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Via Electronic Filing

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Subject: Public Advocates Office Comments on BVES's Revised 2022 WMP

Docket: 2022-WMPs

Dear Director Thomas Jacobs,

The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) respectfully submits the following comments on the revised 2022 Wildfire Mitigation Plan Update of Bear Valley Electric Service, Inc. (BVES). Please contact Henry Burton (Henry.Burton@cpuc.ca.gov) or Holly Wehrman (Holly.Wehrman@cpuc.ca.gov) with any questions relating to these comments.

We urge the Office of Energy Infrastructure Safety to adopt the recommendations discussed herein.

Sincerely,

/s/ Carolyn Chen

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TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. OVERALL ASSESSMENT AND KEY RECOMMENDATIONS.....	2
A. BVES does not reasonably address all Critical Issues in its 2022 WMP Update.	2
B. Energy Safety should host a conference prior to BVES’s 2023 WMP filing to ensure BVES has addressed all Critical Issues identified in its 2022 WMP Update.	2
C. Energy Safety should require BVES to file its 2023 WMP earlier than its peer utilities.	3
III. DISCUSSION OF CRITICAL ISSUES	3
A. High-Priority Critical Issues	4
1. BVES does not respond to “Additional Issues” (RN-BVES-22-01).	4
2. BVES does not reasonably connect its risk assessment with its mitigation initiative prioritization (RN-BVES-22-03).	6
3. BVES omits reasonably sufficient information on quality assurance & quality control (QA/QC) (RN-BVES-22-04).	8
4. BVES does not describe how quantifiable risk reductions and RSE estimates inform initiative selection (RN-BVES-22-07).	9
5. Recommendation	10
B. Further deficiencies in BVES’s Revised 2022 WMP and responses.....	10
1. BVES claims aspects of its vegetation management program are “enhanced” despite meeting only minimum regulatory requirements (RN-BVES-22-05).	10
2. BVES uses vague language to describe its service restoration workforce (RN-BVES-22-08).	11
3. BVES uses vague language to describe United States Forest Service and fuel reduction cooperation activities (RN-BVES-22-09).	11
IV. CONCLUSION.....	12

I. INTRODUCTION

Pursuant to the Office of Energy Infrastructure Safety’s (Energy Safety) *Final 2022 Wildfire Mitigation Plan (WMP) Update Guidelines* (2022 WMP Guidelines),¹ *Revision Notice for Bear Valley Electric Service, Inc.’s 2022 Wildfire Mitigation Plan Update* (BVES Revision Notice),² and *Letter Granting Extension for BVES’s Revision Notice Response* (Extension Letter),³ the Public Advocates Office at the California Public Utilities Commission⁴ (Cal Advocates) submits these comments on Bear Valley Electric Service, Inc.’s (BVES) *Wildfire Mitigation Plan – 2022 Revision 1* (Revised 2022 WMP)⁵ and accompanying Revision Notice Responses.⁶

Pursuant to the 2022 WMP Guidelines, BVES filed its 2022 WMP Update on May 6, 2022 and Cal Advocates filed comments on BVES’s 2022 WMP Update on June 20, 2022. On July 22, 2022, Energy Safety issued the BVES Revision Notice to BVES. BVES filed its Revised 2022 WMP Update and Revision Notice Responses on August 29, 2022.

The BVES Revision Notice and Extension Letter permit interested persons to file opening comments on BVES’s Revised 2022 WMP by September 19, 2022 and reply comments by September 29, 2022. In these comments, Cal Advocates addresses BVES’s Revision Notice Responses and revised WMP, focusing on the new or revised elements.

¹ Energy Safety, *Final 2022 Wildfire Mitigation Plan (WMP) Update Guidelines*, December 15, 2021. See Attachment 5: Guidelines for Submission and Review of 2022 Wildfire Mitigation Plan Updates (2022 WMP Guidelines), pp. 5-6 and 9.

² Energy Safety, *Office of Energy Infrastructure Safety Issuance of Revision Notice for Bear Valley Electric Service, Inc.’s 2022 Wildfire Mitigation Plan Update and Notice of Extension of Office of Energy Infrastructure Safety’s Determination Per Public Utilities Code 8389.3(a)* (BVES Revision Notice), July 22, 2022, p. 17 and page 2 of the cover letter.

