>
<b>EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>				
Expenditures:				
3560	State Lands Commission (State Operations)	\$ 12,843*	\$ 16,449	\$ 5,717
3600	Department of Fish and Wildlife (State Operations)	\$ 33,437	\$ 40,278	\$ 15,101
3600	Department of Fish and Wildlife (Local Assistance)	\$ 1,007	\$ 1,341	\$ 1,080
3980	Office of Environmental Health Hazard Assessment (State Operations)	\$ 204	\$ 216	\$ -
6440	University of California (State Operations)	\$ 2,500	\$ 2,500	\$ -
7600	California Department of Tax and Fee Administration (State Operations)	\$ 357	\$ 386	\$ -
9892	Supplemental Pension Payments (State Operations)	\$ 1,067	\$ 1,067	\$ -
9900	Statewide General Administrative Expenditures (ProRata)(State Operations)	\$ 2,685	\$ 1,856	\$ -
<b>Total Expenditures and Expenditure Adjustments</b>		<b>\$ 54,100</b>	<b>\$ 64,093</b>	<b>\$ 21,898</b>
<b>FUND BALANCE</b>		\$ 23,898	\$ 20,560	
Reserve for Economic Uncertainties		\$ 23,898	\$ 20,560	

\* Estimated amount pending close of fiscal year.

\*\* Dollars in thousands. Year to Date (YTD) column is point in time expenditures. Data as of 04/01/2023 is July 2022 through December 2022.

