

**DEPARTMENT OF THE INTERIOR, ENVIRONMENT,  
AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2011**

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**WEDNESDAY, MARCH 17, 2010**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 10:33 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Dianne Feinstein (chairman) presiding.

Present: Senators Feinstein, Tester, and Alexander.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

**STATEMENT OF TOM TIDWELL, CHIEF**

OPENING STATEMENT OF SENATOR DIANNE FEINSTEIN

Senator FEINSTEIN. Good morning, ladies and gentlemen. On behalf of the Interior, Environment, and Related Agencies Subcommittee, I welcome you to our hearing on the fiscal year 2011 budget request for the U.S. Forest Service (USFS).

I am pleased to welcome Tom Tidwell, the new Chief of the USFS. Chief, this is the first time you have had the opportunity to testify before the subcommittee, so I want to say we are all looking forward to your testimony and to working with you. Given all the changes in your proposed budget request, it is clear that we have a good deal to discuss.

The President's request provides \$5.38 billion for the USFS. That is an increase of \$61 million, or 1 percent. Despite the constraints reflected on this budget, there are a number of important programs that receive increases.

In particular, the budget request provides a total of \$2.64 billion for all wildland fire activities. That is an increase of \$129 million over the enacted level. That is 5 percent. Within that amount, hazardous fuels reduction activities are funded at \$349 million, roughly equal to this year's level.

The budget also proposes \$1.59 billion to fund operations for the Nation's forests and grasslands. That is a 2 percent increase. And State and private forestry programs receive a 4 percent increase, for a total of \$321 million. Land acquisitions increase by 16 percent, for a total of \$74 million.

Now, there are also a number of program cuts. Funding for construction and maintenance of facilities, roads, and trails is cut by 21 percent for a total of \$438 million. Road construction and maintenance is cut by 31 percent, for a total of \$164 million. And this cut comes despite the fact that the service reports a \$3 billion backlog in road maintenance as part of its budget request.

And finally, funding for State and volunteer fire assistance is cut by 29 percent, a total of \$57 million.

I would like to speak for a moment about two major changes that are part of the request. One is the proposal to combine several of the agency's land management programs into a new integrated resource restoration account. We spoke about this yesterday. The other is a major restructuring of the agency's fire preparedness and suppression accounts.

Let me begin with the wildland fire programs. The budget requests a total of \$1.5 billion for fire suppression. That is an increase of \$90 million, or 6 percent. It includes \$1.2 billion as part of the fire suppression account and \$333 million that has been shifted to the preparedness account.

For years now, the USFS has been charging a portion of its preparedness costs to the fire suppression account, hiding the true cost of the agency's readiness needs. So I am pleased to see this shift to properly pay for those activities within the preparedness account, which is where they belong.

All told, the budget requests \$1 billion for firefighter salaries, training, and equipment. That is a 49 percent increase compared to 2010.

Now, I support the level provided in this budget for fire suppression, but I am concerned that the request divides firefighting funds into three overly complicated accounts. Now, this is account one, \$595 million for base fire suppression. Two, \$291 million for the Federal Land Assistance, Management and Enhancement (FLAME) Fund, which was instituted by Congress last year to cover the cost of fighting large wildfires, and \$282 million for a third account, the Wildland Fire Contingency Reserve, which is a reserve fund that can only be accessed by Presidential declaration. I do not understand the need to have three separate fire suppression accounts, and I hope you will explain that.

An even more significant change is the proposal to merge three National Forest System programs to create a new \$694 million line item called the "Integrated Resource Restoration" program.

Now, the administration has proposed this initiative to provide flexibility to fund restoration work it plans to do on the ground. I am concerned that this budget request leaves a lot of questions unanswered.

First, why the administration feels such a significant restructuring of the budget is necessary to accomplish your restoration goals. I am concerned that collapsing three programs into one huge, new account reduces transparency and accountability regarding how these program dollars are spent, and I think others share that concern with me.

I would also like to discuss how the USFS proposes to allocate funds for this initiative, particularly how the agency plans to implement a new \$50 million priority watersheds and jobs stabiliza-

tion initiative to fund large-scale restoration and create jobs in rural communities.

And finally, I would like to discuss the impact that these changes will have on the availability of timber supply from national forests. Chief, I am hoping you can provide some clarity on how much timber the USFS plans to produce in fiscal year 2011 and how you plan to implement such a large increase in the use of stewardship contracting.

These are important questions and they concern a number of Senators, and I hope you and your staff will help us work through this as we begin the process of drafting a bill.

Now I would like to turn to my ranking member, Senator Alexander, for any comments that you may care to make.

STATEMENT OF SENATOR LAMAR ALEXANDER

Senator ALEXANDER. Thanks, Madam Chairman.

Chief, welcome. Glad to have you here.

I am glad to see Rocky Fork included in the USFS land acquisition fund. We are getting close to finishing that. It is your number one-ranked project, and it is a tremendous piece of property for the Cherokee National Forest.

You are mostly a westerner, and we have a pretty good balance on this subcommittee. We are all interested in the whole country, but I used to think President Reagan had asked me to be chairman of the President's Commission on Americans Outdoors in the mid-1980s, and after going through that for a couple of years, I thought we probably ought to have two different environmental and conservation policies, one for the West and one for the East, because the issues were so different so much of the time. For example, in the West, so much of the land is owned by the Federal Government, but in Tennessee, North Carolina, in our area, very little is owned by the Federal Government. In our area, the Great Smoky Mountains and the Cherokee National Forest, which is adjacent to it on each end, are about it for us. So we have a completely different attitude toward the presence of a Federal Government. Even the conservative Republicans in the area where I live and have grown up are big fans of managing the Great Smokies as if it were a wilderness area and of protecting and encouraging the Cherokee National Forest.

So we have those different attitudes, and they are represented here. I look forward to working with you on them, and I thank you for making the Cherokee National Forest a priority.

Both the chairman and I have been interested in the impact of what some conservation groups have called the "renewable energy sprawl" on treasured landscapes. It makes no sense for us to spend \$40 million buying the Cherokee National Forest and then sticking a bunch of 50-story wind turbines on top of it. You know, we do not want to destroy the environment in the name of saving the environment. So there are appropriate places for large wind turbines and solar thermal plants and biomass enterprises that use huge amounts of wood. But there are also inappropriate places.

Several of us, including the chairman, have asked you and Secretary Salazar to do a report on how you plan to look at this so it does not happen in some haphazard way and so we do not unwittingly

tingly set in motion damage to our treasured landscapes. One example could be through history, looking at the abandoned land mines that we are struggling with. There are thousands of them in California and many more across the country. With a little foresight, we might not have had so many, and with the proper foresight, we might have our renewable energy projects in the right places instead the wrong places.

You are an important steward of public land. For example, in the Eastern United States, the wind does not blow very much and the large wind turbines only work best on ridge tops. Well, we really do not—I do not, anyway—and I think most of us do not want to see 50-story wind turbines along the 2,000 mile Appalachian Trail vista, much of which is in national forest.

So I have brought a letter with some suggestions. One I gave to Senator Salazar. One I will give to you with some suggestions about what you might consider for your report. And I will get back into during the question time.

The other areas in which I will be interested are biomass harvesting, which I think is a good idea for getting dead pine trees out of the forests, a bad idea if we cut down too many trees; invasive species, which is very important in our area, as it is in other areas in the country; and of course, firefighting. That is not just a western concern, it is an eastern concern. I am told that 85 percent of the employees in the Cherokee National Forest spend some of their time fighting fires. So we are all interested in that. And the chairman has been a real leader in trying to separate the firefighting costs, urgently important, from all the other costs so we do not just have a national—the USFS does not become only a national firefighting agency. I know of your distinguished background in that area, but we want to keep it in balance.

#### PREPARED STATEMENT

So, Madam Chairman, those are my concerns. I look forward to the opportunity to ask questions, and I welcome the Chief. Also, Senator Cochran couldn't make it today, but would like to offer a statement for the record.

[The statement follows:]

#### PREPARED STATEMENT OF SENATOR THAD COCHRAN

Madam Chairman, I am pleased to join you in welcoming the Forest Service Chief, Tom Tidwell, to the subcommittee this morning. Mr. Tidwell, thank you for joining us today to speak about the Forest Service's (USFS) initiatives for fiscal year 2011.

Mr. Tidwell, I would also like to thank you for your hard work ensuring that our national forest system is maintained in a manner that allows for proper use of our Nation's forests and provides the needed resources to protect forest health.

I have one comment I would like to make about the Center for Bottomland Hardwoods Research (Center) headquartered in Stoneville, Mississippi. This unit is part of the Southern Hardwoods Research Station. In 1996, the USFS research units in Mississippi, including the Southern Hardwoods Lab in Stoneville, the Forest Hydrology Lab in Oxford, and the Seed Biology Lab in Starkville merged to function as a research center with a common mission focus.

The research that these units conduct is vitally important to both my State and the Nation. The good work that these researchers have undertaken has positively impacted national and State forests, as well as privately owned forest land.

I was happy to request additional funding for this Center in previous appropriations bills and hope that the USFS will continue to focus its resources on the important work that Center is doing.

Mr. Chairman, I thank you for holding this hearing, and I look forward to the testimony.

Senator FEINSTEIN. Thank you so much, Senator. Chief, would you like to proceed?

SUMMARY STATEMENT OF TOM TIDWELL

Mr. TIDWELL. Well, thank you. Madam Chairman, members of the subcommittee, it is a privilege to be here today to discuss the President's budget for the USFS. I appreciate the support this subcommittee has shown the USFS in the past, and I look forward to working with the subcommittee to provide more of the things that the American people need and want from the Nation's forests and grasslands.

The President's budget request is designed to support the administration's priorities, Secretary Vilsack's priorities, for maintaining and increasing the resiliency of America's forests. The USFS is taking an all-lands approach. We want to work across boundaries and ownerships to address the critical issues that are facing the Nation's forests.

The budget supports these priorities through five key objectives.

The first is to restore and sustain forests and grasslands by increasing the collaborative efforts to build support for restoration activities that are needed to increase the resistance and resiliency of these ecosystems. The budget requests full funding for the Collaborative Forest Landscape Restoration Fund. It also proposes an integrated resource restoration budget line item which would align our budget structure with the restoration work that needs to be done on the landscape. It will facilitate an integrated approach to developing project proposals that will optimize multiple benefits.

The second objective is to increase the emphasis on protecting and enhancing water resources and watershed health with a request for \$50 million for a new Priority Watersheds and Job Stabilization Initiative. This is a pilot program that would fund large-scale projects that will focus on watershed restoration and job creation. We would use the statewide assessments and our own watershed assessments to look at the jobs that could be created or maintained and the opportunity for biomass utilization for the selection criteria.

The third objective is that we will manage landscapes to be more resilient to the stressors of climate change by applying the science that is developed by the USFS research and development to increase the adaptive capacity of ecosystems. We want to use science to determine how our management needs to change to increase the ecosystems' resistance to the increasing frequency of disturbance events, such as fire, insect and disease outbreaks, invasives, flood, and drought.

