



July 7, 2022

California Wildfire Safety Advisory Board
715 P Street, 20th Floor
Sacramento, CA 95814
WSAB@energysafety.ca.gov

RE: Comments of the Joint Associations on the 2022 Wildfire Mitigation Plans of Publicly Owned Electric Utilities and Electric Cooperatives

Dear Chair Block and Board Members,

The California Municipal Utilities Association (CMUA) and the Golden State Power Cooperative (GSPC) (collectively the “Joint Associations”) respectfully submit these comments to the California Wildfire Safety Advisory Board (WSAB) on the various publicly owned electric utility (POU) and electric cooperative (cooperative) Wildfire Mitigation Plans (WMPs) that have been submitted to the WSAB for 2022. The purpose of these comments is to provide additional context to the information contained in the POU and cooperative WMPs as well as discuss plans for collaboration in support of the 2023 WMPs.

The Joint Associations greatly appreciate the efforts of the WSAB in reviewing and providing recommendations on the wildfire mitigation efforts of the POUs and cooperatives. The WSAB’s *Guidance Advisory Opinion for the 2022 Wildfire Mitigation Plans of Publicly Owned Electric Utilities and Electrical Cooperatives* (2022 Guidance Advisory Opinion), adopted on February 23, 2022, provided useful information for each utility to consider. The WSAB’s input has been helpful in identifying areas for advancement and innovation in responding to California’s increasing wildfire risk.

When reviewing the POUs’ and cooperatives’ 2022 WMPs, in light of the 2022 Guidance Advisory Opinion, the Joint Associations recommend that the WSAB consider two key factors: (1) some recommendations relate to larger efforts that are currently being considered as part of the comprehensive revisions for the 2023 WMPs, and thus, will only have a limited discussion in the 2022 WMPs; and (2) some of the recommendations in the 2022 Guidance Advisory Opinion deal with issues outside the authority of a POU or cooperative in their role as an electric utility or outside the scope of the WMPs, and thus, the utility may be limited in its ability to include a response in its WMP.

I. COMMENTS ON THE POU AND COOPERATIVE 2022 WMPS

A. The Community Owned Utilities are Collaborating on Potentially Significant Changes to Key Parts of their 2023 WMPs.

Public Utilities Code section 8387(b)(1) instructs that at “least once every three years,” the WMPs that POUs and cooperatives submit to the WSAB, must be a “comprehensive revision of the plan.” Because POUs and cooperatives submitted their initial WMPs to the WSAB in 2020, many of the utilities will be submitting their first comprehensive revision to the WSAB in 2023. In light of this requirement, the POUs have been collaborating to identify areas of the WMPs where a comprehensive revision may be appropriate, based in part on the recommendations in the 2022 Guidance Advisory Opinion. Additionally, some utilities have been updating their WMPs every year and incorporating all appropriate recommendations and reviewing each section. Therefore, those utility’s comprehensive revision WMP might not appear to be significantly different than their previously submitted WMP.

Through CMUA’s long-standing working group devoted to wildfire issues (called the “Wildfire Preparedness, Response, and Recovery Working Group”), the POUs and cooperatives will form various sub-working groups to consider and develop potential approaches to specific WMP topics. The utilities currently plan to have separate sub-working groups devoted to the following topics: (1) developing and refining metrics for tracking the performance of mitigation measures in the WMPs; (2) describing vegetation management practices in more detail and identifying data management solutions; (3) evaluating asset management programs and identifying facilities in high fire risk areas, including equipment that pre-dates or is otherwise exempt from General Order 95; (4) describing grid design and system hardening programs; (5) exploring cost-effective risk modeling tools; and (6) developing plans to incorporate climate change data into risk assessments and the decision-making process. These sub-working groups will meet over the next several months and will share their conclusions with the larger CMUA working group later this winter. Each POU and cooperative will then have the benefit of this collective information when preparing its comprehensive update to its WMP. The extent to which a utility may incorporate this information into its 2023 WMP will depend on what is appropriate for each individual POU or cooperative based on its unique risk profile, size, geography, operations, and community preferences. Because of this ongoing process, many POUs and cooperatives may have limited responses in their 2022 WMPs relating to these or similar topics.

B. POU and Cooperative WMPs May Include Limited Information on Topics that are Outside their Authority, in their Role as an Electric Utility or Outside the Scope of the WMPs.

1. Communications with the Public During an Emergency

One of the WSAB’s recommendations in its 2022 Guidance Advisory Opinion, dealt with communications to the public during an active emergency or disaster. Specifically, the WSAB stated that:

Customer and community communication is a key strategy for avoiding significant wildfire impacts on human life, structures, and sensitive areas. Impacts can be avoided if customers are quickly informed about wildfire starts and likely spread and are able to safely evacuate if necessary. . . . **Utilities have a responsibility to go beyond managing their assets to provide information and assistance to their customers in these situations**, working with and within the appropriate general emergency communication structures in place.¹

The Joint Associations agree with the WSAB that effective communication to the public during an emergency is a key strategy to minimize the loss of life. However, it is essential that the lines of communication and roles of the various agencies are clearly understood and followed. California's Standardized Emergency Management System (SEMS) sets forth a detailed process for multiple local and state agencies to coordinate during emergencies, such as wildfires. During an emergency, communications to the public must identify (i) where the emergency is occurring, (ii) who should evacuate, and (iii) the appropriate evacuation routes. If different public agencies are providing information, and particularly if they provide conflicting or outdated information, it could significantly endanger the public. The planning for how to communicate emergency information to the public should occur within the existing SEMS structure, not in unrelated planning documents like a WMP. Indeed, including detailed emergency communications plans in the WMP could lead to confusion and exacerbate an emergency if such plans conflict with the real-time instructions of the entity in charge of disseminating this information.

