

Vigil, Ceallach

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Subject: Comments on WMP's Resolutions re: Conditional Approval of PG&E's WMP.

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Dear Director Thomas Jacobs,

Thank you for the opportunity to comment on the Wildfire Safety Division's WMP Draft Guidance Resolution and the PG&E's WMP Assessment. *It is a unique and welcome situation that a member of the public is counted as a Stakeholder and has been assured that its analyses and comments on such a vital topic to our community will be considered during the process of approval-with-conditions of PG&E's cumbersome, inadequate and spendthrift WMP.*

As an active forty-two year old 501-c-3 nonprofit community organization, the Valley Women's Club has a strong concern for the health of our Watershed. Forty years ago we helped enable passage and implementation of the San Lorenzo River Watershed Management Plan by the County of Santa Cruz. We have worked to expand support for the concepts of that plan ever since, through a wide range of activities (such as an Annual River & Road Cleanup), education (dozens of workshops and thousands of informational brochures designed and distributed), and activism (working with public and private agencies and legislators).

We are impressed by the care and in-depth evaluation given to PG&E's WMP. The Wildfire Safety Division has provided an insightful, detailed and critical assessment of this Plan. We enthusiastically concur on the gaps and deficiencies presented and discussed by the Division, as well as most of the conditions it is imposing. (Prime example: Section 5.4.4. PREVALENCE OF EQUIVOCATING LANGUAGE –FAILURE OF COMMITMENT)

We must point out, however, that the gaps and conditions fall short in several crucial ways. There are important omissions in those conditions that undermine their potential effectiveness. For example, while WSD accurately states that “program targets” (5.2.3. PERFORMANCE METRICS) do not establish sufficient metrics to evaluate WMP performance, it fails to emphasize the significant deficiencies of a “target.” If the “target” is absurdly low (ie mileage of conductor to be hardened such as PG&E’s pitiful 240 miles in its massive distribution system), it threatens to take years or decades to complete any upgrade, and is thereby detrimental to any safety improvement goals. In addition to seeking sufficient metrics for long-term improvements the WSD should mandate mileage that will actually reduce utility hazards. Otherwise it delays vital improvements by years.

1. **SYSTEM HARDENING:** WSD points out that PG&E conflates regular maintenance with improved infrastructure to prevent wildfire. (**Condition (Guidance-2, Class B)**). We agree. This is both a System Hardening issue and a Risk Spend Issue.

- A. While distrusting this conflation with its potential for charging twice for the same work, the WSD’s requirement that PG&E separate these issues doesn’t address the inordinate amount of time corrections are allowed to take (as throughout Appendix A PG&E 1), nor the untenably puny amount of infrastructure hardening PG&E is committed to each year. With only 240 miles of hardened conductor planned for 2020 when it should be thousands of miles, all forested areas are still at great risk for utility associated wildfire.
- B. An example of what should have already been addressed is the 25,200 miles of obsolete bare wire that was presented to the CPUC in 2013 (and again by the OSA in 2017) as in need of priority replacement to reduce wildfire ignition in High Utility-Associated Wildfire Risk areas. PG&E managed to magically reduce that mileage by 75% within two years with no explanation, first to 7,100, and then to 5,500. BUT even with that lower mileage it will still take years to replace this highly dangerous wire at the rate PG&E has established, starting with only 240 miles this year.
- C. In addition, after the Camp Fire, PG&E widened the right of way, removing many valuable remaining live trees and then installed new poles. The victims from Paradise deserved the best. However, PG&E chose to use shiny new *outdated, unsafe bare aluminum wire -- thus maintaining the high wildfire threat rather than reducing it when it had the opportunity*. This is an example of PG&E’s failure to incorporate hardened conductor in both maintenance and wildfire hardening projects throughout Tier 2 and 3. PG&E has no cohesive safety vision or they would have used this perfect opportunity to upgrade the wires while they were already replacing poles. Instead they focused myopically on removing trees with no vision for the future damage they were creating. (Locals questioned how much money the PG&E contractors made selling the valuable redwoods and other species of still-viable trees they removed without gaining approval from absent property owners.)
- D. Under **GRID DESIGN AND HARDENING**, WSD called for a discussion about “whether the filer replaces or upgrades infrastructure proactively rather than running facilities to failure.” That is a great question but if we are mandating a fire-safe system, this regressive business model should be rejected outright, not simply be discussed.

