



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
California Underground Facilities Safe Excavation Board
715 P Street
Sacramento, CA 95814

December 28, 2021

NOTICE OF PROBABLE VIOLATION

Edward Paula, President
Coastal Development Group
1206 10th Street Coronado, CA 92118

Case No.: 21LA01481

Address/Location of Violation(s):

Date/Time of Violation(s): October 18, 2021, 4:15 PM

Dear: Edward Paula,

The Board has concluded an investigation of an incident on the above date, time and location and has determined that Coastal Development Group violated Article 2 of Chapter 3.1 of Division 5 of Title 1 of the California Government Code as follows:

Gov't Code 4216.4(a)(1): Failure to expose the subsurface utility in the tolerance zone using hand tools prior to using any power-driven excavation equipment.

Gov't Code 4216.2(g): Commencing excavation without receiving an electronic positive response from all known operators of subsurface installations within the delineated area of excavation.

On October 18, 2021, Coastal Development Group was excavating to expose a marked gas service line because they needed to dig a trench to install a sewer line that would go under the gas line. After being unable to locate the marked gas service line using a shovel an employee of Coastal Development Group continued excavating with an excavator bucket and hit the gas line causing leak. Coastal Development Group did not contact San Diego Gas and Electric to request additional location information, consistent with Government Code Section 4216.4(b). Coastal Development commenced excavation without receiving a response from all known operators of subsurface installations within the delineated area of excavation, in violation of Government Code 4216.2(g). Coastal Development Group did not expose the subsurface installation in the tolerance zone using hand tools, in violation of Government Code Section 4216.4(a)(1).

Violation of Article 2 of Chapter 3.1 of Division 5 of Title 1 of the Government Code (Sections 4216 *et seq.*) is punishable by a maximum penalty of \$10,000, or \$50,000 for knowing and willful violation.

Mandatory completion of the Underground Facilities Safe Excavation Board's education course is being imposed. Please see <https://dig.fire.ca.gov/education-course/> for more information.

The proposed corrective action is merited because Coastal Development received information through electronic positive response that all utilities had not been marked, but they proceeded to excavate anyway. Furthermore, corrective action of mandatory completion of the Board's education course is merited in lieu of financial penalty because the violation did not result in substantial injury or damage, the company does not have a history of the same or similar violations and its employees cooperated with the investigation.

This matter will be referred to CSLB with a recommended penalty of mandatory completion of the Board's education course.

The California Underground Facilities Safe Excavation Board will act on this notice of probable violation in a future meeting.

You may contest this notice by responding to this notice promptly. Please see attached instructions on completing and submitting your response for options available to you. Your response to this notice must be received by the California Underground Facilities Safe Excavation Board no later than February 10, 2022

Sincerely,

DocuSigned by:
Jason Corsey
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Jason Corsey
Chief of Investigations

Proposed hearing date: April 11, 2022