

CALIFORNIA OIL SPILL TECHNICAL ADVISORY COMMITTEE

February 13, 2025

Governor Gavin Newsom  
Speaker of the Assembly Robert Rivas  
Senate President pro Tempore Mike McGuire  
Members of the California State Legislature

**Re: 2023-2024 Oil Spill Technical Advisory Committee Biennial Report  
Regarding California Oil Spill Response and Preparedness**

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Act) established the Oil Spill Technical Advisory Committee (TAC). The TAC consists of fourteen (14) members, eight (8) of whom are appointed by the Governor, three (3) by the Speaker of the Assembly, and three (3) by the Senate Rules Committee. (See Govt. Code §8670.54, *et seq.* and SB 861).

The TAC is mandated with providing public input and independent oversight of the actions of the Administrator of the Office of Spill Prevention and Response. The TAC may also provide recommendations to the California State Lands Commission, the California Coastal Commission, and the San Francisco Bay Conservation and Development Commission on any provision of the Act including the promulgation of all rules, regulations, guidelines and policies.

The TAC is required to provide the Governor and the Legislature with a biennial report on their evaluation of oil spill response and preparedness programs within the State. This report covers calendar years 2023 and 2024. In addition, the TAC may also prepare and send to the Governor and the Legislature any additional reports it may determine to be appropriate.

California continues to be a nationwide leader and model for oil spill prevention, preparedness and response, thanks in part to your support. On behalf of the TAC, we are proud to present this report for your consideration and we welcome any thoughts and comments.

Sincerely,



Matt Rezvani  
Chair  
California Oil Spill Technical Advisory Committee

**2023-2024 REPORT**  
**BY THE**  
**OIL SPILL TECHNICAL ADVISORY COMMITTEE**  
**TO THE**  
**GOVERNOR AND THE LEGISLATURE**

**PURSUANT TO THE**  
**LEMPERT-KEENE-SEASTRAND OIL SPILL PREVENTION**  
**AND RESPONSE ACT**  
**GOVERNMENT CODE SECTION 8670.1, ET SEQ.**

**February 2025**



## Executive Summary

The statute § 8670.55 (d) requires the Oil Spill Technical Advisory Committee (TAC) to provide this report on a biennial basis. The TAC presents this report to the Governor and the Legislature of California as an opportunity to review our activities of the past two years and discuss priority issues and recommendations for the State's oil spill program for 2025-2026.

The report follows the format of recent reports, which we hope informs the Governor and the Legislature of the important issues with which the TAC has been engaged, as well as adequately highlighting the issues critical to our state oil spill preparedness, prevention, and response. The California Oil Spill Program encompasses programs administered by:

- California Department of Fish and Wildlife's Office of Spill Prevention and Response (OSPR)
- California State Lands Commission
- California Coastal Commission
- San Francisco Bay Conservation and Development Commission

Additionally, the Oil Spill Program works in partnership with the National Oceanic and Atmospheric Administration, the California Department of Conservation, the California Department of Forestry and Fire Protection, the United States Coast Guard and other agencies.

As in previous years, the TAC is impressed with the professionalism of the dedicated staff of these agencies in meeting their mandate of providing the best achievable protection of the State's valuable natural resources from oil spills.

Each year, OSPR is notified of approximately 1,500 spill incidents, with approximately 20% resulting in a physical response by the field response teams and the rest managed by telephone response.

Throughout the period covered by this report, the TAC has received periodic updates on these agencies' Strategic Plans, day-to-day activities, and continuing challenges and successes in carrying out the mandates of their respective programs. In the 2023-2024 Issues and Accomplishments section of this report, we highlight topics the TAC monitored over the past two years.

A discussion of issues the TAC feels will continue to be of interest and worthy of attention are included in the section of this report entitled Priority Issues for the TAC 2025-2026.

These issues include:

- Submerged cables and pipelines
- Abandoned and derelict vessels
- Renewable fuels manufacturing, transportation, and related fees
- Petroleum product transportation
- Monitoring of oil spill-related legislation
- Regulation development and implementation.

