



City of Needles, California Request for Commission Action

CITY COUNCIL BOARD OF PUBLIC UTILITIES Regular Special

Meeting Date: October 1, 2024

Title: Adopt the 2024 Needles Public Utility Authority Wildfire Mitigation Plan Version 5.0

Background: In 2008, the California Public Utilities Commission (“CPUC”) initiated a proceeding to address fires related to utility infrastructure, following a series of wildfires that occurred in 2007 and 2008. The goal of this proceeding was to establish new industry standards that would reduce the risk of electric line-ignited wildfires, with a focus on areas of the state where wildfire risks are elevated. In 2012, the CPUC adopted three interim fire maps that designated areas of the state where stricter inspection and vegetation clearance requirements would apply to overhead utility poles and equipment.¹ These interim maps were based on generalized wildfire threat, rather than the areas that were at a unique risk of electric line-ignited fires. The CPUC acknowledged the need for a better map and, in the same 2012 Decision, the CPUC directed parties to develop a more precise statewide fire map that identified areas of the state at an elevated risk of electric line-ignited wildfires.²

In 2016, Governor Brown signed Senate Bill (“SB”) 1028 (stats. 2016), which required publicly owned utilities (“POUs”) to identify additional wildfire mitigation measures that the POU could take if the POU governing board first found that its overhead electric lines and equipment posed a significant risk of causing a catastrophic wildfire. SB 1028 required that the POU governing board must base this determination on “historical fires and local conditions,” and must consult with local fire departments and other entities with responsibilities for the control of wildfires within the relevant area.³ These requirements were specified in the newly added Public Utilities Code Section 8387.

In 2018, the CPUC completed the development of the statewide Fire Threat Map that designates areas of the state at an elevated risk of electric line-ignited wildfires.⁴ This updated map incorporated historical fire data, fire-behavior modeling, assessments of fuel, weather modeling, and host of other factors. The map development and approval process involved detailed review by the relevant utility staff and local fire officials, a peer review process, and ultimate approval by a team of technical experts led by the California Department of Forestry and Fire Protection (“CAL FIRE”). The CPUC’s Fire Threat Map includes three Tiers/Levels of fire threat risk. Tier 1 consists of areas that have the lowest hazards and risks. Tier 2 consists of

¹ D.12-01-032.

² D.12-01-032 at 146-147.

³ Cal. Pub. Util. Code § 8387(b).

⁴ PG&E Advice Letter 5211-E/3172-E, “Joint Filing – Adoption of Final California Public Utilities Commission Fire-Threat Map,” Jan. 5, 2018, available at https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC_5211-E.pdf; SED Disposition Letter Approving Advice Letter 5211-E/3172-E, January 19, 2018, available at https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC_5211-E.pdf.



City of Needles, California Request for Commission Action

areas where there is an elevated risk for destructive electric line-ignited wildfires. Finally, Tier 3 consists of areas where there is an extreme risk for destructive electric line-ignited wildfires.

NPUA Staff reviewed the CPUC's Fire Threat Map and determined that no NPUA overhead electric lines or equipment are located in an area designated as either Tier 2 (elevated risk) or Tier 3 (extreme risk). Staff also reviewed historical fire data and local conditions. Based on this review, staff concluded NPUA's overhead electric lines and equipment did not pose a significant wildfire risk.

In 2018, Governor Brown signed SB 901 (stats. 2018), which addressed a wide range of issues relating to wildfire prevention, response, and recovery. SB 901 substantially revised the Public Utilities Code Section 8387, eliminating the prior process established by SB 1028 and instead making it mandatory for all POU's (regardless of size or wildfire risk) to develop a wildfire mitigation plan. Pursuant to the amended Section 8387, all POU's must present a wildfire mitigation plan to its governing board prior to January 1, 2020, and annually thereafter. Section 8387(b)(2) specifies the topics that must be addressed in the POU wildfire mitigation plans, which includes: (a) the responsibilities of the persons tasked with executing the plan; (b) a description of the POU's wildfire mitigation preventative strategies and programs; (c) a description of the metrics the POU will use to evaluate the wildfire mitigation plan's performance and discussion of how those metrics informed the current wildfire mitigation plan; (d) protocols for disabling reclosers and deenergizing portions of the electrical system; and (e) identification, description, and prioritization of all wildfire risks within the POU's service territory.

