

**EXAMINATION OF FIREFIGHTING POLICY WITH
U.S. FOREST SERVICE AND U.S. DEPARTMENT
OF THE INTERIOR**

HEARING

BEFORE A

SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

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WEDNESDAY, MAY 26, 2010

U.S. SENATE,
SUBCOMMITTEE ON THE DEPARTMENT OF THE
INTERIOR, ENVIRONMENT, AND RELATED AGENCIES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 10 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Dianne Feinstein (chairman) presiding.

Present: Senators Feinstein and Tester.

Also present: Representative Adam Schiff.

OPENING STATEMENT OF SENATOR DIANNE FEINSTEIN

Senator FEINSTEIN. Good morning, ladies and gentlemen. I'd like to welcome you to the Interior, Environment, and Related Agencies Subcommittee on—well, Interior Subcommittee of Appropriations. This will be a hearing on Federal wildland fire policy.

I think everybody knows that there are few issues that are as critical to public safety and environmental protection in my State, California, as wildland fire policy. Policy and appropriations are very much intertwined. And over the past 5 years, the Federal Government has spent \$3.1 billion to treat hazardous fuels and we're likely to spend more.

And California is a very fire-prone State. It is hot. It is dry. The winds blow. I never thought I would see a time when you had 1,000 lightning strikes at one time in Northern California that started all kinds of terrible, catastrophic fires.

I happened to fly out with President Bush to take a look and we flew over Shasta Dam and it looked like a moonscape. Everything was burned around it. The silt in the water. It's a beautiful area.

And the point is that the fire can start instantly and you can't just let it burn. You've got to put it out, because it's catastrophic if it continues on. We have so much fuel load in the State.

So our forests are tender dry. We're facing risk from extended draught, insect and disease infestation, and global warming. That translates into more wildfires, hotter, greater intensity.

The Station Fire is only one example of how devastating these fires can be. In this case, 160,000 acres burned, two firefighters were killed, and nearly 100 homes were destroyed.

So I know that Representative Schiff, who I know well, who cares about his district, has been very concerned.

And I was very happy to hold this hearing to give an opportunity for an airing of what I think is a very consequential issue: In this new day and age, what, in fact, should wildland forestry fire-fighting be in areas that are huge and where the wildland urban interface (WUI)—in other words homes—have come so close to wildland that when you have one of these fires it's amazing what it can do.

I went to another fire—I think it was San Bernardo—Rancho Bernardo where there were new homes in San Diego County, but the embers of the fire were so big and they caught under the roofs, and so you'd have this stucco and terracotta-tile subdivision and when it would hit a house, it would just burn the house to the ground. And they did not have adequate fire protection and so there was considerable devastation and loss of property.

We will have two panels of witnesses this morning. Adam Schiff on the first panel. And he represents the 29th Congressional District, which includes several communities in the foothills of the San Gabriel Mountains in Los Angeles County. Again, his district was heavily impacted.

The fire started in the Angeles National Forest on August 26th of last year and burned for 7 weeks. It became the largest fire ever recorded in Los Angeles County. Representative Schiff, as I said, has raised a number of questions and concerns regarding this response.

And, on the second panel, we'll hear testimony from United States Forest Service (USFS) Chief Tom Tidwell and Bureau of Land Management (BLM) Deputy Director Mike Pool.

So without further ado, Representative Schiff, why don't I welcome you to the Senate side, and we'd be very happy to hear your testimony.

STATEMENT OF HON. ADAM SCHIFF, U.S. REPRESENTATIVE FROM CALIFORNIA

Mr. SCHIFF. Thank you, Madam Chair, for the opportunity to thank you for your leadership on these issues—

Senator FEINSTEIN. Can you punch the—

Mr. SCHIFF. Yes, thank you. Thank you again, Madam Chair, for allowing me this opportunity to testify and for your leadership on these issues affecting our wildland firefighters.

These brave men and women perform vital, difficult work for long hours in dangerous conditions. We depend on them to protect our families, our homes and our forests, and they dedicate their time, and sometimes their lives, to that calling.

Many of our firefighters have served for decades developing the expertise needed to fight an unpredictable and resilient foe. And I honor their service, and I hope this hearing can help provide them with the resources and support they need to do their jobs in the safest and most effective way possible.

As the Chairman pointed out, last summer the Station Fire ravaged the Angeles Forest, burning 160,000 acres over 50 days and threatening thousands of homes in my district and several adjacent districts.

Almost all the fire was contained in the national forest, but, as usual, local, State, and Federal fire agencies across the region provided equipment and hundreds of firefighters to the effort.

Two members of the LA County Fire Department, Captain Ted Hall and Firefighter Specialist Arnie Quinones, tragically lost their lives fighting that fire.

In addition, the Station Fire effort cost almost \$100 million, a significant fraction of the USFS firefighting budget for the year. And because of its proximity to a major metropolitan area and its incredible expense, the fire illustrated many of the problems our firefighters face in the field and why wildland firefighting has become increasingly expensive.

There were a couple of hundred fires in the Angeles Forest last year. Almost all of them were attacked and contained within 24 hours.

Unfortunately, two fires escaped initial attack and spread across thousands of acres. Those two fires alone ate up much of the Angeles firefighting budget and caused almost all of the fire damage last year.

Fire officials agree that the most important part of fighting fires is often the initial attack, which, if successful, keeps the fire smaller, cheaper and much safer for residents and firefighters.

In this respect, fighting fires is like health care, where early detection and aggressive action can prevent the need for long, painful and expensive care later.

The cost- and safety-conscious approach to fighting wildfire is to contain the fire early by making the initial attack as aggressively as possible, using as many firefighters and aircraft as possible, so that the hugely greater resources that are required to fight a massive fire are rarely needed.

The Station Fire was attacked promptly and aggressively by USFS and LA County Fire Department firefighters on the afternoon of Wednesday, August 26, 2009. Hand crews, engines, and aircraft fought the fire until evening, when some resources were released.

One night-flying helicopter owned by the LA County Fire Department was dispatched to the fire, but was quickly diverted to perform its other responsibility—medical evacuation.

During the night, several hotspots developed in areas inaccessible to ground crews, due to steep terrain and thick vegetation. The incident commander ordered aircraft for the next morning, to arrive at 7 a.m.

Unfortunately, possibly due to limited resources and safety requirements for rest hours, the air tankers did not arrive until around 9 a.m. In the early hours, right after sunrise, the inaccessible hotspots flared up and threatened the road that firefighters were using to reach the fire, forcing a retreat, and the failure of the initial attack.

As a postreaction report from the LA County Fire Department stated: “. . . [n]o one, no fire chief, no firefighter, resident, or reporter can provide definitive evidence that anything would have made a difference in the outcome. Still we must look hard at every action. We must question and we must make changes where we can.”

One possible change is to equip the USFS with the capability to fly helicopters at night. There are night-flying helicopters in the Los Angeles area, but very few. And, in the case of the Station Fire, they were unavailable for at least some portion of the crucial first night. If the USFS had a dedicated night-flying capability, it would dramatically increase night-flying firefighting capacity in the region.

Using night-vision goggles, the USFS operated night-flying firefighting helicopters on the Angeles Forest during the 1970s. An accident in the late 1970s caused many to question whether the risks of night flights were worth the rewards, and by the early 1980s, the program had ended. USFS and its contractors no longer have the training or equipment to fly at night.

However, the technology to enable night flying has developed dramatically in the three decades since. The LA County and LA City Fire Departments now fly helicopters at night using technology several generations better than that of the 1980s.

Military contractors have built ultra-modern night-flying systems for use by our forces overseas, and many of those technologies are now being developed for civilian use.

In addition, many have concluded that much of the risk could be removed by operational changes that minimize the possibility of collisions in the two areas of greatest traffic and greatest risk—over the fire and during landing and takeoff.

In addition, a rapidly expanding urban-forest interface, modern, more effective firefighting techniques, and a better understanding of the importance of early attack all mean that the need for night flights has dramatically increased since the 1970s.

USFS must study this issue again, taking into account the increased need for aggressive firefighting techniques, as well as improved technology, which minimizes the risk to firefighter safety. I believe that if they do so, they will conclude that this is a capability they should once again acquire and deploy.

Night-time flights are not a silver bullet, but they can significantly improve our ability to effectively fight fires near urban areas. And by helping reduce the number of catastrophic fires, they may save lives and also pay for themselves.

The Angeles National Forest, like other forests across the country, has a rapidly growing urban area at its doorstep. Fires that start in the forest and burn through remote, inaccessible areas can now threaten tens of thousands of people.

USFS employees and firefighters work hard to protect those people, but they are fighting an ever-more-difficult battle. We must be sure that we are providing them everything they need to fight fires in the safest, most cost-effective, and most efficient way possible.

PREPARED STATEMENT

Chairman Feinstein, members of the subcommittee, I want to thank you again for the opportunity to testify. And, Madam Chair, I appreciate all the leadership you've brought to this issue for many years now.

And I yield back the balance of my time.
[The statement follows:]

PREPARED STATEMENT OF ADAM SCHIFF, U.S. REPRESENTATIVE FROM CALIFORNIA

Chairman Feinstein, members of the subcommittee, thank you for the opportunity to speak to you today about the challenges facing our wildland firefighters. These brave men and women perform vital, difficult work for long hours in dangerous conditions. We depend on them to protect our families, our homes and our forests, and they dedicate their time and sometimes their lives to that calling. Many of our firefighters have served for decades, developing the expertise needed to fight an unpredictable and resilient foe. I honor their service, and I hope that this hearing can help us provide them with the resources and support that they need to do their jobs in the safest and most effective way possible.

As the chairman knows well, last summer the Station Fire ravaged the Angeles National Forest, burning 160,000 acres over 50 days and threatening thousands of homes in my district and several adjacent districts. Almost all of the fire was contained to the National Forest, but, as usual, local, State, and Federal fire agencies across the region provided equipment and hundreds of firefighters to the effort. Two members of the LA County Fire Department, Captain Ted Hall and Firefighter Specialist Arnie Quinones, tragically lost their lives fighting the fire. In addition, the Station Fire effort cost almost \$100 million, a significant fraction of the Forest Service (USFS) firefighting budget for the year. And because of its proximity to a major metropolitan area and its incredible expense, the fire illustrated many of the problems our firefighters face in the field, and why wildland firefighting has become increasingly expensive.

There were a couple of hundred fires in the Angeles Forest last year. Almost all of them were attacked and contained within 24 hours. Unfortunately, two fires escaped initial attack and spread across thousands of acres. Those two fires alone ate up much of the Angeles firefighting budget and caused almost all of the fire damage last year. Fire officials agree that the most important part of fighting fires is often the initial attack, which, if successful, keeps fires smaller, cheaper and much safer for residents and firefighters.

In this respect, fighting fires is like healthcare, where early detection and aggressive action can prevent the need for long, painful, and expensive care later. The cost and safety-conscious approach to fighting wildfire is to contain the fire early by making the initial attack as aggressively as possible, using as many firefighters and aircraft as possible, so that the hugely greater resources that are required to fight a massive fire are rarely needed.

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During the night, several hotspots developed in areas inaccessible to ground crews due to steep terrain and thick vegetation. The incident commander ordered aircraft for the next morning, to arrive at 7 a.m. Unfortunately, possibly due to limited resources and safety requirements for rest hours, the airtankers did not arrive until around 9 a.m. In the early hours, right after sunrise, the inaccessible hotspots flared up and threatened the road that firefighters were using to reach the fire, forcing a retreat, and the failure of the initial attack. As a postaction report from the LA County Fire Department stated: “. . . [n]o one, no fire chief, no firefighter, resident or reporter can provide definitive evidence that anything would have made a difference in the outcome. Still we must look hard at every action. We must question and we must make changes where we can.”

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However, the technology to enable night flying has developed dramatically in the three decades since. Military contractors have built modern night-flying systems for use by our forces overseas, and many of those technologies are now being developed for civilian use. In addition, many have concluded that much of the risk could be removed by operational changes that minimize the possibility of collisions in the two

areas of greatest traffic and greatest risk—over the fire and during landing and take-off.

