

**Memorandum of Agreement  
Between the  
Department of Conservation  
Division of Oil, Gas, and Geothermal Resources  
and the  
Department of Forestry and Fire Protection  
State Fire Marshal's Office of Pipeline Safety**

**I. Background**

In 1994, the Legislature passed AB 3261 (O'Connell) giving the Department of Conservation, Division of Oil, Gas, and Geothermal Resources (Division), jurisdiction over pipelines located within the administrative boundaries of oil fields, except for those pipelines under the jurisdiction of the State Fire Marshal (SFM). This broad definition does not clearly define the precise separation of jurisdiction between the two agencies.

**II. Purpose and Scope**

This Memorandum of Agreement (MOA) clarifies the jurisdictional boundary between the Division and the SFM, and eliminates any potential gaps in jurisdiction between the two agencies.

**III. Responsibilities and Authorities**

Pursuant to Chapter 1 of Division 3 of the Public Resources Code, the Division regulates pipelines that are associated integrally with oil and gas production within the administrative boundaries of oil fields. Excluded from Division regulations are pipelines under the jurisdiction of the SFM. Under this MOA, the Division will be responsible for all pipelines from the wellhead to the point of custody transfer. The point of custody transfer is the truck loading dock or the lease automatic custody transfer unit.

Pursuant to Chapter 5.5 of the California Government Code, the SFM regulates all intrastate pipelines used for the transportation of hazardous liquid substances. For the purposes of this MOA, the SFM jurisdiction will begin at the point of custody transfer.

**IV. Cooperative Functions**

- a. Both agencies will exchange pipeline and testing information, as requested.
- b. Upon request from one agency, the other agency agrees to send a representative into the field to clarify any jurisdictional boundary not plainly established in this MOA.

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**V. Implementing this MOA**

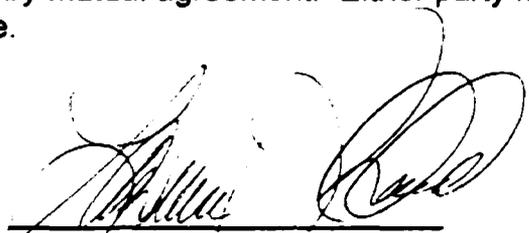
Each agency will designate a representative to be responsible for coordinating and implementing the provisions of this MOA. The designee will act as the contact point for any requests and/or notifications stipulated in this MOA.

**VI. Savings Provision**

Nothing in this MOA alters, amends, or affects in any way the statutory authority of the Division or the SFM.

**VII. Effective Date**

This MOA is effective upon signature by both parties. Both parties may amend this MOA by mutual agreement. Either party may terminate this MOA upon 30-days written notice.

  
\_\_\_\_\_  
Director  
Department of Conservation

  
\_\_\_\_\_  
State Fire Marshal

10/20/98  
\_\_\_\_\_  
(date)

10-28-98  
\_\_\_\_\_  
(date)