



**CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD  
INVESTIGATION DIVISION  
INVESTIGATION REPORT**

**DATE:** December 1, 2021

**CASE No.:** 21SA01482

**INCIDENT:** Landscape contractor excavating a trench for an electrical conduit without notifying the one-call center.

**Violations:**

Gonzalez Brothers Landscaping

Gov't Code 4216.2 (b):

Failure to notify one-call center prior to planned excavation.

**Executive Summary:**

Gonzalez Brothers Landscaping performed excavation by digging a trench to extend a conduit to install a low voltage electrical line in Anselmo, CA without notifying the one-call center, in violation of Government Code 4216.2(b). A natural gas service line was damaged causing a leak. No injuries or evacuations occurred.

<b>Report Date:</b>	<b>Case Number:</b>	<b>Notification Date:</b>
December 1, 2021	21SA01482	October 14, 2021

**Subject of Investigation:**

Gonzalez Brothers Landscaping

**Reporting Party Information:**


Isabel Gonzales  
Gonzales Brothers Landscaping  
5102 Columbia Ave. Richmond, CA 94804

**Prior Relevant Board Actions:**

None

**Date and Time of Incident:**

October 14, 2021, 9:15 AM

**Location of the Incident:**

Anselmo, CA

**Ticket:**

[X128701736-01X](#) | Type: Damage | Created: 10/14/21 | Legal Start: 10/18/21 |  
Expires: 11/11/21

**Operator:**

Pacific Gas &amp; Electric Co

**Excavator:**

Gonzalez Brothers Landscaping

**Facility Type Damaged:**

Natural gas service line

**Scene Description**

Residential neighborhood

**Investigation**

On October 14, 2021, the California Underground Utilities Safe Excavation Board was notified by Isabel Gonzalez (Gonzales) of Gonzalez Brothers Landscaping that they had damaged a gas service line in Anselmo, CA.

A search of the Contractor's State License Board website showed that Gonzalez Landscaping, DBA: Gonzalez Brothers Landscaping has an active license 1054515 (**Exh. 1**) in the State of California.



**Figure 1:** Google Maps street view of property

Martin Gonzales, owner of Gonzalez Brothers Landscaping, stated during a November 20, 2021 interview (**Exh. 2**) that he had been hired by the property owner to repair an existing retaining wall and extend a conduit for an electrical line to be placed there in the future. He stated that he and another employee were using a shovel and a pick to dig a trench for the conduit. Gonzalez stated that as they were digging the trench, they were about 12 inches deep when they hit the gas line with the pick and caused a small leak. Gonzalez stated they immediately stopped digging and called Pacific Gas & Electric Co and 911. Gonzalez stated that a Pacific Gas & Electric representative came out and repaired the line.

Gonzalez stated that they had not called 811 to get a ticket prior to digging the trench. Gonzalez stated that he didn't think they would need one because they were only going to dig about 12 inches deep and he didn't think the area where they were digging would have any lines. Gonzalez further stated that they always call 811 when they are doing a job, but he didn't think he needed to for this work. When presented with the legal requirements of Government Code section 4216, Gonzalez agreed that he should have called 811.

Aaron Lindh, Investigations Supervisor PG&E, stated in a November 30, 2021 interview (**Exh. 3**) that Pacific Gas & Electric was contacted on the morning of October 14, 2021 about a damaged service line that was leaking at [REDACTED], San Anselmo, CA. Lindh stated that technicians were dispatched to the location to repair the line. Lindh stated that John Murphy, Dirt Team Investigator, went out to speak with Martin Gonzalez about the incident. Murphy reported that Gonzalez Brothers Landscaping had been working on the property doing various things for about a month and had not called in a ticket


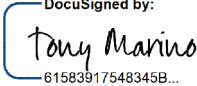
during that time. Murphy reported that he told Gonzalez that they needed to call in a ticket anytime they dig in the ground. Murphy reported that Gonzalez stated that he would call 811 in the future when doing this type of work.

Lindh stated that Gonzalez called in damage ticket X128701736 (**Exh. 4**) after speaking with Murphy.

The Town of Ross did not respond to damage ticket X12870736 in the required timeframe. Rich Simonitch, Town of Ross Director of Public works stated that the Town of Ross did not respond to the ticket because they are adjacent to the city of San Anselmo but do not have any utilities at the address listed.