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The Angeles National Forest, like other forests across the country, has a rapidly growing urban area on its doorstep. Fires that start in the Forest and burn through remote, inaccessible areas can now threaten tens of thousands of people. The USFS employees and firefighters work hard to protect those people, but they are fighting an ever-more-difficult battle. We must be sure that we are providing them everything they need to fight fires in the safest, most cost-effective and most efficient way possible.

Chairman Feinstein, members of the subcommittee, thank you again for the opportunity to testify before the subcommittee.

Senator FEINSTEIN. Well, thank you very much, Representative Schiff, and I appreciate your concern about your constituents. And I think this is a very appropriate conversation to have now.

My own thinking is that fires are not going to get better. They're going to get worse. Global warming will set in on our State. We already know the temperature is going up. We've had 4 years of drought. This is the first year of any kind of relief, and the State, most of the time, is very dry. And I worry a lot about it.

We have tried to put more money—as you know—and have put substantial new sums, and the Department of the Interior (DOI), which we'll go into a little later, is proposing, I think, three different funds here, and we want to talk a little bit about that as well.

So I want you to feel welcome to remain here. If you'd like to come up and sit on the platform, we will temporarily allow you access to the Senate.

Mr. SCHIFF. Thank you.

Senator FEINSTEIN. Push you out at the end, but feel welcome in the interim. And so why don't you come on up and sit here with us and let's move on to the second panel.

And that would be Tom Tidwell, the Chief of the USFS, United States Department of Agriculture (USDA), and also Mike Pool, whom I've worked with for a long time and like very much, the Deputy Director of the BLM of the DOI.

So, Mr. Tidwell, why don't I ask that you begin? You've heard Representative Schiff, and I think you've heard my comments. We've had a little bit of an opportunity to discuss this next budget coming up and the Federal Land Assistance, Management and Enhancement (FLAME) Act and the President's special fund or I guess it's your initiative.

And we really need to see, I think—I'm a big one for initial attack. I happen to share that view with Representative Schiff. So, please, proceed.

STATEMENT OF TOM TIDWELL, CHIEF, UNITED STATES FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. TIDWELL. Thank you, Madam Chairman, and also thank you, Congressman Schiff. I appreciate the opportunity to testify here today on the Federal fire policy. I also appreciate the opportunity to be here with Deputy Director Pool.

Using a collaborative approach to our fire policy and our wildland fire response is an essential part of our success, and we have a long history of working together between the Federal agencies and with the State and local governments.

We've started to work on our new cohesive wildfire-management strategy, and this strategy will provide us an opportunity to have further engagement with the State, tribal and local governments, and even our non-Government partners to work cooperatively to address the Nation's wildfire issues.

The approach on this strategy is going to be to use the best available science and focus on three key areas: taking a landscape-scale approach to restoration, developing fire-adapted human communities, and, of course, our wildfire response. We'll use this strategy to develop a preferred approach that meets the needs of the national, regional, and local levels.

Of course, a key part of this approach is to be able to continue and expand on our actions to restore these fire-adapted ecosystems and reduce the hazardous fuels, especially into the WUI.

As both of you have already mentioned, with the continued expansion of this WUI and the increase in the bark-beetle activity that we're seeing throughout the West—and, today, we have more than 17½ million acres of dead and dying trees—it's just essential that we continue our focus on the highest-priority areas.

The Federal agencies are committed to working cooperatively and collaboratively with partners in our communities to restore the resiliency of our fire-adapted ecosystems, reducing the threats to communities and maintaining healthy watersheds.

Madam Chairman, I want to thank you again, and members of this subcommittee, for the passage of the FLAME Act. Knowing that we go into this season knowing that we will not have to shut down other critical programs in the middle of summer to fund fire suppression, you will see an improvement—

Senator FEINSTEIN. Let me interrupt you just for a minute to say how big a change that is, and it's really quite wonderful, because all our staffs, I think, remember the years where you run out of money and you've got to take the money from somewhere else. And so, really, for—I think it's the first time now—

Mr. TIDWELL. It is.

Senator FEINSTEIN [continuing]. Where we've got an adequate budget, and I really want to keep it that way. So thank you for mentioning it.

Mr. TIDWELL. Well, thank you once again for your efforts on this, and it will make a difference in our overall performance. You'll see fewer impacts in our communities and fewer impacts on jobs that rely on being able to do this work in our critical programs throughout the summer.

I also look forward to continuing our discussion on the 2011 President's budget request when it comes to wildfire suppression funding.

That budget request provides for full funding for wildland-fire suppression. It includes a level of preparedness that will enable us to continue our success to suppress more than 98 percent of our fires during the initial attack.

It provides for the realignment of preparedness and suppression funds that more accurately displays the true costs of suppression, and, of course, it provides for the FLAME Fund to increase our accountability and transparency.

It also provides for the contingency reserve fund that will significantly reduce the need for us to have to transfer funds from other critical programs, even in the biggest fire years that we may face.

The other key point of our budget request is it increases the focus on doing hazardous fuel reduction work within the WUI where we can make a change with fire behavior and significantly reduce the threat to our homes and our communities.

The outlook for this current fire season indicates that there is a potential for a very active fire season, especially depending how the weather develops through the rest of the season. I want to reassure you that we're ready, that we have the resources in place, we have the crews on and we're ready to deal with this coming fire season.

I also want to thank Congressman Schiff for his recognition of the challenging job our firefighters face and the challenge that comes with those jobs.

I also want to thank you for your interest and support in helping us make sure that we learn everything we can from the Station Fire, so that we can apply those lessons and we can do it in a way so that the next time we have a large fire we have a different set of outcomes.

I want to tell you that I agree with your request for us to look at our policy when it comes to night flying, and we have already started to do that analysis with the expectation that we'll have that completed this fall on the use of rotary-wing. We're also going to be doing an analysis on the use of fixed-wing for night flying.

So I appreciate your support on this and we're looking forward to having that analysis completed, and when we do, we'll present that to the subcommittee.

Madam Chairman, as you've already mentioned, the fires that we're facing are becoming larger and more difficult to suppress and it's due to the changing climate, the hazardous fuels and also the magnitude and complexity of the WUI.

PREPARED STATEMENT

We fully expect to continue our initial-attack success, but when we do have a fire that does escape initial attack, we will use the best experience, the best science, and the best fire-suppression assets to manage those fires, ensuring firefighter and public safety while protecting our communities and effectively using our fire-suppression assets.

This concludes my opening remarks, and I look forward to your questions. Thank you.

[The statement follows:]

PREPARED STATEMENT OF TOM TIDWELL AND MIKE POOL

INTRODUCTION

Madam Chair, Mr. Alexander, and members of the subcommittee, thank you for the opportunity to testify today on Federal fire policy. Since the Department of the Interior (DOI) and the Department of Agriculture (USDA) work closely together in wildland fire management, the two Departments are providing a joint statement.

FEDERAL WILDLAND FIRE POLICY

DOI and USDA take seriously their responsibilities for the protection of people and property, and the Nation's valuable natural resources from unwanted wildfire. Our wildland fire management programs recognize fire as a critical natural process and the importance of integrating fire management consideration into land and resource management plans and activities. Federal managers and firefighters perform professionally under the most challenging of circumstances, managing wildfire across multiple landownership boundaries, and applying the best-available science.

The Wildland Fire Leadership Council (WFLC) was established in April 2002 by the Secretaries to provide an intergovernmental committee to support the implementation and coordination of all aspects of Federal fire management policy. DOI and USDA, in collaboration with State, tribal and local partners, have been implementing guidance that increases wildland fire managers' flexibility in managing wildfire to achieve both protection and resource objectives. Our implementation guidance recognizes two kinds of wildland fire: planned ignitions (prescribed fire), and unplanned ignitions (wildfire), and allows fire managers to manage a fire for multiple objectives and increase managers' flexibility to respond to changing incident conditions and firefighting capability while strengthening strategic and tactical decision implementation supporting public safety and resource management objectives. Initial action on human-caused wildfire will continue to suppress the fire at the lowest cost with the fewest negative consequences with respect to firefighter and public safety.

A new wildfire analysis and decision process, the Wildland Fire Decision Support System (WFDSS), is being developed to improve decision documentation, risk assessment/decision support, and operational implementation. This system will replace the Wildland Fire Situation Analysis, Wildland Fire Implementation Plan, Long-Term Implementation Plan, and Strategic Implementation Plan and enhance managers' ability to analyze fire conditions and develop risk informed strategies and tactics.

The key principles we will be following this year include:

- Safety always comes first in fire management.
- No structure, or natural or cultural resource, is worth a human life.
- When firefighters plan a tactic, the first question is always, "Can we do this safely?" If the answer is "No," they will take another direction.
- Fire management decisions will be based on many factors.
- Not all fires are managed the same way.
- Responding to a fire may include using multiple strategies. The response could range from monitoring a fire that is beneficial to the landscape to aggressively putting out a fire that threatens people or important natural or cultural resources.
- Decisions are based on safety for the public and firefighters, what is threatened by the fire, forecasted weather, fire behavior, and what the fire and land-use plans or objectives are for the area.
- In fire, we all work together.
- Local, State, tribal, and Federal firefighters all work together to keep the public safe and natural resources protected. Pooling our strengths, resources, and experience improves our effectiveness and increases efficiencies.
- Firefighters count on private landowners to take personal responsibility for their homes.
- Homeowners in a fire-prone area should take a few simple steps to make their property more defensible. It will increase homeowner safety and that of firefighters. It will also increase the chance that a home will survive a fire.
- Wildland firefighters are not responsible for making private homes defensible. Private landowners are, and the "Firewise" steps they take before the fire season begins may be the most important difference in whether their home survives or not.

Cohesive Wildfire Management Strategy (Cohesive Strategy)

The WFLC is in the process of developing a Cohesive Strategy. The Federal Land Assistance, Management, and Enhancement (FLAME) Act of 2009 (title v, section 503 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010) requires the Secretaries, acting jointly, to submit to Congress a report that contains a cohesive strategy consistent with the recommendations described in recent reports of the Government Accountability Office regarding management strategies by fall 2010. The Secretaries view this as an outstanding opportunity to engage our State, tribal, local governments, and non-Government partners as we work collaboratively to discuss the recommendations in the Quadrennial Fire Review and other reports, and consider the development of a national Cohesive Strategy.

ADDRESSING WILDLAND FIRE RISK TO COMMUNITIES AND THE ENVIRONMENT

Dangerous fire and fuels conditions exist in many areas in the United States, and the DOI and USDA are acting to reduce hazardous fuels on high-priority lands, focusing especially on the wildland-urban interface (WUI). While increasingly complex landscapes complicate our wildfire suppression task, the DOI and USDA can and are aggressively treating hazardous fuels to help reduce the risk of catastrophic fire, especially to our communities. The DOI and USDA are continuing to refine their Hazardous Fuels Prioritization and Assessment Systems to ensure funds are directed to highest-priority projects in the highest-priority areas, and complement the activities of neighboring States, tribes, and local partners.

Fiscal Year 2011 Budget

The President's fiscal year 2011 budget, which proposes approximately \$2.6 billion for the Forest Service (USFS) and \$934 million for the DOI for wildland fire management, represents an important development in the management and oversight of wildland fire management programs.

The 2011 budget proposes a new three-tier system of (1) a regular suppression account, (2) the FLAME Wildfire Suppression Reserve Fund account, and (3) a Presidential Wildfire Contingency Reserve account. The rolling 10-year average is fully funded, with funding split between the regular suppression account and the FLAME Fund. Each account requires a different level of responsibility for authorizing the expenditure of funds and includes the Secretaries and the President in the chain of command for wildfire suppression. For example, regular suppression funds would support initial attack and predictable firefighting costs, while FLAME funds would be used for the most severe, complex and threatening fires, and serve as a contingency reserve if the agencies exhaust their regular suppression resources due to an active fire season. The Presidential Wildfire Contingency Reserve account provides for responsible budgeting for wildfires in cases when funding requirements exceed projections and would be available to the respective Secretary subject to the issuance of a Presidential finding when the suppression appropriation, fully funded at the 10-year average, is exhausted. The USDA USFS and the DOI are committed to restoring the resilience and diversity of fire-adapted ecosystems on the landscape, consistent with public safety needs. The agencies and bureaus will identify, establish, and maintain necessary governance and risk management protocols to reduce any unnecessary risks to firefighters and our citizens in the short-term and reduce the risks to fire-adapted ecosystems in the long-term.