The fourth objective is that the budget request provides for full funding for wildland fire suppression, which includes a level of preparedness to continue our success to suppress 98 percent of wildland fires during initial attack. It provides for a realignment of preparedness and suppression funds that more accurately displays the true costs. It provides for a FLAME Fund to increase the accountability and transparency for the costs of large fires and provides for a contingency reserve fund that will significantly reduce

the need to transfer funds from other critical programs to fund fire suppression during the very active fire season. And it also increases the emphasis on hazardous fuel projects to reduce the threat of wildfire to homes and communities by doing more of the work in the wildland/urban interface.

The last objective is to create jobs and increase economic opportunities in rural communities with the proposed Priority Watersheds and Jobs Stabilization Initiative, doing more work through stewardship contracting to build off the American Recovery and Reinvestment Act projects that encourage biomass utilization, continuing to work with the States to use the State and private forestry programs to address conservation across all lands, and through our job development with our 28 Job Corps centers and our partnership with the Department of Labor. Our goal is to increase collaborative efforts to build support for science-based, landscape-scale conservation, taking an all-lands approach to conservation, to build a restoration economy, which will provide jobs and economic opportunity for communities across our Nation.

I also want to clarify that we will continue to use timber sale contracts when a timber sale contract is the best tool for us to be able to get the restoration work done and the forest health work done. It will be used whenever it is the best tool, and the decision will not be based on the revenue that is produced off of any individual project.

Again, thank you for the opportunity to address the subcommittee, and I look forward to answering your questions.

#### QUINCY LIBRARY GROUP

Senator FEINSTEIN. Thank you very much.

I am going to be somewhat parochial in my questions. We discussed the Quincy Library Group (QLG) proposals, and it is my understanding that a Federal judge has lifted the injunction. So many of the projects are ready to go ahead. Are you on track to meet or exceed your initial target of 20,000 acres in 2010? And what will be the number scheduled to meet the 40,000-acre minimum target in 2011 called for in the QLG legislation?

Mr. TIDWELL. Well, Madam Chairman, I want to thank you for the leadership that you have provided over the years and especially with the QLG.

We are on track this year. In fact, the region has told me that they actually believe that they will be able to treat maybe 25,000 acres this year. With this budget request, we will be able to maintain the same level of funding for 2011 and a similar target accomplishment.

Senator FEINSTEIN. So \$26 million for 2011?

Mr. TIDWELL. Yes.

Senator FEINSTEIN. I was hoping you could go to 40,000 acres.

Mr. TIDWELL. Well, we will see. Based on what we are able to get done this year and as we move forward with the program of work for 2011, we will get back to you if the region feels that they can actually increase that to get closer to 40,000.

#### TIMBER SALES AND STEWARDSHIP CONTRACTING

Senator FEINSTEIN. All right. I do intend to follow that.

Now, your budget would eliminate the use of below-cost timber sales in fiscal year 2011, and there are only a handful of forests nationwide and only one forest in California, the San Bernardino, that had timber programs that turn a net profit.

So what impact would this have on your ability to get forest management work done in my State?

What percentage of your timber sales are considered below-cost and would be affected by this change?

And what impact would this prohibition have on the agency's ability to get the work done on the ground?

Mr. TIDWELL. Madam Chairman, thank you for the question. I want to clarify that with the subcommittee. We will be sending up a letter to clarify that we will not be restraining timber sale contracts based on the revenue that is produced. We want to look at the work that needs to be done on the landscape and then choose whichever is the appropriate tool, whether it be a stewardship contract or a timber sale contract. We do not even track which timber sale contracts actually produce a positive net revenue. We focus on doing the work, the things that need to be done on the landscape, and using the appropriate tool. So there will not be any restriction on using a timber sale contract or a stewardship contract.

We do want to increase the use of the stewardship contracting. I think in many cases it is often—

Senator FEINSTEIN. Excuse me. I have an urgent call right outside. I am going to turn it over to the ranking member for a moment. You continue on and he will fill me in. I will be right back. Thank you.

Senator ALEXANDER. Please go ahead, Chief.

Mr. TIDWELL. To follow up with stewardship contracting, I do believe that it is a better tool in many situations. But we are going to use whatever tool is better. If a timber sale contract is the best tool to get the work done, we will use that, otherwise we will use a stewardship contract.

It has been my experience that by using a stewardship contract, we can accomplish several different things. One, it is a more efficient business operation for the USFS. Instead of having multiple contracts to do various things on the landscape, we can have one contract. Stewardship contracting authority allows us to retain the receipts of any of the merchantable material and to use that to offset the costs of restoration.

It has also been my experience that it helps build support for the work that we need to do across the landscape. When folks can see that we are not only dealing with the forest health concerns, dealing with hazardous fuel reduction concerns, but at the same time we are addressing the needs to improve wildlife habitat, to increase fisheries habitat, to provide for a better road system, to replace culverts, and we can put all this work together, it builds more support for the restoration work that needs to be done, and I think it provides more assurance that we are not just going to be doing the biomass removal. So, it is one of the things we are going to focus on in 2011, increasing the use of stewardship contracting.

WIND ENERGY DEVELOPMENT ON NATIONAL FOREST SYSTEM LANDS

Senator ALEXANDER. Thank you, Chief.

I will go ahead and ask my questions now, and when the chairman comes back, she will continue hers or we will go on to Senator Tester's.

Not long ago, BP Alternative Energy notified the Huron-Manistee National Forest it is planning to withdraw its application to build up to 22 wind turbines, each 420-feet tall, on Federal land. It would be a 75-acre parcel near the Lake Michigan coast. It would have required the development of 5 miles of permanent new roads in the forests, the installation of more than 40 miles of underground electrical wirings or above ground, and several miles of above-ground transmission lines.

To take another example—well, in that case, it has been said to me that it would be perfectly appropriate to put wind turbines in the middle of Lake Michigan or in the middle of Lake Huron where the wind blows better and you cannot see them. They do not interfere with the landscape. As I understand USFS policy, those decisions are simply made on an ad hoc basis by the local USFS manager based upon wind applications.

To take another example, the Appalachian Trails runs for 2,100 miles from Georgia to Maine. It runs through eight national forests. Those ridge tops are where the wind blows best in the East. So I guess under current USFS policy, we would leave it to each of the USFS managers whether it was a good idea to destroy the vista.

I remember another example a couple or 3 years ago where in a national park, which is not your area, in order to get the money for it, whoever was managing Old Faithful allowed a big cell tower to be put up right next to the Old Faithful geyser, which is sort of a brain-dead decision in my opinion.

These new renewable energy projects are massive in scale. The chairman has talked about the solar energy plants that are 3 miles by 3 miles on the Mohave Desert, a biomass plant that produced just 100 megawatts, which is one-tenth of a nuclear plant—I figured out you would have to—well, to equal a nuclear plant, you would have to continuously forest an area the size of the Great Smoky Mountain National Park.

So what are your plans? We have asked you and Secretary Salazar to give us your ideas about your policies for that. I have a letter for you with some ideas. But tell me what the USFS's attitude is, for example, toward large wind turbines on scenic ridge tops in the Cherokee National Forest or the White Mountain or other scenic forest ridge tops in the Eastern United States.

Mr. TIDWELL. Well, thank you, Senator. I look forward to seeing your letter. We are in the process of finalizing our policy regulations as far as dealing with wind energy, and that will be the policy that will help our line officers, our forest supervisors, address applications. We do have a responsibility to do what we can for renewable energy, to address the Nation's needs. On the other hand, we also have a responsibility to address the environmental effects of any type of energy development, whether it is renewable or not.

So, when it comes to wind turbines, one of the things that, when we have an application, we will look at and factor in, are the environmental effects to see if this is actually a good use or the right use for the national forests and grasslands. One of the things that



we always do look at is if there are other lands that are available for this type of use.

So far we have not received very many applications. I do think that there may be certain places in the country that this may be an appropriate use, but so far we have just received a few applications.

Senator ALEXANDER. Let me ask this. In the case of oil and gas exploration, do you not have certain zones where you say it is permissible and certain other zones where it is not?

Mr. TIDWELL. We do go through a leasing analysis with oil and gas, and then—

Senator ALEXANDER. But you do not just allow an oil or gas company to come in and apply to drill anywhere you might want to in the national forest. Do you?

Mr. TIDWELL. If it is an area that is available for leasing, yes. And it is one of the things we need to look at as far as with wind turbine—

#### RENEWABLE ENERGY DEVELOPMENT ON NATIONAL FOREST SYSTEMS LANDS

Senator ALEXANDER. Or solar plants. Would it not be wiser to establish zones or areas and say these are appropriate places, rather than just let entrepreneurs who might be attracted by a 3 cent per kilowatt hour Federal subsidy to come in and build a big turbine and then sell the tax credit off to some banker in New York or Chicago who then subdivides it like a real estate loan and sells it around the world? That is what actually happens with this stuff.

I mean, four Democratic Senators just held a press conference and talked about \$2 billion in the stimulus package that went for wind turbines, and 80 percent of the jobs were in China and Spain.

So I am not even so concerned about wind versus nuclear, wind versus solar, or the stimulus package. I am more concerned about a rational policy for protecting treasured landscapes as we move in appropriate ways to take advantage of renewable energy so that we do it on the front end, not on the back end, and so that we do not find ourselves 20 years from now with an abandoned land mines situation where we have got a lot of mines that looked like a good idea when they were started, but years later they have become not just an eyesore but an expensive problem that needs to be cleaned up.

My time is up. I will look forward to talking with you more about this, and I imagine the chairman would like to finish her questions.

#### LAKE TAHOE BASIN—FIRE HAZARD FROM SLASH PILES

Senator FEINSTEIN. Thank you very much, Senator. I appreciate that.

We also spoke about the Tahoe Basin, which has been a big priority for me. So I want to ask a question that specifically relates to the Lake Tahoe management unit. On February 9, Malcom North of the USFS's Pacific Southwest Research Station reported to researchers at a conference that he found high rates of tree mortality after the Angora fire because hand-thinning treatments were piled and left unburned, which is a real problem in the area. He

stated that if you have unburned piles throughout a treated area, it is almost like you did not do the treatment at all.

My question is how will the Lake Tahoe Basin management unit reduce the number of unburned piles after treatment?

Now, I walk a trail every year and see the piles, and I have commented on them and some have gotten burned and some have not gotten burned. But what I have always been told is, well, it depends on the burn days. And so it is a burn day and nothing is happening anywhere. So I ask why, and the question is answered, well, we cannot get the contractors. And then I find out that a lot of the work is done by prison inmates and you have to bring them all the way up to the lake, which takes 3 hours, back which takes 3 hours, and the limited workday.

So the question comes, how do you develop the contracting units that are on the spot and working 8 hours a day on these piles and creating the piles and then a year later burning the piles? What I have noticed is that the State park there has done a much better job, at least on the west side of the lake, than our people have done, and I wonder why.

Mr. TIDWELL. Well, Madam Chairman, thank you for the question.

I do not know why, in this case, the State has been more effective than we have. I do know that we will finish up the last piles that need to be burned just as soon as we can get in there this spring and early summer.