³ Energy Safety, *Letter Granting Extension for BVES’s Revision Notice Response*, August 18, 2022.

⁴ Hereafter, we refer to the California Public Utilities Commission as “the CPUC” in these comments.

⁵ *Bear Valley Electric Service Wildfire Mitigation Plan – 2022 Revision 1*, August 29, 2022.

⁶ *BVES Response to the Office of Energy Infrastructure Safety Revision Notice*, August 29, 2022.

II. Overall Assessment and Key Recommendations

A. BVES does not reasonably address all Critical Issues in its 2022 WMP Update.

BVES fails to reasonably address the majority of the Critical Issues identified in the BVES Revision Notice (as we discuss in further depth in section III of these comments). In some cases BVES appears to only provide part of the remedies required by the BVES Revision Notice, and in others BVES fails to reasonably describe required elements of its plan to minimize risk of catastrophic wildfires.⁷

Of particular concern is BVES's response to Critical Issue RN-BVES-22-01,⁸ which highlights 24 "additional issues" that Energy Safety expected BVES to address in its 2022 WMP Update.⁹ BVES did not do so¹⁰ and, as discussed in section III.A of these comments, BVES has still not reasonably responded to a number of these issues.

BVES's failure to address these year-old issues, as well as its failure to reasonably respond to several Critical Issues noted in the BVES Revision Notice, raise serious concerns about the utility's ability to develop and implement an effective wildfire mitigation plan.

B. Energy Safety should host a conference prior to BVES's 2023 WMP filing to ensure BVES has addressed all Critical Issues identified in its 2022 WMP Update.

BVES's insufficient responses to the BVES Revision Notice, combined with its history of deficient WMPs,¹¹ suggest additional oversight of its 2023 comprehensive WMP is warranted. Energy Safety should host a public conference BVES four weeks prior to the filing date for

⁷ See generally 2022 WMP Guidelines; see also Public Utilities Code sections 8386(a) ("Each electrical corporation shall construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment."); 8386(c) (list of requirements of a utility's WMP).

⁸ BVES Revision Notice, p. 3 and Appendix A.

⁹ Energy Safety, *Final Action Statement on 2021 Wildfire Mitigation Plan Update – Bear Valley Electric Service, Inc.*, September 9, 2021, p. 17.

¹⁰ BVES Revision Notice, p. 3.

¹¹ In the 2020-2022 WMP cycle, BVES is the only IOU that has been unable to provide an adequate WMP on its first submission in all three years. Energy Safety denied BVES's 2020 WMP and issued Revision Notices for both its 2021 and 2022 updates.

BVES's 2023 WMP. At this conference, BVES should demonstrate conclusively that it has reasonably addressed all Critical Issues identified in the BVES Revision Notice.

Energy Safety should coordinate questions for the conference with stakeholders who have commented on BVES's 2022 WMP. This will allow BVES to demonstrate to both Energy Safety and invested stakeholders that it has thoughtfully considered and addressed the numerous concerns from its past WMP filings prior to initiating the review process of its 2023-2025 comprehensive submission.

If BVES is unable to reasonably demonstrate that it has addressed its previous issues, Energy Safety should pre-emptively issue a revision notice and direct BVES to address any remaining deficiencies prior to BVES filing its 2023 WMP.

C. Energy Safety should require BVES to file its 2023 WMP earlier than its peer utilities.

Due to BVES's history of deficient WMPs, Energy Safety should also require BVES to file its 2023 WMP earlier than the other small IOUs in 2023. This would allow time for BVES to potentially receive and address a Revision Notice earlier in the year. Energy Safety should plan the calendar with the intention of approving or denying BVES' 2023 WMP by the second quarter of the year – not in the fourth quarter of the year, as is currently occurring due to BVES's failures.

III. Discussion of Critical Issues

BVES's responses to Critical Issues RN-BVES-22-01, RN-BVES-22-03, RN-BVES-22-04, and RN-BVES-22-07 are of particular concern to Cal Advocates. These issues identify deficiencies in crucial WMP processes such as risk assessment and QA/QC, which can have substantial influence on the effectiveness of BVES's wildfire mitigation efforts.

