

**Statement of  
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U.S. Department of the Interior  
Senate Committee on Energy and Natural Resources  
Legislative Hearing on  
Bills to Address Wildland Fire Management and Forest Management**

Chairman Manchin, Ranking Member Barrasso, and Members of the Committee, thank you for the opportunity to provide testimony on the wildland fire management and forest management bills that the Committee is considering today. Together, these bills provide important tools, authorities, and resources that support the Department of the Interior's (Department) on-going efforts to assist wildland firefighters, reduce wildfire risk and improve the resiliency of our nation's forests, rangelands, and grasslands. We appreciate the Committee's interest in making meaningful progress towards addressing the consequential impacts of climate change and protecting communities, the public, and wildland firefighters from wildfires.

**2022 Wildfire Year**

The National Interagency Coordination Center estimates that so far this year, more than 53,000 wildfires have burned a total of over 6.8 million acres of land, surpassing the ten-year average for the number of wildfires by 18 percent and acres burned by 8 percent. On September 8, 2022, the nation reached preparedness level (PL) 4 and remained there for ten days. This is in sharp contrast to 2021 when the nation remained at PL 4 or 5 for a record 99 consecutive days starting on June 21, 2021. What we have observed this year is a more gradual movement of wildfire that started in April in Alaska and the Southwest and progressed to the Pacific Northwest and Northern Rockies in August and September, as is the more typical pattern. Even with this more gradual progression, the Southwest experienced catastrophic wildfires, including the Hermits Peak and Calf Canyon wildfires. Additionally, significant wildfires in California occurred in succession rather than concurrently. This allowed the National Multi-Agency Coordinating Group tasked with national level strategic coordination, to position and concentrate wildland firefighting resources throughout the year in those geographic areas that needed them the most.

Climate change continues to play an oversized role in the extreme fire weather that we're experiencing across the nation. Drier and hotter weather results in low fuel moisture that frequently leads to extreme conditions that produce larger and more intense wildfires. In recent years, nearly every western state has experienced prolonged periods of high to extreme fire danger over substantial areas affecting hundreds of millions of acres of land. Many of these areas are in the wildland urban interface where communities in the West are increasingly exposed to wildfire. A total of more than 4,800 structures, including single residences, have been destroyed by wildfire this calendar year.

**President Biden's Bipartisan Infrastructure Law**

The Bipartisan Infrastructure Law (BIL) is an historic piece of legislation that provides a once-in-a-generation investment to help tackle the climate crisis and improve the resiliency of our nation's lands. Through BIL, the Department received nearly \$1.5 billion to manage and reduce wildfire risk, including substantial resources to increase hazardous fuels management and post-

wildfire restoration activities across our nation's forests, rangelands, and grasslands. These investments will also guide us in promoting climate resiliency across landscapes and communities, modernizing the wildland firefighting workforce, and protecting the safety and long-term well-being of our wildland firefighters.

In fiscal year (FY) 2022, the Department allocated nearly \$180 million to the Bureau of Indian Affairs, Bureau of Land Management (BLM), U.S. Fish and Wildlife Service and the National Park Service to begin implementing key provisions of the law. Together with base program funding, and under the Department's BIL Five-Year Monitoring, Maintenance, and Treatment Plan released earlier this year, the Department plans to address nearly 2 million acres of priority fuels management work that improve landscape resiliency and approximately 1 million acres of restoration treatments on lands impacted by wildfire to curtail the spread of invasive species. The funding also supports science and research to improve the monitoring and assessment of our fuels and restoration work and better understand the influence of climate change on wildfire risk.

Partnerships with state, Tribal, and local stakeholder are essential in carrying out mitigation and restoration work. More than 1.3 million acres of the hazardous fuels work and 450,000 acres of the restoration work noted above will be completed in collaboration with partners. The Department is also leveraging BIL funding to support on-going work with the National Association of State Foresters to develop a geospatial planning tool to facilitate collaborative risk mitigation among stakeholders by helping identify shared values-at-risk and coordinate fuels management projects across landscapes. The tool was successfully piloted last year in Texas, Nevada, and Washington to demonstrate its feasibility and utility.