**Findings**

- I. Gonzalez Brothers Landscaping performed excavation to dig a new trench to install conduit for an electrical line at a residence in Anselmo, CA**
- II. Gonzalez Brothers Landscaping is in violation of Government Code section 4216.2(b).** Gonzalez Brothers Landscaping conducted an excavation without notifying the one-call center prior to the excavation. The owner of the company stated that he didn't believe he needed to get a ticket because he was only excavating to a depth of 12 inches, and he didn't think there were lines in the area. There is no depth exemption for excavation
- III. The homeowner is not in violation of Government Code 4216.** The homeowner hired a licensed contractor to perform the excavation and is therefore exempt from requirements of the One Call Law pursuant to Government Code section 4216.8(b).
- IV. The Town of Ross is in violation of Government Code 4216.3 (c).** As of January 1, 2021, every operator of subsurface installations has been required to electronically respond to the one-call center with status of their response to an excavation ticket.  
Although the Town Ross does not have facilities in the City of Anselmo where the excavation address is listed. They are still required to issue a response.  
The Town of Ross should contact 811 North to find a resolution for this issue.

Investigator Name	Supervisor Name
Jason Corsey	Tony Marino
Signature	Signature
 <small>3F4D07A2D48B4AA...</small>	 <small>61583917548345B...</small>

**Witness List**

Name: USA North One Call Center  
Organization:  
Address:  
Phone:  
Knowledge of: Whether a valid ticket existed prior to excavation

Name: Martin Gonzalez  
Organization: Gonzalez Brothers Landscaping  
Address: 5120 Columbia Ave Richmond, CA 94804  
Phone:  
Knowledge of: How gas line was damaged

Name: Aaron Lindh  
Organization: Pacific Gas and Electric Company  
Address:  
Phone:  
Knowledge of: Damage to PG&E gas line

**EX - 1**

## ▼ Contractor's License Detail for License # 1054515

**DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.**

- ▶ CSLB complaint disclosure is restricted by law ([B&P 7124.6](#)) If this entity is subject to public complaint disclosure click on link that will appear below for more information. Click [here](#) for a definition of disclosable actions.
- ▶ Only construction related civil judgments reported to CSLB are disclosed ([B&P 7071.17](#)).
- ▶ Arbitrations are not listed unless the contractor fails to comply with the terms.
- ▶ Due to workload, there may be relevant information that has not yet been entered into the board's license database.

### Business Information

GONZALEZ LANDSCAPING  
5120 COLUMBIA AVE  
RICHMOND, CA 94804  
Business Phone Number:(510) 303-6474

**Entity** Sole Ownership  
**Issue Date** 06/11/2019  
**Expire Date** **06/30/2023**

### License Status

**This license is current and active.**

**EX - 2**





**CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD  
INVESTIGATION DIVISION  
INTERVIEW REPORT**

**REPORT DATE:** 12/1/2021

**CASE NO:** 21SA01482

**DATE/TIME OF INTERVIEW:** 11/30/2021 10:30 AM

**LOCATION OF INTERVIEW:** Phone

**NAME/ADDRESS OF INTERVIEWEE:**

Martin Gonzalez,  
5120 Columbia Ave  
Richmond, CA 94804  
Tel:

**NARRATIVE:**

On 11/30/21, I interviewed Martin Gonzales (Gonzalez) the owner of Gonzalez Brothers Landscaping about an incident that occurred on 10/4/21 at [REDACTED], San Anselo, CA. I asked Gonzales what type of work they were doing on the property. Gonzalez stated that he was hired by the property owner to repair an existing retaining wall and extend a conduit for an electrical line to be placed there in the future.

I asked Gonzalez to tell me what type of work they were performing when the gas service line was damaged. Gonzalez stated that he and another employee were digging a trench for the conduit. I asked Gonzales what type of equipment they were using to dig the trench. Gonzalez stated that they were using a shovel and pick to dig the trench. Gonzalez further stated that the trench they were digging was only about 12 inches deep. Gonzalez said as they were digging the trench, they were about 12 inches deep when they hit the gas line with the pick and caused a small leak. Gonzalez stated they immediately stopped digging and called Pacific Gas & Electric Co and 911. Gonzalez stated that a Pacific Gas & Electric representative came out and repaired the line.

I asked Gonzalez if he had called in an 811 ticket to have the area where they were digging the trench marked prior to starting the work. Gonzalez stated that no they had not called 811 to get a ticket prior to digging the trench. I asked Gonzalez why he had not called 811 to get a ticket. Gonzalez stated that he didn't think they would need one because they were only going to dig about 12 inches deep and he didn't think the area where they were digging would have any lines. Gonzalez further stated that they always call 811 when they are doing a job, but he didn't think he needed to for this work. I went over the legal requirements of GC 4216 with Gonzalez and he agreed that he should have called 811.