This section of our comments focuses on the highest-priority issues with the greatest potential impact to safety, which warrant prompt remediation by BVES. Cal Advocates' comments then focus on the remaining deficiencies in BVES' Revised 2022 WMP Update.

A. High-Priority Critical Issues

1. BVES does not respond to “Additional Issues” (RN-BVES-22-01).

In its Final Action Statement on BVES’s 2021 WMP Update, Energy Safety identified a variety of “additional issues” that it expected BVES to address in its 2022 WMP Update.¹² However, Energy Safety found that BVES did not address these “additional issues” in its 2022 WMP Update,¹³ and again required BVES to respond to them in its Revised 2022 WMP.

Despite being given two chances to address the issues which Energy Safety identified a year prior to BVES’s Revised 2022 WMP, many of BVES’s responses remain unreasonably inadequate. Cal Advocates highlights some of these issues below.¹⁴

Table A BVES’s Responses to “Additional Issues”		
Issue	Required Remedy ¹⁵	Response
4.1.A	BVES must provide the discussion required by Section 8386(c)(4) of the Public Utilities Code in Section 6, “Performance Metrics and Underlying Data.”	Section 6 appears unchanged between the May 2022 WMP and the Revised 2022 WMP.
5.2.A	BVES must a) describe whether it currently has a Down Wire Detection Installment Program, b) provide a timeline for development and implementation of this program if it does, c) if it does not, clarify whether BVES intends to develop a Down Wire Detection Installment Program and provide a timeline, and d) describe how it intends to measure the effectiveness of Down Wire Detection technology.	The phrase “down wire detection” does not appear in the Revised 2022 WMP. There is no indication in the pertinent section as to whether BVES intends to develop such a program. ¹⁶

¹² Energy Safety, *Final Action Statement on 2021 Wildfire Mitigation Plan Update – Bear Valley Electric Service, Inc.*, September 9, 2021, p. 17.

¹³ BVES Revision Notice, p. 3.

¹⁴ This is not a comprehensive list of the deficiencies in BVES’s responses.

¹⁵ BVES Revision Notice, Appendix A.

¹⁶ BVES’ Revised 2022 WMP Update, Section 7.3.3.9, *Installation of system automation equipment*.

5.3.A.2 ¹⁷	BVES must explain its distribution pole replacement and remediation program, including how BVES identifies, targets, and prioritizes the highest-risk poles; and how BVES defines a “priority pole replacement and remediation.”	The term “priority pole” does not appear to be defined in the Revised 2022 WMP.
5.6.A	BVES must provide details on the thresholds used to determine whether or not additional resources would be contracted for a project specific to ignition prevention and fire suppression.	The pertinent section states, “This is not an applicable program for BVES” and does not provide thresholds to determine whether additional resources would be contracted. ¹⁸
5.8.B	BVES must provide all supporting data for the verification of RSE estimates.	BVES points to section 4.5.1 of the Revised 2022 WMP, but this section does not appear to discuss how RSEs are verified.
6.B	BVES must describe how its PSPS and Emergency Response Plans have been coordinated and developed, and tested jointly with SCE, as a critical partner influencing PSPS Events ranked first in priority by BVES in “Table 8.1-1 Anticipated Characteristics of PSPS Use Over Next 10 Years.”	Table 8.1-1 in the Revised WMP appears unchanged from the same table in the May 2022 WMP.

¹⁷ This issue was not numbered, but is referred to as “RN-BVES-22-5.3.A.2” in *BVES Response to the Office of Energy Infrastructure Safety Revision Notice*, August 29, 2022, p. 2.

¹⁸ BVES’ Revised 2022 WMP Update, Section 7.3.6.3, *Crew-accompanying ignition prevention and suppression resources and services*.

