

January 28, 2009

Governor Arnold Schwarzenegger  
Speaker of the Assembly Karen Bass  
Senate President pro Tem Darrell Steinberg  
Members of the California State Legislature

**2007-2008 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 ten (10) members, six (6) of whom are appointed by the Governor, two (2) by the Speaker of the Assembly, and two (2) by the Senate Rules Committee. (*See*, Govt. Code '8670.54, *et seq.*).

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, and the State Interagency Oil Spill Committee (SIOSC). The TAC may also provide recommendations to the Administrator, the California State Lands Commission, the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, and the SIOSC 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 marine oil spill response and preparedness programs within the State. This report covers calendar years 2007 and 2008. In addition, the TAC may also prepare and send to the Governor and the Legislature any additional reports it determines to be appropriate.

California continues to be a nationwide leader and model for oil spill prevention 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,



Stephen Ricks  
Chair

Oil Spill Technical Advisory Committee

**2007-2008  
BIENNIAL 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.***

**JANUARY 2009**

# Executive Summary

The Oil Spill Technical Advisory Committee (TAC) presents this report as an opportunity to review our activities of the past two years and discuss our priority issues for 2009-2010. The report has been prepared for the Governor and the California Legislature to review important issues the TAC has been actively following that we feel are critical to the State oil spill programs.

During the past two years the Department of Fish and Game Office of Spill Prevention and Response (OSPR) successfully led the day-to-day operations and development of the future vision of the State's oil spill programs in conjunction with the States Lands Commission, the Coastal Commission, and the San Francisco Bay Conservation and Development Commission. In addition OSPR has faced monumental challenges in dealing with the aftermath of the November 7, 2007 *Cosco Busan* oil spill in San Francisco Bay when a container ship hit the Oakland Bay Bridge in dense fog, releasing 53,000 gallons of bunker fuel into the Bay and along the ocean shoreline. The oil killed more than 2,500 birds, fouling beaches and sensitive areas. The spill raised issues about oil spill containment and response capabilities and organization. The incident in a populated urban area generated a tremendous amount of public interest resulting in federal and state investigations and a number of bills proposed by the California Legislature.

There were a number of ongoing issues that the TAC has highlighted in the 2007/2008 Issues and Accomplishments section of this report. OSPR has continued to make progress on implementation of recommendations and findings from the 2005 Department of Finance Audit. These included issues with staffing, Administrative Fund surplus and priority programs to be implemented. The TAC also followed with great interest the need for and progress made in the development of an Inland Spills Program. The TAC remains concerned about the staff redirection issues identified in our 2005/2006 Biennial Report and in the Bureau of State Audits August 2008 report. These issues remain unresolved and the TAC will continue to work with the Administrator as programs are put in place to ensure Administrative Fund monies are used only for authorized activities.

In the year since the *Cosco Busan* incident, OSPR has worked tirelessly to be responsive to the concerns of the public and the legislature. A number of new programs have been developed and put in place. Oil Spill Contingency Plan regulations are being amended to enhance response time requirements and ensure requirements continue to meet the State's Best Achievable Protection Standard. In addition the Governor signed into law five oil spill related bills that enhance California's oil spill response capabilities. The five bills are summarized further in this report. The TAC also encouraged efforts by the state's Harbor Safety Committees to adopt guidelines for safe navigation in each harbor – an important step to prevent oil spills from vessel accidents.

During the 2009 -2010 period OSPR will be faced with implementing new regulations and developing programs and policies to fulfill the mandates created by the newly enacted Legislation. Again, these activities will be in addition to successfully carrying out their primary mission of administering the day-to-day activities associated with the State oil spill programs.

The TAC looks forward to continuing our excellent working relationship with the OSPR Administrator and the dedicated men and women at OSPR, the States Lands Commission, the Coastal Commission, and the San Francisco Bay Conservation and Development Commission. The TAC would like to express our appreciation for their dedicated hard work to protect California's spectacular natural resources.