The BIL also established the Wildfire Mitigation and Management Commission to study and make policy recommendation on all aspects of wildland fire management, including improving wildland fire prevention, mitigation, suppression, management of wildland fires, and rehabilitating lands following wildfires. The Commission is also tasked with working with the Department of Defense to identify surplus aircraft and parts that may be used for wildland fire management purposes. Member of the Commission include an array of federal, Tribal, state, and local stakeholders that represent a wide range of wildland fire management interests. We look forward to the Commission's report and recommendations to help guide the transition to a more innovative and responsive Wildland Fire Management program.

### **Wildland Firefighting Workforce**

In 2021, the Department received \$29 million to begin transitioning to a permanent federal wildland firefighting workforce that would be available year-round for wildfire response and to work on reducing hazardous fuels during periods of lower wildfire activity. While we've made progress in this area, we continue to endeavor to become an "employer of choice" and address on-going recruitment and retention challenges within the wildland firefighting community. To help us tackle this challenge, the BIL provides significant, albeit temporary, funding to increase wildland firefighter compensation, as well as other workforce reforms.

This includes \$120 million in salaries and expenses funding to increase the base salaries of federal wildland firefighters by the lesser of \$20,000 or 50 percent. In FY 2022, the Department allocated more than \$60 million of this BIL funding to implement these short-term supplemental

pay increases, benefitting over 3,800 wildland firefighters and retroactive to the beginning of this fiscal year. The Department plans to continue these pay supplements into next FY. The BIL also directed the development of a Wildland Firefighter occupational series to better align wildland firefighter job duties and responsibilities with the unique work that they perform. The Office of Personnel Management (OPM), in collaboration with the Forest Service and the Department, established the new series earlier this year, and the Department is currently developing position descriptions to align with the OPM standards to begin use some time in 2023.

Finally, we are also addressing a critical need of our wildland firefighters—bolstering programs that support mental health and wellness. In collaboration with our interagency partners, the Department has initiated a study to evaluate wildland firefighter occupational and medical history, stress and fatigue, and the effects of smoke exposure, among other risks. The study will provide valuable insights and help inform priorities as the Department and the Forest Service develop new mitigation strategies for line-of-duty hazards, additional prevention and training programs, and wildland firefighter mental health resources. Already, the agencies have increased critical stress management capacity and additional early intervention trauma support services.

While we've made considerable progress in these areas, we are continuing to work with our federal partners and the Congress to develop long-term solutions to firefighter pay and other much needed workforce reforms so that we can continue to fulfill our obligations to our wildland firefighters and support our Tribal, state, and local partners.

### **Forest Management**

The Department manages forests to restore and maintain forest ecosystems, reduce the risk of catastrophic wildfire, and generate a sustainable flow of forest products that can be sold through commercial and salvage timber sales and personal use permits that support rural communities. Resilient forests store and filter water for aquifers and reservoirs, offer opportunities for recreation, provide habitat for thousands of species, store carbon, provide clean air, support timber and other jobs, and provide millions of board feet of lumber and thousands of tons of biomass for alternative energy. Forests also support local businesses dependent on tourism and outdoor recreation.

Federal lands are home to many of the nation's mature and old-growth forests which are critical to the health, prosperity, and resilience of our communities. President Biden's Executive Order 14072, Strengthening the Nation's Forests, Communities and Local Economies, safeguards mature and old-growth forests on federal lands, as part of a science-based approach to reduce wildfire risk. Under the Executive Order, the Department and USDA are working to conserve mature and old-growth forests and foster long-term United States forest health. The Departments are jointly pursuing conservation and wildfire risk reduction activities, analyzing the threats to mature and old-growth forests on Federal lands, including from wildfires and climate change, and developing policies, with robust opportunity for public comment, to institutionalize climate-smart management and conservation strategies.