When we talk about the Lake Tahoe Basin, the long-term solution has to be something besides just piling this material and burning it. The number of days that we have where we have a clearing index so that the smoke will disperse and we also have conditions where we feel confident we can burn piles is very small. We then have to leave piles that are adjacent to trees, and if we get a wild-fire like you referenced, then we will suffer mortality in those trees.

The better solution is to find a way to make use of this material, to be able to use this residual material that needs to be removed and find some way to convert it to another use. Currently, we are struggling because I think the closest facility is about 75 miles away. Economically that does not work out. We have to find a way to develop additional infrastructure. I think the infrastructure needs to be closer to the areas where we have the fuel, and we need to make sure the material is the right size so that we can have a facility that we can haul this material to so we are not so dependent on the weather and only having certain days to burn.

I can assure you that when we do have those days and we have the clearing limits we can burn. You have been up there in the basin on those beautiful summer days and people see a bunch of smoke. They often comment about it. That is not what they are usually coming to the basin for.

So we will continue to have to do some burning, but I want us to be able to move forward and hopefully develop some additional infrastructure.

## LAKE TAHOE BASIN—BIOMASS INFRASTRUCTURE

Senator FEINSTEIN. I think that is right. I think you hit the nail on the head actually. And I do think there are places where you can locate a biomass facility such as in the South Lake Tahoe area right off of Highway 50 there. There is space. It does provide jobs for people. I think the question is a system that makes some sense economically that can be set up and perhaps you could do that. I mean, I think that would be a great contribution to getting some of the dead, dying, and downed stuff out that is going to really fuel another forest fire of major proportions.

Mr. TIDWELL. Yes. That is one of the things I know that the basin is working on with one of the counties to see if there is interest in maybe building a new facility that is scaled appropriately for the amount of material that we need to remove, not only in the basin but maybe from one or two of the adjacent national forests too.

Senator FEINSTEIN. The thing is that you do not have to take the stuff over the mountains, which you do when you leave the lake proper area. It is all surrounded. So you have got to go up and then down with it to Placerville or someplace like that, and that is a distance and it is a hard pull. So you really need to do something, I think, in the basin itself.

Anyway, that is my view. It is, I think, of significant importance. We have just submitted the second Lake Tahoe restoration plan, and it is really the crown jewel because it is one of two clear lakes in the world remaining. And a major forest fire just will desecrate it. So it is an important thing to do.

Mr. TIDWELL. Madam Chairman, I want to also thank you for your support over the years for the Lake Tahoe Basin. We are making a difference there not only reducing the sediment that in the past has gone into the lake, but also making a difference in reducing the threat of large fires. Even with the Angora fire, we had situations there when that fire did burn into treated areas, that the suppression crews were able to get in there—

Senator FEINSTEIN. No question. You are absolutely right.

Mr. TIDWELL [continuing]. And they were effective.

Senator FEINSTEIN. No question. So it did work. I mean, we know that forest management works if we do it. The question is to do enough of it. So I thank you very much for that and appreciate it.

Senator Tester.

Senator TESTER. Yes, thank you, Chairman Feinstein.

Senator FEINSTEIN. Montana comes to life.

Senator TESTER. Ah, yes.

Senator FEINSTEIN. Not that we are going to be parochial, but we will in my case.

## INTEGRATED RESOURCE RESTORATION LINE ITEM—ACCOUNTABILITY

Senator TESTER. Thank you for being here, Tom. I really appreciate the work you have done in Region 1 previous to this job, and I appreciate your vision here in the position you have.

Secretary Vilsack has a new vision for the USFS. In Montana just a few days ago, the Secretary talked about how a bill that I happen to have, the Forest Jobs and Recreation Act, provides the

tools the USFS needs to achieve that goal. He and I both believe, as I think the chairwoman does, that timber production and restoration are tools to create and save jobs in our rural communities and ultimately save those rural communities. I can see this vision in this budget.

Unfortunately, what I do not see in the budget is the accountability to manage the money. For example, in my bill there is a mandate to make sure that the work on the ground is completed and that it is done at a time certain.

What is the USFS doing to make sure that the funds are accounted for and spent wisely and restoration, timber harvest, and watershed management are all still completed in this new budget?

Mr. TIDWELL. Well, Senator, thank you for the question, and also I want to thank you for your leadership and your support for us to be able to do more restoration work on the landscape, to provide more jobs, and also with your legislation, to add additional areas to the wilderness preservation system. I want to thank you for that leadership.

Also, thank you for that question. With our budget justification, we do plan to provide additional information to the subcommittee that will not only show the number of acres that will be restored with this budget request and the number of watersheds that will be improved, but also we will provide you with a list of all the other outputs that will be accomplished through this work. That will include in excess of 2.4 billion board feet of timber sold, the number of acres of wildlife habitat that will be improved, the number of miles of fishery streams improved, and the number of acres of noxious weeds treated. We want to be able to show you that by restoring the number of acres that we are proposing with this budget request, that it equals this set of accomplishments. We want to be able to show you that there is a direct connection so that we can be held accountable for not only improving the overall watershed conditions, but also to be accountable for this set of outputs. That is very important that we are able to provide those.

So, I look forward to being able to bring that up and sit down with you and the staff and work with the subcommittee to address your concerns. I recognize that is missing in our budget request, and we need to get that up to you so you can see that.

Senator TESTER. I appreciate that.

I guess the next question would be, to follow up, is how often do you plan on giving the subcommittee the kind of analysis that you just spoke of?

Mr. TIDWELL. Well, we will continue to work with the subcommittee to address your concerns. Throughout the year, we are more than glad to come up at any time to be able to show the progress that we have been making on accomplishments. I would like to reference what we were able to do in 2009. If you look at 2009, it was probably the toughest market that we have had with the timber and integrated wood products industries. However, we were still able to accomplish close to 97 percent of our timber target in 2009. We also exceeded our wildlife improvement targets and our hazardous fuel improvement targets.

Senator TESTER. We appreciate that work. And quite honestly, I appreciate your openness about getting the information to us so

that we know as appropriators that the money is being spent wisely and efficiently.

#### STEWARDSHIP CONTRACTING

In November 2008, the Government Accountability Office produced a report about the use of stewardship contracting in the agency. That report recommended three things: better plans for long-term stewardship contracting, better collection of data about stewardship contracts, and improved accounting for services received for products sold.

What is the agency doing about addressing those management goals?

Mr. TIDWELL. First, we have changed our accounting system so we are now able to track the outputs for stewardship contracts and also the revenues and the cost of that work. We will now be able to include that in our automated timber sale statement of accounting. Each year we will be able to produce that report that will show all the accomplishments.

We have also provided a stewardship agreement template that we can use across the country so that every region and every forest is using a consistent stewardship agreement.

We are also in the process of completing a new stewardship contract that I refer to as a blended contract. In the past, we have had two contracts, one was an integrated timber sale contract and one was a service contract, and we had to chose at the start of the project which way to go with that. This new contract combines them so that we are able to use the same contract and not have to be worried so much about the market conditions. I believe that will help facilitate the work. It will make it easier not only for our employees, but definitely for our purchasers. I believe that will be a significant improvement and will help us to move forward and use this authority more.

Senator TESTER. Okay. Well, thank you, Chief Tidwell.

Madam Chair, I have got to slip out for a bit. If the hearing is still going on, I will come back, but if it is not, we will submit the questions in writing.

#### SUNRISE POWERLINK

Senator FEINSTEIN. Good. Thank you very much, Senator.

I wanted to ask questions, if I may, regarding the Sunrise Powerlink in California. This is really a very big deal. San Diego Gas and Electric has sent a letter to Secretary Vilsack. They are cautiously optimistic the forest supervisor will not require further environmental review of and beyond the multi-year review by the Bureau of Land Management (BLM) and California Public Utilities Commission.

The governor has called Secretary Vilsack twice and the White House once in order to try to get the USFS to act on the project. The Imperial County Board of Supervisors has written a letter, which is here, to Secretary Vilsack requesting issuance of the record of decision stressing that the county has 27 percent unemployment and this is a big employment facility. The Imperial Valley Economic Development Corporation is hosting a renewable energy

summit, and there is expected to be considerable frustration that Federal permitting stands in the way of economic recovery.

The record of decision would enable construction of a \$1.7 billion power line that would put 400 to 500 people to work.

I can give you all the correspondence on this, if you would like.

But here there are two infrastructure projects which await USFS decisions. One is the Tehachapi transmission line from the Tehachapi wind resource area into Los Angeles County, and the second is the Sunrise Powerlink from Imperial County to San Diego. Both have their State permits and have had the other Federal permits for more than a year. After all these years of permitting, both await only the USFS.

So here is the question. Would you give priority to the permitting needs? Now, this is a privately funded infrastructure project to essentially help us obtain the job goals.

And the second is, by what date can you assure me that the USFS will complete its review of both the Tehachapi and Sunrise transmission lines, which are in an area identified by the Department of Energy (DOE) as national interest electric transmission corridor lines?

It is a big deal in southern California, and the only thing awaiting its go-ahead is actually you. So you have a chance to really break this gridlock and move these two projects along. How do you feel?

Senator FEINSTEIN. That is meant to be heat.

Mr. TIDWELL. Madam Chairman, I can assure you that both of these projects are a priority for us. We recognize how important it is for us to get our part of the analysis done.

On the Tehachapi, it is my understanding that the company is moving forward and that they realize it is going to take a little more time for us to finish our analysis and our section 7 consultation. It is my understanding that they are okay if it takes a little more time for us to finish that analysis.

On the Sunrise, I understand that is a more urgent need for us to complete our analysis. We are looking at the analysis that was completed by the BLM for this project and we are evaluating that to see if it does cover all the issues that have been raised about having a line placed on the Cleveland National Forest. Based on that analysis, we will let you know if we feel we can go forward and use the existing analysis or if we need to supplement that.

As far as a date, I will need to get back to you and provide you a specific date when we will have this accomplished.

Senator FEINSTEIN. Yes. If you would give me a specific date, I would appreciate it.

[The information follows:]

As of April 15, 2010, the Forest Service is finalizing review of existing environmental analysis documentation on Sunrise Powerlink, and anticipates making a determination within a couple of weeks on next steps.

#### SUNRISE POWERLINK

Senator FEINSTEIN. Let me just read one part of the letter from the chief operating officer of San Diego Gas and Electric.

“The delays associated with the unprecedented level of review of Sunrise jeopardize the timely completion of a crucial energy infrastructure project for southern

California in an area that has been identified by the Federal Government as having critical and persistent electricity congestion.

“Sunrise is located within a designated transmission corridor on BLM and USFS lands pursuant to the Energy Policy Act of 2005. Its location will not only help modernize the grid in this congested region and increase reliable electric service to consumers, it will also do so while facilitating the development of renewable energy at a lower cost to consumers.

“Additionally, at a time when spurring economic development has become critically important, Sunrise would directly inject nearly \$2 billion into the economy and create over 400 green jobs with potentially thousands more that would be employed in constructing the wind, solar, and geothermal energy facilities that will benefit from this new line.”

So as you can see, this is really a mega-project for us in that it then produces what is necessary for the wind and solar energy to transmit. So the longer you guys hold it up, the less renewables we have in an area that is a heavy consumer of electricity.

