

HOUSE BILL REPORT

HB 1334

As Reported by House Committee On:
Rural Development, Agriculture, & Natural Resources

Title: An act relating to electric utility wildland fire prevention.

Brief Description: Concerning electric utility wildland fire prevention.

Sponsors: Representatives Blake, Kretz, Chapman, Chandler and Springer.

Brief History:

Committee Activity:

Rural Development, Agriculture, & Natural Resources: 1/30/19, 2/6/19 [DPS].

<p>Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Establishes a utility wildland fire prevention task force.

HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Blake, Chair; Shewmake, Vice Chair; Chandler, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chapman, Fitzgibbon, Lekanoff, Orcutt, Pettigrew, Ramos, Schmick and Walsh.

Staff: Robert Hatfield (786-7117).

Background:

The Department of Natural Resources is responsible for forest fire prevention and response on both state-owned and private forest land in Washington.

Summary of Substitute Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Commissioner of Public Lands (Commissioner) must convene a utility wildland fire prevention task force with electrical distribution utilities by July 1, 2019. The task force must continue to meet no less than quarterly until December 1, 2020.

The duties of the task force are to advise the Department of Natural Resources (DNR) on various specified matters related to the relationship between utility infrastructure and wildland fires.

Among other things, the task force must:

- develop, for the consideration of the DNR and individual electric utilities, a model agreement for managing danger trees and other vegetation that pose a risk of wildland fire;
- develop communication protocols and educational exchanges between the DNR and electric utilities for identifying and addressing issues relating to utility infrastructure in order to reduce the risks of wildland fires; and
- create rosters of certified wildland fire investigation firms or persons and third-party qualified utility operations personnel.

In consultation with the task force, the DNR must undertake certain tasks, including:

- make available the communication protocols and educational exchanges between the DNR and the electric utilities;
- distribute to utilities a voluntary model danger tree management agreement; and
- issue a roster of third-party certified wildland fire investigators and qualified utility personnel that may assist the DNR or utility in understanding and reducing risks and liabilities from wildfire.

The DNR must submit a preliminary report to the Legislature by December 1, 2019, and a final report by December 1, 2020.

The Commissioner or the Commissioner's designee must chair the task force and must appoint task force members. Task force membership should include:

- one person representing each investor-owned utility;
- two persons representing municipal utilities;
- two persons representing public utility districts;
- two persons representing rural electric cooperatives;
- one person representing small forest landowners;
- one person representing industrial forest landowners; and
- other persons with expertise in wildland fire risk reductions and prevention.

Substitute Bill Compared to Original Bill:

The section regarding wildfire liability is removed.

The list of representatives who should be included on the utility wildland fire prevention task force is expanded to include one representative of small forest landowners and one representative of industrial forest landowners.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The wildfire strategic plan for the Department of Natural Resources (DNR) calls for a task force between the DNR and electrical utilities. Utility transmission lines are exposed in high-wildfire risk areas. It is time to figure out how to reduce the risk of wildfire. Utility personnel are often secondary personnel in case of a wildfire, helping to reestablish infrastructure.

Public utility districts are familiar with the threat of wildfire. Wildfire causes service disruption. Utilities are exposed to the threat because they have 34,000 miles of transmission lines, much of which is in wildfire-prone areas. The task force would open up a dialogue between utilities and the DNR on topics like how to deal with danger trees, investigations, fire-safe behavior, and improving communications between utilities and the DNR.

(Opposed) None.

(Other) There is support for having large and small forest landowners participate on the task force.

Collaboration is key to the wildfire strategic plan for the DNR, and the task force can be a component of that.

Persons Testifying: (In support) Representative Blake, prime sponsor; Dave Warren, Klickitat Public Utility District; and Nicolas Garcia, Washington Public Utility Districts Association.

(Other) Jason Callahan, Washington Forest Protection Association; and Joanna Eide, Department of Natural Resources.

Persons Signed In To Testify But Not Testifying: None.