### **S. 4833, Save Our Sequoias Act**

S. 4833, the Save Our Sequoias Act, would codify the Giant Sequoia Lands Coalition (Coalition), an existing group of Federal, state, Tribal, and local governments and partner organizations that have a role in the stewardship of giant sequoias. Under the bill, the Coalition would collaborate on and provide policy recommendations to the Secretary on sequoia projects and would be subject to the Federal Advisory Committee Act. The Coalition would develop a Giant Sequoia Health and Resiliency Assessment that would include a public database on sequoia grove conditions and projects. The Coalition would also work with the Secretary to support development and implementation of a Giant Sequoia Reforestation and Rehabilitation Strategy (Strategy), which would include a prioritized list of reforestation and rehabilitation activities, identify and address barriers and opportunities to complete projects, and provide policy recommendations.

The bill would also declare an emergency on certain Federal lands pertaining to the threat that wildfire, insects, and drought pose to giant sequoias, allowing land managers to carry out giant sequoia protection projects in accordance with existing emergency provisions. In addition, the bill would amend the Healthy Forest Restoration Act of 2003 (HFRA) to add Fire Regime IV, defined as 35–200-year stand replacement fire frequency, to HFRA’s authorized programs. S. 4833 would also amend Sections 602 and 603 of HFRA to provide the National Park Service (NPS) certain authorities to complete sequoia projects in insect- or disease-affected treatment areas.

Furthermore, the bill would direct the Secretary to establish Giant Sequoia Strike Teams, which may be comprised of Federal or nonfederal employees or volunteers, to carry out giant sequoia protection projects and the Strategy. The bill would direct the Secretary to establish a grant program to support nurseries in growing sequoia seedlings or facilities that make use of wood from forest thinning projects. The bill would additionally amend Section 8206 of the Agricultural Act of 2014 and Section 604 of the HFRA to authorize the NPS to use Good Neighbor Authority and Stewardship Contracting (respectively) for sequoia projects. And finally, the bill would direct the National Park Foundation and the National Forest Foundation to establish the Giant Sequoia Emergency Protection Fund to support the conservation and reforestation of giant sequoias. In support of these provisions, the bill would provide for the authorization of appropriations of \$325 million over 10 years (FY2024-2033), directing 90% of funds to carry out giant sequoia protection projects and the Strategy.

The Department supports the goals of S. 4833, the Save Our Sequoias Act. We recognize there are serious threats to sequoia groves and believe it is important to address these threats. The Department would like to work with the bill’s sponsor and the Committee to better understand the effects of the legislation, if enacted, on the protection of other natural and cultural resources.

#### **S. 4835, Small-Diameter Timber & Underutilized Material Act**

S. 4835 provides for the removal of small-diameter trees from fire hazard areas as identified by the Secretary of Agriculture or the Secretary of the Interior. Under the bill, trees under 8 inches in diameter, at breast height, in fire hazard areas would be removed generally without a fee or cost recovery unless the Secretary determines that a payment is appropriate for a particular species. The Secretary is prohibited from requiring a volume determination or conducting a timber appraisal to determine the fair market value of the small-diameter trees being removed.

The Department supports the goals of S. 4835 to facilitate efficient fuels reduction. We would like to work with the sponsor to minimize potential economic impacts to counties receiving income from Revested Oregon and California Railroad (O&C) lands and Reconveyed Coos Bay Wagon Road Grant (CBWR) lands. The O&C Lands Act placed 2.4 million checkerboard acres of O&C Lands and CBWR grant lands under the jurisdiction of the Department of Interior (DOI). Under the O&C Lands Act, the Department manages these lands for permanent forest production in conformity with the principle of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating streamflow, and contributing to the economic stability of local communities and industries and providing recreational facilities. Currently, 18 O&C counties receive yearly payments equal to 50 or 75 percent of receipts from timber harvests on O&C lands in these counties. The Department notes that the removal of small-diameter trees in O&C lands without payment could adversely impact payments to the O&C counties. As a result, the Department recommends that O&C lands and CBWR lands be excluded from the bill's provisions disallowing fees and payments.

#### **S. 4877, Civilian Conservation Center Enhancement Act**

S. 4877, the Civilian Conservation Center Enhancement Act, would authorize the Secretaries of the Interior and Agriculture to establish Civilian Conservation Centers in alignment with the Job Corps provisions of the Workforce Innovation and Opportunity Act. The centers would train disadvantaged youth in forest and rangeland management, wildland fire management, and other mission specific areas. Each agency would be required to hire 300 graduates annually to contribute to wildland firefighter and other workforce needs, provide for a signing bonus, and authorize direct hire authority for program graduates. S. 4877 would also establish a housing pilot program for wildland firefighters and other employees.