Mr. TIDWELL. Well, Madam Chairman, I will follow up with the region later this week in fact. I am going to be down in southern California, and I will follow up. Based on that letter you have just shared, that is some different information than what I have been shared.

Senator FEINSTEIN. Can I give you this?

Mr. TIDWELL. I would appreciate that.

Senator FEINSTEIN. It has, I think, all the notes. It has got the San Diego letter. It has got the Board of Supervisors. I think it has what you need to understand the alacrity with which people are looking at this. And as far as I know, there is no opposition, which is unusual.

Mr. TIDWELL. That is also encouraging. Based on my inbox, I have received quite a few emails from folks that actually are concerned about the project, which is often the case.

Senator FEINSTEIN. Well, could you tell me the nature of the concern? You know, in California, you get a suit over almost anything.

Mr. TIDWELL. Yes.

[The information follows:]

The comments received in the Chief's e-mail inbox in relation to the Sunrise Powerlink have been almost unanimously against the project. As of March 30, 2010, the Chief has received only one comment in favor of the project. In addition to these e-mails, public meetings on the project have generated attendance in the hundreds, with overwhelming opposition being voiced. Many of the concerns expressed in the e-mails are centered around health issues, viewscapes, and impacts to wildlife. There are also concerns about the fire danger the Powerlink may pose. There is concern about the fact that there is only one road in and out of the El Monte Valley, which would lead to difficulty fighting fires that might result from the Powerlink. Additionally, some people believe there are better and safer ways for power to be generated in the area, or that this is really not a renewable energy project at all, and that it will, in fact, be linked to unregulated fossil-fuel energy from Mexico, causing enhanced pollution in southern California. There have been concerns expressed about the “greed” of Sempra, and that the company should not be allowed to market itself as “green” when it really is not. This is based on Sempra's refusal to abide by a written agreement guaranteeing it would carry only renewable energy. Hang gliding and paragliding enthusiasts oppose the project because of the danger the lines pose to people who enjoy their sport. Additional concerns pertain to increased vehicle traffic and removal of live oak trees that some people believe will be cut down for the project.

Senator FEINSTEIN. But we have to find out what is the public good and move with the public good. And renewable power because I do not think there are any flora or fauna or real environmental problems that I know of, and my staff, I think, has looked at this

rather carefully. So I think it is unlike other areas where you do it in the middle of desert tortoise habitat or bighorn sheep or something like that.

Mr. TIDWELL. Well, we will review the analysis, and if it is adequate to address the concerns, we will be able to move forward. If we do need to do a supplemental analysis, we will let you know.

The last thing that I would want us to do is—

Senator FEINSTEIN. Could I just say one other thing? My staff handed me this note, just so you know. There is local opposition by NIMBY groups fully considered and dismissed by BLM and the California Public Utilities Commission. So I mean, you have to bear that in mind.

Mr. TIDWELL. Yes.

Senator FEINSTEIN. If we are going to get this done, we need to do it.

Mr. TIDWELL. Yes.

Senator FEINSTEIN. You were going to say something?

Mr. TIDWELL. Well, the last thing we would want to do is go forward with a decision that lacked adequate analysis and thus we find ourselves in court. I would much rather make sure we have the adequate level of analysis so that we can implement the project. That is one of the things we will be looking at. We will take a very careful look at it, and either way we will do everything we can to expedite this.

Senator FEINSTEIN. Thank you very much. Appreciate it.

Senator Alexander.

#### ENERGY CORRIDOR SITING

Senator ALEXANDER. Thank you, Madam Chairman.

I wanted to move to ask about invasive species, but I enjoyed listening to Senator Feinstein. The problem with renewable energy for this country is the one of scale. For example, if we were to have 20 percent of our electricity from wind, we would have to build 19,000 miles of transmission lines, and where will those transmission lines go? Well, the easiest place to put them is not through somebody's suburban backyard, but through the national forests or some conservation easement land that we worked for 50 or 60 years to protect.

So I know that, on the one hand, the need for energy is going to cause the DOE to say, well, here is a national transportation corridor we want Congress to approve. But I think at the same time we need to have the countervailing policy from the USFS and the national parks to say, but wait a minute, we have got some treasured landscapes that we want to protect and we do not want to just override that for a little bit of intermittent wind power or even intermittent solar power for an area as large as southern California.

I know nothing about this project and have no comment on it, but it illustrates the need for a good, rational policy for what is basically a new phenomenon in our country. We did not really have these issues to consider 20 years ago.

Senator FEINSTEIN. Would you yield for 1 second?

Senator ALEXANDER. Oh, I will yield for more than 1 second.



Senator FEINSTEIN. How dare you to see a more difficult permit process than the State of California has anywhere. It goes on and on and on. And I guess my point is it has made its way through every permit process, every evaluation. That is pretty good because it does not happen many times.

Senator ALEXANDER. No. But it is possible today—let me just move it to the East—for someone to come build a—get a bunch of Federal subsidies and build a big wind park right outside the Cherokee National Forest in east Tennessee and then say, okay, we want to run the transmission lines through the national forest to get to Knoxville when it is a puny amount of power that only works one-third of the time and we would not want our vistas destroyed. We would not have thought of that before.

So I do not have any comment on the southern California issue. I am just saying that the chairman and I both would like to introduce into the discussion the larger issue of how we deal with renewable energy sprawl as it deals with deserts, national forests, national parks.

#### INVASIVE SPECIES

But if I may, I would like for you to say something about invasive species and what you are doing about that. That is a big problem for us. The Great Smoky Mountains, for example, and the Cherokee National Forest have more species of trees, for example, than Europe, but we are about to lose all of the hemlock trees. The gypsy moths have penetrated our whole region. Our University of Tennessee is trying to do some research work in the area, and we have some on-the-ground ways. I have been there myself to see if you put beetles to try to deal with the woolly adelgids that are destroying that are destroying the hemlock trees. Your budget is cut for on-the-ground treatments and research, I am told.

So what is your attitude about priority for invasive species and research to try to find better ways to deal with that?

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

When it comes to invasives, we approach it both through our research and also through management. We continue to need to be able to do the research. As you mentioned, with this predator beetle on the hemlock woolly adelgid, it does show promise as potentially a control for the adelgid, and it is one of the things that our research scientists have been working on. We also want to continue to look for other ways to suppress the adelgid, and it is essential that we are able to continue our research.

But, at the same time, it is also essential for us to then have management to see if there are some things that we can do out on the landscape that will help slow down this spread and increase the resistance of the hemlocks to this adelgid. So that is how our research and management work together.

We also work very closely with universities with our research and then also the States. Our State foresters are a key partner as we address invasives. It is a perfect example of this all-lands approach; invasives do not care. They do not pay attention to the boundary on the map or the property ownership. They are going to go wherever the host is. It is essential that we work together with the private landowners and also with the national forests as we

take on these issues, so we can find a solution across the entire landscape.

Senator ALEXANDER. I would simply like to encourage you to, wherever appropriate, work in partnership with universities in States like the University of Tennessee or the State of Tennessee or other States and universities to maximize our bucks on this. You know, 40 years ago, the chestnut was our major hardwood tree in the forests of the Eastern United States. It is gone. The hemlocks appear to be going unless the predator beetle or something else makes a difference.

Thank you, Madam Chairman.

#### ADDITIONAL COMMITTEE QUESTIONS

Senator FEINSTEIN. I thank you very much.

Mr. Tidwell, let me just say that I think this subcommittee is very interested. You are a new Chief. That is always an exciting time. I mean, we look forward to your innovations, your initiative. We all know that there is a place for that and good management, and hopefully the USFS is going to thrive under your management and we would like to be as much help to you as we can. So please feel very welcome, despite our questions, which were actually very mild questions.

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

#### QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

##### INTEGRATED RESOURCE RESTORATION

*Question.* Your budget contains significant restructuring and policy changes to the National Forest System (NFS) account, including a proposal to merge three existing programs into this new "Integrated Resource Restoration" program. Why is such a major budget restructuring necessary? Why do you think your current budget structure does not allow you to meet your restoration objectives?

*Answer.* The Forest Service's (USFS) focus on forest landscape restoration is the basis for the proposal to establish the Integrated Resource Restoration program by combining the NFS—wildlife and fisheries habitat management, forest products, and the vegetation and watershed management budget line items (BLIs). In addition, the Collaborative Forest Landscape Restoration Fund (CFLRF) previously funded under the Wildland Fire Management appropriation is included within this BLI because it shares a similar primary purpose to restore forest landscapes. The NFS programs and the CFLRF all share similar and complementary objectives to sustain and restore aquatic and terrestrial ecosystems. Restoration and maintenance of sustainable landscapes and watersheds requires a holistic approach and our ability to sustain healthy watersheds will be facilitated by having a single BLI. Combining the NFS budget line items is clearly a logical grouping that enhances the USFS's ability to focus on integration.

##### TIMBER SUPPLY

*Question.* I have received a letter from 14 Senators, including a number of Senators who serve on this subcommittee, expressing serious concern that this budget request creates uncertainty about the availability of timber from public lands at a time when communities that depend on the forest product industry for jobs can least afford it. An adequate and predictable timber supply is critical to maintain our existing forest products infrastructure. I am hoping you can provide some clarity on exactly how much timber you plan to produce. How many board feet of timber do you plan to produce in fiscal year 2011 with the funding level proposed by your budget?

*Answer.* The USFS proposes to sell 2.4 billion board feet of timber with the proposed budget in fiscal year 2011.

*Question.* If we provide the USFS flexibility to spend your funding on multiple restoration objectives, how can we be certain you will actually produce that amount?

*Answer.* As identified in the budget justification, given the budget proposed, the USFS intends our resource management and restoration activities to generate a sale volume of 2.4 billion board feet. The USFS will continue to track and report on our volume accomplishments. Stewardship contracts and agreements will be USFS's primary means of managing natural resources; this includes a focus on existing, new, and emerging markets for wood removal and utilization. These tools provide the USFS with the ability to exchange the value of the timber (goods) for the cost of services, such as the nontimber harvest activities. They also allow the USFS to supplement the value of the timber with appropriated funding or retained receipts as necessary to accomplish the specified nontimber harvest work.

#### STEWARDSHIP CONTRACTING

*Question.* The success of your proposed restoration initiative relies heavily on the use of stewardship contracting authorities. However, even though stewardship contracting authorities have existed for more than a decade, the USFS has not made widespread use of them. You treated 88,000 acres in 2009 using these contracts, and I understand that you plan to treat 121,000 acres this year. Yet your fiscal year 2011 budget sets a target of restoring 600,000 acres using stewardship contracts—a five-fold increase. How can we be confident that you will be able to meet this aggressive target? What specific steps do you plan to take to implement such a large increase in the use of these contracts?

*Answer.* The USFS already has 10 years of experience in successfully implementing stewardship end-results contracts. During this 10-year period, our partners, cooperators, and employees have gained considerable experience and have overcome numerous obstacles. To expand the use of stewardship end-results contracting, we are finalizing the development of a simplified single contract instrument. This contract will focus on achieving the end results identified through the collaborative process, facilitate best-value contracting, and protect the interests of our stakeholders and the Government. Utilizing this contract of choice, as another tool to implement stewardship end-results contracting, the USFS will have an increased capacity to accomplish more good work for national forests.

