



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

**DATE:** February 4, 2022

**CASE No.:** 22LA01486

**INCIDENT:** Landscape contractor excavating holes to plant trees without notifying the one-call center.

**Violations:**

Desert Concepts Construction

Gov't Code 4216.2 (b):

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

**Executive Summary:**

Desert Concepts Construction performed excavation by digging holes to plant trees at a residence in Desert Hot Springs, 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>
January 20, 2022	22LA01486	January 7, 2022

**Subject of Investigation:**

Desert Concepts Construction

**Reporting Party Information:**

Southern California Gas Company  
555 W 5th Street Los Angeles CA 90013

**Prior Relevant Board Actions:**

None

**Date and Time of Incident:**

January 6, 2022, 11:15 AM

**Location of the Incident:**

Desert Hot Springs, CA 92240

**Ticket:**

A220060654 | Type: DMEX | Created: 1/6/22 | Legal Start: 1/10/22 |  
Expires: 2/3/22

**Operator:**

Southern California Gas Company  
555 W. 5<sup>th</sup> Street  
Los Angeles, CA 90013

**Excavator:**

Desert Concepts Construction  
79775 Avenue 40  
Indio, CA 92203

**Facility Type Damaged:**

Natural Gas 2" plastic main

**Scene Description**

Residential Neighborhood

**Investigation**

On January 7, 2022, the California Underground Utilities Safe Excavation Board received a complaint from Southern California Gas Company (SCG) alleging that Desert Concepts Construction a third-party contractor had excavated without a ticket and damaged their 2" natural gas main. Damage ticket number A220060654 was provided with the complaint (Exh 1).

A search of the Contractor's State License Board website showed that Desert Concepts Construction has an active license 849837 (Exh. 2) in the State of

California. Desert Concepts Construction has been licensed since November 8, 2004.



Photo 1 – Area of Excavation (photo provided by SoCal Gas)

Julio Castro (Castro), owner of Desert Concepts Construction, stated during a January 18, 2022 interview (Exh. 3) that his company was hired by the homeowner to do some landscaping including planting trees. He further stated that the trees had been delivered and his employee was instructed to use the heavy equipment (Backhoe) to unload the trees. Castro stated that after the employee unloaded the trees, he began digging a hole with the backhoe to plant the trees. Castro stated that as the employee dug the hole, he hit a 2” gas service line for the property.

Castro stated that his company did not have a ticket for this job. Castro further stated that his employee was not supposed to use the backhoe to dig a hole to plant the trees, he was supposed to use it to unload them. Castro stated he has been in the landscaping business a long time and that he understands the importance of getting a ticket. Castro stated that he tells his employees to always get tickets, but that sometimes they don’t understand.

Vickie Vega, a Southern California Gas Damage Prevention Analyst, stated during a January 19, 2022 interview (Exh. 4) that when she arrived on the site of the dig-in, she spoke with Tony Guzman (Guzman) of Desert Concepts Construction who advised her that they were digging with a backhoe and hit the

2” gas main line (Exh 5). Vega stated that she asked Guzman if they had a USA ticket. Vega stated that Guzman said they did not have a ticket.

Vega stated that Desert Concepts employees had already tied back one side of the damaged line and pinched the other end by the time she arrived (See Photo - 2).



Photo 2 – Gas Line Pinched by Contractor (Photo provided by SoCal Gas)

Vega stated the pinch was not grounded and that tying a line back is not an approved method of stopping the flow of gas. Vega stated that when Desert Concepts owner Julio Castro (Castro) arrived she spoke to him and Guzman at length about the process following a damage and how dangerous it was for them to touch the gas lines and try to control the flow. Vega stated that Castro replied that he has always done this, as he thought it was safer than letting the gas blow.

Vega stated that she went over the ticket process again with Castro and offered a safety meeting for their employees. Note: Vega stated that she had previously spoken to Desert Concepts about working without a ticket.

During his January 18, 2022 interview (See Exh 3) when asked if he or his employees pinched the leaking line to stop the flow of gas. Castro stated yes, his employees pinched the line to stop the flow of gas. He further stated that his company is certified to do that kind of work and has the proper equipment. When asked who certified his company to work on gas lines. Castro stated that

So Cal Gas certified his company to work on their lines. Castro said he would provide proof of the certification, he just needed to find it.