Investigator Name	Supervisor Name
Jason Corsey	Tony Marino
<p>DocuSigned by: <i>Jason Corsey</i> 3F4D07A2D48B4AA...</p>	<p>DocuSigned by: <i>Tony Marino</i> 61583917548345B...</p>

**EX - 3**



**CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD  
INVESTIGATION DIVISION  
INTERVIEW REPORT**

**REPORT DATE:** 12/1/2021

**CASE NO:** 21SA01482

**DATE/TIME OF INTERVIEW:** 11/30/2021 1:00 PM

**LOCATION OF INTERVIEW:** Phone

**NAME/ADDRESS OF INTERVIEWEE:**



Aaron Lindh, PG&E

Tel:

**NARRATIVE:**

On 11/30/21, I interviewed Aaron Lindh (Lindh), Investigations Supervisor PG&E about a damage to their gas service line that occurred on 10/14/21 at [REDACTED], San Anselmo, CA. I asked Lindh to tell me about their service line damage and what they know about the incident.

Lindh stated that Pacific Gas & Electric was contacted on 10/14/21 about a damaged service line that was leaking at [REDACTED], San Anselmo, CA. Lindh further stated that a technician was dispatched to the location the repair the line. Lindh stated that John Murphy (Murphy), Dirt Team Investigator went out to speak with Martin Gonzalez about the incident. Murphy reported that Gonzalez Brothers Landscaping had been working on the property doing various things for about a month and had not called in a ticket during that time. Murphy reported that he told Gonzalez that they needed to call in a ticket anytime they dig in the ground. Murphy reported that Gonzalez stated that he would call 811 in the future when doing this type of work.

Investigator Name	Supervisor Name
Jason Corsey	Tony Marino
<p>DocuSigned by:    3F4D07A2D48B4AA...</p>	<p>DocuSigned by:    61583917548345B...</p>

**EX - 4**

**Ticket: X128701736-01X**

MBRCOD 00001A USAN 11/30/21 10:14:27 X128701736-01X DMEX RUSH POLY LREQ

Ticket: X128701736 Rev: 01X Created: 10/14/21 13:10 User: ADW Chan: CSR

Work Start: 10/18/21 17:01 Legal Start: 10/18/21 17:01 Expires: 11/11/21 23:59  
Response required: Y Priority: 0

## Excavator Information

Company: GONZALEZ BROTHERS LANDSCAPING  
Co Addr: 5120 COLUMBIA AVE  
City : RICHMOND State: CA Zip: 94804  
Created By: ISABEL GONZALEZ Language: ENGLISH  
Office Phone: 510-303-6474 SMS/Cell: 510-303-6474  
Office Email: gonzalezbrothers@gmail.com

## Site Contact: MARTIN GONZALES

Site Phone: Site SMS/Cell: 510-303-6474  
Site Email:

## Excavation Area

State: CA County: MARIN Place: SAN ANSELMO  
Zip: 94960  
Location: Address/Street: [REDACTED]  
: X/ST1: WELLINGTON AVE  
:  
: WORK FRONT OF PROPERTY

## Delineated Method: WHITE PAINT

Work Type: INSTALL UNDERGROUND LOW VOLTAGE LINE FOR LIGHTING

Work For : SAME

Permit: UNKNOWN Job/Work order:

1 Year: N Boring: N Street/Sidewalk: N Vacuum: N Explosives: N

## Lat/Long

Center Generated (NAD83): 37.971341/-122.559980 37.971862/-122.558472  
: 37.969912/-122.559485 37.970434/-122.557978

## Excavator Provided:

Polygon : 37.971710/-122.558515 37.971638/-122.558417  
: 37.971550/-122.558364 37.970654/-122.558054  
: 37.970553/-122.558044 37.970455/-122.558081  
: 37.970375/-122.558161 37.970310/-122.558335  
: 37.970207/-122.559174 37.970211/-122.559307  
: 37.970254/-122.559428 37.970330/-122.559520  
: 37.970377/-122.559550 37.971004/-122.559863  
: 37.971114/-122.559888 37.971222/-122.559855  
: 37.971311/-122.559770 37.971344/-122.559713  
: 37.971721/-122.558881 37.971757/-122.558696  
: 37.971710/-122.558515

## Map link:

[https://newtin.usan.org/newtinweb/map\\_tkt.nap?TRG=9CLeLnFjAl7t9ga-7](https://newtin.usan.org/newtinweb/map_tkt.nap?TRG=9CLeLnFjAl7t9ga-7)