We applaud the Wildfire Safety Division (WSD) for its many hard hitting **Grid Design and System Hardening** comments. We are not surprised that PG&E rates so poorly, within this category -- for

example, that PG&E's capability to design its grid for resiliency and minimizing shutoffs was scored at 0 out of 4 for both 2020 and 2023 (**1.2.3.13 Capability 13: Grid design for resiliency and minimizing PSPS**). *We can only conclude that, even under threat of bankruptcy, there is little hope for significant grid improvement within the next few years.*

We strongly urge that *PG&E be mandated to respond to the emergency need to harden thousands of miles of obsolete conductor within only a few years, and to equally prioritize other distribution system improvements (specifically removing all explosive fuses and installing computerized circuit breaker protection within only a few years, not decades). They must be mandated to return to a far less destructive form of vegetation management, rather than continuing to destroy thousands of healthy, mature trees in the expensive, unsupervised EVM boondoggle.*

2. RISK SPEND EFFICIENCY: PG&E's excessive costs are problematic, and include the possibility of double-dipping due to conflation of regular maintenance and repairs to wildfire infrastructure hardening - and other potential overlapping costs. WSD has confronted this in its Resolutions but doesn't go far enough.

A.

PG&E's costs are significantly higher than all other utilities but they hide the costs in many ways. **Condition (Guidance-5, Class B** ii, iii, iv, v) has the potential to improve this, especially since the Plan "lacks significant details for the WSD to be fully convinced that PG&E will be able to execute on its plan fully and on time." PG&E's accounting must be held to a higher level of scrutiny.

- B. In **Failure to disaggregate WMP work from standard maintenance** (Pg 36-37) WSD states that, "It is not clear how PG&E is tracking its WMP activities in memorandum accounts if it does not budget for them by type of mitigation. The Commission will scrutinize its memorandum accounts for WMP carefully, and if all costs are simply lumped together or included in general operations and maintenance accounts, PG&E risks failing to provide entitlement to cost recovery." *WSD should also require that PG&E use maintenance and repairs as an opportunity to replace bare wire with best practices' steel strengthened, covered wire to reduce overall costs long term.*
- C. Covered wire is not adequately defined by PG&E and not addressed adequately by the WSD. We know that SCE's risk spend analysis demonstrated that triple layered insulated wire with a steel support center is the best practices choice for reducing wildfire safety risk. Other areas of the US and internationally use Spacer Cable (which also has a steel center). Either of these is far better than the single layer of insulation wire (aka Tree Wire) that PGE is using. *While initially more expensive, because the cost of labor is so high and single layer wire will need replacement far sooner, the triple layer conductor with steel center is more cost effective. Even more importantly, the potential for wires to withstand branches, even trees demonstrates its fire-prevention qualities.(see Banff, Canada photo attached).*
- D. PG&E claims (with no metrics) in their WMP that by installing covered conductor there will be a 56% reduction in utility wildfire, whereas Enhanced Vegetation Management results in a 31% reduction. (Section 17.1 WMP) With no Correlation between these reductions, why allow PG&E to cut down healthy, mature trees if covered conductor has a better metric? There is no specification of the type of wire used but stronger, more heavily insulated conductor can make a big difference, and would assuredly improve

that 56% reduction if required. With so little Covered Conductor deployed, how can PG&E make any comparative analysis?

- E. In **Deficiencies and Conditions – Grid Design and System Hardening** WSD points out PG&E’s failures including, “PG&E fails adequately to explain how it prioritizes various grid hardening projects or justify its use of more than one type of mitigation in the same location. Its cost tracking lumps measures together, which will cause problems when PG&E seeks cost recovery. (p. 35)” This is another overlap between Risk Spend Efficiency and System Hardening that merits careful scrutiny.
- F. We understand that a utility’s biggest cost is the labor. WSD acknowledges that PG&E is unable to meet its EVM goals; it is unable to cut all the trees it wants to. *PGE is failing to focus solely on hazard trees, going far outside of its right-of-way without property owner OK, and failing to recognize the validity for intense resistance that massive tree removals engender in property owners.* WSD should recognize that PG&E is spending too much time and money cutting trees and should mandate that PG&E refocus on trimming trees and system hardening. This will improve safety and reduce the excessive costs of vegetation management.

3. **VEGETATION:** PG&E’s continuing dependence on vegetation management, rather than upgrading infrastructure, has been to improve its bottom line (also known as a “run to failure” business model). This is historic and well documented as a major safety deficiency - as the San Bruno gas line explosion proved. Many recent comments on the WMP questioned its efficacy and/or criticized its excessive costs (Green Power Institute, a “significant number of members of the public,” TURN, etc.). In addressing the problems with Enhanced Vegetation Management (EVM) throughout WSD’s Resolutions, Action Statements and Guidance Resolutions, there is no mention of the failure by PG&E to provide more than lip service to the negative environmental impacts of its EVM, apparently influencing the CPUC to avoid CEQA review in support of PG&E’s ill-considered actions, in spite of warnings by the Office of Safety Advocate.

