



OPPOSE H.R. 1873: THE ELECTRICITY RELIABILITY AND FOREST PROTECTION ACT
Irresponsible proposal won't lower utility rates or stop forest fires

Summary

Republicans argue this legislation is necessary because dead trees and overgrown vegetation near electricity transmission rights-of-way (ROWs) crossing U.S. public lands pose a wildfire threat. The bill would do little to actually address that problem, while harming federal land management.

Concerns

The bill is not necessary because transmission line owners can already perform emergency work on ROWs without prior authorization, and can work with federal land managers to develop the voluntary vegetation management plans the bill envisions. The Majority rejected previous Democratic attempts to amend this proposal to actually make such plans mandatory.

National Interagency Fire Center data shows power lines caused only 0.03 percent of forest fires in the past five years. Some of these fires could be prevented by improved ROW maintenance, but this strategy is far less effective if plans are only voluntary.

Delays in wildfire mitigation projects are caused by Congress' failure to solve the problem of "fire borrowing" which requires USFS to spend upwards of 50 percent of its budget on fighting wildfires, leaving little left over for other activities like wildfire prevention and coordination with utilities on ROW maintenance.

The bill allows state and local "electricity reliability standards" to trump federal land management laws, even if those standards have no basis in science or sound risk assessment. This creates a massive loophole that could allow private companies to clear-cut huge swaths of U.S. public land. The bill also includes no limitation on the sale of any timber from these activities.

The bill would shift liability for fire damage caused by transmission infrastructure from corporations to taxpayers, and mandate the use of categorical exclusions (cat-ex) under the National Environmental Policy Act (NEPA). While USFS and BLM already use their cat-ex authority for many ROW-related activities, this bill would take away the agencies' ability to conduct a more thorough NEPA review in cases where it's warranted.

Messages

- Instead of requiring utility companies to plan ahead to reduce wildfire risks associated with their infrastructure, the bill lets these companies shift liability to taxpayers and shuts out the public by weakening NEPA safeguards.
- The bill does nothing to fix the Forest Service's problem with "fire borrowing," which has crippled the agency's capacity to mitigate wildfire risks.
- The real goal of this legislation is not to prevent wildfire but to turn management of U.S. public lands over to states and private industry.
- The legislation fails to acknowledge the impacts of climate change on electricity infrastructure and forests, including increased wildfire risks.