2. BVES does not reasonably connect its risk assessment with its mitigation initiative prioritization (RN-BVES-22-03).

Cal Advocates' comments on BVES's May 2022 WMP showed that BVES's planned covered conductor locations for 2022 and 2023 did not generally target high-risk locations (as determined by either BVES's Fire Safety Circuit Matrix or the risk maps generated by Reax Engineering).¹⁹ Energy Safety's BVES Revision Notice required BVES to address this deficiency and "[d]emonstrate that its future planned grid hardening mitigation initiatives, particularly covered conductor, will address the highest risk circuits as self-assessed and identified by BVES and its relevant contractor(s)."²⁰ Despite this express directive, in its revised 2022 WMP Update, BVES provides language that is identical to its previous WMP²¹ and provides no further response to Energy Safety's express directive in its Revised 2022 WMP. Thus, while BVES claims that it "prioritizes and plans work based upon the highest relative risk areas as determined in the Fire Safety Matrix model ... and the Risk Maps developed by Reax Engineering,"²² this statement is not supported by BVES.²³

BVES similarly omits critical details on how it prioritizes other grid hardening initiatives. For example, regarding the pole replacement initiative,²⁴ BVES states that its "entire service area is in Tier 2 and Tier 3 high risk wildfire service areas. Therefore, BVES follows an inspection

¹⁹ *Comments of the Public Advocate's Office on the 2022 Wildfire Mitigation Plan Updates of the Small Investor-Owned Utilities*, June 20, 2022, pp. 20-23.

²⁰ BVES Revision Notice, p. 7.

²¹ Specifically, under its Covered Wire Program, BVES states that its "service area is all in Tier 2 and Tier 3 high risk wildfire service areas. Therefore, the grid design and system hardening initiatives are all located in Tier 2 and 3." Revised 2022 WMP, p. 167. *Compare with* May 2022 WMP, p. 154.

²² Revised 2022 WMP, p. 126.

²³ Per BVES's Revised 2022 WMP, Figures 7.5-5 and 7.3-6, pp. 166-167, it has not changed its 2022 and 2023 planned covered conductor locations since its May 2022 WMP. Cal Advocates previously commented that these locations did not appear driven by BVES's risk assessments. *Comments of the Public Advocate's Office on the 2022 Wildfire Mitigation Plan Updates of the Small Investor-Owned Utilities*, June 20, 2022, pp. 20-23. May 2022 WMP, Figures 7.3-4 and 7.5-5, pp. 153-154.

²⁴ BVES' Revised 2022 WMP Update, Section 7.3.3.6, *Distribution pole replacement and reinforcement, including with composite poles*.

and maintenance schedule to target priority pole replacements and remediation actions.”²⁵ BVES’s statement does not describe how its risk assessments inform the prioritization of this initiative.

Next, BVES downplays the importance of accurately ranking the risk of its circuits,²⁶ which is a crucial exercise to effectively target its limited-scope programs to mitigate the maximum amount of wildfire risk. BVES’s Covered Wire Program provides an example of the value of risk-based prioritization:

- BVES currently installs covered conductor at a rate of approximately six percent of its overhead system each year.²⁷
- Under BVES’s plan, it would not completely harden its system until 2042.²⁸
- According to both BVES’s Fire Safety Circuit Matrix and the risk maps generated by Reax Engineering, the risk of BVES’s circuits varies significantly.

These facts lead to the conclusion that appropriate sequencing of projects is vital to achieve safety benefits (even if one grants BVES’ claim that hardening the entire system is feasible and cost-effective²⁹). In order to maximize the safety benefit to the public, it is crucial for BVES to rank the relative risk of its facilities, and prioritize its covered conductor program such that the six percent of circuit miles it hardens each year are among the highest-risk circuit miles in BVES’s system.³⁰ Properly prioritizing grid hardening projects could mean the

²⁵ Revised 2022 WMP, p. 172.

²⁶ BVES states, “While one can rank the relative risk of BVES’s facilities within the service area, it should be understood that all of BVES’s service area is high risk.” Revised 2022 WMP, p. 126.

²⁷ BVES has approximately 211 overhead circuit miles. BVES currently installs covered conductor at an average rate of 4.3 circuit miles per year on 34.5 kV lines and 8.6 circuit miles per year on 4 kV lines. Revised 2022 WMP, p. 165.

²⁸ Per the Revised 2022 WMP, p. 165, BVES plans to fully cover its 34.5 kV system by 2026, and its 4 kV system by 2042.

²⁹ See *Comments of the Public Advocate’s Office on the 2022 Wildfire Mitigation Plan Updates of the Small Investor-Owned Utilities*, June 20, 2022, pp. 23-27.

³⁰ Cal Advocates does not intend this to mean that BVES should harden only the riskiest six percent of its system annually, as reasonable allowances must be made for permitting and construction feasibility. However, BVES should set an achievable target, such as performing 80 percent of its covered conductor installation within the riskiest 20 percent of its system each year.

difference between addressing the riskiest circuit miles now, versus waiting nearly two decades to address those risks.

