Questions for the Record

Committee on Natural Resources

Oversight Budget Hearing

1324 Longworth House Office Building, April 26, 2023

Questions from Chairman Westerman for Randy Moore, Chief, United States Forest Service
Forest Management

1. During the hearing, you mentioned that the Forest Service is using categorical exclusions for roughly 85 percent of the forest management work being done, which you said was roughly 4,000 categorical exclusions. Can you please provide statistics that shows which categorical exclusions are being used, and how many times each categorical exclusion has been used in the last 5 years?

Response: Over the last five years, the Forest Service has completed approximately 2,252 forest management activities using categorical exclusions. This includes 18 decisions using the new Fuel Break CE contained in the BIL Section 40806. A complete table of CE use is below.

Completed Forest Management CEs, Fiscal Year 2019 to 3rd Quarter of 2023		
Citation	Use	Brief Description
36CFR220.6(e)(5)	100	forest regeneration
36CFR220.6(e)(6)	639	timber stand and wildlife habitat improvement
36CFR220.6(e)(7)	124	aquatic habitat improvement
36CFR220.6(e)(9)	161	range improvements
36CFR220.6(e)(11)	47	post fire rehabilitation activities
36CFR220.6(e)(12)	87	harvesting of trees
36CFR220.6(e)(13)	137	tree salvage
36CFR220.6(e)(14)	38	tree sanitation
36CFR220.6(e)(18)	234	riparian area restoration
36CFR220.6(e)(19)	50	wetland restoration
36CFR220.6(e)(20)	118	road and trail restoration
36CFR220.6(e)(22)	183	restoration of administrative sites
36CFR220.6(e)(23)	24	road management
36CFR220.6(e)(24)	29	road construction
36CFR220.6(e)(25)	12	ecosystem restoration
HFRA 603	160	HFRA insect and disease
FLPMA 402h1	1	grazing management
FLPMA 402h2	1	livestock management
HFRA 605	89	HFRA wildfire resiliency
BIL 40806	18	fuel break
TOTAL	2252	

2. How much of the direct work at the national forest level is planning and assessment to include the preparation of environmental review documents under NEPA?

Response: We do not track this data. The Forest Service invests significant resources to comply with NEPA and other environmental laws and regulations. The Forest Service is continually looking for efficiencies in environmental reviews through training, contracting and technology tools. We will be happy to provide the Committee with additional information upon request.

3. How much did the Forest Service spend last year on planning or environmental review costs for meeting the requirements of applicable laws generally? How much did the agency spend on direct work at the national forest level?

Response: We do not track this data. We can provide an educated estimate based on the number of decisions made in a year, staffing levels at the National Forest level, and other factors. We would be happy to follow up with you in a briefing to discuss your question.

4. How many staff hours did the Forest Service spend last year on planning or environmental review costs for meeting the requirements of applicable laws? How many staff hours did the agency spend on direct work at the national forest level?

Response: We do not track this data. We can provide an educated estimate based on the number of decisions made in a year, staffing levels at the National Forest level, and other factors. We would be happy to follow up with you in a briefing to discuss your question.

5. The persistent drought, particularly out West, has only exacerbated the wildfire crisis. How does the ongoing drought and current drought mitigation efforts impact forest management and hazardous fuel reduction?

Response: Droughts are an environmental stressor to forests that interact and often amplify other ecological stressors and disturbances such as wildfire, insect and disease outbreaks, and the spread of invasive species. The Forest Service has taken a comprehensive look at droughts to understand the implications, consequences, and potential management responses in a 2016 report, Effects of Drought on Forests and Rangelands in the United States.

Droughts vary in their frequency, duration, intensity, and extent. Depending on the type of drought expected, management actions can be taken to make forested ecosystems more resilient to future impacts. However, if not careful, management actions can exacerbate the effects of drought on forests. Generally, thinning and reducing the number of trees reduces the demand for water and can increase the forest's ability to cope with drought. This can also help to mitigate fire risk. Forest management can favor drought-tolerant species and varietals that will be more robust to future droughts. It can also increase diversity of species and age-classes which can have the added benefit of increasing resilience to insect and disease outbreaks. Managing for diverse and/or drought-tolerant species can be at odds when productivity is the primary management objective.

The hot, dry conditions during a drought can place constraints on when and the extent to which certain management actions can be taken (e.g., prescribed fire). However, the outcomes of these management activities can often increase forest resilience to multiple stressors and disturbances including drought, wildfire, and insects and disease outbreaks.

6. There are many federally funded data and analytic tools to determine how drought and other climate-related factors can be mitigated. Drought mitigation can help reduce the

severity and frequency of catastrophic wildfires.

a. How is the Forest Service utilizing tools such as the U.S. Drought Monitor and other products produced by the National Drought Mitigation Center (NDMC)?

Response: The Forest Service uses and adapts tools, data, and approaches from other federal partners such as the National Drought Mitigation Center (NDMC), the National Oceanic and Atmospheric Administration (NOAA), and the National Aeronautics and Space Administration (NASA). Some data, approaches, and tools can be used directly such as the Evaporative Demand Drought Index (EDDI, https://www.drought.gov/data-maps-tools/evaporative-demand-drought-index-eddi) from NOAA's National Integrated Drought Information System (NIDIS) and Grass-Cast (https://grasscast.unl.edu/) from NDMC which are both used by the Forest Service to monitor grasslands and inform rangeland management.

The NDMC works with the USDA Climate Hubs through the USDA Office of the Chief Economist and produces products like the Forest Drought Response Index (ForDRI). ForDRI is a new monitoring tool that integrates 12 types of data, including satellite, climate, evaporative demand, groundwater, and soil moisture, into a single index that estimates tree stress to identify and monitor drought impacts on forests. This aids users, such as the U.S. Drought Monitor (USDM), in characterizing drought across forested areas of the U.S.

As part of the interagency wildland fire management community, the Forest Service, along with others, leverages the decision support services provided by USDM weekly and monthly outlooks. They improve situational awareness and confirm other conditions regarding fuels, fire danger, and effects on significant fire potential. Drought can have a complicated relationship with wildfire potential and does not consistently correlate.

Other tools, data, and approaches from NDMC require that the Forest Service interpret, translate, or adapt them to specific ecosystems, geographic areas, or time periods of interest. Often drought tools are developed for broad audiences and applications. Leveraging the data and approaches of tools developed by others allows Forest Service specialists and researchers to provide information specific to the needs of managers. This can take the form of comprehensive science syntheses focused on the effects of drought on forests and rangelands (e.g., https://www.fs.usda.gov/research/treesearch/50261) or factsheets with recommendations for specific resources such as fisheries, recreation, rangelands, forests, or invasive species.

b. Are there additional data products federal partners could provide to help the Forest Service proactively deploy drought mitigation planning efforts?

Response: The largest gap is monitoring data on soil moisture. Soil moisture is a critical ecological factor that affects changes in vegetation production (i.e., amount of grass growing in rangeland systems and productivity of forests). It is also strongly correlated with the probability that fuels will readily burn and with certain fire behavior characteristics. Monitoring soil

moisture also relates to tree stress and susceptibility to various insects and diseases. Current soil moisture monitoring focuses primarily on agricultural lands.

In 2020, the Forest Service actively joined the NOAA, NIDIS, and USDA led National Coordinated Soil Moisture Monitoring Network. Within this network, the Forest Service has advocated to expand soil moisture networks into forest ecosystems. This work has captured the attention of state mesonets, fire managers, and agencies that support remote sensing, such as NASA. One goal of the effort is to advocate for in situ networks that provide real-time soil moisture data for forests that can be incorporated into tools like the USDM and the newly developed TopoFire model that helps to predict fire behavior and could be used to inform the National Fire Danger Rating System.

Improved soil moisture information in fire danger rating systems could lead to better estimates of fuel loads, more accurate live and dead fuel moisture predictions, earlier warning of wildfire danger, and better forecasts of wildfire occurrence and size. Soil moisture information can and should be used to improve fire danger rating systems and contribute to more effective fire management for the protection of communities and ecosystems worldwide.

The quickest way of addressing this monitoring gap is to work with the existing networks in forested ecosystems, such as the Remote Automated Weather Stations (RAWS) network, to add soil moisture sensors to those platforms. The platforms are monitored and maintained by multiple federal and state agencies. They are identifiable and already connected to databases where soil moisture information can be accessed.

Additionally, improving accessibility and timeliness of currently used data and tools such as the Evaporative Demand Drought Index (EDDI), Normalized Difference Vegetation Index (NDVI), Keetch-Byram Drought Index (KBDI), Fuelcast, and Growing Season Index (GSI) maps, would be helpful to the Forest Service and partners.

Finally, there are a lot of tools available at the National Interagency Coordination Center at the National Interagency Fire Center. Additionally, NASA, the U.S. Geological Survey, NOAA, and NIDIS have tools and resources. A review of what is available and most useful would be helpful.

7. Last fiscal year, despite historic investments, the Forest Service sold roughly 2.9 billion board feet of timber, which is down over 10 percent compared to pre- pandemic levels.

    a. What steps is your agency taking to increase the amount of timber harvested on Forest Service lands so that we can return to pre-pandemic levels?

Response: Over the past five years, the agency has sold an average of 3.09 BBF annually, higher than any period in the previous few decades. This increase occurred as a result of efficiencies;

however, historic wildfires of 2020 and 2021 had a major impact on Agency capacity to meet targets as staff and other resources had to be devoted to post fire recovery. Our FY 2023 accomplishment was 3.1 BBF.

The Agency and partners recognize the scale of work needed to maintain healthy and resilient forests. The investments made through the BIL and IRA are a down payment towards achievement of this goal. In many places, this work requires greater investment per acre while resulting in lower volumes of merchantable wood products.

Investments made through the BIL and IRA are positioning the Agency to work at a larger scale through existing tools while also investing in new innovative approaches. For example, the Agency has been able to expand use of Good Neighbor Authority through the BIL while also establishing national level "keystone" agreements with partners such as the National Wild Turkey Federation. The Agency is making investments to hire and train employees needed to execute this important work and leveraging the knowledge and capacity of a wide range of partners.

The Agency works closely with industry partners at the Forest, Regional and National scale in order to meet mission delivery and maintain and grow a robust industry infrastructure needed for forest management. The Agency uses a variety of approaches to increase management and stabilize infrastructure. As an example, the Agency has developed a timber transport pilot aimed specifically at moving wood products that have not found local markets to areas with market demand. This effort, along with approaches such as execution of larger scale contracts and national agreements, aim to ensure a robust forest industry is maintained and growing to support the removal and utilization of forest products.