## Comments:

UNSUSPENDED ADW 10/14/2021 01:04:31 PM

SUSPENDED VLERMA 10/14/2021 12:50:51 PM

\*\*DAMAGE\*\* A DAMAGED LINE FROM GAS-CALLER REPORTS DAMAGING GAS LINE WITHOUT;  
CONTACT MARTIN AT 510 303 6474 PER ISABEL GONZALEZ--10/14/2021 01:08:50 PM

## Members:

MARNMU PACBEL PGESRF ROSVLY TWNROS TWNSAN

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**Ticket Members for: X128701736-01X**

Member	Name	Div	Shw	Cty	Plc	Grd	Shp	Opr	Sty	Con
EMLCFM	EMAIL CONFIRMATION	Y	N						A	
MARNMU	MARIN MUNI WATER	Y	Y					A		
PACBEL	PACIFIC BELL	Y	Y					A		
PGESRF	PGE DISTRIBUTION - SAN RAFAEL	Y	Y					A		
PGET48	PGE DISTR SAN RAFAEL - COPY	Y	N						A	
ROSVLY	ROSS VALLEY SANITARY DISTRICT	Y	Y					A		
SMSCFM	SMS CONFIRMATION	Y	N						A	
TWNROS	TOWN OF ROSS	Y	Y					A		
TWNSAN	TOWN OF SAN ANSELMO	Y	Y					A		

**Ticket Deliveries for: X128701736-01X**

Member	Name	Delivered	Seq#	Dest	Type	SID
DIGSAFE	DIG SAFE BOARD	10/14/21 01:10:55 PM	7	MAIL	DMEX	X
EMLCFM	EMAIL CONFIRMATION	10/14/21 01:10:38 PM	12982	SYSQ	DMEX	X
EMLCFM	EMAIL CONFIRMATION	10/18/21 06:22:33 PM	26472	SYSQ	RESP	X
MARNMU	MARIN MUNI WATER	10/14/21 01:10:50 PM	57	MAIL	DMEX	X
PACBEL	PACIFIC BELL	10/14/21 01:10:52 PM	3124	MAIL	DMEX	X
PGESRF	PGE DISTRIBUTION - SAN RAFAEL	10/14/21 01:10:51 PM	61	MAIL	DMEX	X
PGET48	PGE DISTR SAN RAFAEL - COPY	10/14/21 01:10:53 PM	61	MAIL	DMEX	X
ROSVLY	ROSS VALLEY SANITARY DISTRICT	10/14/21 01:10:50 PM	6	MAIL	DMEX	X
SMSCFM	SMS CONFIRMATION	10/14/21 01:10:50 PM	914	MAIL	DMEX	X
SMSCFM	SMS CONFIRMATION	10/18/21 06:22:34 PM	1882	MAIL	RESP	X
TWNROS	TOWN OF ROSS	10/14/21 01:11:06 PM	3	MAIL	DMEX	X
TWNSAN	TOWN OF SAN ANSELMO	10/14/21 01:11:19 PM	3	MAIL	DMEX	X

**Ticket Responses for: X128701736-01X**

Member	Name	Rev	Responded	By	Response
MARNMU	MARIN MUNI WATER	01X	10/15/21 02:48:14 PM	WEBTMS:AREECE	(022) NO DELINEATION - RESEND TICKET REQUESTED
MARNMU	MARIN MUNI WATER	01X	10/15/21 12:55:25 PM	WEBTMS:AREECE	(030) CONTACT FACILITY OWNER FOR FURTHER INFO
PACBEL	PACIFIC BELL	01X	10/14/21 02:12:19 PM	pacbelposres	(001) CLEAR - NO CONFLICT
PGESRF	PGE DISTRIBUTION - SAN RAFAEL	01X	10/14/21 02:01:27 PM	PGE	(010) LOCATE AREA MARKED
ROSVLY	ROSS VALLEY SANITARY DISTRICT	01X	10/14/21 01:29:44 PM	WEBTMS:RICO35	(002) CLEAR - NO CONFLICT BUT PRIVATELY OWNED UTILITY ON PROPERTY - CONTACT PRIVATE UTILITY OWNER FOR LOCATE

Member	Name	Rev	Responded	By	Response
TWNROS	TOWN OF ROSS	01X	10/18/21 06:22:28 PM	Late Notice	(999) Utility has not provided 811 center with information to be displayed
TWNSAN	TOWN OF SAN ANSELMO	01X	10/18/21 06:45:38 AM	AJ Shaw	(001) CLEAR - NO CONFLICT

Map for Ticket: X128701736-01X