3. BVES omits reasonably sufficient information on quality assurance & quality control (QA/QC) (RN-BVES-22-04).

Despite updates to its Revised 2022 WMP, on its inspection programs BVES fails to provide reasonably sufficient information on its quality assurance and quality control measures regarding its inspections. For example, in section 7.3.4.14, *Quality assurance / quality control of inspections*, BVES provides no detail on what its inspection audit process entails.³¹ In section 7.3.4.1, *Detailed inspections of distribution electric lines and equipment*, BVES provides no detail on what its “cross checks” of its detailed inspections entail, or how they are used to validate inspection quality.³²

Furthermore, although the BVES Revision Notice required BVES to provide “results of the ‘interim’ QA/QC processes BVES has used for assets,”³³ the example quality control records BVES provides are associated with grid hardening programs, not asset inspections.³⁴ The problem is not merely that BVES has failed to provide the interim results required by the BVES Revision Notice,³⁵ rather it is a structural problem: Because BVES does not formally document any of its asset inspection QA/QC processes,³⁶ BVES cannot demonstrate that effective QA/QC activities have occurred for its asset inspection programs.

³¹ BVES states that this initiative “establishes an audit process to manage and oversee the work completed by employees or contractors, including packaging QA/QC information for input to decision-making and workforce management processes.” Revised 2022 WMP, p. 212.

³² BVES states that “the results of Detailed Inspections are cross checked against other asset inspections to evaluate the quality and effectiveness of each inspection type.” Revised 2022 WMP, p. 196.

³³ BVES Revision Notice, p. 8.

³⁴ BVES’ Revised 2022 WMP Update, Section 7.3.4.14; Response to data request CalAdvocates-BVES-2022WMP-12, question 8, September 8, 2022.

³⁵ BVES Revision Notice, p. 7.

³⁶ When asked for records of quality control activities related to detailed and patrol inspections, BVES stated, “The actual quality control activities are not formally documented (nor is there a requirement to do so).” Response to data request CalAdvocates-BVES-2022WMP-12, questions 5 and 6, September 8, 2022.

In short, QA/QC for asset inspections remains a serious gap. While BVES claims that it already developed a formal QA/QC program for asset inspections in 2021,³⁷ the lack of detail provided, and BVES’s failure to formally document its inspection QA/QC processes, suggest otherwise. Indeed, upon closer review, it appears that BVES considers asset inspections to be *part of the quality control process*.³⁸ It appears that BVES has no formal program to validate the quality and accuracy of its inspections themselves, nor to check the performance of its inspectors.

It should be noted that the Energy Safety Maturity Model requires a utility to demonstrate “follow-up and correction process and documentation” to progress past a maturity level of 0 in the capability “QA/QC for asset management.”³⁹ If BVES fails to document its asset inspection QA/QC processes, it is unlikely to progress in this capability.

4. BVES does not describe how quantifiable risk reductions and RSE estimates inform initiative selection (RN-BVES-22-07).

Energy Safety requires BVES to provide “[a]n overview of its decision-making framework” that “pinpoints where quantifiable risk reductions and RSE estimates are considered in the initiative selection process.”⁴⁰ While BVES provides several pages of description regarding its decision-making framework, it fails to address these requirements. For example, BVES states that, “The risk reductions and RSEs ... are utilized to establish an initial project selection screening,”⁴¹ but does not describe what weight is given to risk reductions and RSEs in this process. BVES describes at which step of its decision-making process it considers risk

³⁷ Revised 2022 WMP, p. 213.

³⁸ “QC is a procedure or set of procedures intended to ensure that a performed service adheres to a defined set of quality criteria or meets the applicable requirements and technical specifications. While QA refers to the confirmation that specified requirements have been met by a product or service, QC refers to the actual inspection of these elements. In order to implement an effective QC program, the organization must decide which specific standards and technical specifications must be met. Then the extent of QC actions must be determined -- for example, the percentage of structures to be inspected for each job and/or the level of detail for each inspection.” Revised 2022 WMP, Appendix F, p. F-3.

³⁹ 2022 WMP Guidelines, December 15, 2021, Attachment 4, p. 36.

