

**OFFICE OF ENERGY INFRASTRUCTURE SAFETY**

**UNDERGROUND SAFETY BOARD**

# **2024 RESULTS REPORT**

**APRIL 2025**



For a hard copy of this report, please contact the California Underground Safety Board at the Office of Energy Infrastructure Safety at (916) 902-6000. The report may also be accessed on the Board's website:

<https://energysafety.ca.gov/what-we-do/underground-safety-board/annual-reports-plans/>

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# Executive Summary

This report outlines the results of the Board's activities during 2024. These activities include:

- The Education and Outreach meeting highlighted the need for better coordination among stakeholders. One key takeaway from the meeting is that attendees expressed interest in increasing the use of geographic information systems (GIS) to map utilities to increase locating accuracy.
- Board members engaged in several outreach events to help educate and request participation for meetings and workshops from those in the industry. Most notable was the Mock Strike and Safety Summit at the Safety Center that included various education courses about safe excavation.
- Office of Energy Infrastructure Safety (Energy Safety) staff continued development of DigCase, a key information technology initiative, by adding damage and complaint notification submission forms that allow the reporting party to attach documents.
- The Board received 1,383 damage notifications and complaints in 2024, of which 1,125 (81.3%) were damage notifications, and 258 (18.7%) were complaints. Staff were able to open investigations into 194 cases, or 14.0%. Of the open investigations, 93 (47.9%) were received through the “No 811” pilot program.
- The Board continued the “No 811” pilot program designed to streamline the intake and processing of complaints of excavation without contacting 811. Throughout 2024, the Board received 100 notifications under the pilot, of which 93 were assigned for investigation.
- Investigations staff completed 7 investigations resulting in 12 notices of probable violation. The Board approved proposed fines totaling \$3,000 for violations of the Dig Safe Act and issued 6 orders and recommendations that violators attend the Board's education course.
- To visually show the responsibilities, relationships, and actions of the planning and design process, Board staff created a planning and design process chart. This may be used for future initiatives such as a planning and design ticket.
- Staff received feedback from stakeholders through two surveys about Potholing Depth and Minimum Exposure of Facilities. Survey results and subsequent follow-up interviews with participants were used to revise three of the draft standards for potholing.

- On the topic of Geographic Information Systems (GIS), the Board agreed on a proposed definition for “new subsurface installation.” Staff organized a GIS workshop to gather stakeholder feedback and discovered a need to create a data-content regulation and a map-accuracy regulation.
- The Board approved a recommendation to the Governor and Legislature to eliminate the emergency exemption to 811 notification. The recommendation includes a discussion of the responsibilities of excavators and operators in the case of emergency excavation close to high priority lines.
- In an effort to address ambiguities, improve communication, and ensure compliance with the Dig Safe Act, Board staff focused on two policy initiatives related to electronic positive response (EPR): the revision of EPR codes and exploration of a two-way EPR framework, including the creation of a simulation tool.
- In furtherance of the regional notification center membership termination information regulations, staff researched current termination practices and developed proposed regulatory language that was brought to the Board for discussion and public comment.

The Board’s 2024 activities were used to inform the activities identified in the 2025 Work Plan.

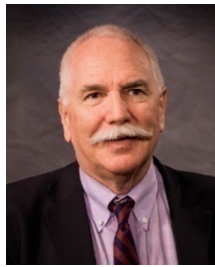
# The Board

The Board is composed of nine members, seven of whom are appointed by the Governor and one each is appointed by the Speaker of the Assembly and the Senate Rules Committee. As of January 1, 2025, the Board has four vacancies.

## Members



Amparo Muñoz  
Chair



Bill Johns  
Vice Chair



Ron Bianchini  
  
Served through  
January 8, 2024



Randy Charland



Marjorie Del Toro  
  
Served through  
January 8, 2024



Marshall Johnson



Carl Voss  
  
Served through  
December 31, 2024



Dave Sorem  
  
Appointed  
July 12, 2024,  
by Governor  
Gavin Newsom



## Committees

### Unmarked and Abandoned Lines

Bill Johns and Amparo Muñoz

### Legislative Committee

Amparo Muñoz

### Planning and Design and Potholing

Bill Johns and Marshall Johnson

### Education, Outreach, and Safety Lessons

Marshall Johnson and Carl Voss

### Ticket Process

Randy Charland and Marshall Johnson

### Geographical Information Systems

Amparo Muñoz and Carl Voss

Committee	Description
Potholing and Planning and Design	Develops and oversees standards and regulations that promote the safe exposure of subsurface installations through potholing, enhancing public and worker safety, reducing burdens on operators and locators, and minimizing costly project delays by promoting proactive avoidance of existing buried utilities before construction.
Abandoned and Unmarked Lines	Provides guidance on addressing issues related to abandoned, unmarked, and unclaimed lines by identifying responsible operators, developing collaborative solutions to statewide challenges, and educating operators on their Dig Safe Act responsibilities.
Geographic Information Systems	Develops regulations and standards that guide operators in standardizing information related to the requirement to maintain records of new subsurface installations using a geographic information system.
Education and Outreach	Implements coordinated education and outreach initiatives that promote excavation safety statewide by developing and promoting training programs and providing resources, collaborating with stakeholders, and raising public awareness.
Ticket Process	Provides guidance on policy initiatives on excavation notifications and communication among regional notification centers (RNC), excavators, and operators by addressing RNC membership termination and information exchange, electronic positive response (EPR) codes, and a two-way EPR system.
Legislative	Provides guidance and recommendations on proposed legislation to enhance safe excavation practices and regulatory compliance.

# 1. Operations and Administration

## 1.1 Staffing

### New Education and Outreach Unit

The Board added a new Education and Outreach Unit in mid-2024 to support the Board's statutory directive to coordinate education and outreach activities that encourage safe excavation practices and to fulfill the Board's mission to facilitate communication and learning among excavators and the operators of subsurface installations. The unit will be actively engaging with industry and the public to hear and address significant safety concerns.

#### 1.1.1.1 Results

- The Board filled the vacant Education and Outreach Unit positions.