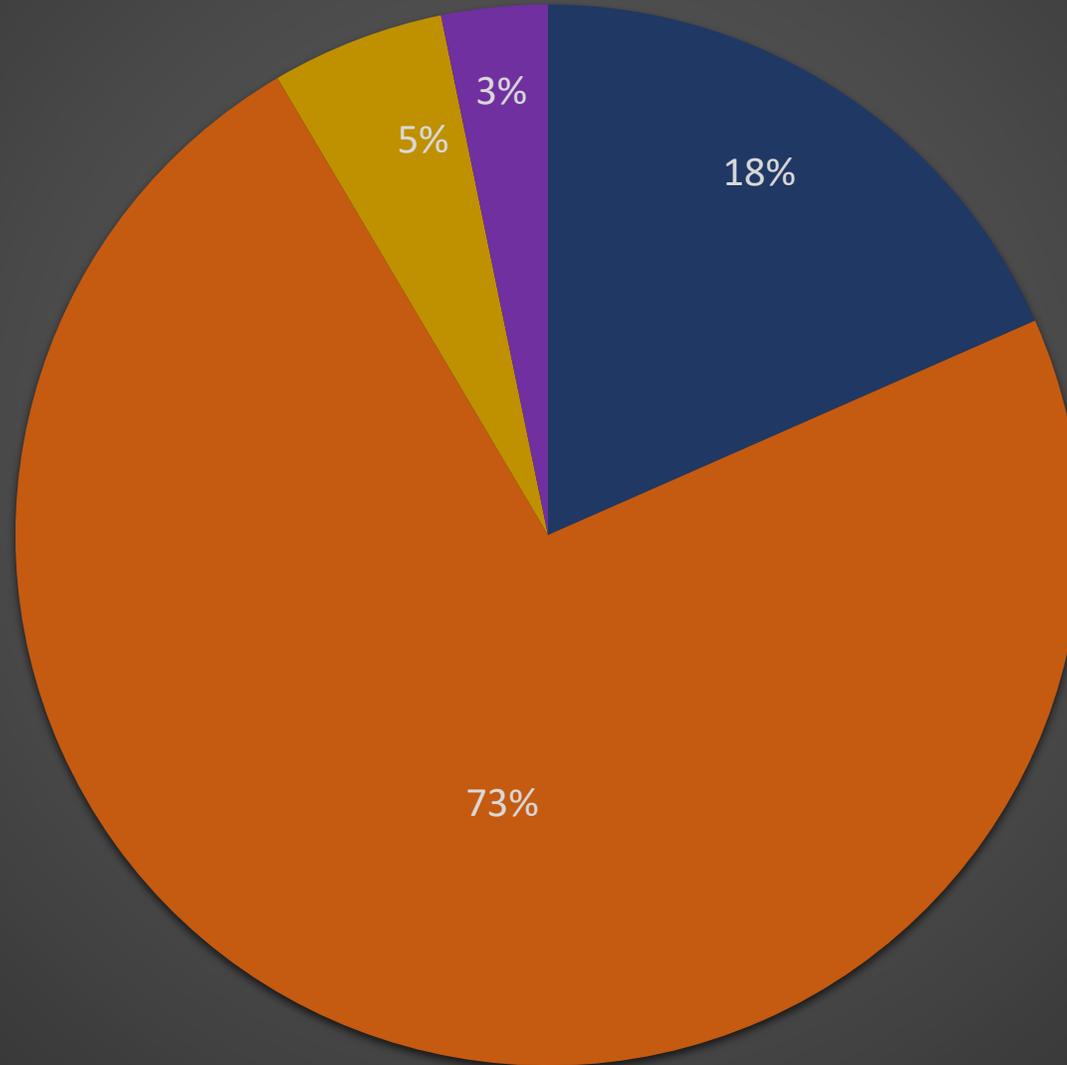
# TOTAL BUDGET BY CATEGORY

■ Administrative Overhead

■ Personal Services

■ Operating Expenses

■ Grants

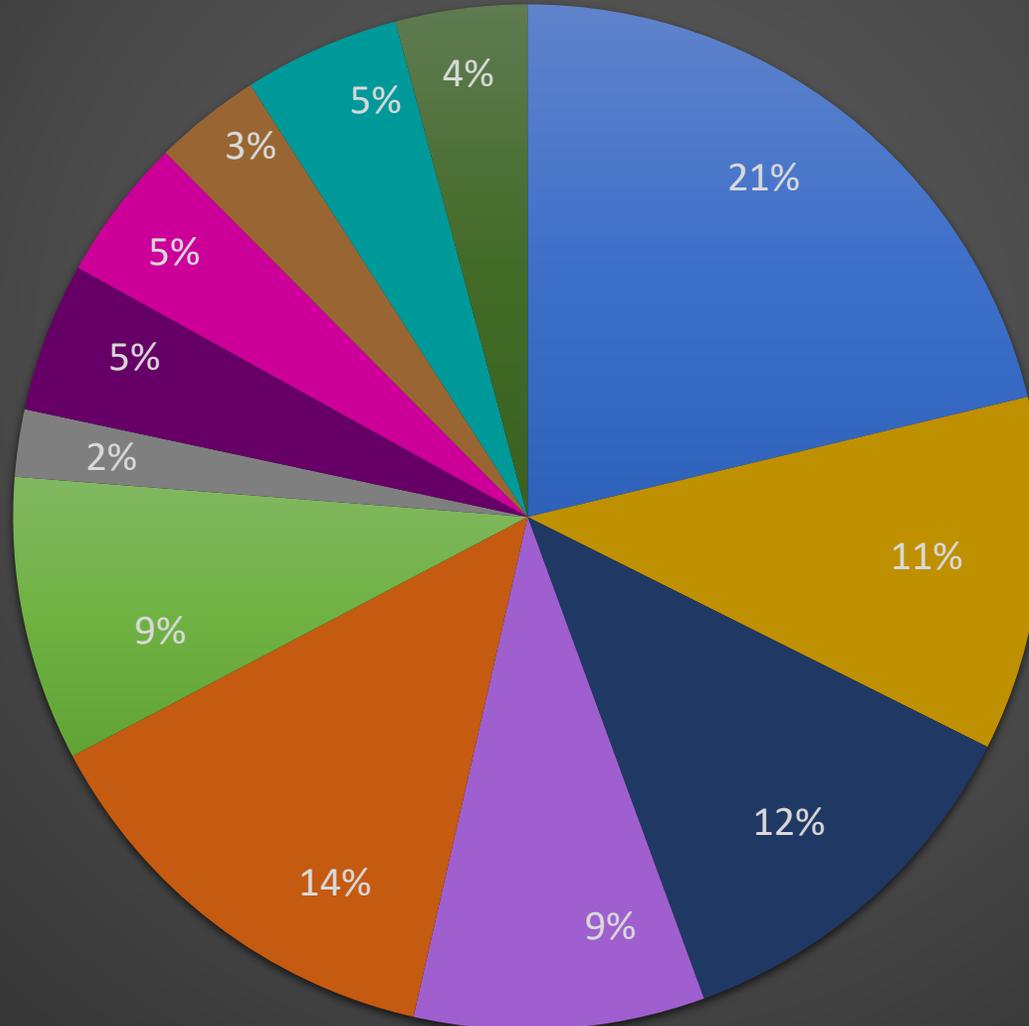


# OSPR OPERATING BUDGET BY BRANCH

■ Law Enforcement 21%  
■ Prevention 9%  
■ Laboratory 2%  
