

## HR 2358

Electricity Reliability and Forest Protection Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Public Lands and Natural Resources

**Introduced:** May 15, 2015

**Current Status:** Placed on the Union Calendar, Calendar No. 219.

**Latest Action:** Placed on the Union Calendar, Calendar No. 219. (Oct 6, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/2358>

### Sponsor

**Name:** Rep. Zinke, Ryan K. [R-MT-At Large]

**Party:** Republican • **State:** MT • **Chamber:** House

### Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Schrader, Kurt [D-OR-5]	D · OR		May 15, 2015
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Jun 10, 2015
Rep. Kind, Ron [D-WI-3]	D · WI		Jun 10, 2015
Rep. Kirkpatrick, Ann [D-AZ-1]	D · AZ		Jun 10, 2015
Rep. Kline, John [R-MN-2]	R · MN		Jun 10, 2015
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Jun 10, 2015
Rep. Newhouse, Dan [R-WA-4]	R · WA		Jun 10, 2015
Rep. Pearce, Stevan [R-NM-2]	R · NM		Jun 10, 2015
Rep. Cole, Tom [R-OK-4]	R · OK		Jun 12, 2015
Rep. Westerman, Bruce [R-AR-4]	R · AR		Jun 17, 2015
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Jun 23, 2015
Rep. Young, Don [R-AK-At Large]	R · AK		Jun 23, 2015
Rep. Pompeo, Mike [R-KS-4]	R · KS		Jun 25, 2015
Rep. Guthrie, Brett [R-KY-2]	R · KY		Jul 16, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Jun 8, 2015
Natural Resources Committee	House	Discharged from	Jun 11, 2015
Natural Resources Committee	House	Discharged from	Jun 11, 2015

### Subjects & Policy Tags

#### Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
114 HR 8	Related bill	<b>Dec 7, 2015:</b> Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

## **Electricity Reliability and Forest Protection Act**

(Sec. 2) This bill requires the Department of the Interior and the Department of Agriculture (USDA), with respect to lands under their respective jurisdictions, to provide direction under the Federal Land Policy and Management Act of 1976 to ensure that all existing and future rights-of-way for electrical transmission and distribution facilities on such lands include requirements meeting specified criteria for utility vegetation management, facility inspection, and operation and maintenance activities.

Interior and the USDA shall: (1) give facility owners and operators the option to submit their own vegetation management, facility inspection, and operation and maintenance plans for approval; and (2) develop jointly a consolidated and coordinated process for review and approval of those plans.

Interior and the USDA shall apply their respective categorical exclusion processes under the National Environmental Policy Act of 1969 (NEPA) to any plans developed on existing transmission and distribution rights-of-way located on lands under their respective jurisdictions.

(A "categorical exclusion" under NEPA is a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a federal agency in implementing environmental regulations and for which, therefore, neither an Environmental Assessment nor an Environmental Impact Statement is required.)

A plan approved under this section shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to that right-of-way. A hazard tree is any tree inside or located outside a right-of-way that has been found by either the transmission or distribution facility owner or operator, or by Interior or the USDA, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet or less of an electric power line or related structure if it fell

If vegetation on federal lands within, or hazard trees on federal lands adjacent to, an electrical transmission or distribution right-of-way granted by Interior or the USDA has contacted, or is in imminent danger of contacting, one or more electric transmission or distribution lines, the owner or operator:

- may prune or remove the vegetation to avoid disruption of electric service and risk of fire; and
- shall notify the local agent of the relevant Department within 24 hours after such removal.

The owner or operator of a transmission or distribution facility, after notifying Interior or the USDA, as appropriate, may also conduct vegetation management activities on federal lands to meet clearance requirements under standards established by the North American Electric Reliability Corporation or by state and local authorities.

An owner or operator of a transmission or distribution facility shall not be held liable for wildfire damage, loss, or injury, including the cost of fire suppression, if Interior or the USDA fails to allow it to:

- operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on federal lands within or adjacent to a right-of-way to comply with federal, state, or local electric system reliability and fire safety standards; or
- perform vegetation management activities in response to an identified hazard tree or a tree in imminent danger of

contacting the owner's or operator's transmission or distribution facility.

Interior and the USDA should develop a program to train their personnel involved in vegetation management decisions relating to transmission and distribution facilities to ensure that they:

- understand electric system reliability and fire safety requirements,
- assist transmission and distribution facility owners and operators to comply with applicable electric reliability and fire safety requirements, and
- encourage and assist willing owners and operators to incorporate voluntarily vegetation management practices to enhance habitats and forage for pollinators and for other wildlife so long as those practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

## **Actions Timeline**

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- **Oct 6, 2015:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 114-287, Part I.
- **Oct 6, 2015:** Committee on Agriculture discharged.
- **Oct 6, 2015:** Placed on the Union Calendar, Calendar No. 219.
- **Jun 11, 2015:** Subcommittee on Federal Lands Discharged.
- **Jun 11, 2015:** Subcommittee on Water, Power and Oceans Discharged.
- **Jun 11, 2015:** Committee Consideration and Mark-up Session Held.
- **Jun 11, 2015:** Ordered to be Reported (Amended) by the Yeas and Nays: 22 - 15.
- **Jun 10, 2015:** Committee Consideration and Mark-up Session Held.
- **Jun 8, 2015:** Referred to the Subcommittee on Conservation and Forestry.
- **Jun 4, 2015:** Referred to the Subcommittee on Federal Lands.
- **Jun 4, 2015:** Referred to the Subcommittee on Water, Power and Oceans.
- **May 15, 2015:** Introduced in House
- **May 15, 2015:** Referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.