**Findings**

- I. **Desert Concepts Construction performed excavation to dig a hole to plant a tree at a residence in Desert Hot Springs, CA**
- II. **Desert Concepts Construction is in violation of Government Code Section 4216.2(b).** Desert Concepts Construction performed excavation by digging holes to plant trees at a residence in Desert Hot Springs, CA without notifying the one-call center. A natural gas service line was damaged causing a leak.
- III. **The homeowner is not in violation of Government Code Section 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).

Investigator Name	Supervisor Name
Jason Corsey	Tony Marino
Signature	Signature
<i>Jason Corsey</i>	<i>Tony Marino</i>

**Witness List**

Name: Southern California Gas Company  
Organization:  
Address: 555 W. 5<sup>th</sup> Street, Los Angeles, CA 90013  
Phone:  
Knowledge of: Damage to their facility

Name: Julio Castro  
Organization: Desert Concepts Construction  
Address: 79775 Avenue 40 Indio, CA 92203  
Phone:  
Knowledge of: Excavating without a ticket

**Exhibit List**

Exhibit #	Description	Date Received	Received From
1	Damage Ticket	1/12/22	Dig Alert Notice Dig Alert Notice
2	CSLB License Status	1/19/22	Contractors State License Board
3	Julio Castro Interview	1/18/22	Julio Castro
4	Vickie Vega Interview	1/19/22	Southern California Gas Company
5	SoCal Gas Damage Report	1/14/22	Southern California Gas Company

# Evidence 1: Damage Ticket

1/12/22, 12:42 PM

Ticket Search Results

MBRCOD 00001A USAS 01/12/22 12:42:05 A220060654-00A NEW RUSH POLY LREQ

Ticket: A220060654 Rev: 00A Created: 01/06/22 13:07 User: KKP Chan: 100

Work Start: 01/06/22 13:02 Legal Start: 01/10/22 17:01 Expires: 02/03/22 23:59  
Response required: Y Priority: 0

#### Excavator Information

Company: DESERT CONCEPTS  
Co Addr: 79775 AVE 40  
City : INDIIO State: CA Zip: 92203  
Created By: JULIO CASTRO Language: ENGLISH  
Office Phone: 760-200-9007 SMS/Cell: 760-534-6423  
Office Email: JULIODESERTCONCEPTS@GMAIL.COM

Site Contact: JULIO CASTRO  
Site Phone: 760-534-6423 Site SMS/Cell:  
Site Email:

#### Excavation Area

State: CA County: RIVERSIDE Place: DESERT HOT SPRINGS  
Zip: 92240  
Location: Address/Street: [REDACTED]  
: X/ST1: [REDACTED]

Delineated Method: WHITEPAINT

Work Type: INSTALL NEW LANDSCAPE

Work For : H/O WHITNER, DAVID

Permit: Job/Work order:

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

#### Lat/Long

Center Generated (NAD83): 33.946308/-116.508520 33.946301/-116.507061  
: 33.945289/-116.508525 33.945282/-116.507066

Excavator Provided:

Map link:

[https://newtin.digalert.org/newtinweb/map\\_tkt.nap?TRG=28u5u0v4p9n6j4t-u](https://newtin.digalert.org/newtinweb/map_tkt.nap?TRG=28u5u0v4p9n6j4t-u)

Members:

MSW01 SCG10G UCHTRW\_S4 USCEDE UTFTRCA01

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**Ticket Responses for: A220060654-00A**

**Member Name Rev Responded By Response**



MBRCOD 00001A USAS 01/12/22 12:42:06 A220060654-01A DMEX RUSH POLY LREQ

Ticket: A220060654 Rev: 01A Created: 01/06/22 13:09 User: KKP Chan: 100

Work Start: 01/06/22 13:08 Legal Start: 01/06/22 13:08 Expires: 02/03/22 23:59  
Response required: N Priority: 0

Excavator Information

Company: DESERT CONCEPTS  
Co Addr: 79775 AVE 40  
City : INDIIO State: CA Zip: 92203  
Created By: JULIO CASTRO Language: ENGLISH  
Office Phone: 760-200-9007 SMS/Cell: 760-534-6423  
Office Email: JULIODESERTCONCEPTS@GMAIL.COM

Site Contact: JULIO CASTRO  
Site Phone: 760-534-6423 Site SMS/Cell:  
Site Email:

