



## Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

FOR IMMEDIATE RELEASE  
Wednesday, May 7, 2014  
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CONTACT: [Press Office](#)  
202-226-9019

### **Federal Red-Tape and Inconsistent Decision Making Hampering Efforts to Keep the Lights On and Reduce Forest Fire Risk**

**WASHINGTON, D.C.** – Today, the House Committee on Natural Resources held an oversight hearing on *“Keeping the Lights On and Reducing Catastrophic Forest Fire Risk: Proper Management of Electricity Rights of Way on Federal Lands.”* The hearing examined the need for improved management and better communication with electric utilities on electricity rights of way on federal lands so that falling, dead, insect-infested or even growing trees do not hit power lines. Such contact can cause electricity blackouts and catastrophic fires.

Electricity rights of way (ROW) or electricity corridors are less than a fraction of a percent of overall federal lands, yet the consequences from not effectively managing the ROW and power line corridors can be significant and catastrophic. When a ROW is not properly maintained, a tree can grow into or fall on to a power line, causing fires and electricity blackouts. The major blackout in 2003 in the Northeastern which included New York City was caused by a falling tree in a ROW and left 50 million people in the dark. A similar blackout impacted a number of western states and millions of electricity customers in 1996.

*“At a time of poor forest conditions throughout much of the West, we cannot afford to let federal indecision and inter-agency conflicts ignite a powder keg waiting to explode. Catastrophic fires caused by hazardous trees touching power lines only harm the ratepayer and destroy the environment,”* **said [House Natural Resources Chairman Doc Hastings \(WA-04\)](#).**

*“Forest fires resulting from downed trees and lack of proactive management pose a direct threat to human health and safety. Failure to actively manage hazardous trees near transmission lines is irresponsible as stewards of the natural environment, and too often we fail to consider the species habitat destroyed in forest fires when making decisions about active forest management. Debris from these resulting forest fires pollutes water supplies for humans and species, and can cost tens of millions of dollars to mitigate,”* **said Congressman Scott Tipton (CO-03).** *“Ultimately the costs of wildfires caused by failure to remove hazardous trees fall on local communities and ratepayers, who bear the brunt of repair, rebuilding, and, in many cases, unfair liability costs.”*

Witnesses at the hearing highlighted the need for proactive and consistent vegetative management policies and a timely decision-making process to avoid electricity outages and catastrophic fires.

*"It is beyond the time that our federal land managers work collaboratively with electric co-ops to develop common sense reform to their current practices. As one Oregon co-op manager noted, 'we are not the enemy.' These operational and cultural problems will not be resolved overnight and must involve long-term solutions. Co-ops must receive assurances that solutions will be implemented that preserve our history of providing safe, reliable, and affordable electricity to our members. "* – [Dave Markham](#), **President and CEO, Central Electric Cooperative; President, Oregon Rural Electric Cooperative Association**

*"The inconsistent viewpoints of Federal land managers creates difficulties for utilities because local authorities are empowered to make their own decisions for what is or is not appropriate in their jurisdictions. The arrangement creates unpredictable directives regarding what is or what is not authorized on utility corridors on Federal lands – in spite of land managers ostensibly working with the same politics and procedures. To provide and understanding of the degree of difficulty can create, recall that PacifiCorp's facilities cross 33 different national forests. Each national forest is divided into three or four districts, each with independent decision making authority., That means PacifiCorp foresters may have to work individually with well over 100 different governing authorities for the USDA Forest Service alone. Add to that a number of regions of the BLM, national parks, and Federal wildlife refuges, all of which have ongoing personnel changes, and one can understand how working with federal agencies can be so problematic and time consuming."* – [Randall Miller](#), **Director of Vegetation Management, PacifiCorp**

*"The utility industry is not only concerned about the encroachment of vegetation within the ROW, but also 'hazard trees' growing outside the permitted ROW. A hazard tree is a tree that has been assessed and found likely to fail and cause an unacceptable degree of injury, damage or disruption. These 'hazard trees' can fall into the power lines potentially causing a power outage, or even a catastrophic wildfire. In many cases, the utilities don't have the right to remove these trees. In spite of this, utilities are often held liable for suppression costs and damages when these off-ROW hazard trees cause a wildfire. In recent years utilities have literally paid out millions of dollars to cover these cost."* – [Mike Neal](#), **Manager of Forestry and Special Programs, Arizona Public Service**

*"My hope today is that my testimony and those of others persuade you and perhaps officials from the BLM and Forest Service that things need to change. Adding more rules, regulations, and requirements in an effort to address these problems is not productive nor do they serve the public interest. There are simpler, easier solutions to these problems. Wyoming cooperative stand ready to be part of the solution to help keep the lights on, reduce the chance of forest fire risk, and implement a process to properly manage ROW on public lands."* – [Michael Easley](#), **CEO Powder River Energy Corporation**

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