



February 2, 2024

The Honorable Randy Moore
United States Forest Service Chief
U.S. Department of Agriculture, U.S. Forest Service
201 14th St. SW
Washington, D.C. 20250-1124

Submitted via Webform: <https://cara.fs2c.usda.gov/Public//CommentInput?Project=65356>

RE: Comments on the U.S. Forest Service Notice of Intent to Prepare Environmental Impact Statement – Land Management Plan Direction for Old Growth Forest Conditions Across National Forest System

Dear Chief Moore:

The Oregon Rural Electric Cooperative Association (ORECA) is a statewide association representing Oregon's 18 rural electric cooperatives. ORECA's members are not-for-profit electric cooperatives that serve 206,000 meters, 65 percent of the land mass of Oregon, and 11 percent of the population, with more than 30,000 miles of transmission and distribution lines. This includes rural counties where the majority of land is managed by federal public land management entities. Federal policy changes pertaining to public land management have the potential to greatly impact the operations of our member cooperatives – especially those operations required by the National Electric Safety Code (NESC) and Oregon's Public Utility Commission (PUC).

Chief among the safety maintenance requirements are minimum vegetation management standards. These standards are meant to protect both the public and the natural resources surrounding electric utility infrastructure by decreasing the likelihood of vegetation contacting utility lines and potentially starting wildfires or causing widespread outages in the winter. In addition to these standards being required by law, they are also the best practices of a prudent utility, and our member cooperatives take them seriously – compliance with these standards is in the best interest of the safety of the communities we serve.

Oregon's rural electric cooperatives value the State's natural resources, and we share an obligation to preserve and protect them with entities like the United States Forest Service (USFS). To meet these shared obligations, ORECA's member cooperatives work closely with their USFS partners. In September of 2023, ORECA and representatives of Consumers Power, Incorporated (CPI) and representatives of the Electric Subsector Coordinating Council met with you and your team in Portland, Oregon, regarding vegetation management

practices and wildfire. During that conversation, CPI's Chief Operating Officer Billy Terry shared the following information that is important to this discussion around the Notice of Intent:

“The landscape of our forest is changing, and we need to rapidly adjust to the change. Fire starts are inevitable, but we can minimize the damage from a fire if we reduce the abundance of fuel that feeds the fire. Data from CPI's outage management system has shown that over 90% of our tree-related outages are from trees outside of the rights-of-way. Most of our outages are caused by live healthy trees that fall into the rights-of-way. Our rights-of-way are 40 feet wide and are surrounded by old growth timber over 100 feet tall. The equation is simple: if a tree falls near a power line, there will be a problem.”

Concerns and Recommendations with the Notice of Intent (NOI)

1. Recognizing the increased risk of wildfire, ORECA urges the USFS to consider expanding rights-of-way for public utilities to further reduce the potential for tree-to-line contact and allow electric cooperatives to complete vegetation management work on trees long enough to impact utility lines from outside of the right-of-way.
2. The NOI takes a one-size-fits-all approach to managing 64% of national forest land – including on all 11 of Oregon's national forests. Forest types in Oregon – including “old growth” and “mature growth” forests – are diverse, with various tree and wildlife species inhabiting different forests across the state. Forest types in the high deserts of eastern Oregon vary greatly from forest types in the western portion of the state that receive year-round rainfall. Because of this, cooperatives across the state require flexibility in how they conduct vegetation management. ORECA encourages the USFS to account for these variations in forest types and management strategies for special use authorizations holders across national forests when crafting forest management plan amendments. The USFS should avoid any one-size-fits-all approaches to managing “old growth” and “mature growth” forests as it pertains to utility rights-of-way.
3. The NOI appears to prohibit any vegetation management for economic benefit. ORECA strongly encourages the USFS to define “economic benefit” and exclude electric utilities and their operations from qualifying as “economic benefit.”
4. The NOI briefly mentions a public safety exclusion to the vegetation management prohibitions. ORECA encourages the USFS to expand further on what qualifies as a permissible public safety activity and include grid hardening and expansion, maintenance, and vegetation management activities performed by electric cooperatives as eligible public safety exclusions. Such activities should be wholly exempted from any restrictions, mitigation requirements, or proactive management obligations in the EIS's preferred alternative, and in subsequent forest plan amendments.
5. We also worry about the potential for additional fuel loads in the national forest due to vegetation management restrictions that may be created by this amendment in “old growth” and “mature growth” forest types. Greater fuel load quantities could potentially increase the size and severity of wildfires, which in turn could increase fire-related damages to our systems on or near national forest land and lead to prolonged outages for our customers. ORECA encourages the USFS to consider limiting liability caps where hazardous fuel loading originating from outside of utility rights-of-way exist.

Oregon's national forests contribute to rural economies and are culturally significant to communities across the state. They are vital to the survival of our communities, and we work hard to do our part to preserve those national forests. ORECA and our member cooperatives stand ready to engage as stakeholders in this process as it moves forward. We look forward to that future collaboration and thank you for the opportunity to provide comments. Please contact me at tcase@oreca.org if you have any questions about these comments.

Ted Case
Executive Director
Oregon Rural Electric Cooperative Association