



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



**Bahia Resort Hotel
998 Mission Bay Drive
San Diego, California 92109**

April 22, 2008 9:30 a.m. – 5:00 p.m.

Attendance:

Members	Agency Representatives	DFG/OSPR Participants		Guests	
Stephen Ricks	Robin Blanchfield	Lisa Curtis	Paul Hamdorf		
Jonna Mazet	Gary Gregory	Steve Sawyer			
Matt Rezvani	Linda Scourtis	Marguerite Diaz			
R. Mitchel Beauchamp		Carla Simmons			
Joan Lundstrom		Dave Cornejo			
Jen Kovacs		Bud Leland			
		Lisa Vandenput			

The April 22, 2008, Oil Spill Technical Advisory Committee (TAC) meeting at the Bahia Resort, San Diego, CA was called to order at 9:35 a.m. – Stephen Ricks, Chairperson, presiding.

- I. INTRODUCTIONS** **LISA CURTIS, OSPR**
 - ❖ Self Introductions: TAC Members, Agency Representatives, and Guests.

- II. APPROVAL OF THE MINUTES** **STEPHEN RICKS (CHAIRPERSON)/TAC**
 - ❖ Edits necessary on page 1, 3, 5 and 6.
 - ❖ Joan Lundstrom motioned for approval of the minutes with edits, Mitch Beauchamp seconded. Unanimously approved by TAC members.

- III. OSPR UPDATE** **LISA CURTIS, OSPR**
 - ❖ Recently appointed Department of Fish and Game Director, Mr. Donald Koch, was sworn in on April 21, 2008.
 - ❖ John McCamman will continue his role as the Chief Deputy Director.
 - ❖ OSPR is reacting to external demands, through budget and bill analysis.
 - ❖ Continuity of business is very important.
 - ❖ OSPR called the branch chiefs together for internal briefings to assemble the internal recommendations for any needed improvements. The Office of Inspector General’s report came out and focused on the USCG primarily; Wildlife recovery will be looked at.
 - ❖ Annual HSC meeting will be coming up and OSPR provided some creative opportunities.
 - ❖ OSPR received approvals for out-of-state travel for the annual HSC meeting and the International Oil Spill Conference.
 - ❖ Jordan Treverso is the recently appointed Deputy Director of Communications. Need to get her approval prior to having a presentation of Data to the TAC because it is a public meeting.
 - ❖ Senator Migdon’s investigation of OSPR relating to the transferring of personnel. The Senator has asked for the names and phone numbers of the TAC members. Mr. Steve Ricks was contacted by phone; he was asked for the evidence of the transfer of staff that was referenced in the biennial report.
 - ❖ Warden compensation is an ongoing issue.
 - ❖ Legislative audit is to duplicate what the department of finance reviewed. One of the concerns addressed were: OSPR does not have the ability to investigate itself. Nine (9) items were originally requested to be investigated. Issues relating to contingency plans, funding, personnel, etc. 28 initial documents.
 - ❖ DOF v. Bureau of State Audits: BSA is an independent entity and DOF has specific legal control. BSA has more ability to get documents even if they are confidential, but they are bound by the Public Records Act.
 - ❖ Evidence on the staffing can be directed to Jonna Mazet. TAC conducted more investigation regarding staff transfers. TAC identified OSPAF concerns, and OSPR responded accordingly.
 - ❖ NTSB Hearing: Rick Holly represented OSPR; Roy Mathur and Rob Roberts testified. The USCG is being looked at on their qualifications of their investigators.

- IV. PUBLIC COMMENT** **STEPHEN RICKS (CHAIRPERSON)/TAC**

Steve Ricks invites members of the public to come forward. No public attendees present.

- V. AGENCY REPORTS** **CCC/BCDC/SLC
Robin Blanchfield**
 - ❖ **California Coastal Commission:**
Report provided. Ellen highlighted post Cosco Busan incident tasks CCC is working on.
 - ♦ Harbor Safety Committees: Robin is working with the HSCs on best maritime practices.
 - ♦ Places of potential refuge: Identification is being worked on by the CCC intently. The CCC had discussions with the Los Angeles, San Diego, and San Francisco bar pilots and has provided a briefing at the HSC.
 - ♦ Volunteers: Ellen is heading up the volunteer program to develop and improve training and recruiting volunteers. Access to volunteers at the next major oil spill is necessary. The plan is to partner strongly with the local governments for management of the volunteers. CCC is surveying the local area governments to

find out about their local government volunteer programs, and then including it into the area plans. Issues still to be addressed:

- Training
- Liability
- Expense
- Difficulty
- Warnings: Public affairs offices need to make clear and pronounced warnings to volunteers about the risks and consequences of the hazardous material threat
- Management

CCC recommended a spill drill in an urban area be conducted acting out the volunteer scenario -- get public relation and media bites out there as well.