The Department supports the goals of S. 4877 but would like to work with the sponsor of the legislation on technical changes to the bill. This includes modifications to section 303 to ensure that the Department maintains involvement in the development of the curricula and course offerings that are the focus of the experimental research and demonstration pilots. This is critical to ensuring that the workforce and program needs that are unique to the Department are integrated into the pilots. In addition, the Department would welcome the opportunity to work with the sponsor on provisions regarding signing bonuses and pay setting. Finally, the Department recognizes the important role that youth have in developing the next generation of federal employees and works cooperatively with the Office of Personnel Management (OPM) to assess the need for tools like direct hiring authority that promote efficient hiring for wildland fire management.

#### **S. 4884, the Natural Infrastructure Act**

S. 4884, the Natural Infrastructure Act, would establish a Joint Natural Infrastructure Science Program to be implemented by the USGS in coordination with the Forest Service. The legislation would authorize funds to be awarded to academic researchers to develop and disseminate science on natural infrastructure to a community of users, including local government, industry, and engineers. A stakeholder advisory body would be established to advise the agencies on implementation of this program. The bill also authorizes the Secretary of the Interior to assess the efficacy of natural infrastructure projects.

USGS research programs have considerable capacity to contribute research on natural infrastructure as a nature-based solution that augments or mimics natural processes and that can contribute to a variety of conservation goals. The USGS has conducted integrated, multi-disciplinary research on a variety of natural, constructed, and managed systems, ranging from terrestrial uplands to aquatic and wetland systems to coasts, as well as grey (constructed) infrastructure within the context of ecosystems that provide a variety of services.

The USGS is conducting research on the interaction of wildland fire, climate change, invasive species, and carbon budgets in relation to the Department's land management mission. Lands managed by the Department have the capacity to serve as a nature-based infrastructure solution to capture more carbon or serve as a major source negatively affecting climate change goals. In addition, nature-based infrastructure often costs less than built infrastructure, is cheaper to maintain, and is more resilient to climate change. The USGS's recently released Wildland Fire Science Strategic Plan lays out a roadmap of needed science to understand and address factors supporting natural infrastructure and in collaboration with necessary partners.

S. 4884 and the continuing coordination between the Department and the Department of Agriculture and their bureaus is likely to support the growth of a restoration economy and associated jobs. The USGS and academic scientists have been studying the size and growth of the green economy, specifically the restoration economy, and detect a growth trend and opportunities for job creation, particularly in rural areas.

The Department supports the bill's goal to facilitate and spur additional natural infrastructure research, as it is timely in the face of climate change impacts. S. 4884 would support a research program but not individual natural infrastructure projects, and the Department would like to work with the Committee to enhance the legislation by ensuring the research program would support development of natural infrastructure solutions through collaboration among Federal and academic researchers.

**S. 4891, To amend the Federal Land Policy and Management Act of 1976 to authorize certain construction activities on public lands, and for other purposes.**

S. 4891 directs the Secretary of the Interior and the Secretary of Agriculture to carry out a pilot program to establish and operate tree nurseries on federal lands to address tree planting needs. Under the bill, BIL funds authorized to restore native vegetation and mitigate environmental hazards on mined land would be used for the nurseries. Each Secretary is responsible for carrying out the pilot program in four of the eleven contiguous Western States and one state that is not one of the eleven contiguous Western States. In carrying out the pilot program, USDA and the Department may enter into cooperative agreements with non-Federal entities to use trees

produced in the nurseries and may conduct research on grazing and forest management to maximize the ability to sequester carbon, prevent soil erosion, and improve air and water quality.

The Department supports to goals of the bill to establish nurseries to meet conservation and restoration needs. The Department notes there are approximately twenty existing Federal nurseries and supports the establishment of new nurseries to address a shortage of native seeds and seedlings. The Department recommends expanding the scope of the bill to include nurseries propagating native forbs, shrubs, grasses, and seeds to restore climate resilient native plant communities. Given that BIL funds are devoted to both restoring native vegetation and mitigating environmental hazards on mined lands, the Department recommends authorizing additional funds to ensure sufficient funding exists for both restoring abandoned mine lands and providing seedlings.