Long-term goals for forest management product delivery include a predictable, consistent volume sold each year that protects communities, supports restoration goals, fuels reduction, and rural economic development. The Forest Service is establishing strategic Regional and National goals for FY 2024 along with outyear expectations that will allow the Regions to position the Agency for long term stability, leveraging the investments through the BIL and IRA. The Forest Service will also leveraging efficiencies and tools achieved within the wildfire crisis strategy priority landscapes and by maintaining needed investments outside of priority landscapes. Finally, the agency is pursuing an integrated approach to remove more biomass/low value material in identified projects and priority landscapes.

b. If wildfires are the issue is reaching pre-pandemic levels of timber harvesting, how quickly is the Forest Service converting those timber sales to salvage sales? Are you re-doing completed NEPA work to convert these sales post-wildfire?

Response: After seeing a drop in 2021, the Forest Service has been increasing timber volume sold each year finishing 2023 at 3.1 BBF. This includes volume from both live tree and salvage sales. Large scale wildfires can be extremely disruptive to our forests and the communities we serve. When a wildfire burns a project area the Forest Service evaluates the magnitude and extent of those impacts. The Forest Service is committed to completing these assessments in a timely manner. In some cases, the impacts are large enough that additional analysis and documentation are needed to comply with NEPA and other environmental laws before treatments can occur.

Assessing impacts and determining next steps after wildfires draws staff time and resources away from advancing other priorities such as reducing risk of wildfire in other areas on the forest.

8. What effect are litigation and threats of litigation having on the Forest Service's ability to combat wildfires and improve the health of our forests?

Response: In some Forest Service Regions, litigation can be a challenge. As a result, the agency experiences delays related to fuels management and other forest management projects while we wait for the legal proceedings to conclude.

9. The Forest Service's budget justification states the agency is aiming to treat 4.2 million acres, which is only a 10 percent increase compared to last year's target. The "Confronting the Wildfire Strategy" calls for treating two to four times the amount of acres the agency currently treats, which far exceeds this 10 percent increase.

    a. What are the barriers that are preventing the Forest Service from scaling up its hazardous fuels treatments?

Response: Some of the challenges the agency faces are smoke management, inflation affecting the cost of treatments, continuing to build the social license we need to get to scale, and agency, contractor and partner capacity.

Despite these challenges our employees and partners have now collectively treated more than 1 million acres within the 21 Wildfire Crisis Strategy landscapes since 2022.

In addition, in Fiscal Year 2023, we were able to exceed our national 4-million-acre fuels reduction target and treated a record 1.9 million acres with prescribed fire.

    b. Is the Forest Service on track to meet its goal of treating 20 million additional acres, as outlined in the 10-year strategy?

Response: We have made significant progress in the first two years of implementing the strategy. Reaching the goals of the strategy is predicated on receiving the additional financial resources necessary to get there. BIL and IRA while historic investments, were a downpayment on this work.

    c. How many acres should the Forest Service be treating this year to be on track to meet the target of 20 million additional acres treated?

Response: 5-6 million acres per year, nationally. In 2022 and 2023, we laid the groundwork for

the scope and scale we need to achieve. Continued investments from Congress will be the primary driver for reaching and maintaining a yearly stride that will get us to 20 million acres.

10. Chief Moore's testimony states several times that engagement with Tribal nations and reducing hazardous fuels on a landscape scale are a "paramount focus". However, the FY 2024 budget includes a $3 million cut to Landscape Scale Restoration projects. Regarding the $3 million cut, your own budget justification states, and I quote: "This decrease would reduce the number of projects with Tribes, States, and other eligible partners by 12 projects and result in reduced land treatment and restoration activities on non-Federal lands, based on prior year performance data. It would reduce planned funding for Tribes by $1 million, which is one of ten key priorities identified in the USDA Equity Action Plan. Past performance of projects supported by the Landscape Scale Restoration program have demonstrated success in reducing wildland fire risk, improving forest conditions, and mitigating impacts from insects and disease and leveraging public and private resources."

    a. How does the Forest Service reconcile its apparent commitment to Tribal nations with budget cuts that directly support tribal work?

Response: The Forest Service manages millions of acres of lands, including ancestral homelands of American Indian and Alaska Native Tribal Nations. Additionally, Tribal trust forested lands in the United States exceed 19 million acres (sourced from the Assessment of Indian Forests and Forest Management in the United States: Executive Summary 2023). We recognize that embracing our federal trust responsibility and honoring treaty rights is a responsibility for our agency.

Across our portfolio of grant programs to assist management activities on non-federal lands, including those on Tribal trust land, the Forest Service is taking steps to increase outreach and assistance to Tribes. The Landscape Scale Restoration Program is one of several funding opportunities available to Tribes where we made notable progress in increasing Tribal participation in FY 2023.

The FY 2024 Landscape Scale Restoration budget reflects a decrease in set aside funding for federally recognized Tribes and reduces competitive funding opportunities available to a wide range of applicants. However, across all available funding opportunities, including those funded through the BIL and the IRA, the Forest Service is working towards goals to increase Tribal participation.

    b. How is this cut consistent with the "Confronting the Wildfire Strategy", which states that the agency must increase its landscape-scale work by four times?

Response: The Landscape Scale Restoration Program is a unique and complementary tool to support restoration on non-federal lands. The program leverages the collective effort of federal

and non-federal funding opportunities/investments and harnesses expertise and resources from many partners to deliver restoration outcomes on the landscape. For example, the program works in coordination with other funding opportunities such as the Community Wildfire Defense Grants, funded through the BIL, the Collaborative Forest Landscape Restoration Program, and the Good Neighbor Authority. Communities are able to leverage these opportunities and authorities to accomplish fuels reduction and improve forest health within Wildfire Crisis Strategy landscapes.

c. Does this cut represent a trend to the Forest Service using mandatory funding to supplant, not supplement, discretionary funding?

Response: No, it does not. The Forest Service maintains the programmatic use of all available funds to complete its mission. This includes annual appropriations, permanent appropriations, trust funds, and supplemental appropriations as appropriate for the program of work.

11. Why is the Forest Service requiring approval for proposals to use "Emergency Action" authority from the Bipartisan Infrastructure Law from the National Office, USDA, and the White House? Is this consistent with approvals that are granted during wildfires to use emergency actions?

Response: The FS is seeking to ensure nationwide consistency and correct application of this new authority, with review and authority-to-proceed approval at the Chief's Office level. This statutory authority is primarily being used pre-event to reduce hazardous wildfire conditions. During wildfire events, the Forest Service emergency response authority contained in agency NEPA regulations is exercised by the local line officer.

12. During the hearing, Chairman Tiffany brought up discrepancies in the Forest Service's reports for hazardous fuels reduction treatments between regional and national Forest Service reports. For example, the Forest Service's initial landscape investments progress summary reported that 132,423 acres had been treated in the 4FRI priority landscape in Arizona last year. However, according to the regional Forest Service's reports on 4FRI (four fry), only 88,634 acres were treated last year.

a. How does the Forest Service account for this discrepancy of over 43,000 acres?

Response: The agency verifies that the topline accomplishment for the Wildfire Crisis Strategy is 132,423 acres of hazardous fuels treatment completed in the 4FRI priority landscape in Arizona in Fiscal Year 2023. We are happy to further discuss with the committee to provide clarity regarding the reported treated acres.

b. This discrepancy between the Forest Service's own published documents suggests the agency is inflating progress towards the 10-year strategy by nearly half. Is the Forest Service aware of other discrepancies in priority landscapes between the numbers being reported at the regional level versus the national

level?

Response: The agency is not inflating accomplishments. We agree that accurately tracking hazardous fuels treatments is important for accountability to the American public and will help provide a comprehensive understanding of wildfire risk reduction. Tracking program accomplishments and each dollar spent can improve our understanding of the funding needed to achieve the desired risk reduction to communities and better maintain our landscapes. An acre may be treated and reported more than once, as multiple treatments may be required to meet land management objectives. For example acres may be treated using mechanical thinning first and then by prescribed fire.

c. What methodology is the Forest Service using to ensure acres are being reported accurately to track progress in the 10-year strategy?

Response: The USDA reports annually on the total number of acres treated to reduce hazardous fuels. Reporting includes treatment locations, type of treatment, and cost of treatment across the landscape. Acres are reported when a contract is awarded or grant is executed for treatment of those acres, when the treatment is completed on the ground, and when a set of collective treatments achieve a desired condition. By doing this we can track all of the work that is currently ongoing or complete. To ensure acres are being reported accurately the Washington Office of the Forest Service provides annual direction on requirements associated with reporting. The annual direction includes how and when field units will report hazardous fuels treatments (including prescribed fire) into the database of record. The fuels program in the Washington Office pulls data weekly to report and track progress on data entry and accomplishment toward the Wildfire Crisis Strategy. The end of the year certification process starts 2 months before reporting closes. This process confirms system reports are created successfully for all business areas (programs) and the final gPAS reports are approved. Generally, this confirms that all records and the expected performance measure from the program system of record match the records in gPAS.

d. When measuring progress towards the 10-year strategy, is the Forest Service recording any acres more than once if multiple treatments are conducted on the same parcel of land?

Response: Yes. Often the same acre requires multiple treatments in a short period of time, such as mechanical thinning first and then prescribed fire to achieve the desired risk reduction. Treatments may include thinning, pile burning, mastication, and prescribed fire to restore a landscape to desired conditions. Each treatment (on the same acre) represents an expense to the agency. Following these multiple treatments, those acres can be moved to a maintenance strategy (the point at which low-cost thinning or burning treatments are conducted at the appropriate fire-return intervals for a given landscape, on average every 10 to 15 years). Only accounting for one phase of a multi-phased treatment would only provide a partial window to the true cost of risk reduction and resilience.

e. If the Forest Service were to only record each acre once, regardless of how many treatments were completed on that acre, how would the reporting for each of the

initial landscape investments differ from what the Forest Service published last year?

Response: We do not believe this approach would be an accurate representation of the work accomplished in any given year. Accounting for each acre only once would limit the ability of decisionmakers and the public to understand the connection between risk reduction and financial accountability. We are happy to work with the committee to identify ways to ensure our reporting is clear and understandable.

2023 Wildfire Year

13. Our forests are worse off today than they ever have been. In the last 5 years alone, we have lost over 38 million acres to wildfires, roughly 14 million of which were a part of the National Forest System. The long-term wildfire outlook remains bleak, with roughly 89 percent of all Forest Service land identified as having the potential for wildfires to ignite and spread to communities.

    a. How has the recent flooding in the West has affected National Forest System lands?

Response: Flooding impacted NFS lands in multiple events in 2023, both within and outside of burned landscapes. While the post-fire landscape tends to have an elevated flood response, many of the recent extreme weather events result in flooding regardless of past wildfires. Extreme weather events occurred throughout the west, including atmospheric rivers in Southern California and greater than normal snowpack in the Sierras, Rocky Mountains, and Great Basin. Large storms affected other parts of nation, including the Southwest and Northeast. Many of these events impacted infrastructure like roads and trails on NFS lands, limiting access for landscape restoration actions and proactive landscape management. Repair of the infrastructure to restore access is underway through multiple funding sources including BIL funds spent by the Burned Area Recovery program and Federal Highway Administration Emergency Relief for Federally Owned Roads (ERFO). Additional funding is still needed to repair damages from 2023 flood events that exceed annual appropriation levels.

    b. What is the Forest Service's outlook on what we should expect from the 2023 wildfire season?