- A. **Violations of CalFire THP Exemption Permits** There is no doubt that PG&E must interact with Federal, State and local agencies, especially CalFire and NMFS-NOAA. WSD makes thoughtful mention of PG&E’s deficiency in stakeholder cooperation (**Stakeholder Cooperation and Community Engagement, Deficiency (PGE-21, Class B)**) Saying that “PG&E fails to describe why additional programs for transmission clearances are necessary,” WSD fails to respond to the fact that the Right-of-Way Expansion Program should not be allowed to continue. It is dependent upon the CalFire THP Exemption Permit process which exacerbates the environmental issues of EVM, causes profound distress with thousands of property owners and residents, and may well be unfounded in law. CalFire’s Timber Harvest Exemption Permits have been distorted to allow tree removals far into private property and public lands, 250 feet outside of the PG&E right-of-way.
- B. PG&E was compelled to apply for Timber Harvest Exemption Permits when it initiated EVM along private roads in 2018, since they were cutting down thousands of trees just outside of their right-of-way. (These Permits were also required when it removed trees (many still healthy and valuable) outside its right-of-way and installed the new distribution system in Paradise. (see **System Hardening C** above) Few property

owners realized that PG&E had needed such a permit; few realized that PG&E had signed the permit applications as “property owner.” Few realize that PG&E (and the other IOU’s that also got these permits) must adhere to THP regulations when removing trees or that a property owner might be able to complain to CalFire if there were problems.

- C. Tens of thousands of acres in every PG&E county became a part of this massive number of Exemption Permits. PG&E decided to use the Permits to remove any tree “within striking distance” from its wires - up to 250 feet from the right-of-way, creating the Expansion Program. With NO ONE questioning whether this was necessary or legal. Elsewhere in the Resolution, WSD questions the removal of mature, healthy trees when the focus should be on hazard trees but fails to question the right of PG&E to infringe so deeply onto private property, and *its to question whether PG&E should be allowed to act as “property owner”* **We challenge WSD and the CPUC to demonstrate the legality of PG&E removing trees up to 250 feet from its right-of-way**
- D. Whether actually legal or not, PG&E has planned to spend \$500 million on removing those trees. This is an absurd waste of money -- better spent on hardening those wires.
- E. Even though very few property owners know of CalFire’s involvement, there have still been many complaints to CalFire about PG&E and the other IOU’s. Only these complaints have enabled CalFire to initiate inspections. CalFire cannot begin to inspect the contractors removing trees adequately, because of two things: CalFire does not have the staff to do so, and it has no way of knowing where a contractor might be working - or when. **WSD should request that the CPUC mandate a process for PG&E to make sure that CalFire, local fire departments, and other agencies, be informed daily about when and where their contractors will be harvesting trees under the Exemption Permits.**
- F. Of deep concern are the violations that PG&E has incurred from CalFire. They include lack of fire equipment on site during tree removal operations. With no shovels, or the 5-gallon water bladder backpacks to spray water on vegetation ignited from equipment sending out sparks, the contractor will have created a potential wildfire disaster that removing the trees was supposed to help prevent. Other violations include waterway impact that in many areas would potentially affect threatened or endangered species. **WSD should request that CPUC consider the legal, environmental and safety issues that removing trees 250 feet onto private property is engendering, and take steps to stop this process.**
- G. PG&E is already resisting even the minimal safety, annual renewal, and other restrictions of the THP Exemption Permits, requesting that it be excused from having to deal with the THP Exemption Permits at all. *This must not be allowed.*
- H. While WSD recognizes PG&E’s failure to properly account for climate change (relating to wind effects on wildfire spread and PSPS planning in **Risk Assessment**), it fails to discuss that removing millions of trees will exacerbate climate change which is one of the significant negative environmental impacts from EVM. Residents of Arnold, where hundreds of healthy, mature trees have been removed by PG&E contractors, complain that it is hotter, that they now need air conditioning. Trees cool off the planet. **WSD should acknowledge that the CPUC erred when it self-declared exemption from CEQA review --- claiming an EIR on EVM was unnecessary. This is part of an historical pattern of giving lip service to the impacts of removing trees and avoiding any delay in approval processes. This can no longer be allowed. The WSD must request that the CPUC cancel what appears to be an unwritten “no EIR policy” and immediately initiate an EIR of the EVM to compel PG&E to recognize that their decisions have terrible consequences, fail to stop wildfires, (p. 36) and spend massive amounts of money on the wrong mitigation initiative.**

