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FYI - On September 19, the Senate Energy and Natural Resources Committee held a combined oversight and legislative hearing on “*Vegetation Management Requirements for Electricity Assets Located on Federal Lands*”, and on H.R. 1873, the Electricity Reliability and Forest Protection Act, and Section 2310 of S. 1460, the Energy and Natural Resources Act. Members in attendance included Chairman Murkowski (R-AK), Ranking Member Cantwell (D-WA), and Sens. Barrasso (R-WY), Daines (R-MT), Heinrich (D-NM), and Cortez-Masto (R-NV).

The hearing lasted about an hour, and had one witness panel, including John Ruhs, BLM Acting Deputy Director of Operations; Glen Casamassa, FS Associate Deputy Chief; Mark Hayden, General Manager, Missoula Electric Cooperative; Scott Miller, Senior Regional Director – Southwest Region, Wilderness Society; and Andrew Rable, Manager, Forestry and Special Programs, Arizona Public Service.

In their statements, members stressed the importance of appropriate vegetation management in transmission rights-of-way in order to prevent widespread power outages and wildfire, and took issue with agency processes that they referred to as time consuming and inconsistent. John responded to questions from members on strict liability for damage caused by wildfire, categorical exclusions for routine and emergency vegetation management activities, and the BLM’s approach to forest management in light of the Secretary’s recent directive on wildfire. All of the witnesses testified in favor of the legislation generally, with the exception of the Wilderness Society, which was opposed to H.R. 1873 but supported Section 2310 of S. 1460.

Finally, Sen. Heinrich turned the discussion to what he characterized as factual errors in the Secretary’s report on national monuments, specifically in regard to Organ Mountains-Desert Peaks and Rio Grande del Norte. He asked whether the BLM had been contacted by the Department, and whether there were plans to correct the errors in the report. (See related EE story pasted below.)

## NATIONAL MONUMENTS

### Zinke review of N.M. sites contains errors — Sen. Heinrich

**Kellie Lunney**, E&E News reporter

Published: Tuesday, September 19, 2017

Sen. Martin Heinrich (D-N.M.) during a Senate hearing this morning. Energy and Natural Resources Committee

Interior Secretary Ryan Zinke's proposed recommendations to alter two of New Mexico's national monuments are based on factual errors, Sen. Martin Heinrich said today.

The New Mexico Democrat said the department's draft monument review contains inaccuracies about road closures, hunting and fishing access, and the U.S.-Mexico border as it pertains to the two monuments in his state.

"I certainly hope that before the president acts on any of these recommendations, that the secretary makes sure that he gets his facts straight," said Heinrich during an unrelated hearing.

The senator added that he was creating a fact sheet on the New Mexico monuments that more consistently reflect "conditions on the ground."

Specifically, Heinrich said the report incorrectly stated that the footprint of the Rio Grande del Norte National Monument in Taos County had led to road closures, adversely affecting ranching.

The report stated that "road closures due to monument restrictions have left many grazing permittees choosing not to renew permits." Heinrich said, "I confirmed with BLM [Bureau of Land Management] staff that that is not accurate."

He also said Zinke mischaracterized the proximity of the Organ Mountain-Desert Peaks National Monument to the international border. The report stated that the OMDP monument "abuts" the border and that "border security is a concern resulting from the designation, as the proclamation restricts motorized transportation close to the border."

Heinrich said that, based on Department of Homeland Security advice, the monument boundary was set 5 miles north of the international border.

The New Mexico Wildlife Federation said ranching is still allowed in both places and monument designations haven't resulted in a loss of access.

"The Bureau of Land Management has confirmed to our organization that no roads have been closed in either monument since designation," said Todd Leahy, the organization's deputy director. "In response to the border, there's no evidence to suggest that since designation the security of our border has been impacted in any way."

Zinke's draft report, submitted to President Trump last month and leaked this past weekend, recommended reducing the boundaries of as many as six monuments.

They include the Grand Staircase-Escalante and Bears Ears monuments in Utah; Gold Butte National Monument in Nevada; and the Cascade-Siskiyou National Monument, which straddles Oregon and California; as well as both the Rose Atoll and the Pacific Remote Islands marine national monuments ([Greenwire](#), Sept. 18).

As for the two New Mexico sites, which together constitute more than 700,000 acres of BLM-managed land, the report recommended revising their management plans as well as amending their proclamations under the Antiquities Act "to continue to protect objects and also prioritize public access; infrastructure upgrades, repair and maintenance; traditional use; tribal cultural use; and hunting and fishing rights."

Heinrich disputed that the monuments' designations restricted hunting access on the lands, saying he hunts quail in the Organ Mountains and that Rio Grande del Norte "hosts a big horn sheep hunt that did not exist before the monument designation."

John Ruhs, BLM's acting deputy director of operations, told Heinrich that while he was not directly involved with writing or fact-checking the draft monument report, he "did answer questions and provide data as necessary."

Ruhs, a witness at the Energy and Natural Resources Committee hearing, said he would take

Heinrich's questions and concerns back to Interior.

"Our secretary is pretty thorough on things, so if we've identified inconsistencies, and I take that information back, I am sure there would be an opportunity to fix those," said Ruhs.

BLM spokeswoman Megan Crandall referred questions on the monument review and Heinrich's comments to the main Interior press shop. Interior press secretary Heather Swift referred questions to the White House.

"The Trump administration does not comment on leaked documents, especially internal drafts, which are still under review by the president and relevant agencies," said spokeswoman Kelly Love.

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