

Statement for the Record
Bureau of Land Management
U.S. Department of the Interior

House Natural Resources
Subcommittee on National Parks, Forests and Public Lands
H.R. 5040, Aerial Incursion Repercussion Safety Act
June 18, 2020

Thank you for the opportunity to provide a Statement for the Record on H.R. 5040, the Aerial Incursion Repercussion (AIR) Safety Act. The bill directs the Bureau of Land Management (BLM) in consultation with the U.S. Forest Service to conduct a study and report to Congress on the effects of drone incursions (or unauthorized drone flights) on wildfire suppression efforts of the two agencies.

Federal fire operations are coordinated through the National Interagency Fire Center (NIFC) based in Boise, Idaho. In addition to coordinating wildland firefighting efforts with our interagency partners, the BLM is also responsible for implementing Executive Order (E.O.) 13855, *Promoting Active Management of America's Forests, Rangeland, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk*, and Secretary's Order (S.O.) 3372, *Reducing Wildfire Risks on Department of the Interior Land Through Active Management*, to reduce wildfire risk on public lands by conducting fuels reduction projects. In Fiscal Year (FY) 2019, these projects accounted for 846,000 acres of the BLM-managed land.

Over the last three years, nearly 60,000 wildfires burned approximately 8.0 million acres of Federal, tribal, state and private lands on average each year. When the Department of the Interior (DOI) responds to wildland fire incidents, public safety is the top priority. DOI fields highly trained professional firefighters who are committed to managing fire in the most effective and efficient ways possible. Ensuring the safety of the firefighter is also of paramount importance in the agency's fire program. Unauthorized, unmanned aircraft system flights over or near wildfires endanger the lives of pilots, firefighters, and members of the public. The BLM shares the sponsor's concern regarding drone incursions in wildland firefighting efforts and the BLM supports H.R. 5040.

Background

Unmanned Aircraft Systems (drones) have been gaining in popularity in recent years. Unfortunately, unauthorized drones can be deadly if flown near wildfires, as they can interfere with wildland fire air traffic, such as air tankers, helicopters, and other firefighting aircraft that are necessary to suppress wildland fires. Aerial firefighting missions – including aerial supervision, air tanker retardant drops, and helicopter water and cargo drops – occur up to 200 feet above ground level, which is the same altitude that many hobbyists fly drones.

All authorized aircraft on fire incidents maintain radio communication with each other to safely coordinate their missions, but aerial firefighting flight crews have no way to communicate with drone operators. Aerial firefighting aircraft are unable to detect drones other than by seeing them, and visual detection is nearly impossible due to the small size of most drones. These

factors make mid-air collisions with unauthorized drones distinct threats. In most situations, if drones are spotted near a wildfire, firefighting aircraft must land due to safety concerns. This prolongs firefighting operations and results in larger and more hazardous wildfires, with aircraft unable to drop fire retardant, monitor wildfires from above, or provide tactical information to firefighters.

The Federal Aviation Administration (FAA) issued less restrictive drone regulations in 2016, which increased the frequency of civilian drone use on public lands. Since then, the BLM has been working to educate the public about wildland fire drone incursions and the hazards associated with them. According to NIFC, in 2019, there were 21 reported drone incursions during wildfire operations, resulting in aerial firefighting efforts being suspended 10 times, and there have been a total of 167 drone incursions over wildfire since 2014.

H.R. 5040

H.R. 5040 directs the BLM in consultation with the U.S. Forest Service to conduct a study and report to Congress in 18 months on the effects of drone incursions on agency wildfire suppression efforts. Under the bill, the study is to include information on the number of drone incursions that interfered with wildfire suppression and the effect that the incursion had on the effectiveness of the aerial firefighting response; the length of time to achieve complete suppression; and the funds spent by the federal government on the suppression efforts. The bill also requires the BLM to include in the study an evaluation of the feasibility and effectiveness of various actions to prevent drone incursions.

Conclusion

The BLM and our wildland firefighting partners continually work to improve firefighter safety. The BLM supports the bill and looks forward to working with the sponsor and Subcommittee as the legislation moves forward.