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CENTRAL ELECTRIC  
COOPERATIVE, INC.

**Testimony of Dave Markham  
President & CEO of Central Electric Cooperative, Inc.  
Before the United States House of Representatives  
Committee on Energy and Commerce  
and its Subcommittee on Energy  
and Subcommittee on Environment & Climate Change**

**Hearing on: “Out of Control: The Impact of Wildfires  
on our Power Sector and the Environment”**

**January 28, 2020**

Good morning Chairmen Rush and Tonko, Ranking Members Upton and Shimkus and Members of the Subcommittees. I am Dave Markham, President & CEO of Central Electric Cooperative, headquartered in Redmond, Oregon. Central Electric is a member of the National Rural Electric Cooperative Association. I also serve as the Chairman of PNGC Power, a Portland, Oregon, based generation and transmission cooperative owned by 15 Northwest electric distribution cooperatives with service territory in 7 western states. I appreciate the opportunity and privilege of testifying today on the impact of wildfires on the power sector and the environment.

Since the 1930s, consumer-owned, not-for-profit electric cooperatives have served the rural areas of America. More than 900 cooperatives in 48 states provide electric service to 56 percent of the nation's landmass. In Oregon, there are 18 electric cooperatives that provide power to more than a half-million Oregonians across 65 percent of the landmass of the state. To put this in perspective, the geographical area served by Oregon's electric cooperatives is more than 6 times the size of the State of Maryland. Notably, Oregon's electric co-ops deliver electricity using more than 30,000 miles of transmission and distribution lines across service territory where much of the land is federally managed. To add to the complexity, this land is often mountainous, heavily forested and difficult to access.

Electric cooperatives, because of the commitment to the members we serve, work diligently to keep our rights-of-way cleared and transmission and distribution systems maintained. Our long history of exceptional service and system reliability is a testament to this commitment. Over the years, our commitment has not changed. However, it is the many things beyond our direct control that have impacted our ability to mitigate against wildfires -- notably our proximity to federal lands.

Oregon's electric cooperatives are proactively addressing increased wildfire risk by instituting Wildfire Mitigation Plans, which formalize the actions we have been taking voluntarily for years. For example, at Central Electric we upgraded 23 miles of transmission line, much of it through heavily-forested areas, and elected to replace wood poles with more expensive steel poles to reduce wildfire risk. We are also in the process of upgrading a distribution line in a forested area on federal land, installing taller poles and replacing existing four-foot cross arms with eight-foot cross arms. This allows us to space power lines farther apart to reduce the potential for a wildfire ignition from a falling tree limb coming into contact with a power line. But despite this advanced planning and significant investment, the fact remains that even the very best maintained electric systems have had pole fires, downed wires and equipment failures that have caused fires. Policymakers should not have an unrealistic expectation that a tree limb will never contact a power line or that equipment will never fail. This is an expectation that is too high to be achievable.

I have had the privilege of testifying before Congress on two prior occasions on the importance of streamlining vegetation management practices and to eliminate frustrating delays when seeking approval to conduct routine maintenance and upgrades of power lines and poles in utility rights-of-way on federal lands.

Following years of policy work to address these challenges, in the FY2018 Appropriations bill, Congress included key provisions to improve system reliability and reduce wildfire risk by addressing utility liability, streamlined vegetation management planning approval processes and removal of hazard trees. The legislation also included improvements to the National Environmental Policy Act (“NEPA”), as well as guidance and training for federal land management agency staff. I would like to thank Central Electric’s Congressman, Greg Walden and Oregon Congressman Kurt Schrader for their leadership improving forest and vegetation management. America’s electric cooperatives are very appreciative of their efforts. I also want to thank the House Natural Resources Committee for their leadership in passing this important legislation.

However, more work needs to be done and the regulations and guidelines for vegetation management must closely align with the underlying law. House Report 115-165 filed by the House Natural Resources Committee contains clear objectives for the law. The report states that the legislation “seeks to reduce wildfires, in part, by promoting federal consistency, accountability, and timely decision-making as it relates to protecting electricity transmission and distribution lines on some federal lands from hazard trees.” It is imperative that the land management agencies establish procedures with robust timelines and milestones that promote efficiency, accountability and consistency between federal land managers and utilities.

This is especially important for Oregon’s electric cooperatives. Central Electric’s service territory comprises 5,300 square miles, 56 percent of which is federally-managed land. This requires us to work closely with the U.S. Forest Service, Bureau of Land Management, Council on Environmental Quality, and other federal agencies. While all parties are committed to protecting the nation’s electrical infrastructure and preventing wildfires, the pathway forward is still fraught with unnecessarily time-consuming regulatory processes. Months slip away before authorization or permits are issued to perform work otherwise routinely done in days.

