



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

<http://www.dfg.ca.gov/ospr/commit/tac/tac.html>



**Meeting of
Thursday, April 24, 2014
9:30 a.m. to 3:00 p.m.**

**U.C. Davis School of Veterinary Medicine
Vet Med Building 3A, Room 4402
One Shields Avenue
Davis, CA 95616**

MINUTES

Attendance:

<i>TAC members</i>	<i>Agency Representatives</i>	<i>OSPR Participants</i>
Steve Ricks	Laura Kovary, CA SLC	Thomas M. Cullen, Jr.
John Berge	Jonathan Bishop, CCC	Yvonne Addassi
R. Mitchel Beauchamp (by phone)	Linda Scourtis, SF BCDC (by phone)	Julie Yamamoto
Jonna Mazet	Jeff Rubini, USCG	Joy Lavin-Jones
Brian Meux	Jordan Stout, NOAA	Becky Mack
Matt Rezvani		Stephen Sawyer
		Ryan Todd

1. INTRODUCTIONS

Captain Thomas Cullen, Jr., OSPR Administrator

2. APPROVAL OF MINUTES

Mr. Stephen Ricks, TAC Chairman

2/13/14 Minutes – The following edits were requested: Mitchel Beauchamp attendance by phone. Jonna Mazet requests a brief capture of the discussion concerning OWCN’s continued viability. Motion to approve with corrections, seconded, and unanimously approved.

3. OSPR UPDATE

Captain Thomas Cullen, Jr., OSPR Administrator

(report provided)

Administrator Thomas Cullen, Jr. offered a brief update of each branch of the Office of Spill Prevention and Response. These updates can be found in the report provided.

- Since the last TAC meeting OSPR has met with other potential and already existing partners. February 21st OSPR met with the Fire Marshal’s office. While the Fire Marshal has the responsibility for preventative activities as it relates to pipeline, it was discovered their preparedness and response experience is limited.

February 25th OSPR gave its presentation to the Department of Toxic Substances Control.

March 7th OSPR met with the Director and others at Cal OES. OSPR is having much discussion with them about spill tracking, dispatch and reporting. They have a big concern with local government assistance.

March 10th OSPR met with the Western States Petroleum Association and California Independent Petroleum Association to further strengthen mutual understanding of the roles each will play in an inland rail incident.

March 19th OSPR presented before a joint interagency oil spill proposal policy hearing (the Senate Committees on Environmental Quality and Natural Resources and Water) to discuss roles in responding to and remediating rail accidents. Other presenting agencies on the panel were Cal OES, Department of Toxic Substances Control, and Certified Unified Program Agencies.

OSPR is continuing to strengthen its partnerships with the U.S. EPA, Cal Parks, and Army Corps of Engineers towards addressing the cleanup of Oakland Estuary/Abandoned Vessels. In consideration is a registration and fee process for vessels.

OSPR has met with representatives from COAST (Council on Ocean Affairs, Science and Technology) - <http://www.calstate.edu/coast/about/> – part of the CSU system – concerning possible collaborative efforts.

- Of concern to OSPR is the vessel traffic service (VTS) in the Ports of Los Angeles/Long Beach, one of only two that are not fully federally funded. With the number of port visits declining, and the federal cutbacks, the vessel traffic service is facing a substantial deficit.
- One of the continuing and ongoing concerns of the TAC is the relationship between OSPR and CDFW. OSPR met with the Director and Chief Deputy of CDFW in January. Two concerns of OSPR are: 1) Section 704 of the Fish & Game Code – the authority of the Administrator to manage personnel directly, and 2) bringing the legal staff directly back under the authority of the Administrator. CDFW and OSPR plan to meet again soon.
- OSPR's spill technology conference coming up February 24 – 26, 2014 (tentatively) in San Ramon, CA will focus on Best Achievable Technology initiatives. It will address how OSPR plans to bring in more of the technologies that are related to prevention and preparedness, not just response, and then look at developing a review process. Perhaps establish a small panel that takes a look at everything and prepares a report with recommendations that would be included in the TAC report and the statewide oil spill contingency plan.
- Upcoming Events: Conoco Phillips and Polar Tankers Table-Top Exercise in Los Angeles May 1st – 2nd, the Spill Prevention and Response Day at the California Maritime Academy in Vallejo on May 14th, the Chevron National Preparedness for Response Exercise Program (NPREP) in Oceanside May 21st – 22nd, and the Tri-National Hazardous Materials Table-Top Exercise in conjunction with the Regional Response Team IX Quarterly meeting in Yuma, Arizona May 19th – 21st.