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## Background

### **The 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 cleanup marine oil spills, 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 OSPR, and the California State Lands Commission (CSLC) are vested with the primary responsibility for implementing the Act.

### **Oil Spill Technical Advisory Committee (TAC)**

One component of the Act was the creation of the TAC. The TAC provides public input and independent judgment of the actions of the Administrator of OSPR and the State Interagency Oil Spill Committee (SIOSC). The TAC consists of ten (10) members, six (6) of whom are appointed by the Governor, two (2) by the Speaker of the Assembly, and two (2) by the Senate Rules Committee. The membership must have background 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, and represent the public. Pursuant to its by-laws, TAC members serve until they are either replaced by the appointing authority, a member resigns, or a member is asked for their resignation after a vote of at least two thirds of the appointed TAC members. (*See, Appendix B for current TAC member information.*) Future activities of the TAC are discussed at the end of this Report.

The TAC makes recommendations to the Administrator, the CSLC, the California Coastal Commission (CCC), the San Francisco Bay Conservation and Development Commission (BCDC), and the SIOSC 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 marine 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 (SWRCB), 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. The TAC may also prepare and send any additional reports it determines to be appropriate to the Governor and the Legislature.

The TAC meets on a quarterly basis throughout the year. 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 marine oil spill programs.

# **Issues and Accomplishments**

## **2007/2008**

### **Monitoring of Oil Spill Fund Balances**

The Oil Spill Response Trust Fund (OSRTF or Fund 321) is available to the OSPR Administrator to carry out his duty for the cost of responding to marine spills until such time that the Fund is reimbursed by the responsible party, by the Federal Government Oil Spill Trust Fund, or if the cost of response can not be collected. The OSRTF was initially funded by a twenty-five cent (\$0.25) per barrel (42 U.S. gallons) fee. The fee was discontinued once the fund balance reached a prescribed level. The fee must be reinstated if the balance falls below 95% of the prescribed level. During 2005/2006 the TAC became aware of discrepancies in the Fund balance resulting in the resources within dropping close to the level required to trigger a reinstatement of the fee. The accounting and allocation errors have since been corrected without the need for such fee reinstatement. Since then, the TAC has requested regular briefings from OSPR on fund activity and balance. During this reporting period, the TAC has seen no irregularities with the Fund balance.

As part of their periodic reports, OSPR has also provided the TAC with financial reports for the Oil Spill Prevention and Administration Fund (OSPAF or Fund 320). This fund is used to finance OSPR's operating budget and the State marine oil spill programs. The funding is provided by \$0.05 fee per barrel (42 U.S. gallons) on crude oil and petroleum products received at a marine terminal. The fee was last increased in 2003. As part of the Department of Finance Audit recommendations, the TAC has been monitoring the fund surplus to ensure the fee level is appropriately set to fund the mandates of the Lempert-Keene-Seastrand Act.

The OSPA F surplus is currently adequate to provide a prudent reserve. The Fund 320 surplus is projected to diminish over the coming years. The TAC is concerned that the prudent reserve be maintained and that the surplus not be used to fund additional programs if it is in danger of being exhausted. The TAC will continue to vigilantly monitor the OSPR budget and Administration Fund surplus to avoid un-mandated use of the surplus.

### **Implementation of Department of Finance Audit Findings and Recommendations**

In 2005 the Department of Finance published their report entitled, "*2005 Department of Finances' (DOF) Report on the Department of Fish and Game (DFG), Office of Spill Prevention and Response (OSPR), Review of Fiscal and Program Activities.*" During the 2005/2006 reporting period, the TAC conducted a detailed review of the report. In the TAC 2005-2006 Biennial Report a number of audit issues were identified for the Governor and Legislature that required further action.

