
**SENATE COMMITTEE ON ENERGY, UTILITIES AND
COMMUNICATIONS**

**Senator Steven Bradford, Chair
2023 - 2024 Regular**

Bill No:	SB 1251	Hearing Date:	4/22/2024
Author:	Stern		
Version:	4/1/2024 Amended		
Urgency:	No	Fiscal:	No
Consultant:	Sarah Smith		

SUBJECT: Mosquito abatement inspections

DIGEST: This bill requires an electrical corporation to enter into a vector management agreement with a mosquito abatement district, vector control district, or a city or county health department within 180 days of receiving a request from the district or department. This bill specifies provisions that must be included in a vector management agreement established under this bill.

ANALYSIS:

Existing law:

- 1) Authorizes the California Public Utilities Commission (CPUC) to regulate public utilities, including electric and natural gas corporations and establish rates for these utilities. (Public Utilities Code §201 et. seq.)
- 2) Defines an “electrical corporation” as every corporation or person owning, controlling, operating, or managing any electric plant for compensation in the state, except where electricity is generated on or distributed by the producer through private property solely for its own use or the use of its tenants and not for sale or transmission to others. Existing law establishes limited exemptions to the definition of an electrical corporation. Existing law generally designates any entity that sells electricity to more than two contiguous parcels or across the street as an “electrical corporation.” (Public Utilities Code §218)
- 3) Establishes the Mosquito Abatement and Vector Control District Law, which authorizes the establishment of mosquito abatement and vector control districts, as specified. (Health and Safety Code §2000)
- 4) Establishes the authority of Mosquito Abatement and Vector Control districts. Existing law broadly authorizes these special districts to take any and all necessary or proper actions to prevent and abate vectors and associated diseases within their jurisdictions and carry out certain activities outside their districts

when vectors and associated diseases may enter their districts. (Health and Safety Code §2040)

- 5) Establishes the California Mosquito Surveillance and Research Program, which is administered by the University of California at Davis to conduct specified duties regarding research, interagency coordination, and dissemination of data on mosquitos and vector-borne diseases. (Health and Safety Code §2101)

This bill:

- 1) Requires and electrical corporation to enter into a vector management agreement within 180 days of receiving a request from a mosquito abatement district, vector control district, or local health department.
- 2) Defines an “electrical vault” for the purposes of this bill as an enclosure, either above or below ground, or in a building that may contain transformers or other electrical equipment and is the property of an electrical corporation.
- 3) Specifies that a vector management agreement must contain, but is not limited to the following:
 - a) The locations of electrical vaults within the district or health department’s jurisdiction.
 - b) A reasonable time period for the electrical corporation to provide the district or health department with access to its electrical vaults for surveillance, treatment, and post-treatment inspections. This bill specifies that this time period must consider the seasonality of mosquito activity in the area.
 - c) The contact information for the relevant individuals at the electrical corporation and the local health department or district.
 - d) A timeline for the periodic update of the information in this subdivision.
 - e) Consideration, where feasible, of changes to electrical vaults to block mosquitos or discharge captured waters.
 - f) A three-year period covered by the agreement, with provisions for the modification or extension of the agreement.
- 4) Specifies that this bill does not affect the powers granted to Mosquito Abatement and Vector Control districts under existing law.

Background

West Nile, Zika and now, Dengue. Mosquitos are vectors for a number of viruses. Increasingly, viruses associated with serious disease have been spreading in California due to mosquito bites. California saw its first cases of West Nile Virus in 2003. Since those initial cases, over 8,000 West Nile cases have been reported in the state. While none of California's Zika virus cases have originated from mosquito bites in the state, the type of mosquitos prone to carrying Zika have been observed in the state. In 2023, California became one of five states in which local spread of Dengue occurred. Mosquitos carrying these viruses are more likely to proliferate at certain times of the year under certain conditions. Mosquitos are particularly known to proliferate in the hottest months (July through September) and breed in standing water. Utility vaults vary in size and nature, but underground vaults are generally accessible only through lids at the street level. While utility vaults may not be the primary source of mosquitos, vaults can collect standing water and are inaccessible without a utility providing access to the vault. This bill is aimed at establishing more consistent plans for how utilities will address potential breeding of mosquitos in their vaults, including providing vector control agencies with access to those vaults for mosquito abatement if the utility does not have its own mosquito abatement program.