■ Public Affairs 3%

■ Response Technology 11%  
■ Environmental Response 14%  
■ Information Technology 5%  
■ Legal 5%

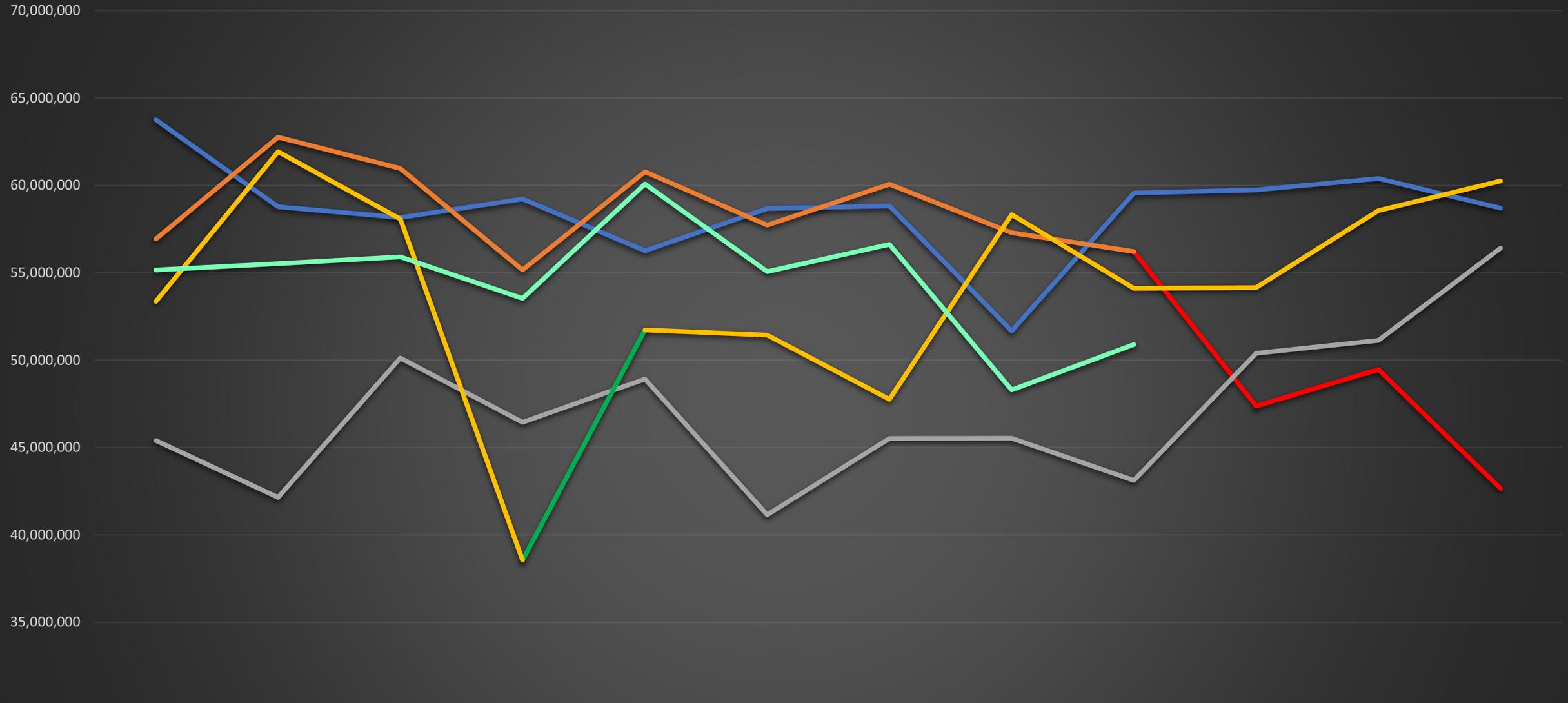
■ Preparedness 12%  
■ Financial and Administrative 9%  
■ Resource and Restoration 4%  
■ Executive 4%



