
**Agriculture and Natural Resources
Committee**

HB 1032

Brief Description: Mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances.

Sponsors: Representatives Dent, Chapman, Ryu, Reed, Graham, Ramel, Pollet, Griffey, Reeves, Tharinger, Wylie, Springer, Kloba and Donaghy.

Brief Summary of Bill

- Directs the State Energy Office to contract with a consultant to recommend a format and list of actions to be included in an electric utility wildfire mitigation plan.
- Requires each investor-owned and consumer-owned electrical company to review and revise its wildfire mitigation plan by October 31, 2024, and at a minimum every three years thereafter.
- Directs the Department of Natural Resources to submit to the Legislature an analysis of the costs and benefits of preparing and maintaining a comprehensive statewide wildland fire risk map.

Hearing Date: 1/13/23

Staff: Robert Hatfield (786-7117).

Background:

Wildland Fire Advisory Committee.

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

The Wildland Fire Advisory Committee was created in 2015. The Committee advises the Commissioner of Public Lands (Commissioner) on all matters related to wildland firefighting in the state. This includes developing strategies to enhance the safe and effective use of private and public wildland firefighting resources.

Utility Wildland Fire Prevention Advisory Committee.

In 2019 the Legislature directed the Commissioner to establish an Electric Utility Wildland Fire Prevention Task Force (Task Force). The Task Force was composed of individuals with expertise in wildland fire risk reduction and prevention, a representative of both small and industrial forest landowners, and entities providing retail electric service.

In 2021 the Legislature directed the Commissioner to convene a Utility Wildland Fire Prevention Advisory Committee (Advisory Committee) by August 1, 2021. The duties of the Advisory Committee are to advise the Department of Natural Resources (DNR) on issues including:

- matters related to the implementation of Task Force recommendations;
- providing a forum where electric utilities, the DNR, and other state fire suppression organizations can identify issues and develop solutions for wildfire prevention and risk;
- fire mitigation specifically related to electric utilities' transmission and distribution networks, identification of best management practices, electric utility infrastructure protection, and wildland fire suppression and response; and
- establishing joint public communications protocols among members of the Advisory Committee, and other entities, to inform residents of potential critical fire weather events and the potential for power outages or disruptions.

Utilities and Transportation Commission.

The Utilities and Transportation Commission (UTC) regulates the rates, services, and practices of investor-owned utilities and transportation companies, including electrical companies, natural gas companies, and telecommunications companies. In May 2021, the UTC held a workshop on utility wildfire preparedness. Washington's three investor-owned electric utilities presented their plans for the upcoming wildfire season, including plans for fire mitigation strategies and communications plans with state, federal, and local emergency response agencies, and customers.

State Energy Office.

The State Energy Office within the Department of Commerce reviews energy issues, works on the benefits of energy, and helps to develop state energy goals. The State Energy Office provides energy policy support, analysis and information to the state, and provides energy grants to Washington state entities.

Summary of Bill:

State Energy Office - Recommended Format for Utility Wildfire Mitigation Plans.

The State Energy Office must contract with an independent consultant to recommend a format and list of actions to be included in an electric utility wildfire mitigation plan, including best practices for each action. In identifying a plan format and list of actions, the State Energy Office must seek input from the Utilities and Transportation Commission (UTC), the Department of Natural Resources (DNR), the Utility Wildland Fire Prevention Advisory Committee, electric utilities, the State Fire Marshal, the Governor's Office of Indian Affairs, and the public.

The State Energy Office must publish a recommended format and list of actions by April 1, 2024.

The recommended actions must include, but are not limited to:

- vegetation management along transmission and distribution lines and near associated equipment;
- infrastructure inspection and maintenance repair activities, schedules, and recordkeeping; and
- identification of appropriate widths for vegetation management and rights-of-way, including the consideration of fire-resistant vegetation alternatives.

The recommended format and list of actions identified by the State Energy Office must be forwarded to the UTC, the DNR, and all electric utilities in the state for a review period prior to finalizing the format and list of actions.

The State Energy Office will provide technical assistance to utilities to support the inclusion of the guidelines in the revision of their wildfire mitigation plans.

The State Energy Office must maintain a website to host utilities' wildfire mitigation plans and must submit a summary and compilation of the wildfire mitigation plans to the Legislature by December 31, 2024.

Investor-owned Electrical Companies - Wildfire Mitigation Plans.

Each investor-owned electrical company must review and revise, if appropriate, its wildfire mitigation plan by October 31, 2024, and every three years thereafter. The review should include a review of the specific circumstances of the utility and should incorporate as appropriate the recommended actions identified by the State Energy Office in its recommended format for wildfire mitigation plans. The electrical company must submit its plan to the UTC and make the plan publicly available.

Within six months of submission, the UTC must review the plan and confirm whether the plan contains the recommended actions. The UTC must consult with the Energy Resilience and Emergency Management Office of the Department of Commerce when reviewing a wildfire mitigation plan.

After the UTC has reviewed a wildfire mitigation plan, the electrical company must provide a copy of the plan to the Energy Resilience and Emergency Management Office along with a list

and description of wildland fires within its customer service area over the previous two years as reported by the DNR.

Consumer-owned Electrical Companies - Wildfire Mitigation Plans.

Each consumer-owned electrical company must review and revise, if appropriate, its wildfire mitigation plan by October 31, 2024, and every three years thereafter. The review should include a review of the specific circumstances of the utility and should incorporate as appropriate the recommended actions identified by the State Energy Office in its recommended format for wildfire mitigation plans. The electrical company must submit its plan to the governing board of the electrical company and make the plan publicly available.

The governing board of the electrical company must review the plan and confirm whether the plan contains the recommended actions. Local fire districts must be given an opportunity to review and comment during this period. After the governing board's review, the electrical company must provide a copy of the plan to the Energy Resilience and Emergency Management Office along with a list and description of wildland fires within its customer service area over the previous two years as reported by the DNR. The Energy Resilience and Emergency Management Office must review the plan and provide feedback within six months for consideration for inclusion in the next plan revision.

Two or more abutting electric utilities may co-develop a wildfire mitigation plan.

Responsibility for Managing Wildfire Risk.

No provision in this act may be construed to relieve an electric utility, whether investor-owned or consumer-owned, from proactively managing wildfire risk, including by monitoring emerging practices and technologies, and mitigating and responding to wildfires.

Utility Wildland Fire Prevention Advisory Committee - Duties and Composition.

The membership of the Utility Wildland Fire Prevention Advisory Committee is expanded to include a representative of the Energy Resilience and Emergency Management Office and a representative of the UTC.

The Chair of the Advisory Committee must schedule and hold meetings on a regular basis to expeditiously accomplish its duties and make recommendations.

By December 31, 2023, the DNR must submit to the Legislature a report prepared by the Advisory Committee that includes:

- an analysis of the costs and benefits of preparing and maintaining a comprehensive statewide wildland fire risk map that identifies relative risk; and
- recommendations for strengthening state agency coordination of wildfire risk reduction, prevention, and suppression.

Appropriation: None.

Fiscal Note: Available.

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