The fiscal year 2011 budget request promotes the use of hazardous fuels funding in a cost-effective manner in high-priority areas, focusing on the WUI. This focuses treatments to more effectively reduce the risk of wildfire to communities.

The fiscal year 2010 appropriation provides \$546 million in funding for hazardous fuels reduction. The President requests \$512 million in fiscal year 2011. In addition to improving treatments, we collaborate with our local, State, and tribal partners more than ever before.

In 2011, a total of 2.3 million acres are planned, with the majority of treatments occurring in the WUI.

WILDLAND FIRE PREPAREDNESS

The early outlook for the 2010 fire season indicates the following:

- Drought conditions continue to persist over northeast California and northwest Nevada, western Wyoming, western Montana, and much of Idaho.
- Snowpack in the Southwest has been well above average, while in western Wyoming through the northern Rockies the snowpack has been well below average.
- Abundant fine fuels across southern Arizona are expected to lead to a 4–6 week active grassland fire season. Fine fuels are not expected to be of concern in the

Great Basin. There is an increased large fire risk over the California desert areas in June due to fine fuels decreasing to normal by July.

—In areas with above average snowpack, fire season onset will be delayed due to a later snowpack melt.

—Early indications suggest monsoon onset will occur around the typical start date or late with associated precipitation amounts normal for the season.

To prepare for conditions anticipated in the 2010 fire season, the USDA and DOI are continually working to improve the efficiency and effectiveness of our fire-fighting resources. Fire managers have assigned local, regional, and national fire-fighting personnel and equipment based on anticipated fire starts, actual fire occurrence, fire spread, and severity with the help of information from the National Interagency Fire Center Predictive Services group. We will continue to improve our communication, coordination, assessing and managing risk, and decisionmaking skills.

The DOI and USDA will continue to deploy analytic support tools to improve fire incident and program decisionmaking, and agency accountability. A number of WFDSS (such as FSPPro, which models fire behavior, and RAVAR, which models values at risk from fire) provide real-time support to fire managers implementing risk-informed management. These efforts are coupled with program reforms such as strategic and operational protocols, improved oversight, and use of a risk management framework that ensure fire management resources are appropriately focused. The USFS, in collaboration with the DOI, is updating the fire planning and budget analysis process through the fire program analysis system. In summary, the budget promotes safe, cost-effective, and accountable outcomes from investments made in managing fire on landscapes.

Firefighting Forces/Retention

For the 2010 fire season, we are securing firefighting forces—firefighters, equipment, and aircraft—comparable to those available in 2009. More than 18,000 firefighters will be available, including permanent and seasonal Federal and State employees, crews from tribal and local governments, contract crews, and emergency/temporary hires. This figure includes levels consistent with 2009 for highly trained firefighting crews, smokejumpers, Type 1 national interagency incident management teams (the most experienced and skilled teams) available for complex fires or incidents, and Type 2 incident management teams (which are available for geographical or national incidents). The USFS will have four National Incident Management Organizations comprised of professionals permanently assigned to teams available.

Aviation

Aviation resources are one of a number of tools available to accomplish fire related land management objectives. We note that during any year, thousands of wildland fires are suppressed without the benefit of air support. Aviation resources are most useful for initial attack and in supporting management objectives on large-scale fire operations. A diverse fleet composed of a mix of types of aircraft with specific mission strengths provide a toolbox for fire managers to use with specific fire situations. The wildland firefighting agencies continue to employ a mix of fixed and rotor wing aircraft. Key components of USFS 2010 aviation assets include up to 19 civilian large air tankers on Federal contracts, along with up to 26 Type 1 heavy helicopters and 41 Type 2 medium helicopters on national exclusive-use contracts; 52 Type 3 helicopters on local or regional exclusive-use contracts, and 8 Modular Airborne Fire Fighting System units that will be available for deployment subject to available military aircraft. Additionally, there are nearly 300 call-when-needed Type 1, 2, and 3 helicopters available for fire management support as conditions and activity dictate. Likewise, Interior will maintain a mix of aviation resources in 2010 similar to that used in 2009, relying on single engine air tankers and helicopters.

Earlier this month, USFS submitted the Interagency Aviation Strategy to Congress as required by the Interior, Environment, and Related Agencies Fiscal Year 2010 Appropriations Act. The report was prepared by the National Interagency Aviation Council with input from representatives from various State and Federal agencies.

JOINT FIRE SCIENCE PROGRAM (JFSP)

The JFSP Governing Board invests in science and science delivery projects from an interagency perspective, and believes great value is added to all participating agencies from this approach. The Program emphasizes science delivery, program evaluation, and long-term science, all in response to specific recommendations of its governing board, and is currently engaged in three lines of work:

Software System Integration.—JFSP is funding development of an Interagency Fuels Treatment Decision Support System (IFT–DSS). This data and software integration framework is scheduled for completion and potential transition to an operational system in fiscal year 2012.

Smoke and Emissions.—JFSP recently invested in smoke model validation work and science addressing regional haze and low-level smoke dispersion. Science planning is underway to identify investments needed to integrate results from this work into operational smoke management tools.

Fuel Treatments.—JFSP has invested heavily in research evaluating fuel treatment effectiveness and effects, and is currently investing in fuel treatment guides for managers, lifecycle fuel treatment regimes, insect and wind effects on fuel profiles, and climate change effects on fuel treatment effectiveness.

FIRE SUPPRESSION

A variety of factors, stemming from climate change, persistent drought, and hazardous fuels conditions and the increased magnitude and complexity of the WUI affect wildfires.

DOI and USDA are committed to carrying through with reforms to contain fire costs and improve management, while simultaneously maintaining firefighter and public safety. In particular, we recognize the financial impact of WUI suppression activities on costs and will continue to aggressively pursue cost-mitigation measures in addition to focusing the majority of hazardous fuels funding for treatments in the WUI including utilizing risk-informed performance based suppression strategies; clarifying roles and responsibilities in the WUI; utilizing appropriate cost-share agreements; and deploying decision support tools. The strategy of focusing on high-priority fuels within the WUI will help deter the risks to communities posed by wildfires. In addition, hazardous fuels treatments reduce safety risks to firefighters and can reduce wildfire suppression costs.

In fiscal year 2010, the DOI and USDA are continuing to deploy analytic support tools to improve fire incident and program decisionmaking, and agency accountability.

The 2010 Interior, Environment, and Related Agencies Appropriations bill established FLAME Wildfire Suppression Reserve Fund accounts in the DOI and USDA. These funds become available to the Secretary to be transferred into the regular suppression account when funds provided for wildfire suppression and Federal emergency response in the wildland fire management appropriation accounts are nearly exhausted, and/or when certain objective criteria are met. Funds may be transferred from the FLAME Wildfire Suppression Reserve Fund upon a declaration by the Secretary of the Interior or the Secretary of Agriculture. Declarations must be based on specific protocols and criteria. As fires escape initial response, and as Type 1 or Type 2 Incident Management teams are assigned to those escaped incidents, a risk assessment and a formal risk decision will be made, which will be part of the declaration for a request to the Secretary to move funds from the FLAME Act account into the suppression account.

A number of analytical tools (WFDSS, FSPro, which models fire behavior, and RAVAR, which models values at risk from fire) will be used to provide real-time support to fire managers implementing risk-informed management. The Secretary may make a declaration in the event the suppression account is nearly exhausted.

FIREFIGHTER AND PUBLIC SAFETY

We would like to emphasize that a core goal underlying our activities remains providing for firefighter and public safety. For example, on the first night on the Station Fire, engine crews spotted a spot fire below the Angeles Crest Highway and debated different possibilities of dealing with the spot fire. It was very dark, limiting sight. The canyon slope was steep and the terrain was unfamiliar. At the time, there was no direct immediate threat to public safety. The crew assessed the situation and determined that they could not safely go down that slope and suppress the spot fire. The risk to the crew, given the circumstances, was too high.

CONCLUSION

This concludes our statement, we would be happy to answer any questions that you may have.

Senator FEINSTEIN. Thank you very much, Chief. Appreciate it very much, and appreciate your willingness to look at night-time firefighting, because I—I mean, what do you do?

For me, the lightning strikes that summer—I guess a year ago—I’ve never seen anything like it in Northern California, 1,000 fires started from lightning strikes at one time, one day. So it’s a big problem.

Mike Pool, is there anything you’d like to say?

STATEMENT OF MIKE POOL, DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. POOL. Yes, Madam Chairman, I do have an opening statement. Good morning, first of all.

Senator FEINSTEIN. Good morning.

Mr. POOL. Thank you for the opportunity to testify today on the Federal fire policy.

I’m glad to be here representing the DOI. Interior works closely with USDA in the development and coordination of all aspects of the Federal fire-management policy. We welcome the opportunity to discuss these policies with you today.

As always, our highest priority is safety. Federal fire managers are given the flexibility to respond instantly to changing conditions for two kinds of wildfire: Planned ignitions associated with prescribed fire and unplanned ignitions that result in wildfire. Firefighter safety is the first element in the fire-management decisions.

In a key shift in the 2011 request, we are directing more of our resources to reducing the risk of catastrophic wildfires to communities. We propose to increase the use of hazardous-fuel reduction in the WUI areas.

The fiscal year 2010 appropriation for both the USFS and DOI provides \$546 million in funding for hazardous-fuels reduction, and the fiscal year 2011 request is \$512 million. Just to quickly explain that difference, the Interior—our appropriation resulted in that \$44 million reduction in the non-WUI areas, but we also—

Senator FEINSTEIN. In the non-what areas?

Mr. POOL. Non-WUI. You have WUI areas in close proximity to communities. We also have what we call non-WUI areas and more remote areas associated with actions to improve forest health. So our commitment in 2011 is mainly dedicated to the fuel reductions associated with communities at risk.

By emphasizing fuels reductions in the WUI, our resources will be used most effectively to protect people living in these areas.

Also, attention to the WUI enables us to work cooperatively and efficiently with local, State, tribal and Federal firefighters, because pooling our resources improves fire-management effectiveness and helps to keep our costs down.

The President’s 2011 wildland fire management budget proposes approximately \$2.6 billion for USFS and \$934 million for the DOI. It sets out a new three-tier funding system: Number one, the use of our regular suppression account. Two, the FLAME wildland-suppression reserve fund account, and, three, a Presidential wildfire contingency reserve account.

The rolling 10-year average is fully funded with funding split between the regular suppression account and the FLAME fund. The funds requested in the Presidential wildland fire contingency reserve account will assure that sufficient funds are available to fight

fires without diverting funds from other nonfire programs and activities.

In addition, the American Recovery Reinvestment Act made \$15 million available to the DOI Wildland Fire Management Program. We're using these funds for 55 high-priority hazardous-fuel reduction projects on Federal lands. More than 15,000 acres have been treated thus far, producing almost 70,000 tons of biomass that have been conveyed to users for biomass energy or for special wood-product manufacturing.

For the longer term, the Wildland Fire Leadership Council is developing a cohesive wildfire-management strategy as required by the FLAME Act. This is an outstanding opportunity to engage our partners and work collaboratively to consider development of a national strategy.

We are now holding listening sessions in many areas of the country. For example, we are conducting a listening session in Sacramento the later part of this week.

Thank you for the opportunity to testify. I would be happy to answer any questions.

Senator FEINSTEIN. Thank you very much, Mike.

Chief Tidwell and Mr. Pool are accompanied by Tom Harbour, the Director of Fire and Aviation Management for USFS, and also Kirk Rowdabaugh, the Director of the Office of Wildland Fire Coordination at the DOI.

And so, Mr. Tidwell, we'll ask some questions, and, Chief, you handle who you want to answer it, if that's okay. Perhaps we should go right to questions.

STATION FIRE REVIEW

I'd like to go to Representative Schiff's testimony about the Station Fire, and let me begin by asking do you believe, Chief, that USFS's response to this fire in the first 24 hours was adequate and appropriate in terms of firefighters on the ground, planes, and helicopters in the sky and overall aggressiveness, given the explosive fire potential in the area?

Mr. TIDWELL. Madam Chairman, I do believe that our folks took the appropriate response to that fire, and I believe it was a very aggressive response to the fire.