## 1.2 Board Vacancies and Committees

### Committees Reshuffle to Accommodate Evolving Work and Member Vacancies

The departures of Members Bianchini and Del Toro at the end of January 2024 led to vacancies in a number of the Board's committees. Starting in April 2024, members discussed how to reassign members and consolidate existing committees to meet this challenge.

Dave Sorem joined the Board in August 2024 and has not yet been assigned to any committees.

#### 1.2.1.1 Results

In July 2024, Board members made the following changes to committee assignments:

- Education Committee, Agriculture Committee, and Safety Lessons Committee were consolidated into the Education and Outreach Committee: As the focus of the Agriculture Committee had become educating farmers on the Area of Continual Excavation (ACE) ticket, the consolidation of it with the Education Committee was deemed appropriate. While more work was needed to determine how to develop safety lessons from investigations, the Board believed that its tie to lesson dissemination merited its inclusion with education and outreach. Members Johnson and Voss were assigned to the committee.

- Potholing Committee and Planning and Design Committee were consolidated into the Planning and Design and Potholing Committee: Work by the Potholing Committee was deemed mature enough to be transferred to the Planning and Design Committee, which was assigned to integrate the Potholing standards (its first draft released in 2023) with the Planning and Design standards. Together, these will help the Board to perform its statutory responsibility to create standards for safe excavation in the state. Members Johns and Johnson were assigned to the committee.
- Membership termination was added to the Ticket Process Committee: Given the tight relationship of both with the regional notification centers, membership termination regulations were added to the tasks of the Ticket Process Committee. While the Board had discussed adding membership termination to the Unmarked and Abandoned Lines Committee, it determined that line abandonment was not a sufficient basis for membership termination. Members Charland and Johnson were assigned to the committee.

The following committees remained unchanged:

- Legislative Committee: Given the progress of SB 778 in the Legislature, the Board did not add a new member to the Legislative Committee. Chair Muñoz remained the sole member of the committee.
- Unmarked and Abandoned Lines Committee: Chair Muñoz and Member Johns retained their assignments.
- Geographic Information Systems Committee: Chair Muñoz and Member Voss retained their assignments.

## 1.3 Board Policy Updates

Pursuant to the review frequency of each of the Board's adopted policies, the Board adopted Resolution 24-04-01 consolidating the Board's legislative policies from five policies (L-01, L-01a, L-02, L-02a, L-03) to one policy (L-00), and made no changes to the other policies scheduled for review (G-01, G-03, G-04, G-05) in 2024.

### 1.3.1.1 Results

- L-00: Legislative Framework: New legislative policy for the Board that consolidated 01, L-01a, L-02, L-02a, L-03
- L-01: 49 USC 60116 – Public Education Programs: Consolidate to L-00; Repeal L-01

- L-01.a: 49 CFR 192.614, 49 CFR 195.422 – Damage prevention program: Consolidate to L-00; Repeal L-01.a
- L-02: 49 USC 60134(b) – Damage Prevention Program Elements: Consolidate to L-00; Repeal L-02
- L-02.a: 49 CFR 198.55 – What criteria will PHMSA use in evaluating the effectiveness of State damage prevention enforcement programs?: Consolidate to L-00; Repeal L-02.a
- L-03: California’s Dig Safe Law: Consolidate to L-00; Repeal L-03
- G-01: Parliamentary Procedure: no change
- G-03: Role of the Board Chair: no change
- G-04: Replacement of the Executive Officer: no change
- G-05: Recommendations to the Governor and Legislature: no change

## 1.4 Fee-setting

In 2024, the Board was able to set its annual fee at \$5 million (the same as Fiscal Year 2023–24) to cover its expenses. While the Board was able to maintain the same fee amount, it may need to raise its annual fee in the future due to rising and new costs. The annual fee determination was posted on February 28, 2024.

# 2. Education And Outreach

## 2.1 Annual Education and Outreach Meeting

### 2024 Education and Outreach Meeting

The Board held its Annual Education and Outreach meeting in Riverside on September 9, 2024, to facilitate communication and learning among excavators and operators.

#### 2.1.1.1 Results:

- California Regional Common Ground Alliance (CARCGA) Upcoming Event Update: Michael Worster, co-chair of the CARCGA Education Programs and Marketing Committee, provided information on the 2024 CARCGA Safety Summit and Expo, featuring a mock strike event on October 2, 2024, at the Safety Center in Sacramento. The event was organized by CARCGA, in partnership with Sacramento Municipal Utility District (SMUD), Underground Service Alert of Northern California and Nevada (USA North), and the Underground Safety Board.
- Dig Safe Basics Self-Paced Online Course Update: Staff provided an update regarding completing the Spanish-translated version of the Dig Safe Basics Training Course.
- Geographic Information Systems (GIS) Presentation by CivilGrid: Dave Veilleux from CivilGrid provided a presentation on the evolution of GIS and the emergence of

Subsurface Utility Engineering, including key technology advancements and the importance of purposeful data collection and compliance with standards to improve efficiency.

- Framework for Coordinated State Education and Outreach: Following the 2023 Annual Education and Outreach Meeting, the Board began researching and gathering information to develop a framework for coordinated statewide education and outreach. Staff presented a report on their findings after a study conducted over June and July of 2024 to the Board, which showed that various stakeholders have invested a great deal of time and money in education and outreach programs. The report also included research on assessing and evaluating learning methods, establishing methods to measure success, and a recommendation to facilitate a series of stakeholder workgroups focused on identifying significant safety concerns within the industry.

## Conclusions

- The Education and Outreach meeting highlighted the need for better coordination to deliver outreach and education to improve public and worker safety.
- Attendees expressed an interest in increasing the use of GIS mapping utilities to help improve accurate location in response to the CivilGrid's presentation.
- In 2025, the Education and Outreach Committee will engage stakeholders in collaborative workgroups to identify safety concerns and develop relevant training programs. Staff will provide an update on the results of the workgroups at the 2025 Annual Education and Outreach Meeting.

