

AGENDA REPORT

**Resolution: Finding and Determining That The Port of Oakland's Electrical Lines and Equipment Do Not Create A Significant Risk Of Catastrophic Wildfire.
(Engineering)**

MEETING DATE: 9/13/2018

AMOUNT: N/AChoose an item.

PARTIES INVOLVED: N/A

SUBMITTED BY: Chris Chan, Director of Engineering

APPROVED BY: J. Christopher Lytle, Executive Director

ACTION TYPE: Resolution

EXECUTIVE SUMMARY

Senate Bill 1028 (SB 1028) was signed into law on September 24, 2016. The bill includes a provision requiring the governing board of each local publicly owned electric utility to determine whether any portion of the geographical area within which the publicly owned electric utility's overhead electrical lines and equipment are located has a significant risk of catastrophic wildfire resulting from those electrical lines and equipment. In making that determination, the publicly owned electric utility must evaluate historical fire data, local conditions, and consult with fire departments and other entities within that publicly owned electric utility's geographical area. The Port of Oakland's (Port) overhead electrical lines and equipment are not located in an area that has a risk of a catastrophic wildfire and therefore, staff recommends the Board adopt a resolution finding and determining that the Port's electrical lines and equipment do not create a significant risk of catastrophic wildfire.

BACKGROUND

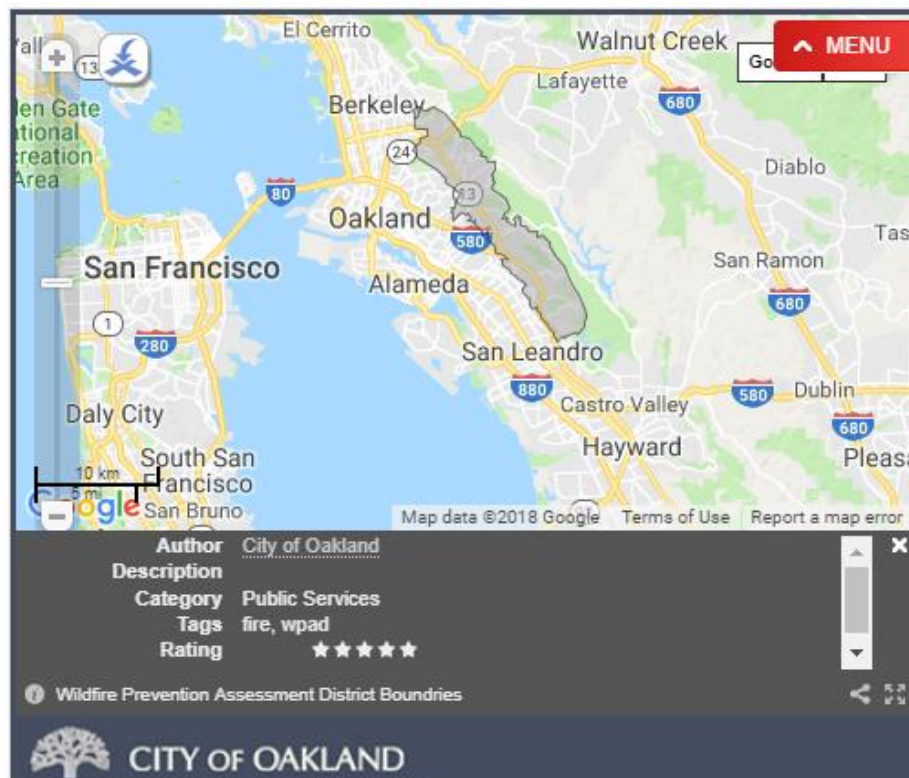
In 2016, SB 1028 added Section 8387 (among other things) to the Public Utility Code. Section 8387 requires the governing board of a local publicly owned electric utility to determine if its overhead electrical lines and equipment are located in an area with a high risk of catastrophic wildfire. If the electric utility's overhead electrical lines and equipment are located in an area of high risk of catastrophic wildfire, the publicly owned electric utility is required to prepare a wildfire mitigation plan that must also approved and reviewed by their governing body. The Northern California Power Agency (NCPA) advised its members

(including the Port) of this new requirement in August 2018. Section 8387 does not have any prescriptive deadlines.

