

A Perspective on Utility Corridors

by Carl Barnett

Bruce Babbitt, secretary of the U.S. Department of the Interior, stated at his confirmation hearing that "the reform agenda for western land and water must start by recognizing that multiple-use planning has, for the most part, been a failure. Multiple use skirts the issue that in the new urbanizing West, there is no longer enough space to accommodate every competing use on every section of public domain. Commodity production, whether it be timber, minerals or livestock, is increasingly infringing on the broader public values of open space, wildlife, wilderness and recreation. Choices will have to be made." With these words, Mr. Babbitt is only confirming what many western-based utilities have already realized, The multiple-use concept for the management of federal lands is no longer valid.

Locations for future linear utility facilities on federally managed lands are a finite resource. Suitable locations are

constantly being lost due to new laws, policies and regulations that are established to protect or conserve other resources. These are resources such as national parks, wildlife refuges, cultural and archeological sites, military reservations, wild and scenic rivers, and wilderness areas.

Adding to these legislatively mandated limitations are the agency's own management and planning prescriptions, which further limit opportunities to provide for the protection and management of strategic utility routes. When included with other land restrictions, such as protected resource areas, lands dedicated to exclusive use and various planning prescriptions, it becomes obvious that utilities must be proactive in federal land management and planning processes.

Before 1976, utility route selection in the West was dictated solely by engineering requirements and ownership constraints. Route selection revolved

around the theory that the most viable and economic route was a straight line connecting the source with the load. Any deviations from this "straight line" routing were made only to avoid geologic constraints or irate landowners.

In 1976, two laws were enacted by Congress that would change the way utilities operated on federal lands, the Federal Land Planning and Management Act (FLPMA) and the National Forest Management Act (NFMA). Both laws established the need for utility corridor planning as a component of Bureau of Land Management and U.S. Forest Service planning efforts. It soon became clear to many western-based utilities that this focus on federal land planning efforts, combined with the authority to regulate future land uses based on approved land use plans, would have a significant impact on any future utility route selections crossing federal lands. The utility industry had to increase its

involvement in long range planning on lands managed by federal agencies.

Also stipulated in the FLPMA was a requirement that the BLM and the Forest Service designate utility corridors in their respective land management planning activities. However, before either agency could designate corridors, the utility industry needed to provide information detailing the location of strategic corridor locations.

The result of this proactive involvement is the Western Regional Corridor Study. This study, involving more than 60 utilities, provides an extensive text and maps showing not only strategic utility routes (both existing and potential), but also those areas that exclude or seriously constrain the construction, operation and maintenance of linear utility facilities crossing federally managed lands. This study is the latest result of more than 14 years of efforts by the utility industry to

provide information on existing and future strategic utility corridor requirements in the western United States. It is presently available to all BLM district and resource area offices, and every National Forest in the 11 western United States.

The fundamental question: "What is a utility corridor?" The definition as provided in the Western Regional Corridor Study reads as follows:

A utility corridor is a linear strip of land without definite width, but limited by technological, environmental and topographical factors, and containing one or more utility, communication or transportation facilities. A corridor is a land use designation, identified for the purpose of establishing policy direction as to the preferred location of compatible linear facilities and compatible and conflicting land uses. It does not imply entitlement of use. Appropriate environment review and regulatory permitting must precede occupancy on a project-specific basis.

The BLM uses the 43 Code of Federal Regulations (CFR) 2800.0-5 definition of an existing corridor that characterizes corridors as "a parcel of land, without fixed limits or boundaries, that is being used as the location for one or more

transportation or utility rights of way."

Some Forest Service plans use the definition of a corridor provided in 36 CFR 219.3 that states that a corridor is "a linear strip of land identified for the present or future location of transportation or utility rights of way within its boundaries."

All three definitions hold a common theme. A utility corridor is a planning tool. If a utility corridor is designated in a BLM Resource Management Plan or Forest Service Land Use Plan, then that corridor is the preferred location for future utility facilities.

The next question: "What are the benefits of having designated utility corridors?"

(1) Federal land management agencies designate utility corridors to give priority consideration for locating utility facilities in specific locations or concentrated linear areas. Through this consolidation, the agencies can minimize the number or separate rights of way, identify preferred locations for future utility locations, and establish joint use planning corridors, thereby, minimizing the overall environmental impacts of utility facilities. This is a key concern of industry and the agencies alike. By establishing utility corridors as a planning element in federal land use plans, public participation is encouraged in the review and consideration of future utility routes.

Increased public awareness of this type of land use and the potential effects on public land can lead to constructive discussion of the need to designate utility corridors.

(2) If a utility is able to use a designated corridor for routing a facility, then the NEPA environmental review can be expedited. The designation of a utility corridor in a planning document denotes the preferred location for a utility facility. Consequently, the use of a utility corridor should save the project proponent considerable time and expense of studying routing alternatives and providing necessary environmental data.

The utility industry recognizes that agency designation of a utility corridor does not bypass the NEPA process, nor does corridor designation guarantee an entitlement of use. However, the industry does regard the formal designation of corridors as critical to the long-term maintenance of efficient and reliable energy and telecommunication systems in the West.

(3) The reliable transportation of energy and communication services to the citizens of the United States is of critical importance. In today's society, it is vital that identified strategic linear utility corridor routes be protected for future use. As stated above, the availability of utility corridors is diminishing. An

important tool for the protection of remaining utility corridor opportunities is provided by having corridors designated in federal land management plans. In this fashion, the public is put on notice that utility use has been given a priority for existing use and future construction of a linear facility in that location. Should an alternate use for that area be expressed, such as a recreation use or military withdrawal, then the utility industry as well as the public can be put on notice of a possible conflicting or compatible use.

The utility industry plans to become more involved in future federal land planning and management efforts. Representatives of the utility industry will be available individually or as a group to assist in identifying utility corridors for designation during plan reviews. These representatives may also become more involved in other federal land issues as well. The continued utilization of federal lands in the West for the transportation of energy and communication services is a number one priority. □

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