Matt recommends that there is a plan with prepackaged written material holding town hall meetings with local government and with local environmental agencies, educating local volunteers on why they need to volunteer.

- ♦ Major oil and gas projects in the Santa Barbara channel: A lot of attention is being made to the oil and gas drilling in Santa Barbara County right now. Slant drilling is one major proposal at Platform Irene (will it expand the life of the platform?). The County made an agreement with the environmental groups that production will be stopped in 2022. CCC agrees that the PXP project is a good project.
- ♦ Legislation: Ellen and Robin are involved in tracking legislation as a result of the incident.

❖ **State Lands Commission:**

Gary Gregory

Report was provided.

- ♦ Prevention First 2008: September 2008. Go to www.slc.gov to get more information. A brochure was distributed.
- ♦ All American Pipeline: Berth 404-408 – crude oil berth, designed for nominal capacity, have various places at port. An agreement with Trapak and the Port of Los Angeles has been reached to not pursue further law suits on berth 400. Environmental Impact Report will be out by the end of the month. Significant mooring and berthing concerns because of the location of the berths. Ships come in at 10 knots which is fast. SLC is working with the Pilots Association to make sure it is safe to navigate at that speed and to ensure they are built to standard, according to MOTEMS.
- ♦ Process seeking management. SLC is looking at it and refineries are heavily involved.
- ♦ Worked with LA/LB fire departments to work with their tank ship programs. With USCG, LA/LB departments and is looking for funding.
- ♦ Human Resources' has some qualification concerns. Only received 18 applicants and probably 1/3 will not pass the exam.
- ♦ MOTEMS: High risk terminals have to have their MOTEMS audit by August 2008. There will be changes to the MOTEMS.
- ♦ LNGTEMS is working forward.
- ♦ Looking at operations regulations.

Report funded by the OSPAF is posted on SLC webpage for TAC and OSPR review. Set for sunset 4/2010.

❖ **SF Bay Conservation and Development Commission:**

Linda Scourtis

Report provided.

- ♦ Tug Escort workgroup will report back to the Legislature on vessels with hazardous materials. BCDC is attempting to get clarification on the definition of the vessels – currently includes all commercial vessels.
- ♦ Area Contingency Plan: Looking at volunteer issues.
- ♦ San Francisco Bay Maneuvering Guidelines: Developed by the Captain of the Port and bar pilots. VTS will use the guidelines, which are limited to critical areas of the bay -- primarily where there are bridges. Final decision still lies with the Captain of the vessel.

VI. BYLAW CHANGES

TAC

On October 30, 2007 TAC voted on bringing the Bylaws into compliance with the Brown Act.

- ❖ Edit to Article 6, and additions, deletions, and changes in language to Article 7 were necessary to bring the Bylaws into compliance.
- ❖ Mitch Beauchamp motioned for the Bylaws to be accepted with changes, seconded by Joan Lundstrom. Unanimously approved.

VII. REGULATION/LEGISLATION

DAVE CORNEJO

April 21, 2008 updated spreadsheet provided

- ❖ AB 1960: DOGGR prescribing regulations for minimum maintenance standards to production facilities requesting the Administrator to set up a SIOSC for inland.
- ❖ AB 2031: Volunteer manager: Program for training and equipment with a one time grant that will come out of the OSPAF.
- ❖ AB 2032: Would raise the trust fund designated amount from 109M to 200M; revises the definition of a non-tank vessel. The purpose was to increase the liability in the event of an accident. There is confusion/confliction between the Federal and State statutes.
- ❖ AB 2547: This bill covers equipment locations and resources, criteria for OSRO rating program, Universal Mutual Aid Agreement, improve methods and technologies, and emerging technologies. The OSRTF to cover uncompensated response and cleanup costs, and adoption of regulations.
- ❖ AB 2911: Requires the Administrator to enhance the OWCN from the OSPAF. Currently, the OWCN network gets \$1.5 million in interest. If this bill passes, the OWCN could potentially get double this amount.

- ❖ AB 2912: Define a spill or discharge to mean a release of oil into marine waters or into waters of the state. Inland spills would be deposited into the 207 fund through an administrative penalty action.

VIII. SPILL TRACKING DATABASE**CARLA SIMMONS**

Presentation provided on the database, which included quarterly reporting of what is in the spill tracking database and a comparison between 2007 and 2008.

