California
STATE LANDS COMMISSION

Marine Facilities Division

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History

The California State Lands Commission (CSLC) was created by the California Legislature in 1938 as an independent body, composed of three members—the Lieutenant Governor and State Controller, both statewide elected officials, and the Director of Finance, an appointee of the Governor. The CSLC was given the authority and responsibility to manage and protect the important natural and cultural resources on certain public lands within the state and the public's rights to access these lands. The public lands under the Commission's jurisdiction are of two distinct types—sovereign and school lands. Sovereign lands encompass approximately 4 million acres. These lands include the beds of California's naturally navigable rivers, lakes and streams, as well as the state's tide and submerged lands along the state's more than 1,100 miles of coastline, extending from the shoreline out to three miles offshore. In short, the CSLC's jurisdiction extends to more than 120 rivers and sloughs, 40 lakes and the state's coastal waters.

School lands are what remain of the nearly 5.5 million acres throughout the state originally granted to California by the Congress in 1853 to benefit public education. The state retains surface and mineral ownership of approximately 468,600 acres of these school lands and retains the mineral rights to an additional 790,000 acres. Today, revenues generated from school lands benefit California's retired teachers.

The Commission is supported by a staff of more than 200, including specialists in mineral resources, land management, boundary determination, structural engineering, natural sciences, safety management, marine terminal operations and oil spill prevention.

Mission Statement

The California State Lands Commission serves the people of California by providing stewardship of the lands, waterways, and resources entrusted to its care through economic development, protection, preservation, and restoration.

Vision Statement

The California State Lands Commission works as a team to set the standard for excellence in public land management and resource protection to ensure the future quality of the environment and balanced use of the lands and resources entrusted to its care.

California
Marine Oil Terminals
Offshore Moorings
Onshore Terminals
Eureka
San Francisco Bay Area
18 Terminals
Santa Barbara
Ellwood
San Nicolas Island
El
Segundo
Los Angeles / Long Beach
25 Terminals
PACIFIC OCEAN
San Clemente Island
San Diego, 6 Terminals

Legislative Authority

The basic authority for the activities of the Marine Facilities Division (MFD) of the Commission is found in the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 (Act), Division 7.8 of the Public Resources Code. The 1989 *Exxon Valdez* and the 1990 *American Trader* crude oil spills led to the development and subsequent passage of the Act.

The Act expanded the Commission's pollution prevention responsibilities. Previously, the Commission exercised jurisdiction over marine oil facilities located only on state-owned leased lands, which included all production facilities offshore and twenty of the nearly eighty marine oil terminals onshore. The Ballast Water Management for Control of Nonindigenous Species Act, Chapter 849 of the statutes of 1999 (AB 703), gave MFD new program responsibilities effective January 1, 2000.

Operations

MFD divides its statewide marine oil transfer oversight responsibilities between its field offices at Hercules in the San Francisco Bay area, and at Long Beach in Southern California. Daily inspections of marine terminal operations are carried out by MFD personnel at 61 fixed and mobile marine oil terminals along the California coast and the San Francisco Bay. Inspectors regularly monitor activities and enforce regulations at marine oil terminals seven days a week. These inspections at fixed and mobile marine oil terminals include the observation and assessment of oil transfers to and from oil tankers and barges, with an emphasis on pollution prevention. MFD personnel also conduct comprehensive annual inspections at each marine oil terminal, making structural and marine oil pipeline assessments and reviewing operational procedures and training.

The Division uses a marine terminal monitoring priority system to ensure that the most critical or important oil transfer operations are monitored. Every calendar quarter, new priority determinations are developed for each marine terminal, tank ship, and tank barge operating in the marine waters of California. MFD monitoring records and oil spill data are factored into a dynamic equation, which helps to maximize the effectiveness of MFD's oil transfer monitoring program.

Until FY '99-'00, the Commission's Oil Spill Prevention program was aimed at marine oil terminals and oil and gas production facilities. During FY '99-'00, funding was provided to identify, inspect, or cause to be inspected, additional marine facilities to minimize the discharge of oil into marine waters.

Planning

MFD personnel are responsible for preparing, drafting, processing, and updating existing regulations and standards to meet the mandates of the Act. The Commission has adopted regulations that: govern the inspection and monitoring of oil transfer operations; require oil spill prevention training and certification of marine terminal personnel; and require the inspection and testing of oil pipelines at marine terminals.

Operations and Engineering personnel work together to conduct system safety inspections at marine oil terminals.

