

**Statement of
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House Natural Resources Committee**

**Oversight Hearing: “Keeping the Lights On and Reducing Catastrophic Forest Fire Risk:
Proper Management of Electricity Rights-of-Way on Federal Lands”
May 7, 2014**

Introduction

Thank you for the opportunity to provide the Department of the Interior’s views on the management of electricity rights-of-way on Federal lands. The Bureau of Land Management (BLM) works closely with thousands of public, private, and cooperative utility organizations to manage rights-of-way (ROW) for the transmission and distribution of electrical power. The BLM values these partnerships and the vital services that electric utilities provide for local communities and the nation.

The BLM manages roughly 245 million acres of Federal land according to its multiple use, sustained yield mission. As one of many uses of BLM-managed public lands, the BLM has issued thousands of miles of rights-of-way for electricity transmission and distribution under the Federal Land Policy and Management Act (FLPMA) and other authorities. Currently, the BLM administers over 15,000 authorizations for electric transmission and distribution facilities, ranging from low-voltage 12 kilovolt (kV) lines to high-voltage 500 kV lines and related infrastructure.

The growth of vegetation within utility rights-of-way can, in some cases, pose risks to the infrastructure needed to provide a continuous supply of electrical power. Trees can fall or otherwise make contact with overhead power lines, sometimes resulting in power outages or fires, which pose threats to public safety, private property, and natural resources. Ground fires can create heat damage to facilities or burn wooden power poles. To provide a dependable supply of electricity, utilities must manage vegetation near their transmission and distribution lines to prevent blackouts and wildfires. The BLM takes its responsibility for the administration of these rights-of-way seriously and values the opportunity to work with utility companies to serve our communities, and works simultaneously to meet its obligations for the management and protection of natural and cultural resources on the public lands.

Vegetation Management in Rights-of-Way

When issuing a right-of-way grant to a utility company, the BLM completes an analysis required by National Environmental Policy Act (NEPA) and other statutes, including consideration of activities necessary for the ongoing maintenance and operation of transmission lines. The BLM includes standard terms and conditions for the management of vegetation, agreed upon by both the agency and the right-of-way grant holder, when issuing the right-of-way grant. In addition, the analysis may consider other resources or activities appropriate for the location or management needs of a particular right-of-way.

Under the terms and conditions typically included in right-of-way grants, a utility company may conduct certain activities after notifying the BLM, but without requiring further BLM authorization. These activities include minor trimming, pruning, and weed management to maintain the ROW or facility. BLM authorization, typically through a permit, is needed prior to the cutting and removal of any timber or vegetative resources that have market value. The utility company can often obtain BLM approval for the removal of hazard trees through a streamlined NEPA process, such as a categorical exclusion. Before the utility company conducts major actions within the ROW, but beyond the scope of the terms and conditions in the ROW grant or actions outside the ROW boundary, BLM approval is needed. These actions may require additional environmental analysis. In general, the degree of analysis required for a specific vegetation removal action depends on the resources affected, the scope of the action to be taken, and the analysis that had been previously completed. To facilitate efficiency, the BLM strongly encourages early and ongoing communication with our utility partners regarding vegetation management needs and concerns.

The BLM appreciates any opportunity to work collaboratively with all our stakeholders and partners, including utility companies, and recognizes the value of advance planning for future maintenance needs when possible. Ongoing communication and coordination are also critical to ensuring that both the BLM and the utility can respond to undesirable vegetation in a timely manner.

Hazardous Fuels Management

The National Cohesive Wildland Fire Management Strategy represents a collaborative approach to restoring and maintaining resilient landscapes, creating fire adapted communities, and managing wildfire response in a complex environment. The BLM is committed to protecting people, property, and resources from wildland fire, and uses a proactive approach to treat hazardous fuels. In FY 2013, the BLM completed nearly 290,000 acres of hazardous fuels reduction treatments, including thinning, salvage, and prescribed burns. Because the factors that cause increasing hazardous fuel loads cross jurisdictional boundaries, the Department prioritizes that highest priority treatments in the highest priority places. The 2015 DOI Budget for Wildland Fire Management also includes \$30 million for resilient landscapes. This cross-cutting program will provide the opportunity to target specific landscapes, including areas outside the wildland-urban interface, and enhance integration of activities between fire and non-fire programs toward shared restoration and ecological objectives.

The BLM routinely works with partner organizations to engage in land and watershed restoration, community preparedness, and hazardous fuels reduction activities. Departmental agencies employ an integrated approach to wildland fire management, including the prioritization of hazardous fuels treatments to mitigate the potential risk of wildfires. Utilities that hold ROW grants are an important partner in this approach.

Electrical transmission ROWs are often located where they can provide significant potential for the establishment of fuel breaks and for linking hazardous fuels reduction projects to manage a stronger network of fuel breaks that contributes to more resilient landscapes. Such projects help the BLM to protect communities and natural resources from wildland fire, and the utilities to ensure protection of their electricity transmission and distribution infrastructure. The Cohesive

Strategy highlights the importance of working with communities to identify community values and infrastructure, including electricity transmission facilities, to be prioritized for proactive mitigation of wildfire risk. Hazardous fuels reduction projects that protect vital infrastructure can also help the Department of the Interior to protect rural communities from wildland fire, and the presence of important infrastructure is one of the factors that the Department considers in prioritizing hazardous fuels projects. We view utilities as an important partner in helping to accomplish our mutual goal of mitigating the risks posed by wildland fires to health and safety, infrastructure, private property, wildlife habitat, and other vital resources.

Cooperative Approach

Under the Energy Policy Act of 2005, which directed Federal land managing agencies to expedite approvals necessary to allow the owners or operators of electric transmission or distribution facilities to comply with standards for vegetation management that imminently endanger the reliability or safety of the facilities, the BLM and other Federal agencies have worked toward further collaboration with utilities. The BLM is a party, along with other Departmental agencies, the Environmental Protection Agency, the Forest Service, and the Edison Electric Institute (an association of shareholder-owned electric companies), to an interagency Memorandum of Understanding (MOU) that formalizes a cooperative approach to streamline the management of vegetation near utility facilities. The MOU facilitates a variety of mutually accepted goals, including maintaining reliable electric service, improving safety, reducing the likelihood of wildfires, reducing soil erosion, reducing environmental risk, streamlining administrative processes, and incorporating integrated vegetation management (IVM) where appropriate, among others. Under the MOU, the parties agreed to a set of IVM practices intended to protect human health and the environment and to the principles of cooperation, timely communication, and consistent management, among others. The current MOU has expired, but its operational principles are still in use and the parties are currently working toward renewing and updating the MOU.

The BLM has also worked closely with utilities that hold many BLM rights-of-way, such as Arizona Public Service, NV Energy, and Idaho Power, to establish master agreements that provide standard terms and conditions that can be applied to multiple right-of-way grants. These agreements enhance consistency across BLM offices and create greater predictability and efficiency for the utility operators as they do business with the BLM. In Idaho, this cooperation has led to increased efficiency in the approval of operations and maintenance proposals for transmission rights-of-way and associated infrastructure.

Conclusion

The BLM values our partnerships with the holders of electrical transmission and distribution rights-of-way, and we will continue to work toward further collaboration to accomplish our shared goals. We believe that early and coordinated planning and communication are essential to ensure that vegetation management can occur expeditiously and that ROW holders can comply with standards for vegetation management. We appreciate the opportunity to continue to work closely with ROW holders, and the Committee's attention to this issue. Thank you for the opportunity to be here, and I would be glad to answer any questions.