# OSPAP Fee Change for Fiscal Year 23/24

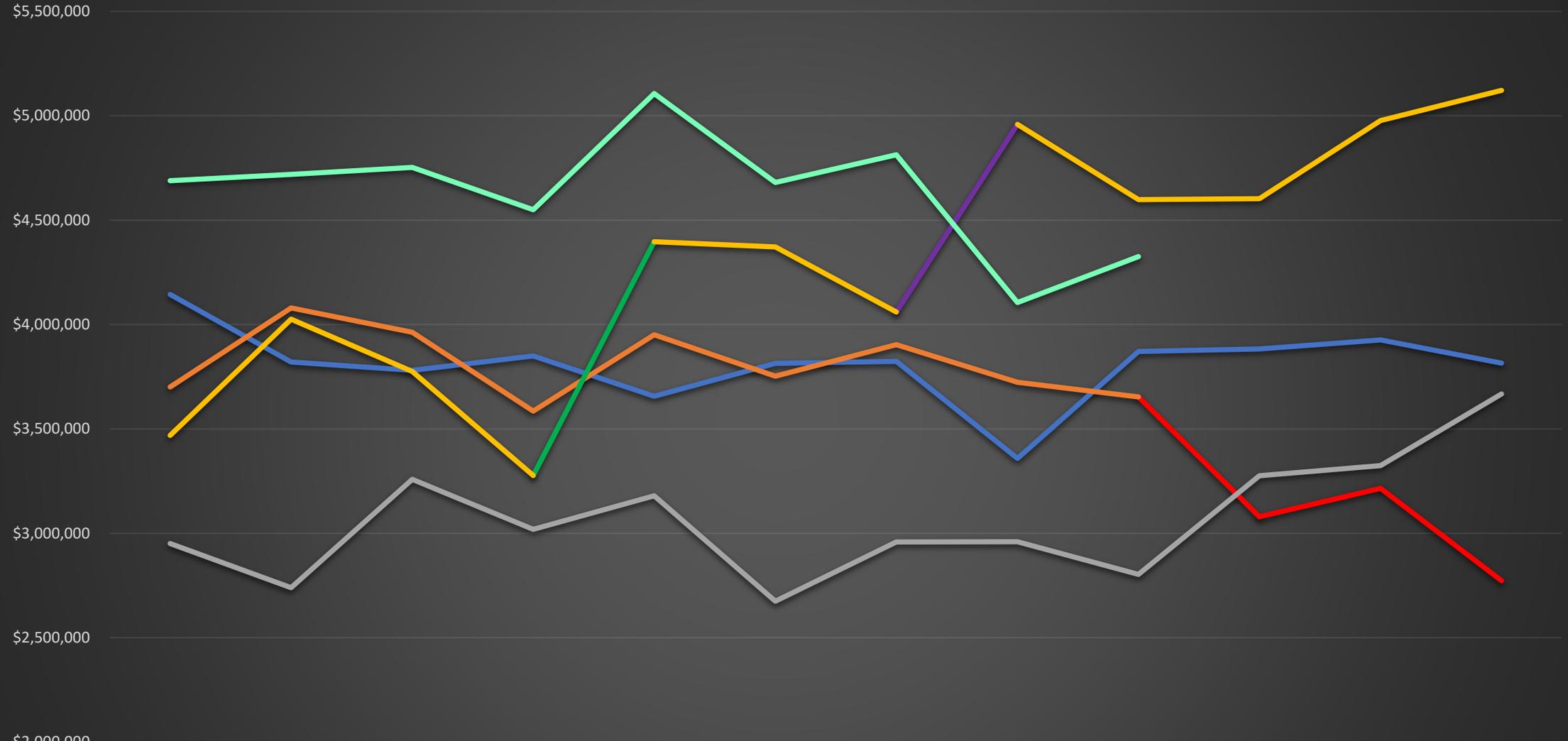
Following Government Code Section 8670.40 (B) (i), on July 1, 2023, the fee specified in subdivision (a) will be adjusted by an amount equal to the increase or decrease in the California Consumer Price Index (CCPI) issued by the Department of Industrial Relations or by a successor agency. The resulting fee shall be rounded to the nearest one-tenth of one cent (\$0.001) and will be increasing from \$0.085 to \$0.091.

