

MINUTE ITEM

2/26/70  
ADW

21. ADOPTION OF MEMORANDUM OF UNDERSTANDING ON PROCEDURES FOR CONTROLLING WATER POLLUTION FROM OPERATIONS UNDER STATE LANDS LEASES; DIVISION OF OIL AND GAS, STATE LANDS DIVISION, AND REGIONAL WATER QUALITY CONTROL BOARDS - W-7300.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION ADOPTS THE MEMORANDUM OF UNDERSTANDING ON PROCEDURES FOR CONTROLLING WATER POLLUTION FROM OPERATIONS UNDER STATE LANDS LEASES, ATTACHED HERETO AS EXHIBIT "A" AND HEREBY MADE A PART HEREOF, AND DIRECTS THE APPLICATION OF THESE PROCEDURES BY THE STATE LANDS DIVISION IN THE ADMINISTRATION OF ALL LEASES ISSUED UNDER AUTHORITY OF THE STATE LANDS COMMISSION.

Attachment

Calendar Item 4 (3 pages)

CALENDAR ITEM

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4.

PROCEDURES FOR CONTROLLING WATER POLLUTION FROM OPERATIONS UNDER STATE LANDS LEASES - W-7300.

On February 4, 1969, the Chairman of the State Lands Commission directed the Division to undertake a full review of the State's rules, regulations and procedures regarding oil and gas operations on State-owned lands. Similarly, on February 27, 1969, the Secretary for Resources directed that a State Ad Hoc Committee be formed within the Agency to review State regulations and inspection practices on oil and gas operations and to develop recommendations necessary with relation to both safety and esthetics. The Division review of State oil and gas development controls was reported to the Commission on July 31, 1969 (Minute Item 40, page 862).

Action on Recommendation No. 19 of the Ad Hoc Committee, requiring a review of certain procedural agreements between the Division of Oil and Gas, the State Lands Division, and the Regional Water Quality Control Boards, has been completed and a proposed Memorandum of Understanding has been prepared for adoption by the State Water Resources Control Board and by the State Lands Commission (Exhibit "A"). The Memorandum replaces a former procedural agreement adopted by the Commission on October 10, 1955 (Minute Item 9, pages 2460-2461).

IT IS RECOMMENDED THAT THE COMMISSION ADOPT THE MEMORANDUM OF UNDERSTANDING ON PROCEDURES FOR CONTROLLING WATER POLLUTION FROM OPERATIONS UNDER STATE LANDS LEASES, ATTACHED HERETO AS EXHIBIT "A" AND HEREBY MADE A PART HEREOF, AND DIRECT THE APPLICATION OF THESE PROCEDURES BY THE STATE LANDS DIVISION IN THE ADMINISTRATION OF ALL LEASES ISSUED UNDER AUTHORITY OF THE STATE LANDS COMMISSION.

Attachment: Exhibit "A"

EXHIBIT "A"MEMORANDUM OF UNDERSTANDING  
STATE WATER RESOURCES CONTROL BOARD  
STATE LANDS COMMISSIONPROCEDURES FOR CONTROLLING WATER POLLUTION  
FROM OPERATIONS UNDER STATE LANDS LEASES

The State Lands Commission, State Water Resources Control Board, and California Regional Water Quality Control Boards have vested responsibilities for controlling water pollution in accordance with applicable sections of the Water Code and Public Resources Code.

In order to (1) simplify reporting of proposed waste discharge by lessees on State lands, (2) achieve coordination of activity, and (3) eliminate duplication of effort among State agencies, the procedures stated below will be followed except in regions where local agencies have ordinances controlling waste discharges. In such cases the regional board will follow whatever procedures it has developed with the local agency relative to the reporting of waste discharges.

1. Compliance with Water Code - Under the standard oil and gas and geothermal lease agreements prepared by the State Lands Commission, a statement will be included that all sections of the Water Code applicable to water quality control will be complied with.
2. Notification - Whenever the Commission determines that tide and submerged lands or beds of navigable rivers or lakes should be offered for oil, geothermal, or gas lease, or if a corporation or individual nominates the same for lease, before offering such land the appropriate regional board shall be notified by the Commission.
3. Investigation - After notification by the Commission the regional board will take appropriate action to determine if a waste discharge will be involved and if so the effect of such discharge on water quality. A copy of tentative discharge requirements will be forwarded to the Commission for comment prior to adoption by the regional board.
4. Waste Discharge Requirements - Before prescribing requirements for discharge of waste water serving any State oil, gas, or geothermal lease the regional board personnel will consult State Lands Division personnel.
5. Inspection - (a) Oil Platforms: When offshore oil platforms are inspected by Division personnel, one of the duties of such personnel will be to observe any visual oil pollution that might be detrimental to water quality and report such pollution to the appropriate regional board. (b) Land Installations: When Division personnel observe a

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potential pollution problem--such as spilled oil on ground surface which could wash into a surface stream during a rainstorm--they shall notify the appropriate regional board.

6. Other Items of Mutual Concern - In any case where a dredging operation or other operation that may cause water pollution is to take place on leased property not covered by a Corps of Engineers permit the Commission will notify the appropriate regional board of such proposal and consider comments from the board prior to approval of such operations.

STATE WATER RESOURCES CONTROL BOARD

STATE LANDS COMMISSION

By /s/ J. B. GILBERT  
Executive Officer

By \_\_\_\_\_  
Executive Officer