
California Underground Facilities Safe Excavation Board
("Dig Safe Board")

September 9, 2019

Agenda Item No. 3 (Information Item) – Staff Report

Strategic Planning Framework

Presenter

Tony Marino, Executive Officer

Summary

To achieve the Board's vision, as articulated in its vision statement, the Board will need a strategy that recognizes the hurdles in achieving that vision. Staff proposes using the strategic planning framework to do so. Staff proposes four strategic directions for consideration for inclusion in a strategic plan. The strategic objectives and activities in subsequent annual plans would advance those strategic directions.

Background

The state's Performance and Results Act of 1993¹ and Strategic Planning and Performance Review Act² followed the federal government's Government Performance and Results Act³ to encourage agencies to use a strategic planning process to improve the transparency, performance, and efficiency. In the first year and a half of the Board's operation, the Board has used annual plans to organize its work in this, its start-up phase, but has not yet developed a strategic plan. The Dig Safe Act of 2016 (SB 661, Chapter 809) subjected the Board to legislative review on or after January 1, 2020,⁴ and during that review the Legislature will likely wish to know the Board's proposed direction. During the August 12, 2019 meeting, the Board first discussed its preferred approach in developing a strategic plan and directed staff to place that approach into a framework for discussion and review.

Discussion

Mission, Vision, and Values, and the Current State of the World

Traditional strategic planning involves developing mission, vision, and values statements. Often implicit in strategic planning is the need for a change in direction, and mission, vision, and values statements can provide the many employees responsible for making changes (and convincing

¹ Government Code §§ 11800-11801.

² Gov't Code §§ 11810-11817.

³ Public Law 103-62, updated in 2010 by Public Law 111-352.

⁴ Gov't Code § 4216.12.

others to go along with those changes) a commonly understood direction unified across the organization. The Board has already adopted mission, vision, and values statements as policies B-02, B-03, and B-04 in Resolution 18-01-01.

The vision statement in particular holds a special place, as it describes an aspirational state of the world that the organization hopes to create—or, stated another way, what the world will look like when the organization is no longer needed, its mission complete. The Board’s vision statement is the following:

The Dig Safe Board seeks to affect a California in which the state’s excavators and subsurface installation owners know and understand:

- *how to identify the locations of subsurface installations*
- *how to protect against dangerous contact with those installations*
- *how to resolve unexpected situations that may arise, and*

in which the state’s excavators and subsurface installation owners exercise that knowledge and understanding to promote a culture of mutual respect and dedication to the belief that everyone goes home safe.

As the Board discussed in August, however, the world is far from the Board’s vision. The locations of buried infrastructure are not always well-characterized, and in many organizations the most reliable sources of that information are in the heads of persons close to retirement. The combination of these two factors suggests that the industry will become less safe without the development of an effective knowledge infrastructure to facilitate knowledge transfer from experienced to inexperienced workers and between excavators and operators.

Staff has identified the following sources that touch on this issue, and welcomes the Board and public to suggest other relevant sources.

- ❖ Transportation Research Board, National Academies of Sciences, Engineering, and Medicine, *Encouraging Innovation in Locating and Characterizing Underground Utilities*, National Academies Press, 2009
- ❖ National Research Council 2013. *Underground Engineering for Sustainable Urban Development*. Washington, DC: The National Academies Press.
- ❖ Emery Roe and Paul R. Schulman, *Reliability and Risk: The Challenge of Managing Interconnected Infrastructures*, Stanford (2016)
- ❖ Center for Energy Workforce Development, “Gaps in the Energy Workforce Pipeline: 2017 CEWD Survey Results.”
- ❖ Stephen Sweet, Marcie Pitt-Catsoupes, Elyssa Besen, Shoghik Hovhannisyan, Farooq Pasha, “Talent Pressured and the Aging Workforce: Responsive Action Steps for the Construction Sector,” Sloan Center on Aging and Work, 2010, p. 30.

Strategic Plans, Annual Plans, Directions, Objectives

The strategic plan is one of three major public guidance documents the Board will use to judge, and be judged by, its performance. Following the federal Government Performance and Results Act model, the strategic plan is no “plan” at all, but an overarching set of directions by which the annual plans—the true planning documents—are developed. Annual plans articulate specific objectives of the Board, which include how the objective is planned to be achieved and who is responsible for undertaking it. Objectives are not subordinate to strategic directions—that is they are not under any one strategic direction in an organizational hierarchy—but they will instead advance one or, often, more than one strategic direction. Annual results reports will articulate the outputs and outcomes of the previous year’s annual plan and are inextricably linked to the development of the subsequent year’s annual plan. Staff proposes that the strategic plan be effective for three years.

Proposed Strategic Directions

Based on the Board’s August discussion, staff proposes the following strategic directions:

1. *Improve Compliance by Reaching Parties in Effective Ways*

The state’s one-call law forms the bedrock of the state’s relevant safety policy, and is characterized by the requirements for excavators to notify the one-call center before beginning work, for operators to accurately locate their buried infrastructure, and for excavators and operators to communicate and use reasonable care to maintain safe operations in the vicinity of that infrastructure. The experience of Board members and investigative staff supports the assertion that much of the law’s non-compliances are the result of a lack of understanding of the law’s requirements and the risks associated with ignoring it. Ignorance is not, however, the only reason for unsafe practices, and effective outreach to knowledgeably non-compliant actors will need to involve enforcement.