Response: In the US, the total area burned was well-below average in 2023. All agencies reported nearly 56,000 wildfires nationally, which was near the 10-year average. More than 2.6 million acres burned, which was well below the 10-year average of 7.1 million. The USDA Forest Service had protection responsibilities for more than 5,200 fires with over 800,000 acres burned. These numbers are interim as data for 2023 is still being compiled at the National Interagency Fire Center.

Several key factors shaped the 2023 fire year. Heavy rain and snow across the West in winter and early spring, in addition to mid-summer rains in most of California and the Great Basin,

limited fire activity in those areas. Fire activity in the Southwest began in late spring and, due to a weaker than normal monsoon, was persistent through fall. In summer, several lightning episodes ignited dozens of fires across Alaska, northern California, the Northwest, and the northern Rockies. There was persistent drought and accompanying fire activity in Louisiana, Texas and Hawaii. Canada had unprecedented fire activity beginning in spring that went continuously into the fall, contributing to widespread US smoke impacts, mainly into the northern and eastern US.

Notable fire events included deadly fires in Hawaii, which destroyed over 2,000 structures. In eastern Washington State, several hundred structures were destroyed. The peak number of firefighters committed per day to large fires in the US was 20,404 (on August 28, 2023) from all agencies. The US mobilized 2,456 federal firefighting personnel in total to Canada. The National Preparedness Level peaked at PL 4 for 21 days (August 17 to September 7, 2023).

Please visit the National Interagency Fire Center's Predictive Services Outlook page for more information: https://www.nifc.gov/nicc/predictive-services/outlooks

c. Can the Forest Service provide an update on the number of wildland firefighters the agency predicts it will need for the 2023 wildfire year?

Response: Under the first year of the Bipartisan Infrastructure Law (BIL), the Forest Service had a target of hiring 11,300 operational firefighters. We were approximately 97% successful in achieving that target for the 2022 fire season. In 2023, we once again aimed to employ 11,300 operational firefighters. At the peak of 2023, we had 11,187 wildland firefighters onboard nationwide, which was 99% of our goal of 11,300. Please visit this webpage for more detail.

Technology

14. Chief Moore, the Forest Service is advancing forest management actions using innovative financing, new technology detection systems, and even software programs for NEPA compilation. Please share what you are doing to support these important steps to modernize your work in the woods.

Response: Regarding adoption of new technologies at the national level, the Forest Inventory and Analysis (FIA) Program continues to investigate and adopt remote sensing technologies and methods to find ways to be more efficient in data collection and analysis for state- and national-level forest inventories, which are publicly available. Remote sensing technologies are routinely used to support data collection and analysis, and the plot data are routinely used to calibrate and validate remote sensing products. Partners are especially interested in the Agency's work in integrating FIA plot data with three-dimensional remote sensing such as the 3D National Agricultural Imagery Program and the Global Ecosystems Dynamics Investigation (GEDI) instrument. FIA is also modernizing the way the Forest Service delivers data and information by allowing the Agency to transition toward annually or biennially refreshing geospatial products such as BIGMAP, FIA's cloud-based, national-scale modeling, mapping, and analysis environment for national forests. Another example of mapped products created with partners is

the Landscape Change Monitoring System's Data Explorer, which is a remote sensing-based system for mapping and monitoring landscape change across the United States.

The Forest Service's Conservation Finance Program advances innovative finance efforts that use public-private partnership approaches to connect external funding, capacity, and expertise to Forest Service priorities. Between 2019-2023 the Agency supported development of 44 conservation finance projects leveraging $93 million in external funding from an $8 million Forest Service investment (an 11:1 return on Agency investment). Through the Innovative Finance for National Forests Grant Program, the Agency provided $6 million over three rounds of funding to Forest Service partners to develop and implement innovative finance projects that benefit the National Forest System. The Forest Service is exploring a range of innovative finance approaches with partners across the country, including debt-based financing tools like the Forest Resilience Bond and green bonds, environmental market approaches related to carbon and compensatory mitigation, and a range of blended financing approaches. To encourage use of innovative finance approaches, the Conservation Finance Program offers a range of educational offerings to support Agency personnel's awareness and understanding of conservation finance; in fiscal year 2023, more than 600 Agency personnel were trained in conservation finance.

15. Advanced camera systems connected to artificial intelligence are now being used on a few forests to better detect wildfires and monitor controlled burns. This technology promises to better protect communities, conserve our forests, and reduce the cost of wildfire suppression. What are you doing to deploy this technology on National Forests this year and beyond?

Response: While advanced camera system technology does support more advanced fire management, it does not guarantee reduced risk to communities, conservation of forest or reduced suppression cost. True reduction in fire risk to communities and reduced suppression cost will only occur from hazardous fuels treatments across large parts of our landscapes. However, the Forest Service supports continued advancement in technological support of fire management which includes the use of camera systems.

To date, we have completed the following efforts:

- The Fire Management Board (FMB) approved a joint agreement with Department of the Interior, Bureau of Land management, the Humboldt – Toiyabe National Forest, and University Nevada Reno (Alert Wildfire) to fund wildfire detection cameras that will cover gaps in the existing network for $600K (Forest Service funding). Forest Service Grants and Agreements staff are working to execute the approved agreement.
- The Fire Management Board also approved use of $500K (DOI funding) for a "proof of concept" project to mount a camera and smoke monitor on Remote Automated Weather Stations (RAWS) sites to analyze if RAWS stations are spatially located to provide the optimal viewshed of wildfire risk areas. We continue to work with DOI to determine next steps.
- We are developing a national "playbook" for national forests to consider when

purchasing camera systems for new or existing networks.

- The Fire Management Board is assessing the best systems and processes to be used for Artificial Intelligence for fire detection.
- The Forest Service is engaged in an evaluation of existing camera systems in the field and working on plans to assist local and state operations with some of the deficiencies in their current infrastructure. Many of these systems were purchased years ago and will provide a good testbed to evaluate emerging technologies.
- Field units for both BLM and the Forest Service are continuing to work with the various Fire Camera systems locally to install, operate, and maintain cameras. The field is expanding the system to meet their local needs.

16. Can you please provide an update on the Request for Information/Sources Sought Notice entitled "Interagency Wildland Fire Personnel and Asset Tracking for Increased Situational Awareness" that was released in November of 2022?

Response: In regard to the Dingle Act Resource Tracking (DART), a Request for Information was issued with a high level of interest. A Request for Proposals will be posted for potential bidders, in the spring of 2024.

"Old Growth and Mature Forests"

17. In light of the new inventory of mature and old-growth forests, can you please provide information about how many acres of NFS land that meet your new mature and old-growth definition framework have burned in wildfires in the last ten years?

Response: Our analysis comparing FIA plots from the previous cycle with the current cycle on National Forests shows that 6.69 million acres of mature forest burnt with a net reduction of 2.24 million acres of mature in forests that burned. There were 1.68 million acres of old growth that burned with a net reduction of 655 thousand acres of old growth in forests that burned. The overall impact of fire reduced mature area by 3.2% over 10 years and old growth by 2.6% over 10 years. Fire was the most important disturbance followed by insects and disease with tree cutting accounting for a very small change of mature or old growth category. Overall net change of National Forest lands (losses plus recruitment) was declines of 3.1% for mature and 0.6% for old growth over 10 years.

18. Why was the inventory of mature and old-growth forests limited to Bureau of Land Management and Forest Service forests, and not to the other federal agencies that manage forests like the National Park Service and the Fish and Wildlife Service?

Response: Section 2b of Executive Order 14072 constrained the inventory to BLM and Forest Service managed lands.

19. How much Forest Service staff time was used to develop the mature and old-growth inventory?

Response: The initial mature and old-growth inventory required about 1000 hours of staff time (8 FTE for six months). The staff were able to build on the investments in the nationwide data surveys and analyses of the Forest Service's Forest Inventory and Analysis program.

20. Why is it important to manage forests to have a diversity of age classes?

Response: The Forest Service has a multi-use mission and multiple management objectives to address. Diverse age classes provide a wider array of benefits and services important to both people and species. Different species have different habitat requirements with many species requiring habitat features only found within young forest age classes. Other species require the features only present in old (or mature) forests. The appropriate balance between younger and older age classes varies depending on the forest ecosystem and species present therein. Ensuring an important balance is critical to the long-term resilience of forested ecosystems because it ensures that younger age classes are present to grow and age into older classes as disturbance events occur.

21. Can you please explain the importance of early successional forests?

Response: Several species of plants and wildlife are dependent upon disturbances and the early successional forests that disturbances create. Many species of herbaceous plants, wildflower species, and grasses thrive in early successional forests because of greater amount of sunlight reaching the forest floor. Several animal species that benefit are game species such as ruffed grouse, quail, wild turkey, and deer. Species dependent on early successional forests have declined in several areas when the amount of early successional forests have decreased.

Additionally, early successional forests can be an important part of forest age and species diversity, which can help buffer forests against disturbances. They are necessary to maintain ecological integrity by providing a means to refresh older components of the ecosystem.

22. Is the term "mature forest" a recognized term in the scientific practice of forestry?

Response: The term ""mature" is used widely in the field of forestry, and the definition can vary greatly depending on the context, so it is usually defined when used. This term has been recognized by the Society of American Foresters for many years and is included in their dictionary.

In response to Executive Order 14072, our definitions for mature forest consider and integrate both ecological and structural aspects using peer reviewed concepts and practices. Given the nature of the public discourse on mature and old-growth forests, it is essential to have a rigorous, peer-reviewed way to distinguish between areas that are considered mature and those that are beginning to transition to old growth conditions. These definitions provide a foundation for

identifying when active management may be necessary to maintain mature forests and/or promote future old growth conditions. Our inventory methods, including the definitions for mature forest, were recently published in Forest Ecology and Management, a highly respected scientific journal. The definitions reflect differences in forest types, biophysical settings, and productivity levels across forested ecosystems.

23. Why is the Forest Service moving forward with an Advanced Notice of Public Rulemaking for mature forests when your report on old growth acknowledges that there is no scientific definition or consensus regarding what a mature forest is?

Response: The Forest Service clarified definitions for 203 combinations of forest type, biophysicial setting, and productivity level in our inventory of mature and old-growth forests. This is important because without clearly stated definitions any group can claim that any area meets their definition of mature. This is no longer possible. We have created consistency in how the term is used. The ANPR requested input to help the agency understand how current policies and management might be adapted, or new policies and practices developed, for conservation and climate resilience to support ecologic, social and economic sustainability for a broad range of resources. These resources include mature and old-growth forests, which our initial inventory showed represent a large proportion of the National Forest System's forested lands. This inventory relied on definitions for mature forest that consider both ecological and economic aspects using peer reviewed concepts and practices, recently published in Forest Ecology and Management, a highly respected scientific journal.

