

Opening Statement of
Congressman Scott Tipton

Committee on Natural Resources

On Wednesday, May 07, 2014

1324 Longworth House Office Building

**Full Committee Oversight Hearing on “Keeping the Lights On and Reducing Catastrophic Forest Fire
Risk: Proper Management of Electricity Rights of Way on Federal Lands”**

“Today, the House Committee on Natural Resources will hear from electric power providers in the West regarding the current challenges to operating and maintaining electricity rights of way on federal lands, and ensuring reliable, low cost energy depended on by homes and businesses.

I would like to thank our utility witnesses for making the trip to be with us today, and for sharing their valuable insight on how to improve the existing regulatory framework so we can better protect critical infrastructure, safeguard local communities and species habitat, and reduce costs to ratepayers. We are also joined by officials from the two agencies tasked with managing lands through which transmission lines pass—the United States Forest Service and the Bureau of Land Management. I would also like to welcome the audience members of the rural electric cooperatives who have taken time out of their busy schedules to watch this hearing.

Rural electric cooperatives and investor owned utilities provide critical power supplies to millions of homes and businesses throughout the West. In order to route this supply across long distances, power providers receive special use permits from the Forest Service and the Bureau of Land Management which provide them with rights of way to run and operate transmission and distribution lines on federal public lands. While most utilities have the capability to actively manage vegetation within their rights of way, they and their customers depend on the Forest Service and the Bureau of Land Management to responsibly manage hazardous trees on federal lands immediately outside the right of way. When these trees aren’t properly managed in a timely manner, they inevitably fall into rights of way and onto transmission lines, causing massive blackouts, leaving homes, small businesses and schools, hospitals, and other critical services without power for days at a time. History has proven that improper vegetative management can lead to severe consequences. In 2003, for example, a downed tree hit a transmission line causing 50 million people to lose power across the Northeastern United States.

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. 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.

Today's testimony will highlight the current lack of uniformity in federal policy for managing hazardous trees near utility rights of way, and an untenable liability framework that discourages, and in some cases prohibits cooperation between power providers and federal agencies to address hazardous conditions before they cause catastrophic wildfires. Under the status quo, determinations about whether or not to address emergency circumstances are too often dependent on the whims of local land managers, and utilities are prohibited from removing hazardous trees that threaten their lines, but are held strictly liable if the federal government fails to do its job and address hazardous on lands they manage. This has to change. It is my hope that today's hearing will highlight what needs to be done to proactively mitigate hazardous conditions, safeguard local communities, and ensure reliable low cost power supplies for ratepayers. Again, I want to thank our witnesses for being here today and yield to the Ranking Member of the Committee."