# Barrels Subject to Fee by Fiscal Year



	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
2018-19	63,751,890	58,783,880	58,161,885	59,224,001	56,257,671	58,674,505	58,820,484	51,670,072	59,561,627	59,733,884	60,399,378	58,700,099
2019-20	56,927,297	62,761,070	60,969,046	55,161,546	60,781,017	57,726,788	60,061,949	57,286,374	56,211,474	47,366,325	49,467,498	42,652,521
2020-21	45,398,857	42,153,227	50,127,302	46,450,206	48,913,207	41,150,304	45,521,962	45,526,964	43,123,637	50,387,273	51,134,629	56,413,844
2021-22	53,360,498	61,924,372	58,078,085	38,549,279	51,726,053	51,438,408	47,759,507	58,332,831	54,100,891	54,148,299	58,554,954	60,258,727
2022-23	55,159,862	55,525,198	55,911,353	53,530,361	60,082,487	55,069,232	56,619,083	48,301,668	50,893,574			

# Revenue by Fiscal Year

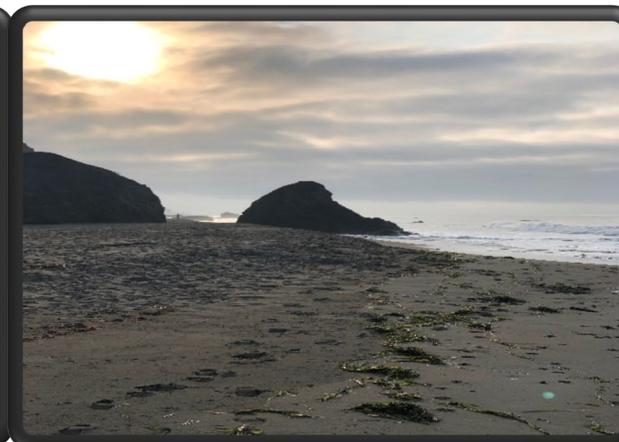
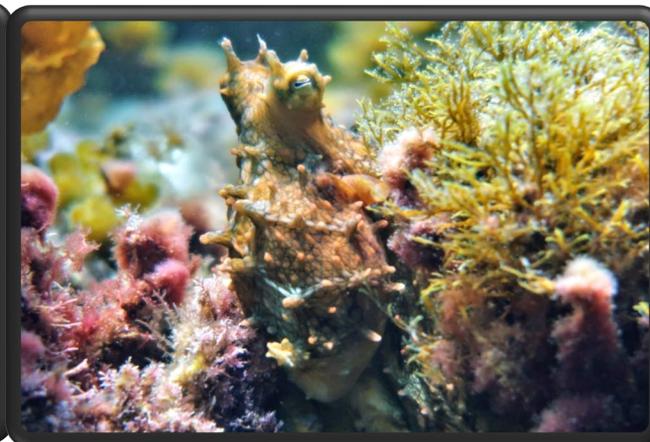
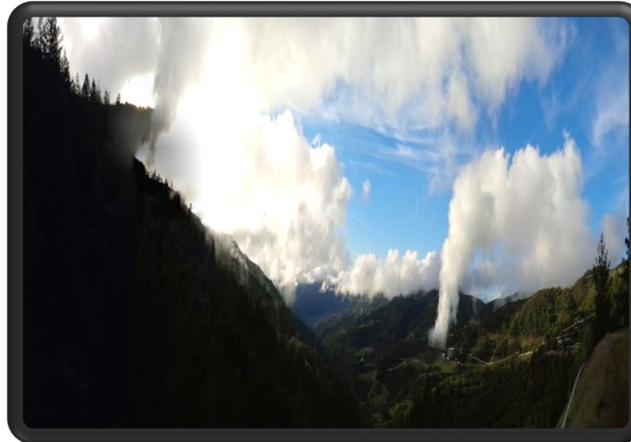