ANALYSIS

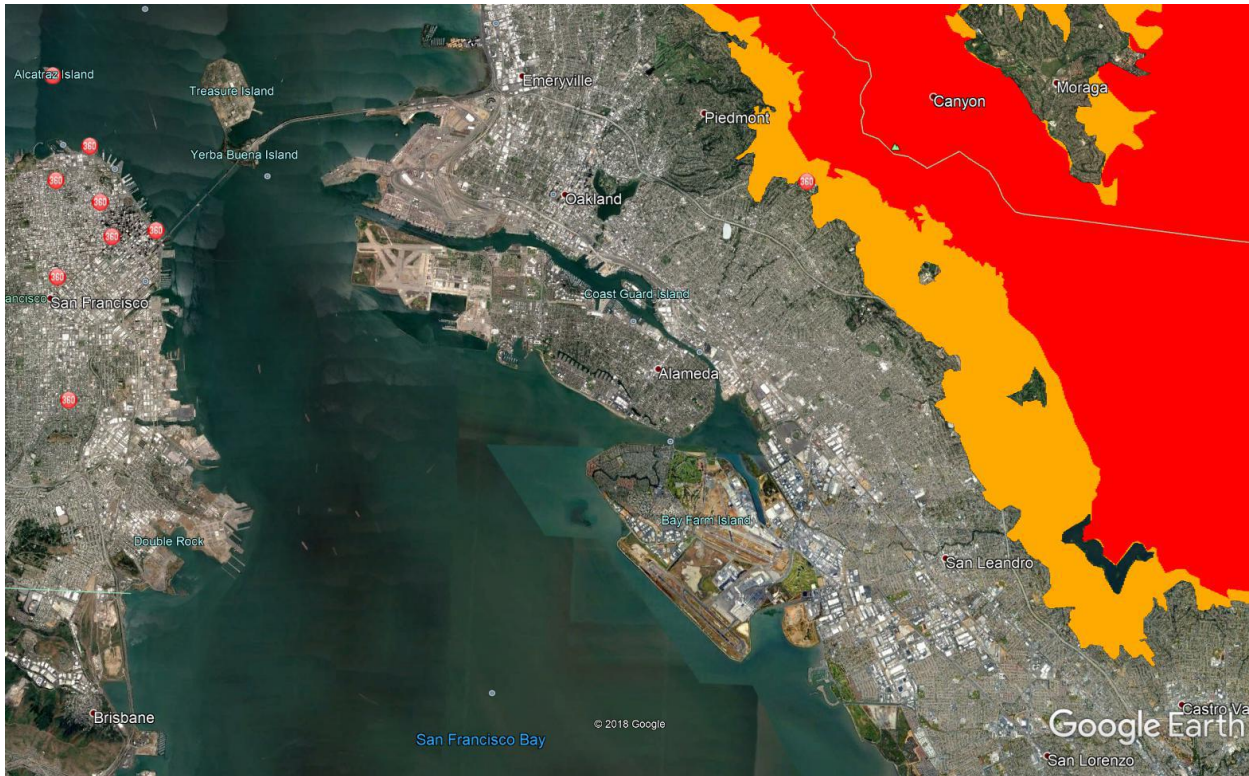
The Port is a local publicly owned utility operating its own system of electrical lines, equipment, and other facilities to provide electric utility service to its tenants at the Oakland International Airport and portions of the Oakland Seaport area. All of its overhead electrical lines and equipment are located within the Port Area.

The Port is located in the low, flatlands of the City in an urban area with very little trees or other combustible vegetation. The Oakland Fire Department (OFD), which oversees the determination of high fire hazard area within the City of Oakland, developed a High Fire Severity Zone Map (below) showing the high fire hazard area within the City of Oakland.



As can be seen from the map, the Port is not located within the areas of the City designated by OFD as high fire severity areas. Staff consulted with OFD's Vegetation Management Unit, and OFD concurs that the Port's overhead electrical lines and equipment are not in an area with a significant risk of catastrophic wildfire.

On January 19, 2018, pursuant to an extensive stakeholder process, the California Public Utility Commission (CPUC) adopted the CPUC Fire-Threat Map developed by the CPUC Safety and Enforcement Division (SED). The area shown in orange reflects an elevated risk for utility-associated wildfires and the area in red reflects an extreme risk for utility-associated wildfires.



Based on the facts that 1) historically, there has not been a wildfire in the Port area, 2) the OFD map does not show the Port to be near the OFD designated high fire severity area and 3) the CPUC Fire-Threat map does not show the Port to be near any areas with an elevated or extreme risk for utility-associated wildfire, staff recommends that the Board adopt a resolution finding and determining that the Port's electrical lines and equipment do not create a significant risk of catastrophic wildfire.

BUDGET & STAFFING

The proposed action does not have any budget or staffing impact.

MARITIME AVIATION PROJECT LABOR AGREEMENT (MAPLA)

The matters contained in this Agenda Report do not fall within the scope of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) and the provisions of the MAPLA do not apply.

LIVING WAGE

Living wage requirements, in accordance with the Port's Rules and Regulations for the Implementation and Enforcement of the Port of Oakland Living Wage Requirements, do not apply because the requested action is not an agreement, contract, lease, or request to provide financial assistance within the meaning of the Living Wage Regulations.

SUSTAINABILITY

There are no sustainability opportunities applicable to the proposed determination of high fire hazard areas.

ENVIRONMENTAL

The proposed determination that the Port does not operate any electrical lines or equipment in a high fire hazard area was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA). The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the proposed action will result in a physical change in the environment, and therefore it is not subject to CEQA and no further environmental review is required.

GENERAL PLAN

This action does not change the use of any existing facility, make alterations to an existing facility, or create a new facility; therefore, a General Plan conformity determination pursuant to Section 727 of the City of Oakland Charter is not required.

OWNER-CONTROLLED INSURANCE PROGRAM (OCIP)

The Owner Controlled Insurance Program (OCIP) does not apply to the matters addressed by this Agenda Report as they are not capital improvement construction projects.

OPTIONS

1. Adopt a resolution finding and determining that the Port's electrical lines and equipment does not create a significant risk of catastrophic wildfire. This is the recommended action.

RECOMMENDATION

Adopt a resolution finding and determining that the Port's electrical lines and equipment do not create a significant risk of catastrophic wildfire.