While OSPR has addressed a number of the identified issues, the TAC continues to monitor those that need further action or are works in progress. These issues include the following:

- Need for full disclosure on perceived inequities between indirect costs charged to the OSPAF and those charged to other DFG funds.
- Recommendation that the OSPAF-supported agencies be given appropriate spending authority, through the Department of Finance's Budget Change Proposal process, to fulfill their oil spill prevention mandates in order to avoid future OSPAF surpluses.
- Proposal that if a surplus remains after the full mandates of the oil spill agencies are implemented, the Administrator of OSPR review the fee assessed on the oil industry to ensure that the level of assessment meets the needs of the program in accordance with Section 8670.40 of the Government Code that states, "The State Board of Equalization shall collect a fee in the amount determined by the administrator to be sufficient to carry out the purposes set forth in subdivision (e) (eligible programs), and a reasonable reserve for contingencies. The annual assessment may not exceed five cents (\$0.05) per barrel of imported crude oil or petroleum product."
- Development of an electronic system that will streamline spill data collection. OSPR has made great strides in this area, and the TAC urges them to continue to refine their database.
- Implementation of an Inland Spills Program made progress with the passage of AB 2911. As noted below, the TAC will continue to monitor the implementation of this program.

### **Inland Pollution Program**

During this reporting period OSPR has regularly briefed the TAC on the current planning and response system for inland oil spills. For most of this reporting period, inland spill responses still had no single agency with Incident Command authority or clear jurisdiction over the response and prevention activities. Dedicated funding is still not available. The TAC has been supportive of OSPR's efforts to enhance the Inland Spills Program despite these challenges.

During the 2008 Legislative Session, AB 2911 (Wolk, Chapter 565, Statutes of 2008) was signed by the Governor making certain marine oil spill provisions applicable to inland oil spills, such as designating the OSPR Administrator as incident commander for inland oil spill cleanup; makes responsible parties liable for damages similar to those for marine oil spills; and allows for administrative enforcement of inland oil spills. The bill also strengthens enforcement penalties for both inland and marine oil spills. The new law however does not include any provisions for creating a dedicated funding source for the Inland Pollution Program. The TAC will continue to be involved in discussions regarding a viable Inland Pollution Program.

## **Inappropriate Personnel Charges to the Oil Spill Prevention and Administration Fund**

Funds in the Oil Spill Prevention and Administration Fund can be used only for statutorily defined purposes in California Government Code, Section 8670.40(e), which include: implement oil spill prevention programs; research prevention and control technology; finance environmental and economic studies relating to the effects of oil spills; implement, install, and maintain emergency programs, equipment, and facilities to respond to oil spills; respond to an imminent threat of an oil spill.

At the request of the Joint Legislative Audit Committee, the California State Auditor's Bureau of State Audits conducted an audit of the Department of Fish and Game's Office of Spill Prevention and Response. The audit was published on August 28, 2008. In the Chapter Summary section of Chapter 3 of the report the audit finds:

"We noted several instances in which salaries of Department of Fish and Game (Fish and Game) employees were charged to the fund for purposes not related to oil spill prevention. Specifically, the fund was charged for time spent by wardens on general activities not specific to spill prevention (general activities). These staff are among those in 45.5 positions in four units whose reporting relationships have been redirected from direct spill office control (restructured) to that of other Fish and Game units since 2000. We also noted inappropriate charges for several staff in the restructured legal and communications units. In addition, the restructuring has caused friction between Fish and Game and spill office management, although it does not appear to have affected the spill office's overall ability to carry out its mission related to the three largest restructured units."

The TAC was made aware of the restructuring issue in January of 2007. The Bureau of State Audit report confirms that the redirection practices continue. The TAC has asked the OSPR Administrator to report to the TAC on steps that are being taken to ensure the fund monies are being used only for authorized purposes. The TAC will monitor this issue during 2009 and report on progress to address inappropriate use of funds.

## **2008 Adopted Oil Spill Legislation**

**SB 1739 (Simitian, Chapter 566)** requires oil spill contingency plans to include training and drills on some elements of a plan at least annually, and all elements of a plan at least once every 3 years; adds additional elements in Rating an Oil Spill Response Organization; and authorizes the OSPR Administrator to draft regulations to require an independent drill monitor when a plan holder requests drill credit for an out-of-state drill.