## 2.2 Education Course

Pursuant to Government Code section 4216.19(e) and Section 4200 of Title 19 of the California Code of Regulations, the Board issues decisions (and recommendations to other state agencies). This often results in a recommendation or order that the person found in violation be required to take the Board's education course.

### Translate Education Course to Spanish

Translating the online education course enhances understanding and compliance among Spanish speakers and extends a broader reach to those required to take it as a corrective action for violations of the Dig Safe Act.

#### 2.2.1.1 Results:

- The Spanish translation of the self-paced online course was completed in August 2024.

## Conclusions

- To increase stakeholder exposure to the course and to make it accessible to a larger demographic of learners, the Board will need to develop an outreach plan to promote the online education course.

## 2.3 Board Outreach Efforts

In 2024, the Board sought to increase outreach through engagement at stakeholder events and publicizing excavation safety training events and workshops.

### CARCGA Annual Safety Summit and Expo Event with Mock Strike

The Board partnered with CARCGA, SMUD, and USA North at the CARCGA Annual Safety Summit and Expo held at the Safety Center in Sacramento on October 2, 2024. The event was organized by the CARCGA Marketing and Education Committee and featured a live mock strike with emergency response.

#### 2.3.1.1 Results:

- Chair Muñoz and Board staff hosted a booth at the expo to engage with stakeholders to increase awareness about the Board's mission, promote a GIS workshop, and provide a preview of the Dig Safe Basics Self-Paced Online Course.
- Chair Muñoz was the keynote speaker for the event.
- The event engaged participants across the construction industry and featured a simulated gas strike and live emergency response demonstration, followed by interactive training, and concluded with a safety expo.



*Chair Amparo Muñoz thanks safety workers during her keynote speech at the 2024 CARCGA Safety Summit in Sacramento. Photo: Emily Weinzheimer, Office of Energy Infrastructure Safety.*

## Increasing Stakeholder Engagement and Input

In October 2024, the Board conducted a public GIS workshop to learn from operators about their experiences using GIS for mapping and recordkeeping. The Board's Education and Outreach Unit developed an outreach plan to promote the workshop and increase attendance, obtaining invaluable input from operators that will inform the Board in its efforts to develop regulations.

### 2.3.1.2 Results:

- Using targeted marketing, the Education and Outreach Unit reached out to over 70 stakeholders, which resulted in the highest-attended workshop in the board's history. Attendance increased over 50% from the prior high in 2022.

## Board Member Outreach Activity

Chair Muñoz distributed DigAlert outreach materials to children while attending skateboarding events. Member Muñoz also attended community farmers market events in Southern California, discussing the Board's mission and activities with community members.



On June 6, 2024, Member Johns attended the California State Fire Marshal Pipeline Safety Conference in Long Beach

On August 22, 2024, Member Voss attended the USA North 811 Safety Breakfast in Bakersfield.

On October 2, 2024, Chair Muñoz was the keynote speaker at the CARCGA Annual Safety Summit and Expo that included education courses about safe excavation.

## Conclusions

- Partnering with stakeholders and increasing stakeholder collaboration and input is important to moving forward, encouraging engagement, and strengthening the ability to inform on and improve safety outcomes.

## 2.4 Coordinated Statewide Education and Outreach

At the 2023 Annual Education and Outreach Meeting, the Board facilitated a stakeholder workshop and identified that education and outreach efforts were fragmented. Participants emphasized the need for a coordinated statewide approach, and expressed a desire to improve collaboration in delivering outreach and education.

### Developing a Framework

. In 2024, the Board began researching and gathering information to develop a framework for coordinated statewide education and outreach.

#### 2.4.1.1 Results

- To evaluate needs, Board staff conducted research by interviewing 16 stakeholders from different industries with varying roles in the excavation process to learn about existing training and metrics for the training. Staff concluded that there are gaps and a lack of a unified approach in existing training. Additionally, while there are metrics to evaluate effectiveness, the methods used are ineffective and may not produce meaningful data.
- Based on the interviews' results, staff reported to the Board at the 2024 Annual Education and Outreach Meeting and recommended facilitating a series of workshops in 2025 to engage stakeholders in identifying significant safety concerns within the industry, developing education and training solutions, and establishing metrics to evaluate the success of trainings.

## Conclusions

- While coordinated education and outreach has been a priority for the Board, taking the time to understand existing programs and metrics helps provide insight on how to



address industry needs. Involving stakeholders in the process will help develop more equitable and effective training.

- The Education and Outreach Committee has scheduled the first workshop in 2025 and developed an outreach plan. The intent of the first meeting is to engage with the broadest diversity of stakeholders to identify significant safety concerns. The agenda for subsequent meetings will be based on the results of the first meeting.

## 3. Information Technology and Data

### 3.1 Use Technology to Improve Investigation Management

#### Improving Notification Reporting and DigCase Upgrades

In collaboration with the Energy Safety Information Technology (IT) and Data Analytics teams, Board staff developed damage and complaint notification reporting forms to improve the notification reporting process. The Board staff is piloting the notification reporting forms with the “No 811” pilot program.

In addition, Energy Safety and Board staff worked to upgrade DigCase to accept documents, photographs, and other attachments received from the damage and complaint notifications and develop functionality for investigators to draft and send information requests from the DigCase system.

#### 3.1.1.1 Results

- Board staff developed damage and complaint notification submission forms that allow the reporting party to attach documents directly to DigCase.
- Board staff is working with the Energy Safety IT and Data Analytics teams to connect the No-811 reporting survey directly to DigCase.

#### Conclusions

- The continued development of DigCase will allow for more efficient intake of notifications to the Board (including photographs and other documentation) to improve the information available to the investigator at the start of the investigation.

- In 2025, Board staff will continue to enhance capabilities within DigCase to improve the management and processing of investigation. In addition, Board staff will develop a cutover plan to implement the new notification reporting submission form and update the Energy Safety website.

## 4. Investigations and Enforcement Program

### 4.1 Notification Data

Pursuant to Section 4100 of Title 19 of the California Code of regulations, excavators must report damages immediately after calling 911 emergency services or within two hours if the damage:

- Was to a natural gas or hazardous liquid facility,
- Was to a high priority facility of any kind,
- Caused injury requiring treatment in a medical facility, or
- Caused a fatality.