4. AGENCY BRIEFINGS

California State Lands Commission
(report provided)

Captain Laura Kovary

- No incidents or spills since last report.
- Working with the engineers caught up with the MOTEMS. Focus is on facilities upgrading. SLC has come to an agreement with the Port of Los Angeles on Kinder Morgan. Plans exist to replace the pilings to bring it up to minimum standards, but not to full MOTEMS compliance as the facility is going to be phased out in a couple of years.
- This week the engineering team is working on updating MOTEMS; will not come into effect until 2017. The other thing they are looking at is the LNG portion of MOTEMS and possible bunkering of ships using LNG fuel.
- Reviewing violations process. Working on revising Article 5.0.

California Coastal Commission
(report provided)

Mr. Jonathan Bishop

- All Harbor Safety Committee and Area Committee plans are being updated.
- Finalized the ExxonMobil equipment changes on Platform Hondo; issued a No Effects Determination.
- Working with U.S. Fish and Wildlife Service, U.S. Coast Guard, and other exercise participants on the upcoming NPREP drill in San Diego. The drill will include using a discharge of fluorescein dye to simulate oil in the water. The dye will be seen as a target for offshore dispersant training operations.
- Looking at a new drilling project off the coast of Hermosa Beach. This is an E&B Oil Drilling and Production proposal to utilize directional drilling to recover oil and gas from both onshore and offshore reserves. The concern is the effects to coastal and sensitive marine resources if a spill were to result in a release to the Pacific Ocean.

BCDC
(report provided)

Ms. Linda Scourtis

- Tug workgroup is fully developed and presented to the Harbor Safety Committee for emergency towing. They will have an on water exercise at the end of May.
- Updating the ACP and the sensitive sites and key contacts lists. There are close to a 1,000 entries.

U.S. Coast Guard
(report provided)

LCDR Jeff Rubini

- International Oil Spill Conference, May 5th – 8th, Savannah, Georgia. The Coast Guard is one of the lead agencies to coordinate this and has 98 people throughout the entire Coast Guard attending; a 41% decrease from previous conference.
- Motor Vessel *Fernstream*, shipwrecked in 1952 after collision with the *Hawaiian Rancher SS* just inside Golden Gate Bridge. A FOSC decision memo determined it was not presenting a substantial threat but USCG will continue to monitor. NOAA to potentially conduct additional deep water operations.
- The ICS Position Front End Analysis is a project within the Coast Guard that looks at each ICS position to develop a new method of evaluating performance to determine what training and professional development is necessary to help Coast Guard personnel achieve optimum performance in their ICS positions.
- Proposed NOAA sanctuary expansion in various locations will not likely affect biological assessment. Public comment period just opened April 14.

NOAA
(report provided)

Mr. Jordan Stout

- As of April 13, 2014, NOAA staff were demobbed from the Deep Water Horizon response as has the Command Post. The last 2.7 miles of the Louisiana coastline has been moved out of active clean-up. There is still a level of response capability by the National Response Center to public reports of deep water oil.
- Couple of training elements:
 - NOAA and OSPR have teamed up for many years now doing the EROS training. Some NOAA folks talking about developing a Science of Chemical Spills class in the future.
 - NOAA has been updating their aerial observer training program focusing on three different levels of training: 1) an awareness level like what you would have in an SOS (Science of Spills) or EROS class, 2) an aircrew level which is focused on Coast Guard air crews who may be the first ones who might come upon an oil spill, and 3) a responder level for agency pollution responders who are required to interpret and document what they observe.
 - NOAA's very first on-line aircrew level training module went live in February and is available for anyone using a web browser. Already a few hundred people have taken the course and have reported positive feedback.

5. FUND CONDITION AND BUDGET UPDATE
(report provided)

Ms. Becky Mack, OSPR Budget Analyst

Ms. Becky Mack presented an overview for Fund Conditions 207, 320, 321, and 322. Fund conditions capture three prior fiscal years of actual revenues and expenditures (FY 10/11- FY 12/13) and three fiscal years of projected revenues and expenditures (FY 13/14- FY 15/16). For current fiscal year 2013/14, revenues and expenditures were presented reflecting fiscal month 8 (February) actuals and projections through the end of 2014.

- Fund 207 – Fish & Wildlife Pollution Account: Doing well at about 86% of projections. Balance is \$526,000. “Funds Designated For Specific Use” is how much money is obligated out for future settlements, etc.

- Fund 320 – Oil Spill Prevention & Administration Fund: On target with projections at 61% thru January with spending below allotments. OSPR still has a general fund loan of 3.6 million out on this fund.
- Fund 321 – Oil Spill Response Trust Fund: Revenues brought in is 99% what OSPR projected. The numbers will reflect that OWCN/(UC Davis hasn't spent all of its money for this or last fiscal year. This is due to the accounting method of spending "previous year's monies" first and rolling unspent monies into a prudent reserve for the current year. Monies can be rolled for three years. Billings are done quarterly.
- Fund 322 – Environmental Enhancement Fund: Must be spent on restoration and coastal projects. Have an appropriation of \$357,000. In the next fiscal year there is a proposal in the Governor's budget to increase spending and bring the fund balance down for fiscal year 15/16.