24. Following up on a statement I made during the hearing, in the Forest Service's report on old growth, the report states that "narrative frameworks" are going to inform the "policy and practice of forest management" for old growth. The report also includes the following quote:

> "The role of place attachment or identity, meaning "the symbolic importance of a place as a repository for emotions and relationships that give meaning and purpose to life" may also be particularly relevant in our understanding of how people relate to and value old-growth forests."

Is the Forest Service planning to manage old growth forests based on vague concepts like "place identity" instead of scientific forest management practices?

Response: Narrative frameworks establish common definitions for old-growth and mature forests that can be used across forest types. They provide a consistent national framework that has stability and longevity, even as working definitions in specific forest types are refined over time. Working definitions apply quantitative measurement criteria to structural characteristics and fit under the umbrella of the narrative frameworks, reflecting the diversity of forest development in unique forest types. Old-growth and mature working definitions were generated for over 200 regional vegetation types. These definitions are helpful for inventory and other broadscale analyses, but do not direct management.

The Forest Service manages based on ecological conditions and management objectives, as outlined in land management plans and project decisions. Science provides the basis for determining ecological conditions and is utilized during the land management process and the project design and implementation. It also helps determine which silvicultural practices will best achieve management objectives such as integrated objectives including recreation, fuels management, wildlife management, and maintaining old growth conditions.

Great American Outdoors Act

25. Since the passage of the Great American Outdoors Act, the Forest Service has received $235 million per year in National Parks and Public Lands Legacy Restoration Funds to address the deferred maintenance backlog. Yet in that amount of time, the Forest Service backlog has actually risen by roughly $2.4 billion dollars. What do you attribute this sharp increase in your maintenance backlog to?

Response: The National Parks and Public Lands Legacy Restoration Fund established by the Great American Outdoors Act (GAOA) helps the Forest Service meet some of its greatest deferred maintenance needs for the safety and enjoyment of visitors to National Forest System lands. However, the National Parks and Public Lands Legacy Restoration Fund is dedicated to deferred maintenance, and the Forest Service's annual appropriations for routine maintenance are insufficient to prevent additional deferred maintenance from being created. The Legacy Restoration fund has been a critical tool for reducing the amount of deferred maintenance.

26. How have inflation and supply chain issues impacted your ability to complete deferred maintenance projects on budget and on time?

Response: Inflation and supply chain issues have increased the Forest Service's deferred maintenance costs across the National Forest System, thereby limiting the Agency's ability to reduce its deferred maintenance.

27. The Park Service has shared that they were previously using a methodology to calculate deferred maintenance and repairs that did not align with industry standards. Does the Forest Service's methodology to calculate deferred maintenance align with industry standards?

Response: The Forest Service adheres to the requirements in the Federal Accounting Standards Advisory Board's Statement of Federal Financial Accounting Standards 42 for reporting deferred maintenance annually consistent with data in the Agency's relevant database. Unlike the National Park Service's estimates of deferred maintenance, the Forest Service's estimates of deferred maintenance do not include ancillary costs for planning, design, or construction oversight and contract administration. Additionally, Forest Service estimates for some types of deferred maintenance have not been updated for inflation, in some cases since 2016, due to difficulty in obtaining RSMeans data for estimating construction costs in a format that could be migrated into Forest Service systems. Estimates for some types of assets have been adjusted for inflation because Agency staff could make the adjustment without specialized data. Recent U.S.

Department of the Interior (DOI) policy requires DOI agencies to update deferred maintenance estimates annually based on current costs, which the Forest Service also will start doing in fiscal year 2024.

28. Does the Forest Service have any plans to update its methodology for tracking deferred maintenance?

Response: The Forest Service intends to start updating deferred maintenance estimates annually for inflation. In addition, starting in fiscal year 2024, the Forest Service will update deferred maintenance estimates annually based on current costs.

29. What are the Forest Service's projections for what the total deferred maintenance backlog will be at the end of FY2023? Is the agency projecting it will increase or decrease from the current $7.6 billion?

Response: The Forest Service's estimated deferred maintenance at the end of fiscal year 2023 increased to $8.6 billion due to inflation, supply chain issues, and continued underfunding of routine maintenance. The Agency anticipates that its deferred maintenance will continue to increase if funding for routine maintenance is insufficient to compensate for these effects.

30. How is the Forest Service defining "equitable access"?

Response: The Forest Service defines the term "equitable access" to mean a policy to promote access to NFS lands and Agency services consistently and fairly and in accordance with applicable law, including for members of underserved communities.

31. We've heard concerns that the Forest Service is not using deferred maintenance funding provided under GAOA to upgrade buildings that could be used as housing for firefighters because of internal guidance that GAOA funding only be used on recreation.
    a. Why isn't the Forest Service using GAOA funding to address deferred maintenance that could improve housing options for firefighters?
    b. In addition to the $50 million requested in Facilities Maintenance and Leases to address urgent and necessary deferred maintenance and repairs of Forest Service owned housing, the FY2024 Forest Service Congressional Budget Justification included a GAOA Legacy Restoration Fund project line for $24.5 million in deferred maintenance housing projects. Has the Forest Service conducted an inventory of existing structures that could be converted into firefighter housing if deferred maintenance was addressed? If not, does the Forest Service plan to conduct such inventory?

Response: The Forest Service's Congressional budget justification for fiscal year 2024, which includes a National Parks and Public Lands Legacy Restoration Fund line item of $24.5 million for deferred maintenance housing projects, shows that the Agency believes that GAOA funding

may be used for deferred maintenance for employee housing, including housing for firefighters. The Forest Service has not conducted an inventory of existing structures that could be converted into firefighter housing if deferred maintenance were addressed. The Forest Service has compiled a utilization rate for all its administrative buildings, including Agency housing units, as well as an estimate of their deferred maintenance. The Agency is also finalizing a national housing strategy. As a part of that strategy, Forest Service administrative units will conduct a quarters needs assessment that includes the quantity and status of their housing inventory and any changes required to their housing inventory to meet staffing needs. The Agency's first priority is to address deferred maintenance for existing housing facilities, followed by consideration of non-housing facilities for conversion into housing units. Addressing code compliance and existing utilization of non-housing facilities is a prerequisite to their conversion into housing units.

c. How many existing structures could be used as housing for firefighters if deferred maintenance needs were addressed? What would be the total cost?

Response: The Forest Service administers 3,380 housing units for permanent and seasonal employees with an estimated deferred maintenance of $367 million based on 2016 costs. Including other necessary costs, such as for project planning, design, and oversight, and excluding additional deterioration and inflation during the time it takes to execute the projects, the Agency estimates it would cost approximately $575 million to eliminate the deferred maintenance for these assets.

Wood Products Utilization

32. This budget highlights that Forest Service Research and Development arm has studied the "effects of management actions and wildfire on the accumulation and loss of soil carbon, and the carbon storage effects of augmenting soil carbon with biochar. "Can you share more about the research the Forest Service has conducted on biochar?

Response: Investments made available through the Bipartisan Infrastructure Law have enabled the Agency to perform critical work that protects communities while improving forest health and resiliency. A robust timber industry is critical to address the wildfire crisis and to maintain healthy forests across the Agency in the face of climate change. The Agency has developed a number of largescale contracting and agreement tools with partners that will be critical to implementing this work. A total of $5,500,000 has been made available for projects that include development and production of biochar and other products from provision 40803(c)(15) of the Bipartisan Infrastructure law.

Investments have been made with the U.S. Endowment for Forestry and Communities to support the production of biochar at the Restoration Fuels plant (John Day, OR) from material removed from hazardous fuel treatments. This work allows the agency to assess the economics of production and to reuse the material to develop markets and refine the processing technology. Further, we are engaged with the U.S. Biochar Initiative to provide technical assistance to

producers and demonstration projects to further the capacity of biochar to support forest health initiatives.

Since 2017 Region 6 and the Rocky Mountain Research Station have joined in a Cooperative Research and Development Agreement with Air Burners, Inc to develop a mobile, in-woods pyrolysis air curtain burner that would create biochar from excess woody residues created during forest restoration, thinning, and harvest operations. This work led to a patent originally held by the Forest Service principal investigators, which was later licensed to Air Burners, Inc. Our collaborative work resulted in an air curtain burner that continuously makes biochar, and which generates much less smoke and particulates than open slash pile burning.

Forest Service Research and Development funded $561,000 in 2022 across four National Forests to evaluate the use of Biochar for soil restoration. In 2022, Forest Service R&D hosted 8 in-woods demonstrations of the Air Curtain Burners, Inc new technology, the CharBoss®, on National Forests, Experimental Forests, with the Bureau of Land Management, and on Private Lands. These demonstrations reached over 500 people and participants included Tribes, NGO's, University, Forest Service, BLM, and private citizens. In addition to the demonstrations funded in 2022, R&D has, since 2009, installed over a dozen forest and range field trials to determine vegetation and soil responses to forest feedstock biochar.

Forest Service R&D has fostered together with USBI and the Southern Regional Extension Forestry the dialogue among researchers, industry, and communities. Since 2019, Forest Service has organized 26 webinars on topics related to thermochemical conversion pyrolysis systems, techno-economic analysis, biochar applications for different purposes, forest management for biochar production and carbon negative technologies using biochar, and biochar production methods at different scales with participation of 5,600 people.

33. Do you believe biochar and similar technologies could help the Forest Service remove more excess fuels?

Response: Yes. State, Private, and Tribal Forestry Wood Innovations program staff and many partners are focused on market development and expanded manufacturing for many sectors of the wood products economy, including mass timber, renewable wood energy, biofuels, biochar, and other innovative wood products. The Agency provides both technical and financial assistance to support markets for wood products and wood energy. These investments are made to support new markets and expanded processing capacity for using wood materials removed to reduce wildfire risk and to support active forest management.

In June 2023, the Forest Service invested more than $43 million in the Wood Innovations and Community Wood grant programs to expand investments for market development for wood products and wood energy and to support wood products facilities. Made possible in part by the IIJA and IRA, these funds are being invested in 123 projects nationwide.

In April 2023, the Forest Service funded $29 million (41 projects) under the IIJA Wood Products Infrastructure Assistance grant program in March 2023 to support and expand existing operations or establish new processing facilities that purchase and process byproducts from forests. Twenty-seven projects (64%) will utilize byproducts from one or more of the Wildfire Crisis Strategy priority landscapes.

In October 2023, the Forest Service announced the availability of nearly $50 million in grant funding available for proposals that support crucial links between resilient, healthy forests, strong rural economies and jobs in the forestry sector. The open funding opportunity comes through the Forest Service's three key grant programs to support the forest products economy: Wood Innovations Grant, Community Wood Grant, and Wood Products Infrastructure Assistance Grant Programs. These projects will support companies as they utilize this material in wood products, wood energy, biochar or other wood products. Project under these funding programs focus on increasing the utilization of material removed from fuels reduction projects where viable.

