OIL SPILL PREVENTION AND RESPONSE
TECHNICAL ADVISORY COMMITTEE (TAC)

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

Meeting of
Tuesday, July 30, 2013
9:00 a.m. to 3:00 p.m.

1700 K Street, Ste. 250
Sacramento, CA 95811
(916) 445-9326

MINUTES

Attendance:

TAC members	*Agency Representatives*	*Participants*	*Guests*
R. Mitch Beauchamp	Dave Brown	Tom Cullen, OSPR	
John Berge	Gary Gregory, SLC	Garry Smith, OSPR	
Tom Ford (by phone)	LCDR Jeff Rubini, USCG	Julie Yamamoto, OSPR	
Jonna Mazet	Linda Scourtis, BCDC	Joy Lavin-Jones, OSPR	
Brian Meux		Mark Neuberger, OSPR	
Matt Rezvani		Ryan Todd, OSPR	
Steven Ricks			
Deb Self			
Michael Ziccardi			

1. INTRODUCTIONS ***Captain Thomas Cullen, OSPR Administrator***

2. SWEARING IN OF NEW MEMBER ***Captain Thomas Cullen, OSPR Administrator***

New member, Brian Meux.

3. APPROVAL OF MINUTES ***Mr. Stephen Ricks, TAC Chairman***

Approval of the 4/16/13 Minutes postponed until opportunity for all to review.

4. OSPR UPDATE ***Captain Thomas Cullen, OSPR Administrator***

- SB881. Administration takes position of "oppose unless amended" recognizing it does not fix the projected 0320 fund deficit as the bill could be signed into law. Even at 7¢ we will have to find efficiencies to offset the shortfall.

- Off-site branch chiefs meeting – made a list of legislative proposals. Branch Chiefs working on a two-year action plan for their assigned branch.

- Lease of Northern California office in Fairfield expiring. Relocation should be mindful of location close to water access, as well as cost. Considering two smaller field locations rather than one to accommodate different FRT needs. Proposals are either one office, perhaps in Hercules; or two offices such as Mare Island and the Maritime Safety Center Point in Richmond. Richmond is closer to the bay area and has water access for boats. Enforcement only uses the Fairfield office on an as need basis.

- Will be meeting with Director of Dept. of Conservation/DOGGR, Mark Nechodom in consideration of funding an inland oil spill program.

- Are we keeping in mind the Prop 26 restrictions? Data differentiating where spills are coming from is critical.

Upcoming events/meetings:
Aug 6 – 9: BP Shipping and Alaska Tanker drill in San Francisco.
Aug 21: United Response 2013 Functional Exercise, Martinez
Aug 21: CA Maritime Security Council, Stockton
Sept 12: Spills Advisory Group meeting, Washington, D.C.

Upcoming events/meetings *(continued)*:
Sept 25 – 27: PSBC annual meeting, Seattle, WA. We are the biggest contributor to that task force. In consideration will be comprehensive state-wide drills and contingency plans.
Oct 1 – 3: Sacramento all OSPR state wide meeting
Oct 29 – 30: West Coast Harbor Safety Summit

5. AGENCY BRIEFINGS

State Lands Commission ***Mr. Gary Gregory***
(report provided)

- Version 2 of MOTEMS published July 1. In process of 2nd round of audits for marine oil terminals. MOTEMS compliance issues contentious and not moving quickly.

- Spill report - comparative data shows spills running about equal as in previous years. Numbers partially impacted by refineries in Southern California not operating at full capacity. Movement by oil across the dock is driven by the refineries. In addition, we are a more fuel efficient economy today than ever before.

- Inquiry: Regarding water borne movements that are being replaced by rail – who captures the rail movements into facilities? Unknown. Rail shipments and associated risks not being tracked. California Freight Advisory Council (50-60 people) meeting next month to discuss a national freight policy. Oil moved by rail from out of country is not taxed.

Coastal Commission ***Mr. Jonathan Bishop***
(report provided)

Report provides update on the CCC Oil Spill Program's work activities 4/16/13 – 7/30/13.

BCDC ***Ms. Linda Scourtis***
(report provided)

- Overseas Reymar – no oil spilled. Board of Pilot Commissions came to a settlement 1st of this month. The pilot at fault must take remedial training in radar and emergency ship handling, facing five months suspension of his license, and required to accompany 30 different transits under bay bridge. Two year general probationary period. Coast Guard investigation still continuing due for completion in Fall.

U.S. Coast Guard ***LCDR Jeff Rubini***
(report provided)

- ESA 7 consultations – to insure federal actions don't create more problems than necessary to wildlife.

- Sea River exercise – the dispersants process was submitted for approval.

- Consolidation of pollution response trailers. The equipment that is in place now is matched. Eureka and Port of Los Angeles are places where consolidation to happen. Since 2007 have remained in State of CA. An evaluation was conducted of each trailer – determined 2 out of 6 should stay – at Noyo River and Morrow Bay Coast Guard stations. All others are providing redundant capability. Where do they go? Cindy Murphy interested in taking possession. The barriers are the rules. Must go thru the excess property process plus a period of advertising, plus a period whereby other state agencies have the opportunity to purchase them.

