

Testimony from:

**Colorado State Senator Dan Gibbs.** Senator Gibbs' district encompasses lands affected by the Rocky Mountain Pine Beetle epidemic and is a Type II Wildland Firefighter with experience fighting fires in Colorado and California.

**Colorado State Representative Christine Scanlan.** Representative Scanlan's district is a long-time resident of the high country and has worked hard to help lands and communities affected by the Beetle infestation.

Together, the two Colorado legislators have passed more than a dozen laws relating to the Mountain Pine Beetle Epidemic.

Prepared for *Mountain Pine Beetle: Protecting the West*

Subcommittee on National Parks, Forests and Public Lands

#### TESTIMONY

The Rocky Mountain Pine Beetle epidemic is changing Colorado and the American west. This transformation is immediately apparent to anyone spending time in the Rocky Mountains. Even a cursory glance from a visitor emerging from the Eisenhower Tunnel heading west on I-70 evinces reaction, acre upon acre of orange, red and brown stretch as far as the eye can see, a striking reminder of the permanent change our landscape, our ecology, and our communities are undergoing.

Of the 2.2 million acres of lodgepole pine forest that extend from Wyoming to New Mexico, the Mountain Pine Beetle has already killed 1.5 million, and current estimates indicate that every lodgepole pine forest in the state will be dead within a decade. The sweeping beetle-kill and the specter of fire threatens Colorado's local communities, the region's drinking water, wildlife, landscape and recreation economies, and the country's food supply.

In response, local, state and federal agencies as well as private businesses have joined together to address the growing devastated areas and the threats that they present. The State of Colorado has adopted a number of innovative strategies, including the creation of public-private partnerships and cross-jurisdictional forest management techniques. But the cost of forest treatment is high, and the difficulty of disposing resulting woody material represents a major challenge.

The beetle infestation requires immediate action, and more careful land management in the future. In the short term, the top priorities are to reduce the threat through prevention, and ensuring sufficient fire suppression resources are available when a fire does occur. Our long-term response will emphasize managing the next forest for greater diversity and resilience.

In spite of the state's best efforts, resources are limited, and it is incumbent upon the federal government to act more aggressively to suppress and prevent fires, and to take advantage of a unique economic development opportunity by fostering the growing market for beetle-killed timber.

Specifically, we are asking for the following:

- Increased funding for local, state and federal officials to apply toward fire prevention and suppression.
- Passage of the FLAME Act to decouple fire prevention and suppression funding, and to continue the “good neighbor” policy that has been so effective.
- Follow Colorado’s lead to introduce legislation that removes barriers to cross-jurisdictional cooperation and that encourages public-private collaboration.
- Foster the creation of new markets for beetle-impacted blue wood products and wood pellets for woody biomass.

## THE THREATS

Unfortunately, many dead tree stands pose grave threats to Colorado’s growing mountain communities and vital assets. In 2008, within the five-county epicenter of the infestation:

- 12 incorporated municipalities were within impacted forest, and another 11 adjacent to forest lands.
- 28 incorporated municipalities that derive most of their drinking water from sources that flow through dead and dying forests.
- 2,000 miles of roadways, including many sole evacuation routes, jeopardized by dead trees.
- 1,500 miles of hiking and biking trails spanning three national forests that are in danger of closure this year.
- 52 emergency communications sites at risk.
- The Colorado River, which supplies seven western states and major metropolitan areas including Denver, Las Vegas, Phoenix and Southern California with fresh drinking water.
- 633 miles of electrical transmission lines and 1,300 miles of electrical distribution lines – including major lines that feed power to the entire western United States – at-risk from falling trees and fire.

Tens of millions of people across the west depend on the electricity that travels across impacted lands, and most everyone in the country depends on the water that flows downstream from Colorado, and the food that that water is used to grow. Let us make no mistake: the bark beetle epidemic poses an immediate threat to the United States’ national security.

The impact of a regional power and communications network failure resulting from fire would be catastrophic to the entire western United States. According to the Tri State Generation and Transmission Association, if just one dead lodgepole collapses on the wrong transformer or power line, it could cause a fire that initiates an uncontrolled cascading power outage in Colorado and neighboring states.

