

February 1, 2024

California Wildfire Safety Advisory Board
715 P Street, 20th Floor
Sacramento, CA 95814

Comments of the Los Angeles Department of Water and Power on the Wildfire Safety Advisory Board's Draft Policy Paper on Updating Vegetation Management Regulations and Industry Practices

Dear Members of the Wildfire Safety Advisory Board:

The Los Angeles Department of Water and Power ("LADWP") appreciates the positive recommendations from the Wildfire Safety Advisory Board ("WSAB") within its Draft Policy Paper on Updating Vegetation Management Regulations and Industry Practices ("Draft Policy Paper"). LADWP recognizes the importance of reducing wildfire risks within its service territory through vegetation management and values the WSAB insights and opinions.

LADWP hereby submits the specific comments below in response to the WSAB's *Draft Policy Paper on Updating Vegetation Management Regulations and Industry Practices*. LADWP looks forward to continued collaboration with the WSAB as we move together towards our common goal of minimizing wildfires across California.

Comments from LADWP

LADWP is filing these comments to provide input on: (1) Guidance on the frequency of visual and intrusive inspections in the High Fire Threat District (“HFTD”) of trees within strike distance of the powerlines and assessments by certified arborists; (2) California Code of Regulations, Title 8 minimum approach distances (“MAD”) for energized lines for each voltage level; and (3) Defining terms such as “hazard tree”, “strike tree”, and “removal candidate”.

1. Guidance on the frequency of visual and intrusive inspections in the High Fire Threat District (“HFTD”) of trees within strike distance of the powerlines and assessments by certified arborists

Language from Draft Policy Paper:

GO 95 Rule 35 should include guidance on the frequency of visual and intrusive inspections in the HFTD of trees within strike distance of the powerlines. This guidance should address 360-degree ground and aerial inspections, the use of remote sensing technologies, and intrusive core and root sampling as part of an assessment by a certified arborist. Such revisions should also address the inspections of trees within strike distance following heavy winter storms and drought years. Consideration should be given to aligning with the ANSI A300 tree risk assessment standard.

LADWP’s Comment:

GO 95 requires electric utilities to inspect and maintain solely their electrical infrastructure and trim trees along its rights-of-way to prevent encroachments into its minimum approach distances. The WSAB’s recommendation appears to expand this responsibility beyond electric utilities’ jurisdiction by including guidance on the “visual and intrusive inspections in HFTD of trees” and “intrusive core and root sampling as part of an assessment by a certified arborist”.

LADWP believes the intrusive inspections in the HFTD of trees within strike distance of the powerlines should be the responsibility of the land owner. Under current standards LADWP as a publicly owned utility (“POU”) has no jurisdiction to perform an intrusive inspection on private property trees.

LADWP also believes the intrusive core and root sampling assessments should be conducted by a “qualified arborist” as opposed to a “certified arborist”. The term “certified arborist” is granted by a non-governing agency, the International Society of Arboriculture (“ISA”), once membership and accreditation with fees from the non-governing agency is established. Whereas, a “qualified arborist/person” follows California Code of Regulations Title 8 Section 2700, which outlines the safety standards to work on energized conductors.

2. California Code of Regulations, Title 8 minimum approach distances (“MAD”) for energized lines for each voltage level

Language from Draft Policy Paper:

GO 95 Rule 35 minimum clearance distances should be updated based on the need for mitigation of fire, outages, and accidents or to at least align with the California Code of Regulations, Title 8 minimum approach distances (MAD) for energized lines for each voltage level.

LADWP’s Comment:

LADWP believes that this recommendation should be expanded further to ensure the GO clarifies the MAD for each position type. For example, Qualified Electrical Workers (“QEWs”), Qualified Line Clearance Tree Trimmers (“QLCTT”), Qualified Line Clearance Tree Trimmer-Trainee (“QLCTT-T”), Qualified Persons, and Non-Qualified Persons each entails a unique MAD. The five positions hold different Minimum Approach Distances based on their level of training and experience.

3. Defining terms such as “hazard tree”, “strike tree”, and “removal candidate”

Language from Draft Policy Paper:

GO 95 Rule 35 needs to include regulations related to hazard trees to make them specific, enforceable, and aligned with prudent industry practices and recent scientific understanding and guidance in ANSI A300. This includes clearly defining terms such as “hazard tree”, “strike tree”, and “removal candidate”.

LADWP’s Comment:

LADWP notes that publicly owned utilities (“POUs”) may lack the ability to enforce any regulations on private-property land owners. For example, LADWP cannot mandate the removal of “hazard trees”, “strike trees”, and “removal candidates” from private properties. The removal of such trees is the responsibility of the land owner.

Per the current requirements in GO 95, it is the responsibility of the POU to inspect its electrical infrastructure and trim trees along its rights-of-way to prevent encroachments into its minimum approach distances. The Draft Policy Paper’s recommendation represents a departure from this jurisdictional role by suggesting that the POU is responsible for identifying and inspecting trees and other vegetation. This recommended expansion of responsibility could introduce significant and unwarranted burden on POUs. LADWP believes it should not be the responsibility of the POU to identify and inspect trees and other vegetation as POUs may not be well equipped, nor have the proper qualifications of being certified arborists, to determine if a tree is hazardous. As such, LADWP request that the WSAB maintain alignment with the industry practice mentioned above.

LADWP appreciates the opportunity to submit these comments pertaining to the Draft Policy Paper. If you have any questions, please contact Mr. Walter Rodriguez at (213) 367-6369, Mr. Bassam Abou-Chakra at (213) 367-4631, or Mr. Rockeish Mckenzie at (213) 367-4341.

Sincerely,

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