In light of these considerations, a POU or cooperative is very limited in what information it can provide in its WMP relating to communications to the public during an emergency. Any such description will be limited to providing information regarding the SEMS process and stating that the utility will follow the instructions of the agency that is identified to be in charge of communications during the specific emergency.

2. Preventing and/or Mitigating the Spread of Wildfires Generally

Another recommendation in the WSAB's 2022 Guidance Advisory Opinion deals with minimizing general wildfire spread. The WSAB's recommendation includes the following discussion:

Even if ignition sources are minimized, remaining ignitions may still spread because there is abundant fuel available due to poorly maintained vegetation, low-moisture content in that vegetation, or both. There may also be more thought about reducing widespread damage even if a fire spreads, through building hardening and other strategies.

...

¹ 2022 Guidance Advisory Opinion at 17 (emphasis added).

The Board encourages the POUs, particularly in the upcoming comprehensive WMP revisions, to question whether broader thought and strategies may be appropriate going forward. Once the appropriate source minimization actions are accomplished for a POU . . . attention must still be paid to ongoing vegetation management and how that is best accomplished and customer interactions to mitigate the impacts of any wildfire that yet gets triggered (in collaboration with and deference to existing emergency communication protocols).²

A POU, in its capacity as an electric utility, is generally either a department within a municipality or is a special district. Cooperatives, provide electric service, but are not affiliated with municipalities, county government, nor special districts. In either case, the POUs and cooperatives have no authority over building standards or vegetation management that are not related to their utility infrastructure. Strategies for mitigating general wildfire spread, such as building standards and community-wide vegetation management standards, are developed and enforced by state and local governmental entities with the appropriate authority.

To the extent that a POU or cooperative does have recommendations on improvements to building standards or community-wide vegetation management requirements, such recommendations should be provided directly to the responsible entity as part of the regulatory process designated for the development of those requirements, rather than simply being included in a separate planning document, such as the WMP. This approach respects the public regulatory process and procedures that apply to the responsible agency and also ensures that the public is aware of and able to respond to any such recommendations.

Many of the rural electric cooperatives and POUs operate and maintain infrastructure that crosses State and Federal land. We have made progress in gaining access and expediting approvals to maintain and improve vegetation management in our right-of-ways. However, we have no capacity to prevent or mitigate the spread of wildfire through public land. Public land management policy at the landscape level, particularly at the federal level, is not easily influenced by the local utility. We welcome the WSAB's assistance in influencing federal land management policy to prevent and mitigate the impact of wildfires that could impact our infrastructure and communities we serve.

Because of these limitations, WMPs of a POU or cooperative are unlikely to include a substantive discussion of strategies to reduce general wildfire spread that is unrelated to utility infrastructure. To the extent such strategies are discussed, it will most likely be in the context of identifying the appropriate agency or department and the appropriate regulatory process where such strategies are adopted.

² *Id.* at 6.

3. Resource Availability

In the 2022 Guidance Advisory Opinion, the WSAB identifies several areas for which it seeks more information, including the following discussion:

The Board encourages additional attention to backup supplies, and coordination of those, in future WMPs for purposes of resiliency and wildfire recovery efforts, in addition to PSPS mitigation. Most existing backup generation is likely diesel-fired; examination of newer resiliency options like battery storage (as other utilities are doing) is encouraged for environmental and long-term resiliency reasons. While wildfire planning and mitigation efforts will generally affect broader utility resource planning, the Board is not asking POUs to engage in resource planning within WMPs. Rather, **the Board wants to better understand the broader picture of resource availability and alternatives solely in the wildfire context.**

...

[G]eneration assets served by . . . remote transmission assets may not be available in some wildfire situations, and the Board recommends more detail about substitute assets, plans for continuing to supply power with those substitute assets, and any wildfire risks associated with that substitution.³

A POU's or cooperative's obligation to meet planning and resource adequacy standards is not related to the purpose of the WMPs. The utilities have various federal and state standards that they must comply with and which are independent from the nature of the cause of any loss of generation or transmission capacity. The utility often does not have any role in the maintenance and mitigation measures that affect the underlying transmission or generation assets. Instead, the POU's and cooperative's obligation is to appropriately plan for the scenarios where such assets are unavailable. This planning effort is the same regardless of whether a wildfire is the cause of the loss of an asset or if a different disaster (e.g., earthquake, wind damage, equipment failure) is the cause. Therefore, any discussion of responding to an event, through substitute assets or otherwise, cannot be limited to a wildfire context, and is necessarily a discussion of the utility's general resource planning efforts.

POU and cooperative WMPs are unlikely to provide details on the specific plans for addressing the loss any specific asset due to wildfire because such planning is part of the applicable relevant federal, state, and local resource planning standards. To the extent that they do discuss this planning efforts, it is most likely to be a reference to the applicable standards, rather than an independent discussion.

II. CONCLUSION

The Joint Associations appreciate the opportunity to provide these comments to the WSAB on the POUs' and cooperatives' 2022 WMPs and thank the WSAB for its consideration of these comments.

³ *Id.* at 18, A2-57 (emphasis added).

We look forward to working collaboratively with the WSAB to advance with the wildfire mitigation efforts of the POUs and cooperatives.