Bill is aimed at increasing vector control for utility vaults. This bill requires investor-owned electric utilities (IOUs) to enter into specified vector management agreements with local vector control districts or local public health agencies upon receiving a request from a local vector control agency. While the types of mosquitos carrying viruses like Zika, Dengue and West Nile are prevalent in various locations throughout the state, this bill's requirement for a utility to establish a vector management agreement with each local vector control agency in its service territory may disproportionately impact Pacific Gas and Electric (PG&E) due to the size and geographic range of the utility's service territory. To the extent that each vector management agreement must include mosquito abatement measures that are customized for the location, this bill may require the IOUs to separately negotiate these agreements with each local government and vector control district that requests an agreement. The extent to which these negotiations will require significant workload from the IOUs will depend upon the extent to which these agreements can be standardized and the number of local vector control agencies that request these agreements.

Need for amendments. As currently written, this bill could be interpreted to require utilities to disclose the location of all their utility vaults to local governments. While some vault locations may be identifiable by the naked eye, others may be obscured. The CPUC has already established requirements for disclosures of

information that may pose safety concerns in its General Order 66-D. To prevent unnecessary disclosures about utility infrastructure with safety considerations, *the author and committee may wish to amend this bill to clarify that any utility infrastructure data disclosed pursuant to the agreements established under this bill must be kept confidential by a vector control district or local public health agency that enters into an agreement with an electrical corporation under this bill.*

Dual Referral. This bill passed out of the Senate Committee on Local Government on April 3, 2024 with a vote of 5-1.

Prior/Related Legislation

SB 1252 (Stern, 2024) updates the California Mosquito Surveillance and Research Program to require the program's administrator, the University of California at Davis, to consult with partners at the University of California and the California State University about the most-up-to-date research pertaining to mosquito abatement. The bill is pending in the Senate Education Committee.

AB 320 (Quirk, Chapter 422, Statutes of 2019) established the California Mosquito Surveillance and Research Program, administered by the University of California at Davis, and specifies the duties of the program.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT:

Mosquito and Vector Control Association of California, Sponsor
 Alameda County Mosquito Abatement District
 Coachella Valley Mosquito & Vector Control District
 Consolidated Mosquito Abatement District
 County Health Executives Association of California
 Delano Mosquito Abatement District
 Fresno Westside Mosquito Abatement District
 Kern Mosquito & Vector Control District
 Kings Mosquito Abatement District
 Marin/Sonoma Mosquito & Vector Control District
 Orange County Mosquito and Vector Control District
 Sacramento-Yolo Mosquito & Vector Control District
 San Mateo County Mosquito & Vector Control District
 Santa Cruz County Mosquito & Vector Control
 Sutter-Yuba Mosquito and Vector Control District
 Two Individuals

OPPOSITION:

None received

ARGUMENTS IN SUPPORT: According to the author:

Mosquitos pose significant health risks, with invasive species of Mosquitos exacerbating the states issue with flying pest. As the author of SB 1251, I know the immediate need for a bill like this to address the escalating threat of mosquito borne illness. This coordinated effort to access utility vaults is needed to remove barriers to access, improve safe access, enhance communication between mosquito control agencies and electrical corporations, and streamline the mosquito abatement and vector control process for the most problematic source of mosquito production. SB 1251 makes certain that those tasked with protecting public health from mosquito borne illness can stay ahead of emerging challenges and ensures effective mosquito control efforts statewide.

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