**AB 1960 (Nava, Chapter 562)** requires the Department of Conservation's Division of Oil, Gas, and Geothermal Resources to prescribe by regulation minimum facility maintenance standards, and authorizes inspections and cease and desist orders. The bill also establishes penalties for false or misleading reports of oil spills in marine and inland waters.

**AB 2031 (Hancock, Chapter 563)** requires the OSPR Administrator to create training programs for local government spill response managers who would train and certify oil spill response volunteers; and to offer grants to provide spill response equipment to local governments. The bill also requires updates to the Office of Emergency Services by the Responsible Party if the initial spill report was inaccurate, incomplete, or if the quantity of the spilled oil has changed.

**AB 2911 (Wolk, Chapter 565)** makes certain marine oil spill provisions applicable to inland oil spills, such as designating the Administrator OSPR as incident commander for inland oil spill cleanup; makes responsible parties liable for damages similar to those for marine oil spills; and allows for administrative enforcement of inland oil spills. The Administrator is required to update the State Oil Spill Contingency Plan to include both a marine and inland water section. Additionally, the bill appropriates funds for the Oiled Wildlife Care Network to train field-based rescue teams and manage the search and rescue of oiled wildlife for OSPR.

**AB 2935 (Huffman, Chapter 564)** specifies that the Director of DFG must close waters to fisheries within 24 hours of an oil or other petroleum product spill of 42 gallons (1 barrel) or more. Within 48 hours of the spill the Director, in consultation with the Office of Environmental Health Hazard Assessment, is required to assess the public health hazard in the area of the spill, the need for additional closures, and develop weekly expedited testing. The bill also requires OSPR to update their California Oil Spill Contingency Plan to significantly expand response planning for environmentally sensitive areas, and consider utilizing private working craft for spill response and clean up.

## **Priority Issues for TAC in 2009/2010**

### **Implementation of New Legislation and Regulations**

As a result of the November 2007 *Cosco Busan* oil spill in San Francisco Bay, the Legislature adopted five oil spill related bills that the Governor signed into law in 2008. During 2009, OSPR will be implementing these new laws. The TAC will monitor OSPR's progress in revising regulations, developing policies to implement these new provisions, and possible amendments to newly adopted legislation.

Also during 2008, OSPR drafted proposed amendments to the tank and non-tank vessel oil spill contingency plan regulations in response to the Governor's request to review existing response requirements. The formal rulemaking process was begun in December 2008 with public hearings scheduled for late January 2009. The TAC will monitor the implementation of these new requirements.

### **Implementation of Various Report/Audit/Investigation Recommendations**

In the aftermath of the *Cosco Busan* incident there were a number of reports, audits, studies, and investigations conducted that are discussed in the 2007/2008 Issues and Accomplishments section of this report. During 2009, the TAC will monitor and report on OSPR's progress on implementing a number of recommendations that did not require new legislation. These recommendations will be implemented through amending current regulations, development of new policies, or to ensure best achievable protection standards are met.

### **Development of Inland Pollution Program**

AB 2911 (Wolk, Chapter 565, Statutes of 2008) makes certain marine oil spill provisions applicable to inland oil spills. Although AB 2911 gives OSPR the authority over inland oil spills, the bill does not create any new sources of funding. It will be a challenge to identify and secure the appropriate funding sources for a viable Program. TAC will continue to monitor the progress toward creating a fully funded, comprehensive Inland Pollution Program.

### **Resolution of Staff Redirection Issues**

In the TAC 2005/2006 Biennial Report, we identified as a concern the redirection of a number of positions within the enforcement, technology, and legal sections of the OSPR into the Department of Fish and Game. These redirected positions are funded by the Oil Spill Prevention and Administration Fund. The TAC believed then and continues to believe that redirection of these positions diminishes the ability of the Administrator to reasonably

discharge and maintain his/her fiduciary responsibility and authority over resources that should be under his supervision as defined in the Act.