Renewable wood energy creates markets for low grade wood from hazardous fuel treatment, harvesting, and industrial residue. Since FY 2019, Wood Innovation and Community Wood Energy grants have supported 45 wood energy projects that use hundreds of thousands of green tons of residues or chips annually. The Forest Service National Wood Energy Technical Assistance Team provides critical support for over 50 wood energy projects annually to increase production of heat and combined heat and power.

34. What can Congress do to incentivize the use of adoption of mass timber from materials on National Forest System lands?

Response: The Forest Service is working to build markets for commercial, institution and multi-family construction, with an emphasis on mass timber. Wood Innovations grant funding is being effectively used to support education, building project assistance and support manufacturers in their efforts to increase production. We are seeing increased lumber supply from National Forests being used for mass timber production. However, this is just the beginning of the market growth. While we are building 300+ buildings a year, the potential exists for several thousand buildings a year. Ongoing funding for Wood Innovations grants can be used to continue our effective programs while also increasing options for additional species, lumber production from small and medium sized trees and expand into modular mass timber construction of single-family homes and smaller multi-family projects like duplexes and triplexes. Our team is working with the General Services Administration and the USDA Rural Development to support the potential of mass timber for USDA construction projects.

Southern Border

35. How much of the southern border is Forest Service land?

Response: The only place NFS lands touch the US/Mexico border is on the Coronado National Forest in Arizona (Region 3). About 55.7 miles of the border is coincident with these NFS lands. According to US Customs and Border Protection the US/Mexico border is 1,954 miles long. So about 2.9% of the border is coincident with NFS land.

36. In the Department of the Interior's FY 2024 budget justification, they identified illegal methamphetamine production as an issue on federal lands.

    a. Has the Forest Service also identified illegal methamphetamine production on its lands?

Response: Yes. In recent years we have noticed a considerable decrease in the domestic production of methamphetamine as the recent trends suggest that more finished methamphetamine product is being smuggled in large quantities into United States. However, in the past 10 years, there have been 84 clandestine methamphetamine labs discovered on National Forest lands. Additionally, 32 sites were located that contained methamphetamine production equipment and/or chemicals and 102 dump sites were located containing other items associated with the manufacturing process. In this same timeframe, LEI has seized approximately 45,441 grams (100 pounds) of methamphetamine from individuals on NFS lands. These are seizures of finished methamphetamine product, and it cannot be determined if it was attributed to a specific production site on NFS lands.

In a recent case, methamphetamine production equipment was located and subsequently tested with a high-pressure mass spectrometer. The test indicated the presence of amphetamine (the analyte for methamphetamine), MDMA (commonly known as ecstasy) and xylazine (a veterinary sedative). A local county hazardous material team assisted the Forest Service with the cleanup of this site.

    b. If yes, how much methamphetamine is being illegally produced on NFS lands and what environmental and safety impact is this having on NFS lands?

Response: Currently, we do not have statistics available to quantify the amount of methamphetamine that is being produced on NFS lands. Amounts are estimated on a case-by-case basis to determine the appropriate sentencing guidelines for those charged criminally with manufacturing methamphetamine. Methamphetamine manufacturing/production sites on NFS lands have both an environmental and safety hazard to our water sources, wildlife and forest visitors. The waste that is left behind from methamphetamine lab sites is corrosive and highly explosive which can cause devastating fires posing a threat to structures and life. There is also chemical contamination of soil, water, and vegetation. Education on avoiding getting near common items used in meth labs is crucial to avoid health impacts of these chemicals which can be deadly. LEI personnel conduct safety and awareness training for agency employees and cooperators.

c. If yes, what is the Forest Service doing to eradicate illegal methamphetamine production?

Response: Forest Service LEI responds to and investigates all reports of suspected methamphetamine production, chemical and equipment dumps sites, trafficking, and distribution. These investigations are referred to the United States Attorney's Office or appropriate state prosecutor's office when suspects are identified. The successful prosecution of the person(s) involved in the production of methamphetamine on NFS acts as a deterrent to future activity.

37. Approximately how many wildland fires are ignited each year due to activities associated with illegal border crossers?

Response: While the Forest Service LEI does investigate the cause of wildland fires, immigration status of alleged perpetrators is not tracked.

Energy Development

38. A private company has been working for over a decade in my district to develop the work plan and secure required federal and state permits for an underground mining operation adjacent to the Ouachita National Forest. Most of surface infrastructure will be located on privately held land. This project will provide jobs, spur economic development, provide a domestic resource for steel production, and have minimal surface disturbance. The draft Environmental Assessment (EA) is currently under review by the United States Forest Service (USFS) and the Bureau of Land Management (BLM). I am concerned with how long the review process is taking. The draft EA was first submitted to the USFS, BLM, and Office of Surface Mining Reclamation and Enforcement (OSMRE) in April 2021. I understand the Forest Service is currently deciding if a Forest Plan Amendment is the next step.

a. When will you have a decision?

Response: A decision is expected in 2025.

b. Will you please provide an update on where the process currently stands?

Response: An interdisciplinary team comprised of Forest Service, Bureau of Land Management, Office of Surface Mining Reclamation and Enforcement, and contracted subject matter experts are working collaboratively to develop an EIS. The Notice of Intent for the project was published in the Federal Register on Dec. 26, 2023. The draft EIS is expected to be available for public comment in the summer of 2024 with a decision expected in 2025.

c. Will you commit to providing the necessary USFS personnel and resources to meet timelines to review this permitting application?

Response: The Forest Service is the lead agency for the preparation and development of the EIS. The BLM and OSMRE are cooperating agencies. The agency will coordinate with BLM and the

Office of Surface Mining, Reclamation and Enforcement as cooperating agencies during preparation of the EIS, during the public review process, and throughout the decision-making process. The Forest Service is committed to ensuring the review process moves forward towards a timely decision.

Wildland Firefighters

39. On March 30, the United States Department of Agriculture, along with Department of Interior and Office of Personnel Management, transmitted to Congress its federal wildland firefighter management legislative proposal.

    a. How much does the Forest Service believe the proposal will cost in its first year, presumably fiscal year 2024, and over 10 years?

Response: The Agency projects that the comprehensive pay reform package submitted to Congress, including a new special base rate pay and a new incident response premium pay, will cost an estimated $367 million ($216 million in WFM Salaries & Expenses for base pay and $151 million in WFM Suppression for premium pay) in the first year of implementation (2025 assumed for these estimates). In developing its annual Congressional budget justification, the Forest Service formulates the next year's budget to account for proposed personnel-related Administration priorities, including annual pay increases. The Agency cannot accurately project future personnel costs until it receives current budget formulation guidance from the Office of Management and Budget. Additionally, the estimate for premium pay costs is based on assumptions for incident response frequency that are highly variable given their dependency on fire season severity.

    b. How much is specifically for firefighter pay in the first year, presumably fiscal year 2024, and over 10 years?

Response: The President's budget for fiscal year 2024 includes $180 million to implement a new special base rate pay for Forest Service firefighters. Based on current staffing levels and communications with the Office of Personnel Management and the Congressional Budget Office, this figure has increased to $192 million in the first year of implementing the pay reforms. The Congressional Budget Office recently completed an analysis of the Wildland Firefighter Paycheck Protection Act of 2023 (S. 2272), a legislative proposal for federal firefighter pay rates similar to those proposed in the Administration's budget for fiscal year 2024. The analysis is based on cost estimates of implementation submitted by the United States Department of the Interior and the United States Department of Agriculture.

    c. Did the Forest Service conduct an analysis to compare the proposed federal new pay table to western states' firefighter pay? Will the new proposed pay for federal firefighters exceed state pay? Please provide a state-by-state breakdown of this data.

Response: The Forest Service conducted an analysis comparing the proposed special base rate

pay for federal firefighters in the President's budget for fiscal year 2024 with compensation data from fiscal year 2022 for wildland firefighters in various states. The analysis focused on several western states with publicly available compensation data for firefighters. The results showed that the hourly wages offered in most states are similar to the proposed hourly rates in the special base rate pay tables for federal firefighters. However, some states, such as California, have different work schedules that include guaranteed overtime in their monthly salaries. Differences in work schedules, standby pay, and guaranteed overtime pay result in significant complexity that makes it difficult to compare federal and state pay scales for firefighters.

d. In my district in Arkansas, many Forest Service employees are deployed out West during wildfire season. They are often referred to as militia members. These temporary assignments of employees are crucial to supporting the operations of the Forest Service. Does this proposal include pay increases for so called "militia members"?

Response: The Administration's proposal creates a new premium pay category that provides some additional compensation tied to incident response for wildland fire personnel, including militia (i.e., collateral duty) personnel. Our effectiveness is greatly influenced by the involvement of militia personnel, particularly during times of intense wildfire activity. In a significant fire year, more than 13,000 Forest Service employees who are not in dedicated firefighting positions provide critical support to fire response system both in firefighting roles and in roles such as logistical support, cache, and dispatch support, as resource advisors, providing contracting and purchasing, as part of incident management teams. The Senate has introduced the Wildland Firefighter Paycheck Protection Act of 2023 (WFPPA), which, like the Administration's proposal, would permanently increase the base pay for Forest Service and U.S. Department of the Interior wildland firefighters. The bill would also provide a new incident response premium pay for wildland fire personnel. These increases in pay would recognize the critical role played by collateral duty federal firefighters and other federal employees who support fire operations, such as those who serve on incident management teams, in ensuring the success of the federal land management agencies' wildland fire mission. The Administration's budget proposals for fiscal years 2024 and 2025 also include the funding necessary to implement the special base rate pay and new incident Standby Premium pay proposed through the Administration's proposal and WFPPA.

40. The Bipartisan Infrastructure Law (BIL, P.L. 117-58) provided funding for wildland firefighter mental wellbeing and directed the Secretary of Agriculture, with the Secretary of the Interior, to establish programs for wildland firefighters "to recognize and address mental health needs." Current updates to committee staff indicate a comprehensive plan for this funding has yet to be established.

a. When will you have a public plan for the BIL funding for firefighter mental wellbeing?

Response: The mental wellbeing and care of our nation's wildland firefighters is a top priority. The Forest Service, working jointly with the Department of the Interior, is actively engaged in

evaluating the internal and external resources required to develop, implement, and manage a comprehensive wellbeing program. Currently, we are working in conjunction with the DOI to address the best means to hire and/or contract the expertise needed to expand the agencies' capabilities to oversee comprehensive firefighter health programs, including mental health care. Implementing such a program is complex, and we are working on building the capacity necessary to do it well. At the end of fiscal year 2023, the agency had spent approximately $200,000 of BIL funding toward the salary of a clinical administrator to oversee and lead the development of an evidenced-based program across the Forest Service and Interior wildland fire community. This was a critical first step to deliberately moving into this new behavioral health space and ensuring we use stay anchored with evidence-based approaches and have mechanisms to evaluate utilization and effectiveness so we can learn and adjust to meet the needs of the community. For fiscal year 2024, that framework is informing the phased approach to meeting the critical needs of our firefighters while also informing longer-term program refinement, investments and decision points into the future. To that end, the Forest Service finalized an agreement with the Department of Health and Human Services in January 2024, which allows the agency to bring in experts to support firefighter behavioral health and other associated health specialties. Interior has an existing agreement, which they have been utilizing to support the Wildland Firefighter Health and Wellbeing Program.

b. How are you engaging current and past wildland firefighters in developing tools, resources, and programs?

