



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 5/14/2018

Agenda Placement: 7A

## Napa County Legislative Subcommittee Board Agenda Letter

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**TO:** Napa County Legislative Subcommittee

**FROM:** Mary Booher for Minh Tran - County Executive Officer  
County Executive Office

**REPORT BY:** Molly Rattigan, Deputy County Executive Officer - 253-4112

**SUBJECT:** SB 1088 (Dodd)-Safety, Reliability, and Resiliency Planning

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### **RECOMMENDATION**

County Executive Officer requests discussion and possible action on SB 1088 (Dodd), a bill that would require the Office of Emergency Services to adopt standards for reducing risks during a major emergency and require each electrical and gas corporation to submit a plan.

### **EXECUTIVE SUMMARY**

SB 1088 would require the Office of Emergency Services by September 30, 2019, to adopt standards for reducing risks from a major emergency. The adopted standards would include model policies for implementation by local governments and actions to be undertaken by an electrical or gas corporation, a local publicly owned electric or gas utility, or a water utility to reduce the risk of fire occurring during a major event. SB 1088 would also require each electrical or gas corporation to prepare and submit a safety, reliability, and resiliency plan, containing specified elements, to the commission for review and approval. Finally, the bill would establish procedures for the Public Utilities Commission to review the compliance of each utility corporation with its plan.

The bill was amended on May 2, 2018 after Senator Dodd met with the California State Association of Counties and other stakeholders to address concerns.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law authorizes the commission, after a hearing, to require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the health and safety of its employees, passengers, customers, and the public. Existing law requires electrical corporations to annually prepare and submit a wildfire mitigation plan to the commission for review. Existing law requires the commission to establish standards for disaster and emergency preparedness plans, as specified, and requires an electrical corporation to develop, adopt, and update an emergency and disaster preparedness plan, as specified.

The California Emergency Services Act, among other things, establishes the Office of Emergency Services for the purpose of mitigating the effects of natural, manmade, or war-caused emergencies and makes findings and declarations relating to ensuring that preparation within the state will be adequate to deal with those emergencies.

SB 1088 would require the Office of Emergency Services by September 30, 2019, to adopt standards for reducing risks from a major emergency. The adopted standards would include model policies for implementation by local governments and actions to be undertaken by an electrical or gas corporation, a local publicly owned electric or gas utility, or a water utility to reduce the risk of fire occurring during a major event. SB 1088 would also require each electrical or gas corporation to prepare and submit a safety, reliability, and resiliency plan, containing specified elements, to the commission for review and approval. Finally, the bill would establish procedures for the Public Utilities Commission to review the compliance of each utility corporation with its plan.

The California State Association of Counties and other stakeholders were initially concerned with language in the bill that potentially impacted civil liability issues. (See attached letter). SB 1088 was amended on May 2, 2018 after Senator Dodd met with interested parties to address the concern. The bill now explicitly states that compliance with an approved plan under SB 1088 shall not affect any civil action.

Rural County Representatives of California: No Position  
California State Association of Counties: Support as Amended

**SUPPORTING DOCUMENTS**

- A . SB 1088-Amended on May 2, 2018
- B . CSAC Support As Amended Letter

Recommendation: Approve

Reviewed By: Molly Rattigan