## **Recommendations**

The issues above form the basis for the following recommendations from the TAC to the Governor and Legislature.

- Address the need for adequate warning, and protective maintenance of navigational hazards related to submerged cables and pipelines.
- Address the impacts associated with abandoned and derelict vessels, including possibly developing dedicated funding.
- Ensure that OSPR has the spending authority and adequate resources to meet mandated operational needs.
- Request that the Governor fill the two vacant TAC member positions.

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## Background

### Lempert-Keene-Seastrand Oil Spill Prevention and Response Act

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Act) was signed into law on September 22, 1990 (S.B. 2040, Stats. 1990, Ch. 1248). The overall purpose of the Act is to prevent and clean up oil spills to State waters and to restore damage to the environment. Specific findings by the Legislature concerning the California coast and the threat of pollution from marine oil spills motivated the adoption of the Act. The Administrator of the Office of Spill Prevention and Response (OSPR) and the California State Lands Commission (CSLC) are vested with the primary responsibility for implementing the Act.

The staff of OSPR is comprised of personnel within the California Department of Fish and Wildlife. They coordinate and directly respond to marine and inland oil spills and work with public and private entities to prepare for and prevent spills. Some notable federal partners include the United States Coast Guard (USCG); United States Environmental Protection Agency; National Oceanic and Atmospheric Administration; and the Bureau of Safety, Environment, and Enforcement, as well as state and local agencies and communities through engaged Area Committees chaired by the USCG and OSPR.

In addition, to address marine spills, five Harbor Safety Committees develop harbor safety plans for the following:

- Port of San Diego
- Port of Los Angeles/Long Beach
- Port Hueneme
- San Francisco Bay Area
- Humboldt Bay

Similarly, Geographic Response Plans (GRPs) are developed for priority inland waters of the state with higher risk of an oil spill. GRPs are coordinated by OSPR and vetted through the regional Local Emergency Planning Committees comprised of industry representatives, Federal, State, and local government agencies, public health agencies, tribal representatives, and other interested parties.

Other services to aid in safer navigation of California State Waters are the United States Coast Guard Vessel Traffic Services in San Francisco and Los Angeles/ Long Beach, and the Physical Oceanographic Real-Time Systems.

## **Oil Spill Technical Advisory Committee**

One component of the Act was the creation of the Oil Spill Technical Advisory Committee (TAC). The TAC provides public input and independent judgment of the actions of the Administrator of OSPR.

With the passage of SB 861, the Legislature expanded membership of the TAC to include Fourteen (14) members, as follows:

- Eight (8) members appointed by the Governor
- Three (3) members appointed by the Speaker of the Assembly
- Three (3) members appointed by the Senate Rules Committee.

During the last two years, there were four new appointments to the TAC. However, there are still two vacancies to be filled by the Governor.

The members have backgrounds in marine transportation, local government, oil spill response and prevention programs, the petroleum industry, state government, environmental protection and ecosystems, the dry cargo vessel industry, the railroad industry, the oil production industry, and the public interest.

Pursuant to its by-laws, TAC members serve until being replaced by the appointing authority, resigning, or being asked to resign after a vote of at least two thirds of the appointed TAC members. (See Appendix B for current TAC member information).

The TAC makes recommendations to the Administrator, the CSLC, the California Coastal Commission (CCC), and the San Francisco Bay Conservation and Development Commission (BCDC) on any provision of the Act, including the promulgation of all rules, regulations, guidelines, and policies.

At its own discretion, the TAC may study, comment on, or evaluate any aspect of oil spill prevention and response in the State. To the greatest extent possible, these studies are to be coordinated with studies being done by the Federal government, the Administrator, the CSLC, the State Water Resources Control Board, and other appropriate State and international entities.

Since 2003, the TAC has been required to report biennially to the Governor and the Legislature on its evaluation of marine oil spill prevention and response within the State. As of the 2017-2018 biennial report and moving forward, assessment of inland spill prevention and response has also been included. The TAC may prepare and send any additional reports it determines to be appropriate to the Governor and the Legislature.