- SCAT (Shoreline Cleanup and Assessment Team) training for District 11 – completed SCAT for So. Cal. (San Diego & Los Angeles). Putting together for No. Cal. They are rewriting the marine safety manual (the "Mir Man").

- Performance measures as it relates to marine and mammal response – throughout the district AOR we've had 265 total NRC reports. MER response rate to all NRC notifications. Currently unmet at field units.

6. FUND CONDITION AND BUDGET UPDATE ***Mr. Garry Smith, OSPR Chief of Fiscal and Admin Services Branch***
(report provided)

- Presented expenditure and funding projections for Funds 0207, 0320, 0321, and 0322. The fund conditions capture current year revenues and actual expenditures through fiscal month 12. Also presented were funding projections for 2013-2014, 2014-15, and 2015-16.

7. REVIEW TAC CHARTER AND BYLAWS ***Mr. Stephen Ricks, TAC Chairman***
(report provided)

- SCIOS is gone.

- TAC must meet at least two times per year – we've been meeting four. No need to change there.

- Posting the Agenda –10 days, to include Notice as well. Bagley-Keene does not state where notice and agenda should be posted *physically*, just that it may be posted *electronically* on internet. Recommendation: John Berge – we develop a "list serve" that others may register to receive notice of TAC meetings, TAC agenda, and Minutes.

- Adding an agenda item after the agenda has been posted requires a 2/3rds majority vote, but could not vote on it if no adequate time to post before the meeting.

8. BRAINSTORMING LEGISLATIVE ISSUES ***Ms. Joy Lavin-Jones, Oil Spill Prevention Specialist***
(report provided)

- Shoreline protection tables –have 2 workshops in August. Website has descriptions and tables.
- Regulations not amended since adopted in 1998.
- Spill Management teams – depends on outcome of drills. Should be updated by next TAC meeting.
- OSRO rating system updates – 1st in-house meeting tomorrow.
- AB 881 – increases maximum per barrel fee on crude or petroleum products from 6.5¢ to 7¢;
  - – repeals existing sunset clause causing the fee to revert back to 5¢;
  - – biennial fee by non-tank vessel not to exceed $3,500;
  - – allows Administrator to transfer up to $2 million from OSPR fund to Oil Spill Response Fund to fund the OWCN.
- Fracking bills – SB 4 is the only one still alive.
- Provided an additional handout – "Potential OSPR Legislative Concepts for 2014"
- Independent drill monitors – not being used. Have found other ways to deal w/the problem.
- Inconsistent usage of words – gross tonnage vs. gross registered tons. Prefer gross tonnage.

Inquiry: Has the fisheries closure issue been resolved?
Response – The requirement re: whether a closure is necessary in 24 hours is usually based on inadequate information. Still needs to be addressed. Law says whenever there's a spill of 42 gallons or more. Bill 2935.

9. TAC 2013 -2014 PRIORITY ISSUES ***Mr. Stephen Ricks, TAC Chairman***
(report provided)

Also to add:
- Tracking issues and identifying accomplishments in our biennial report and making recommendations.
- Potential OSPR legislative concepts
- Movement of oil by trucks and train
- Fracking

10. REVIEW OSPR AND SLC ORGANIZATION CHARTS ***Mr. Stephen Ricks, TAC Chairman***
(report provided)

SLC – Marine Facilities Division
Gary Gregory - Marine & invasive species are all funded by a different funding source.
Operations, environmental & engineering – these are division office functions.

Mineral Resource Management Division
Dave Brown - Mineral Resource Mngmt Division - its primary funded positions are in the Operations and Compliance unit.
Engineering group – split funded depending on assignment
Drilling work – charging to OSPAF
Planning and Development – entirely general funding
Finance and Economics – general fund

Lempert-Keene clearly identifies what fund is used for which specific duty/assignment performed.
Dave Brown to supply documentation re: the funding used for the duties.

Inquiry: What is the typical breakdown of these shared positions?
Response: There's not a typical position. It varies depending on what the assignment is. Staff are all cross-trained.

Inquiry: Is it driven by mission or need or where the money is? What drives the split?
Response: Usually done for efficiencies.
Those that will be used for multiple positions will have the credentials. We're very concerned with matching the dollar with the Index & PCA codes.

11. OLD/NEW BUSINESS ***Mr. Stephen Ricks, TAC Chairman***
(report provided)

Biennial report enclosed. There are some inaccuracies which need to be clarified. Biennial Report was to have been published. Once changes incorporated, OSPR to publish it.

12. MEETING DATES ***Mr. Stephen Ricks, TAC Chairman***
Next TAC – Wednesday, November 6th, Los Alamitos.

ADJOURN
Meeting adjourned 2:46 p.m.