According to Colorado State Forester Jeff Jahnke, the bark beetle affects more than 100 miles of WAPA, Tristate, Platte River Power Authority and Xcel transmission lines and an uncalculated number of smaller distribution lines. Electricity generation in western Colorado must cross many high-elevation areas to serve Front Range energy demands, and high-voltage transmission lines can be forced out of service by

smoke or damaged from the extreme heat of wildfires. Shutting down transmission lines can threaten power in Denver and other Front Range communities, areas throughout Colorado, and neighboring states. More than 500 miles of high voltage transmission corridors—WAPA has a over 350 in USFS Region 2 being addressed in the joint EIS Xcel and Tristate have at least another 150—in both Colorado and southern Wyoming can be affected. And the number of miles of lower voltage distribution lines serving Colorado mountain communities is even greater. A cascading power outage would, at the very least, cost billions of dollars to correct.

The threat to our water is equally significant. The Colorado River's headwaters are located in Colorado, and an estimated 75 percent of the Colorado River's total flow originates in the state. The river's tributaries and transmountain diversions – which cut through thousands of bark beetle-infested areas—serve nearly two million people in Colorado, and tens of millions across the west. Access to the river, which provides millions of acre feet of fresh water annually for agriculture, recreation and drinking in 13 western states, could be crippled by a severe wildfire stemming from Colorado's tinder-dry lodgepoles. If the Colorado River became overburdened with refuse from a fire, the cost to the upper and lower basin states' recreation economies, and the country's agricultural system, is incalculable.

A fire originating from beetle killed forests would likely burn incredibly hot, increasing the potential for scorched earth. In turn, forest regeneration would take longer due to the destruction of organic matter, increased erosion and flood, and debris flows into our fresh water supplies – including the Colorado River – would greatly expand. This type of devastation is not unknown: the Hayman Fire, which burned more than 138,000 acres along the Front Range in 2002 caused millions of dollars in damage to Denver's water supply in particular, and Colorado's more generally. Indeed, cleanup efforts from the Hayman Fire requiring “substantial expenditures” continue to this day, according to the utility Denver Water.

Moreover, the specter of danger posed to the west's fresh water supplies is far greater today than in 2002 when the Hayman Fire occurred due to the rise in dry and dead forestlands (2.2 million acres).

Additionally, with expanded urbanization comes an unprecedented risk to people living in both rural and urban settings. Today more than one million people live within Colorado's Wildland Urban Interface (WUI). Local communities also face significant economic concerns, as the loss of Colorado's scenic landscapes and injury to the state's world-class ski resorts could eventually cause a decrease in all-important tourism dollars.

Put plainly, the bark beetle epidemic poses a very real threat to Colorado's local communities and economies, but also national food and water supplies, as well as our national security.

## LOCAL SOLUTIONS

Community strategies for living within disturbance-driven ecosystems such as the lodgepole pine forests of northern Colorado must address the reliability and long-term protection of assets critical to our way of life. Essentially, in such environments policy makers are required to become more flexible and innovative. At the state level, we have undertaken vigorous efforts to mitigate the threat with a number of unique collaborations between state and local government and private industry.

Our creativity stems from necessity; Colorado possesses very limited resources to apply toward mitigating the infestation. As such, we have focused on passing enabling legislation to empower communities to write comprehensive and integrated fire preparedness plans; to improve information

sharing between state, federal and local agencies; and to create incentives for private businesses that deforest impacted areas and utilize those resources.

As the scale of the infestation has clarified, policymakers have been able to strategically target what were once disparate legislative efforts. For example, this past legislative session, we passed an aggressive agenda that originated in a special interim committee. The integrated legislative package not only emphasized mitigating the threat, but provided new solutions to assist local and federal officials' partner more effectively, and to encourage private industry to take advantage of economic growth opportunities that may exist.

The capstone of the General Assembly's legislative efforts was a sweeping piece of legislation making \$3 million available for a series of initiatives to combat the epidemic. Moneys from the legislation will assist mountain and Front Range communities plan for forest health management activities by: addressing the population centers along the wildland-urban interface; expanding protection for Colorado's watersheds, local communities and vital infrastructure; and providing grants for market-based solutions to reduce the overall threat posed by wildfire.