	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
2018-19	\$4,143,873	\$3,820,952	\$3,780,523	\$3,849,560	\$3,656,749	\$3,813,843	\$3,823,331	\$3,358,555	\$3,871,506	\$3,882,702	\$3,925,960	\$3,815,506
2019-20	\$3,700,274	\$4,079,470	\$3,962,988	\$3,585,500	\$3,950,766	\$3,752,241	\$3,904,027	\$3,723,614	\$3,653,746	\$3,078,811	\$3,215,387	\$2,772,414
2020-21	\$2,950,926	\$2,739,960	\$3,258,275	\$3,019,263	\$3,179,358	\$2,674,770	\$2,958,928	\$2,959,253	\$2,803,036	\$3,275,173	\$3,323,751	\$3,666,900
2021-22	\$3,468,432	\$4,025,084	\$3,775,076	\$3,276,689	\$4,396,715	\$4,372,265	\$4,059,558	\$4,958,291	\$4,598,576	\$4,602,605	\$4,977,171	\$5,121,992
2022-23	\$4,688,588	\$4,719,642	\$4,752,465	\$4,550,081	\$5,107,011	\$4,680,885	\$4,812,624	\$4,105,643	\$4,325,956			

# California State Lands Commission

## *Sustainable Public Land Management and Balanced Resource Protection for Current and Future Generations*

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**April 26, 2023**  
**Technical Advisory Committee Meeting**

Serving the Public Trust Since 1938



# OSPAP HISTORICAL FUND DATA

OSPAP 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>	<b>\$ 1,194,000</b>	<b>91.6%</b>
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>	<b>\$ 202,000</b>	<b>98.6%</b>
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>	<b>\$ 2,593,000</b>	<b>83.0%</b>
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>	<b>\$ 2,567,000</b>	<b>81.7%</b>
MRMD	\$ 6,237,000	\$ 3,502,000	\$ 2,735,000	56.1%
MEPD	\$ 9,511,000	\$ 9,341,000	\$ 170,000	98.2%
<b>2021-22*</b>	<b>\$ 15,748,000</b>	<b>\$ 12,843,000</b>	<b>\$ 2,905,000</b>	<b>81.6%</b>
MRMD	\$ 6,219,000	\$ 2,344,735	\$ 3,874,265	37.7%
MEPD	\$ 9,504,000	\$ 3,372,022	\$ 6,131,978	35.5%
<b>2022-23**</b>	<b>\$ 15,723,000</b>	<b>\$ 5,716,757</b>	<b>\$ 10,006,243</b>	<b>36.4%</b>
<b>*Estimate</b>				
<b>**Expenditures are YTD, FM 06</b>				



