

**Statement for the Record
U.S. Department of the Interior**

**Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, & Mining
S. 4625, the National Prescribed Fire Act of 2020
November 18, 2020**

Chairman Murkowski, Ranking Member Manchin, and members of the Committee, thank you for the opportunity to provide testimony on S. 4625, the National Prescribed Fire Act, which aims to expand the use of prescribed fire on lands managed by the Department of the Interior (DOI) and the U.S. Forest Service. The Department supports S. 4625 and we look forward to working with the Committee on adjustments to the bill to facilitate the use of prescribed fire and other hazardous fuels reduction measures, increase agency accountability, and systematically enhance cross-border and landscape level collaboration among Federal agencies, states, tribes, and other landowners.

The DOI recognizes the importance of collaboration with partners to achieve the goals of the National Cohesive Wildland Fire Management Strategy (Cohesive Strategy), which are to restore and maintain fire-resilient landscapes; create fire-adapted communities; and safely and effectively respond to wildfires. We emphasize that this collaboration is critical to implementing prescribed fire in a systematic manner to reduce wildfire risk. Partnerships are key to DOI's land stewardship responsibilities, including the application of prescribed fire in the suite of tools that are available to help reduce wildfire risk; protect communities, infrastructure and watersheds; promote post-fire rehabilitation to help restore landscapes; and apply the fire science that provides information needed for fire practitioners and decision makers.

The majority of issues in wildland fire management arise from the ground up, and most are managed first at the local or landscape level, across ownerships and among interested stakeholders. The Cohesive Strategy provides the foundation for this important local cooperation. The Prescribed Fire Act would further the collaboration embodied by the Cohesive Strategy, beginning with neighboring landowners.

2020 Wildfire Status and Fuels Accomplishments

So far this year, more than 47,000 wildfires have burned over 8.5 million acres of land. Record heat, extended drought, widespread concurrent lightning ignitions, and several wind events have fueled wildfires across the West. Human-caused wildfires on average comprise 87 percent of all wildfires and most of these fires can be prevented. The Nation spent 49 days at the highest level of wildfire preparedness and a record 32,727 firefighters were deployed at one time this summer to support firefighting efforts. Mutually beneficial agreements facilitated international support from Canada and Mexico. Federal and state firefighting efforts were aided by state National Guard and active duty military that were deployed to wildfires in California and other places in the West.

The cumulative impacts of drought, invasive species, and climate variability created a landscape more susceptible to devastating wildland fires. Long and severe drought and a combination of stressors impacted wildland vegetation across nearly the entire western U.S. in 2020. As the grasses matured and dried, they readily spread fire to the woody vegetation impacted by drought. These impacts and declining forest health were exacerbated by an ever-expanding wildland urban interface, and the inherent complexities and dangers of fighting wildfire in and around these growing communities. We continue to be impacted by escalating emergency responses and increasingly dangerous and costly wildfire response operations.

Under President Trump's leadership, the DOI has led the way in taking bold action to address the overabundance and accumulation of excessive vegetation. In December 2018, the President signed Executive Order (E.O.) 13855 focused on active management and reducing wildfire risk. The Secretary of the Interior also addressed wildfire risk under Secretary's Order (S.O.) 3372, emphasizing hazardous fuel reduction, mitigating fire risk, and ensuring the safety and stability of local communities through active management of forests and rangelands. As a result, the DOI is taking aggressive steps to protect communities, watersheds, and infrastructure from the threats of wildfires. This past year, the DOI completed over 1.5 million acres of fuels management treatments on DOI and Tribal lands. This is a 25 percent increase over last year's accomplishments and builds on four consecutive years of increasing treatments totaling more than 5 million acres. It is also the largest number of acres treated over the past decade. Fuels management treatments are proven to have a critical role in influencing wildfire behavior, enhancing the safety and effectiveness of wildfire response, reducing wildfire risk, and safeguarding our communities.