The TAC meets at least twice a year and sometimes more often, if necessary, to advise and monitor the agency's program activities, successes, and gaps. All TAC meetings are open to the public pursuant to the Bagley-Keene Open Meeting Act, and portions of each meeting are devoted to public input on any issue affecting California's statewide oil spill programs.



## OSPR Key Accomplishments

OSPR continues to demonstrate its critical role in safeguarding California's natural resources through a proactive and multifaceted approach to oil spill prevention, preparedness, and response. Central to OSPR's mission are its rigorous drills and exercises, which serve as the foundation for operational readiness and cross-agency coordination. These efforts highlight the importance of seamless coordination across all levels of government to ensure an effective response to potential oil spills.

In addition to Area Contingency Plans, GRPs are another cornerstone of OSPR's preparedness strategy. These plans provide location-specific guidance for rapid oil spill response, emphasizing the protection of sensitive environmental and cultural resources. Fieldwork for additional GRPs, including the Klamath River, underscores OSPR's commitment to refining its response strategies statewide. These efforts align with OSPR's overarching goal to harmonize regulations, integrate local input, and ensure readiness at all levels.

In tandem with these efforts, OSPR has leveraged advancements in technology to enhance responder safety and improve situational awareness during spill events. These technological innovations further reinforce OSPR's ability to respond swiftly and effectively, minimizing the impact of oil spills on California's diverse ecosystems.

Through these and other accomplishments, OSPR underscores the vital importance of comprehensive drills, regulatory advancements, and interagency coordination in maintaining California's leadership in oil spill prevention and response.

- **Drills & Exercises**

New regulations (Section 820.1) harmonizing drills and exercises requirements came into effect in January 2023. Plan holder workshops were conducted across northern and southern regions. OSPR completed all required industry plan holder drills and exercises in Northern, Southern and Central California totaling 326. Drill and exercise participants are tested against specific objectives such as Incident Command Structure, Protective Strategies, and Wildlife Care, and their performance is evaluated.

- **Geographic Response Plans**

OSPR has advanced its GRP program by updating and finalizing plans for key waterways.

- Lower American River (Sacramento County) – The final draft is being reviewed by the OSPR Executive Team. OSPR anticipates finalizing the GRP by the end of March 2025.
- Klamath River (Siskiyou, Humboldt, Del Norte Counties) – The first draft of the GRP has been sent to the GRP Subcommittee for review.
- Salinas River (Monterey County) – Field data collection and document preparation is in progress.
- San Diego River (San Diego County) – Field work is in the beginning stages of reconnaissance as OSPR determines the GRP boundary.
- Ballona Creek 5-Year Update (Los Angeles County) – The Ballona Creek 5-year update is complete and uploaded to OSPR's website.
- Cajon Pass 5-Year Update (San Bernardino County) – Field work is complete. OSPR adding one new response site and removing one access/observation site as well as working on map updates and document preparation.
- Kern River 5-Year Update (Kern County) – Field work for the Kern River 5-year update began in December 2024 and is continuing into early spring 2025.
- Walker River GRP Update (Mono County) – Field teams have completed data collection and are now working with the State of Nevada to create a single interstate plan.
- Truckee River GRP Update (Placer, Nevada, and Sierra Counties) – OSPR staff conducted field reconnaissance for the existing Truckee River GRP response strategy sites along with State of Nevada partners and an Oil Spill Response Organization in the summer of 2023. Additional site visits will be conducted in the fall of 2024. OSPR staff and Geographic Information Systems (GIS) participated in a field reconnaissance day with the State of Nevada (Nevada Division of Environmental Protection) to review strategy sites along the Truckee River in Nevada. Additional field visits will be scheduled for the Nevada sections of the Truckee River.

- **Oil Spill Response Data Collection through Technology**

OSPR implemented technological improvements for responder safety, data collection during response (i.e., iPhone applications) and communications. In addition, coordination between OSPR, USCG, and other agencies on GIS and Unoccupied Aerial Systems mapping was improved to increase situational awareness during spill responses.