As you know, I did call for a review, an interagency review, of the initial attack on that fire, due to the tragedy that occurred and also just the overall expanse of the fire, and there were some questions that were raised.

So, we had an interagency review take a look at if our folks out there on the ground, the ones that are out there at night that have to make the tough decisions about how to deal with these fires, did they follow our protocols, did they follow our procedures, did they make use of the available resources? And the conclusion of that review is yes, they did.

Since then, we have continued to look at the Station Fire, just like we do all fires, to determine what we can learn from it. We've also looked at the recommendations from LA County, because they, too, did a review and came up with a list of recommendations about how we can improve our response in the future.

One of those was the question on our policy about night-time flying with helicopters, and that's one of the things that we are going to move forward and do analysis on it. The other thing that we found is that we need to clarify our current policy of using our cooperators' capacity to fly at night. And so both the Angeles—

Senator FEINSTEIN. Cooperators being—

Mr. TIDWELL [continuing]. LA County, LA City, San Diego City, Santa Barbara, and I also think Kern County has the capability, too.

So in southern California, our cooperators do have this capability, but we felt that we needed to clarify that they can use this capability. So that's another one of the lessons that we've learned following this fire.

STATION FIRE AIRCRAFT RESPONSE

Senator FEINSTEIN. According to the documentation you provided my staff in preparation for this hearing, no aircraft actually flew over the fire on the night of August 26. Yet, the Station Fire review states that the county helicopters could have dropped water, as needed, throughout the night. That's LA County Fire Department.

Why were there no aircraft flying over the fire on the night of August 26?

Mr. TIDWELL. On the evening of August 26, our incident commander did request a helicopter from LA County that has the capability to fly at night. LA County provided that ship, Helicopter 14. It did work on the fire for a short period of time. I think it made three drops, three water drops, and then it had to be diverted to its primary mission, which is emergency medical assistance.

There weren't any more helicopters that were used that night. There was ongoing discussion between our fire personnel and LA County personnel about availability of other ships, but there were no other ships that were used that night.

Senator FEINSTEIN. Okay. According to the documentation, again provided to the subcommittee, personnel at the fire requested three air tankers and a helicopter to be flying over the fire by 7 in the morning of August 27.

According to the records, the first of those planes wasn't ready to take off from its tanker base until 8:40 a.m., which meant the aircraft arrived at the fire at least two hours later than requested, and the helicopter didn't take off for the fire until 7:35 a.m.

Now, here's the question: Why did it take so long for aircraft to arrive at the fire the next day? And what specific steps is USFS taking to avoid delays like this in the future?

Mr. TIDWELL. Well, Madam Chairman, thank you for the question. The incident commander requested those air tankers at—I think it was 12:50 in the morning of August 27th and submitted that request to our dispatch center. Our dispatch center then goes out to find the nearest available resources to be able to fill that order.

The nearest available air tankers, at that time, were their tankers that were used on the Morris Fire the previous day, and they were not available due to required pilot shifts. They were not available to come on shift until 7 o'clock in the morning.

It takes a certain amount of time for those pilots to be briefed. They had a new mission to fly the Station Fire instead of the Morris Fire, and there's a required briefing they go through and also time needed to refuel those tankers, and so there is a certain amount of time that's necessary. So, that is why those planes were not available before they arrived on the Station Fire.

We also did have a helitanker, our large helicopter, that was working that fire. I think it was over the fire around 7:45 a.m. that morning and continued to make drops throughout the day.

I would like to mention that on that second day of that fire, we dropped more than 400,000 gallons of water from the helicopters, in addition to the retardant drops of about 80,000 gallons that were made throughout that day.

I look at that level of response and that we were not able to successfully suppress that fire, it just gives you an indication of the fuel conditions that we face on these landscapes and the environmental conditions, the hot, dry weather that we had. You look at the amount of resources that were applied on that fire—and the fire was relatively small early in that day—and we still were not able to successfully suppress that fire.

COOPERATIVE FIREFIGHTING AGREEMENTS

Senator FEINSTEIN. The Los Angeles County Fire Department, in the review that you mentioned in your opening remarks, made other recommendations. I'd like to just get your response on a couple of them.

One is to expand the operating agreements with State and local cooperators to allow better coordination and more aggressive use of aviation resources, including night flying. Has that been done?

Mr. TIDWELL. Well, those agreements are best worked out between our local line officers and our regional forester, and it's essential for us to have those agreements in place. I know that both the forest and the region are looking at those agreements to ensure that we're able to make use of all the resources that we need when we need those to suppress these fires.

Senator FEINSTEIN. So, Chief, is the answer yes or no?

Mr. TIDWELL. The answer is yes, that the forest supervisor and the region are looking at all of our cooperative agreements to see if there's any barriers in there that prevent us from being able to use the resources that we need to suppress these fires.

Senator FEINSTEIN. We'd appreciate it if you'd let the subcommittee know what the result of that is.

Mr. TIDWELL. Yes.

BRUSH CLEARANCE REQUIREMENTS

Senator FEINSTEIN. Thank you.

Apparently, the other one is extending brush-clearance requirements for structures on the forest from 30 feet to 200 feet. What is USFS's response to this recommendation?

Mr. TIDWELL. Our regional forester has sent out direction to all the forests in California to adopt the California State standard of a minimum of 100 feet of clearance, with an understanding that we need to look at the situation, and that there are some cases when we need to expand that level of clearing.

We now will have alignment with the State standards, which I think will be a lot easier for the private landowners to understand what they need to do and not have two different standards.

Senator FEINSTEIN. I think that's excellent.

Before I go into night flying, I'd like to welcome Senator Tester. He comes from a State that is also prone to fire, has been very interested. We've worked together in creating a situation where hazardous fuels can be removed. So, Senator, whatever you'd like to say or question.

Senator TESTER. Yes, well, first of all, thank you, Chairman Feinstein, for the kind words. I look forward to continuing that work as both of our States see a situation that—well, it needs to be fixed. And we look forward to working with USFS and the BLM in making sure that we're all heading in the right direction, pulling together on the same rope.

And I appreciate the folks being here on the panel today, because we have some interesting conditions that are developing in Montana with the lack of snowpack. And, interesting enough, I don't know what's happened in the mountains right now, but we're getting a lot of rain, which is a good thing, as long as it keeps up.

So, Chief Tidwell, I want to start with you. It's my understanding that USFS supports the procurement of new, large aircraft to improve firefighting capabilities. I understand that we can expect very soon they'll have a joint Department of Defense (DOD)-USFS report on placing these aircraft at the Air National Guards. However, I think that we have a private sector that can still play a critical role in aerial attack.

Can you tell me a little bit about how you view the private sector's role in providing contract support to USFS, assuming that the Air National Guard should become the primary aerial firefighter or do you even see it that way?

Mr. TIDWELL. Well, Senator, thank you for the question.

We have submitted our interagency review of our aviation strategy for firefighting. In addition, we are continuing to do ongoing studies to determine the capacity that we need in our large air tankers, along with the capacity in large helicopters and smaller air tankers.

We have some options that we need to consider, looking at using military Air National Guard aircraft or continuing with our contractors.

Our contractors have done a great job over the years to be able to maintain an aging fleet of planes to provide this capacity for large air tankers, and they've demonstrated that they have the ability to look at new technology and continue to explore different approaches. So, in my view, I think our private contractors definitely have a role in the future when it comes to large air tankers.

I understand that even this coming year, two of our contractors are moving forward with development using a newer aircraft that's only about 25 to 30 years old. We're optimistic that we'll be able to have one or two of these planes available later this summer to be able to judge their effectiveness. Hopefully, this will be an opportunity for us to be able to move forward with a newer version of a plane than what we've been relying on with the current P-2 and P-3s.

HAZARDOUS FUELS TREATMENTS

Senator TESTER. Okay. Thank you. I could go into what percentages you anticipate being done privately and what being done by the—but we will wait until we get the report before we follow up on that line.

Each year, fires get more expensive. They get harder to control, more dangerous to our communities and our citizenry. There's compounding factors in this—climate change, more people living in the WUI, high fuel loads.

To address these factors, we need to take proactive steps. For example, I happen to have a bill you're familiar with—Forest Jobs and Recreation Act—which directs USFS to mechanically treat 10,000 acres a year for a decade in the WUI as a priority in Montana, to protect our communities.

In your testimony, you talk about beginning to prepare for the 2010 fire season—hiring 18,000 firefighters, purchasing supplies. I think those are critical steps for a season, once it starts.

But what have you done to lessen the potential of property damage or likelihood of catastrophic wildfire before the first fire is spotted? And what more should we be doing? It kind of dovetails onto some of the questions that Chairman Feinstein talked about.

Mr. TIDWELL. Well, Senator, it goes back to one of my comments that I made in my opening remarks about the importance of us doing treatment on hazardous fuels and also restoring these ecosystems, especially these fire-adapted ecosystems.

It's essential that we continue to do that work, so that we can reduce the threat to our communities and so that when we get a fire started in these areas, our fire-suppression actions will be much more effective.

This year we are watching the weather very closely, and as things develop throughout this summer we'll be moving our resources around throughout the country, based on the severity of fire conditions, so that we will be prepared to respond when we get these fires.

As you've indicated in your State, in Montana, based on our snowpack and the number of dead and dying trees there, we do expect to have a very active fire season, especially later in the summer.

Senator TESTER. Okay. Madam Chair, I've got a couple more questions. I can continue or we can come back, however you want to do it.

Senator FEINSTEIN. Why don't you ask your questions? I have a couple more questions on night flying, and then I want to go into the air tankers. So whatever you—

Senator TESTER. Okay. You bet. This is kind of a follow up on the previous question anyway, Tom, and that is can you tell me how many acres in the WUI been done so far to reduce fire-prone communities' potential of fire?

Mr. TIDWELL. Senator, over the last 9 years we've treated more than 16 million acres in the WUI between DOI and USFS.

This year, we'll probably treat about another 1.5 million acres in the WUI.

Senator TESTER. Can you give me an idea how much of that is in Montana?

Mr. TIDWELL. Senator, I'll have to get back to you on that specific number.

[The information follows:]

The Forest Service target for treatment of high priority hazardous fuels in the Wildland-Urban Interface (WUI) for fiscal year 2010 is 1,470,000 acres. However, we do not allocate this target by Forest Service (FS) region nor by State. In fiscal year 2009, the FS accomplished approximately 40,000 acres of WUI hazardous fuels work on National Forests which have land in Montana.

HAZARDOUS FUELS TREATMENT

Senator FEINSTEIN. As long as it's not as much as in California.

Senator TESTER. Perfect. How about the sufficiency overall? Is there a level of adequacy that you're comfortable with or do you feel like you're ahead of the curve, behind the curve as far as treatment in the WUI?

Mr. TIDWELL. Senator, it's a job we have to continue to focus on, and that's why you'll see in our 2011 budget request that we're increasing the emphasis on the WUI. At least 75 percent of our hazardous-fuel funding for 2011 will be spent to do work in the WUI.

Senator TESTER. Does BLM do any work in interface?

Mr. POOL. Senator, we do. We've had a very active program for a number of years.

More recently, I served as State director in California, and I think the effectiveness of that program was the formation of the California Fire Alliance. That is all the Federal, State, and county agencies contributing their resources, and also the establishment of fire safe councils throughout the State of California.

We have hundreds of communities at risk in California, for example, with high fuel loads. And the beauty of some of these initiatives is that the community started stepping up. It was no longer just a Federal or a State action. The community saw the value of contributing their resources, with some limited grant funding, to develop community protection plans and carry out fire-education programs on the prevention side of things.

So, as Madam Chairman knows, California has had its history of catastrophic fires. So people really stepped up in terms of leveraging resources—

Senator TESTER. Good.

Mr. POOL [continuing]. And being very assertive with fuel reductions.

Senator TESTER. Well, I think that, as both of you know, an ounce of prevention is going to save us a lot of money—to change the quote a bit.

COHESIVE WILDLIFE MANAGEMENT STRATEGY

Last question and it goes back to you, Tom. In September 2009, the Government Accountability Office (GAO) reported that USFS and the DOI had taken important steps in wildland fire management, but still have a way to go. Their recommendation was for agencies to develop an overarching management strategy, specifically with a cohesive plan to lay out different approaches, their costs and their tradeoffs.