Our partnerships with other Federal agencies, Tribes, states and local governments, and other stakeholders are increasingly important as we implement the E.O. and the S.O., and an integrated Wildland Fire Management program (WFM). By focusing on collaborative landscape-level treatments that remove excessively stocked forests and woodlands, maintaining previous treatments through the use of prescribed fire, and allowing fire to occur at the appropriate intervals and intensities, we can better protect the health of the landscape and the safety of the public and our firefighters. We believe that over the long-term this strategic approach will help us to better manage wildland fire and post-fire rehabilitation. We further believe that our efforts are consistent with the goals and direction of S. 4625.

Collaboration and Coordination in Wildland Fire Management

The Wildfire Leadership Council (WFLC) promotes cooperation between Federal, state, local and Tribal partners on key wildland fire management issues. The mission of WFLC is to guide the consistent implementation of wildland fire policies, goals, and management activities. WFLC provides a structure to facilitate these objectives in support of fire-adapted communities and resilient landscapes. However, it is not an advisory board, and any change to its governance as potentially envisioned by S. 4625 requires adherence to the Federal Advisory Committee Act.

Wildfires throughout the western United States have had a devastating impact in terms of loss of life, loss of homes and businesses, and damage to infrastructure, forests, and rangelands. This past year, the smoke impacts from wildfires were some of the greatest and most prolonged that

we have seen for at least many decades, as individual fires and burned areas in several states were the greatest in any period of record. While review of epidemiological data on the human health impacts of wildfires in 2020 have not been completed, we know that smoke has significantly impacted wildfire suppression operations, public health, recreational uses, and both vehicular and aircraft transportation.

Current actions will help WFLC focus on the benefits of prescribed fire. DOI is collaborating with the USFS and the Environmental Protection Agency on comparative assessments of smoke from wildfires and prescribed fires in multiple regions of the country to better characterize their effects in various types of vegetation. Building on these analyses, DOI and the USFS are working with the Centers for Disease Control and Prevention on a health impact assessment that will quantify the public health tradeoffs of smoke from wildfire and prescribed fires, including the social, economic and ecological impacts that will be drawn from the EPA analyses. This work is expected to be completed in 2021.

Under E.O. 13855, the Secretary of the Interior, in conjunction with the Administrator of the Environmental Protection Agency, are working to identify areas to reduce interagency regulatory barriers and eliminate redundant policies in order to promote efficiencies in implementing the Clean Air Act and reduce wildfire risk. As a result, the agencies have made significant progress in defining common ground for the use of prescribed fire, and in defining areas that merit further scientific clarity to support a basis for increasing implementation of prescribed fires on the landscape.

S. 4625, the National Prescribed Fire Act

Many provisions of the National Prescribed Fire Act are consistent with efforts underway at DOI. However, for too many years we have witnessed ever-larger wildfires, particularly in many western states. While we have made considerable progress in addressing fuels management on Federal lands, the trajectory that we have been on for the past century requires meaningful revision, including expanding the use of the tools that we have, improved coordination with our partners, and flexibility in the use and implementation of Federal programs and resources.

Prescribed Fire Accounts

Section 101 of the bill establishes a Prescribed Fire Account, which may be helpful, but the specific implementation and use of this account could be simplified. If it is the intent of the Committee to leave the mechanics of the account to the agencies and the Office of Management and Budget, then such direction to the Secretary may be sufficient. However, the Department notes that implementation of the proposed structure of the accounts presents significant accounting and tracking challenges. The Department would like to work with the Committee to simplify these requirements while preserving accountability and the spirit and intent of the bill.

Notably, the official system of record for DOI prescribed fire and other fuel treatments data is the National Fire Plan Operations Reporting System (NFPORS), rather than the data maintained

by the National Interagency Fire Center (NIFC). The record system at NIFC was designed to inform day-to-day resource commitments for wildfire suppression; as such, the system was not meant to be used to track prescribed fire use by other agencies or the public. While it does include data from many state agencies, it has also varied significantly over time in its comprehensiveness. The system is, therefore, useful to inform mobilization of wildfire suppression resources, but is not a perfect tool for tracking the comprehensive use of prescribed fire. The Federal wildland fire management agencies do not rely on the system for prescribed fire use because of these inherent limitations.

