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BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION FINDING AND DETERMINING THAT THE PORT OF OAKLAND'S ELECTRICAL LINES AND EQUIPMENT DO NOT CREATE A SIGNIFICANT RISK OF CATASTROPHIC WILDFIRE.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item 6.3 dated September 13, 2018, and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, in acting upon this matter, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Report, and in related agenda materials and in testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Section 8387 of the California Public Utilities Code requires each local publicly owned electric utility to determine whether its overhead electrical lines and equipment create a significant risk of catastrophic wildfire. If the local publicly owned electric utility finds that its electrical lines and equipment do create a significant risk of catastrophic wildfire, the local publicly owned utility must approve wildfire mitigation measures that would minimize such risk of catastrophic wildfire.

Section 2. The Port of Oakland ("Port") is a local publicly owned electric utility that owns and operates its own overhead electrical lines and equipment, all of which are located on Port property. All of the Port's property is located in the low, flatlands of the City of Oakland in an urban area that is virtually entirely developed for various industrial purposes (including the Airport and the Seaport areas) with very little trees or other combustible vegetation.

Section 3. The Port's property is not within a high fire hazard area, as designated in either the City of Oakland's Fire Department's

High Fire Severity Zone Map or the California Public Utility Commission's ("CPUC") Fire-Threat Map (both as shown in the Agenda Report). Staff reviewed the historic record of wildfires on Port property and found no historical evidence of wildfires on Port property. Staff also consulted with the Oakland Fire Department, and the Oakland Fire Department concurs that the Port's overhead electrical lines and equipment are not located within a high fire hazard area.

Section 4. The Board hereby finds and determines as follows:

- a. 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;
- b. The Port's overhead electrical lines and equipment do not constitute a significant risk of creating a catastrophic wildfire because the Port's overhead electrical lines and equipment are (i) not located within a high fire hazard area, (ii) the Port's property consists of largely developed and paved areas with very few trees and other combustible vegetation, and (iii) the Port's property is not located within a high fire hazard area as designated by either the Oakland Fire Department or the CPUC; and
- c. The Board is therefore not required to approve any mitigation measures to minimize the risk of its overhead electrical lines and equipment causing a catastrophic wildfire.