The staff redirection issue was a topic in the California State Auditor's 2008 Report on the Office of Spill Prevention and Response. The TAC intends to continue to monitor this issue and hold OSPR and the DFG accountable to address our concerns.

### **Continued Development of the Spills Database**

During the last reporting period OSPR spent considerable time and effort developing a statewide spills database. The database included not only marine oil spills, but all spills reported in California. This resulted in a very comprehensive listing of spills by material, volume, location, and source. This information is very valuable when trying to understand origins and risks for spills. The TAC encourages OSPR to continue with the development of the database and to keep it current. The TAC will request periodic progress reports and provide our comments and observations to OSPR on this valuable effort.

### **OSPR Budget and Administrative Fund Issues**

During the upcoming 2009/2010 reporting period, the TAC will continue to monitor the status of the Oil Spill Response Trust Fund and the Oil Spill Prevention and Administration Fund. OSPR will be requested to provide reports on the funds status at each quarterly TAC meeting. The TAC is concerned, given the state of the national and California economies, that OSPR funding generated from the \$0.05 per barrel (42 U.S. gallons) fee on crude oil and petroleum products received at marine terminals may be impacted by the slowdown in the economy. The TAC will request OSPR to develop contingencies in the event funding for their programs is diminished.

### **Marine Oil Terminal Engineering and Maintenance Standards**

Under the State Lands Commission, the Marine Oil Terminal Engineering and Maintenance Standard (MOTEMS) is now Chapter 31F of the 2001 California Building Code and became enforceable on February 6, 2006. Initial audits were due in August 2008 for "high risk" terminals. The State Lands Marine Facilities Division (MFD) is responsible for reviewing the audits. As the MOTEMS requires, if serious deficiencies are found the operator must submit a rehabilitation plan and schedule, mutually agreeable to MFD and the operator. The TAC intends to carefully monitor the efforts of the State Lands Commission MFD to implement the MOTEMS program.

## **PORTS Statewide Implementation**

In 2007, SB 965 (Senator Lowenthal) proposed establishing a California Physical Oceanographic Real Time System (CalPORTS) in all five major California harbors to provide real-time tide, current and wind information vs. tide table predictions based on twenty-year averages. The bill did not pass out of the Senate Appropriations Committee. Both San Francisco Bay and Los Angeles/Long Beach (LA/LB) have existing PORTS, the later funded by two local port authorities. In contrast, the San Francisco Bay Region PORTS covering with a complex of seven port authorities, five refineries, 20 marine terminals, and seven ferry terminals, PORTS was funded by the State, but was scheduled to be shut down by June 30, 2008 because of no permanently dedicated funding.

However, several weeks after the Cosco Busan incident, the Governor on December 7, 2007 determined that PORTS was essential to navigation in San Francisco Bay. His Directive stated that PORTS funding be extended through FY 2008-09 and that there be work to obtain state and federal funding to modernize the system and provide for permanent operation. Subsequently, OSPAF funding has been ear marked for operations and maintenance and an additional \$300,000 recently allocated to complete San Francisco PORTS. The TAC will monitor progress on PORTS development and funding and will make recommendations as necessary to the OSPR Administrator, Governor, and Legislature.

## Conclusions

The TAC is a forum to provide public input and independent oversight of the OSPR Administrator and the oil spill programs of California. During the last two years, OSPR filled a high profile role in protecting the California environment. The November 2007 *Cosco Busan* oil spill brought much attention to oil spill preparedness in California from the public and the Legislature. A number of important bills dealing with oil spill prevention and response were signed into law. The Governor also directed OSPR to review existing oil spill contingency planning regulations to ensure response requirements that provide the Best Achievable Protection to the California environment. OSPR has expended a tremendous amount of time and energy dealing with the aftermath of the *Cosco Busan*. In addition TAC has supported the OSPR directive to each of the five Harbor Safety Committees to adopt Best Maritime Practices for each harbor to prevent vessel accidents, particularly during periods of reduced visibility.