The National Wildfire Coordinating Group has chartered working groups that foster cooperation among the Federal agencies, states, Tribal, and local partners. States are represented on these working groups, which set data standards for wildfire incidents. These standards allow for the seamless integration of Federal, state, and local data to permit interoperable online collaborative geographic information systems. This type of collaboration can be used to improve the reporting of prescribed fire use in real time, and to more systematically and more consistently incorporate prescribed fire use data from our state, local, and Tribal partners.

The DOI supports development of an improved system, but strongly recommends that the federal agencies and the states collaboratively develop the most accurate and nimble system in the most cost-effective manner. This may not necessarily be an enhanced NIFC system, which would duplicate other DOI and USFS data systems.

Policies and Practices

Section 102 of the bill requires that the Secretaries significantly increase the number and size of prescribed fires on Federal lands. The bill establishes a criterion for large cross-boundary prescribed fires at 50,000 acres per year, which is unrealistic in many ecosystems. The DOI strongly affirms that the use of prescribed fire should be, and can be, significantly increased. However, it requests continued flexibility in determining how best to use the tool for treatments.

Prescribed fire is needed for the germination of some pine and brush seeds, the rejuvenation and sprouting on many brush and grass species, and the restoration and maintenance of habitat of a multitude of species. Prescribed fires release nutrients that can benefit plant growth and thin the understory of many tree species, including Ponderosa pine (*Pinus ponderosa*) and Giant Sequoia (*Sequoia sempervirens*). Without this natural thinning, thick understory vegetation and debris accumulate, resulting in fuels that produce higher intensity fires and can kill native vegetation. The sheer magnitude of our vegetation and fuels accumulation across various vegetation types necessitates the use of every available tool. Prescribed fire is often the most cost-effective tool available and can mimic natural ecological processes.

At the same time, our resource managers understand that not all lands need to see the equivalent increase in the use of prescribed fire. Some specific vegetation types, historical land uses, and current drought conditions dictate the amount and frequency of prescribed fire that can be, or should be, used to manage these lands. Under natural fire cycles, or with native American uses of fire, large areas formerly burned lightly every few years, while others burned every 200 years or less often. These areas should therefore not be burned with prescribed fire uniformly, to the

same extent and at the same frequency. In many of these areas, mechanical treatments must first be completed before prescribed fire can be implemented.

The DOI also recognizes that some small and some vast landscapes have invasive plant species that cannot be burned without greatly increasing the spatial coverage of those invasive species. These species include cheatgrass (*Bromus tectorum*) that occupies an increasing extent of our Great Basin sagebrush steppe ecosystem. The use of prescribed fire on some lands may not be compatible with some land use designations or may result in risks to resource values. Limitations may also exist in some wildland urban interface areas during drought, adverse weather, or other situations in sensitive areas.

In Section 102(d), the DOI believes that more flexibility is warranted. There are areas that have a fire return frequency of longer than 35 years, where fire risk may be very high. Areas in a mixed fire regime, with a fire return interval of 35 to 100 years may present significant social and environmental risks, as we witnessed in northwest Oregon this past summer. Prescribed fire treatments of less than 100 acres might have helped particularly significant resources within larger burned areas. The DOI welcomes a further discussion of details of the bill with the Committee to ensure flexibility where it is needed.

