



September 2, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Senate Bill 52 (Dodd) – REQUEST FOR SIGNATURE

Dear Governor Newsom:

On behalf of the Rural County Representatives of California (RCRC), I respectfully request your signature on Senate Bill 52. SB 52, authored by Senator Bill Dodd, relates to the California Emergency Services Act (CESA). RCRC is an association of thirty-seven rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

RCRC member counties have suffered the lion's share of destruction caused by catastrophic wildfires over the past decade and experienced most of the state's public safety power shut-off (PSPS) events. We do not underestimate the risk of wildfire danger and appreciate the role that expertly-informed, tailored PSPS events play in avoiding catastrophic wildfires. At the same time, the awesome power to deenergize individuals and communities cannot be taken lightly and must always be used as a last resort.

SB 52 clarifies that deenergization events (also known as PSPS events) qualify as events for which a local emergency can be declared under the CESA. RCRC believes that this clarification is helpful to provide greater flexibility to local agencies to respond to PSPS events and to seek financial assistance from the state to recover costs associated with those activities. Many local governments have declared local emergencies under the CESA over the last few years in direct response to local PSPS events. At the same time, local governments often have limited resources and PSPS events have imposed significant unexpected costs in terms of labor overtime, setting up resource centers, checking on medically sensitive residents, and procuring backup generators to ensure that critical facilities remain operational throughout the event.

While we acknowledge that the utilities are making substantial investments to harden their infrastructure and increase resiliency, hundreds of thousands of Californians still had their power shut off during one or more PSPS event last year. Some of those

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events coincided with extreme heat and poor local air quality. We remain deeply concerned that PSPS events pose substantial risks, including endangering lives and property and the operation of critical infrastructure. Moreover, PSPS events can have debilitating economic consequences in many of our communities - where local governments are often least able to shoulder the additional costs and lost revenues.

SB 52 is an important clarification of existing authority to declare local PSPS emergencies. While the authority for locals to declare emergencies under CESA is broad, the closest equivalent to “deenergization event” under existing law is a “sudden and severe energy shortage.” As utilities get better at notifying customers and communities about a forecasted PSPS event, they may not fit perfectly within the existing CESA framework because the events are not completely “unforeseen” energy shortages. Even with some level of advanced warning, the scope, frequency, and duration of PSPS events can often overwhelm small and rural local governments, thereby giving rise to the need to declare a local emergency to utilize emergency powers and seek state reimbursement. With the continued use of PSPS events to reduce the risk of utility caused wildfire, local governments will benefit from the clarity that SB 52 provides under the CESA.

Finally, given the local nature of many of the impacts of PSPS events, and the magnitude of those impacts at the local level, these are often situations where it is far more appropriate for local governments to declare a “local emergency” than for the Governor to declare a “state of emergency” under CESA.

Again, RCRC respectfully requests your signature on SB 52. For additional information regarding RCRC’s request, please contact John Kennedy, Legislative Advocate, at jkennedy@rcrcnet.org.

Sincerely,

A handwritten signature in purple ink that reads "MaryAnn Warmerdam". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

MARY-ANN WARMERDAM
Senior Vice President Governmental Affairs

cc: The Honorable Bill Dodd, Member of the State Senate
The Honorable Scott Wilk, Member of the State Senate