

Vegetation Management

Summary

The proper management of vegetation near electric infrastructure located on federal lands is important to ensure electric reliability and prevent wildfires. Vegetation that makes contact with electric infrastructure could result in power outages and forest fires. Properly maintained rights-of-way (ROWs) also increase public safety and provide environmental benefits. The American Public Power Association (Association or APPA) supports congressional efforts to facilitate vegetation management on federal lands, including hazardous and high-risk vegetation located just outside of ROWs.

Background

Nearly 90,000 miles of electric transmission and distribution lines are sited on lands managed by the U.S. Forest Service (USFS) and Bureau of Land Management (BLM). The costs of operating, maintaining, and repairing transmission lines and facilities on federal lands are paid for by utilities and their customers, including public power utilities. However, electric utilities must seek permission from federal land management agencies before they can inspect, operate, and maintain infrastructure on federal land. In addition to being focused on managing vegetation within a ROW, electric utilities are also concerned about adjacent vegetation outside the corridor that is high-risk and potentially hazardous. Utilities with infrastructure on ROWs through federal lands are potentially liable for fires on federal lands caused by vegetation outside the ROWs that fall or otherwise disrupt electric transmission and distribution lines and facilities. Electric utilities frequently encounter redundant reviews, conflicting policies, and lengthy delays from some USFS and BLM personnel to remove the potentially harmful vegetation.

The consequences of poorly maintained ROWs can be devastating. Vegetation within electric transmission and distribution line ROWs located on federal lands have caused several large-scale power outages in the United States and Canada. An August 14, 2003, blackout caused by a falling tree led to an outage for

50 million electricity customers across the Eastern and Midwestern United States. The USFS reported 232 and 113 wildfires, respectively in 2012 and 2013, caused by contact between power lines and trees on its lands.

Congressional Action

As a result of the 2003 blackout and other reliability concerns at that time, what was then the North American Electric Reliability Council (now the North American Electric Reliability Corporation or NERC) finalized vegetation management standards and guidelines for the electric industry in 2005. In the same year, the Energy Policy Act of 2005 (EPAct05) was signed into law, directing the creation of nationwide mandatory electricity reliability standards. EPAct05 contained a reliability provision (Section 1211) intended to ensure that federal agencies responsible for approving access to electric transmission or distribution facilities located on federal lands expedite any approvals necessary to allow the owners or operators of such facilities to comply with any reliability standard under Section 215 of the Federal Power Act pertaining to vegetation management.

Unfortunately, despite the directive in EPAct05, the vegetation management issue on federal lands has not been resolved. The Department of Energy's 2015 Quadrennial Energy Review (QER) stated that "reliability and resilience projects have also included operations and maintenance activities, such as aggressive vegetation management. While it might be considered low-tech, vegetation management is an essential activity—both the 1996 West Coast and 2003 East Coast-Midwest power outages started from trees along transmission lines."

To address this continuing problem, the House passed H.R. 1873, the Electric Reliability and Forest Protection Act, by a vote of 300 to 118 on June 21, 2017. The bill, sponsored by Representatives Doug LaMalfa (R-CA) and Kurt Schrader (D-OR), would provide "streamlined processes for the removal of hazardous vegetative overgrowth within or adjacent to" electric infrastructure on federal lands. It would direct the USFS and BLM to work with utilities to ensure they can inspect and

remove vegetation near electric facilities to prevent forest fires, comply with reliability standards, and keep the lights on. It would also provide utilities with the ability to trim vegetation that is contacting or in imminent danger of contacting electric transmission or distribution lines and provide notice of such trimming to federal agencies within 24 hours. The failure of federal agencies to allow proper vegetation management, as outlined in the bill, would indemnify utilities from liability for “wildfire damage, loss, or injury, including the cost of suppression.” APPA strongly supports the bill.

American Public Power Association Position

Timely access to utility ROW on federal lands is essential for the proper management of vegetation. Tree trimming is necessary to ensure grid reliability and reduce the likelihood of forest fires caused by wires coming into contact with vegetation. As such, APPA strongly encourages the Senate to pass H.R. 1873 to better facilitate vegetation management on federal lands.

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The American Public Power Association is the voice of not-for-profit, community-owned utilities that power 2,000 towns and cities nationwide. We represent public power before the federal government to protect the interests of the more than 49 million people that public power utilities serve, and the 93,000 people they employ. Our association advocates and advises on electricity policy, technology, trends, training, and operations. Our members strengthen their communities by providing superior service, engaging citizens, and instilling pride in community-owned power.