The Enhanced Vegetation Management right-of-way clearing does make great fuel breaks when done correctly. It is unfortunate that utilities are regularly not doing so. It is counterproductive to mitigate one hazard (i.e., risk of fire starts from contact) and turn around and create a new hazard (i.e., spread of fire, resistance to suppression), especially in and around homes. [PRC § 4584.1 (b)(c)](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fleginfo.legislature.ca.gov%2Ffaces%2Fcodes_displaySection.xhtml%3FsectionNum%3D4584.1%26lawCode%3DPRC&data=05%7C01%7CDennis.Hall%40fire.ca.gov%7C88a4747e5f6c4c32a60a08dac7a4d4a8%7C447a4ca05405454dad68c98a520261f8%7C1%7C0%7C638041808036625527%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=cQzxOLBJ1w%2Bc3lCc0IFPd%2FU6Tj7axYl%2Bl9MqmvrMXzY%3D&reserved=0) would be the statute that would apply to address the wood removal, but some utilities have refused to comply with Notice of Exemption (NOE) process and rules and regulatory agencies do not know where work is getting done.

PG&E has refused to comply with the rules in many instances (if not most). This results in the regulatory agencies’ inability to inspect many areas where work is occurring to evaluate the impacts and take enforcement action. Without the required notice, agencies do not often know where work is occurring.

Another factor to consider is that much of the utility clearing work occurs in and around residential areas, often directly adjacent to homes, roads and other critical infrastructure. Slash left in and around these critical areas can compromise ingress and egress as communities evacuate from a fire and suppression resources enter the area. Fuel reduction in these areas is critical. The Legislature has long recognized the need for slash treatment in these critical areas and required the Board to address them in the Rules. Failure to comply with the Rules can compromise these areas.

**4562.  Fire protection zone Rules.**

In order to reduce the incidence and spread of fire on Timberlands, the board shall adopt Rules in the fire protection zone as such zone is defined by the board, including, but not limited to, land along either side of the rights-of-way along public roads in widths to be determined by rule by the board in various areas, and in such other areas as the board deems necessary, to govern the disposal of solid non-forest wastes and Slash created by Timber Operations.

It was noted that utility clearing done in conformance with the rules, where slash has been treated appropriately, creates a linear clearing across the landscape that can be beneficial during fire suppression activities (e.g., it forms a fuelbreak).