Excavation Area

State: CA County: RIVERSIDE Place: DESERT HOT SPRINGS  
Zip: 92240  
Location: Address/Street: [REDACTED]  
: X/ST1: [REDACTED]

Delineated Method: WHITEPAINT

Work Type: INSTALL NEW LANDSCAPE  
Work For : H/O WHITNER, DAVID  
Permit: Job/Work order:  
1 Year: N Boring: N Street/Sidewalk: N Vacuum: N Explosives: N

Lat/Long

Center Generated (NAD83): 33.946308/-116.508519 33.946301/-116.507060  
: 33.945289/-116.508524 33.945282/-116.507065

Excavator Provided:

Map link:

[https://newtin.digalert.org/newtinweb/map\\_tkt.nap?TRG=38x6t6pFiGcIXIf-7](https://newtin.digalert.org/newtinweb/map_tkt.nap?TRG=38x6t6pFiGcIXIf-7)

Comments:

**\*\*DAMAGE\*\*** A DAMAGED LINE FROM GAS - CREW DAMAGED 2INCH GAS LINE AT ADDRESS PER  
JULIO CASTRO--[KKP 01/06/2022 01:08:35 PM]

Members:

MSW01 SCG10G UCHTRW\_S4 USCEDE UTFTRCA01

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Ticket Responses for: A220060654-01A

Member	Name	Rev	Responded	By	Response
MSW01	MISSION SPRINGS WTR DIST	01A	01/10/22 07:36:05 AM	davidweaver	(003) EXISTING MARKINGS ADEQUATE
MSW01	MISSION SPRINGS WTR DIST	01A	01/07/22 01:05:05 PM	jason	(010) LOCATE AREA MARKED
SCG10G	SOCALGAS DISTRIBUTION PALM DESERT	01A	01/07/22 09:57:27 AM	PRSDG01 CEWHEELW	(010) LOCATE AREA MARKED
UCHTRW_S4	SPECTRUM - INDIIO	01A	01/06/22 01:17:01 PM	UQ Responder	(004) NO MARKINGS REQUESTED
USCEDE	UTILIQUEST FOR SCE DIST - DESERT REG	01A	01/06/22 01:17:01 PM	UQ Responder	(004) NO MARKINGS REQUESTED

1/12/22, 12:42 PM

Ticket Search Results

Member	Name	Rev	Responded	By	Response
UTFTRCA01	UTILIQUEST FOR FRONTIER	01A	01/06/22 01:17:03 PM	UQ Responder	(004) NO MARKINGS REQUESTED

## **Evidence 2: CSLB License status**

### **▼ Contractor's License Detail for License # 849837**

**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**

DESERT CONCEPTS CONSTRUCTION INC A CALIFORNIA CORPORATION  
79775 AVE 40  
INDIO, CA 92203  
Business Phone Number:(760) 200-9007

**Entity** Corporation  
**Issue Date** 11/08/2004  
**Expire Date** **11/30/2022**

#### **License Status**

**This license is current and active.**

**All information below should be reviewed.**

### **Evidence 3: Julio Castro Interview**



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

**REPORT DATE:** 1/19/2022

**CASE NO:** 22LA01486

**DATE/TIME OF INTERVIEW:** 1/18/2022 10:30 AM

**LOCATION OF INTERVIEW:** Phone

**NAME/ADDRESS OF INTERVIEWEE:**

Julio Castro,  
79775 Avenue 40  
Indio, CA 92203  
Tel:

**NARRATIVE:**

On January 18, 2022, I interviewed Julio Castro (Castro), Owner of Desert Concepts Construction about a dig-in incident that occurred on January 6, 2022 in Desert Hot Springs, Ca. I asked Castro to tell me what happened in his own words.

Castro stated that his company was hired by the homeowner to do some landscaping including planting trees. He further stated that the trees had been delivered and his employee was instructed to use the heavy equipment (Backhoe) to unload the trees. Castro stated that after the employee unloaded the trees, he began digging a hole with the backhoe to plant the trees. Castro stated that as the employee dug the hole, he hit a 2" gas service line for the property.

I asked Castro if his company had gotten a ticket for the job. Castro stated that his company did not have a ticket for this job. Castro further stated that his employee was not supposed to use the backhoe to dig a hole to plant the trees, he was supposed to use it to unload them. Castro stated he has been in the landscaping business a long time and that he understands the importance of getting a ticket. Castro stated that he tells his employees to always get tickets, but that sometimes they don't understand.