#### INTEGRATED RESOURCE RESTORATION

*Question.* Within your new Integrated Resource Restoration program, you propose \$50 million for a "Priority Watersheds and Job Stabilization" initiative to fund a number of long-term stewardship contracts to improve watershed health and create jobs. How do you plan to select projects under this initiative, and how many projects do you expect to fund in 2011?

*Answer.* Selection criteria will be based, in part, on needs and opportunities associated with restoration, partnerships, public use, and ecological significance. Watersheds will be funded in a variety of areas across the country but the number of projects will not be known until proposals are evaluated and project selection is made. Priorities will be informed by identification in the State forest assessments, watershed condition, costs, and input from local communities.

The watersheds identified as most important to the public will be brought forward for a more comprehensive evaluation. Proposed projects will be evaluated through a national prioritization process with final selections by the Chief of the USFS. Selection of biomass projects will favor proposals that are coordinated with other Federal and State land management agencies, as well as tribes; accomplish management objectives with regard to forest function and health; create jobs or contribute to job stability; and create or maintain traditional forest products or biomass/renewable energy development. Nontimber, forest jobs will be prioritized using the proportion of non-Federal matching funds and the number of jobs for youth that will be generated. Creating job opportunities for youth in rural areas will be an important component of this initiative.

#### BIOMASS UTILIZATION

*Question.* Your budget request states that you will conduct an USFS-wide biomass assessment to help prioritize and support the development of biomass utilization facilities. I've been very concerned about the lack of biomass infrastructure in areas like the Lake Tahoe basin, where the cost of transporting biomass can be prohibitive and the USFS is still forced to depend on piling and burning to dispose of much of its forest waste. How will your budget proposal specifically increase biomass utilization?

Answer. One of the underlying concerns in the development of a woody biomass utilization facility is assuring a reliable and predictable supply of biomass. Any investment in infrastructure will require a long-term supply of raw material (excess woody biomass). Instead of piling and burning of this excess biomass, the USFS-wide biomass assessment identified in the fiscal year 2011 budget justification will help to prioritize and support the development of bio-energy facilities and other biomass utilization facilities.

One example includes the Kings Beach area of North Lake Tahoe, California, where the USFS is currently working with Placer County to establish a 3-megawatt combined heat and power facility. Woody biomass comes from forest health restoration projects on the Lake Tahoe Basin Management Unit. The project used one of the biomass assessment tools, the coordinated resource offering protocol (CROP) study, to assess the availability of woody biomass in the next 5 years. The project is moving forward at this time.

The USFS is integrating biomass utilization efforts with partners (Departments of the Interior, Energy, Defense, and Commerce, as well as USDA and EPA), including implementing new fiscal year 2008 farm bill authorities such as the Biomass Crop Assistance Program, and coordinating with communities, State foresters, and tribes. The EPA is working directly with the Department of Energy on 49 new bio-energy facilities to pilot and demonstrate wood-to-energy technologies.

In fiscal year 2011, \$20 million is targeted to farm bill programs that encourage market development for biomass materials removed from the wildland-urban interface (WUI). The Forest Biomass for Energy Program (section 9012), administered by USFS research and development, is funded at \$15 million, and the Community Wood Energy Program (section 9013) is funded at \$5 million. Since 2005, the USFS awarded a total of \$24.5 million (98 grants) to help improve NFS hazardous fuel reduction activities.

In addition, the USFS has identified 20 CROP study areas capable of providing a sustainable woody biomass resource. The USFS will continue to expand on the number of CROP study areas, and to provide available biomass information for these study areas to potential investors.

#### COLLABORATIVE FOREST LANDSCAPE RESTORATION ACT

*Question.* The subcommittee provided \$10 million to begin funding Restoration Act projects this year and asked you as part of the fiscal year 2010 Interior Appropriations Act to provide a list of projects you plan to fund by March 1. Unfortunately, we have not yet received that list from you. When do you expect to have this year's projects selected? What criteria will be used to choose the final recipients?

Answer. The Omnibus Public Land Management Act of 2009 requires proposals to be reviewed and recommendation for selection made by an advisory panel. The advisory panel is subject to the Federal Advisory Committee Act (FACA). The FACA process is fairly lengthy, but the notice of intent to establish the Collaborative Forest Landscape Restoration (CFLR) Advisory Committee and call for nominations was published in the Federal Register on February 26, 2010. Committee member selection is anticipated no later than April 30, 2010. Upon selection of prospective committee members, a background check for each will require approximately 3 weeks to complete. The USFS anticipates that the CFLR Advisory Committee will be in place by June 2010 and is currently soliciting CFLR proposals from the field.

The request for proposals, sent to the regional foresters on February 24, provides guidance to ensure that the proposals are responsive to CFLR requirements and are organized to allow efficient evaluation by the CFLR Advisory Committee. Proposals are due May 14, 2010 and projects will be selected in July 2010. The following criteria, as required in the Omnibus Public Land Management Act of 2009 will be used in the selection: the strength of the proposal and strategy; the strength of the ecological rationale; the strength of the collaborative process; the ability to reduce long-term wildfire management costs; the ability to reduce costs through the use of woody biomass; and, the ability to leverage non-Federal investments. The CFLR Advisory Committee may add additional criteria.

#### QUINCY LIBRARY GROUP (QLG)

*Question.* I understand that there has been some confusion regarding how much the USFS plans to spend to implement QLG activities in fiscal year 2010. Could you please confirm for me exactly how much you plan to spend this year on QLG projects?

Answer. The USFS has allocated \$26.2 million for QLG activities in fiscal year 2010.

*Question.* How much is in your budget for QLG projects for fiscal year 2011? Can you assure me that the funding for QLG is not going to get cut, given the proposed changes to your restoration budget?

*Answer.* The USFS does not propose any reductions for QLG. The fiscal year 2011 budget request includes \$26.2 million for QLG projects, the same level as fiscal year 2010.

*Question.* I have been very concerned that the USFS continues to be unable to meet the 40,000-to-60,000-acre annual treatment target set by the legislation authorizing QLG. Last year at this hearing I discussed these targets with Chief Kimbell. She testified that the USFS planned to treat approximately 18,000 acres in 2009 and 20,000 acres in 2010. Did the USFS meet your 2009 acreage target?

*Answer.* No, the USFS treated 14,370 acres in fiscal year 2009. Appeals and litigation have greatly reduced the ability to implement the pilot project, which, along with the economy, has resulted in the project area losing forest product industries. The Sierra Pacific recently closed their QLG small log sawmill. The USFS plans to treat 25,476 acres in fiscal year 2010.

*Question.* How many acres do you plan to treat in the QLG area in 2011?

*Answer.* The USFS plans to treat more than 21,000 acres in fiscal year 2011.

#### FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT (FLAME) ACT

*Question.* Last year the subcommittee enacted the FLAME Act of 2009, which required a number of firefighting budget and accountability reforms. As you know, one of the major changes under this new law was the creation of a \$413 million appropriations account, the FLAME Fund, to fund large wildfire incidents this year. I understand the USFS has been working your Department to set up this new account. How will the USFS ensure that the FLAME Fund is up and running so that funding will be seamlessly available to the field for firefighting needs this year?

*Answer.* The USFS is confident that implementation of the FLAME Fund will be seamless and not affect the availability of funds for firefighting needs. All fire expenditures will be made out of the wildfire suppression account, which current has sufficient funds to carry the USFS through most of the existing fiscal year due to carryover funding from last year and depending on the severity of this year's fire season. We are finalizing our procedures for implementation of the FLAME Fund.

The FLAME Act funds will be available to the Secretary of Agriculture to be transferred into the suppression account when the suppression account is nearly exhausted and/or certain objective criteria are met.

The fund will help address the challenges of budgeting for fire suppression and enable the USFS to respond effectively during highly variable fire seasons.

*Question.* I'm pleased that you've provided \$1.2 billion for fire suppression appropriations, including \$595 million for base fire suppression programs and \$291 million to continue the FLAME Fund in 2011. However, I'm concerned you've also created additional bureaucracy by adding on a third fund, the Presidential Wildland Fire Contingency Reserve Fund, on top of your two other firefighting appropriations. Why do you need three separate firefighting appropriations? Why is it necessary to create this Contingent Reserve Fund?

*Answer.* The Presidential Wildland Fire Contingency Reserve Fund will help address the challenges of annual budgeting for changeable fire suppression needs and enable the USFS to respond effectively during highly variable fire seasons. Upon forecast of FLAME fund depletion, a Presidential declaration can authorize transfer of funds from the Presidential Contingency Fund. A Presidential declaration for use of these funds is to be based on an analysis of risk decisions made for type 1 and 2 fires. An approved Presidential declaration, in effect, indicates that the USFS is worthy of accessing this fund due to effective and accountable operations.

This special contingency account will provide a backstop for the unpredictability of fire seasons and ensure that other key USFS programs are not disrupted if fire transfer would otherwise have to be employed to meet firefighting funding needs in years of above average fire activity/costs.

#### HAZARDOUS FUELS

*Question.* Your budget proposes \$349 million for hazardous fuels reduction, roughly equal to the level provided by Congress for this fiscal year. Within that amount, you propose a number of changes to your program of work, including an increased emphasis on treating acres in the WUI and \$20 million to fund two new biomass utilization grant programs. How many acres do you plan to treat in 2011, and how you will select those acres?

*Answer.* The USFS proposes treating 1.6 million acres in fiscal year 2011. The USFS will focus on treating the more expensive high-priority wildland urban inter-

face treatment acres and areas that have completed a Community Wildfire Protection Plan or an equivalent plan.

#### BIOMASS UTILIZATION

*Question.* How these new biomass utilization grants would be used? Why do you think funding for these grants is a better investment than funding additional fuels reduction work on the ground?

*Answer.* As part of title IX of the 2008 farm bill, 2 new biomass grant programs were established. The Community Wood Energy Program (section 9013, Public Law 110-246) creates a new program to support State, Tribal, and local governments in developing community wood energy plans and to acquire or upgrade wood energy systems for public facilities. Eligible public facilities are those owned or operated by State or local governments which use woody biomass as the primary fuel which have or could install single facility central heating, district heating, combined heat and energy systems, and other related biomass energy systems.

To ensure wood energy systems match the available fuel supply a community wood energy plan will be required before program funds are used to acquire equipment. Support will be for systems that are smaller than 5 million Btu per hour heating and/or 2 megawatts for electric power production as directed by statute. The plans will be required to address potential air quality impacts of the proposed systems and compliance with applicable air quality rules and performance standards. State foresters and many other groups interested in forest health, hazardous fuels reduction, and renewable energy have expressed interest in supporting and participating in this new program.

The Forest Biomass for Energy Program (section 9012, Public Law 110-246) will be a research and development program to encourage use of forest biomass for energy. The grant program priorities are fully in line with the bioenergy and bio-based products research and development program. The creation of a sustainable bio-industry producing biofuels and bioproducts on a significant scale is critically dependent on having a large, sustainable supply of biomass with appropriate characteristics at a reasonable cost; cost-effective and efficient processes for converting wood to biofuels, chemicals, and other high-value products; and useful tools for decision-making and policy analysis. If the program is funded, Forest Service Research & Development will administer grants.

