

SSB 5305 ELECTRIC UTILITIES WILDLAND FIRE TASK FORCE
Meeting Minutes

November 15, 2019, 10:00-3:00 p.m.
Natural Resources Building, Room 172, Olympia, WA

TASK FORCE MEMBERS PRESENT

Ben Rushwald, PSE
David Gottula, Okanogan County Electric Cooperative
David James, Avista
Diane Meyers, Weyerhaeuser
Erik Wahlquist, Chelan County PUD
Etta Lockey, PacifiCorp
Garry Rosman, Inland Power and Light
Gary Margheim, DNR Chief Wildland Fire Investigator
George Geissler, DNR State Forester & Deputy Supervisor Wildfire & Forest Health, Task Force Chair
George Yates, Small Forest Landowners
Paul Meyer, City of Ellensburg
Ronda Strauch, Seattle City Light

DNR TASK FORCE STAFF PRESENT

Thomas Christian, Facilitator
Annie Schmidt, Notes
Jennifer Willms, Notes
Loren Torgerson, DNR Liaison

Welcome, Introductions, and Updates, *George Geissler, Task Force Chair*

Introduction of Work Group Facilitator, *George Geissler, Task Force Chair*

Reviewed Task Force Charter and Initial Work Plan, *Thomas Christian, Facilitator*

Task Force members discussed the Model Agreement section of the work plan and expressed a desire to see the model agreement focused on state lands. They felt the work plan should clarify the terms (e.g., transmission and distribution lines) utilized. Discussion also focused on the Model Agreement extending up to the point of demarcation.

The Task Force expressed a desire to see a clarification of the deliverable, specifically asking what they are empowered to do. Members highlighted the scope of the deliverable is particularly relevant to private and federal lands. Members of the task force indicated their work may indirectly influence agreements with private and federal land managers and may also function as a reasonable standard of care and best management

practices for the broader field. The Chair asserted that the Model Agreement is intended to solely relate to uplands managed by the Department of Natural Resources.

The Task Force would like to see Communication separated from the other elements of the work plan as they felt this was a separate item from the Model Agreement and other work.

With respect to discussion and work products related to investigations in the work plan, the Task Force clarified that this work is not limited to State uplands.

Wildland Fire Investigation Presentation, *Sergeant Gary Margheim, DNR*

Lunch and Open Public Meetings Training Presentation, *Loren Torgerson, DNR*

Discussion on DNR-Bonneville Power Administration (BPA) MOA, *Michael Kearney, DNR*

Mr. Kearney, DNR's Rights of Way Manager, presented information on a Memorandum of Understanding between the Bonneville Power Administration and DNR.

Discussed desired outcomes of a Model Agreement for Managing Danger Trees and Other Vegetation, *Thomas Christian, Facilitator*

The Task Force identified components of successful Model Agreement, including a desire to see consistent application across DNR's regions, clearly defined terms and expectations, potential consideration of other land ownerships, and use of Bonneville Power Administration public document as a potential base document.

A successful model agreement would minimize the risk of wildfire, proactively coordinate hazard identification, facilitate cause collection, establish a process for lessons learned, and identify measures and tracking.

Task Force discussions also involved dispute resolution, and members expressed a desire to see clear identification of the process for resolving disagreements between utility and the landowner, including a timetable. Members also wanted to see language included to resolve conflicts between easements and model agreement.

With respect to tree removal and retention, members would like to see clear language describing how danger trees are identified and a defined process for removal. Any agreement should also include a thoughtful process for heritage trees (e.g., the process and obligations for trees that need to be kept). Right-of-way best management practices, as well as practices for trees outside of the right-of-way, should be developed and reasonable commercial compensation explored. Along with tree removal, Task Force members suggested establishing a mutual understanding of tree removal liability (including a potential liability cap and some agreement regarding suppression liability).

The Task Force discussed next steps for Model Agreement development, including reviewing example model agreements with the scope of this effort in mind. DNR will

pull directly relevant sections into a working document/framework for Task Force review and comment at the next meeting.

Floor opened for public comment (none provided)

Discussion ensued to establish date of next meeting

- The next meeting is scheduled for March 5, , 2020 at the Red Lion Hotel, 2300 Evergreen Park Drive SW, Olympia, WA 98502, Rainier Room from 10:00 AM -3:30 PM

Meeting Adjourned

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