- **Tribal Coordination**

In the Spring of 2023, OSPR established a full-time Tribal Liaison position to aid the Liaison Unit to enhance engagement with California Native American Tribes and foster meaningful partnerships. This position aims to create and implement opportunities for tribes to actively participate in OSPR's prevention, preparedness and response programs, and outreach activities. These opportunities include expanding OSPR's tribal grant programs, encouraging tribal involvement in the Sensitive Site Strategy Environmental Program—focused on protecting sensitive sites during oil spills—and promoting participation in industry-led oil spill response exercises. The goal is also to broaden access to additional grant opportunities. OSPR currently offers several grant programs, including the Response Equipment Grant, which provides oil spill response equipment to Tribal Nations to protect their lands and ancestral territories from the impacts of an oil spill.

- **State Oil Spill Contingency Plan**

OSPR released the triannual State Oil Spill Contingency Plan, incorporating legislative, regulatory, and programmatic updates to improve statewide spill response, including:

- Incorporating responses to renewable fuels
- Spill Management Team Certification
- Drill and Exercises harmonization.

- **Vessel Compliance**

The Certificate of Financial Responsibility Unit received and reviewed over 7,000 Protection and Indemnity insurance documents for processing, ensuring vessels' compliance with financial responsibility requirements.

- **Environmental Restoration**

During this reporting period, OSPR had the following environmental restoration successes:

- Settlement with Chevron for Kern County spills placed \$6.8 million into the OSPR Environmental Enhancement Fund for restoration projects.
- Refugio Oil Spill Trustee Council allocated over \$2.4 million to habitat and recreational use projects in Central and Southern California.
- Over \$1.1 million from the small spill settlements were allocated to eight habitat restoration projects.

- **Internal Training**

OSPR Training Program finalized OSPR staff Incident Command position qualification tracking, completion, and accountability to improve oil spill response training and ensure readiness.

- **Response**

Several medium sized and/or long-term oil spill incidents occurred in this reporting period, with successful responses conducted, including the Toro Canyon Creek Incident, Mazapeta Tug Incident, Anaheim Cellar Facility Incident, Dunsmuir Railyard Incident, Aurora Vessel Incident, Foxtrot Anchorage Mystery Spill, and others.

- **Outreach**

As of August 2024, OSPR awarded \$95,000 in Tribal Nation grants to participate in exercises, planning meetings, and other spill response and training activities. Also, for the same period, OSPR awarded \$315,000 in local-government equipment and planning grants.

One notable effort OSPR Liaison helped coordinate was an Open House for the Dunsmuir Railyard Shoreline Response Action and Restoration Project to address concerns from the community and elected officials. The event was well received by the public.

## **Priority Issues for TAC in 2025-2026**

For the period of the next two years, the TAC will focus on the following issues. While priorities can change based on events and issues that may develop, the following issues will require the TAC's continued attention.

### **Submerged Cables and Pipelines**

Submerged cables and pipelines continue to be a major concern due to navigational safety and potential spills. The 2021 incident in Huntington Beach, where an Amplify pipeline was apparently damaged due to being hit and dragged by the anchor of a vessel, highlights the importance of this issue.

There are several submerged cables and pipelines in California waters and the TAC has significant concerns with identification, maintenance, and protection of these submerged infrastructures. While outside of OSPR's purview, the TAC will continue to monitor the issue.

### **Abandoned and Derelict Vessels**

The TAC has been concerned about the large number of abandoned and derelict vessels in State waters as they pose navigation and spill hazards. There are various grants available, but those are insufficient to adequately address the problem. In addition, a broad analysis of potential strategies to address the issue should be pursued.

SB 1065 – *Abandoned and Derelict Commercial Vessel Program (ADCV)* was introduced by Senator Eggman in 2022 and was vetoed.

As introduced, this bill would have established, within the California Natural Resources Agency, the California Abandoned and Derelict Commercial Vessel Program Coordinating Council responsible for:

- Overseeing and providing policy direction for the program.
- It would have also required the CSLC, in coordination with the Council, to develop a plan to provide a strategic framework to facilitate and track actions to prevent or reduce ADCVs and provide specific enforcement authorities to peace officers.