Actually, it could go to both. What have your agencies done to respond to the GAO recommendation?

Mr. TIDWELL. Senator, we have started our development of this cohesive strategy. The first step that we have taken is to hold a series of forums around the country, so we can sit down with our cooperators and partners to listen to them as to what they see we need to have in this overall cohesive strategy.

We believe that it needs to be focused on three key principles; taking a landscape-scale approach to restoration, developing fire-adapted human communities, and, of course, continuing our wild-fire response.

Mr. POOL. BLM is working closely with the USFS in the collaboration sessions and jointly working with them in the cohesive-management strategy.

Senator TESTER. Okay. Thank you.

2010 FIRE SEASON

We may dodge a bullet this year in Montana, but we may not, too, and I think the chances of not dodging that bullet are greater than dodging it.

Tom, do you have the folks lined up right now to address a potential fire season that could be very challenging?

Mr. TIDWELL. Senator, I believe we do. We have the same level of preparedness, the same level of assets that we had last year, and so I'm confident that we do have the assets and the crews available to deal with that.

Senator TESTER. Okay. And just to follow up on that, how quickly can those assets get to a fire in Montana? Are they out-of-State assets, in-State assets? Could you break it down for me a little bit?

And could you break it down on how quickly they can get—because I think that once this thing—once it gets going, just stand back and let it go, because you ain't going to be able to stop it. So the question is “Do you have the assets that can get there quickly?”

Mr. TIDWELL. Yes, Senator, we have the assets in Montana for initial attack, and as a fire escapes initial attack, we quickly bring in additional resources. As I mentioned earlier, based on the fire condition and in anticipation of, say, a lightning storm, we'll actually move resources into the area ahead of time to be prepositioned to be able to deal with that. That includes not only the aircraft, but also additional crews.

Senator TESTER. I want to thank all of you for your service, appreciate it very, very much.

Thank you, Madam Chair, for your flexibility.

Senator FEINSTEIN. Thank you very much, Senator Tester.

Representative Schiff, do you have some questions you might like to ask?

Mr. SCHIFF. Senator, thank you very much. Appreciate the opportunity.

Senator FEINSTEIN. It's the largesse of the Senate.

Mr. SCHIFF. It is. It is, and I promise you I won't get too used to it while I'm sitting here.

STATION FIRE AND NIGHT FLYING

Chief Tidwell, thank you for your testimony. I just wanted to follow up with a couple of questions.

You mentioned earlier that there had been a request for an LA County Fire Department night-flying helicopter that had come early in the evening, but had then been diverted for medical evacuations.

Can you tell us a little bit more? I think you referenced some additional conversations about whether there were other night-flying vehicles available. Can you tell us a little bit more about that?

And then I'd also like to ask you—I understand you're relooking at the policy against having the capacity within USFS to do night-time flights. Had you had the capacity during those early hours of the Station Fire, had USFS had night-time-capable helicopters, would you have utilized them?

So if you could tell us both about the conversations that were had about additional resources that may or may not have been available, as well as if USFS possessed the capability, would they have utilized it?

Mr. TIDWELL. Well, Congressman, thank you for the question.

Following the time when Helicopter 14 needed to return to the emergency medical mission, it was my understanding that there was dialogue between our incident commander and fire personnel there from LA County about the availability of other helicopters that have the night-flying capability.

It wasn't documented. There weren't any additional orders. It's one of the things that, from my own personal experience, go on during fires when you're sitting there talking about the situation you have.

One of the lessons that we learned, and one of the changes that our forest supervisor on the Angeles National Forest has made, is to ensure that we use clear text when we're making our orders, that we do not do any informal ordering, that we follow our formal process, and that when we need resources we order them through our dispatch center. This way, in the future, when these questions arise, there isn't any misunderstanding of what did or what did not occur, because we will have that record.

It's one of the lessons that we learned, that we need to just do a better job to follow our processes and make sure all of our ordering is done through our formal process. This is and so that we have a track record there and that there's a response back if resources aren't available. The incident commander is told that from dispatch, instead of the informal discussions that occur on a fire.

Mr. SCHIFF. Chief, if I could just interject, there's a perception—and I want to ask you about the informal discussions a little further—but there's a perception that LA County asked for the authorization to do night flights. USFS doesn't have the capacity. LA County had the capacity. LA City had the capacity.

There's a perception that LA County asked for permission to do night flights and they were turned down by USFS. Is that an accurate perception or is that a misunderstanding of what took place?

Mr. TIDWELL. Well, Congressman, based on the fact that our incident commander requested a helicopter from LA County to do

night-flight operations, it's my understanding that if a helicopter was available we would have received it because we asked for it.

If there were ships available, ships that had pilots that hadn't timed out and were available, we would have received them because we wanted to use helicopters that night on that fire, based on what our incident commander ordered.

Mr. SCHIFF. So, to your knowledge, there was never a time where USFS, in effect, vetoed a request by the county to employ more night-time flying capability.

Mr. TIDWELL. Not to my knowledge or anything that I've heard, and I have had many hours of discussion with many of our fire personnel on this situation, so that we can make sure we learn as much as we possibly can and apply that learning. If that occurred, I'm not aware of it.

Mr. SCHIFF. Now, I take it—from your comment, that you requested the night-time helicopter and it was diverted—that the answer to my second question—if you had the capacity yourself in USFS, would you have utilized it?—I assume the answer is yes.

Mr. TIDWELL. Yes. Based on our incident commander requesting that resource for night operations, if we would have had the capability on that night and we had a helicopter available that, yes, we would have been using it that evening.

Mr. SCHIFF. Madam Chair, you've been very indulgent. Do you mind if I ask one last question?

STATION FIRE REVIEW

Senator FEINSTEIN. Go ahead.

Mr. SCHIFF. The conclusion in the review that was undertaken, that essentially you can't conclude it would have made a difference if you had used night-time craft, is that at odds with the statement you've made that if you had the resources you would have used them? Can you explain a little bit of whether there's a contradiction there or whether you're saying had you had the resources you would have used them, but it's impossible to say what the ultimate impact would have been?

Mr. TIDWELL. If we would have had the helicopters available that night, we would have used helicopters to drop water on that evening.

The conclusion of the review team, when they looked at the assets that were used during that fire and at the amount of fire that occurred below the road from the spotting, was that, without access by firefighters on the ground, the use of aerial resources alone would not have allowed us to prevent all the spotting that occurred.

That was the conclusion of the review team when they looked at the amount of fire that occurred below that road and the amount of spotting that occurred. They came to the conclusion that the aircraft alone would not have been enough.

For us to suppress fires, it's essential that we are able to have access with our ground firefighters in conjunction with our aerial resources. By working together, we can successfully suppress these fires.

The problem with the Station Fire was because of this spot fire above the road they wanted to use the helicopter on. They had to

make the difficult call that night that they could not safely put firefighters in the fire.

They did try to do a burnout operation to see if they could get some fire started to create a larger safety area to be able to get in and work on that fire. They were unable to do that. That was the spot, then, that created the spot fires down below the road. That was what the review team concluded, based on the amount of fire that occurred below the road, based on what they know, what they could see, and the information they had available, that even with those resources we would not have been able to suppress that fire.

It's not 100 percent. This business isn't 100 percent, and that's why we try to use all the resources that are available and that our folks, I think, do a tremendous job to do everything that they can to suppress these fires. That's why they wanted to use the helicopter that night, to continue to try to work on that fire.

At that time of the evening, they anticipated some spot fires to occur, but as you look at the logs, it was right after midnight when the spotting started to occur, and that's when they put in the additional orders. The amount of spotting, I think, even exceeded what they had originally thought they'd be dealing with the evening before.

Mr. SCHIFF. Chief, I know some of the retired USFS personnel have taken a different view of the subject. We'll have a chance to explore that further in Los Angeles in the near future.

But, Madam Chair, I want to thank you for the opportunity. I know it's a rare opportunity to ask questions here.

NIGHT FLYING WILDLAND FIRE OPERATIONS

Senator FEINSTEIN. Well, thank you very much, congressman.

Let me ask one other question on night flying and then move on to the tanker situation, if I might.

You say you're doing a review, and I assume that review is going to result in a change of policy. So the question is, if it does, how quickly would you be able to move, and what additional resources are necessary?

It is our understanding that the military and local jurisdictions suggest that cost estimates for outfitting night-flying missions are \$12,000 per night-vision goggles, \$25,000 per cockpit renovation to become night-vision compatible, \$6,000 for additional training costs per pilot and at least \$10,000 in additional initial training costs per pilot, which makes it quite expensive, and I gather your equipment is old.

The question I have is LA County, I believe, has 15 helicopters, the city 4, and San Diego how many? Also about four. Do private entities have planes available that you could contract with to fly at night in addition to these?

Mr. TIDWELL. Well, Senator, depending on what our analysis shows as to what the need is, we have several options. I want to stress depending on what the analysis shows, because this is a complex issue, and that's why it's taken the amount of time it'll take for us to review this.

Some of the options that we have are, one, to require our helicopters—at least some of our helicopters that we currently contract

for—to have the capability, the technology, the pilot skill, and the pilot experience to be able to operate at night.

Another option for us to look at is to see if we want to work with our cooperators to expand their capability, where they already have the helicopters and the dual mission with emergency medical assistance. That may be a better way, to work with them through an agreement to be able to expand their capability, so that there would be more capability.

So we have several options that we want to look at, but the first thing we need to look at is just to determine is this something that we need to move forward with, and then, if it is, what is the best way. We do have several options that we can pursue.

Senator FEINSTEIN. Okay. Let me ask you this—similar to what Senator Tester asked—if there is another beginning like a Station Fire start, can you get a tanker or a helicopter at night, the first night to knock out the fire in California, this year?

Mr. TIDWELL. Well, in southern California, it would be dependent on the availability of our cooperators' helicopters. That's one of the reasons we wanted to clarify our policy, to make sure all of our incident commanders understand that they can request, and should request, if they need night-flying missions, night-flying aircraft from the cooperators.

We also want to make sure that all of our incident commanders have the training, so that they can understand what situations we can use these ships in, and what situations we can't. Of course, they'll work very closely with our cooperators on that.

That's one of the clarifications that we're putting out now to make sure that if there's a fire tomorrow that we could use a night-flying capability on, that our incident commanders know that they can request that from the cooperators. If it's available, I'd hope we'd be able to use it.

Senator FEINSTEIN. I trust that will be the case when the Santa Anas are blowing this year.

For those people that don't know, the Santa Ana winds are not westerly. They come east to west. So they're very hot winds, and they're extraordinarily dangerous if there's a fire going. So I would assume that you would get that covered for that period of time.

AIRTANKER ASSETS

Let me go on to the tanker. Your aviation report initially recommends that any new aircraft be USFS-owned and contractor operated. However, you also include an addendum to the report with three other options, including a model where the military would own and operate the aircraft. I understand that a work group has been convened with the DOD to provide recommendations on such a model, but has not yet done so.

If you are still analyzing these options, when should the subcommittee expect to receive a final recommendation from the administration regarding who should own and operate the next generation of Federal air tankers?

Mr. TIDWELL. As you've referenced, this additional review is going on that we're doing together with the DOD along with our interagency review that we've already submitted to the subcommittee.

We want to look at both of these reviews along with some additional analysis that we're doing in the USFS and also with another contract, to be able to pull all the information together and look at all the options that we have, and then come to the subcommittee and work with you as to what is the best way to go forward with this.

I'm optimistic with the development of these newer aircraft that our contractors are working hard to get ready to go for this coming season, that 's going to provide us some additional time with this issue.

But it's essential, I think, that, in the near future, we're able to sit down and work with the subcommittee and come to agreement about what is the best approach to go forward with this to ensure that we will have the capability of large air tankers that are so essential to our firefighting success.

Senator FEINSTEIN. Let me read you a staff note in this: "We expect the administration to be cagey about providing a final recommendation, due to the costs of buying the aircraft. We recommend you press them on a specific date." I am pressing. That's a question.

Mr. TIDWELL. Madam Chairman, thank you for the question. I'll respond to that. As soon as this information is available, we want to share it with your staff, and that—

Senator FEINSTEIN. Is this a year? Is it 6 months? Two months?

