



CITY OF
PORTLAND, OREGON

GOVERNMENT RELATIONS

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Submitted electronically

Filing Center
Oregon Public Utilities Commission
201 High Street SE, Suite 100
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RE: Docket AR 638 – Minimum Vegetation Clearance Requirements

Thank you for the opportunity to provide written comments on Docket AR 638. We look forward to further discussions regarding Section 9 in the proposed amendments to OAR 860-024-0016 exempting utilities performing vegetation management work in High Fire Risk Zones from compliance with any applicable local law governing tree trimming and removal.

Ahead of further dialogue, we seek to formally register our concerns with the proposed Section 9 preemption on local laws governing tree trimming and removal and to establish our intent to collaborate on an alternative solution. Our concerns include the following:

- Clarification on what issues, if any, exist because of local ordinances. Does Section 9 reflect a matter of convenience or necessity for utilities to perform the work required in High Fire Risk Zones (HFRZs)?
- Notice requirements and communication between utilities performing vegetation management. Local governments are responsible for right of way management, tree codes, and environmental overlays, for example, in addition to public safety functions that include fire prevention. How will utilities communicate with local governments and members of the public about vegetation management activities in HFRZs, if exempted from those requirements established in local laws?
- Establishing clear and appropriately calibrated definitions, including what constitutes “local laws” for the purpose of Section 9. As currently drafted, the phrase “any local laws governing tree trimming or removal” is broad and ambiguous.

We would like to stress the importance, from our perspective, of the responsibility and role of electric utilities in preventing wildfire. For example, the potential impact of wildfire in the Bull Run watershed or Forest Park on our ability to supply water and maintain public safety would be extremely detrimental. We are committed to working with our utility partners to resolve our concerns identified above and collaboratively address the need for fire prevention in our communities.

Thank you for your consideration. Please contact me at eric.noll@portlandoregon.gov for questions or discussion regarding the comments above.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Noll". The signature is fluid and cursive, with the first name "Eric" and last name "Noll" clearly distinguishable.

Eric Noll
Interim State Government Relations Manager
City of Portland