Energy security, development of renewable energy, combating global climate change, and wildfire risk reduction are national priorities, and the utilization of woody biomass plays a role in each, as well as in the management of long-term forest health. Energy from biomass has the potential to contribute significantly to meeting the Nation's goals for domestic energy production and reducing carbon emissions. There is a national desire to ensure that expansion of wood-based bio-energy does not result in negative consequences like forest degradation and loss of ecosystem services. USFS has also raised significant concerns and challenge regarding the air quality impacts of small wood fired boilers and heaters. Issues of sustainability include overall quantities of biomass that can be produced without negative impacts, effects at both the landscape scale (e.g., overall land use change) and site scale (local impacts from harvest or facility development).

The new biomass programs can help the USFS and partners address issues of scale, environmental impacts, social acceptance, public lands management, and rural economic development. The new grants, as well as the continuation of the Woody Biomass Utilization Grant Program, will continue to link benefits to NFS forest health, watershed, and habitat objectives as well as achieve sustainable, biomass utilization to the States and local communities.

#### AIRTANKERS

*Question.* At this hearing last year I expressed serious concern about the declining number of firefighting air tankers available to the USFS. Since 2002, you have lost almost 60 percent of your fleet to safety and maintenance issues. Your own Inspector General confirmed in a July 2009 report that your remaining 19 aircraft will start reaching the end of their service life in 2012. This subcommittee asked the USFS to present an aviation strategy that lays out a plan to address your air tanker shortage as part of our 2010 Interior bill. Nearly 5 months have passed since we asked for this plan and we have still not heard how the USFS intends to respond. When will the USFS share its recommendations with the subcommittee for upgrading its air tanker fleet?

*Answer.* The USFS recognizes the need for an overall airtanker strategy to plan for a future airtanker fleet and will work closely with the subcommittee to develop an acceptable strategy to deal with the rapidly aging airtanker fleet. The USFS and

our interagency partners are also working on the cohesive strategy, as directed by the Congress, which will provide strategic insights for balancing wildland fire response, fire-adapted human communities, and landscape restoration.

#### STATION FIRE

*Question.* Last August, the Station Fire destroyed 160,000 acres in the biggest fire event in the history of Los Angeles. At the time there were many questions raised about the appropriateness of the USFS's response. Some still believe that these questions have not been answered. Did the USFS's incident commanders call for firefighting airplanes on initial attack? And were they fully utilized?

*Answer.* Yes, the USFS did order and use a full complement of aircraft for initial attack on the Station Fire. Air resources mobilized on the first day of the fire included two air tankers, seven helicopters, one lead plane and two air attack planes. The lead and air attack planes are used to manage air traffic over the fire and coordinate with firefighters on the ground.

Air resources on the second day of the Station Fire included six air tankers, seven helicopters, two lead planes, and three air attack planes. Aircraft were provided through USFS contracts, and Los Angeles County and Los Angeles City cooperating agreements. These aircraft were part of an aggressive initial response to the Station Fire which also included 13 fire engines, 9, 20-person hand crews, 3 water tenders, and 2 patrol units.

After the Station Fire, USFS Chief Thomas Tidwell commissioned a review of the initial suppression actions (first 48 hours). A panel consisting of members from the USFS, the Los Angeles County Fire Department and the California Department of Forestry and Fire Protection (CAL FIRE) released a report on November 13, 2009 concluding that incident managers from the Angeles National Forest acted in accordance with accepted wildland firefighting practices. It determined that fire managers had clear intent from their leader and that they deployed fire suppression resources only in those conditions where they would be safe and effective.

*Question.* In the wake of the Station Fire, State and local officials have expressed concern that USFS firefighting policy is not as aggressive as it could be. This sentiment is best expressed in a letter I received from the Los Angeles County Board of Supervisors, that notes "U.S. Forest Service fire suppression policies limit . . . the use of State and local government personnel, equipment and aircraft for early attack and suppression of fires within the Angeles National Forest." Local officials believe that current USFS policy is allowing fires to burn from Federal lands onto their jurisdictions, and they believe that these policies must be changed. Can you please tell us how the USFS plans to work with State and local fire departments to ensure that all available resources are utilized in the most aggressive manner possible to keep fires from burning into heavily populated areas?

*Answer.* The Pacific Southwest Region has a strong track record of working with cooperators on aggressive Initial Attack and often establishes joint or unified command on fires.

The USFS did not hold back any firefighting resources in fighting the Station Fire. In fact, resources not immediately being used on the nearby Morris Fire were rerouted to assist in suppression efforts on the Station Fire.

In October 2009, Chief Tidwell commissioned a review of the initial suppression actions (first 48 hours) on the Station Fire. The resulting report in question 17 was released on November 13, 2009 and is available on the USFS homepage at [www.fs.fed.us](http://www.fs.fed.us).

This report includes assessments of several key factors such as topography, weather, vegetative ("fuel") conditions, and threats to both communities and natural resources. It does, in fact, also discuss decisions made on the ground by fire commanders and what the impacts of those decisions were in suppressing the Station Fire. There have been no changes in operating protocol as a result of the findings of the Station Fire Initial Attack Review.

#### NIGHT-TIME FLYING

*Question.* Night-time aerial firefighting operations have the potential to double the amount of time that full-fledged fire suppression activities can take place. Several jurisdictions in California, including Los Angeles County and the city of San Diego, have authorized, equipped and trained their fire aviation fleets to operate at night and other low visibility conditions. While I understand that the USFS is reviewing the feasibility of flying at night, the USFS's official position is that this activity still that is too unsafe to authorize. What is the status of your internal review on night flying, and when do you expect it to be completed? Will you provide the subcommittee with an update once the review has been completed?

Answer. The review of night-time helicopter operations is underway and the evaluation is being led by staff at the San Dimas Technology Center in California, with support from contractors and NASA. Efforts have been focused to understand the mission more completely; review the history of the programs, review current programs employed by counties, Federal agencies, and the military, reviewing current and emerging commercial technology, studying risk associated with night operations, integration issues with our existing aviation and ground operations program and benefit/cost analysis. The USFS anticipates completing this review in fall of 2010 and will provide the subcommittee copies of the final report as soon as they are available.

*Question.* If you determine that night-time aerial firefighting can be done safely, will you provide this subcommittee with an assessment of expected costs and potential benefits?

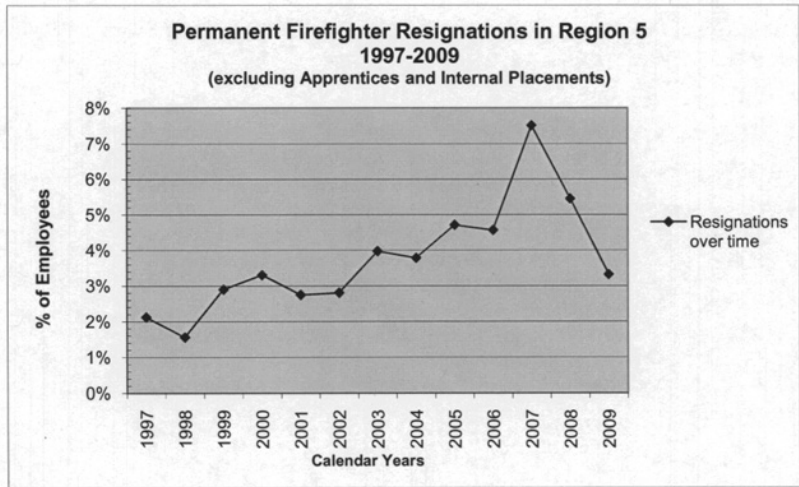
Answer. Yes.

FIREFIGHTER RETENTION

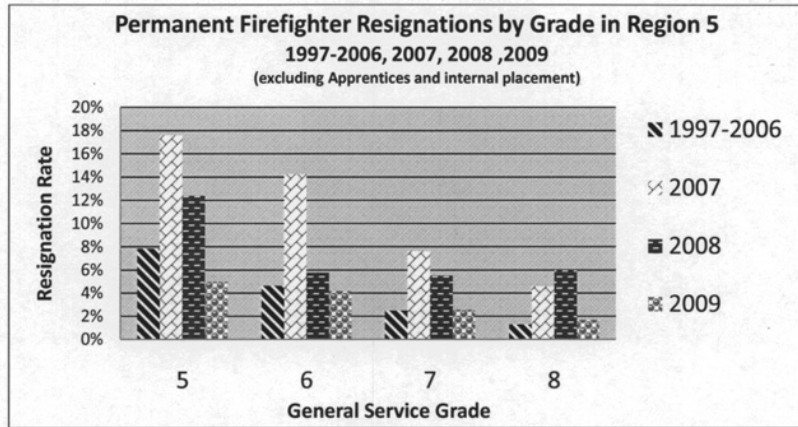
*Question.* I have been concerned about firefighter vacancies on national forests in California, as well as reports that the USFS has had difficulty retaining experienced firefighters because of pay disparities and morale issues. As you may know, I supported \$28 million in prior-year funding to develop and implement retention strategies to keep firefighters in Federal service. I understand that the USFS used this money to provide a 10 percent retention bonus to certain firefighters and used the rest of the money to convert seasonal employees to full-time, year-round staff. Have there been improvements in firefighter retention in my State since these incentives were implemented?

Answer. Yes, the USFS has seen improvements in firefighter retention since the incentives were implemented. The graph "Permanent Firefighter Resignations in Region 5" displays those improvements.

The overall attrition rate for calendar year 2009 is below 8 percent from a high of 13 percent in 2007. The resignation rate dropped from a high of more than 7 percent in 2007 to 3 percent in 2009. The graph, "Permanent Firefighter Resignations by Grade in Region 5," below, demonstrates declines in resignation rates across all grades, suggesting that incentives have helped to improve retention rates.







*Question.* If so, what percentage of these improvements can be attributed to the retention strategies and what percent can be attributed other factors, such as State and local hiring freezes?

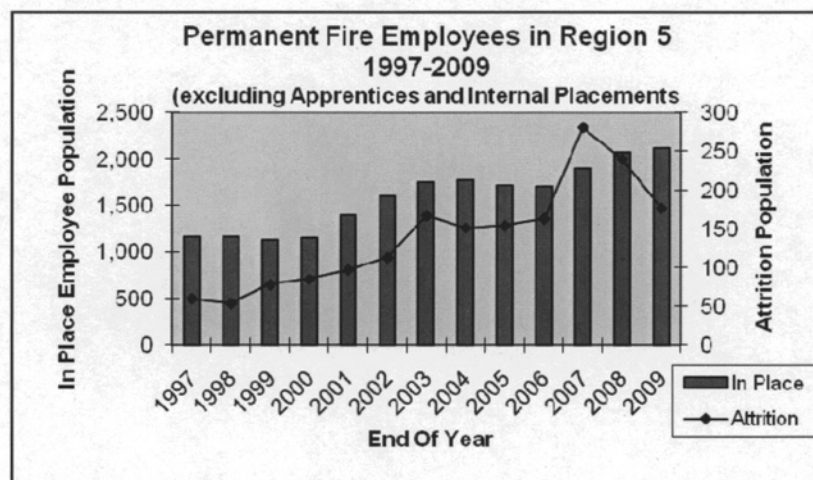
*Answer.* It is difficult to quantitatively determine what portion of the employees did not leave as a result of the implementation of the retention strategies or because of hiring freezes by State or local fire departments. The below table displays the percentage and number of the resignation rates attributed to employees leaving to California State, county, and local fire departments, pre- and post-retention incentives. This information shows a significant decrease in these resignations since the retention incentives were implemented.