The TAC continues to have significant concern about commercial and recreational abandoned and derelict vessels and will continue to monitor the issue.

## **Shoreline Protection Tables / Sensitive Site Protection**

OSPR has been exploring alternative ways to present the myriad details laid out in the current tables, to make sensitive site protection clearer and more user friendly, and that would eliminate the frequent need to update the tables to be consistent with the varying area contingency plan updates. The rule is expected to be promulgated in 2025. The TAC will be monitoring the progress of these efforts.

## **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 added the authority to collect a fee from handlers of renewable fuels.

Rulemaking is expected to commence after completion of Sensitive Site Protection Tables rulemaking is completed. The TAC will be monitoring the progress of these efforts for purposes of making potential recommendations.

## **TAC Members Vacancies**

From the start, the Act created the TAC to provide public input and independent judgment of the actions of the Administrator of OSPR. SB 861 expanded membership of the TAC to fourteen (14) members. To date, not all fourteen members have been appointed. There are still two vacancies to be filled by the Governor. The TAC recommends that the Governor fill these vacancies with the appropriate members as designated in the Act.

## **OSPR Budget Status**

Critical OSPR staff positions and associated funding were eliminated due to the budget shortfall. OSPR is currently determining how to prioritize OSPR's obligations. It is imperative that the agency has sufficient resources to meet all its mandated operational needs. OSPR's primary funding comes from a per barrel fee for oil received at refineries and products moved into the state.

## **Recommendations**

- Address the need for adequate warning, and protective maintenance of navigational hazards related to submerged cables and pipelines.
- Address the impacts associated with abandoned and derelict vessels, including possibly developing dedicated funding.
- Ensure that OSPR has the spending authority and adequate resources to meet mandated operational needs.
- Request that the Governor fill the two vacant TAC member positions.

## **Conclusions**

The TAC is a forum to provide public input and independent oversight of the OSPR Administrator and the oil spill programs of California. In the last few years, new opportunities in the use of technology have emerged, not only in the areas of OSPR's staff communications, but also in improving information sharing and mapping during response and drills. OSPR also made significant progress in communication, training and building relations with California's tribal communities.

The TAC will continue to closely monitor and make recommendations as appropriate to ensure OSPR has sufficient resources to fulfill OSPR's mission and meet mandates. The TAC will work very closely with the Administrator to provide public input and independent judgment regarding the operations of oil spill prevention and response activities in the state. The TAC will also make timely recommendations to the Administrator, the CSLC, the CCC, and the BCDC on pertinent provisions of the Act including the promulgation of all rules, regulations, guidelines, and policies.

## **APPENDICES**

**Appendix A**

**Appendix B**



## Appendix A

### California Government Code

[Selected Sections; January 2015]

#### Article 8. Oil Spill Technical Advisory Committee

##### **§ 8670.54. Oil Spill Technical Advisory Committee established; appointment of members**

- (a) The Oil Spill Technical Advisory Committee, hereafter in this article, the committee, is hereby established to provide public input and independent judgment of the actions of the administrator. The committee shall consist of 14 members, of whom eight shall be appointed by the Governor, three by the Speaker of the Assembly, and three by the Senate Rules Committee. The appointments shall be made in the following manner:
- (1) The Speaker of the Assembly and Senate Committee on Rules shall each appoint a member who shall be a representative of the public.
  - (2) The Governor shall appoint a member who has a demonstrable knowledge of marine transportation.
  - (3) The Speaker of the Assembly and the Senate Committee on Rules shall each appoint two members who have demonstrable knowledge of environmental protection and the study of ecosystems.
  - (4) The Governor shall appoint a member who has served as a local government elected official or who has worked for a local government.
  - (5) The Governor shall appoint a member who has experience in oil spill response and prevention programs.
  - (6) The Governor shall appoint a member who has been employed in the petroleum industry.
  - (7) The Governor shall appoint a member who has worked in state government.
  - (8) The Governor shall appoint a member who has demonstrable knowledge of the dry cargo vessel industry.
  - (9) The Governor shall appoint a member who has demonstrable knowledge of the railroad industry.
  - (10) The Governor shall appoint a member who has demonstrable knowledge of the oil production industry.
- (b) The committee shall meet as often as required, but at least twice per year. Members shall be paid one hundred dollars (\$100) per day for each meeting and all necessary travel expenses at state per diem rates.
- (c) The administrator and any personnel the administrator determines to be appropriate shall serve as staff to the committee.
- (d) A chair and vice chair shall be elected by a majority vote of the committee.

