



**3 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
Office of the State Fire Marshal
Underground Facilities Safe Excavation Board**

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**CA Underground Facilities Safe Excavation Board
("Dig Safe Board")**

April 13, 2020

MEETING MINUTES

April 13, 2020
Teleconference Meeting

BOARD MEMBERS PRESENT: Carl Voss, Chair
Marjorie Del Toro, Vice Chair
Jessica Arden
Ron Bianchini
Randy Charland
Bill Johns
Marshall Johnson
Amparo Muñoz

STAFF PRESENT Tony Marino, Executive Officer
Jeff Brooks, Attorney
Jason Corsey, Chief of Investigations
Anna Brown, Supervising Special Investigator
Carla Newman, Supervising Special Investigator
Jon Barkley, Special Investigator
John Benane, Special Investigator
Michael Ehrgott, Special Investigator
Dennis Fenton, Special Investigator
Diana Lopez, Special Investigator
Mandy Liao, Special Investigator
Charley Park, Special Investigator
Brittney Branaman, Policy and Budget Manager
Tom Finn, Operations Manager
Jenni Reed, Policy and Data Analyst
Jeff McClenahan, Policy Analyst
Veronica Bravo, Policy Analyst

**April 13, 2020
Teleconference Meeting**

OPEN SESSION

Chair Voss called the meeting to order at 10 a.m.

Chair Voss explained that due to the Coronavirus Disease-19 (COVID-19) pandemic, and pursuant to the Governor declaring a State of Emergency and issuing Executive Orders N-25-20 and N-29-20, that the meeting is being held via teleconference. Chair Voss explained the procedures for the public to comment via the webcast.

Agenda Item No. 1: Executive Officer's Report

Executive Officer Tony Marino presented the Executive Officer's Report.

Mr. Marino explained that due to the COVID-19 pandemic, the status of the May meeting is unknown and it may be held via teleconference and that as a result of social distancing measures, that CAL FIRE is fast tracking some Information Technology initiatives such as DocuSign and Microsoft Teams which will help workflow for those teleworking. He explained that the pending regulations package on Investigations and Enforcement was submitted to the Office of Administrative Law the week of April 6, 2020 and is expected to take effect on July 1st. He also announced the departure of the Education and Outreach Officer Kerstin Lock Tomlinson from staff for a new position at another entity and that the Education Course is nearing completion and would soon be presented to the Education Committee.

Chair Voss asked for comments from the Board. There were none.

Chair Voss asked for comments from the public. There were none.

Agenda Item No. 2: Board Member Public Engagement Reports

Chair Voss asked for Board Member engagement reports. There were none.

Chair Voss asked for comments from the public. There were none.

Agenda Item No. 3: Resolution No. 20-04-01: Approval of Adoption of Emergency Regulations Allowing Electronic Response Good Cause Extension Applications (AB 1166)

Attorney Jeff Brooks presented the staff report on Board Resolution No. 20-04-01, reviewed the text of the proposed regulation, the emergency regulations process, and the anticipated deadline.

Board Members discussed utilization of information from the operator survey, the timeframe in which the Board may respond to applicants, the ability of the Board to ask questions of applicants at public meetings, and the timeline for decisions of approval or disapproval of applications.

Chairman Voss asked for comments from public:

A representative of the California Public Utilities Commission (CPUC) noted that there does not appear to be a requirement in place for operators requesting extensions to the electronic positive response deadline to report back to the Board on their progress towards compliance. The representative suggested that a deadline be imposed on such operators and that progress be reported on in 2021 as the extended deadline approaches.

Board Action:

Motion to adopt Resolution No. 20-04-01.

MOTION: Member Muñoz Second: Member Charland
AYES: Members Arden, Bianchini, Del Toro, Voss, Johns
NOES: None
ABSTAIN: None
RECUSE: None

MOTION APPROVED.

Agenda Item No. 4: Discussion of Industry Impacts from COVID-19

James Wingate of USA North 811 gave an overview of ticket activity following the shelter-in-place order and impacts on one-call center operations, including a significant increase in use of electronic positive response code "080- Extraordinary Circumstances Exist - No Locate Due To Weather/Emergency." Mr. Wingate noted a decrease in overall new and renewal tickets though no noticeable changes to damage or other extraordinary reasons tickets. Mr. Wingate explained that the decrease in new and renewal tickets was consistent across all excavator types with no type showing any significant increase or decrease compared to other types.

Ann Diamond of DigAlert provided an overview of ticket activity following the shelter-in-place order including that some of the impacts are difficult to disentangle from overlapping weather issues in Southern California. Ms. Diamond commented that DigAlert has not seen an increase in use of "080" response code and has not seen the type of blanket refusals from locators that have been reported in other parts of the country. DigAlert employees are now working remotely from home.

Chief of Investigations Jason Corsey provided an update on changes to investigation assignment protocols and related changes being made to adapt to the COVID-19 situation. Field assignments are suspended and investigators are working from home. Mr. Corsey reported that Investigations has seen a decrease in damage ticket volume over the last few weeks and attributes this to the impacts of the COVID-19. He noted his information does not match USA North 811.

Member Johnson inquired whether impacts on homeowner tickets could be attributed to rain.

Mr. Wingate responded that it was possible this is the case.

Member Bianchini commented that there are problems with locate and mark subcontractors responding that they cannot find delineation markings, even though other utilities have no problem finding them, and commented on field meets in which these subcontractors do not show up.

Mr. Wingate commented that they have not received complaints from excavation contractors, noting comments from some operators that field marking operations were decreased possibly due to childcare issues.

Member Charland provided an update that for UtiliQuest locate requests were lower at the end of March, and at the same time they started experiencing a decrease in employee availability with approximately 25-30% of their workforce out due to illness or childcare issues. Locator training programs have been suspended due to the social distancing directive, and there have been calls that employees do not feel safe working in the field. Member Charland clarified that UtiliQuest's system and its use of "080" code does not cancel the ticket: the use of "080" extends the response timeline and initiates contact with the excavator to work on an issue directly with the locator.

Member Del Toro thanked the one-call center representatives for reporting their data and Member Charland for providing an update.

Member Voss noted that agriculture is an essential sector with minimal staffing in offices, of which many are working from home.

Member Arden reported her legal last name changed from Arden to Forte.

Chairman Voss asked for comments from the public. There were none.

Other Business

None.

Adjournment

The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

/s/ Tony Marino

Tony Marino
Executive Officer

Attest:

/s/ Carl Voss

Carl Voss
Chair