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## Utilities Advisory Commission Staff Report

**From: Dean Batchelor, Director Utilities**  
**Lead Department: Utilities**

**Meeting Date: June 7, 2023**  
**Staff Report: 2301-0900**

### **TITLE**

Staff Recommends the Utilities Advisory Commission Accept and Approve the 2023 Wildfire Mitigation Prevention Plan as Presented

### **RECOMMENDATION**

Staff recommends that the Utilities Advisory Commission receive the presentation of the 2023 Wildfire Mitigation Plan.

### **EXECUTIVE SUMMARY**

The purpose of this report is to present to the UAC the annual Wildfire Mitigation Plan (Plan). Following this public meeting and opportunity for public comment, staff will submit the Plan to the California Wildfire Safety Advisory Board by July 1, 2023 as required by law. Attachment A is the Plan and Attachment B is a report by an Independent Evaluator who reviewed the Plan.

### **BACKGROUND**

State law<sup>1</sup> requires electric Investor and Publicly Owned Utilities to annually develop and submit a Plan setting out specific ways in which the utility will prepare for and mitigate against possible wildfires ignited by its electric equipment. The Plans are limited in geographic scope to the areas previously identified as a high fire threat area by the [California Public Utilities Commission's State Fire map](#)<sup>2</sup>. For Palo Alto, this is the Foothills area.

The City of Palo Alto Utilities Department (CPAU) submitted the initial Plan in 2020, with updates following in 2021 and 2022.<sup>3</sup> This year, CPAU staff presents a revision of the original Plan, in

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<sup>1</sup> State Law

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=8387.&lawCode=PUC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=8387.&lawCode=PUC)

<sup>2</sup> CPUC State Fire Map <https://www.cpuc.ca.gov/industries-and-topics/wildfires/fire-threat-maps-and-fire-safety-rulemaking>

<sup>3</sup> The initial Plan was reviewed and approved by the City Council on [January 21, 2020](#) [[internal note, MT number is 10670]]. The first update to the Plan was presented to the UAC on [June 2, 2021](#) [[MT number 12190]], and the second update was presented to the UAC on [June 8, 2022](#) [[MT number 14175]]. Legally, review by the City Council is not required and only occurred for the inaugural report. The legal statute does require presentation of each Plan

accordance with state law requiring a “comprehensive revision of the Plan” at least once every three years. The term “comprehensive revision” is legally undefined and subject to interpretation. Consistent with other Publicly Owned Utilities, CPAU understands the law to intend for a complete, renewed review of the Plan, rather than the less intensive ongoing updates required in other years.

As such, staff prepared the 2023 Plan anew while reviewing (1) statutorily mandated elements, (2) [general suggestions](#)<sup>4</sup> from the Wildfire Safety Advisory Board,<sup>5</sup> (3) information about specific projects, and (4) feedback from the Independent Evaluator’s Report. Regarding (4), CPAU retained Dudek to independently review the Plan to determine its efficacy, legal compliance, and provide suggestions for improvement. Retaining an outside expert to review this Plan is not a legal mandate; however, CPAU felt doing so for our very first comprehensive revision was prudent and in the best interests of the community.

Utilities key mitigation activity is undergrounding eleven miles of electric lines in the Foothills area. This project involves installing substructure work, including boxes for electric and fiber lines; removing electric lines and fiber lines from poles; and installing padmount equipment where possible. This iterative project consists of multiple phases and is expected to be complete in 2025. Staff has completed the installation of 2.38 miles of substructure and is designing the next two. The actual undergrounding of some lines and pole removals is expected to begin FY23/24.

### **FISCAL/RESOURCE IMPACT**

Neither the UAC presentation nor the Wildfire Mitigation Plan itself have any immediate resource impacts besides the staff time to coordinate and develop the plan and the corresponding presentation. Ongoing and proposed activities listed in the Plan are and will be approved annually through the Capital and Operating Budget processes.

### **STAKEHOLDER ENGAGEMENT**

The annual presentation of the Plan in a publicly noticed meeting provides an opportunity to hear and accept comments from the public, other local and state agencies, and interested parties.

### **ENVIRONMENTAL REVIEW**

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iteration in an appropriately noticed public meeting; as such, staff brings the latest Plan to the UAC each year. There is no mandate for formal acceptance, a vote, or a resolution, just that the public is offered an opportunity to comment.

<sup>4</sup> California Wildfire Safety Advisory Board <https://energysafety.ca.gov/wp-content/uploads/wsab-wmp-pou-guidance-advisory-opinion-adopted.pdf>

<sup>5</sup> Staff notes that in its *Guidance Advisory Opinion for the 2023 Wildfire Mitigation Plans of Electric Publicly Owned Utilities and Rural Electric Cooperatives*, the Wildfire Safety Advisory Board (Board) offered no substantive comments for improvement for CPAU. In fact, [on page 10](#), the Board commended CPAU and a few other POUs “for providing detailed and comprehensive [Plans] providing specific information above and beyond the template used by many POUs.” And on pages A3-42 and 43, the Board “appreciates,” “thanks,” “applauds,” and “greatly appreciates” CPAU’s Plan multiple times.

The UAC's receipt of this report is not a project requiring California Environmental Quality Act review, because it is an administrative governmental activity which will not cause a direct or indirect physical change in the environment.

**ATTACHMENTS**

Attachment A: 2023 Wildfire Mitigation Plan

Attachment B: Independent review report from Dudek

Attachment C: Presentation

**APPROVED By:**

Dean Batchelor, Director of Utilities

Staff: Jim Pachikara, Acting Electric Engineering Manager