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FS-2020-0013

United States Forest Service
Attn: Gregory C. Smith
Lands and Realty Management
1400 Independence Ave., SW
Washington, D.C. 20250

RE: Request for Comments on the USDA Forest Service Proposed Directive on Operating Plans and
Agreements for Powerline Facilities; 85 *Fed. Reg.* 79,462 (December 10, 2020)

Dear Mr. Smith,

The United States Forest Service (USFS) is seeking comments on a proposed directive implementing section 512 of the Federal Land Policy Management Act, as enacted by the Consolidated Appropriations Act of 2018. Under the directive, Forest Service personnel will be directed to collaborate with electric utilities to develop comprehensive operating plans or operating agreements that cover all system reliability and fire mitigation activities and ensure minimum impacts to natural resources.

Alaska Power Association (APA) is the statewide trade association for electric utilities in Alaska. Our members provide power to a majority of Alaskans from Utqiagvik to Unalaska, through the Interior and Southcentral, and down the Inside Passage. We offer the following comments on the proposed directive.

Conducting regular and emergency facility inspection and other vegetation management procedures are crucial components for maintaining system reliability and reducing the risk of wildfires. The increased frequency of wildfires in Alaska highlights the need for the state's electric utilities to gain prompt access to their rights-of-way on Forest Service land so hazard trees and other mitigation issues can be addressed.

APA appreciates that the proposed directive recognizes the need for collaboration between the Forest Service and electric utilities in the areas of facility inspection, operations and maintenance, vegetation management, and other activities within and adjacent to a utility's powerline right-of-way. This collaboration will be advantageous to enhancing reliability and for mitigating fire hazards.

In general, APA agrees with the comments submitted by the Northwest Public Power Association (NWPPA).

APA agrees that the Forest Service should revise the proposed directives to consider relative financial resources of smaller utilities and distinguish the development of operating agreements in a manner that provides a less time-consuming and financially costly process. Numerous electric utilities in Alaska serve areas of low population with a small ratepayer base. It is crucial that the Forest Service recognize the impact increased costs can have on the communities served by these utilities. Holding small utilities to the same rules as large utilities that have more financial resources due to a larger ratepayer base and higher electricity sales is unfair and detrimental.

NWPPA's comments also address the proposed schedule for development, review, and approval of proposed operating plans and agreements in the proposed directive. APA agrees with NWPPA that the proposed timeframe of 540 days is unreasonably long and could hamper the timely maintenance of electric utility rights-of-way and other fire mitigation practices. Alaska, like many western states, has dealt with devastating wildfires and fire seasons that have increased in length due to the changing climate. APA's electric utility members must be able to access rights-of-way on Forest Service land in a timely manner and through a streamlined process so danger trees and other hazards can be quickly addressed.

APA respectfully requests that the Forest Service provide for a much shorter period for development, review, and approval of operating plans, especially considering the limit on liability in the proposed directive is tied directly to submission of operating plans and approval of operating agreements for small utilities. We also request that the final process again consider the staffing and financial challenges faced by small utilities in the state.

APA sincerely appreciates the Forest Service's ongoing efforts to work with the electric utility industry on the proposed directive and on vegetation management and wildfire mitigation in general.

Respectfully submitted:



Crystal Enkvist
Executive Director