### **S. 4904, Promoting Effective Forest Management Act of 2022**

S. 4904, the Promoting Effective Forest Management Act, includes wide ranging forest management and wildfire provisions, including provisions to increase mechanical thinning targets; manage fire mitigation reporting; govern content of appropriations requests; and establish a process to define “old growth forests,” among others.

#### *Forest Management*

Title I of S. 4904 requires USDA and the Department, by fiscal year 2027, to establish mechanical thinning targets of up to four times the average acreage mechanically thinned during fiscal years 2017 through 2021. Under Title I, USDA and the Department also would be prohibited from including hazardous fuels treatment acreages in any appropriations request or any annual performance report submitted to Congress if the lands needed to be treated more than once. Rather, USDA and the Department would be directed to include in their appropriations request the acreage restored under the Infrastructure Investment and Jobs Act section 40803(b) and acreage of National Forest System lands where final treatment mitigated wildfire risk. Under the bill, the President is also directed to include this information in the budget submitted to Congress.

Title II directs the Secretaries to adhere to the definition of “old growth forest” used in regulation, as of January 1, 2022, and requires any necessary updates to the definition to be made by a committee of scientists who are not officers or employees of either the BLM or the Forest Service. Title II also includes provisions to establish a pilot program to evaluate wetland and riparian restoration techniques and develop a strategy to utilize livestock grazing as a wildfire mitigation strategy. Finally, Title IV requires USDA and the Department to utilize certain existing streamlined authorities for environmental review for each unit of public land and each unit of the National Forest System within three years.

The Department supports the sponsor’s goal to streamline forest management and address risks that wildfires pose to our communities and our natural resources, and we remain committed to working with all our partners and stakeholders on reducing wildfire risk on public lands. However, the Department has a number of concerns with the bill as discussed further below.

The Department has concerns related to the mechanical thinning requirements in S. 4904. The Department notes that mechanical thinning projects are heavily impacted by stand condition, merchantability and access to markets, road access, as well as regulatory and legal requirements, which could render the requirement to quadruple mechanical thinning impracticable. Further, the Department recommends the sponsor clarify the bill's definition of "public lands" and "unit of public land."

The Department appreciates the sponsor's goal to achieve transparency in wildfire management, but would like to work with the sponsor regarding the bill's limits on reporting hazardous fuels treatment acres that have been treated more than once. The Department notes that all hazardous fuels treatments are temporary in nature as vegetation naturally regrows and often requires re-treatment efforts to reduce fire and ensure treatment effectiveness. This information is important to decisionmakers when accounting for the resources needed to effectively manage wildfire risk.

Further, we appreciate the sponsor's interest in defining old growth forest in Title II. On April 22, 2022, the Biden Administration released Executive Order 14072, Strengthening the Nation's Forests, Communities and Local Economies, requiring the Secretaries of Agriculture and the Interior to jointly define, identify and complete an inventory within one year of old-growth and mature forests on lands managed by the Forest Service and the BLM. The Departments' public comment period to inform implementation of E.O. 14072 closed on August 30, 2022. The Department does not support severely limiting the Departments' participation in defining "old growth" as outlined in Title II. The Departments' current effort to define "old growth" will ultimately lead to climate-smart management and conservation strategies that address threats to mature and old-growth forests on Federal land.

Finally, the Department supports provisions of the bill to further wetland and riparian restoration through a pilot program and to develop a strategy to utilize grazing as wildfire mitigation. The Department also recommends that the sponsor provide a post-fire rest from livestock grazing, in the near term, before utilizing grazing as part of a fire recovery strategy.

### Wildfire

Title III of the bill would authorize wildland firefighter workforce reforms, including increasing the break-in-service period from 3 days to 9 months and reducing pre-tax payroll deductions by 40 percent to help wildland firefighters pay for rent for government housing. Title IV of the bill repeals the reporting requirement associated with the FLAME Act of 2009.