Response: A diverse group of current and past wildland firefighters were involved in the Wildland Firefighter Mental Health Summit held in Boise, Idaho last April to ensure input into the framing of a wildland firefighter mental health program. The creation of a deliberate feedback system was identified at the Summit as a key component to engage firefighters in the development of the tools and programs that may be provided by firefighter wellness programs. We are currently exploring what the development of that feedback system may look like. The intent is to continue deliberately engaging with current and past firefighters as we move forward to ensure the program, tools, and resources are meeting the needs of our workforce.

c. The President's Budget asks for an additional $10 million for firefighter health and well-being. Why is additional funding being requested? What will this money be used for that the first round of funding has yet to cover?

Response: Section 40803c2 of the Bipartisan Infrastructure Law appropriated $480 million to the Forest Service for salaries and expenses of Federal wildland firefighters. Section 40803d further clarifies the intent of these funds and includes multiple priorities: establishment of a distinct "wildland firefighter" occupational series, conversion of seasonal firefighters to permanent year-round employees, increased base pay of firefighters, minimized exposure to line-of-duty environmental hazards, and establishment of programs to address mental health needs. In coordination with the Department of the Interior and Office of Personnel Management, the Forest Service prioritized implementation of the firefighter pay component of section 40803d as the highest leverage use of this funding to address recruitment and retention of federal wildland firefighters. This is further supported by Government Accountability Office November 2022 report (https://www.gao.gov/assets/gao-23-105517.pdf), which states, "[l]ow pay was the most commonly cited barrier to recruiting and retaining federal wildland firefighters."

Input from the joint USDA and DOI Wildland Firefighter Mental Health Summit held in Boise in April 2023 affirmed the importance of taking a comprehensive approach to supporting firefighter mental and physical health. This is also demonstrated by the FY23 National Defense Authorization Act, which directed both the FS and DOI to conduct a comprehensive long-term health study and underscored the importance of having stability in funding. While funding from the Bipartisan Infrastructure Law has been was designated to support the development and execution of the health and wellbeing program for firefighters, those funds will not support the full establishment and long-term continuation of a program. The additional $10 million requested in the President's Budget would ensure sufficient financial resources to maintain momentum to support a more comprehensive and sustained approach to wildland firefighter mental health and would demonstrate the financial commitment to maintain such programs. Specifically, as we invest BIL funding into increasing services for our firefighters through contracts, agreements, partnerships and internal hiring, having a source of annually appropriated dollars to sustain and refine those services into the future would help ensure stability and trust in the program. In 2024, the FS and Interior are focusing on implementing key service actions to address the most pressing "gaps" for federal wildland firefighters while also gathering data to inform decisions in subsequent phases. Two of the initial key actions and investments include:

- Placing U.S. Public Health Service officers into geographic-based behavioral health positions to serve as central points of contact for Forest Service and Interior wildland fire employees in need of support accessing mental/behavioral health professionals.
- Seeking contract(s) for counseling, crisis support, and training services through a national or geographic network of clinicians with experience and treating in mental health concerns known to affect wildland firefighters such as (but not limited to): depression, anxiety, substance use, and trauma-related disorders using evidence-based modalities.
- Scoping a medical surveillance program and conducting pilot studies to assess workplace exposures that can further inform the environmental hazards tasking and mitigations to manage long term health of employees, as noted in BIL and the requirements of the FY 2023 NDAA.

Telework Policies

41. On April 10, 2023, President Biden signed Dr. Gosar's bill into law ending the COVID-19 public health emergency and the Office of Management and Budget released guidance to Departments to bring employees back into the office. Have you issued guidance directing Forest Service employees to return to the office?

    a. Will you commit to issuing guidance to Forest Service employees to return full-time to in-person work? If yes, when will you issue this guidance?

Response: As demonstrated by the response to Question B below, the vast majority of Forest Service personnel have returned to in-person work. The Forest Service will continue to follow OMB and USDA directives.

    b. Please tell the Committee how many Forest Service employees worked in person at the Forest Service on April 26, 2023 and what percentage worked virtually

from home.

Response: As of April 26, 2023, 27,223 Forest Service employees (87.8%) worked from a Forest Service facility, while 3,768 (12.2%) worked virtually from home.

42. Your budget requests a $52 million increase in your Information Technology budget to support Forest Service employees working from home. During the Senate Energy and Natural Resources hearing of the Forest Service Budget Request, you indicated that this line item would likely need to be addressed in light of the Office of Management and Budget's guidance to "substantially increase in-person in the office." Should we expect to see an updated Budget Request that excludes this request for additional telework IT funding?

Response: The increase of $52.149 million requested in the FY 2024 President's Budget for the Information Technology and Centralized Processing program was to partially address the anticipated cost increases associated with all information technology systems, not specifically to address employees working from home. As discussed in the FY 2024 Budget, the agency continues to work to modernize and improve program efficiencies for potential cost savings; however, all costs associated with information technology systems are on an upward trajectory.

Fire Suppression Policies

43. The Forest Service Budget is seeking a $854 million increase for wildland fire management for this year, which would be a 40 percent increase from last year. How would this funding level be impacted if you were to lose the ability to use fire retardant?

Response: The ability to use fire retardant would not impact the discretionary funding request for this year. Fire retardant is funded from the Wildland Fire Suppression budget line item, which receives a fixed base amount of $1.011 billion annually, as well as possible transfers of additional above-cap amounts from the Wildland Fire Suppression Operations Reserve Fund, as established under Public Law 115-141.

44. The contracting process from the US Forest Service for aviation firefighting vendors is more challenging than ever, with current contracts expiring early in the 2nd quarter of 2023, and new contracts under heavy protests and status of their awards unknown. Can you speak to this growing concern of no coverage secured for 2023 and what the USFS intends to do to solve this urgent matter?

Response: The USDA Forest Service's Incident Procurement Operations Aviation Branch in conjunction with the Mission Partner Fire and Aviation Management have reviewed the aviation portfolio holistically. Taking into consideration expiring contracts, new procurement timelines and any procurements could be affected by on-going protests. Joint plans have been made to ensure the agency has the necessary equipment and services to meet the wildfire mission in 2024 and beyond. The agency may leverage the use of six-month option periods, bridge contracts or call when needed agreements. Together we are confident these options will ensure the agency has access to all aviation assets when necessary.

45. In recent years the US Forest Service has adapted the Lowest Price Technically Acceptable award methodology, or LPTA for bidding vendors. This process takes no consideration or weight for historical performance, industry experience, references, equipment quality/modernity, or safety record. On the contrary, forthcoming USFS contract requirements are requiring vendors to invest more in upgrades to their aircraft than ever with no certainty of any revenue, amidst the battle to win in the LPTA format. How can the USFS continue to ask for such advancements in aircraft, experience, and equipment but restricted their awards to be weighted solely on price in an extremely challenging economy?

Response: The US Forest Service utilizes every evaluation methodology available authorized by the Federal Acquisition Regulations (FAR). Each procurement is different and may have varying technical requirements that are better suited for utilizing trade-offs or LPTA. When a requirement is received the program office, contracting office and legal counsel review the requirements wholistically, conduct the appropriate market research and decide which is the best evaluation methodology for the procurement. While the LPTA evaluation process may not utilize trade-offs, it can be the most appropriate course of action when technical requirements are well established, and the industry has a record of highly capable vendors performing at superior levels. The Forest Service will continue to evaluate and assess the success of each procurement, continuing to determine which evaluation methods are most appropriate for the requirements.

Questions from Rep. LaMalfa for The Hon. Randy Moore, Director of the U.S. Forest Service

1. What steps is USFS taking to address the ever-increasing presence of illegal marijuana grow sites on federal lands?

Response: The USFS-LEI is taking a multi-faceted approach to addressing the illegal cultivation of marijuana on National Forest System lands. This includes novel and innovative detection methods of cultivation sites on NFS lands, comprising imagery collection tools, platforms, and algorithms to detect habitat manipulation that cultivators inflict at the sites and the infrastructure necessary to support a site. To-date, we have surveyed 1% of National Forest lands in California Pacific Southwest Region; this new technology has detected over 61 new cultivation sites for which USFS-LEI or any law enforcement agency had no previous record from 2000-2022. This technology allows us to track future necessary resources to holistically address illegal cultivation's overall landscape impacts on National Forest System Lands.

We are working with non-profit cooperators and other federal agencies to develop new tools and technologies to test soil, plants, and water at these cultivation sites. Data are used to assist in developing health and safety protocols to protect our staff, aid in environmental crimes prosecutions, and create best practices for remediating the ecological impacts.

Finally, USFS-LEI has proactively addressed both the new and the 4,000 historical sites by removing hazardous and non-hazardous materials and infrastructure. Between 2000-2022, a total

of 381,510 lbs (191 tons) of trash and a minimum of 2.5 million ft. (479 miles) of plastic irrigation line has been removed from 374 sites reclaimed from National Forest lands. This year, 2023, USFS-LEI has removed 24 sites, including 16,160 lbs (8 tons) of trash and 126,857 ft (24 miles) of irrigation line. In addition, the efforts alone in 2023 restored over 105.2 million gallons of water back into headwaters that support wildlife, fisheries, communities, indigenous tribes, and agriculture.

2. Does Director Moore agree that illegal marijuana cultivation and smuggling pose huge health and safety risks for both the environment and the public?

Response: These risks are well documented, and the Forest Service agrees that they pose risks to both health and safety risks to the environment and human health. This is why we have implemented new training protocols and sessions, purchased personal protective equipment (PPE), hazardous material decontamination equipment, and rapid field hazmat diagnostic equipment, and have a medical monitoring surveillance program to protect our staff working within these illegal sites.

We have also partnered with and supported cooperators who assist us in documenting the ecological health risks associated with these sites and have staff who have published via peer-reviewed scientific literature data on the risks to both humans and the environment from these locations.

Finally, smuggling illegal pesticides for illegal use on illicit marijuana cultivation sites is a significant risk. Over the past five years, illegally smuggled pesticides were present at 76% of the cultivation sites USFS eradicated on National Forest System Lands. We estimate that, on average, 70 active sites are detected by Law Enforcement on National Forest Lands annually. Therefore, the annual input to the environment and the risks to staff and visitors from illegally smuggled pesticides is significant.

3. Is the USFS currently undergoing any remediation or cleanup efforts at marijuana grow sites? If so, where are those actions taking place?

