

Thank you Chairman Radanovich and Chairman Walden, Members of the Subcommittees, and a special thank you to Representative Herseth from my home state. Chairman Walden, thank you for visiting the Black Hills of South Dakota last August and for holding a subcommittee hearing there. You have first-hand knowledge of the area and some of the challenges we face.

I appreciate the opportunity to address the subcommittees on forest management practices as they relate to electric service. My name is Dan Hutt. I am a native of the Black Hills with a degree in biology and twenty-seven years of experience with the electric cooperative serving the area. I have also served on the Bureau of Land Management Dakotas Resource Council and am currently an alternate member of the Black Hills National Forest Advisory Board.

Black Hills Electric Cooperative has approximately 1,000 miles of transmission and distribution power lines within the boundaries of the national forest with 250 miles of that on Black Hills National Forest special use permits. The cooperative provides permanent electrical service to dozens of national park, national forest, U.S. Geological Survey, and state game, fish, and parks facilities. We also provide service to fire departments and other emergency responders, communications facilities, and fire suppression camps.

Due to the management practices of the past few decades, much of the Black Hills National Forest is overpopulated with unnaturally dense and unhealthy stands of Ponderosa Pine trees. The overcrowded forest conditions and the severe drought of recent years have created ideal conditions for unprecedented infestations of the mountain pine beetle. The millions of dead and dying beetle-infested trees have contributed to the already excessive fuel loads creating dangerous conditions that support large, intensely hot, unmanageable wildfires. Please refer to the testimony at the subcommittee's hearing in Hill City, South Dakota in August of 2005 for details of the forest conditions.

The forest conditions have had a major impact on cost and reliability of electric service in the cooperative's service territory. Since 2000 almost 200,000 acres have burned in intense wildfires. Black Hills Electric Cooperative sustained greater losses in those fires than any other private property owner. Miles of power line were completely destroyed and a substation was permanently disabled. Thousands of families and businesses were without power.

Falling trees and wildfires have been the single largest cause of power interruptions on the cooperative's system over the past five years. The cooperative has had to expend extensive resources to combat the danger of beetle-infested trees and other trees weakened by decades of forest management practices. The cooperative is discouraged from adequate clearing by requirements of advance payment at market price for unmarketable trees cut during right-of-way (ROW) maintenance.

The cooperative has a legal obligation to serve all within its service territory. With the present forest conditions the risk to provide that service is astronomical. One spark from a falling tree, severe winds, or an equipment failure could ignite an inferno that would be devastating to Black Hills' communities and to the cooperative.

My cooperative has enjoyed a good working relationship with the Black Hills National Forest for many years. From the Forest Supervisor to the men and women in the field there is a universal dedication to the mission of the forest service. The deplorable condition of the forest is not the result of bad people doing a lousy job or the result of the management practices these talented people would have preferred. It is the consequence of a system that is broken and needs to be fixed or replaced.

In the little time I have left, I offer the following suggestions for improvement in the management of federal lands. My written statement addresses them in greater detail.

1. ***Include forest health as a major objective in all forest planning.***
2. ***Review, reform, and streamline planning processes.*** Provide for the use of categorical exclusions or similar management tools for most projects. Review the effectiveness and advisability of all environmental requirements. Limit appeals and litigation of forest management decisions. Allow local forest managers more flexibility and place more weight on local comments received during the hearing process.
3. ***Include utilities in timber sales, forest improvement projects, and planning processes.*** Strengthen stewardship programs for fuel reduction on forest areas adjacent to private lands and utility ROWs. Plan timber sales so that they enhance utility ROWs. Remove barriers to utility ROW maintenance including prior notification, limited access, and fees for unmarketable trees. Remove beetle-infested trees from wildland/urban interfaces and areas adjacent to utility ROWs. Promote negotiation between federal agencies and utilities in the development or extension of special use permits. Encourage agency personnel to participate in free safety training provided by utilities.
4. ***Review and improve fire suppression management practices to enhance effectiveness and lower costs.*** Include utility structures in fire protection assignments. Remove the risk of strict liability from special use contracts and assess damages only in the case of proven negligence.

5. ***Amend or repeal 36 CFR 251 so that it does not encourage excessive analysis at the expense of special use permit holders.***

In conclusion, I would like to thank you for inviting me to testify today. Forest health is vitally important to this nation's health and to the reliability of its electric power system. I am encouraged by the subcommittees' interest in the topic. Thank you, and I'd be happy to answer any questions you might have.