The Department supports the objectives of the workforce reform provisions included in Title III that are applicable to the Department but would like to work with the sponsor on how best to target support to the wildland firefighter workforce without creating new benefit inequities across the broader federal workforce. Additionally, the Department generally supports efforts to provide additional housing assistance to wildland firefighters, given current limitations with housing availability and affordability in certain geographic areas of the country.

The Department also supports the repeal of the FLAME Act reporting requirements included in Title IV of the bill since the Department is no longer appropriated FLAME Act emergency suppression funding. Starting in FY 2020 through FY 2027, additional new budget authority for suppression was made available to the Department through the Suppression Operations Reserve Fund. Prior to accessing the Reserve Fund each fiscal year, the Department is required to notify Congress about the status of suppression funding and projected spending. The Department is also required to report annually on factors that went into the use of the fund.

#### **S. 4935, More Hasty Response to Firefighting Act of 2022**

S. 4935 would require the National Wildfire Coordinating Group to offer a 1-day training in basic firefighting safety and resource protection for landowners or individuals of a company who are authorized to carry out timber harvest or vegetation management work on public lands administered by the Forest Service and the Bureau of Land Management. Following the training, the landowner or individual of a company would be authorized to perform initial wildfire attack within the qualifying unit for which they are authorized to carry out their work. The Department supports the objectives of the legislation but has concerns with a number of provisions and would like to work with the sponsor of the legislation to improve its applicability to Department managed lands, facilitate more rapid wildfire response capacity, and ensure that appropriate training and safety measures are in place.

The Department is concerned that the wildland fire training requirements are insufficient. Typically, basic wildland firefighter training standards involve a minimum of 32 hours of training and a field day for entry-level personnel. Basic wildland firefighter training should align with these standards. Additionally, the National Wildfire Coordinating Group (NWCG) is responsible for developing wildland fire training standards, criteria, and materials and is not aligned to conduct training; local bureau units and private entities such as colleges, universities, and others in the private sector use the NWCG standards to carry out training programs.

The Department would like to work with the sponsor of the bill on additional changes. This includes clarifying that the response actions authorized by the legislation apply only to ground resources in order ensure aerial safety and prevent conflicts between federal and state assets and private companies. To ensure the utility of potential operation delineations (PODs), the BIL provides \$100 million to both the Department and the U.S. Department of Agriculture for preplanning fire response workshops to develop PODs and select potential control locations. The Department also recommends that adequate funding be made available to incentivize landowners or employees of companies to undertake initial attack and in part to reimburse them for personal protective equipment that meet safety standards. Finally, the Department would like to work with the sponsor on other technical changes to the bill.

#### **S. 4944, Firewood Banks Act**

S. 4944, the Firewood Banks Act would utilize funds made available by the Infrastructure Investment and Jobs Act (P.L. 117-57) to establish a pilot program to distribute firewood to provide a heating source to low-income or disabled individuals for residential use. Under the pilot program, the Secretaries of the Interior and Agriculture may authorize one or more firewood banks to be established and operated on Federal land. Should the Secretary authorize a

firewood bank, the Secretary is required to designate enough trees on Federal land to continuously provide not less than 100 cords of firewood at each firewood bank. Additionally, the Secretary concerned may close entry to an area of trees designated to supply firewood for no longer than 60 continuous calendar days and for no longer than 150 calendar days per year.

The Department seeks to manage the natural resources entrusted to us in a manner that is sustainable, equitable, accessible, and inclusive of all populations. We support the bill's goal to provide affordable firewood heat sources to low-income or disabled individuals. The Department recommends that the sponsor clarify whether the intent is to provide firewood at no cost. Additionally, we recommend the sponsor define terms establishing eligibility and adopt a per person limit to ensure the bill's goal of equitable distribution of firewood is achieved.

### **Conclusion**

Thank you for the opportunity to appear before you today to discuss these important wildland fire and forest management bills. We appreciate the Committee's interest in supporting the Department's efforts to assist wildland firefighters, reduce wildfire risk, and improve the resiliency of our nation's forests, rangelands, and grasslands. This concludes my written statement. I am happy to answer any questions.