Response: USFS-LEI has proactively addressed both the new and the 4,000 historical sites by removing hazardous and non-hazardous materials and infrastructure. Between 2000-2022 a total of 381,510 lbs (191 tons) of trash and a minimum 2.5 million ft. (479 miles) of plastic irrigation line have been removed from 374 sites reclaimed from National Forest lands. This year, 2023, USFS-LEI has removed 24 sites which included 16,160 lbs (8 tons) of trash and 126,857 ft (24 miles) of irrigation line. In addition, the efforts alone in 2023 restored over 105.2 million gallons of water back into headwaters that support wildlife, fisheries, communities, indigenous tribes, and agriculture.

We are also removing all discovered banned, restricted-use, and over-the-counter hazardous materials and pesticides with qualified personnel, cooperators, or contractors. In 2022 alone, we discovered and removed 169 sprayers and containers of banned and restricted- use pesticides from 56 cultivation sites in 10 different National Forests.

These reclamation actions remove hazardous and non-hazardous materials. They do not include restoration of habitat, or the remediation of contaminated soil, plants, or water discovered at these locations. Current resources allow us to detect and track these contaminations for potential future remediation and restoration actions.

Unfortunately, most empirical scientific data on environmental or human health impacts originate from the Western United States. Data from other National Forests throughout the country is absent, yet many sites in other parts of the country exhibit the exact ecological and human health threats as sites in the western United States. This absence of data does not refute the potential threat nationally. Therefore, we suspect similar impacts on human and environmental health where they overlap with illegal cultivation throughout National Forest Lands.

4. Is the USFS studying or tracking the environmental harms of illegal marijuana grow sites and in particular on the pesticides used? To what extent have illegal pesticides been found at these grow sites?

Response: Yes, the USFS is actively tracking, monitoring, and studying the direct or indirect impacts to the environment that illegal marijuana cultivation poses to National Forest lands. Data from these efforts have assisted sister federal agencies. For instance, in 2020, the Department of the Interior, United States Fish and Wildlife Service (USFWS) listed the California population of the Southern Sierra Nevada fisher, a mid-sized forest carnivore related to the wolverine, as endangered under the Endangered Species Act (ESA) due in part to high rates of exposure from pesticides associated with illegal marijuana cultivation. This population primarily occupies Forest Service Lands. USFWS also stated that toxicants from sites were one of the threats that had the greatest potential to become a significant driver for the future of this species within this population. Congruently, in February 2023, USFWS proposed to list the California spotted owl as endangered under the ESA from similar pesticide threats associated with illegal cannabis cultivation. They also highlighted that under the 4(d) rule of the ESA, actions such as the clean-up of illegal cultivation sites will benefit the conservation of this species.

Peer-reviewed scientific literature authored by USFS-LEI scientists and cooperators has demonstrated the direct and indirect impacts of illegal marijuana cultivation and its associated pesticide use on Forest Service lands. These include the direct poisoning and exposure to pesticides associated with illegal cultivation sites of the endangered fisher in the Southern Sierra Mountains (Gabriel et al. 2012, 2015), the exposure of a California Condor (Herring 2022), and the exposure of the endangered northern spotted owl (Franklin et al. 2018, Gabriel et al. 2018) inhabiting National Forest Lands. In addition, reduced survival of female fishers within the endangered population of the southern Sierra Nevada was associated with exposure to pesticides found at cultivation sites within their occupied habitat (Thompson et al. 2014).

Documentation of individual wildlife deaths at illegal cultivation sites on Forest Service lands

includes the ESA listed Sierra Nevada bighorn sheep, as well as golden eagles, black bears, deer, elk, turkey, and quail (Thompson et al. 2017). Recently, a study highlighted the presence of illegal pesticides in surface waters in streams below National Forest cultivation sites could pose risks to herpetofauna or ESA-listed salmon below these sites.

Illegal cultivation sites have been the cause of several wildfires on Forest Service lands resulting in over 265,000 acres of National Forest Lands burned (Gabriel 2021). These fires that illegal cultivators initiated resulted in over 23,000 acres of federally listed ESA critical habitat being burned (Gabriel 2021). This critical habitat included the endangered and threatened Arroyo Toad, the California red-legged frog, and the northern spotted owl. Specifically, the California Dolan fire in 2020 on the Los Padres National Forest that was initiated by a cultivator at an illegal cannabis cultivation site in California burned close to 125,000 acres and killed 11 California Condors.

Finally, a recently published paper (Medel et al. 2022) documented water contamination from illegal pesticide use below illegal marijuana sites on National Forest System Lands. This in addition to plant and soil contamination data collected each year, allows the USFS to track the annual impacts from these sites.

We have documented that over 95% of all National Forest System Land cultivation sites have 1 or more pesticides used (Gabriel et al. 2023). Out of 243 sites we have documented and assessed, 5 different types of pesticides are discovered per site (Gabriel et al. 2023), with some sites having up to 16 different types. This array of pesticides makes it difficult to gauge the specific risks to human or environmental health due to unknown synergistic or additive effects these pesticides may have on an individual or the environment.

Unfortunately, most empirical scientific data on wildlife impacts originate from the Western United States. Data from other National Forests throughout the country is absent, yet many sites in other parts of the country exhibit the exact ecological and human health threats as sites in the western United States. This absence of data does not refute the potential threat nationally. Therefore, we suspect similar impacts on human and environmental health where they overlap with illegal cultivation throughout National Forest Lands.

5. My colleague Rep Mcclintock and I sent a letter to you last year urging you to end the Let Burn policies. Is the USFS now implementing aggressive, initial attack strategies to extinguish wildfires detected on National Forest System lands not later than 24 hours after such a wildfire is detected in a way that is demonstrably different than previous years?

Response: The Forest Service implements fire response consistent with interagency policies which does not include a "Let Burn" policy. Current policies do allow for the management of wildland fires for multiple objectives to achieve desired conditions outlined in local national forests' land and resource management plans. By Forest Service policy, every fire receives a strategic, risk-based response that is appropriate for the circumstances and the associated threats

and opportunities. Each strategy uses the full spectrum of management actions that consider fire and fuel conditions, weather, values at risk and resource availability.

Where wildfires threaten lives, communities and homes, the agency will actively use all available strategies and tools to suppress those fires and their growth. Our focus is on making sound, science-based, risk-informed decisions.

Our goal is to minimize the number of destructive large wildland fires. Local ground resources—federal and non-federal—supported by available airtankers and helicopters, work together whenever possible to contain these fires safely and effectively. Because of these efforts, 98% of wildland fires are contained within 24-hours of the initial response and less than 2% become the larger fires we often see in the media.

Fire suppression will continue to be an important component of fire management; 89% of wildfires are human caused. These wildfires tend to start adjacent to primary domiciles and other important property. All human-caused fires are suppressed, as are any fires that threaten life or property.

As such, the Forest Service fire prevention program is still integral to the suppression response, where prevention officers patrol high-use areas to educate the public and to seek areas where escaped campfires or other human-caused wildfires, such as equipment and vehicles, are a source of fire ignitions.

When there is a high wildfire risk, prevention teams are deployed to have more presence, education, and patrol in high use areas of a forest. Additionally, the Forest Service can pre-position firefighting resources during periods of high fire danger in an effort to suppress wildfires during initial attack.

Strategic risk-based responses to every wildfire are critical for addressing the wildfire crisis. Fire, as a natural component of the ecosystem, cannot be removed from these systems and will continue to play a vital role in the ecological integrity of these environments and the resilience of these environments and the communities within them. While we recognize the impacts fire has on communities, aggressive suppression of all fire on these landscapes will increase the detrimental impacts to communities and natural resources.

6. Can you, as chief of the US Forest Service, commit to returning to the original language and intent of SRS Titles II and III (15% of annual SRS payments) regarding county allocations? This would allow counties and school systems that are locked into allocations based on 2011 or older SRS funding levels, to update their SRS allocation formulas to better meet their funding needs.

Response: With the passage of the Infrastructure Investment and Jobs Act (IIJA), Congress reauthorized payments under the Secure Rural Schools (SRS) Act. In addition to extending payment authority, the IIJA authorized counties to make elections to participate in the SRS

program for the first time since 2013. The statute required counties, through their State Treasurer, to file their elections by August 1, 2021, and August 1, 2023. The county does not have to submit an election form if they do not want to change their choice about participating in SRS.

The reauthorization also allowed counties participating in SRS the opportunity to determine where they wanted to allocate their SRS funding . Counties can allocate SRS funds to: Title 1 (Rural Schools and Roads), Title II (Special Projects on Federal Land), and Title III (Search & Rescue, Broadband, Conservation Education). Title I and Title III are paid to the county through their State Treasurer. If no allocation form is received from the county, the SRS Act requires that 80% of the funds be allocated to Title I and 20% to Title II. The deadline for these allocations is September 30 of each year.

Therefore, the counties both elect whether to participate in SRS and how to allocate the funds between the titles. In this manner, the Chief will process the elections and payments pursuant to the calculation outlined in the legislation.

7. Do you believe the increase in funds for staffing is sufficient, and what is your plan to scale up staffing levels to meet the goal of treating 20 million acres in 10 years?

Response: The Forest Service is thankful for the funding provided by BIL and IRA. These funding sources increased the Forest Service capabilities to reduce risk to communities by treating critical acres. However the funding received as part of BIL and IRA is a down payment on achieving treatment of 20 million acres in the next 10 years. The Forest Service utilized the funding to focus treatment on high-risk areas which, in general, are more expensive to treat. In addition, the Forest Service utilized the funding to build a more robust and resilient wildland fire management workforce; however, the Forest Service's reliance on the same personnel to perform fire suppression activities and prescribed fire duties, results in personnel shortages during busy times of the year. The Forest Service will continue to ensure vegetation treatment operations are as efficient as possible to maximize the use of all funds made available to treat 20 million acres over the next 10 years.

The recently released National Prescribed Fire Resource Mobilization Strategy provides a framework to increase the pace and scale of prescribed fire which will protect communities and restore the health and resilience of the nation's forests and grasslands. This strategy will ensure our employees have the necessary tools and resources to successfully implement the 10-year Wildfire Crisis Strategy with partners and communities. At the same time, it will fundamentally change how we do business as we shift from a focus on individual unit goals and commit to stewarding the whole.

8. To address staffing shortage concerns, to what extent is the USFS looking outward to expanding volunteer engagement?

Response: The Forest Service's Volunteer Program (VP) is exploring the following:

- Improving recruitment of volunteers through the use of billboards, educational materials, and other efforts.
- Developing and conducting external and internal (including line officer) training on the VP and developing tools for volunteers.
- Collaborating with non-profit organizations to share volunteer resources.
- Ensuring the Agency's online volunteer onboarding process through Volunteer.gov is streamlined and easy to navigate to facilitate participation in the VP.
- Ensuring each Forest Service region provides recognition and appreciation for volunteers, including acknowledging their contributions through social media and other avenues.
- Working with administrative units to foster a positive and inclusive environment where volunteers feel valued and part of the team.
- Improving reporting of activities performed by volunteers.