# STATE LANDS COMMISSION OSPAP PY'S

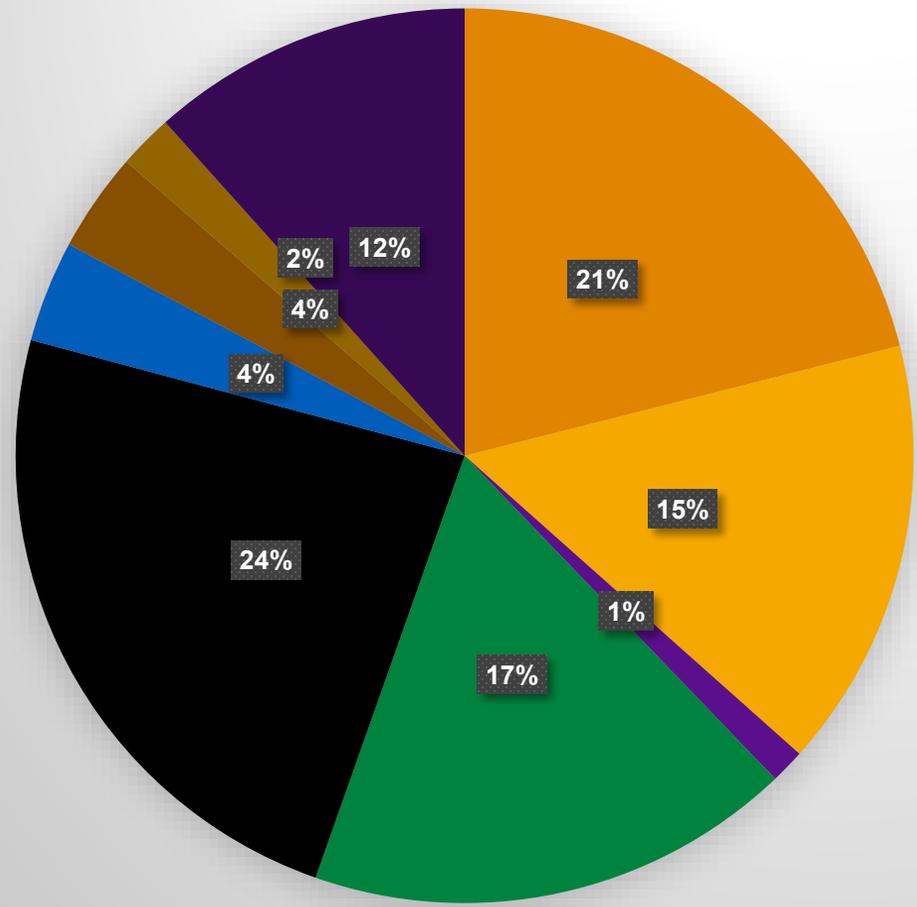
	FY 19-20	FY 20-21	FY 21-22	FY 22-23
OSPAP PYs	92.9	92.9	92.9	103.0
MRMD	28.3	28.3	28.3	32.0
MEPD	64.6	64.6	64.6	71.0
State Lands Commission PYs	205.4	210.4	210.4	248.6*



\*Change due to a Salaries and Wages realignment Drill done in FY 21-22



# OSPAP Usage



- MRMD Engineering
- MRMD Operations/ Inspections/ Safety Audits
- MRMD Support
- MEPD Engineering
- MEPD Inspections
- MEPD Management
- MEPD Support
- MEPD Planning & Regulations
- Distributed Admin.



<b>MRMD Engineering</b>	<b>\$ 3,308,702</b>
<b>MRMD Operations/ Inspections/ Safety Audits</b>	<b>\$ 2,446,826</b>
<b>MRMD Support</b>	<b>\$ 194,453</b>
<b>MEPD Engineering</b>	<b>\$ 2,758,925</b>
<b>MEPD Inspections</b>	<b>\$ 3,738,067</b>
<b>MEPD Management</b>	<b>\$ 577,057</b>
<b>MEPD Support</b>	<b>\$ 563,492</b>
<b>MEPD Planning &amp; Regulations</b>	<b>\$ 309,419</b>
<b>Distributed Admin.</b>	<b>\$ 1,826,058</b>



## OSPR REGULATIONS & LEGISLATIVE UPDATE

(as of April 10, 2023)

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

#### Non-Floating Oil (NFO)

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

- Approved by the Office of Administrative Law (OAL): November 28, 2022
- Effective date: January 1, 2023
- Rulemaking details and documents at <https://wildlife.ca.gov/OSPR/Legal/Rulemakings/Non-Floating-Oil>

#### 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 has been 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.
- A smaller advisory group has been formed to focus more specifically on preparedness and response to spills of denatured ethanol, its unique characteristics and hazards.