RESIGNATION OF REGION 5 FIREFIGHTERS

	No. of employees	Percentage of resignations
Pre-retention 3/1/08 thru 2/28/09: CA State, county, and local fire departments .....	44	33
Pre-retention 3/1/09 thru 2/28/10: CA State, county, and local fire departments .....	8	19
Change .....	-36	-15

*Question.* How many firefighters will your agency field in California this year?

*Answer.* The graph “Permanent Fire Employees in Region 5” displays the history of fire employee populations along with the attrition rate for those time periods. The USFS in California has more than 2,100 permanent fire employees. In April, Region 5 is conducting another round of hiring for key permanent firefighting positions GS 06–10. At this time the USFS is planning for almost 4,300 permanent, apprentice and temporary employees, plus 52 Organized AD and Contract Hand crews made up of an additional 1,040 call-when-needed firefighters.



*Question.* Can you assure me that the USFS will employ an adequate number of experienced firefighters in my State for fire season?

*Answer.* Yes. As the previous questions indicate we are doing a better job of retaining experienced fire personnel.

#### ENERGY

*Question.* I do not support a first-come, first-serve approach to permitting renewable energy development on Federal lands. Unfortunately, it appears that the USFS is taking such an approach. I believe that the Federal Government should plan the development in a manner that is in the best interest of the public. That is why I have proposed in the California Desert Protection Act of 2010 that the USFS conduct a development planning process, known as a programmatic Environmental Impact Statement (EIS), for wind, solar and biomass energy. The Bureau of Land Management (BLM) is doing such an EIS to bring order to the solar permitting process, after it took development applications for years on a first-come, first-serve basis without regard to where development belonged. Does the USFS intend to initiate a planning process, mirroring that now going on at BLM, to assure that renewable energy development on USFS land is consistent, considers the public interest, and is focused on the land best suited for this use?

*Answer.* Renewable energy production and transmission is an important consideration in the comprehensive management of the 193 million acres NFS land. Early coordination among all interests is a key element in properly locating energy production and transmission. Each energy resource has unique characteristics guiding its proper location within the NFS.

The USFS and the BLM recently prepared a comprehensive evaluation of geothermal energy within BLM and NFS lands. The results of the study are used to guide the location of future geothermal energy production. The USFS and the Department of Energy's National Renewable Energy Laboratory (NREL) completed a 2005 study, Assessing the Potential for Renewable Energy on National Forest System Lands, to assess the overall potential for such development on NFS land. This report will assist forest planners and resource managers in identifying NFS lands that have the highest potential for industrial development of wind and solar energy.

To date, requests for the use of NFS land for wind and solar energy production have been rather modest, fewer than 15 inquiries in total. No solar facilities have been requested and only one wind energy facility is under study for authorization. These studies and the relatively low interest in wind and solar production on NFS land indicate that additional evaluations of these energy sources are not appropriate at this time. Should a competitive interest occur, the USFS will issue a prospectus, ensuring that the public's best interests are addressed (36 CFR 251.58(c)(3)(ii)).

## QUESTION SUBMITTED BY SENATOR HERB KOHL

## LAND ACQUISITION

*Question.* I understand that the Forest Service (USFS) has recently modified its ranking criteria for land acquisition projects. Could you tell me a little about that ranking process?

Please include in your response some specifics on how a project might be a top priority one year and not be ranked at all the subsequent year. This was the case for a project in my State. Land acquisition in the Chequamegon-Nicolet National Forest ranked high in the President's fiscal year 2010 budget and received Federal funding that year, but didn't make it on the regional priorities list for fiscal year 2011, even though it was only partially funded and needs additional monies to be completed.

It is my understanding that projects which received prior-year funding, and are not yet completed are usually considered a Department priority. Is that no longer the case?

*Answer.* The USFS land acquisition list is a national listing of the administration's proposed priority acquisitions. The criteria used to evaluate and rank projects were based on resource attributes, achieving administration conservation objectives, and advancing the goals of the USFS's strategic plan. The nine criteria used to evaluate and rank projects were: healthy watersheds; wetlands and riparian habitat; diverse habitats for threatened and endangered species; adaptation to the effects of climate change; conserving forests for landscape restoration; recreational uses and improved public access; cultural and heritage resources; projects situated within congressionally designated areas (e.g., wilderness, wild, and scenic river); and increased management efficiency.

Each region applies the above criteria to projects submitted by individual national forests to evaluate and rank projects for consideration by a national review panel composed of several individuals representing different parts of the USFS. The panel considers the regions' ranking, along with other factors, such as a region's capacity to complete the acquisition, the level of local support for the acquisition, and achieving a national distribution of projects across regions and landscapes. The new criteria includes consideration of a project's prior-year funding, but past funding is not a guarantee that a project would rank sufficiently high to be included in the President's budget submission.

The USFS is reviewing its project ranking and selection process to consider revisions for fiscal year 2012 and is aware of the additional funding needs for projects where remaining parcels are to be acquired. Should the Eastern Region submit a land acquisition project on the Chequamegon-Nicolet National Forest for fiscal year 2012, the national panel will carefully evaluate it for consideration of funds.

## QUESTIONS SUBMITTED BY SENATOR TIM JOHNSON

## BLACK HILLS NATIONAL FOREST

*Question.* The total planned volume sold in the fiscal year 2011 President's budget request is 2.716 billion board feet (bbf), down from 2.909 bbf in the fiscal year 2010 budget request. What effect will a reduction in the national program have on the Black Hills National Forest? How much additional funding would be required to raise the national volume to 3 bbf annually?

*Answer.* There is some confusion in the budget justification tables that show the sold volume proposed for accomplishment in fiscal year 2011. The total sold volume for fiscal year 2011, 2,400 million board feet (MMBF) shown under the forest products program, is a unified accomplishment level. This total is made up of 2,000 MMBF of green timber, 250 MMBF of salvage volume, and 150 MMBF in the K-V authority. The salvage and K-V volumes are included in the total and thus are not additive. Thus, to produce 3,000 MMBF of timber volume sold, appropriated funding for an additional 600 MMBF would be needed. It is estimated that an additional \$92 million would be required to produce this volume. The production of this volume is dependent on finalizing the National Environmental Protection Act decision on the project and the timber market at the time of proposed sale.

Nationally, in fiscal year 2009, the Forest Service (USFS) sold 2,508 MMBF and has targeted the sale of approximately 2,546 MMBF in fiscal year 2010. The USFS anticipates that the fiscal year 2011 projected program will result in a reduction on the Black Hills National Forest.

*Question.* In the fiscal year 2010 budget allocation, Region 2 received an additional \$40 million to address bark beetle epidemics, Montana received \$20 million

to address a bark beetle epidemic, and Idaho received \$14 million to address a bark beetle epidemic. Those funds, while tremendously important and appreciated, are far short of what is necessary. The fiscal year 2011 budget is silent on how, or whether, to pay for the enormous costs associated with addressing the bark beetle epidemics. Does the President's budget request include sufficient funding to address the bark beetle epidemics for fiscal year 2011? If not, what is your strategy for identifying and requesting those funds?

Answer. Addressing the spread and effects of the bark beetle epidemic will require a multi-faceted and multi-year approach, and the USFS's fiscal year 2011 budget request reflects this approach and need. Specific funding and programs addressing the bark beetle epidemic are described below.

The USFS will continue to fund management action to reduce forest susceptibility to beetle outbreaks and protect high-value trees. In coordination with partners and stakeholders, the USFS will direct funds to the areas that have been experiencing tree mortality as a result of beetle infestations both to ensure public safety and to reduce the impact on forested ecosystems.

National Forest System management will prioritize treatments to restore health and resilience of forested ecosystems to facilitate adaptation to the stresses created by climate change through landscape restoration projects. This includes implementing projects to treat forested landscapes that are highly vulnerable to bark beetle infestations. The expanded use of stewardship contracting will increase opportunity to leverage commercial thinning opportunities to accomplish additional treatments to enhance forest resiliency by exchanging the value of forest products generated for additional restoration treatments.

The forest health management request includes funding to meet the highest-priority prevention and suppression needs on forests managed by the USFS, other Federal agencies, tribal lands and non-Federal lands. Forest health management programs provide for detection, monitoring, evaluation, prevention and suppression of bark beetles on the Nations' forested lands.

The Eastern Forest and Western Wildland Environmental Threat Assessment Centers—in partnership with Government agencies, universities, and nongovernmental organizations—provide national leadership in developing knowledge and tools to respond to emerging issues and threats associated with new and potential bark beetle infestations.

USFS research scientists will continue to evaluate potential future effects of climate change in order to identify natural resource vulnerabilities and prioritize management actions to enhance resilience of natural systems. This includes development of a cohesive, coherent model to help land manager predict the interacting behavior of fire and bark beetles under selected climate change scenarios.

*Question.* Virtually the entire Black Hills National Forest timber sale program is geared to reducing fire hazard or mountain pine beetle risk. Further, most of the recent NEPA decisions have included new road construction. How will eliminating all funding for road construction/reconstruction affect implementation of the Black Hills National Forest forest plan, reducing fire risks, thinning the forest, and addressing the pine beetle epidemic?

Answer. Fuels management and vegetative treatments needed for control of the pine beetle epidemic will focus primarily on areas where new road construction and upgrades to existing roads are not required. The elimination of the road improvement activity will have little impact on the Black Hills National Forest timber sale program. Any new road construction will continue to be included as a purchaser requirement within the timber sale offering and will therefore be funded by the sale product value and not appropriated road funding.

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#### QUESTIONS SUBMITTED BY SENATOR JON TESTER

##### COLLABORATION

*Question.* Anecdotal and collected data show that up-front collaboration is breaking the gridlock in our forests and help to get work accomplished on the ground. Your agency is encouraging this in the budget through new programs like the Forest Landscape Restoration Act and the Jobs and Watershed Stabilization Fund, but what are you doing to train your district rangers and line officers to facilitate collaboration and build local support for projects?

Answer. The Forest Service (USFS) offers multiple opportunities for dynamic learning using both internal and university and partner resources. The USFS enables line officers flexibility in their approach and allows the individual and situation to dictate what is most important in a given situation.

The USFS is employing a range of methods to train line officers in facilitating collaboration. First, the USFS has made available several training modules related to collaboration, through the USDA portal for e-learning. By completing training courses on this portal, USFS employees can earn credits towards development goals.