I. 6.5.5. VEGETATION MANAGEMENT AND INSPECTIONS

WSD states that Enhanced Vegetation Management (EVM) should be targeted to highest risk areas and the imperative is to “focus on at risk trees first, rather than on every tree within striking distance.” This actually implies permission to remove those healthy, mature trees within striking distance (far outside the right-of-way) once at-risk trees are removed. Removing “every tree within striking distance” is an absurd, untenable concept. The entire process (both within and outside of PG&E’s right-of-way) is uncontrolled, with no oversight over which trees are chosen, and no inspections to assure that PG&E’s contractors are adhering to the safety and property rights of those involved. In addition, there is no holding PG&E accountable for damage to private property, nor for removing only trees that are truly hazards to the power line.

Infrastructure improvements are effective for all safety issues, be it wildfire caused by a balloon or a branch, electrocution, environmental degradation (erosion, slope instability, increased climate change), or increasing fire hazard from removing trees that stimulates growth of flammable grasses, dries out the understory and creates wind tunnels to carry flaming fire brands farther and faster. *Thus, removal of healthy, mature trees is contraindicated rather than a mitigation measure of assured efficacy and should be limited to required wire clearance standards (trimming) and removal of dead or dying trees that threaten power lines.*

4. **IMPROVED COMMUNITY ENGAGEMENT AND AWARENESS:** WSD accurately portrays PG&E’s deficiencies in Safety, but this is also key to adequate Community engagement: “Poor preparedness and interaction with cities, counties and first responders are areas of continued weakness for PG&E, both before, during and after a wildfire and during the 2019 PSPS events.” *Deficiency (PGE-27, Class B): Public safety partner coordination..* This confirms why there is so much distrust of PG&E. How can one be convinced that updating plans and logging complaints will improve the situation?

- A. Regarding **Deficiency (PGE-23, Class B): Vegetation waste and fuel management processes unclear**, each statement is valid and the Conditions appropriate. This will improve public opinion by demonstrating a concern for wildfire ignition potential of vegetation debris left to decay and dry, while improving the appearance of the process. *However, the process will take too long, allowing continued confusion or allow contractors to disregard the hazards and ugliness of slash.*
- B. *A part of the slash issue is that there is no mention of enforcement once the process is mandated which will continue the inequities with how well areas are cleaned up in wealthy areas vs in less affluent areas. The issue of stump-removal is also ignored, leaving it at the whim of the tree contractors rather than having the environmental impacts and appearance considerations property evaluated. (See attached photo.)*
- C. WSD’s insight on PG&E’s deficiencies in community engagement (P. 64) points out that, “It is not sufficient for PG&E simply to state that it will continue outreach and evaluate effectiveness in the future. Doing so conveys that PG&E is reluctant

to make commitments for which it will be accountable in the future.” The CPUC should be cautioned that PG&E has virtually never shown respectful and honest community engagement when met with any resistance. One of their techniques is to cooperate where it’s convenient, and ignore an issue when it’s not. Another technique is to hold public meetings with large displays arranged throughout the room, with an “expert” by each display to explain it, as done in Ben Lomond and other parts of Santa Cruz County. This handicaps any real exchange of information, leaving the attendees frustrated. Also, using wildfire safety to engender fear has been an effective tool for PG&E to remove whole trees, or limb trees from wires t to the sky, with inadequate metrics to prove it is necessary

- D. Even before initiating EVM, PG&E frequently strong-armed people into allowing them to cut down important, valuable trees; this was exacerbated when EVM was initiated. Since then, if a homeowner rejects PG&E’s claim that a particular tree is a hazard , they turn to threats of homeowner liability for outages and fire. PG&E claims community cooperation when they “convince” a property to accept a small tree to replace the cherished large tree that was removed.

In conclusion, there is no doubt that PG&E’s on-going behavior, including the continued lack of safety culture even in the WMP, would trigger a law like SB 350, allowing the conversion of PG&E into a receivership. Thus it behooves the WSD/CPUC to mandate that PG&E expand and speed up infrastructure hardening, specifically, 1. replacing the 7000 miles of Tier 2 and 3 bare wire, with triple insulated steel core distribution wire within three years; 2. removing all expulsion fuses within two years; 3. installing computerized circuit protection relays (ie synchro-phasers or arc-fault interrupters) immediately; and 4. mandate an EIR and a cohesive validated plan about vegetation management that restores protection for healthy, mature trees and guarantees oversight of PG&E and its contractors.

PG&E should be given a very short window to prove that they can change.

Respectfully yours,

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Lompico Creek, important for threatened Steelhead, is impacted by slash and logs abandoned by PG&E crews in March, 2020.