Regulations have also been developed jointly with Environmental Branch to control marine invasive species. The Planning Branch also assisted Engineering staff in development of MOTEMS. Division personnel also monitor local, state, national, and international regulations, statutes, agreements and standards to ensure that prevention efforts in California consider what is being done worldwide. Extensive research into the causes and effects of oil spills, human and organizational factors, and the latest prevention technology and processes assist in the formation of both regulatory and non-regulatory solutions to actual and potential oil transfer and safety problems at marine terminals. The Branch assists in processing environmental impact reports of new projects and lease renewals of State property. This Branch collates the data of air pollutants emitted in transportation of oil by sea between San Francisco and Los Angeles/Long Beach under the California Oil Transfer and Transportation Emission and Risk Reduction Program (OTTER) as per Public Resources Code 8780 through 8789.

Engineering

A large tanker can carry over 1 million barrels of crude oil.

MFD engineers perform above the water inspections of all marine oil terminals, including an evaluation of the structure, as well as mechanical, electrical, piping, and fire detection/suppression systems to determining "fitness-for-purpose." The MFD "Marine Oil Terminal Engineering Standards" or MOTEMS is enforceable as Chapter 31F of the California Building Code. This comprehensive code includes specifications for inspections (above and below the water line), seismic and general structural criteria, mooring and berthing criteria, as well as geotechnical considerations, and fire, mechanical, electrical and piping systems. All terminals are required to perform audits to evaluate their continued "fitness-for-purpose." Berthing and mooring systems must be verified to be adequate for the largest vessels calling at each berth. MFD Engineers review/analyze/approve this information, as well as other engineering modifications at marine oil terminals. The scheduling and implementation of modifications and MOTEMS required compliance issues will be tracked by MFD engineers to completion. Additionally, MFD engineers are managing a project to develop standards for LNG receiving terminals along the coast of California. Other tasks include the evaluation of pipeline tests, review of environmental documents and involvement in the Commission's role for proposed coastal LNG receiving terminals in California.

Environmental Review

MFD personnel review proposed research and monitoring projects, lease applications, and subsequent Environmental Impact Reports for environmental impacts to public lands. Environmental personnel ensure project compliance with appropriate Commission, other state and federal regulations.

Ballast Water & Vessel Fouling Management

The Marine Invasive Species Act (Act) of 2003 revised and expanded the Ballast Water Management for Control of Nonindigenous Species Act of 1999 to more effectively address the nonindigenous species (NIS) threat. The Act charged the Commission with oversight of the state's program to prevent or minimize the introduction of NIS from commercial vessels. To advance this goal, the Commission utilizes a comprehensive, multi-pronged approach that includes: ballast water management tracking, compliance, and enforcement; sound policy development in consultation with a wide array of experts and stakeholders; applied research that advances the strategies for NIS prevention; and outreach and education to bridge the knowledge gaps between scientists, legislators, and stakeholders.

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The Coastal Ecosystems Prevention Act of 2006 expanded the Marine Invasive Species Act of 2003. The new law required the Commission to implement performance standards for the discharge of ballast water through Ballast Water Treatment Technologies. The regulations, published in 2007, provide discharge standards and effective dates for various types of vessels.

Cooperation

MFD personnel work with a wide variety of federal, state, and local agencies to ensure that field operations are effective and efficient at satisfying its customers, while carrying out the division's legislative mandate. For instance, a series of cooperative agreements with the U.S. Coast Guard define how MFD coordinates its activities and actions in order to prevent, respond to, and miti-

gate marine oil spill pollution and enforce rules, laws, and regulations against polluters. Similarly, in support of a Memorandum of Understanding with the California State Fire Marshal, the two agencies conducted a joint assessment of California's marine terminals to define existing pipelines, reduce uncertainty over regulatory jurisdiction, and eliminate any possible jurisdictional overlap.

Customer Service

MFD Field Offices host periodic Customer Service Meetings where government and industry representatives present and discuss pollution prevention issues, such as improving regulatory compliance, "lessons learned" from oil spills, and state-of-the-art pollution prevention technology. Also, the Commission sponsors biennial *Prevention First–Pollution Prevention Symposia and Technology Exhibitions* which create opportunities to share information and introduce concepts in pollution prevention, with special focuses on human and organizational factors, pipeline safety, environmental issues, and marine facility engineering.MFD Field Offices host quarterly Customer Service Meetings where government and industry representatives present and discuss pollution prevention issues, such as improving regulatory compliance, "lessons learned" from oil spills, and state-of-the-art pollution prevention technology. Also, the Commission sponsors biennial *Prevention First—Oil Spill Prevention Symposia and Technology Exhibitions* which create opportunities to share information and introduce concepts in spill prevention, with special focuses on human and organizational factors, pipeline safety, environmental issues, and marine facility engineering.