#### Shoreline Protection Tables

- OSPR is exploring alternative ways to present the myriad details laid out in the tables to make them clearer and more user friendly, and that would streamline the updating process to be consistent with the varying area contingency plan updates.
- Rulemaking Timeline: Commencement of formal rulemaking anticipated in third quarter 2023.

### LEGISLATION

#### AB 508 – Probation: Environmental Crimes

Introduced by Assembly Member Petrie-Norris and coauthors Assembly Members Davies and Chen, Senators Min and Newman on 2/07/23, last amended on 3/07/23, this bill would:

- Expand the punishment maximum a court may impose for environmental crimes committed by an "entity" with more than 10 employees, by increasing the term of probation from one or two years to a maximum five years.

This bill would apply to violations of provisions of the *Lempert-Keene-Seastrand Oil Spill Prevention & Response Act* (the Act).

Status: In committee.

## **AB 748 – California Abandoned and Derelict Commercial Vessel Program**

Introduced by Assembly Member Villapudua on 2/13/23, last amended on 3/23/23, this bill would:

- Creates the California Abandoned and Derelict Commercial Vessel Program within the Natural Resources Agency, to be administered by the State Lands Commission.
- Create a multiagency task force to address the backlog of commercial vessels and other debris that have been abandoned in commercially navigable waters, as defined.
- Create the California Abandoned and Derelict Commercial Vessel Program Trust Fund to be capitalized by appropriations, penalties, or grants.
- Authorize specified peace officers to determine whether commercial vessels are abandoned and derelict and to authorize seizure and removal of those vessels.
- Allow for the imposition of civil penalties between \$1,000 and \$5,000 per violation.

Status: In committee.

## **SB 279 – Administrative regulations: Public participation in comment process**

Introduced by Senator Niello on 2/01/23, last amended on 3/21/23, this bill would:

- Adjust how the Administrative Procedure Act prescribes the timing and public noticing requirements for state agencies to adopt, amend, or repeal a regulation.
- Amend G.C. section 11346.3 by requiring a state agency proposing to adopt, amend, or repeal a regulation to provide a minimum 21-day public comment period for interested parties to submit economic impact statements or other information to inform whether the proposed regulation meets the definition of major regulation and thus require a Standardized Regulatory Impact Analysis (SRIA).
- Require the Department of Finance (DOF), upon receipt of a SRIA, to provide a 30-day public comment period on the SRIA. Then within another 30 days of receiving public input on the SRIA, require DOF to comment on the analysis on the extent to which the requirement for the SRIA are met.

Status: In committee.

## **SB 559 – Offshore oil drilling: leases**

Introduced by Senator Min on 2/15/23, this bill would:

- End all offshore oil and gas production of the 11 remaining active oil and gas leases in California state waters.
- Require California State Lands Commission to initiate negotiations with lessees of the active oil and gas leases in state waters to agree to voluntarily relinquish their leases.
- Require the Commission to terminate all leases and provide fair compensation to the lessees if the Commission is unable to reach an agreement resulting in voluntary relinquishment by December 31, 2015.
- Require lessees to plug and abandon all oil and gas wells, decommission pipelines, offshore platforms, and attendant production facilities.

Require lessees to restore the tidelands and submerged lands at the sites of plugged and abandoned wells.

Status: In committee.

Related: Statutory changes created by Assembly Bill 2257 (Stats. 2022, Ch. 692, effective January 1, 2023) requires that, contingent upon an appropriation of funds by the Legislature, the Commission develop, on or before December 31, 2024, a cost study that evaluates the fiscal impact of the voluntary relinquishment of any lease interests in actively producing state offshore oil and gas leases in state waters. The cost study – for which \$1M was appropriated – requires the commission to hold a public hearing by December 31, 2023 to discuss the cost study and to provide information about the status of the cost study at that public hearing.

**END**