Damages that do not fit these criteria may be reported voluntarily.

#### Notification Overview

The Board received 1,383 notifications through DigCase in 2024, of which 1,125 (81.3%) were damage notifications and 258 (18.7%) were complaints. Of the notifications received, the Board opened investigations into 194, or 14%. Ninety-three of the open cases were received through the “No 811” Pilot Program, discussed in Section 4.3 below.

The year 2021 was the first full year of the Board receiving damage notifications, and notifications were slightly higher in 2022 than in 2021, down by 25.1% in 2023, and up by 17.5% in 2024 (Figure 2).

Notifications by Type and Year



Figure 2: Chart of notifications received by the Board split by notification type and year.

#### 4.1.1.1 Results

- Notifications increased by 17.5% in 2024.
- The Board received 100 notifications through the “No 811” Pilot Program.
- Of the notifications received, the Board opened investigations into 14%.

### Conclusions

- The Board received less notifications overall over the past 2 years than the two years previous.
- The “No 811” pilot program discussed below in section 4.4 is beginning to provide notice of damages previously unreported to the Board.
- In 2024, the investigations program has opened investigations into 14% of the notifications received. The actions taken to improve investigation capacity are discussed in sections 4.3 and 4.4 below.

## 4.2 Conduct Enforcement Audits

### Electronic Positive Response Advisory Letters

In 2023, to promote the utility operator’s compliance with the electronic positive response (EPR) requirement of providing the status of locate and field marks by the legal start date and time, staff sent advisory notices to utility operators who have not been compliant with the requirement. The notices inquired about the reason for the noncompliance.

#### 4.2.1.1 Analysis: Electronic Positive Response Compliance Letters

As part of the ongoing analysis committed to in the 2023 Results Report, staff reviewed the responses to the Electronic Positive Response Compliance Letters (Compliance Letters). On December 11, 2023, staff sent notices via U.S. mail and, where email addresses were available, followed up with an electronic version of the notice. A total of 469 letters and 423 emails, to DigAlert utility operators. Of the emails sent, 20 (4.7%) were bounced back as undeliverable.

In 2024, staff received responses from 129 DigAlert utility operators, representing a 27.5% response rate. Most responses were primarily to the emails rather than the letters. The email responses could be categorized in the following manner:<sup>1</sup>

Response	Number
Turned over assets/management or abandoned	6
Individual contacted no longer with organization/in role	11
Doesn't Understand the Issue/Seeking Instructions	55
Need information about shapefiles/boundaries	12
Understand and have made/will make corrections	15

The Assistant Executive Officer made 149 phone calls to DigAlert member representatives who requested a follow-up conversation, which is inclusive of the multiple conversations that were had with some representatives and their organizations. In reviewing the emails and based on the subsequent phone conversations, the following observations were made:

- 1. Operators want to comply.** There were very few cases where a DigAlert member representative responded with hostility toward the Compliance Letter, and those who did usually changed their approach once they understood the law.
- 2. Email notices are easier than mailed letters for operator representatives to process.** While official service requirements often require sending notices to businesses via mail in hard copy, the people responsible for carrying out actions to comply with the Dig Safe Law seems to be much more likely to process and respond to notifications sent via email.
- 3. Knowledge of 811 responsibilities is often not proceduralized and is lost during personnel turnover.** Many representatives expressed that they were new to their roles

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<sup>1</sup> Note that some responses didn't fit into any of these categories, and some fit into more than one.

and didn't understand their 811 responsibilities. People asserting that they were "new" to their role had often been in that role for a year or more.

4. **Many representatives do not know that they are the ones who tell regional notification centers where they want to be notified.** Many do not know that they can provide shapefiles to the regional notification centers to determine in what locations they would like to receive tickets. This cannot solely be related to staff turnover, as many DigAlert members received have received (and ignored) notifications outside their jurisdictional boundaries for years if not decades.
5. **Some representatives believed that DigAlert marks their lines.** A handful of small DigAlert members believed that their fees to DigAlert were to mark their lines and had believed that the notifications they received were for their information, rather than a call to respond.
6. **Not all DigAlert members are operators.** Several representatives of small non-pressurized sewer systems, learning of their responsibilities, expressed concerns about performing locate and mark and providing electronic responses. As these DigAlert members are not operators, they do not need to perform these actions under law. Nonetheless, the expectation that they do so may lead to some terminating their DigAlert memberships.

## Conclusions

- In 2025, staff will develop audit criteria and processes to conduct ongoing EPR auditing capabilities over all California operators to generate Notice of Probable Violations for non-compliance.

## 4.3 "No 811" Pilot Program

### Developing Pilot Phase II

In the third quarter of 2023, investigative staff began a pilot for operators to submit complaint notifications of facilities damaged in cases where a ticket was not in effect along with the capability to submit images and other documentation.

In 2024, staff invited San Diego Gas & Electric to join Southern California Gas Company in the pilot program and, with the support of Energy Safety's Data Analytics team, expanded the use of the ESRI-environment survey tool ("Survey 1-2-3") to enhance information collection efforts.

- A contractor began upgrading DigCase, the Board's case management system, to accept information, including images and other files, directly from the survey tool. Staff will continue to work with Energy Safety IT and Data Analytics to sync "No 811" notifications directly into DigCase.

