MINUTE ITEM
This Calendar Item No. C56 was approved as Minute Item No. 56 by the California State Lands Commission by a vote of 3 to 0 at its 10-01-02 meeting.

CALENDAR ITEM
C56

A Statewide

10/01/02
Contract C2002-024
W9777.261

S Satewide

M. Eskijian, G. Gregory, M. Meier; D. Brown

CONSIDER AUTHORIZING EXECUTION OF AN INTERAGENCY AGREEMENT WITH THE CALIFORNIA OFFICE OF EMERGENCY SERVICES FOR COMPLETION OF A SEISMIC AND TSUNAMI HAZARD ASSESSMENT FOR THE SAN FRANCISCO BAY AREA

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

PROPOSED ACTIVITY:

Under the proposed project, the Commission would provide $120,000 over a two-year period to the California Office of Emergency Services (OES) to facilitate the seismic and tsunami hazard assessment of the San Francisco Bay and associated waterways (e.g., the Carquinez Strait). The funds involved have already been made available through a Budget Change Proposal.

BACKGROUND:

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 (Act) requires the California State Lands Commission (CSLC) to,...*adopt rules, regulations, guidelines and commission leasing policies for reviewing the location, type, character, performance standards, size and operation of all existing and proposed marine terminals within the state...* " (Public Resources Code (PRC) Section 8755 (a)) and to *"...periodically review and accordingly modify its rules, regulations, guidelines and commission leasing policies to ensure that all operators of marine terminals within the state and marine facilities under the commission's jurisdiction always provide the best achievable protection of the public health and safety, and the environment....* (P.R.C. Section 8756).

To meet this mandate, the Commission's Marine Facilities Division has developed comprehensive engineering and maintenance standards for marine oil terminals throughout California. This set of standards, called "the Marine Oil Terminal Engineering and Maintenance Standards" (the MOTEMS), has been developed over a five-year period. The goal of the MOTEMS is to provide the best achievable protection for the public health, safety and the environment. The MOTEMS will mitigate the risk of damage, potential oil spills, mooring/berthing accidents and reduce the seismic vulnerability of California's marine oil terminals. Staff expects to present the MOTEMS to the Commission as a proposed regulatory requirement in the spring of 2003.

One section in the MOTEMS provides seismic and tsunami hazard information for Southern California. Development of this section was independently funded through OES with monies from the Federal Emergency Management Agency (FEMA), following the Northridge earthquake of January 1994. That funding was solely for projects within the Ventura, Los Angeles and Orange County areas. Although Staff requested additional funds to extend this effort to other areas of California's coast where marine oil terminals are located, the request was denied. Staff's concern is that this information is urgently needed for the San Francisco Bay Area, with many high volume throughput marine oil terminals located very close to active earthquake faults.

Currently, OES has updated seismic/tsunami information for much of the coast of California, but is lacking such information for the San Francisco Bay Area. That agency has systematically begun a project to obtain this information for remaining areas of California's coast. This type of information, including vertical run-up of potential tsunamis would coincide with and complement the MOTEMS. It would provide valuable information for use by the marine oil terminals in their eventual compliance with the proposed MOTEMS regulations. It would also be of value to the ports of San Francisco and Oakland.

The inter-agency agreement with OES proposed herein would allow Commission Staff to extend the hazard data provided in the MOTEMS for Southern California to the San Francisco Bay area. Coupling our effort with that in progress by OES would provide a means for obtaining data for the San Francisco Bay area.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code Section 6106 (Delegation to execute written instruments)
B. Government Code Section §11256 Interagency Agreements
C. State Administrative Manual Section 1200
D. State Contracting Manual (rev 9/01)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THESE ACTIVITIES ARE EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL CODE REGS. 15061 BECAUSE THESE ACTIVITIES ARE NOT PROJECTS AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL CODE REGS. 15378.

2. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE AN INTER-AGENCY AGREEMENT WITH THE CALIFORNIA OFFICE OF EMERGENCY SERVICES, TO PERFORM THE EFFORT DESCRIBED ABOVE. THE AMOUNT OVER A TWO-YEAR PERIOD IS ESTIMATED TO BE $120,000.