Mr. TIDWELL. I'm thinking by the end of this year we should have all the information, and that we'll be able to sit down and work with the subcommittee on what the recommendation will be.

I think by the end of the year we will have had some experience with the new aircraft that our contractors are working on. I think that it is very important for us to be able to see what they can do with those aircraft and be able to factor that into the long-term solution.

Senator FEINSTEIN. You're looking at the National Guard units as well. Is that correct? Because that's been a successful model, I think, in the past.

Mr. TIDWELL. Yes, that's the other thing that we are looking at. In the past, and even today, we have the eight MAFFS units that are ready and available, primarily to use for our surge capacity after all of our existing resources are committed.

That's another area that we want to continue to explore; the availability and the use of those aircraft with the MAFFS units.

AIRTANKER FUNDING

Senator FEINSTEIN. Now, do you anticipate, at the end of this—this is for planning purposes—that you essentially have to buy a new air-tanker fleet? And it's my understanding that if that's the case, the costs range from \$1.5 billion to \$2.5 billion. That's a 2009 USDA Inspector General's report.

So the question comes, how much would you anticipate the cost would be, for planning purposes, if you have to replace the fleet?

Mr. TIDWELL. If the recommendation was to replace the fleet with the C-130Js, which I think that report is referring to—

Senator FEINSTEIN. That's correct.

Mr. TIDWELL. We would then request funding over a period of years to be able to acquire those. I think that's just one of the options that we need to consider. If we did pursue that, we would spread that over many years to be able to acquire those over the long term.

Senator FEINSTEIN. Well, let me say—and you know this. You don't need to hear this from me, but this is a big issue in the West. I mean, there is nothing like having your house burn down, nothing, other than, I think, dying, that really strikes people.

You know, if we're supposed to protect people, this is one of the things we have to protect against. And so that immediate response, the ability to knock out that wildland fire within the first 24 hours, even within the first half hour, if it's possible, becomes paramount, I think, as you analyze cost and effect.

So the air assets are critical, and they have to be in place. They have to be accessible, and they have to be man-able during fire season. And I think that ought to be our goal.

So let me ask you: Does the administration plan to support funding to replace tankers as part of future Presidential budget requests?

Mr. TIDWELL. If our recommendation is to acquire new aircraft, we will be submitting the budget request for that in future years.

Senator FEINSTEIN. If?

Mr. TIDWELL. If.

Senator FEINSTEIN. You're really cagey.

Mr. TIDWELL. You know, last year, we were not aware of this potential new capability with the aircraft that our private contractors are developing for use this year, so that gives us a different option that we need to consider.

2010 AIRTANKER ASSETS

Senator FEINSTEIN. So that was my earlier question. How many private contractors can you contract with this year?

Mr. TIDWELL. This year we have three contractors that are in place that provide the 19 large air tankers.

Senator FEINSTEIN. And where are they?

Mr. TIDWELL. There's one in Missoula, Montana. One's in Minden, Nevada, and then Aero Union in California.

Senator FEINSTEIN. Where is that in California?

Mr. TIDWELL. It's outside of Chico.

Senator FEINSTEIN. Oh, up north. Well, that'll take care of the North. I mean—

Mr. TIDWELL. We position these planes throughout the country, depending on the fire conditions that we have, and so very seldom are they at their home bases. They're moving throughout the country almost every day, moving to wherever we need them.

ADDITIONAL COMMITTEE QUESTIONS

Senator FEINSTEIN. Okay. Well, I think that completes my questions. We may have a couple of questions for you in writing. I have a lot of questions here.

But I think the point I want to make is that this is a real priority, and we're going to continue to do our level best within our allocation—and I think Senator Alexander, who's a wonderful

Ranking Member, will agree with this—to give you what you need to fight fires. So I would not be shy about it.

Mike Pool, that goes for you, too.

Mr. POOL. Thank you.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO TOM TIDWELL

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

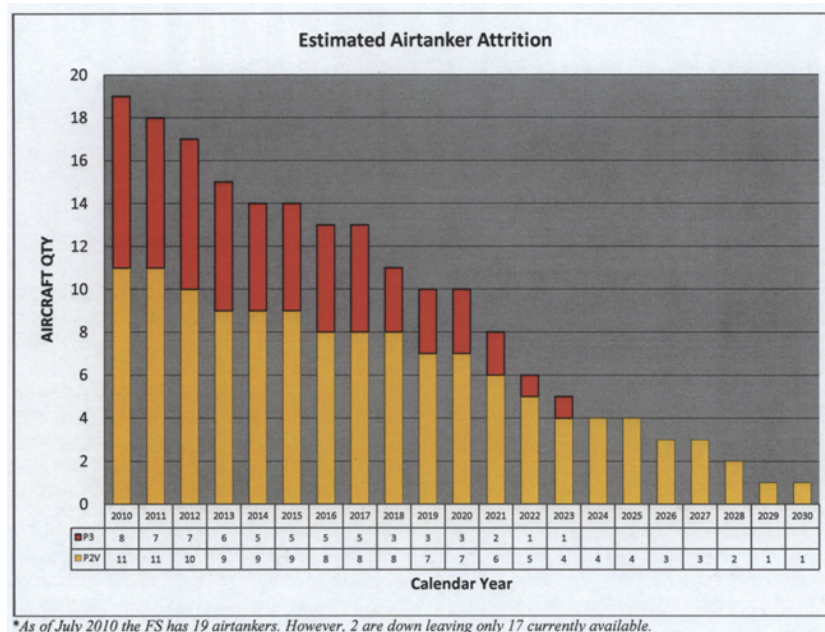
Question. Chief Tidwell, your agency had access to as many as 44 air tankers in 2002. However, since then, safety concerns and accidents have grounded all but 19 of these planes—and those that remain are aging out of service starting as soon as fiscal year 2012. This subcommittee has been asking about your replacement strategy since at least fiscal year 2005, including a request in the fiscal year 2010 Interior, Environment, and Related Agencies bill that you provide a copy of your plan by last November. Yet we didn't receive your report until May 5. Why did it take so long for the administration to publicly acknowledge this problem and begin to offer recommendations?

Answer. The Forest Service (USFS) identified the airtanker shortage as an emerging problem as early as 2002 after two planes crashed. Following the two crashes, the USFS and the U.S. Bureau of Land Management (BLM) jointly established an independent blue ribbon panel “to investigate issues associated with aerial wildland firefighting in the United States.” In March, 2003, the panel released its report, which included eight key findings. As a result of the panel's recommendations, the USFS and BLM declined to renew the leases on nine C-130A and PB4Y-2 airtankers, and ordered the 33 remaining large airtankers to undergo an improved inspection program before they returned to active service.

The long-term solution to this problem is complex and national in scope. The 2008 Interagency Aviation Strategy was the result of a coordinated effort among the wildland fire agencies to arrive at a consensus to satisfy the fire fighting aircraft needs of the Nation. Representatives from all five Federal wildfire agencies within the Department of Agriculture and the Department of the Interior, as well as representatives from the National Association of State Foresters, participated. Experienced senior fire and aviation managers collectively developed this plan for meeting the Nation's future aviation needs. In part, the plan includes a recommendation for the Federal Government—to acquire over a 10-year period—25 new and efficient aircraft to replace the existing large airtanker fleet. The plan recommends that aircraft be operated and maintained by private industry with the Federal Government retaining ownership. The current administration has yet to establish a position on the types and ownership of a replacement airtanker fleet.

Question. Please provide the subcommittee with detail regarding the remaining operational service life of each of the large air tankers currently remaining in the fleet.

Answer. Please refer to the attached figure displaying the estimated numbers of the current P3 and P2V airtanker aircraft available each year, projected out to the year 2030.



Question. What steps is USFS taking in the immediate future to make additional resources available and to pursue short-term options to replace or augment the current air tanker fleet?

Answer. USFS is pursuing several options to maintain or improve our current retardant delivery capacity. Short-term solutions include increased reliance on helicopters, the possible introduction of substitute aircraft similar in size to our current tankers, such as the BAe 146, and efficiently using “niche” aircraft such as single engine airtankers, very large airtankers, and scooper aircraft.

Question. The report you provided, the National Interagency Aviation Council (NIAC) report, recommends that USFS procure a fleet of 25 C-130J aircraft to replace your current air tankers. Chief Tidwell, how do you know that C-130J aircraft are the right aircraft for the job?

Answer. USFS continues to evaluate multiple aircraft for cost and suitability. However, we have not made an aircraft selection nor have we committed to any one model. While we remain open to all reasonable options, some analysis has shown this to be an efficient model capable of meeting our needs for initial attack.

USFS has first-hand experience with many different types of aircraft, including the C-130 series. This aircraft fully meets the immediate and future operational requirements of USFS. However, there is a benefit to a diverse fleet to meet a variety of needs. We have currently identified our needs to be a cruising speed of 350 mph and ability to drop 3–5,000 gallons.

Question. What kind of formal analysis has USFS done to determine how many aircraft you really need? How do you know that 25 aircraft is the “right” number, especially given the fact that you have historically had access to more than 25 aircraft?

Answer. The 2008 Interagency Aviation Strategy, which was the result of a coordinated effort among the wildland fire agencies to arrive at a consensus to satisfy the fire fighting aircraft needs of the Nation, calls for the Federal Government to acquire—over a 10-year period—25 new and efficient aircraft to replace the existing large fixed wing airtanker fleet. This was based solely on the 2005 Wildland Fire Management Aerial Application Study. Having newer, more efficient aircraft will allow USFS to maintain or improve its initial attack success rate with fewer total fixed-wing aircraft. Moreover, the NIAC report concluded that the acquisition of these airtankers would also result in the reduction in the number of large helicopters contracted by USFS (from 39 to 7).

In order to do a more thorough analysis, USFS has commissioned the Rand Corporation to review and analyze our future needs to determine the right number of aircraft. This will provide us with the most current projections on the most appropriate number of aircraft, updating the recommendation from the 2008 Interagency Aviation Strategy. Once this study is completed, we will be better informed to answer this question.

Question. What other aircraft models did you consider before reaching the conclusion that the C-130J aircraft was the appropriate choice? What are the alternatives available to purchasing C-130Js? Please provide the subcommittee with specific documentation relating to the selection of this type of aircraft, including cost and performance comparisons with other options.

Answer. USFS continues to evaluate multiple aircraft for cost and suitability. However, we have not made an aircraft selection nor have we committed to any one model. We remain open to all reasonable options. We have currently identified our needs to be a cruising speed of 350 mph and ability to drop 3-5,000 gallons. At this time, USFS is unable to release cost and performance data for the aircraft currently under analysis.

Question. Have you quantified what benefit the C-130Js might provide in terms of better firefighting effectiveness or lower suppression costs? Specifically, have you quantified what effect these aircraft might have on your initial attack success rate and calculated what impact that improved initial attack performance might yield in terms of lower suppression costs? Please provide specific data.

Answer. USFS has contracted with the Rand Corporation to develop performance measures for large airtankers. While we anticipate improved performance, at this time, USFS is unable to release cost and performance data for the aircraft currently under analysis. Once the Rand Corporation study is completed we will be better able to answer this question. Some analysis of the cost savings that might be provided by the use of C-130Js can be found in "Appendix 12: Wildland Fire Large Airtanker Strategy," pages 72-76 of the "2008 Interagency Aviation Strategy."

Question. What are the legislative or policy hurdles that would have to be addressed to allow a military-owned, military-operated air tanker fleet? Are there any legislative or policy barriers that would prevent military-owned and -operated aircraft from performing initial attack or other essential aviation functions?

Answer. This question is being addressed by the Secretary of the Air Force, the Chief of the Air Force Reserve, and the Director of the National Guard Bureau in response to a request in the House Appropriations Committee Report (House Report 111-230) accompanying Public Law 110-118, the Department of Defense Appropriations Act of fiscal year 2010. While we are not aware of any legislative or policy barriers that would prevent military-owned and military-operated aircraft from performing initial attack or other essential aviation functions, we defer to the Air Force and the National Guard Bureau to definitively answer this question.