For example, last year, Central Electric identified 30 dead and dying trees, which needed to be removed or trimmed before the start of wildfire season. The trees were located on federally-managed land near the co-op’s Black Butte Substation. Central Electric transmitted a request for permission to proceed to the federal land agency on February 14, 2019. The request sat idle and garnered no response until I raised the issue with CEQ and BLM representatives during a trip to Washington, D.C., in the last week of April. Shortly after my return, on May 6, 2019, the Notice to Proceed was issued. While three months passed before getting approval, it took only 3 days to remove the 30 dead and dying trees that posed a wildfire threat.

In a nearly identical situation with a neighboring land management agency district, Central Electric requested the removal of more than 50 trees and received almost immediate permission to proceed with removal of these trees. This situation highlights the inconsistent application of policies by local federal land managers. There should not be differing cooperation and responsiveness between neighboring district offices, especially when it comes to removing vegetation that can come into contact with electric lines and create wildfires.

Unfortunately, the delay associated with the project to remove the 30 dead and dying trees is not an isolated event. Currently, Central Electric is seeking approval to replace 131 aging power poles and remove encroaching vegetation along a 13-mile overhead power line route in the Camp Sherman area. The poles, initially installed in the 1940s, will be replaced with taller poles and longer cross arms to enhance reliability, resiliency, and reduce the risk of our infrastructure to wildfire ignitions. Central Electric also requested permission to remove every tree within ten feet of the centerline of the existing above-ground utility power lines, including dead snags, leaning trees, and limbs outside of ten feet, which could fall into contact with the power line. Replacing the poles and clearing the proper width within our established rights-of-way will help ensure public and employee safety, maintain fire precautions, prevent winter snow loads, and provide reliable power for our members.

In this case, Central Electric transmitted the Standard Form 299 Application to the federal land agency on April 17, 2019, to replace the poles and perform vegetation management. The application also expressed our desire to begin the work early this year, as weather permits, and to complete the work this spring. The window of opportunity in Camp Sherman to perform the job before the fire season remains limited due to heavy winter snow and wet spring months.

Between submitting the application and two subsequent meetings with district staff, eight months had elapsed before the federal land agency decided to post a Proposed Action to solicit public input, which includes a two-week comment period. The Proposed Action, announced on January 16, 2020, only occurred after multiple follow-ups with the district, including a personal visit by me. The delayed Proposed Action notice, the two-week comment period, and ongoing uncertainty as to when the district interdisciplinary team will complete their analyses jeopardizes whether the pole replacement and vegetation management can occur in time.

While sharing these stories helps to illustrate the practical challenges we face, my intention is not to come before you today and complain about the problems electric co-ops have encountered with the federal land agencies or denigrate the land management professionals. They work hard with the resources they have available. I am here to discuss solutions and communicate where the federal government can lend assistance through support and improvement of certain policies and practices.

The West is hotter, dryer and has more dead or dying trees on the ground than at any time in previously recorded history. Our wildfire season has become longer, and tree mortality now exceeds tree growth on U.S. Forest Service land as stated in their own inventory analysis.

If we remove power lines as an ignition source, we are still very much at risk of a forest wildfire. The California Department of Forestry & Fire Protection estimates that only 10 percent of its fires were caused by power lines. However, the deadliest and most destructive fire in California history was ignited by power lines, and now electric utilities and wildfires are linked in the public's mind. Electric cooperatives have always done our part to limit power lines as an ignition source; but given the changing climate and increase in tree mortality, additional actions must be taken.

Along these lines, we applaud the Administration's decision to direct the Council on Environmental Policy to reform its regulations for implementing the National Environmental Policy Act. These regulations have not been updated in more than four decades and are in need of modernization to facilitate more efficient, effective, and timely environmental reviews and approvals. The updated policy will ensure clarity and certainty and eliminate costly project delays for electric cooperatives when maintaining or upgrading transmission and distribution facilities on federal lands.

In Oregon, we are taking a unique approach to implementing the principles of the National Cohesive Wildland Fire Management Strategy. In March, Oregon electric co-op leaders will convene a workshop with state, regional and district land management agencies to develop methods by which all stakeholders can take increased actions to reduce wildfire risk within utility corridors and adjacent lands. We appreciate the strong support of the federal land management agencies to work collaboratively to implement the Cohesive Strategy principles. The workshop and its stated outcome of creating an agreement between the stakeholders will model the success similar to the Conservation Agreements with Assurances used in Oregon for the sage grouse.

These agreements, when completed, will be signed by Oregon's electric cooperatives and federal and state land management agencies. To ensure these agreements endure leadership changes at the local level, it is critical they have the support of the U.S. Department of the Interior and the U.S. Department of Agriculture. It would be a significant gesture of support for the Secretaries of Interior and Agriculture to lend their signatures to these agreements. Cabinet-level leadership will help to eliminate the differing cooperation and responsiveness we experience between district offices.

In closing, I would like to reiterate that while significant challenges remain, there is great opportunity to work collaboratively to better understand the practical risks and devise workable policy solutions that enable the steps electric cooperatives are already taking voluntarily to mitigate for wildfires. We appreciate the Committee's attention to this critical issue.

Thank you for the opportunity to testify. I would be pleased to answer any questions.