#### 4.3.1.1 Results

- Staff expanded upon the reporter survey questions to standardize information gathered in these notifications, create additional data points, allow for the reporting of multiple alleged involved parties, and enable additional questions based on the input of the reporting party.
- Staff developed an additional survey for alleged involved parties to take following the creation of a case in order to facilitate the efficient use of investigative resources and, in some cases, take the place of an interview. The pilot program received 100 notifications in Phase II in 2024, of which 100 (100%) were assigned to investigators for investigation.
- Investigators sent out 93 Phase II surveys and received 46 (49.5%) responses back from alleged violators. Investigators conducted 6 phone interviews with alleged violators that preferred a phone interview instead of responding to the survey.
- In 2024, the Board heard four Notice of Probable Violations (NOPVs) from four investigations:
  - 23NTS0002: City of Rialto Water Department: The Board found the City of Rialto Water Department in violation of failure to provide an electronic positive response (Government Code section 4216.3(c)(1)(a)).
    - Board Decision: The Board recommended that the City of Rialto City Council order the City of Rialto Water Department to take the Board's education course.
  - 23NTS0020: Rancho West Landscape Inc: The Board found Rancho West Landscape Inc. in violation of failure to notify the regional notification center prior to excavation (Government Code 4216.2(b)), failure to contact 911 emergency services after causing damage to a gas facility (Government Code section 4216.4(c)(2)), and failure to notify the regional notification center of damage to a gas facility (Government Code section 4216.4.(c)(3)).
    - Board Decision: The Board recommended that the Contractors State License Board (CSLB) order Rancho West Landscape Inc. to pay the financial penalty of \$1000 and take the Board's education course.
  - 23NTS0011: Lamasi Iron Works: The Board found Lamasi Iron Works in violation of failure to notify the regional notification center prior to excavation (Government Code section 4216.2(b)) and failure to contact 911 emergency services after causing damage to a gas facility (Government Code section 4216.4(c)(2)).

- Board Decision: The Board recommended that the CSLB order Lamasi Ironworks to pay the financial penalty of \$1000 and take the Board’s education course.
- 23NTS0014: All Construction Inc.: The Board found All Construction Inc. in violation of twice a failure to notify the regional notification center prior to excavation (Government Code 4216.2(b)), failure to contact 911 emergency services after causing damage to a gas facility (Government Code 4216.4(c)(2)), and failure to notify the regional notification center of damage to a gas facility (Government Code 4216.4.(c)(3)).
  - Board Decision: The Board recommended that the CSLB order All Construction Inc. to pay the financial penalty of \$1000 and take the Board’s education course.

## Conclusions

- In 2025, staff will expand the pilot program to additional operators to further evaluate the program for a statewide launch.
- To further support a statewide launch, staff will identify technological solutions and investigative processes to support the volume of “No 811” notifications anticipated for a statewide launch.

## 4.4 Federal Determination of Enforcement Program

### 2023 Determination of Adequacy

The federal Pipeline and Hazardous Materials Safety Administration (PHMSA) annually evaluates state 811 enforcement programs<sup>2</sup> to determine if those programs are “adequate” or “inadequate.”

PHMSA conducted the 2023 review after receiving a joint data submission from the Board, California Public Utilities Commission (CPUC), Office of the State Fire Marshal (OSFM), and Contractors State License Board (CSLB). PHMSA has a funding agreement with CPUC and OSFM to enforce federal pipeline safety regulations<sup>3</sup> but has no funding or regulatory authority over the Board or CSLB.

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<sup>2</sup> Pursuant to Section [60114](#)(f) Title 49 of the United States Code and Section [198.55](#) of Title 49 of the Code of Federal Regulations.

<sup>3</sup> [49 USC 60105](#).

In August 2024, PHMSA notified the Board via letter that it found the state’s investigations program “adequate.”

In that notification, PHMSA requested of every state that they review if onshore submerged facilities, dredging, and other underwater excavation activities are included in its laws, definition of “excavation,” and relevant best practices to protect public safety during those operations.

#### **4.4.1.1 Results**

California was determined by PHMSA to have an “adequate” damage prevention enforcement program in 2023.

### **Conclusions**

- PHMSA’s determination affirms the effectiveness of California’s enforcement program and the collaborative efforts of the Board, CPUC, OSFM, and CSLB in advancing damage prevention and public safety.

## **4.5 Investigations and Board Action**

The Dig Safe Act of 2016 established the Board as an investigations hub, tasked with enforcing the state’s safe excavation law for a specific segment of the excavation community. As an investigations hub, the Board plays a critical role in promoting compliance. It enforces the law directly within its jurisdiction and refers cases to state and local agencies, as mandated by Government Code sections 4216.6(c) &(d).

### **Notices of Probable Violation and Board Action**

The **Appendix A** shows the 12 Notices of Probable Violation issued in 2024 resulting from seven investigations, and the Board’s action on each.

#### **4.5.1.1 Results**

- Staff issued 12 NOPVs in 2024 from seven investigations.
- The Board found violations in 11 NOPVs.
- The Board made three recommendations that violators pay financial penalties, the largest of which is \$1000. The total penalty amounts recommended by enforcement jurisdiction are as follows:
  - CSLB: \$3000

### **Education Course Delivery and Attendance**

In 2024, Board staff did not hold an education course session. In 2025, staff will hold education course sessions for voluntary and mandatory attendees.



## Conclusions

- The Board will continue to hear investigation cases at board business meetings
- In 2025, the Board plans to release a self-paced, online education course to open up the Education Course training to the industry to help prevent incidents and possible violations (See Section 2.2).

## 5. Policy Program

### 5.1 Clarify Regional Notification Center Termination Requirements

Following three regional notification center membership termination cases that arose during 2023, the Board decided to further examine current practices regarding membership termination, from both a fee-setting and public/excavator safety standpoint. In the cases brought to the Board's attention, it became clear that there are no defined standards regarding the membership termination process, and that regional notification center membership and termination processes warranted further examination by the Board in the interest of public safety.

#### Research into Current Termination Practices

To understand how member termination works for both USA North and Dig Alert, the Board directed staff to work with the regional notification centers to better understand current practices and to identify gaps in the termination process that could compromise public safety.

##### 5.1.1.1 Results

DigAlert presented its new membership termination form to the Board at the July board meeting. DigAlert also implemented a new automated system, and Staff received several termination notifications from it.

#### Develop Proposed Regulatory Language

To address Board and regional notification center concerns over information sharing regarding transfer of buried infrastructure and membership termination, staff developed and presented proposed regulatory language for Board discussion.

##### 5.1.2.1 Results

In December, the Board opened an informal comment period on the proposed regulatory language to solicit stakeholder and public feedback.