SB 901 requires that POU's must present their wildfire mitigation plan at an appropriately noticed public meeting and receive public comment. The POU must also verify that the wildfire mitigation plan complies with all applicable rules, regulations, and standards. POU's must also have their plan reviewed by a qualified independent evaluator to assess the comprehensiveness of the plan. The independent evaluator must then issue a report that the POU must make available on the POU's website, and the POU must present the report at a public meeting of the POU's governing board.

In 2019, two new bills (SB 1054 and SB 111) made additional major reforms relating to wildfires. As part of these reforms, SB 111 created a new state agency called the California Wildfire Safety Advisory Board ("Board"). The Board will be made up of seven members, five appointed by the Governor, one appointed by the Speaker of the Assembly, and one appointed by the Senate Rules Committee. The members of the board must be selected from industry experts, academics, and people with labor and workforce safety experience. At least three members must be experienced in the safe operation, design, and engineering of electrical infrastructure. SB 1054 requires that all POU's must submit their wildfire mitigation plans to the Board by July 1 of each year, starting in 2020. The Board will then review the POU plans and will provide comments and advisory opinions on the content and sufficiency the plans.

Pursuant to Public Utilities Code, Section 8387, NPUA has prepared the required wildfire mitigation plan. Staff has reviewed the NPUA's wildfire mitigation plan and concluded



City of Needles, California Request for Commission Action

that the plan meets all the required criteria as provided in Section 8387.

Following the adoption of the NPUA's Wildfire Mitigation Plan an audit of the plan is expected to be review with the San Bernardino County Fire Department. The plan and audit findings will be published at a public meeting and received public comment. The report and audit must be available on the NPUA's electric department website.

WSAB's specific guidance for the City of Needles (found in Appendix 3) is as follows:

The WSAB appreciates Needles including the context-setting template and statutory cross-reference table at the beginning of their 2022 WMP, as requested. The WSAB encourages Needles to continue this practice and to consider using appropriate parts of the proposed new 2023 comprehensive revision template in Appendix 1 as they prepare and file their next WMP.

The WSAB notes that Needles has not included any additional information about the adoption and public comment processes for WMPs in their 2022 document. The WSAB encourages Needles to include adoption information in future WMPs describing briefly the adoption and public comment processes Needles followed for the WMP being submitted, along with information about budget processes for any potential or expected mitigation expenses, per the proposed new 2023 comprehensive revision template.

The WSAB notes that Needles has not included updated information about their wildfire mitigation plans on their website. The WSAB can find a link to the initial WMP from 2019 and what appears to be a duplicate link pointing to the same WMP but suggesting that it is a "review" of the WMP, perhaps an independent evaluation report. The WSAB encourages Needles to provide a clear and prominent WMP page that includes older as well as current information to allow perusal of WMP history, that is – public access to former WMPs and IE Reports. The WSAB also requests that Needles include information in their 2023 comprehensive revision WMP about where on their website such information can be found.

The WSAB notes that there were few if any substantive changes between Needles' 2021 and 2022 WMPs, other than adding the context setting template and statutory cross-reference table as noted above. While the WSAB believes that minimal changes in an update year are reasonable given Needles' low likelihood of catastrophic wildfire, the WSAB encourages Needles to look more substantively at changes for the 2023 comprehensive revision WMP. The WSAB notes that Needles may have intended to add 2021 metrics but left yellow highlighted number signs in the table instead, and that in

the final section of the WMP Needles uses the word "part" when they appear to mean "party". The WSAB suggests that these minor errors are an indication of lack of sufficient attention, and believes that Needles will clear them up when they file their 2023 comprehensive revision WMP. No additional changes were made in 2024.



City of Needles, California Request for Commission Action

Fiscal Impact: None

Environmental Impact: None

Recommended Action: Adopt the 2024 Needles Public Utility Authority Wildfire Mitigation Plan Version 5.0

Submitted By: Rainie Torrance, Utility Manager

City Manager Approval: Rainie Torrance for Patrick Martinez Date: 9/25/24

Other Department Approval (when required): _____ Date: _____

Approved: Not Approved: Tabled: Other:

Agenda Item: _____