- ❖ Notification drills added to database. These notification drills are maintained in the vessel logs.

- ❖ Carla requested TAC to provide suggestions for additional representation of this data.

Reports are being rewritten – requested to be returned. Once rewrite is complete, Carla will provide copy to Marguerite to distribute to the TAC members, and will place a pdf. version on the OSPR webpage when available to the public.

IX. ISPR REPORT**PAUL HAMDORF**

Phase I of the report is almost completed, focus/issue papers and haggling are completed, and it will be sent for review to the USCG on May 1, 2008

- ❖ Some issues were moved to Phase II of the report.

- ❖ Recommendations:

- ♦ 13 pages of recommendations for Phase I of the report. Many of the issues indicate to send to the ACP for handling.
- ♦ Should organize by importance and place in the Strategic Plan with a deadline and provide a public information announcement on the timeframes.
 - Liaison
 - Prioritization of sensitive sites
 - Low visibility response options
 - Further SIOSC training
 - Best achievable protection
 - Volunteers
 - Drills and exercises

- ❖ When OSPR has all the reports together, would like the TAC to look at them to prioritize and provide guidance and input. Part II will come out with a matrix of assigning direction on where an action needs to be taken.

Suggestions: On next agenda include action item on State Legislation; create a subcommittee (Jonna Mazet, Robin Blanchfield, Joan Lundstrom and Steve Ricks) to do the preliminary work to provide information to TAC in order to vote on recommendations to the Legislature.

X. FUND CONDITION AND BUDGET UPDATE**DAVE CORNEJO**

Report provided representing OSPR fund conditions and a presentation on the fund conditions was provided.

- ❖ OSPR is operating with 13 vacancies.

- ❖ Well over our designated amount – operating with a good reserve at this time.

- ❖ OSPAF is operating at less reserve than suggested.

- ❖ Expenditures dropped by \$4M in a year.

- ❖ Staff reporting directly to DFG that are being paid out of the OSPAF and do not report to the Administrator:

- ♦ 22 Enforcement
- ♦ 10 Legal
- ♦ 10 IT
- ♦ 2 PIO

Suggestion for TAC members to talk to the Bureau of State Audits.

XI. TAC RECOMMENDATIONS FOR NEXT YEARS BUDGET**JONNA MAZET**

- ♦ Response to the DOF audit. TAC has not been involved with much of the audit.

- ♦ Concerns of the TAC

- OSPRs AUTHORITY

- 36 positions: SB 849 and the increase to the fee. Cut in half by the legislative. BCP only allowed 19 positions, then in 2007 BCP for drills and exercises for 8 additional positions. The increase in revenue has been taken up since the drills and exercise program has been staffed. Positions were also added at SLC that affects the OSPAF. All monies are being spent on positions and research as intended by SB 849; monies have not been redirected.

- Next year's budget. Should the TAC be looking at leaving the monies up for grabs by all the legislation? TAC should make comments on the legislation that address where the funding needs to come from as there is not any surplus in the OSPAF pursuant to the DOF. What is the possible impact on programs and the OSPAF to make recommendations appropriately or redirection of staff?

- What are OSPRs top priorities: Augmentation of the PORTS, continuation of the drills and exercise program, etc. TAC should be looking at 09/10 budget cycle.

- ♦ It's unreasonable for the committee to be involved in supporting OSPR and can't get the budget information that will be proposed for monies.

- ♦ What are OSPRs and SLC position on the budget? OSPR has not received all the direction through agency or the Governor's Office; therefore, cannot comment on this yet.
- ♦ Focus on volunteer management and liaison efforts. View as a comprehensive program with the boom program and with the drills and exercise program.
- ♦ SLC: Renovation of database management system to include information from MOTEMS and work into the realm of process management. Risk based management and engineering.
- ♦ OSPRs interactive database to tie in everything internal and external document management.

Should TAC have an annual letter to the legislator and the governor, head of the houses, department of finances?

XII. BIENNIAL REPORTS

STEPHEN RICKS (CHAIRPERSON)/TAC

Biennial report needs to be completed by the within the next six months. Stephen Ricks will work on a draft report. Letter should go to Governor, Resources, Finance, Legislature, etc.

XIII. OLD/NEW BUSINESS

TAC

Bird capture letter – is there a report. Rebecca has been given overtime – 6 hours. Secretary Chrisman sent her a response. She wants a definitive response from the TAC. OSPR scheduled to meet with her and is working with her. Steve Ricks will review the matter.

NEXT MEETING: June 26, 2008 – TBD (Sausalito or SF)

ADJOURN