2. *Improve Accessibility of Buried Infrastructure Location Knowledge and Understanding*

An operator’s access to accurate information can be hampered by a multitude of ownership changes have left original records in disarray, the original drawings being referenced to roads, trees, buildings, and parking lots that are either no longer present or appreciably changed since facility installation, and abandoned line records that are either not kept or not changed to recognize the lines as abandoned. Different parties may be responsible for managing buried infrastructure in differing phases of a project, and the lack of consideration for buried infrastructure in the engineering phase may place excavator and operator in conflict that could have been avoided. The transmission of available information may benefit from improvement—something that the proposed AB 1166 intends to address. Additionally, the techniques used by excavators and operators alike—such as potholing—may need further standardization for a practitioner to know the extent to which he or she has taken reasonable care in determining the locations of buried lines.

3. *Identify proximate and contributing causes to safety accidents and non-compliances*

The Legislature provided the Board with investigative staff and vehicles for them to use in the expectation that they would investigate accidents to determine their causes. The author of the Board's founding legislation stated in a legislative hearing that one of the great problems of the time was that conflicts over safety issues were resolved by claims departments in settlements with non-disclosure agreements with both sides feeling they got the short side of the stick and the industry learning nothing, leaving the situation to repeat.⁵

4. *Build Board operations to achieve compliance, reporting, and operational excellence in a resource-efficient manner*

The State Leadership Accountability Act⁶ requires agencies to have effective internal controls to manage their operations, reporting, and compliance obligations. Given the Board's breadth of different functions (*e.g.* education, regulations, investigations, enforcement), the Board has a list of operations, reporting, and compliance requirements rare in state government for such a small staff to manage—a point exacerbated by the fact that it is still building its operational capabilities.

Directions, Objectives, and Activities

Both the 2018 and 2019 Plans discussed how they were developed to be compatible with a strategic plan. The Board's annual plans, with strategic objectives and strategic activities, will not change significantly. Staff proposes that the role of the strategic directions be to guide the selection and assessment of those strategic objectives and activities. Each activity, therefore, will advance one or more strategic directions. One may visualize this in **Table 1**, which imagines the objectives and the activities presented in the 2019 Plan as supporting the directions proposed here.

⁵ Hearing on SB 119, Assembly Committee on Utilities and Commerce, July 6, 2015.

⁶ Gov't Code §§ 13400-13407.

Table 1: 2019 Plan strategic objectives and activities, as well as the proposed strategic directions that are advanced by those objectives and activities.

Objectives	Activities	Directions Advanced
Create and Area of Continual Excavation Process	Creating Minimum Standards for Onsite Meetings	Improve Accessibility of Buried Infrastructure Location Understanding
	Modifying or Eliminating the Renewal Requirement for Areas of Continual Excavation without Buried Infrastructure	Improve Accessibility of Buried Infrastructure Location Understanding
		Improve One-Call Law Compliance by Reaching Parties in Effective Ways
Develop and Education and Enforcement Program	Create an Education in Lieu of Fines Course	Improve One-Call Law Compliance by Reaching Parties in Effective Ways
	Develop Standards Demonstrating Compliance	Improve Accessibility of Buried Infrastructure Location Understanding
	Board Notification of Incidents	Identify Proximate and Contributing Causes to Safety Accidents and Non-Compliances
		Build Board Operations to Achieve Compliance, Reporting, and Operational Excellence in a Resource-Efficient Manner
	Further Develop Investigations and Enforcement Rulemakings	Improve One-Call Law Compliance by Reaching Parties in Effective Ways
		Identify Proximate and Contributing Causes to Safety Accidents and Non-Compliances
		Build Board Operations to Achieve Compliance, Reporting, and Operational Excellence in a Resource-Efficient Manner
	Continue Building the Investigations Division	Build Board Operations to Achieve Compliance, Reporting, and Operational Excellence in a Resource-Efficient Manner
		Identify Proximate and Contributing Causes to Safety Accidents and Non-Compliances
	Investigations Division Startup Support	Build Board Operations to Achieve Compliance, Reporting, and Operational Excellence in a Resource-Efficient Manner
Identify Proximate and Contributing Causes to Safety Accidents and Non-Compliances		
Develop a Process for Continual Learning	Tool Development for Assessments	Identify Proximate and Contributing Causes to Safety Accidents and Non-Compliances
	Reasonable Care Standards	Improve Accessibility of Buried Infrastructure Location Understanding
	Power Tool Use in the Tolerance Zone	Improve Accessibility of Buried Infrastructure Location Understanding
Establish a Foundation for Board Operations	Policy Division Startup Support	Build Board Operations to Achieve Compliance, Reporting, and Operational Excellence in a Resource-Efficient Manner
	Education and Outreach	Improve One-Call Law Compliance by Reaching Parties in Effective Ways
		Build Board Operations to Achieve Compliance, Reporting, and Operational Excellence in a Resource-Efficient Manner

Recommendation

Provide tentative concurrence on the strategic plan framework and proposed strategic directions. Direct staff to assess resources and in a future meeting propose a suite of possible strategic objectives and activities to consider for the 2020 Plan. Direct staff to prepare a final version of the Strategic Plan and 2020 Plan for the January 2020 meeting.