A May 17, 2004 report to Congress by the Office of Management and Budget entitled, "A Review of Existing Authorities and Procedures for Using Military Assets in Fighting Wildfires" concludes that "The Economy Act permits an agency to place an order with another agency after deciding, in particular, that the requirement cannot be provided by contract as conveniently or cheaply by a commercial enterprise". USFS has successfully used a military-owned, military-operated fleet of airtankers in the Modular Airborne Firefighting Systems (MAFFS) program for the past 25 years under current legislation and policy. Prior to 1994, USFS was not requested to reimburse costs for the MAFFS units. Beginning in 1994, due to the long duration and intensity of operations that season, USFS was billed for flying hour costs plus overtime pay for personnel. In 2004, the Secretary of Defense directed that full cost of all MAFFS-related expenses would be fully reimbursed.

Question. In April 2010, the USDA Inspector General released a report that identified critical gaps in USFS firefighting workforce over the next 5-10 years because a growing percentage of firefighters are eligible to retire at the same time that large, complex wildfires are increasing the need for qualified firefighters. The IG offered 20 specific recommendations for USFS to follow, including developing a workforce plan to ensure the right number of qualified firefighters will be available in the future, improving training, and eliminating unnecessary education requirements for firefighters. Chief Tidwell, what are you going to do to address this problem? Does USFS plan to implement all of the Inspector General's recommendations? If not, why not?

Answer. USFS is currently engaged in the development of a strategic plan addressing all the Inspector General's recommendations contained in the Audit Report 08601-54-SF, USFS's Firefighting Succession Planning Process. Progress to-date includes reaching management decisions on 19 of the 20 recommendations, and completion of the actions required to close the first two recommendations. These actions

are: (1) assigning responsibility for firefighter qualification workforce planning to the Director of Fire and Aviation as the top level official at USFS national headquarters; and (2) chartering the Workforce Succession Planning Team which has begun its work. The Workforce Succession Planning Team includes members of Fire and Aviation Management senior management, Line Officers and representatives from Business Operations-Human Resources Management including Diversity and Civil Rights representatives. This work is being coordinated with the Regional Foresters to assure consistency and adequacy of the Workforce and Succession Strategic Plan. The Strategic Plan will be completed no later than March 31, 2011.

Question. This year your budget failed to provide specific regional budget allocations for USFS programs, including important Wildland Fire Management programs such as hazardous fuels reduction and fire preparedness. Please submit for the record a table that shows fiscal year 2010 enacted and fiscal year 2011 planned regional budget allocations for all Wildland Fire Management programs.

Answer. The fiscal year 2010 information was not included in the fiscal year 2011 annual budget justification because this display of estimates, created by simply prorating from the last available allocation, has been interpreted as a commitment by USFS to those levels. There are a number of reasons why USFS cannot provide the exact level of funds indicated. Many times the actual appropriation received may be different than the baseline used. The agency is also faced with changing conditions for land management including climate change, epidemic insect infestations, and other local demands which will influence the funds distributed.

A table, displaying fiscal year 2010 information, is on the following page.

FISCAL YEAR 2010
[In thousands of dollars]

	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 8	Region 9	Region 10	Stations/ area/HF	Centralized Business ¹	Washington office ²	National/ unallocated	Forest Service total
Wildland Fire Management:														
Fire Preparedness—WFRP	57,166	29,842	60,823	55,328	205,755	78,827	34,573	22,967	2,949	2,190	29,106	78,767	16,706	675,000
Fire Operations: Suppression—WFSU	24,896	30,236	42,144	23,249	58,074	35,538	41,374	11,130	1,017	7,535	117,120	184,182	696,203	997,505
Hazardous Fuels—WHF	1,443	409	1,143	2,444	2,548	1,251	347	573	6	2	619	96	18,929	350,286
Rehabilitation and Restoration (NFP)— WFW3														11,600
Fire Research and Development— FRF2														23,917
Joint Fire Sciences														5,000
Forest Health Management: Federal Lands (NFP)—SPS4	3,060	3,500	446	2,897	2,897	3,589	1,000		161	809	1,221	219	954	20,752
Forest Health Management: Cooperative Lands (NFP)—SPS5	971	897	1,348	827	955	2,054	818		1,161	18	389	65	1,925	11,428
State Fire Assistance (NFP)—SPS2	1,738	2,512	1,358	1,612	11,899	2,299	13,464		416	9,255	15	133	26,548	71,250
Volunteer Fire Assistance (NFP)— SPS3	707	840	576	310	973	707	2,250		309	2,328				9,000
Total, Wildland Fire Management ...	89,981	68,236	107,837	86,667	283,101	124,265	93,826	34,670	6,020	43,278	192,066	278,389	767,403	2,175,738

¹ Regional and Other unit allocations include each unit's share of cost pool funding from each budget line item. Estimated allocations for fiscal year 2011 are prorated from the fiscal year 2010 final levels.
² The large shift in the preparedness and suppression funding levels for these units between fiscal year 2010 and fiscal year 2011 reflects a re-baselining of the WFM account, realigning cost pool amounts that had been shifted over the past years.

Question. As you know, I provided USFS with \$28 million in prior-year appropriations bills to address firefighter retention issues in high-risk areas like California. USFS currently has a 4 percent vacancy rate for its 4,489 firefighting positions in California. That's an improvement over the 9 percent vacancy rates you posted in May 2008. However, while the agency has made progress in filling its overall number of vacancies, I remain concerned that USFS is still missing:

- 20 percent of the GS-10s;
- 12 percent of the GS-11s; and
- 17 percent of the GS-12s that you identify as needed in your targeted staffing levels.

These senior-level firefighters make important fire policy and management decisions and it is critical that these spots are filled before fire season begins in earnest. It's my understanding that these positions may not have been affected by the retention incentives that you currently have in place. What steps are you taking to address the high vacancy rates for these senior positions?

Answer. On March 31, 2010, the USDA Office of Inspector General (OIG) provided USFS with the final audit report on Forest Service firefighter succession planning. OIG accepted USFS's management decision for 19 of the 20 of the report recommendations. Implementation of these recommendations will help improve our ability to keep and fill these positions when vacant at a higher rate in the future. In the interim, we are using 120-day temporary promotions for positions that have known mandatory retirement dates in an effort to keep our commitment to fire readiness.

Additionally, the GS-10 positions, which are exclusively WG-10 Dozer Operators and Assistant Dozer Operators, have an updated vacancy rate entering into this fire season (as of 6-1-2010) of only 4 percent, with only 1 vacancy in 28 planned positions.

Question. I understand that the administration has weighed a number of more permanent proposals to help retain California firefighters—updating and expanding a special pay rate to address salary disparities with cooperators, implementing a 24-hour “portal-to-portal” firefighting salary for incidents and creating Wildland Firefighter series for Federal employees. Yet none of these things have been implemented. Can you please provide me with an update on where each of those proposals stands?

Answer. USFS will not be pursuing the use of ordered standby or portal-to-portal pay as supplemental pay options. USFS is continuing a dialogue with the Office of Personnel Management about firefighter position classification options.

Question. I understand that in the 1970s, firefighting, or assistance to a firefighting mission was in the project description of almost all USFS employees. Why did that change? If this policy was reinstated, would your fire suppression costs be reduced by relying more in-house firefighting support rather than more expensive cooperators?

Answer. There is still an expectation that employees support emergency operations. During high fire seasons the Chief has issued letters stating that, “employees must participate in fire activities commensurate with their respective training, qualifications, and physical ability. Those not incident qualified or who cannot accept assignment away from home are expected to support the fire efforts and provide backup for those on assignment.”

Firefighting and assistance to the firefighting mission was not necessarily in all job descriptions of USFS employees during the 1970s. Support of the firefighting mission, however, was an organizational expectation at the time. As society and the economy changed and more families became two-income households, there was less financial incentive to participate in the firefighting mission. Our employees have become much more functionally specialized and are also not often capable to work away from their duty station for extended periods of time on a recurring basis, as is needed to support the firefighting mission.

Question. I am concerned that the administration doesn't have a comprehensive wildland fire policy to address the broader questions of how we're going to manage wildfire challenges. It seems as though the Federal Government continues to address wildfire issues—which include everything from how to address rising fire suppression costs to how to ensure communities to have the right zoning and defensible space to reduce fire risk—on an ad hoc basis. Mr. Pool, Chief Tidwell, what is this administration doing to better address wildfire policy?

Answer. The Department of the Interior and the Department of Agriculture—USFS are in the midst of preparing a Cohesive Wildfire Strategy as required by Congress to address the issue of wildfire policy.

The Cohesive Wildfire Management Strategy Process Framework is on track to be delivered to Congress by November 1, 2010.

As noted in the USDA OIG report, "Large Fire Suppression Costs" dated November 2006, escalating cost to fight fires is largely due to efforts to protect private property in the wildland urban interface (WUI) bordering USFS lands. Homeowner reliance on the Federal Government to provide wildfire suppression services places an enormous financial burden on the USFS, as the lead Federal agency providing such services. It also removes incentives for landowners moving into the WUI to take responsibility for their own protection and ensure their homes are constructed and landscaped in ways that reduce wildfire risks. Assigning more responsibility to State and local government for WUI wildfire protection is critical because Federal agencies do not have the power to regulate WUI development. Zoning and planning authority rests entirely with State and local governments.

Question. How many acres of national forests nationwide do you estimate require hazardous fuels treatments? What percentage of needed fuels treatments is USFS accomplishing in a given year, based on current budget requests?

Answer. Nationally there are about 115 million acres of National Forest System lands which are in need of hazardous fuels treatments, as identified by the number of acres in a high wildland fire potential category. Over the last 3 years, USFS has treated about 3 million acres per year. Additional acres have been treated on Department of the Interior lands and on State and private lands. A majority, but not all, of the recently treated acres were on the highest-priority lands based on the working definition of high-priority acres with a high or very high relative ranking for wildland fire potential. Follow-up treatments are conducted in some areas and are needed to maintain the lowered fuel class conditions. Wildland fire potential is based on the probability of fire occurrence and potential fire behavior based on historic patterns and fuel conditions. Wildland fire potential is then classified into a relative ranking of fire potential from very low to very high. As a caveat, wildfire potential was designed as a comparison of conditions across the Nation and should not be used as a benchmark to measure progress in hazardous fuels treatment. Also, weather conditions and direction can influence future accomplishment in hazardous fuels treatment. USFS anticipates the availability of updated data on wildland fire potential later this year, or early in 2011.

Question. I'm very concerned about the vegetative conditions that allowed the Station Fire to rage out of control in the first place. Since 2005, this subcommittee has invested \$160 million for hazardous fuels reduction treatments on the four national forests in southern California, with 11 percent of those funds, or \$17.3 million, used for projects specifically on the Angeles National Forest. What kind of progress has your agency made to reduce fuels on these forests with this investment? What is the agency's estimate regarding how many additional acres require treatment?

Answer. Since 2005, approximately 170,000 acres of hazardous fuel treatments have been accomplished within the four national forests of southern California. About 20,000 acres of those treatments were on the Angeles National Forest. Significant accomplishment momentum was created by the supplemental appropriations in fiscal year 2008 and fiscal year 2009 that provided for large increases in integrated restoration and hazardous fuel treatment accomplishments.

Question. Why does USFS budget request cut State and volunteer fire assistance grants from \$80 million to \$57 million, and why does the Interior fire budget propose to completely eliminate rural fire assistance grants?

Answer. The President's fiscal year 2011 budget proposal for USFS for the National Fire Plan State Fire Assistance (SFA) and Volunteer Fire Assistance (VFA) accounts, while down from the fiscal year 2010 enacted level, is consistent with prior years' funding levels and the fiscal year 2010 President's budget for these accounts. The budget reflects the President's priorities and Secretary of Agriculture Tom Vilsack's vision for restoring and enhancing the resilience and productivity of America's forests. The funds identified under the Wildland Fire appropriation complement the SFA and VFA programs that are funded through the State and Private Forestry appropriation.

Question. In my experience with wildfires in California, rural fire departments play a crucial role in preventing and fighting wildfires, especially in remote areas. I would like to hear from USFS and the Interior Department how you view the role of volunteer and rural fire departments.

Answer. It has been my understanding that grants to volunteer and rural fire departments provide them with the firefighting tools, equipment, and training they may not be able to acquire otherwise. Is the money spent on fire department grants cost effective?