**§ 8670.55. Recommendations from committee; studies; attendance at drills or oil spills; biennially reporting**

- (a) The committee shall provide recommendations to the administrator, the State Lands Commission, the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, the Division of Oil, Gas, and Geothermal Resources, the Office of the State Fire Marshal, and the Public Utilities Commission, on any provision of this chapter, including the promulgation of all rules, regulations, guidelines, and policies.
- (b) The committee may study, comment on, or evaluate, at its own discretion, any aspect of oil spill prevention and response in the state. To the greatest extent possible, these studies shall be coordinated with studies being done by the federal government, the administrator, the State Lands Commission, the State Water Resources Control Board, and other appropriate state and international entities. Duplication with the efforts of other entities shall be minimized.
- (c) The committee may attend any drills called pursuant to Section 8670.10 or any oil spills, if practicable.
- (d) The committee shall report biennially to the Governor and the Legislature on its evaluation of oil spill response and preparedness programs within the state and may prepare and send any additional reports it determines to be appropriate to the Governor and the Legislature.

**§ 8670.56. Funding**

The administrator may expend from the Oil Spill Prevention and Administration Fund any amounts necessary for the purposes of carrying out this article.

**§ 8670.56.1. Committee members; immunity from liability**

- (a) The Legislature hereby finds and declares that because the administrator must rely on expertise provided by members of the committee and be guided by their recommendations in making decisions that relate to the public safety, members of the committee should be entitled to the same immunity from liability provided other public employees.
- (b) Members of the committee appointed pursuant to this article, while performing duties required by this article or by the administrator, shall be entitled to the same rights and immunities granted public employees by Article 3 (commencing with Section 820) of Chapter 1 of Part 2 of Division 3.6 of Title 1. Those rights and immunities are deemed to have attached, and shall attach, as of the date of appointment of the member to the committee.

END

## Appendix B

### Office of Spill Prevention and Response OIL SPILL TECHNICAL ADVISORY COMMITTEE

**Mr. Matt Rezvani (Chairman)**

Appointed by Governor  
As Petroleum Representative

**Ms. Janell Myhre (Vice Chair)**

Appointed by Governor  
As Local Government Representative

**Mr. John Berge**

Appointed by Governor  
As Dry Cargo Industry Representative

**Ms. Sejal Choksi-Chugh**

Appointed by Senate Rules Committee  
As Environment/Ecosystems Representative

**Mr. Joseph Cobb**

Appointed by Governor  
As Oil Production Industry Representative

**Mr. James Farner**

Appointed by Governor  
As Railroad Industry Representative

**Ms. Lynn Korwatch**

Appointed by Governor  
As Marine Transportation Representative

**Mr. Peter Santillan**

Appointed by Speaker of the Assembly  
As Public Representative

**Mr. Edward D. Harmon**

Appointed by Senate Rules Committee  
As Public Representative

**Ms. Kathleen Rogers**

Appointed by Speaker of the Assembly  
As Environment/Ecosystems Representative

**Mr. Michael C. Young**

Appointed by Speaker of the Assembly  
As Environment /Ecosystems Representative

**Ms. Rue M. Furch**

Appointed by Senate Rules Committee  
As Environment/Ecosystems Representative

**Vacancy**

To be appointed by Governor  
As Oil Spill Response Representative

**Vacancy**

To be appointed by Governor  
As State Government Representative