## Conclusions

The Board will continue to discuss and develop proposed regulations, soliciting additional public feedback as necessary to open a formal rulemaking with the Office of Administrative Law.

## 5.2 Bring Together Design and Potholing Standards, and Add Draft Standards on Unmarked and Abandoned Lines

One of the Board's statutory obligations is to develop voluntary Safe Excavation Standards. With oversight from its Board committees, staff are drafting several standards. In the future, all standards will be published in one document following stakeholder engagement.

### Surveys on Minimum Exposure of Facilities and Depth

In preparing to combine the draft potholing standards with draft design standards, staff followed up with stakeholders through two surveys about potholing in June. Staff sought to clarify feedback received in 2023's Potholing Standards Workshop relating to parallel facility exposure and depth information. Survey results and subsequent follow-up interviews with participants were used to revise three of the draft standards for potholing.

#### 5.2.1.1 Results

- The Board recommended staff develop guidance on other types of potholing as well as hold a workshop identifying the various motivations for potholing.
- The Board saw potential for more locator and operator participation in on-site meetings to discuss pothole plans if there is an increase in design and mapping efforts in the state which should help alleviate time pressure on locators.

### Unmarked Abandoned Lines

In December, the Board expanded on its previous work parsing the issue of "abandoned" lines from the real issue excavators face, which is unmarked lines. The Board identified two different subsets of unmarked lines: those which are able to be identified and linked to an operator, and those which go unclaimed by any operators. Future work in developing safety standards will first focus on providing guidance to all parties regarding best practices for identifying the operator of an unmarked line, while keeping a long-term focus on solving the issue of unclaimed lines and preserving knowledge of those unclaimed lines to prevent issues in future excavations.

### 5.2.1.2 Results

The Board recognized the distinction between unmarked lines and unclaimed lines and discussed the different solutions for each problem. The Board determined that unmarked lines present an issue for excavators in the field and solutions should focus on identifying the operator of those unmarked lines. By contrast, unclaimed lines will require a more global solution which focuses on preserving and sharing information about those unclaimed lines.

## Conclusions

In 2024, the Board continued development of potholing standards. A survey and workshop are planned for early 2025, where the Potholing and Planning and Design Committee will gather stakeholder input on potholing methods and the use of these methods during specific project types. Potholing standards should be presented to the Board in late 2025 for approval. The Board also plans to incorporate safety standards for help with identifying the operator of unmarked lines. Draft safety standards for planning and design, as well as unmarked lines, are expected to be released to the public in 2025 and in alignment with Board efforts to develop a planning and design ticket.

## 5.3 Develop a Planning and Design Ticket

Efforts to improve operators' responsiveness to mapping requests and ensure that those planning excavations request the appropriate information have been a policy focus. Past workshops have showcased design tools used in other states, such as Pennsylvania 811's Coordinate PA. The Board continues to evaluate the planning and design process, including the potential to define a planning and design ticket in law.

Decisions made by excavators and project owners before submitting a one-call notification significantly impact excavation success, particularly in identifying existing subsurface installations. Excavators and project designers report challenges in obtaining location information from utility operators, while utility operators struggle with excessive requests for information and the time required to respond to design-related marking requests.

To improve the project design process—and thereby enhance the information available to excavators in the field—while easing the burden on utility locators, the Board's Planning and Design Committee plans to develop a standardized planning and design ticket. This ticket will allow project designers to submit information requests to utility operators through one-call centers in a structured format. To implement this initiative, the Board must first establish a design ticket framework.

## Developing a Frame of Reference for the Design Process

The Board is currently drafting planning and design standards, which requires a thorough understanding of the utility design and construction process from start to finish. The responsibilities, relationships, and actions of stakeholders in this process are many, and can

be difficult to grasp in their entirety even for those close to the industry. Board staff sought to create a tool to depict the utility design process visually which could be used to facilitate policy development, including initiatives like the planning and design ticket.

#### **5.3.1.1 Results**

Board staff have developed a planning and design process chart which will be presented to the Board and public in early 2025. The design request process, which encompasses the responsibilities, relationships, and actions of the planning and design ticket, is highlighted and diagrammed within to assist with future discussions and policy development on the topic.

### **Conclusions**

The parallel efforts of planning and design standards and design ticket development will continue in 2025 with a workshop planned in early 2025 and a draft design ticket framework planned for later in the year.

## **5.4 Develop Broadly Useable Electronic Positive Response**

During 2024, staff focused on two primary policy initiatives related to EPR: revising EPR codes and exploring a two-way EPR framework supported by a simulation tool. These efforts were aimed at addressing ambiguities, improving communication, and ensuring compliance with excavation safety law. The work emphasized clarity and efficiency to streamline EPR code usage and enhance the excavation process.

### **Electronic Positive Response Code Revisions**

Staff conducted extensive research and analysis of existing EPR codes, identifying ambiguities, inconsistencies, and redundancies. Based on this evaluation, staff proposed EPR code revisions and removals to improve clarity and compliance. Recommendations for removal focused on codes that imposed unlawful requirements, identified rationale for not fulfilling obligations under 4216.3(a)(1)(A), implied failures on the part of excavators, or were redundant. Proposed EPR code rewrites simplified the codes into *clear*, *marked*, or *unmarked* categories to enhance their usability and promote consistency. These changes aim to promote better communication and adherence to established safety guidelines.

#### **5.4.1.1 Results**

The Board directed staff to conduct stakeholder engagement, such as reaching out to the regional notification centers and conducting a workshop, to obtain feedback on suggested code revisions and removals.

## Two-Way EPR and the Simulation Tool

To facilitate direct interaction between excavators and operators, staff explored a two-way EPR system that builds on the existing EPR framework. A simulation tool was developed to demonstrate the functionality of this proposed system and introduce stakeholders to the framework. The two-way system offers a transparent record of interactions visible to both parties, supports post-incident investigations and should enhance proper EPR code. It allows both parties to select from a predefined set of EPR codes while also enabling users to add comments for additional context, such as clarifying marking status, excavation schedules, or other relevant details. These features are designed to promote compliance, transparency, and efficiency within the excavation process. A feedback survey was also deployed, allowing participants to provide detailed input on the proposed changes.

