
**Rural Development, Agriculture, &
Natural Resources Committee**

SSB 5305

Brief Description: Concerning electric utility wildland fire prevention.

Sponsors: Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Van De Wege, Warnick, McCoy, Takko, Short, Sheldon and Nguyen).

Brief Summary of Substitute Bill

- Requires the Commissioner of Public Lands to establish a utility wildland fire prevention task force.

Hearing Date: 3/15/19

Staff: Robert Hatfield (786-7117).

Background:

In 2007 the Legislature designated the Department of Natural Resources (DNR) as the state lead in developing a comprehensive forest health program for the state and created a tiered advisory and regulatory system to address forest health issues. The DNR has direct charge of and supervision over all matters pertaining to the forest fire service of the state. The forest fire-related duties of the DNR include enforcing all forest fire-related laws, investigating the cause of forest fires, and directing fire suppression efforts as necessary.

Summary of Bill:

The Commissioner of Public Lands (Commissioner) must convene a utility wildland fire prevention task force (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.

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 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 utilities 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.

Appropriation: None.

Fiscal Note: Available.

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