This new funding is critical, as we have demonstrated that even small state investments pay large dividends. Each state dollar receives a matching fund, so with just \$1 million in state funding, we've been able to treat \$5 - \$6 million in forest land.

Additional efforts included the following:

- We provided a 5-year exemption from business personal property taxes for qualified businesses that remove trees killed by bark beetles when they assist with forest restoration efforts on the affected land after the beetle-killed timber is removed. Also creates a fund to provide start-up money for new Colorado businesses that process and sell beetle-killed timber and products.
- We expanded the ability of counties to raise money to fight fires. Specifically, the bill removes the limit on property taxes that a county can collect – with voter approval – for forest fire fighting.
- We required the state forester to establish guidelines for Community Wildfire Protection Plans with input from state, local and federal government officials, and other interested parties.
- We streamlined and clarified the roles of state and local emergency personnel when fires occur, specifically allowing sheriffs to develop and update wildfire preparedness plans, and to specify what information should be included in a plan to be effective.

#### FEDERAL COLLABORATION:

Colorado lawmakers are committed to fighting the fire threat and restoring our forests. However, the need has simply outpaced our financial resources.

We are grateful to our Congressional delegation for taking the lead on this issue to develop new and exciting federal level solutions. For example, we are thrilled that the FLAME Act has already passed the House; recognizing the need to disentangle fire prevention from fire suppression is a huge step forward. We hope the FLAME Act passes the Senate in its current or similar form.

Likewise, expanded funding over the past two fiscal years has improved our ability to prevent fires before they occur, and suppress fires when they happen. But far more is needed to fulfill our priorities.

Last year, Rick Cables and the Regional Forester's Office estimated the cost of mitigating the bark beetle impact effectively at more than \$200 million over three years. That includes money for threats to human life and safety posed by falling trees, and emergency and non-emergency hazard mitigation and infrastructure protection.

We know that President Obama has included additional funding for both suppression and prevention in this year's budget. It is absolutely essential that these funds remain within the budget that is eventually passed by Congress, and that funds can be distributed in such a way that they reach the state and local officials who can properly apply them where they are most critically needed.

By disentangling suppression and prevention, and expanding funding overall, we will be able to address our varied needs more effectively. For example, two-thirds of Colorado's fire protection districts are comprised of volunteer firefighters, and many lack adequate wildfire training. Likewise, despite our best efforts to create incentives and provide grants for drafting community wildfire prevention plans, many still have not written these very basic documents. Each activity requires a separate funding source.

There are 22.6 million acres of forestland in Colorado. Of this acreage, nearly 70 percent is federally owned, including 49 percent managed by the U.S. Forest Service. Private landowners oversee an additional 28 percent. Fire knows no boundaries. So fire management actions must cross-jurisdictional to be effective.

We hope the FLAME Act reaches President Obama's desk with an extension of the "good neighbor" policy. It is essential that we continue this basic policy of partnership, granting flexibility to both local officials and property owners to go where they need to go to mitigate fire danger.

Areas where expanded partnerships may flourish also exist, but state and local officials must have the appropriate authority to venture onto private land when necessary to squelch wild fires. Likewise, and within reason, private landowners must be empowered to protect their private land when it abuts state or federal property.

Finally, while the epidemic poses a serious challenge to Colorado, it also poses a unique economic development opportunity. The blue-tinged wood from beetle-killed timber creates a desirable aesthetic effect. If harvested early enough, wood from beetle-killed trees may be used for a variety of wood products, including furniture. The timber can also be ground into pellets that can provide a cheap, efficient, and green source of energy. Biomass can be used for both large-scale and small-scale power production.

Colorado has passed various laws creating incentives to help foster this industry. However, we believe that local timber harvesting contractors and wood processing businesses could still better help with management solutions if they had a long term guarantee of a viable market for their products. Additionally, these huge swaths of timber will only be viable for a discrete period of time, as nature and rot eventually take their toll on the integrity of the wood.

We would encourage Congress to create a permanent and viable market by continuing and expanding federal incentives for woody biomass, and creating a new incentive for other beetle-killed wood products.

**CONCLUSION:**

While we have undertaken vigorous efforts to mitigate the threat with limited resources through a number of unique collaborations between state and local government and private industry, we are not able to address the infestation adequately without further help.

It is now incumbent upon the federal government to act.