### 5.4.1.2 Results

The Board directed staff to conduct stakeholder engagement, such as engaging with the regional notification centers and conducting a workshop, to obtain feedback on suggested code revisions and removals.

## Conclusions

Staff made significant progress in addressing inconsistencies within EPR codes, proposing revisions and removals that aim to enhance communication and improve excavation safety. Following feedback from the December 2024 Board meeting, staff is preparing to engage stakeholders through workshops and surveys to refine EPR codes and explore their future development. These efforts are aligned with the Board's strategic objectives of improving compliance and fostering better communication between utility operators and excavators.

A stakeholder workshop is scheduled for March 2025, which will provide an opportunity to gather targeted feedback on the proposed EPR code revisions. This workshop is a key step forward in addressing challenges such as redundancy, ambiguity, and minimal usage of some EPR codes. To support these efforts, staff will focus on outreach to promote the workshop and collect feedback.

Feedback from both the workshop and the survey will be analyzed to identify areas for improvement in the upcoming year.

## 5.5 Develop Regional Notification Center Practices to Manage Locate Work Volatility

The amount of work locators have to do varies significantly from day to day, and month to month. For example, excavators tend to put in around 30% more 811 tickets on Mondays than Fridays, causing a bottleneck of locator workload every Wednesday (the legal excavation start

date for 811 tickets put in on a Monday). Likewise, some months have 10 times the amount of work as other months (fall versus winter), causing extreme variability in the number of locators needed from season to season. This variable schedule makes it difficult to retain the appropriate number of locators.

## Meeting with Ticket Process Committee

To understand the full range of conditions that affect locator workload volatility, staff met with the Ticket Process Committee to discuss the different conditions affecting locator workload volatility, and which conditions were the most prevalent and pervasive. It was noted that the most common conditions affecting locator workload volatility were traffic control requirements, large ticket size, weekday ticket volume differences, seasonal ticket volume differences, and large projects.

### 5.5.1.1 Results

Staff developed proposed solutions to these problems, including encouraging excavators and locators to coordinate with traffic control concerns, reducing the maximum area size of a ticket, encouraging excavators to put in more tickets on Fridays, and spreading numerous ticket requests for large projects across a few days rather than putting the requests in all on the same day.

## Using DigTickets Database to Simulate Changes in Volatility

Staff plans to use data found in the DigTickets database, a collection of ticket information stored from tickets sent to regional notification centers, to simulate how volatility might change under certain conditions. An example would be the change in volatility that would occur if locators were given three days to mark instead of two. This activity has been put on hold due to the DigTickets database currently having insufficient ticket data.

## Conclusions

This project will likely remain on hold until the DigTickets Database is completed, and Board staff can continue work on simulating potential changes to locator workload volatility under different scenarios.

## 5.6 Prepare Regulations or Safety Standards to Implement the Geographic Information System Mapping Provision of the Dig Safe Act

The Dig Safe Act requires operators to map their new subsurface installations using GIS, unless exempted by this statute.

GIS technology enables permanent recordkeeping and information sharing through data files and digital maps. The GIS mapping law supports the long-term goal of improving access to knowledge of buried infrastructure among damage-prevention professionals throughout an asset's lifecycle.

### **Determine Which New Facilities Need to be Recorded in Operators' Geographic Information Systems**

The Dig Safe Act does not define the term “new subsurface installation.” To understand which types of installation projects undertaken by an operator would trigger the GIS mapping requirement, Board staff evaluated the definition proposed by CARCGA and a wide range of publications on capital-improvement planning, accounting, and asset management. Board staff summarized its findings in a report entitled *Clarifying the GIS Mapping Statute in Regulations*.

#### **5.6.1.1 Results**

The Board agreed in concept that operators would need to create new GIS records when a new subsurface facility is installed:

- Where one did not previously exist, or
- As a replacement, relocation, rehabilitation, major modification or major repair to an existing underground facility. Minor repairs performed during routine inspections or preventive maintenance, however, would not be included in the definition.

The Board directed staff to move forward with a draft regulation.

### **Determine What Information about New Underground Facilities Needs to be Included in Utility Operators' Geographic Information Systems Records**

Operators can help improve excavation safety by sharing complete and accurate maps of their buried facilities with locators and excavators. In addition to showing the location of an underground facility, GIS maps can provide information about the facility's other properties and characteristics, *if the operator's GIS attribute tables contain this information*. The Board will adopt a regulation or a voluntary safety standard specifying which attribute records all operators should store in their GIS.

#### **5.6.1.2 Results**

Board staff evaluated several data-content standards for as-built records to identify what information about a new underground utility installation should be saved for future

reference. Its findings were summarized in the staff report entitled, *Clarifying the GIS Mapping Statute in Regulations*.

The Board's GIS Committee conducted a workshop to learn from operators how they use GIS for asset-management recordkeeping. Operators reported they use GIS to store location records, but some operators use other software for storing attribute records, such as computerized maintenance management systems. To keep both systems compatible, they must occasionally be "synched." Staff published a workshop summary entitled, *GIS Workshop Update*.

The Board directed staff to conduct more stakeholder outreach before proceeding with a data-content regulation. Specifically, staff must assess the needs of locators and excavators — the future users of GIS maps and database files — to determine which information they want readily available at an excavation site.

## Determine a Map-Accuracy Requirement

The incidence of accidental dig-ins should decline as operators' maps become more available, accurate, and complete, but the Dig Safe Act does not specify how accurate an operator's GIS maps must be.

Staff conducted extensive research to understand what is technically possible and the potential economic impacts to operators from a map-accuracy regulation. The GIS Committee conducted a stakeholder workshop to gauge operators' support for a map-accuracy rule. Staff provided a workshop summary entitled *GIS Workshop Update*.