During 2009–2010, OSPR will face continued challenges implementing amended regulations and developing new regulations, policies, and procedures to address the newly enacted legislation. This increase in activity will be in addition to continuing their primary mission of administering the prevention, preparedness, and response programs of the State. The TAC looks forward to working 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 State Lands Commission, the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, and the State Interagency Oil Spill Committee on any pertinent provision of the Act including the promulgation of all rules, regulations, guidelines, and policies.

## APPENDIX A

### California Government Code [Selected Sections]

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

**§ 8670.54. 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 and the State Interagency Oil Spill Committee. The committee shall consist of ten members, of whom six shall be appointed by the Governor, two by the Speaker of the Assembly, and two by the Senate Rules Committee. The appointments shall be made in the following manner:

- (1) The Speaker of the Assembly, and Senate Rules Committee shall each appoint members who shall be representatives 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 Rules Committee shall each appoint a member who has 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.
- (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 chairman and vice chairman shall be elected by a majority vote of the committee.

**§ 8670.55. Recommendations from committee; studies**

- (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, and the State Interagency Oil Spill Committee, on any provision of this chapter including the promulgation of all rules, regulations, guidelines, and policies.
- (b) The committee may, at its own discretion, study, comment on, or evaluate, 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 8601.10 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 to be appropriate to the Governor and the Legislature.
- (e) On or before August 1, 2005, the committee shall review the Department of Finance report required under Section 8670.42 and prepare and submit to the Governor and the Legislature comments on the report, including, but not limited to, recommendations for improving the state's oil spill prevention, response, and preparedness program.

**§ 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.

(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.

## Appendix B

**Office of Spill Prevention and Response  
TECHNICAL ADVISORY COMMITTEE (TAC)**

Member	Alternate
<p>Mr. Stephen Ricks (Chair) Marine Spill Response Corporation 2070 Commerce Avenue Concord, California 94520 Tel: (925) 405-0511 Fax: (925) 825-2203 Email: <a href="mailto:ricks@msrc.org">ricks@msrc.org</a></p> <p>Reappointed: May 11, 2001 By: Governor Davis As: Oil Spill Response Representative</p>	<p>Mr. Raymond C. Nottingham Marine Spill Response Corporation 330 E. Spring Street Long Beach, California 90806 Tel: (562) 981-7610 Fax: (562) 981-7601 Email: <a href="mailto:nottingham@msrc.org">nottingham@msrc.org</a></p>
<p>Dr. Jonna Mazet (Vice Chair) Wildlife Health Center School of Veterinary Medicine University of California – Davis One Shields Avenue Davis, California 95616 Tel: (530) 754-9035 Fax: (530) 752-3318 Email: <a href="mailto:jkmazet@ucdavis.edu">jkmazet@ucdavis.edu</a></p> <p>Appointed: May 11, 2001 By: Governor Davis As: State Government Representative</p>	<p>Dr. Michael Ziccardi Wildlife Health Center School of Veterinary Medicine University of California – Davis One Shields Avenue Davis, California 95616 Tel: (530) 752-4167 Fax: (530) 752-3318 Email: <a href="mailto:mhziccardi@ucdavis.edu">mhziccardi@ucdavis.edu</a></p>
<p>Ms. Sejal P. Choksi San Francisco Baykeeper 785 Market Street, Suite 850 San Francisco, California 94103 Tel: (415) 856-0444, ext. 107 Fax: (415) 856-0443 Email: <a href="mailto:sejal@baykeeper.org">sejal@baykeeper.org</a></p> <p>Appointed: August 4, 2004 By: John L. Burton, Chairman Senate Rules Committee As: Environmental Representative</p>	<p>Ms. Jennifer Kovacs Staff Scientist San Francisco Baykeeper 785 Market Street, Suite 850 San Francisco, California 94103 Tel: (415) 856-0444, ext. 108 Email: <a href="mailto:jen@baykeeper.org">jen@baykeeper.org</a></p>
<p>Carol Baker</p>	