Complementing this online resource, line officers will soon be able to also use the USFS's Partnership Resource Center, our online vehicle for advancing collaboration and partnerships. As part of this effort, the USFS is launching a new e-Collaboration feature which will create a Web environment for exchanges and networking. The site, scheduled to relaunch in May or June 2010, will also offer new resources and tools, both internally and externally built and tested.

The USFS is also actively engaged in various cross-sector, capacity-building exercises alongside our partners, the audience with whom we implement projects and ideas. One example includes participating in a recent capacity-building session in Skamania, Washington, with grantees as well as the National Forest Foundation (NFF) recent capacity-building session in Skamania, Washington, with grantees.

The USFS offers line officers a range of peer-learning opportunities. Line officers have participated in peer-learning sessions, sponsored by the NFF, to exchange knowledge and best practices and build relationships, to facilitate stewardship contracting and agreements. Working across agencies, line officers have also participated in the Bureau of Land Management (BLM) sponsored distance learning course, *Managing by Network*. This course uses WebEx conferencing to join participants with their colleagues and a management coach to discuss and learn how to manage their work through networks of partnerships, contracts, volunteers, and alliances, and how to apply best management practices to their current partnerships and community collaboration responsibilities.

#### FIRE

*Question.* The fiscal year 2011 budget finally addresses firefighting in a separate budget with the Federal Land Assistance, Management and Enhancement (FLAME) Fund and the President's discretionary fund. Yet you cut the investment in local and State firefighting funds. Why? How do you plan to help assist States? Also why is it necessary to have two contingency funds? Why is the secretarial discretion not sufficient? If it was so important for Congress and this subcommittee to pass the authorization for the FLAME Act, why was it not necessary for the subcommittee to pass the same authorizing authority for the Presidential discretionary fund?

*Answer.* The President's budget proposal of \$50,104,000 for State Fire Assistance (SFA) funding, while down from the fiscal year 2010 enacted level, is consistent with prior funding requests for this account. These program funds complement the SFA program that is funded through the State and private forestry appropriation.

As in prior years, the USFS will continue to provide SFA funding to State foresters to address important and unique needs relating to hazardous fuel treatment, wildland fire prevention, hazard mitigation, and wildland fire suppression response. The SFA funding will continue to be used to maintain and enhance coordination and communication with Federal agencies as well as for critical preparedness needs including firefighter safety, enhanced initial attack capability, and training. State foresters make determinations about how to target funding to the highest-priority needs identified in their State.

The proposed budget also contains a discretionary Presidential contingency reserve account for firefighting which would be used if the Suppression and FLAME Act accounts are exhausted and specific criteria are adequately addressed.

This special contingency account will provide a backstop for the unpredictability of fire seasons and ensure that other key EPA programs are not disrupted if fire transfer would otherwise have to be employed to meet firefighting funding needs in years of above average fire activity/costs.

The Secretary's discretion covers the funding needed to cover the 10-year average costs for suppressing wildfire. The President's Contingency Reserve Fund provides funding over and above the 10-year average cost for suppression of fires. It will make available an additional \$282 million if the fire season is extreme and suppression and FLAME Act funds are depleted.

#### ROAD BUDGET

*Question.* Your budget drastically reduces the road maintenance budget and clearly outlines the USFS's desire to reduce the number of roads the USFS maintains by 6,000 miles. To properly remove roads and restore watershed takes money. How does defunding this budget properly address the goal reducing the USFS's duplicative road infrastructure? Wouldn't it be wiser to increase funding to assure roads are properly converted to trails, decommissioned and re-contoured?

In the “Right Sizing” of the road system, what steps does the USFS consider to be a reclaimed road? Is this fully re-contouring? What is the impact on leaving these road beds on water quality and fish habitat?

Answer. The USFS is managing multiple priorities within a constrained budget. The reduction reflects a curtailment in the construction of new roads and upgrading existing roads while keeping the maintenance funding relatively level (a decrease of 1.5 percent) with the fiscal year 2010 enacted level. The USFS will focus on maintaining the existing transportation system. Other appropriated programs such as legacy roads and trails and deferred maintenance and infrastructure Improvement complement the roads program. Road work accomplished under these programs, including decommissioning, support the USFS’s priorities to repair and maintain roads and trails that affect water resources and ecosystem function, and to reduce the deferred maintenance backlog. Nonurgent work will be deferred.

Road decommissioning decisions are made on a case-by-case basis and consider many factors such as topography, climate, geology, and risks to threatened and endangered species. Some roads may require recontouring to ensure that decommissioning is effective and to mitigate resource damage; some roads will be decommissioned with limited effort. Those sections that do not require full recontouring are considered to be low risk, and have minimal impact on water quality and fish habitat.

#### PLANNING RULE

*Question.* As you well know the current planning rule was issued in 1986 and is scientifically and socially outdated. On December 18 you announced an effort to write a new planning rule under the National Forest Management Act. What is the progress on this effort?

Do you really think a new rule will solve our problems?

Answer. The USFS is analyzing public comments received in response to the notice of intent issued December 18, 2009. The USFS will host a National Science Forum and a series of public meetings through mid-May 2010 to provide opportunities for public input and dialogue on the development of a new planning rule. Further information on these meetings is available at on the planning rule Web site, <http://www.fs.usda.gov/planningrule>. Through collaboration on the planning rule, the USFS will be able to better address current and future needs of the National Forest System (NFS) such as restoration, protecting watersheds, addressing climate change, sustaining local economies, improving collaboration, and working across landscapes. The USFS expects to publish the draft environmental impact statement in December 2010 and the final environmental impact statement in October 2011.

#### ENERGY PLANNING

*Question.* Chief Tidwell, the Mountain States Transmission Intertie (MSTI) line is working to cite and build a 500kv line in Montana. Some of the Environmental Impact Statement (EIS) alternatives for this line cross FS land. How are you working with the stakeholders, Interior and State Departments to find reasonable solutions to citing this and future transmission lines?

Answer. The USFS is a cooperating EPA in the MSTI project and works closely with the joint lead agencies—the BLM and Montana Department of Environmental Quality (MDEQ). Under BLM and MDEQ project management, we have collaborated with several other agencies, starting in 2008 with the Montana Major Facility Act process. We have also participated in numerous interagency meetings and public meetings to identify issues and alternatives. As alternative routes are proposed in response to specific issues, many of those proposals would cross NFS lands outside of designated corridors. In those situations, the EPA identifies resource concerns and land management plan implications, then collaborates to refine the routing in a manner that reduces unnecessary conflicts, such as crossing inventoried roadless areas. As a result, the USFS has identified a reasonable range of feasible alternatives, including some that do cross NFS lands outside of designated corridors. Those alternatives will be studied in detail in the draft EIS which is scheduled for public release in June 2010.

*Question.* What are you doing to work with Interior and the State of Montana and plan energy transmission corridors?

Answer. During forest plan revision, the USFS has been consulting with other Federal and State agencies on a variety of topics, including utility corridor designation. Recently, the USFS participated with many other Federal agencies in the West-wide Energy Corridors process mandated by Environmental Protection Act of 2005, section 368. The State of Montana has made many valuable comments relative to NFS lands on the draft Preliminary Environmental Impact Statement

(PEIS), which many have been adopted in the final PEIS. As specific major transmission projects are proposed, we cooperate with the State first in the Montana Major Facility Siting Act process, followed by cooperation in the Montana Environmental Protection Act and processes.

The Forest Service also works closely with BLM and other Federal agencies, as outlined in the Memorandum of Understanding Regarding Coordination in Federal Agency Review of Electric Transmission Facilities on Federal Land (dated October 28, 2009). As individual project siting is completed, new or revised energy corridors may be designated through land management plan amendment, as provided for in subsection 368(c). Prior to issuing the record of decision for the section 368 corridors, the Montana Governor's office reviewed the corridors as required by the BLM's governors consistency review process. Based on that review, Montana offered no revisions for the 368 corridors on NFS lands.

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QUESTION SUBMITTED BY SENATOR THAD COCHRAN

TRAVEL MANAGEMENT

*Question.* Recently the Forest Service (USFS) completed a revision of the Travel Management Plan in Mississippi. This plan has created much consternation among users of the National Forests in Mississippi. For many years, forests in Mississippi were open for use for all-terrain vehicle (ATV) enthusiasts and hunters. Currently, many of the trails and roads that were utilized by these users are closed and prohibitions on the use of ATVs within the forest also exist. It is my hope that the USFS can address the needs of all users.

Mr. Tidwell, can you tell me what resources the USFS will need to ensure that all users of forests will be able to fully access and utilize the forests?

*Answer.* Very few places exist on the National Forests and grasslands that are closed to access by all users. However, the method of access and/or time of year may be restricted. The travel management rule, promulgated on November 9, 2005, requires that all administrative units designate those National Forest System (NFS) roads, NFS trails, and areas on NFS lands that are open to motor vehicle use. When making designations, specific criteria must be considered including the effects on natural and cultural resources, public safety, recreational opportunities, etc. Decisions on which NFS routes and areas to designate are left up to the local line officers—district rangers and forest supervisors—since they are most familiar with the local situation.

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QUESTIONS SUBMITTED BY SENATOR MITCH MCCONNELL

AIRTANKERS

*Question.* Page 137 of the House Report 111–316, accompanying the fiscal year 2010 Interior Appropriations Act, states that: “The Conferees reiterate the House and Senate direction concerning readiness required for public safety and the requirement that the Forest Service *provide a copy of its report on Federal air tanker needs, including an estimate of replacement costs, within 30 days of enactment of this Act.*” (emphasis added)

Apparently, this report has not yet been submitted. What is the status of that report currently, and when can members expect to see it?

*Answer.* The Forest Service (USFS) recognizes the need for an overall airtanker strategy to plan for a future airtanker fleet and will work closely with the subcommittee to develop an acceptable strategy to deal with the rapidly aging airtanker fleet. The USFS and our interagency partners are also working on the cohesive strategy, as directed by the Congress, which will provide strategic insights for balancing wildland fire response, fire adapted human communities and landscape restoration.

*Question.* I am told that, last summer, the Department's Office of Inspector General stated that due to the rapidly aging large air tankers, individual aircraft will need to be retired for reasons of safety in the near future. Do you agree with this prognosis? If not, why?

*Answer.* The USDA Office of Inspector General's Audit Report No. 08601–53–SF USFS's Replacement Plan for Firefighting Resources states that “FS estimates that by 2012 the remaining 19 airtankers will begin to be either too expensive to maintain or no longer airworthy.” The USFS agrees with the Inspector General's assessment and would add that this estimate does not take into account the possibility of additional losses from accidents, further reducing fleet size.

*Question.* Can you supply relevant data regarding the remaining operational service life of the large air tankers that are today in the fleet?

*Answer.* The estimated remaining time for the aircraft based on cycles is as follows:

- P-3: Attrition begins in 2014 and ends in 2026, half of the attrition occurs by 2016
- P2V: Attrition begins in 2013 and ends in 2032, half of the attrition occurs by 2017

#### CONCLUSION OF HEARINGS

Senator FEINSTEIN. So thank you for coming and we look forward to working with you.

And the subcommittee is recessed.

[Whereupon, at 11:33 a.m., Wednesday, March 17, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]