I asked Castro if he or his employees pinched the leaking line to stop the flow of gas. Castro stated yes, his employees pinched the line to stop the flow of gas. He further stated that his company is certified to do that kind of work and has the proper equipment. I asked Castro who certified his company to work on gas lines. Castro stated that So Cal Gas certified his company to work on their lines. Castro said he would provide proof of the certification, he just needed to find it.

I again discussed with Castro the importance of calling 811 prior to excavation. Castro stated that he understood and would reiterate the message with his employees.

Investigator Name	Supervisor Name
Jason Corsey	Tony Marino
<i>Jason Corsey</i>	<i>Tony Marino</i>

**Evidence 4: Vickie Vega Interview**



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

**REPORT DATE:** 1/19/2022

**CASE NO:** 22LA01486

**DATE/TIME OF INTERVIEW:** 1/19/2022 11:00 AM

**LOCATION OF INTERVIEW:** Phone

**NAME/ADDRESS OF INTERVIEWEE:**

Vickie Vega, Damage Prevention Analyst  
Southern California Gas Company

**NARRATIVE:**

On January 19, 2022, I interviewed Vickie Vega (Vega), Damage Prevention Analyst at Southern California Gas Company about a dig in incident that occurred on January 6, 2022, at [REDACTED], Desert Hot Springs, CA.

Vega stated that when she arrived on the site of the Dig In, she spoke with Tony Guzman (Guzman) of Desert Concepts Construction who advised her that they were digging with a backhoe and hit the 2" gas service line. Vega stated that she asked Guzman if they had a USA ticket. Vega stated that Guzman said they did not have a ticket.

Vega stated that Desert Concepts employees had already tied back one side of the damaged line and pinched the other end by the time she arrived. Vega stated the pinch was not grounded and that tying a line back is not an approved method of stopping the flow of gas. Vega stated that when Desert Concepts owner Julio Castro (Castro) arrived she spoke to him and Guzman at length about the process following a damage and how dangerous it was for them to touch the gas lines and try to control the flow. Vega stated that Castro replied that he has always done this, as he thought it was safer than letting the gas blow.

Vega stated that she went over the ticket process again with Castro and offered a safety meeting for their employees. Note: Vega stated that she had previously spoken to Desert Concepts about working without a ticket.

Investigator Name	Supervisor Name
Jason Corsey	Tony Marino
<i>Jason Corsey</i>	<i>Tony Marino</i>



DocuSign Envelope ID: 62921A62-AD14-49A5-BB7C-3B3554A24730

# Evidence 5: SoCal Gas Damage Report

EIR No. 20220106-113500

Incident Time: (24hr) 11:40

Incident Date: 01/06/2022

Incident Location:

City/County: Desert Hot Springs/Riverside

Address/Location: [REDACTED] Desert Hot Springs

Incident Cause: 2" plastic main damaged with backhoe

Gas Equipment Affected: 2" Plastic Main

Dig-In Information:

USA notification required: **Yes** / No

USA notified: Yes / **No** USA # No USA Called

Facilities properly marked: Yes / **No**

Name of Excavator: Desert Concepts Construction

Excavator Contact Person: Tony Guzman

Phone: [REDACTED]

On Scene:	Date	Time
1 <sup>st</sup> Company Personnel on Scene	<u>01/06/2022</u>	<u>11:26</u>
Gas Flow Stopped	<u>01/06/2022</u>	<u>13:38</u>

Customer Outages (Quantity)     

The Damage Prevention Analyst, DPA, arrived on site of damage to 2" plastic main. DPA spoke to Tony Guzman, with Desert Concepts Construction, who advised they were digging with backhoe and hit the 2" plastic main. They tied back one side and squeezed the other. No USA ticket. DPA have spoken to the contractor on previous occasions. DPA spoke with Tony at length regarding the process following a damage emphasizing how dangerous it is for them to touch our lines and try to control the blow. The owner of the company showed up on site afterward and advised they were not supposed to be working there, that he always gets USA ticket. When advised him of the dangers of squeezing and tying back our lines, he replied that he has always done this, as he thought it was safer than letting the gas blow. The SoCal Gas representative, ETR, was told, by the homeowner, that the owner told him not to call SCG, that he had a crew he was sending out to repair it. DPA advised them of USA law again and he called to report. Offered safety meeting.

## Audio/Video URL's

File Name	File Type
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