

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: June 12, 2018

TO: Board of Supervisors

FROM: Ed Scofield, Chair

SUBJECT: Letter of Opposition to Proposals to Revise or Reduce Wildfire Liabilities for Responsible Parties

RECOMMENDATION: Authorize the chair to sign and submit the attached letter.

FUNDING: N/A

BACKGROUND: On April 30, 2018 the California State Association of Counties (CSAC) Executive Director, Graham Knaus submitted a letter to the California State Assembly Speaker, Anthony Rendon and California State Senate President Pro Tempore, Toni Atkins outlining concerns over an advocacy effort to limit and/or comprehensively restrict negligent liability on the part of the Investor Owned Utilities (IOUs) as a result of the 2017 wildfires in Northern and Southern California. CSAC strongly opposes immunity, retroactive or otherwise, to reduce or revise the liability responsibilities of public utilities as they may relate to wildfire. Specifically, Public Resources Code 4293 requires IOUs to ensure proper setbacks of hazardous vegetation are maintained around electrical transmission and distribution lines.

On May 25, 2018 CAL FIRE released a news release reporting that violations of state law directly contributed to the McCourtney Fire and the Lobo Fire in Nevada County, as well as the Honey Fire in Butte County. Specifically, the McCourtney and Lobo Fires were caused due to PG&E allegedly failing to remove a tree from the proximity of a power line and a tree making contact with a powerline where inadequate clearance was present, respectfully. In both incidents, CalFIRE found that PG&E violated state law. On May 29, 2018 a letter from twenty two utility agencies, both public and private submitted a letter to California Governor Jerry Brown outlining their support for a number of initiatives that included updating liability rules and regulations for utility services. Moreover, on May 29, 2018 representatives from both CSAC and the Rural Counties Representatives of California (RCRC) sprang into action and recommended that Counties submit letters of opposition on proposals to revise or reduce wildfire liabilities for responsible parties to Legislative leaders as a pre-emptive strategy.

Therefore, I respectfully request that the Board of Supervisors authorizes the Chair to sign and submit the attached letter.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Ed C. Scofield". The signature is fluid and cursive, with the first name "Ed" and last name "Scofield" clearly distinguishable.

Edward C. Scofield
Chair, Board of Supervisors