6. REGULATIONS & LEGISLATIVE ISSUES

(report provided)

*Ms. Joy Lavin-Jones,
OSPR Regulations Analyst*

- Spill Management Teams: OSPR has undertaken a volunteer initiative to evaluate SMTs for their ability to meet plan holder requirements. Through this process, OSPR has become aware that some SMTs demonstrated inadequate knowledge of ICS and spill management in the first 24 hours. Although OSPR does not have authority over SMTs directly, OSPR does regulate the plan holder of Vessel/Facility Contingency plans, which identify SMTs specifically contracted to meet plan holder requirements. OSPR is currently working to develop an industry workgroup to provide input toward the drafting of the regulations. The next SMT scoping meeting is scheduled for May 15th in Los Alamitos office.
- Oil Spill Response Organization (OSRO) Rating Regs: There have been three major changes as it relates to OSRO's: 1) OSPR use of Coast Guard definitions of terms 'near shore', 'sheltered', and 'off shore'; 2) a new requirement that OSRO's providing shoreline protection must participate in the Sensitive Site Strategy Evaluation Program (SSSEP); and 3) a voluntary "Group 5 oil endorsement", whereby if an OSRO has the capability to respond to Group 5 oils, they can include this information in their rating/endorsement paperwork. Will not be a requirement.
- Certificate of Financial Responsibility (COFR): Some of OSPR's in-house COFR regulations processes are being amended. Will be sent out in a couple weeks for informal comment.

7. UPDATE ON STATEWIDE OIL SPILL PROGRAM

(report provided)

*Dr. Julie Yamamoto,
OSPR Scientific Branch Chief*

- March 27 was the first budget hearing on the proposal in the Senate. April 23 was the first budget hearing in the Assembly. It did not go to a vote; unclear why it was held over again.

The Legislative Affairs Office overall is in favor of the proposal but wants us to look at making the fee adjustable based on relative risks rather than a flat fee. The costs to develop and re-evaluate such a risk-based fee would exceed the revenues.

Currently the proposal is in the budget process. Since both subcommittees held it over, it will be going back into the open issues hearings in May. If Assembly and Senate budget subcommittees pass the proposal it will be in different forms, there will be a conference committee with the Senate Assembly and they decide what to advance.

- Railroad Accident Prevention and Immediate Deployment (RAPID) program. Funded and put into place after the Dunsmuir and Seacliff incidents in 1991, both non-oil spills, and established the Rapid Force, which is a multi-agency planning group led by DTSC and Cal EPA and included OSPR and many agencies to develop a plan for responding to rail and trucking incidents for all HazMat. Funding sunsetted in 1995. Some version of this is under discussion with the Rodriguez bill (AB 2677). This bill would require CalEPA, in consultation with other agencies, on or before January 1, 2017, to develop and submit to the Governor and the Legislature a report containing recommendations for a comprehensive and coordinated oil spill contingency plan designed to address inland oil spills resulting in the transportation of crude oil by railroad. This would be redundant to the current proposal for a statewide oil spill program.

- 8. STATUS OF OWCN OPERATIONS** *Dr. Jonna Mazet, Wildlife Health Center Director*
Officially the Oiled Wildlife Care Network (OWCN) will not have operational funding as of July 1st. AB 881 would have resolved that, but is in inactive status. If the statewide oil program is not granted as planned and OWCN operates at limited function, within five to six months it will be forced to shut down and a huge resource will be lost to the State. Consideration must be given to provide plan holders reasonable notice to find alternative sources for wildlife rehabilitation. OSPR, TAC and OWCN to develop language for letters to be mailed to the plan holders by June 1st.
- 9. MAKE UP AND RESPONSIBILITIES OF TAC** *Mr. Stephen Ricks, TAC Chairman*
TAC's charter is Article 8, Section 8670.54. The requirement is that there are ten TAC committee members. Currently there are two vacant member positions, those of marine transportation and local government representatives. There is some discussion in the statewide oil program bill about expanding the TAC to fourteen members total by adding representatives from rail, inland, and the environmental community.
- 10. OLD/NEW BUSINESS, NEXT MEETING** *Mr. Stephen Ricks, TAC Chairman*
The next TAC meeting will be Wednesday, July 16, 2014. Location to be determined.

ADJOURN

Meeting adjourned 3:00 p.m.