⁴⁰ BVES Revision Notice, pp. 12-13.

⁴¹ Revised 2022 WMP, p. 125.

reductions and RSEs,⁴² but it does not explain how it actually considers risk reduction and the actual selection of projects.

Energy Safety also required BVES to provide a “cascading, dynamic ‘if-then’ style flow chart to effectively demonstrate this prioritization process.”⁴³ BVES instead provides a simple linear flowchart with the “lessons learned” step feeding back into prior steps. This flowchart lacks detail on how BVES considers risk and RSEs in its project selection, instead repeating only its vague intent to “deliver the maximum wildfire risk reduction while considering constraints.”⁴⁴

5. Recommendation

Energy Safety should require BVES to address the deficiencies identified in Critical Issues 01, 03, 04, and 07 as soon as possible. BVES should also submit quarterly progress reports on each of these issues (in tandem with the WMP quarterly reports) until the issue has been addressed.

B. Further deficiencies in BVES’s Revised 2022 WMP and responses.

In addition to the issues identified above, BVES does not reasonably respond to Critical Issues RN-BVES-22-05, RN-BVES-22-08, and RN-BVES-22-09. Cal Advocates views these as less impactful to the near-term effectiveness of BVES’s wildfire mitigation efforts, and therefore provides only brief discussions of these three issues. Energy Safety should require BVES to correct each of these issues in its 2023 WMP submission, at the latest.

1. BVES claims aspects of its vegetation management program are “enhanced” despite meeting only minimum regulatory requirements (RN-BVES-22-05).

Energy Safety required BVES to clarify how its vegetation management initiatives are “enhanced and in excess of regulatory requirements.”⁴⁵ In its response, BVES claims that its internal requirement to remove “Dead, rotten, or diseased trees or dead, rotten, or diseased

⁴² BVES states that, for individual projects, the “resulting outcome of executing the project is projected in the Fire Safety Matrix” and “viewed against the Risk Maps developed by Reax Engineering.” Revised 2022 WMP, p. 125.

⁴³ BVES Revision Notice, pp. 13.

⁴⁴ Revised 2022 WMP, p. 124.

⁴⁵ BVES Revision Notice, p. 11.

portions of otherwise healthy trees overhang or lean toward and may fall into a span of power lines” exceeds General Order 95.⁴⁶ However, this language largely mirrors the requirements in General Order 95.⁴⁷ BVES’s internal requirement, on its face, does not exceed regulatory requirements.

2. BVES uses vague language to describe its service restoration workforce (RN-BVES-22-08).

Energy Safety required BVES to update section 7.3.9.1 to “[p]rovide information on its training program for service restoration workforce, including details on when employees are required to complete trainings and what specific training BVES provides.”⁴⁸ In its Revised 2022 WMP, BVES states that it “conducts training and at least once per year conducts an exercise to practice service restoration command and control and field activities.”⁴⁹ BVES provides no additional information on the training it provides (such as the focus and learning goals; whether the training is practical, in a classroom or online; who leads the training; etc). When asked for further detail, BVES provided records of its most recent annual service restoration exercises, but no separate training records.⁵⁰

3. BVES uses vague language to describe United States Forest Service and fuel reduction cooperation activities (RN-BVES-22-09).

Energy Safety required BVES to update section 7.3.10.4 to “[p]rovide information on and specific examples of its ‘strategies’ and ‘actions’ to engage with forest management and fuel reduction stakeholders, including with which entities and stakeholders BVES is currently engaging.”⁵¹ BVES again does not address this issue, stating only that it is implementing

⁴⁶ Revised 2022 WMP, p. 218.

⁴⁷ General Order 95, Rule 35 states: “When a supply or communication company has actual knowledge, obtained either through normal operating practices or notification to the company, that dead, rotten or diseased trees or dead, rotten or diseased portions of otherwise healthy trees overhang or lean toward and may fall into a span of supply or communication lines, said trees or portions thereof should be removed.”

⁴⁸ BVES Revision Notice, p. 14.

⁴⁹ Revised 2022 WMP, p. 272.

⁵⁰ Response to data request CalAdvocates-BVES-2022WMP-12, question 13, September 8, 2022.

⁵¹ BVES Revision Notice, p. 15.