Answer. Rural fire departments represent the first line of defense in coping with fires and other emergencies in rural areas and rural communities. These departments provide nearly 80 percent of initial attack on wildland fires in the United States and are responsible for the protection of lives, homes, and business invest-

ments in rural America. Their presence enhances rural development opportunities and economic vitality, thereby improving standards of living in rural areas. Rural fire departments also provide major assistance to State forestry agencies in the suppression of wildland fires and, in some States, suppress all such fires.

Rural fire departments also play a major role in suppressing wildfires on Federal lands. USFS and various Department of the Interior land management agencies have entered into cooperative agreements with many rural fire departments. These agreements enhance the protection of both communities and natural resources. Through these partnerships, a level of fire protection is attained which would be impossible without such cooperation. The Volunteer Fire Assistance (VFA) Program assists volunteer rural fire departments by providing cost-share grants for training, equipment, and organization to enhance the capability of rural fire departments to conduct initial attack on wildland fires.

Rural fire departments receiving Volunteer Fire Assistance (VFA) grants are required to provide a 50 percent match to the Federal VFA funding. The cost share amount provided by the departments can either be in the form of cash or an "in kind" contribution. By requiring the cost share, recipient departments are invested in the grant process, thus ensuring that the funding provided to these rural fire departments is used in the most cost effective manner.

QUESTIONS SUBMITTED BY SENATOR ROBERT C. BYRD

Question. Because the forest industry is a significant part of West Virginia's economy, I have always paid keen attention to the U.S. Forest Service's (USFS) annual budget proposals. For the better part of 7 years, I have watched as the inability to control fires in California's wildland urban interface (WUI) areas has led to significant reallocations of USFS resources for fire suppression activities. These reallocations, while absolutely necessary, were accomplished at the expense of important forestry programs across the United States, including West Virginia.

In an effort to prevent the seemingly annual reallocations from emasculating the budget for forestry programs in West Virginia, in 2009 Congress enacted the FLAME Act, which the President signed into law. The purpose of the FLAME Act is to establish an emergency fund for fire suppression activities in the years when such activities result in expenditure in excess of those assumed in the President's budget.

Though I share the hope of my colleagues that the FLAME Act will restore order to USFS programs, I have yet to see any information from the USFS that it has a program in place to prevent small-scale fires in California's WUI from growing into conflagrations. In many other countries with geographic and climactic conditions similar to California, their top priority is to extinguish the fire in the initial attack. In fact, their entire fire suppression program is oriented toward the immediate dispatch of aircraft specifically designed to extinguish fires with constant drops of water and foaming agents directly on the head of the fire. We seem to operate a bit differently in the United States, with aircraft not dispatched until a ground crew is on site to direct the drop of fire retardants ahead of the fire via large tanker aircraft modified for this purpose.

After watching these WUI fires break containment year after year, I would like to know if there is anything to learn from the approaches used in other countries. As such, I would appreciate prompt responses to the questions I am submitting for the record.

Please provide exact dollar figures for budgeted and nonbudgeted fire suppression activities in California for each of the past 7 years. Please include in this information expenditures from all Federal agencies, including agencies of the Department of Agriculture, Department of the Interior, Department of Defense, and Department of Homeland Security.

Answer. USFS is unable to provide this data for other agencies. The figures in the table below do include the costs of reimbursable agreements, which include many different cooperators, other than the Department of the Interior. The agreement between the Department of Agriculture and Department of the Interior is to support the firefighting mission on Federal lands; we do not cross-bill each other for this support.

FOREST SERVICE EXPENDITURES IN CALIFORNIA

Fiscal year	Suppression expenditures	Preparedness expenditures	Total
2003	\$162,806,435	\$164,397,410	\$327,203,845
2004	205,167,116	170,459,681	375,626,797
2005	127,144,048	150,127,698	277,271,746
2006	370,248,971	159,193,754	529,442,725
2007	345,823,689	181,308,281	527,131,970
2008	749,719,334	177,162,801	926,882,135
2009	316,570,000	198,942,152	515,512,152

Question. Please provide a summary of the USFS/Bureau of Land Management operating policies with respect to the initiation and deployment of fixed-wing air tanker aircraft for fires occurring on U.S. property in California's WUI.

Answer. When a local dispatch places an order for aircraft the Geographic Area Coordination Center (GACC) utilizes a proximity tool to locate the closest available resource. The proximity tool uses the latitude and longitude to determine the radial distance from each prospective base. The GACC then dispatches the closest available aircraft to the incident. Our priority is initial attack. If all air tankers are already assigned, the closest air tankers are diverted to any new start. These dispatch transactions are documented using the Resource Order and Status System.

When there are many fires requesting air support a priority list is sent to the requesting agencies by 20:30 on each day, creating an air tanker assignment list. When activated, the Multi-Agency Coordinating Group does not decide which tankers go to the fires, only the number of tankers and the type. The aircraft dispatchers, Federal and State together, dispatch the closest air tankers to the highest-priority fire, and so on. If there is an initial attack fire, the aircraft dispatcher diverts the closest aircraft from any ongoing fire.

During periods of high fire activity air tankers are routinely reassigned to new starts instead of the fire they had been working the previous day. Each night a tentative lineup is faxed and/or emailed to all affected air bases and incident command posts for the next day's assignments. It is understood that this line up is tentative and is pending for the following reasons:

- Air tankers can be sent to initial attack fires (new Starts).
- Priorities may change for the next day's fires. Each day the active fires are prioritized to facilitate air tanker coverage for initial attack and support of large fires.
- Many times air tankers do not fly early morning missions due to unplanned weather events, such as smoke inversions and/or fog. Due to the fog or inversion, the air tankers may be assigned to lesser priority fires with the understanding that they will be reassigned to the higher-priority fire once the inversion clears or lifts.
- Aircraft may be out-of-service due to mechanical or pilot issues (limits on flight time) in the morning, requiring the GACC to change the line-up based on how many and which types of aircraft were originally requested.

Question. With respect to the five most expensive California WUI fires in the past 7 years, please provide a summary for each fire, detailing the time when the fire was first reported, the time which elapsed before fixed-wing aircraft were dispatched by the USFS, and the effectiveness of the dispatched aircraft.

Answer. See the following table.

Fire name ¹	Administrative unit name	Discovery date/time	First Forest Service first fixed-wing aircraft	Elapsed time (minutes) ²
STATION	Angeles National Forest	8/26/09 15:19	8/26/09 15:23	4
ZACA	Los Padres National Forest ...	7/4/07 10:54	7/4/07 14:07	193
BASIN COMPLEX	Los Padres National Forest ...	6/21/08 13:29	6/21/08 13:29
CEDAR	Cleveland National Forest	10/25/03 17:45	10/25/03 17:50	5
DAY	Los Padres National Forest ...	9/4/06 14:15	9/4/06 14:41	26

¹ All of these fires occurred in critical fire weather conditions. All escaped Initial Attack efforts of both air and ground resources.

² As shown on the 5100-29, Individual Fire Report.

Question. Please provide specific data on cost per gallon of fluid dropped on the fire for each aircraft engaged by the USFS for fire suppression efforts on California's WUI fires.

Answer. Total cost column includes both aircraft time and retardant cost.

Fire name	Type of aircraft	Gallons dropped	Total cost	Price per gallon
STATION	Helicopters	4,423,440	\$4,296,813	\$0.97
	Air Tankers	1,218,454	\$2,608,603	\$2.14
ZACA	Helicopters	4,409,027	\$4,195,020	\$0.95
	Air Tankers	1,362,486	\$2,027,020	\$1.49
BASIN COMPLEX ¹	Helicopters	22,800	\$4,735	\$0.21
	Air Tankers			
CEDAR ²	Helicopters			
	Air Tankers			
DAY ²	Helicopters			
	Air Tankers			

¹ System upgrade in ABS (Aviation Business Management System) affected data available for the fixed-wing aircraft on this fire.
² Fires occurred prior to implementation of ABS. Unable to locate data from pre-ABS system.

Question. Please provide a ranking of all aircraft, based on the cost per gallon of fluid dropped (using a hypothetical California WUI fire such as the Station Fire), assuming that the aircraft must drop 30,000 gallons of fluid. The cost estimate should factor in known daily lease rates, hourly expenses (all operating, maintenance, and air/land crew costs), including the time it takes to load the tanker with fluid for the initial drop and for refilling the aircraft after the initial drop.

Answer. This is the type of evaluation the USFS will be working with the Rand Corporation to document which aircraft best meet the agency needs.

Question. It is my understanding that the USFS has commissioned the Rand Corporation to study potential replacements for the USFS fixed-wing aircraft fleet. It is also my understanding that Rand was instructed to exclude from its study the only aircraft in the world purpose-built to fight fires. With WUI operating costs significantly (75 to 80 percent) lower than converted tankers, why would the USFS exclude this aircraft from the Rand Study?

Answer. USFS has contracted with the Rand Corporation to develop performance measures for large airtankers and to provide an analysis of the best mix of helicopters and fixed-wing air tankers. The Rand Corporation is looking at all options. The results of this study will help us determine our large airtanker needs.

Question. Based on your evaluation of firefighting operating practices in regions of the world with geographic and climatic conditions similar to those which exist in Southern California, how many of those nations rely on aging military/commercial passenger aircraft modified for use as tankers? How many of those nations use purpose built aircraft?

Answer. Mediterranean nations (France, Italy, Greece, and Spain), which do have geographic and climatic conditions that are somewhat similar to those in southern California, predominantly use water scooper fixed-wing aircraft like the Bombardier and Canadier. These aircraft are built specifically for wildland firefighting. They scoop water only, they do not drop retardant. There are a few Hercules C-130s, aircraft originally built for military purposes and converted for use as air tankers, being used in this region of Europe as well.

Other countries that might also be considered somewhat comparable are Australia and South Africa. They use mainly smaller aircraft that are crop dusters converted into air tankers, similar to our Single Engine Airtankers. Australia is also testing the DC-10, a converted passenger/commercial aircraft. Russia, which has a variety of different geographic and climatic conditions, utilizes converted military aircraft, but has recently built the BE200—a water scooper aircraft built specifically for wildland firefighting. This aircraft is not yet deployed widely, but is likely to be used more heavily in the future in Russia. The BE200 is not approved by the FAA for use in the United States of America.

QUESTION SUBMITTED TO MIKE POOL

QUESTION SUBMITTED BY SENATOR DIANNE FEINSTEIN

Question. Mr. Pool, the Interior Department's budget cuts \$44 million from your hazardous fuels reduction budget—a 21 percent cut—for a total of \$162 million. I understand that your budget assumes that you will discontinue most fuels treatments outside the wildland-urban interface (WUI). This is a different approach than USFS took in its budget request, which includes flat funding of \$349 million for fuels projects and reallocates funding within the budget for more treatments in the WUI. What is the Department's rationale for drastically reducing funds for fuels treatments? Why does it make sense for your agencies to take such different approaches to the fuels budgets?

Answer. Although funding for hazardous fuels treatments has quadrupled since 2000, the previous policy of treating the greatest number of acres possible has led to a patchwork of activities that have not been efficient in reducing risks to communities.

The proposed funding reduction for the Hazardous Fuels Reduction program reflects a shift in focus toward conducting hazardous fuels projects in WUI areas to reduce the risk of wildfire to communities. These are the areas where suppression costs are the highest and where hazardous fuels activities are most effective in reducing the risk of catastrophic fires threatening communities and in reducing fire-fighting costs. When there is a clear priority of treating acres within the WUI, hazardous fuels treatments can be more effective in reducing risk.

The Department of the Interior and the Department of Agriculture do not take different approaches. Both agencies make informed decisions that include using systematic modeling approaches to identify high-priority projects, in high-priority areas. A consistent modeling approach is applied in the Hazardous Fuels Prioritization and Allocation System (HFPAS). The HFPAS has four components that are taken into consideration, current funding, the ecosystem management decision support model that provides the priority areas, the project prioritization system that identifies the priority projects, and additional information that cannot be modeled, professional judgment/management considerations, i.e. adjustments for unforeseen circumstances.

CONCLUSION OF HEARING

Senator FEINSTEIN. We have to do better.

So I want to thank Representative Schiff. I want to thank you all, and I think I will recess the hearing. Thank you very, very much.

[Whereupon, at 11:10 a.m., Wednesday, May 26, the hearing was concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

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