Member	Alternate
<p>Office of Assembly Speaker Bass  State Capitol, Room 219  Sacramento, CA 95814  Attn: Denise Vallier, Special Assistant to the Speaker  Tel: 916-454-3707  Fax:  Email: <a href="mailto:rmb-crb@comcast.net">rmb-crb@comcast.net</a></p> <p>Appointed: November 21, 2008  By: Speaker Bass  As: Environmental Representative</p>	
<p>Mr. R. Mitchel Beauchamp  Pacific Southwest Biological Services  1434 East 24<sup>th</sup> Street  National City, California 91950-6010  Tel: (619) 477-5333  Fax: (619) 477-5380  Email: <a href="mailto:mitch@PSBS.com">mitch@PSBS.com</a></p> <p>Appointed: August 13, 2002  By: Herb J. Wesson, Jr.  Speaker of the Assembly  As: Public Representative</p>	
<p>Mr. Matt Rezvani  BP America, Inc.  6 Center Pointe Drive  La Palma, California 90623  Tel: (714) 670-5462  Fax: (714) 670-5480  Email: <a href="mailto:matt.rezvani@BP.com">matt.rezvani@BP.com</a></p> <p>Appointed: May 11, 2001  By: Governor Davis  As: Petroleum Representative</p>	<p>Ms. Laura Kovary  BP Shipping  1300 Pier B Street  Long Beach, California 90813  Tel: (562) 499-2332  Fax: (562) 499-2300  Email: <a href="mailto:laura.kovary@BP.com">laura.kovary@BP.com</a></p>
<p>VACANT      New appointment pending  As: Marine Transportation  Representative</p>	
<p>Ms. Joan Lundstrom  48 Frances Avenue  Larkspur, California 94939  Tel: (415) 461-4566  Fax: (415) 927-5098  Email: <a href="mailto:jlundstrom@larkspurcityhall.org">jlundstrom@larkspurcityhall.org</a></p> <p>Appointed: May 11, 2001  By: Governor Davis  As: Local Government  Representative</p>	<p>Ms. Rosemary M. Corbin  114 Crest Avenue  Richmond, California 94801  Tel: (510) 235-5779  Email: <a href="mailto:rdcorbin@sbcglobal.net">rdcorbin@sbcglobal.net</a></p>
<p>Mr. Thomas Ford  Executive Director</p>	<p>Mr. Mark Abramson  Watershed Programs Director</p>

Member	Alternate
<p>Santa Monica Baykeeper            3100 Washington Blvd., 2<sup>nd</sup> Floor            Marina del Rey, California 90292            Tel: (310) 305-9645 ext. 2            Fax: (310) 305-7985            Email: <a href="mailto:tford@smbaykeeper.org">tford@smbaykeeper.org</a></p> <p>Appointed: August 28, 2008            By: Don Perata, Chairman            Senate Rules Committee            As: Public Representative</p>	<p>Santa Monica Baykeeper            3100 Washington Blvd., 2<sup>nd</sup> Floor            Marina del Rey, California 90292            Tel: (310) 305-9645 ext. 3            Fax: (310) 305-7985            Email: <a href="mailto:mabramson@smbaykeeper.org">mabramson@smbaykeeper.org</a></p>
<p>Mr. John Berge            Vice President            Pacific Merchant Shipping Association            250 Montgomery Street, Suite 700            San Francisco, California 94104            Tel: (415) 352-0710            Fax: (415) 352-0717            Email: <a href="mailto:jberge@pmsaship.com">jberge@pmsaship.com</a></p> <p>Appointed: July 29, 2008            By: Governor Schwarzenegger            As: Dry Cargo Industry            Representative</p>	<p>Mr. John McLaurin            President            Pacific Merchant Shipping Association            250 Montgomery Street, Suite 700            San Francisco, California 94104            Tel: (415) 352-0710            Fax: (415) 342-0717            Email: <a href="mailto:jmclourin@pmsaship.com">jmclourin@pmsaship.com</a></p>