### 5.6.1.3 Results

- Operators' primary source of GIS location records is the as-built drawing, which are produced using computer-aided design (CAD) software. CAD drawings lack real-world location coordinates, so they must be "geo-referenced" to become GIS compatible. GIS maps would be more accurate if operators collected location coordinates using global positioning satellite (GPS) receivers or traditional survey instruments rather than CAD.
- Current GPS technology is now more affordable, easier to use, and capable of centimeter-level accuracy. In its report entitled, *Estimating the Economic Impacts of a Map-Accuracy Regulation*, staff reported that labor costs to collect a new installation's location coordinates at the construction site would cause a larger impact to operators than the GPS receiver costs.



- The Board directed staff to conduct more stakeholder workshops, particularly with locators, to determine how accurate GIS maps must be to support their damage-prevention work.

## Conclusions

Once an operator's records have been digitized into GIS, they will require continual updating. As living documents, they are never "done."

The next steps in implementing the GIS mapping law are:

- Develop a draft regulation stating what types of projects performed on operators' subsurface installations triggers the GIS mapping requirement.
- Conduct stakeholder workshops to develop a minimum data-content regulation.
- Conduct stakeholder workshops to develop a map-accuracy regulation.
- Explore the concept of voluntary safety standards for operators that promote the role of GIS in improving excavation safety without duplicating the content of the regulations.



## 5.7 Emergency Excavations

### Review of Emergency Excavation Notification Exemption

Following several investigations of emergency excavations, the Board wished to review the statutory exemption to 811 notification for excavations in response to an emergency. In April of 2024, The Board discussed the following issues:

- Under what conditions should an excavator make an 811 notification even if it is an emergency and should the excavator be required to wait for operators to respond prior to beginning work?
- How should an operator be required to respond to a notification of emergency notification?

#### **5.7.1.1 Results**

- The Board decided that all excavators should be required to make an 811 notification prior to all excavations, including when there is an emergency occurring. It was also agreed that the excavator could proceed with work on an emergency excavation prior to operators to responding.
- The Board decided that operators should be required to respond to emergency tickets. Due to inevitable cases of operators sending locators to emergency work sites where the excavation is already completed, a future Emergency Work Completed code in Two-Way EPR was discussed. There was no imposition of strict timeframes for emergency operator locator response, partly due to concerns of logistics in rural areas and also potential increases in unwarranted claims of emergency.

### **Recommendation to the Governor and Legislature Regarding the Emergency Exemption to 811 Notification**

During the July Board meeting, staff presented to the Board its recommendation to the Governor and Legislature Regarding the Emergency Exemption to 811 Notification.

#### **5.7.1.2 Results**

- The recommendation removed the emergency exemption to the 811 notification requirement.
- It also required operators of high priority lines who are alerted to emergency excavators digging close to said lines, to alert said excavators immediately. Both the excavator and the operator in this situation were required to have a conversation regarding tools used and any information that would assist the excavator in locating the high priority line, but this conversation could occur over the phone and could occur after the initiation of the emergency excavation.
- The Board approved the recommendation to the Governor and Legislature after the edition of a clause stating that emergency tickets cannot be renewed.

## Conclusions

This topic has been completed. Therefore, there are no plans for next steps in the coming year.

# 2025 MEETING SCHEDULE

**April 14–15:** Southern California

**July 14–15:** Sacramento

**September 8–9:** Southern California

**November 17–18:** Sacramento

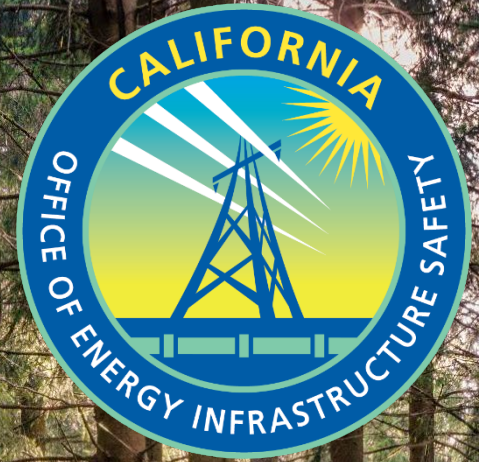


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# **ATTACHMENT 1: NOTICE OF PROBABLE VIOLATIONS AND BOARD ACTION**



## Attachment 1: Notices of Probable Violation and Board Action

The following table shows the 12 Notices of Probable Violation (NOPV) issued in 2024 resulting from 7 investigations, and the Board's action on each

Case #	Respondent	NOPV Issued	Brief Description	Hearing Date	Board Action	Enforcement Jurisdiction
C223470004-0096	Los Angeles Department of Water and Power	11/9/2023	Failure to provide electronic positive response	1/8/2024	Education	Local
C223470004-0105	Los Angeles Department of Water and Power	11/9/2023	Failure to provide electronic positive response	1/8/2024	Education	Local
C223470004-0118	Los Angeles Department of Water and Power	11/9/2023	Failure to provide electronic positive response	1/8/2024	Education	Local
C223470004-0138	Los Angeles Department of Water and Power	11/9/2023	Failure to provide electronic positive response	1/8/2024	Education	Local
C223470004-0201	Los Angeles Department of Water and Power	11/9/2023	Failure to provide electronic positive response	1/8/2024	Education	Local
C223470004-0254	Los Angeles Department of Water and Power	11/9/2023	Failure to provide electronic positive response	1/8/2024	Education	Local
D230030002	City of Oakland	11/9/2023	Failure to provide electronic positive response	1/8/2024	No Violation	Local
23NTS0002	City of Rialto Water Department	5/17/2024	Failure to provide electronic positive response	7/8/2024	Education	Local
23NTS0020	Rancho West Landscape Inc.	5/17/2024	Excavating without a valid ticket, failure to notify the call center of damage	7/8/2024	Education and \$1000	CSLB

CAS-01566-L3N2D0	Lamasi Iron Works	5/17/2024	Excavating without a valid ticket, failure to call 911	7/8/2024	Education and \$1000	CSLB
CAS-01575-B9F6K1	All Construction Inc.	5/21/2024	Excavating without a valid ticket (2x), failure to call 911, failure to notify the call center of damage	7/8/2024	Education and \$1000	CSLB
C240030005	City of Kerman	10/18/2024	Failure to locate and mark and provide electronic positive response	12/9/2024	Education	Local