Collaboration and Cross-Boundary Programs

Sections 103 and 104 of the bill focus on facilitating cooperation and training to enhance prescribed fire activities. The DOI supports these sections but would like to note that the Federal agencies currently provide substantial technical assistance to the states, and prescribed fire implementation frequently involves the sharing of resources in both directions. Contingency resources very commonly support each other. In a very real sense, cooperation in prescribed burning is similar to the level of cooperation we have seen in wildfire suppression. Qualifications, training, and standards for prescribed fire are shared across agencies as in wildfire suppression. As we increase the use of prescribed fire, the need for cooperation and collaboration will only increase for us to be successful. The DOI would like to work with the Committee to look for ways to leverage existing programs and agreements to facilitate additional prescribed fire treatments.

Environmental Reviews

The DOI would like to work with the Committee to ensure that environmental reviews do not become overly burdensome, time consuming, and diminish windows of opportunities to complete critical prescribed fire treatments while continuing to protect communities, infrastructure and watersheds. Some uses of prescribed fire are covered by categorical exclusions, which are a type of environmental compliance, not an exemption from the National Environmental Policy Act (NEPA). If we hope to significantly expand the use of prescribed fire, we need to rely on planning, modelling, and monitoring of both implementation and fire effects. The Administration has submitted proposed legislation, in the form of legislative NEPA categorical exclusions, as part of the President's Budget for fiscal years 2020 and 2021. There is considerable overlap between the Administration's proposal and the provisions included in Section 204. The Department would welcome an opportunity to work with the Committee to combine this section with the proposal, and to get all of the Administration's wildland fire proposals enacted.

Human Resources

The DOI supports the workforce and human resource provisions included in Sections 201 and 202 of the bill to support prescribed fire. Direct hire, employment of formerly incarcerated individuals and underrepresented employees can all be human resource avenues to increase our qualified workforce. Some recruitment efforts can be modeled after our efforts to increase veterans in our workforce. The Department remains a leader in providing training and job opportunities for veterans who wish to continue their service to our country. We will continue our efforts to emphasize the hiring of veterans to fill the ranks of our wildland fire management resources and would benefit from expanding these efforts to other groups.

Notably, the fiscal year 2021 President's Budget request includes a \$50 million increase to begin this workforce transformation. The increase in funding will allow DOI to add 601 full time equivalent firefighters through a mix of converting temporary-seasonal firefighters into permanent positions and hiring some new permanent positions. This will facilitate overall improved firefighting capabilities and provide the support that is needed to more aggressively implement fuels management treatments on a year-round basis. Career appointments also provide stability to the workforce; reduce recruitment, on-boarding, and training expenses; increase morale; and help build the next generation of DOI wildland fire managers.

The DOI also recognizes the contributions of the Prescribed Fire Training Center in Tallahassee, Florida, in developing expertise within the interagency wildland firefighting community. The current center's location is ideal for prescribed fire training, as wildland fire personnel are available for prescribed fire training in the fall, winter, and early spring months. The level of cooperation between Federal and state agencies and private organizations has been outstanding. Training opportunities with the center extend to several surrounding states and include international participants as well, providing nearly year-round opportunities to apply and develop skills. In addition, we would like to work with the committee on ways to expand the reach of prescribed fire training by leveraging existing workshops and academies to facilitate continuing education elsewhere in the West. The DOI suggests that the existing prescribed fire training program, Women-in-Fire Prescribed Fire Training Exchange (WTREX) held in California, also extends its capacity beyond the center in Florida, for Federal agencies, states, Tribes, and external partners.

There are a number of issues that the Department would like to work on with the Committee, such as workforce flexibilities, which would help with overall employment, recruitment, and retention across the wildland fire management program, as well as ensuring that technical details of Section 202 can be implemented to achieve the goals of the Act.

Conclusion

The DOI would welcome the opportunity to collaborate on some of the specific language of the draft legislation to enhance the intended benefits of the legislation, and to avoid some of the potential unintended consequences. These changes would increase the probability of implementing the very useful concepts in the most constructive manner. The DOI agrees with the premise that more prescribed fire use can be highly beneficial but it is not the sole key to

reducing wildfire impacts, and is very willing to work with the Committee to ensure an outcome that will benefit current communities, wildlife, airsheds and future generations.