9. Are there certain tasks that the USFS could rely more heavily on volunteer groups and other partners to complete?

Response: The Agency can continue to encourage volunteer groups to:

- Assist with surveys of invasive plants, botany, wildlife, and trail conditions; planting; weed removal; and revegetation.
- Serve on fuels reduction crews and assist with trail construction and maintenance, smoke monitoring, and fire line preparation.
- Support the Agency's Wildfire Crisis Strategy by performing road and trail maintenance and restoration, maintenance, and improvement of wildlife and fisheries habitat; setting prescribed fires to reduce wildfire hazards, improve the composition, structure, condition, and health of forest stands, and improve wildlife habitat; removing vegetation and conducting other activities to promote healthy forest stands and reduce wildfire hazards; performing watershed restoration and maintenance; and controlling noxious weeds.

Questions from Rep. Teresa Leger Fernandez (NM-03):

I) This year New Mexico was blessed with snow that will help us address the drought.

But those in the Hermit's Peak/Calf Canyon Fire burn scar are scared of the subsequent floods and debris flow that will wipe out more roads, destroy more pasture, and flood more homes. I understand the Forest Service has begun seeding and mulching work on the Forest Service land in the burn scar.

Chief Moore, what is the Forest Service doing to coordinate with other agencies to make sure all lands - including private lands that the forest burnt - are

rehabilitated to protect homes and property from the flooding we know is coming this spring?

Response:
The Forest Service recognizes that this was a devastating fire for so many communities and we are working side by side with our neighbors and our sister USDA agencies for the long term. The Forest Service is an active member of the State of New Mexico's Post Lines of Effort for recovery with the Federal Emergency Management Agency (FEMA). This unified effort is addressing recovery efforts across all lands affected by FY 2022 fires, including Hermit's Peak / Calf Canyon. Activities include:

- The agency's Hermit's Peak / Calf Canyon fire incident management team received $7M in BAER funds for aerial mulching on 3,000 acres, seeding over 9,000 acres (with BAR funds), storm proofing and repairing roads, and installation of road closure and hazard warning signs. The Forest Service completed this work last summer.
- The Forest Service received over $10M in Burned Area Rehabilitation (BAR) funds for additional road and trail repair and minor facilities repair, including almost $6M for allotment boundary fence repair. This work is currently underway with multiple contracts and agreements.
- In addition, the Region received $49M in Disaster Supplemental funds. The Forest Service is developing long-term restoration priorities, and projects with the State and FEMA and our USDA partners; The funding and long-term work is focused on firewood distribution, rangeland restoration and fence restoration, road and bridge reconstruction and replacement, acequia and ditch repair, hazard tree removal, forest restoration through salvage and reforestation, revegetation of plant communities, water diversion structures and channel repair, and repairing recreation infrastructure.
- For the past year, the Forest Service and USDA alongside the National Resource Conservation Service (NRCS), the Farm Services Administration (FSA) and the Rural Development program have been actively participating in firewood distribution, allotment assessments and fence replacements, roadside hazard tree removal, timber and agricultural industry recovery, watershed stabilization, and acequia and infrastructure repair.
- The Forest Service is currently partnering with the NRCS through a newly signed Memorandum of Understanding between the two agencies that allows us to better work with the State of New Mexico for a broad-scale effort to address headwaters stabilization needs for National Forest System lands and downstream private lands to mitigate as much as possible impacts from flooding.

Infrastructure repair project initial evaluations were prioritized for safety. As work continued and conditions improved, crews were deployed to open more roads. At present, the Agency is aware of some residents who do not have access to their primary residences, and the Agency is working expeditiously to find remedies and to repair of these roads. Maintaining access to these primary dwellings and inholdings is a top maintenance priority.

2) I appreciated Secretary Vilsack's response to my recent letter on the need for sustained funding solutions for Taos Pueblo's management of the Blue Lake Wilderness.

   In the letter, the Secretary notes the USFS' work with the Pueblo through the Tribal

Forest Protection Act program and on the Pueblo Ridge Project as part of the Bureau of Indian Affairs Reserved Treaty Rights Lands program.

From your perspective, what other USFS programs could potentially support Taos Pueblo's work to effectively manage the Blue Lake Wilderness and its other lands, more broadly?

Response: At the direction of Secretary Vilsack the U.S. Forest Service is working with Taos Pueblo through the Tribal Forest Protection Act program and on the Pueblo Ridge Project as part of the Bureau of Indian Affairs Reserved Treaty Rights Lands program. Additionally, the Carson National Forest works with the Taos Pueblo through the Wilderness Ranger program under an agreement with the Rocky Mountain Youth Corps. Wilderness Rangers engage in on-the-ground projects as well as wilderness-oriented outreach and education, while gaining job experience as a Ranger. The "Enchanted Circle" wildfire crisis landscape is another means to partner and collaborate with the Pueblo on mutually beneficial goals as those ongoing conversations and actions unfold. The Carson National Forest also collaborates with and will work closely with Wheeler Peak and inbound trails in August for a private cultural ceremony that Taos Pueblo holds annually in the area. These represent a few ways that the Carson NF and the Southwestern Region has and will continue to partner and collaborate with the Pueblo.

3) Chief Moore, thank you for your response to the letter I signed last year with my colleagues in the New Mexico Congressional Delegation on the need to protect the Upper Pecos Watershed. In your response, you state the Southwestern Region is evaluating the potential risk of mineral development in the Upper Pecos Watershed and whether our current laws and regulations are adequate for its protection.

   Would you please describe the steps involved in said evaluation, its proposed timeline, and the entities involved?

   In evaluating the risks to the Upper Pecos Watershed, I urge you to engage with all local stakeholders, including relevant tribes, local governments, acequias, land-grant mercedes, and land owners and users, such as farmers, ranchers, hunters, and anglers.

Response: We recognize the significant interest in a withdrawal in the Pecos watershed and appreciate everyone's commitment and energy. We are also very appreciative of the offer of resources from outside partners to aid in this work. The Bureau of Land Management is responsible for reviewing withdrawal packages that are submitted by other agencies. When the Bureau of Land Management accepts a package, a public engagement process is initiated including issuance of a Federal Register Notice and public meetings.

4) Given the Congress' current work on the Farm Bill, would you please provide any legislative recommendations the USFS has to better serve tribes, such as improvements to the Tribal Forest Protection Act?

Response: USDA recognizes that Congress writes the Farm Bill, and the Department stands ready to work with Congress to provide technical assistance on legislative language to allow the agency to better serve tribes. The department would be glad to arrange a briefing for your staff regarding our ongoing work in this important arena and potential future opportunities for collaboration.

5) How is the USFS' FY24 budget request addressing the reforestation needs of burned areas, which in New Mexico increased by nearly 1 million acres last year alone?

Response: The Forest Service has developed a National Reforestation Strategy to provide a high-level framework for ramping up reforestation, including addressing nursery and seed needs. We are modernizing and expanding nursery greenhouse infrastructure within our nursery system and building partnerships with state, tribal, and private partners to increase seedling capacity. For example, the agency recently announced investments of $4.5 million in twenty-nine facilities around the country to modernize forest nurseries.

The FY24 budget also calls for $349 million for Forest and Rangeland Research, which includes an increase of $20.5 million that will allow the Forest Service to make additional investments in research related to climate mitigation, adaptation, and resilience. The agency's climate research portfolio includes science to guide enhanced reforestation, carbon accounting, fire ecology, and post-fire recovery.

6) How does the USFS' FY24 budget address the need for treatments on the private lands that are embedded within or surrounding National Forests in the very same places identified as top priority in the Wildfire Crisis Strategy?

Response: The highest risk firesheds are typically in multiple land ownerships. The Agency's FY24 Budget requests $76 million to support State Fire Capacity Grants. This program helps State agencies create more fire-adapted communities and resilient landscapes by implementing pre-fire prevention and mitigation programs and emphasizing pre-fire planning and risk reduction in the WUI.

In addition, we request $21 million to support Volunteer Fire Capacity Grants which program provides technical and financial assistance to eligible local volunteer fire departments that protect communities with populations of 10,000 or fewer.

Also supporting treatments on state and private lands is the Forest Health Management on Cooperative Lands (FHM-Cooperative Lands) program works across land ownership boundaries to reduce risk and improve forest conditions at landscape and watershed scales. The President's FY24 Budget requests $35 million for this program. Finally, the president's budget requests $14 million for the Landscape Scale Restoration Program which also supports work on non-federal land to further goal's outlined in State Forest Action Plans. All of these grant programs

contribute to cross boundary outcomes and have provide requisite funding in high risk firesheds. The Agency has also requested funding to increase our workforce to provide the needed financial and technical assistance to states, tribes and others who support this critical work.

The Forest Service will continue to strengthen our long-standing work and relationships with Tribes, States, local communities, private landowners, tribes and other stakeholders to adapt lessons learned into a coordinated and effective program of work as outlined in the 10-Year Wildfire Crisis Strategy. Through government-to-government consultation with Tribes, expanded partnerships and co-stewardship, and broader community support, the Forest Service will increase the use of prescribed fire, fuel treatments, and the management of unplanned ignitions to reduce long-term wildfire risks using all tools and financial resources

7) In light of the Hermit's Peak Calf/Canyon Fire, please describe how USFS protocols for informing and engaging with the public about proposed or planned bums have changed? Do you plan to continue those updated protocols indefinitely? Is the USFS only using these updated protocols in New Mexico, or nationwide?

Response: The Forest Service recognizes the devastating impact of the Hermit's Peak Fire, which resulted from an escaped prescribed fire at Calf Canyon. Last year's fires demanded a level of review that ensures we understand how this tragic fire unfolded. Therefore, the agency implemented a 90-day pause on prescribed fire to conduct a National Prescribed Fire Program Review. The review was designed to learn from those fires; minimize risks of future escapes; and address the extreme conditions influencing fire behavior created by drought, weather, dry fuels, and other climate change effects.

Prescribed fire planning occurs months before implementation. These plans analyze a deliberate prescription of weather, fuel conditions, and project parameters. All prescribed fire plans require Forest Supervisor or District Ranger approval prior to implementation. National Forests announce prescribed burns prior to implementation to media, interested citizens, local partners, and agencies. We do our best to reach and notify as many people as possible, and local governments and landowners who do not currently receive prescribed fire announcements can reach out to their local national forest Public Affairs Officer to receive notifications via email. Projects are also announced via social media on National Forests' webpages, and on InciWeb at https://inciweb.nwcg.gov/.

The findings of the 90-day prescribed fire pause and subsequent work we are doing to continuously improve the safety and effectiveness of prescribed burning has and will help develop new strategies and measures to minimize risk of future escapes. This includes seven new requirements that must be met on each national forest unit prior to resuming prescribed burns, such as ensuring that current weather data is being used for the burn area, that Forest Service leadership is verifying the prescription and burn plans daily, and that contingency resources and containment and patrol standards are appropriate for the landscape and fuel types.

We are also developing a curriculum through the National Prescribed Fire Training Center with a focus on western landscapes, which have departed from their natural fire regime and occur in complex terrains with high hazardous fuels loadings. The Forest Service is committed to learning

and improving to accomplish our mission safely and effectively.